



CITY OF OAK GROVE

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KENTUCKY

SUBDIVISION GUIDELINES

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SECTION 1

PURPOSE AND AUTHORITY

1.1 PURPOSE

These subdivision guidelines are designed to encourage the subdividing of land according to recognized standards which provide for sound, efficient and economical development; to provide for safe, convenient and efficient traffic circulation; to insure that the future growth will be orderly and conducive to the provision of minimum outlay of public and private expenditures in providing services to developing areas; to provide for adequate and convenient open spaces for utilities, recreation, light, air and access of fire fighting equipment and to provide for provisions of water, drainage, sewer and other sanitary facilities.

1.2 TITLE

These guidelines shall be known and may be cited as the “Subdivision Guidelines of Oak Grove, Kentucky”. A certified copy of these guidelines is on file with the Hopkinsville-Christian County Planning Commission.

1.3 LEGISLATIVE AUTHORITY

These guidelines were prepared by the Hopkinsville-Christian County Planning Commission and adopted by the Oak Grove City Council under authority granted by the Kentucky Revised Statutes, Chapter 100.273, 100.277 and 100.281.

1.4 AREA OF JURISDICTION

The provisions of these guidelines shall apply to all incorporated lands within Oak Grove, Kentucky.

1.5 ADMINISTRATION

These guidelines shall be administered by the Hopkinsville-Christian County Planning Commission. All applications, fees, maps and documents relative to subdivision approval shall be submitted to the Commission.

The Planning Commission shall handle the daily administration of these guidelines and may seek advice from local, regional and state agencies regarding subdivision proposals.

1.6 DEFINITION OF SUBDIVISION

“Subdivision” means the division of a parcel of land into two (2) or more lots or parcels; for the purpose, whether immediate or future, of sale, lease or building development or if a new street is involved, any division of a parcel of land, provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes re-division and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or re-division of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision within the meaning of this section. (KRS 100.111)

1.6.1 MAJOR SUBDIVISION

Those subdivisions of land which are generally of a major significance to the future development of the community are major subdivisions and shall include all subdivisions which do not conform to the definitions established for a major subdivision.

1.6.2 MINOR SUBDIVISION

Those subdivisions of land which generally are of secondary planning significance to the community’s future development are minor subdivisions. They shall contain no more than five (5) lots. Minor subdivisions showing street construction shall retain it’s minor subdivision classification when the linear footage of the street does not exceed one-hundred (100) feet and ends in a cul-de-sac, with a maximum radius of thirty-five (35) feet, the number of lots using the new street will be limited to five (5) lots or less and the design of the new street does not provide for future development and increased utilization of an unsubdivided land. The subdivider shall establish a surety instrument prior to the signing of the minor subdivision plat. The surety instrument shall comply with all aspects of Section IV – ASSURANCE FOR COMPLETION AND MAINTENANCE IMPROVEMENTS. Street construction shall comply with the standards as outlined in Section V – REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN.

1.7 APPLICATION

- A. No person or his agent shall subdivide any land before securing approval of the Hopkinsville-Christian County Planning Commission on a plat designating the areas to be subdivided and no plat of a subdivision of land within the planning unit jurisdiction shall be recorded by the County Clerk until the plat has been approved by the Commission and the approval entered thereon in writing by the Chairman, Secretary or other duly authorized officer of the Commission.

In addition thereto, no person or his agent shall sell, transfer or agree to sell or transfer any “off-conveyance” from a larger tract of land or portion of a larger tract of land, before submitting a plat designating boundaries of the “off-

conveyance”, or portion of the larger tract to be conveyed, to the Hopkinsville-Christian County Planning Commission for approval. All plats so approved shall be recorded in the Office of the Christian County Clerk at the same time the deed of conveyance transferring said “off-conveyance” or portion of a larger tract, as referred to herein, shall be recorded by the County Clerk until the plat has been approved by the Commission.

- B. No person owning land composing a subdivision or an off-conveyance as previously defined herein, or his agent, shall transfer or sell or agree to sell any lot or parcel of land located within a subdivision or an off-conveyance as defined herein, by reference to, or by exhibition, or by any other use of a plat or deed or such subdivision, before such plat or deed has received final approval of the Planning Commission and has been recorded. Any such instrument of transfer, sale, deed or contract shall be void and shall not be subject to be recorded but all rights of such purchaser to damages are hereby preserved.

The description of such lot or parcel by metes and bounds in a contract or instrument of transfer or other document used in the process of selling or transferring same shall not exempt the person attempting to transfer from penalties provided or deprive the purchaser of any rights or remedies he may otherwise have. See Section 1.6 for definition and exemption of agricultural land.

- C. Any street or public ground which has been dedicated shall not be accepted by the legislative body until it has received recommendations from the Planning Commission as to its applicability with sections of these guidelines.

1.8 INTERPRETATION, CONFLICT AND SEPARABILITY

- A. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum for the promotion of the public health, safety and general welfare of the citizens of Oak Grove. Minimum requirements shall be defined as those guidelines and standards found herein and shall constitute the degree of compliance which must be maintained before approval can be granted.

B. Conflict with Public and Private Provisions

1. Private Provisions

Neither this ordinance, nor any provision herein, is intended to repeal any easement, covenant or any other private agreement or restriction.

- 2. If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this Ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as whole or any part thereof, other than this subsection, paragraph, subparagraph, clause,

phrase, word, provision or portion so held to be unconstitutional or invalid. The provisions of this ordinance are not intended to interfere, absolve or annul any other ordinance, rule or regulation, statute or other provision or law.

1.9 AMENDMENTS

For the purpose of providing for the public health, safety, and general welfare of the public, the Oak Grove City Council may from time to time amend the provisions imposed by these guidelines. All amendments shall be adopted in a manner prescribed by law.

1.10 ENFORCEMENT, VIOLATION AND PENALTIES

- A. The Planning Commission or a duly-appointed representative thereof shall administer and enforce these guidelines. Any individual in violation of these guidelines shall be notified by the Planning Commission and be given ten (10) days to respond to said notification. Inappropriate response and continued violation or lack of compliance with these regulations shall be brought to the attention of the City Attorney (KRS 100.991).
- B. No owner or agent of the owner of any parcel of land located in a proposed subdivision or off-conveyance as defined herein, shall transfer, sell or divide by amending a deed any such parcel or off-conveyance as defined herein, before a plat of such subdivision has been approved by the governing body, in accordance with the provisions of these guidelines and filed with the Christian County Clerk. Any such instrument of transfer, sale or contract shall be void and shall not be subject to be recorded, but the purchaser's right to damages shall be preserved. The description of such lot or parcel by metes and bounds in any contract or instrument of transfer or other document used in the process of selling or transferring same shall not exempt the person attempting to transfer from penalties provided or deprive the purchaser of any rights or remedies he may otherwise have (KRS 100.277)
- C. Any person, firm or corporation failing to comply with or violating any of these guidelines shall be subject to a fine of not less than one-hundred dollars (\$100.00) or more than five-hundred dollars (\$500.00) for each violation. Each day of violation shall constitute a separate offence (KRS 100.991). Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these guidelines to prevent unlawful construction, to recover damages, to restrain, correct or abate a violation, to prevent illegal occupancy of a building structure or premises. These remedies shall be in addition to the penalties described above.
- D. All appeals for relief from penalties issued through violation of these guidelines must be filed in Christian County Circuit Court within thirty (30) days from the date of notification of the original violations from the appropriate administrative agency.

SECTION 2

PLAT APPROVAL PROCESS

2.1 SUBDIVISION APPROVAL PROCESS

The approval process has been designed by the Planning Commission to streamline the steps taken to review a subdivision application. The approval process has been broken down into two (2) distinct procedures for minor and major (preliminary-final) subdivisions. The subdivider shall be responsible to acquaint himself/herself with the procedures of the subdivision approval process.

2.2 MINOR SUBDIVISIONS

Phase 1—Contact the Planning Commission and submit a prepared sketch of the proposed subdivision. Responsibility is the subdivider.

Phase 2—Conference between the subdivider and Planning Commission to discuss the proposal. Responsibility is the subdivider/ Planning Commission.

Phase 3—Prepare plat and submittal (see Sections III and IV) – one (1) mylar or reproducible mylar copy and six (6) blue line copies. Responsibility is the subdivider/engineer/ land surveyor.

Phase 4—Submit plat with appropriate signatures and certification. Responsibility is the subdivider/ engineer/ land surveyor.

Phase 5—Review of plat. Responsibility is the Planning Commission and staff/ other appropriate agencies.

Phase 6—Approval/ Conditional Approval/ Disapproval Notification. Responsibility is the Planning Commission and staff.

Phase 7—Plat signed (if approved). Responsibility is the Planning Commission and staff.

Phase 8—Plat recorded with Court Clerk's Office. Responsibility is the subdivider.

2.3 MAJOR SUBDIVISIONS

Phase 1—Contact the Planning Commission and submit prepared sketch of the proposed subdivision. Responsibility is the subdivider.

Phase 2—Conference between the subdivider and the Planning Commission to discuss the proposal. Responsibility is the subdivider/ Planning Commission.

Phase 3—Prepare a preliminary plat for submittal (see Sections III and IV) – twenty-four (24) blue line copies. Responsibility is the subdivider/engineer/ land surveyor.

Phase 4—Submit preliminary plat with appropriate signatures and certification. Responsibility is the subdivider/engineer/ land surveyor.

Phase 5—Review preliminary plat. Responsibility is the Planning Commission and staff/ other appropriate agencies.

Phase 6—Approval/ conditional approval/ disapproval (preliminary plat). Responsibility is the Planning Commission and staff.

Option A

Phase 7A:

1. Installation of public facilities and marking of lots. Responsibility is the subdivider.
2. Installations inspected by Planning Commission or duly appointed representative. Responsibility is the Planning Commission and Staff.
3. Recommendations of public facility installation accompany final plat submittal. Responsibility is the Planning Commission and Staff.

Option 7B:

1. Corrections are made, if any, on final plat. Responsibility is the subdivider.
2. Surety instrument submitted with final plat. Responsibility is the subdivider.
3. Review of surety instrument. Responsibility is the Planning Commission/ City Attorney.

Phase 8—Final plat submitted (see Section III and IV) – twenty-four (24) blue line copies. Responsibility is the subdivider/ engineer/ land surveyor.

Phase 9—Review of the final plat. Responsibility is the Planning Commission and staff/ other appropriate agencies.

Phase 10—Approval/ Conditional Approval/ Disapproval – (Final plat/ surety instrument). Responsibility is the Planning Commission and staff.

Phase 11—Final plat signed:

- A. The Chairman of the Planning Commission shall sign approval of the final plat after all improvements have been completed. The City Engineer or duly appointed representative of the Planning Commission will inspect improvements made and certify that they were installed according to all standards set forth in these guidelines. Responsibility is the Planning Commission and staff/ City Engineer.
- B. If a surety instrument is submitted, the Chairman of the Planning Commission shall sign approval of the final plat after the surety instrument has been approved by the Oak Grove City Council. Responsibility is the Planning Commission and staff/ City Engineer.

Phase 12—Recording of final plat. Responsibility is the subdivider.

Phase 13—Public improvements installed if surety instrument established. Responsibility is the subdivider.

Phase 14—Public improvements inspected. Responsibility is the Planning Commission or duly appointed representative.

Phase 15—Recommendation to approve public improvements and release surety instrument. Responsibility is the City Engineer.

Phase 16—Recommendation by the Planning Commission to the City Council to accept the public improvements. Responsibility is the Planning Commission and staff.

Phase 17—Acceptance of dedicated public improvements by City Council. Responsibility is the City Council.

Phase 18—City Council directs the Planning Commission to release surety instrument. Responsibility is the City Council.

SECTION 3

PLAT FORMAT AND CONTENT REQUIREMENTS

3.1 SUBDIVISION APPROVAL PROCESS

All subdivision plats shall be prepared according to the following specifications. Where indicated, minor and major (preliminary/ final) plats may differ in certain requirements. In addition, subdivisions which contain new streets will require construction drawings.

3.2 FORMAT AND IDENTIFICATION

- A. Material and Size – Plats submitted to the Planning Commission shall be of good quality and contain neat and legible information. The size of the survey mylar sheets unless otherwise specified shall be:

Minor plats – 12” X 18” or 18” X 24”

Major plats (preliminary/ final) – 18” X 24” or 24” X 36”

- B. Title Block – The title block, placed at the bottom of the sheet, shall contain the following:

1. Subdivision Name – The name of the subdivision which does not duplicate or approximate any other subdivision name in the City.
2. Person Identification – The names and mailing address of the property owner, developer and the developer’s engineer.
3. Legend Information – The graphic scale, written scale, north arrow, preparation date and any other legend information deemed pertinent.
4. Property Identification – The recorded name and mailing address of property being subdivided.

- C. Location Sketch

1. Minor plat – A location sketch shall be included in the plat. The sketch shall be placed in the upper left hand corner of the sheet showing the relationship of the unsubdivided property to the area surrounding it, including streets or highways, schools, shopping areas and recreational areas so that the particular section of Oak Grove can be recognized.
2. Major plat (preliminary/ final) – A key map shall be submitted along with the preliminary and final plats. The key map sheet size shall be either 18” X 24” or 24” X 36”. The key map shall show the proposed

sectionalization plan for the subdivision along with a classification system suitable for the identification of the different sections of the subdivision. The location sketch showing general location of the subdivision shall be placed in the upper left hand corner of the key map.

3.3 SITE DATA

- A. Land Development Plan – The graphic design drawn at a minimum scale of one hundred (100) feet to one (1) inch (1" = 100'), shall depict the following existing conditions and proposed development features:
1. Boundary Lines – The location, distance and bearing of the proposed boundary lines.
 2. Existing Streets – Where streets exist in a subdivision or a proposed extension plays an integral role in the subdivision, the street name and right-of-way width shall be given.
 3. New Streets – Where new streets are developed, street names, right-of-way widths and grades shall be shown on all streets within the proposed subdivision. The street names shall not duplicate or imitate any other existing streets in Oak Grove.
 4. Other Rights-of-Way or Easements – The locations, widths and purposes of the rights-of-way and easements shall be indicated on the development plan.
 5. Public Sites – If any public sites, such as parks, playgrounds, etc., are proposed a key should be designated on the development plan.
 6. Lot Sizes – The size of each lot shall be given in square feet if the lot is less than an acre. If the lot is more than an acre the lot size shall be expressed in acres.
 7. Lot Lines – The location, distance and bearing of all lot lines, as well as the lot number, shall be shown.
 8. Utilities – Existing water, sewer and storm drain facilities on and adjacent to the tract showing size and elevations.
 9. Adjoining Property Owners – The names and adjacent subdivisions and/or the names of recorded owners of any unsubdivided land adjacent to the proposed subdivision shall be indicated on the design scheme.
 10. Topography (Major Subdivision Only) – Contours at vertical intervals of two (2) feet if the general slope of the site is less than two (2) percent and

at vertical intervals of five (5) feet if the general slope of the site is greater than one (1) percent.

11. Subsurface Conditions (Major Subdivision Only) – Results of a soil percolation quality test shall be shown on the plat for each separate lot whenever individual sewage disposal systems are proposed. These percolation tests shall be conducted in accordance with the state and local Health Department’s rules and regulations. All requirements of these departments shall be complied with before any lot is approved.

12. Certification Block – The certification blocks shall be placed on the bottom of the plat and shall contain the following signed certifications:

1.

OWNER’S CERTIFICATION

I/ We do hereby certify that I am/ we are the only owner(s) of record of the property platted hereon, said property being recorded in Deed (Plat) Book _____, page _____, in the Christian County Clerk’s Office and do hereby adopt this as my/ our record plat for this property and hereby dedicate the streets and other space so indicated to public use.

Owner’s Signature

Date

2.

CERTIFICATE OF ACCURACY

I do hereby certify that this record plat was prepared under my direction and to the best of my knowledge and belief the boundaries of the property being subdivided are true and accurate. The owner has been made aware of the pertinent subdivision guidelines and that the monuments have been placed as shown herein.

Registered Engineer or Surveyor

Date

Seal

3.

COMMISSION'S CERTIFICATION

I hereby certify that the subdivision plat shown hereon compiles with all subdivision guidelines with the exception of such variances, if any, as noted in minutes of the Commission or shown as notes on the plat and that is has been approved for recording the office of the County Court Clerk.

Planning Commission Chairman

Date

4.

FLOOD CERTIFICATION

A portion of the subdivision plat

_____ is
_____ is not

(mark appropriate space)

within a designated Flood Hazard Area, as designated on the Official Flood Boundary Map of Christian County.

5.

PRELIMINARY IMPROVEMENT CERTIFICATION
(for final plat only)

I hereby certify that improvement plans for this subdivision have been reviewed by me; are in conformance with the Subdivision Guidelines and the estimated cost for such improvements have been prepared by my office and communicated to the Planning Commission for the purpose of establishing the amount of the surety instrument.

City Engineer

Date

3.4 PROPOSED SUBDIVISION DESIGN AND IMPROVEMENTS

- A. Subdivision Design and Improvements – All design and improvements shall adhere to the standards set forth in Section Four (Requirements for Improvements, Reservation and Design).
- B. Reservation and Dedication – The accurate outline of all property, whether offered for dedication to public use or reserved by covenant in the deeds for common use of property owners of the subdivision, shall be shown with the purpose plainly marked.
- C. Construction Drawings – Three (3) copies of the proposed construction drawings shall be submitted to the Planning Commission staff on sheet sizes of 24 X 36". The following information shall be shown:
 - 1. Street Profiles – the final grades of each sheet shall be shown at a horizontal scale equal to the scale of one-tenth (1/10) of the horizontal scale.
 - 2. Street Cross-section – A scale of one (1) inch to ten (10) feet (1" = 10') shall be used to show the cross-section of each new street. The cross-section shall include pavement width, curbs, gutters, sidewalks, utility location and shoulders where applicable.
- D. Other Materials – Drainage easements, rights-of-way, manholes, catch basins, street signs, street lights and the location, size and invert elevations of existing and proposed sanitary sewers, storm water drains and all underground utilities, including fire hydrant hookups shall meet the standards set by respective regulatory agency.
- E. Sectionalizing (Phasing) (Major Subdivision only) – The Planning Commission may permit the subdivision to be developed in two (2) or more phases to ensure proper and orderly development of the subdivision. If sectionalization is approved, each separate section must go through an application process for final approval.

3.5 SUBDIVISION FEES

Fees for subdivision development, for both minor and major plats, shall be established by the Oak Grove City Council. See Fee Schedule attached.

SECTION 4

REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN

4.1 GENERAL IMPROVEMENTS

A. Conformance to Applicable Rules and Regulations

All subdivision plats shall comply with the following laws, rules and regulations, as well as the requirements that have already been established.

1. All applicable City ordinances.
2. The special requirements of these guidelines and rules of the Health Department and/or appropriate state agencies.
3. The rules of the Kentucky Department of Transportation if the subdivision or any lot within the subdivision abuts a state highway or connecting streets.

B. Self-Imposed Restrictions

If the land owner or developer places any restrictions on the land within the subdivision, these restrictive covenants shall be recorded with the Christian County Clerk's Office; however, they shall not be construed as being a part of these guidelines.

C. Monuments

The developer shall place permanent monuments in the subdivision, as require by these guidelines, and as approved by a registered surveyor.

1. Concrete monuments – Two (2) concrete monuments at least twenty-four (24) inches in length shall be set in two (2) corners of the boundary of each block of a subdivision and they shall be buried flush with the ground.
2. Iron-pin monuments – The iron-pin monuments at least twenty-four (24) inches long shall be placed along the boundary lines when a change of direction occurs and at all corner lots. These pins shall be placed after all grading and other construction has been completed. The engineer's certification shall be considered by the Planning Commission as his assurance that the iron-pin monuments shall be installed in accordance with the final plat after all grading and other construction has been completed. The pins shall be buried flush with the ground.

4.2 LOT IMPROVEMENTS

A. The lot arrangements shall be such that there will be no foreseeable difficulties in compliance with the Zoning Ordinance and County Health Department Regulations and in providing driveway access to buildings on such lots from a publicly maintained street or roadway.

B. Lot Dimensions

1. Lot dimensions shall comply with the minimum standards of the Zoning Ordinance and County Health Department regulations where applicable. In general, such lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street plan.
2. Residential lots not served by public sewer shall be at least seventy-five (75) feet wide and 20,000 square feet in area. A greater lot area than specified may be required for residential lots, if in the opinion of the County Health Department, there are factors of drainage, soil conditions or other conditions to cause potential health problems.
3. Residential lots not served by public water nor sewer shall be at least seventy-five (75) feet wide and 20,000 square feet in area. A greater lot area than specified may be required for residential lots, if in the opinion of the County Health Department, there are factors of drainage, soil conditions or other conditions to cause potential health problems.

C. Soil Preservation

The developer and/ or builder will be responsible for controlling and minimizing soil erosion and mud problems. When a lot has received final approval but construction is not expected to commence for at least six (6) months, adequate sodding and seeding will be required to prevent erosion.

D. Surety Instrument to Include Lot Improvement

The surety instrument shall include a provision to guarantee the completion of all requirements contained in Section 5.2 of these guidelines. The City Council may enforce the compliance of the provisions of the surety instrument where there is failure to comply with any applicable law, ordinance or regulation.

4.3 SITE DATA

A. General Requirements

1. Frontage on Improved Roads – No subdivision shall be approved unless the lot(s) to be subdivided shall have frontage on and access of at least fifty (50) feet from a publicly maintained street. Lot frontage on curved streets and cul-de-sacs may be reduced to a minimum of thirty-five (35) feet.
2. Development of Proposed Streets – Streets which are proposed for development shall be graded and improved and shall be approved as to design and specifications standards set by the Oak Grove City Council in accordance with the approved construction plans.
3. Topography and Arrangement
 - a. All proposed streets shall be properly integrated with existing and proposed systems of thoroughfares and dedicated rights-of-way.
 - b. Local streets shall be laid out to conform, as much as possible, to the topography to permit efficient drainage and utility systems and to require the minimum number of streets necessary to provide convenient and safe access to property.
3. Blocks
 - a. Blocks shall be wide enough to accommodate a depth of two (2) lots. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major arterials, railroads or waterways.
 - b. In long blocks, the appropriate utility company may require reservations of an easement through the block to accommodate utilities or drainage facilities. Provisions may need to be made for pedestrian traffic.
4. Street Names – The preliminary plat shall indicate names of proposed streets. The names shall be sufficiently different in sound and spelling from street names in Oak Grove so that there will be no confusion. A street which is or is planned as a continuation of an existing street shall bear the same name.

5. Street Regulator Signs – At the time of final subdivision approval, the applicant shall deposit with the City of Oak Grove a sum of money established by Oak Grove City Council. The type and number of signs shall be set by the Oak Grove City Council at all roads and street intersections within or abutting the subdivision. The signs shall then be dedicated to the City for perpetual care.
6. Construction of Streets and Dead-End Streets
 - a. Construction of Streets – Streets shall be arranged so that the provision is made for the continuation of streets between adjacent properties when this continuation is necessary for the convenient movement of traffic, effective fire protection and for the efficient provision of utilities. If the adjacent property is undeveloped and the street must be a temporary dead-end, the right-of-way shall be extended to the property lines.
 - b. Dead-End Streets (Permanent) – Where a street does not extend the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, the end of the street shall normally not be nearer to the boundary than fifty (50) feet. However, the Planning Commission may require that an appropriate easement be reserved to accommodate drainage facilities or utilities. A cul-de-sac turn-around shall be provided at the end of a permanent dead-end street in accordance with the standards set herein.

D. Design Standard

1. General

In order to provide for roads of suitable location, width and improvements to accommodate prospective traffic and afford satisfactory access to police, fire-fighting, sanitation and road maintenance equipment and to coordinate roads as a to compose a convenient system and avoid undue hardships to adjoining properties, the following standards for roads are hereby required. (See table 4.1)

2. Street Surfacing and Improvements

After sewer and utilities have been installed, the developer shall have the option of constructing curbs and gutters or shoulders according to prescribed widths set forth in these guidelines.

Said surfacing shall be of such character as set forth below. The developer shall provide street pavements which shall conform to the Kentucky Department of Transportation's current standard specifications for concrete pavement or for bituminous pavement.

- a. Subgrade – The compacted subgrade will be constructed of suitable soil from roadway excavation, or, if required, from a borrow area or areas located on the owner's property. The twelve (12) inch compacted subgrade, ditch line to ditch line, will be accomplished by the following method. During compaction, the material shall be s near optimum moisture condition as practicable to determine. Subgrade material containing an excess of moisture shall be allowed to dry before being rolled. The manipulation of wet soil to speed drying will be permitted. Construction operations shall be performed in such a manner that simultaneous rolling and placing of material in the same lane or section will be prevented. Uneven compaction will be avoided. Each layer shall be compacted as required before material for the next layer is deposited.

The subgrade shall be compacted to a density of not less than 95 percent of maximum density as determined by the Method of Moisture-Density Relation of Soils, AASHTO Designation: T99. The in-place density will be determined by Method of Test for Density of Soil in Place by the Rubber-Balloon Method. ASTM Designation: D 2167 or they may be preformed by and acceptable Nuclear Density Meter. Tests will be made at such frequency as deemed necessary by the Planning Commission or their duly assigned representative to assure that the entire subgrade is compacted to the specified density. All density testing shall be the responsibility of the developer or contractor under the direction and guidance of the Planning Commission. The subgrade is the foundation upon with the pavement structure is to be constructed. The preparation of the subgrade shall, in addition to compaction, include shaping to conform to the required lines, grades and cross-sections, all in accordance with applicable provisions of these regulations.

- b. Dense-Graded Aggregate Base – The base course shall consist of the required depth (compacted) of graded aggregate and water mixed, placed on the prepared subgrade and shaped and compacted to the lines, grades and cross-section shown on the drawings, all in accordance with the regulations set out herein.

The aggregate shall be of crushed limestone, meeting the requirements of Section 303 and 805 of the *Kentucky Department of Transportation Standard Specifications for Road and Bridge Construction*, latest revision.

The base and surface course material, including water, shall be mixed in an approved mixer. Water shall be added during the mixing operation in the amount necessary to provide the optimum moisture content for compacting. The mixer shall be a twin shaft pugmill type. The mixing plant shall be equipped with a flow meter, capable of regulating the flow of water through the spray-bar at a pre-set rate.

Each layer of material, after being shaped to lines and cross-sections, shall be compacted to a density of not less than eighty-four (84) percent of solid oven-dry bulk specific gravity, ASTM C 127 and the dry weight of the aggregate from the test hole. At least one (1) density test shall be made at intervals of five hundred (500) feet or less and as many additional tests shall be made, as deemed necessary by the Planning Commission, to determine the extent of any low density sections. The in-place density will be determined by the Method of Test for Density of Soil in-place by the Rubber Balloon Method, ASTM Designation: C 2167 or an acceptable Nuclear Density Meter. The developer/ contractor shall provide all necessary labor and equipment for making the tests. Unless otherwise permitted by the Planning Commission, the depth of each layer shall not be less than three (3) inches nor more than six and one-half (6 ½) inches. Wetting of material by a uniform grade and cross-section, the material shall be reshaped with additional material added without segregation and true to line grade and cross-section. No hand tamping will be allowed.

- c. Bituminous Concrete Surface – Bituminous concrete shall be used for surfacing new roads of bituminous construction. Bituminous concrete surface shall conform to the applicable requirements of Section 401, Bituminous Plant Mixed Pavements-General, Section 402, Bituminous Concrete Surface and Binder, of the *Kentucky Department of Transportation, Standards and Specifications for Road and Bridge Construction*, latest revision.

Aggregates shall meet the applicable requirements of Sections 804 and 805. Bituminous materials shall meet the applicable requirements of Section 806.

Either Surface Type A or Surface Type B pavement mixture, meeting requirements of Section 401.02 through 401.5, shall be used as determined by local plant mix availability. The mixture shall have been approved recently by the Kentucky Department of Transportation, used recently on a state project and conform to the requirements below when tested in accordance with ASTM C1559-76:

Stability, minimum pounds	750
Flow, 0.01 inch	Min. 8; Max. 16
Percent air voids	Min. 3; Max. 5
Minimum voids in material	
Aggregate, percent: ¾ in.	14
1 in.	13
Voids filled, percent	Min. 75; Max. 85

(See page 22, after Table 4.1)

TABLE 4.1

Design Standards for Streets

1. Right-of-Way Width (in feet)

Minimum width ROW (in feet)

Improvement (see Section 6 for Definitions)

Frontage street	30
Cul-de-sac; dead-ends	50
Local street	50
Minor arterial	50
Major arterial	60

2. Minimum Pavement Width (in feet)

Improvement

Frontage street	20 w/c 22 wo/c 4'
Cul-de-sacs; dead-ends	20 w/c 22 wo/c 4' to 6'
Local street	24 w/c 24 wo/c 4' to 6'

Minor arterial	24 w/c 26 wo/c 8' to 10'
Major arterial	26' w/c 28 wo/c 10'

- w/c – with curb
- wo/c – without curb – width of vegetative shoulder

3. Recommended Maximum Grade (percent)

Improvement	
Frontage street	10
Cul-de-sac; dead-end	10
Local street	10
Minor arterial	8
Major arterial	6

4. Minimum Grade (percent)

For all improvements	.25
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5. Minimum Radius of Curve (in feet)

Improvement	
Local street	100
Minor arterial	100
Major arterial	300

6. Recommended Maximum Cul-de-sac per dead-end Street

Length	800
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7. Minimum Tangents Between Reverse Curves

Improvement	
Local street	100
Minor arterial	100
Major arterial	200

8. Minimum Length of Vertical Curves

Improvement	
Local street	100 feet, but not less than 20 feet for each algebraic difference in grade.
Minor arterial	100 feet, but not less than 20 feet for each algebraic difference in grade.
Major arterial	200 feet, but not less than 50 feet for each algebraic difference in grade.

9. Minimum Sight Difference (in feet)

Improvement	
Local street	200
Minor arterial	200
Major arterial	275

10. Minimum Cul-de-sac (in feet)

Improvement	
Right-of-Way radius	35
Pavement	30
Center Island Diameter (if required)	40

Construction requirements shall conform to applicable requirements of Sections 401, 402 and 407 of the *Kentucky Department of Transportation Standard Specifications for Road and Bridge Construction*, latest revision. The minimum ambient temperature for placing the bituminous concrete shall be 40 degrees Fahrenheit. The laying temperature (measured in the truck when discharging) shall be 275 degrees +/- 20 degrees F.

Minimum Street Specifications by Classification

Classification	Maximum Grade	DGA Base	Bituminous Concrete Base Course	Bituminous Concrete Surface Course
Street/ local Access	10%	6"	2"	1"
Minor arterial	6-8%	6"	2"	1"
Major arterial	10%	6"	2"	1"

Minimum grade for all classifications shall be .25%

Excess of Right of Way

Right-of-Way widths in excess of standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slope; such slope will not be in excess of three (3) to one (1).

Railroads

Streets parallel to the railroad when intersection a street which crosses the railroad at a grade shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

Intersections

- a. Streets shall be laid out as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable.
- b. Where any street intersection involved banks or vegetation within the thirty (30) foot sight triangle which would create a traffic hazard by limiting visibility, the developer shall cut the ground and/ or vegetation including trees in connection with the grading of the public right-of-way. Vegetation should be maintained or preserved whenever possible and in such case replaced in order to maintain the character of area.

C. Street Dedication and Reservations

Dedication of additional Right-of-Way – Where a subdivision borders an existing narrow street or when future plans for realignment or widening of the street requires use of some of the land in the subdivision, the applicant shall be required to dedicate on the final plat additional right-of-way necessary for the improvement of such streets.

4.4 DRAINAGE AND STORM WATER SEWERS

Drainage Easements

Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.

4.5 WATER FACILITIES

A. General Requirements

1. Where a public water main is accessible, the subdivider shall install adequate water facilities (including fire hydrants) subject to the specifications of the National Fire Protection Association, the Kentucky Building Code and/or other designated agencies.
2. Water main extension shall be approved by the officially designated agency of the State or Local Government.
3. To facilitate the above, the location of all fire hydrants, all water supply improvements and the boundary lines of proposed districts, indicating all improvements proposed to be served, shall be shown in the preliminary plat and the cost of installing the same shall be indicated in the performance bond to be furnished by the developer.

4.6 SANITARY SEWER FACILITIES

A. General Requirements

The applicant shall install sanitary sewer facilities in a manner prescribed by the local City water district. All plans shall be designed in accordance with the rules, guidelines and standards of the Oak Grove City Council, the Health Department and other appropriate agencies.

B. Individual Disposal System Requirements.

If individual disposal systems are permitted, percolation tests and test holes shall be made as directed by the appropriate local and state officer and the results submitted to the appropriate department. The individual disposal system, including the size of the septic tanks and the size of the tile fields or other secondary treatment device, shall also be approved by the appropriate local or state official.

4.7 SIDEWALKS (OPTIONAL)

A. Required Improvements

1. It shall be the decision of the Developer to install sidewalks. Sidewalks shall be included within the dedicated non-pavement right-of-way of all roads as shown in Table 4.2
2. Concrete curbs are required for all roads where sidewalks are required by these guidelines.
3. Sidewalks shall be improved as required in the Public Improvement specifications.

B. Pedestrian Accesses

The Planning Commission may require, where necessary, in order to facilitate pedestrian access from roads to schools, parks, playgrounds or other nearby roads, perpetual unobstructed easements not less than ten (10) feet in width, five (5) feet on each lot. Easements shall be indicated on the plat.

TABLE 4.2

Sidewalks Required

Nature of street	Development Density			
	Low	Medium	High	Industrial
Local street	Optional*	Optional**	Both sides 4 ft. wide	Both sides 6 ft. wide
Minor arterial	Optional*	Both sides 4 ft. wide	Both sides 4 ft. wide	Both sides 6 ft. wide
Major arterial	Optional*	Both sides 4 ft. wide	Both sides 4 ft. wide	Both sides 6 ft. wide

* Optional, but where provided four (4) feet minimum to either side of street with concrete curbs.

** Planning Commission may require that sidewalks be included in a subdivision plan, in the manner prescribed above when the Planning Commission finds, on the basis of evidence presented that a substantial, useful purpose will be served such as sidewalk access to nearby schools, parks, shopping centers or public or private facilities.

4.8 UTILITIES

A. Location

A developer may locate underground any secondary electric service, telephone and CATV cables if deemed necessary. When this decision is made, underground service connections to property lines of each platted lot shall be installed as per the respective regulatory agency requirements.

B. Easements

1. Easements centered on rear lot lines shall be provided for utilities (Private and municipal). Such easements shall be at least twenty (20) feet wide (ten (10) feet on each lot). Proper coordination shall be established between the subdivider and the applicable utility companies for the establishment of utility easements in adjoining properties.

2. Where topographical or other conditions are such as to make impracticable the inclusion of utilities within the rear lot lines, perpetual unobstructed easements at least sixteen (16) feet in width shall be provided along adjoining side lot lines or eight (8) feet on each lot for satisfactory access to the road or rear lot lines. Easements shall be indicated on the plat.

4.9 PUBLIC USES

Parks, Playgrounds and Recreation Areas

The developer may dedicate suitable areas for parks and playgrounds. The size and location of this open space must be approved by the Planning Commission. The Planning Commission will work with the developer in an attempt to coordinate the park and playground area with retention basins or other less desirable locations. However, the park reservation must have a reasonable amount of street frontage to insure ease of access. In addition, said open space shall be dedicated to the local unit of government having jurisdiction. Before the Planning Commission approves a final plat showing park reservation of land, the Planning Commission shall obtain approval of the park or land reservation from the Oak Grove City Council.

SECTION 5

ASSURANCE FOR COMPLETION AND MAINTENANCE IMPROVEMENT

5.1 IMPROVEMENTS AND SURETY INSTRUMENT

A. Completion of Improvements

Before the plat is signed by the Chairman of the Planning Commission, the applicant shall be required to complete, in accordance with the Planning Commission's decision and to the satisfaction of the Local Government Engineer and City Council, all the street, sanitary and other improvements, including lot improvements on the individual lots of the subdivision as required in these guidelines, specified in the final subdivision plat, and as approved by the Planning Commission and to dedicate the same to Oak Grove, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

B. Surety Instrument

1. The developer may, at his discretion, forego the requirements and have all public improvements and dedications completed before the final subdivision plat is signed. Instead, a surety instrument may be posted for the dollar amount estimated as a sufficient amount for satisfactory construction, installation and dedication of the uncompleted portion of the required improvements.
2. This surety instrument shall be in compliance with all statutory requirements, as well as being satisfactory to the Planning Commission regarding for sufficiency, the manner of execution. The instrument release shall be subject to the developer's compliance with the inspection process contained herein.

The period of completed improvements, if a surety instrument has been made, must be within one (1) year of the final plat approval, unless due hardships keep the developer from meeting the improvements date. If the developer can prove undue hardships on his part, the Planning Commission, at its discretion, may extend the time limit.

3. Once the instrument has met the requirements of the Planning Commission, the Oak Grove City Council will approve the surety instrument in lieu of completed public improvements. The surety instrument will be issued on behalf of the City of Oak Grove with the City Council or its duly appointed representative acting as an agent for the City.

- C. Temporary Improvement – All temporary improvements will be paid for and maintained by the developer as required by the Oak Grove City Council.
- D. Costs of Improvements – The applicant shall bear the costs of all improvements.
- E. Failure to Complete Improvements – When no surety instrument has been posted, and if improvements of a subdivision have not been completed within the one (1) year time period, the approval of the subdivision will be expired.

In cases where the surety instrument has been posted but required improvements have not been made under the terms of the surety instrument and an extension has not been granted, the City may declare the instrument in default and require all improvements installed, regardless of the extent of the development in the subdivision.

- F. Acceptance of Dedication Offers – Official action by the Oak Grove City Council shall be used in the acceptance of dedication offers of streets or other public grounds. The Planning Commission shall recommend acceptance of the dedications to the City Council before the City Council shall accept the dedication offer.

5.2 INSPECTION OF IMPROVEMENTS

A. General Procedure and Fees

The Planning Commission shall provide for the inspection of the improvements during construction to ensure satisfactory completion of the improvements. The inspection shall be paid for by the developer. The applicant shall pay to the Planning Commission an inspection fee per running foot of street as established by the Oak Grove City Council. The subdivision plat shall not be signed by the Chairman of the Planning Commission upon application of final plat approval. If the final plat is denied, the fee will be returned to the developer. If the public improvements do not meet the specifications of these guidelines, the deficiencies must be corrected before any other improvements can be made. When improvements are covered by a surety instrument, the developer is liable for completing the improvements and/ or corrections according to the regulations, standards and specification contained in these guidelines.

The developers shall notify the Street Inspector and/or Engineer at the following development stages:

1. When determining the need for subgrade drainage;
2. For approval of subgrade compaction;
3. For approval of concrete forms, including drains, after they have been set;
4. For concrete inspection, including slump test, at the time of pouring;
5. For a final strength test of concrete after curing.

B. Release of the Surety Instrument

Before the Oak Grove City Council will accept any dedication of the required improvements, the Planning Commission will give notification to the City Council that all the required improvements have been satisfactorily completed and installed in accordance with these subdivision guidelines. At this time, the Planning Commission Chairman, as directed by the City Council, shall release and reduce the surety instrument. Along with this notification, the developer's engineer shall certify, through an "as built" survey plat, that the layout and grade of all the public improvements are in accordance with these subdivision guidelines and with the construction plans for the subdivision. The City's Engineer shall certify in writing that all such subdivision guidelines and with the construction plans of the subdivision said certification shall accompany the Planning Commission's recommendation by the Planning Commission and acceptance of the public improvements by the City, the developer shall deed the public improvements to the City. The Planning Commission, as directed by City Council, may reduce the surety instrument upon actual dedication of public improvements proposed for dedication as set forth on the plat. In no event shall a surety instrument be reduced below twenty-five (25) percent of the principle amount prior to conformance of improvements with all regulatory agency requirements.

SECTION 6

DEFINITIONS

6.1 USAGE

1. For the purpose of these guidelines, certain numbers, abbreviations, terms and words used herein shall be used, interpreted and defined as set forth in this section.
2. Unless the context clearly indicated to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word “herein” means “in these guidelines”; the word “guidelines” means “these guidelines”.
3. A “person” includes a corporation, a partnership and an incorporated association of persons such as a club; “shall” is “mandatory”; a “building” includes a “structure”; “building” or “structure” includes any part thereof; “used” or “occupies” include words “intended, arranged, or designed to be used or occupied”.

6.2 WORDS AND TERMS DEFINED

ALLEY – A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

APPLICANT – The owner of land proposed to be subdivided or his representative. Consent shall be required from the local owner of the premises.

ARTERIAL – See Major Arterial and Minor Arterial.

BLOCK – A tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines or waterways or boundary lines of municipalities.

BOND – A form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the Planning Commission. All bonds shall be approved by the Oak Grove City Council whenever a bond is required by these guidelines.

BUILDING – Any structure built for the support, shelter, or enclosure of persons, animals, chattels or movable property of any kind and includes any structures.

CAPITAL IMPROVEMENTS PROGRAM – A proposed schedule of all future projects listed in order of construction priority together with cost estimated and the anticipated means of financing each project. All major projects requiring expenditures of public funds, over and above the annual local government operating expenses, for the purchase, construction or replacement of the physical assets for the community are included.

CENTRAL WATER SYSTEM – A private water company formed by a developer to serve a new community development in an outlying area. It includes water treatment and distribution facilities.

CENTRAL SEWAGE SYSTEM – A community sewer system including collection and treatment facilities established by the developer to serve a new subdivision in an outlying area.

COMPREHENSIVE PLAN – A comprehensive plan for the development of the local government, prepared and adopted by the Planning Commission pursuant to state law, and including any part of such plan separately adopted and any amendment to such plans or parts thereof.

CONSTRUCTION PLAN – The maps or drawings accompanying a subdivision plat and showing the specific location and design to improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission as a condition of the approval of the plat.

CUL-DE-SAC – A local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

DEVELOPER – The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises.

DWELLING UNIT – A house, apartment building or other buildings designed or used primarily for human habitation.

EASEMENT – Authorization by a property owner for the use by another and for specific purpose of any designated part of his property.

ESCROW – A deposit of cash with the Planning Commission or an institution approved by them required and still in force on a surety instrument or maintenance bond. Such escrow funds shall be deposited by the developer into a separate account.

FINAL PLAT – The map or plan or record of a subdivision and any accompanying material, as described in there guidelines.

FRONTAGE – That side of a lot abutting on a street or right-of-way ordinarily regarded as the front of the lot. It shall not be considered as the ordinary side of a corner lot.

FRONTAGE STREET – Any street to be constructed by the developer or an existing street in which development shall take place on only one side.

GOVERNING BODY – The body of the local government having the power to adopt ordinances.

GOVERNMENTAL ATTORNEY – The licensed attorney designated by the Governing Body to furnish legal assistance for the administration of these guidelines.

GOVERNMENTAL ENGINEER – The licensed engineer designed by the Governing Body to furnish engineering assistance for the administration of these guidelines.

HEALTH DEPARTMENT AND HEALTH OFFICER – The agency and persons designated by the Governing Body to administer the health regulations of the local government.

HIGH DENSITY – Greater than five (5) dwelling units/ acre excluding the right-of-way.

HIGHWAY, LIMITED ACCESS – A freeway or expressway providing a throughway for traffic, in respect to which owners or occupants of abutting property on lands and other persons have no legal right to access to or from same, except as such points and in such manner as may be determined by the public authority having jurisdiction over such throughway.

IMPROVEMENTS – See Lot Improvements or Public Improvements.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM – A septic tank, seepage tile, sewage disposal system or any other approved sewage treatment device.

JOINT OWNERSHIP – Joint ownership among persons shall be construed as the same owner; “constructive” ownership for the purpose of imposing subdivision guidelines.

LOCAL GOVERNMENT ATTORNEY – See Governmental Attorney.

LOCAL GOVERNMENT ENGINEER – See Governmental Engineer.

LOCAL STREETS – A street intended to provide access to other streets from individual properties and to provide right-of-way beneath it for sewer, water and storm drainage pipes.

LOT – A tract, plot or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building developments.

LOT IMPROVEMENT – Any building, structure, place, work of art or other object, or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment. Certain lot improvements shall be properly bonded provided in these guidelines.

LOW DENSITY – Greater than one (1) and up to two and one-half (2 ½) dwelling units to one (1) acre, excluding right-of-way.

MAJOR ARTERIAL – A street intended to collect and distribute traffic and service areas such as community-commercial areas, primary and secondary educational plants, hospitals, major recreational areas, churches and offices.

MAJOR SUBDIVISION – All subdivisions not classified as minor subdivisions including but not limited to subdivisions of more than five (5) lots or any size subdivision requiring any new street or extension of the local governmental facilities, or the creation of any public improvement.

MEDIUM DENSITY – Greater than 2.5 and up to five (5) dwelling units per acre, excluding right-of-way.

MINOR ARTERIAL – A street intended to move traffic from local roads to major arterials.

MINOR SUBDIVISION – Any subdivision containing not more than five (5) lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities or the creation of any public improvements and not adversely affecting the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Comprehensive Plan, Official Map or these guidelines.

NON-RESIDENTIAL SUBDIVISION – A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provision of these guidelines.

OFF-SITE – Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant for subdivision approval.

OFFICIAL COMPREHENSIVE PLAN – See Comprehensive Plan.

ORDINANCE – Any legislative action, however denominated, of a local government which has the force of law, including any amendment or repeal of any ordinance.

OWNER – Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these guidelines.

PERIMETER STREET – Any existing street to which the parcel of land to be subdivided abuts only one (1) side.

PLANNING COMMISSION – The local government’s Planning Commission established in accordance with law.

PRELIMINARY PLAT – The preliminary drawing or drawings described in these guidelines, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission for approval.

PUBLIC IMPROVEMENT – Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, off-street parking area, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation or which may affect an improvement for which local government responsibility is established. All such improvements shall be properly bonded.

REGISTERED ENGINEER – An engineer properly licensed and registered in the state.

REGISTERED LAND SURVEYOR – A land surveyor properly licensed and registered in the state.

RESUBDIVISION – A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved for public use or any lot lines; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

RIGHT-OF-WAY – A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary sewer or storm sewer main or for another special use. The usage of the term “right-of-way” for land plating purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such rights-of-way and not included within dimensions or areas of such lots or parcels. Rights-of-Way intended for streets, crosswalks, water mains, sanitary sewers, storm drains or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

ROADS, CLASSIFICATION – See street classification.

ROAD, DEAD-END – A road or a portion of a street with only one (1) vehicular-traffic outlet.

ROAD RIGHT-OF-WAY WIDTH – The distance between property lines measured at right angles to the center lines of the street.

SALES OR LEASE – Any immediate or future transfer of ownership of any possessory interest in land, including contract sales, lease, devise, intestate succession or transfer of an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, lease, devise, intestate succession or other written instrument.

SAME OWNERSHIP – Ownership by the same person, corporation, firm, entity, partnership or unincorporated association or ownership by a different corporation, firms, partnerships, entities, or unincorporated associations, in which a stockbroker, partner or associate or a member of his family owns an interest in each corporation, firm, partnership, entity or unincorporated association.

SECTIONALIZATION – Approval of a final subdivision plat in stages after preliminary approval has been granted by the Planning Commission for the entire tract of land.

SET BACK – The distance between a building and the property line nearest thereto.

SKETCH PLAN – A sketch prior to the preparation of the preliminary plat (or Subdivision plat in the case of minor subdivisions) to enable the subdivider to save time and expense in reaching general agreement with the Planning Commission, Local government engineer, and other authorized persons as to the form of the plat and objectives of these guidelines.

STREET CLASSIFICATION – For the purpose of provided for the development of the streets, highways, roads and rights-of-way in the governmental unit and for their future improvement, reconstruction, realignment and necessary widening, including provisions for curbs and sidewalks; each existing street, highway, road and right-of-way and those located on approved and filed plats, have been designated on the official map of the local government and classified therein. The classification of each street, highway, road and right-of-way is based upon its location in the respective zoning districts of the local government and its present and estimated future traffic volume and its relative importance and function as specified in the Comprehensive Plan of the Planning Commission. The required improvements shall be measured as set forth for each street classification of the official map.

SUBDIVIDER – Any person who (1) having an interest in land, causes it directly or indirectly, to be divided into a subdivision or who; (2) directly or indirectly sells, leases or develops, or offers to sell, lease or develop, or advertise for sale, lease or development, any interest, lot, parcel, site, unit or plat in a subdivision, or who; (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease or development a subdivision and who; (4) is directly or indirectly controlled by, or under direct or indirect common control with any of the foregoing.

SUBDIVISION – “Subdivision” means the division of a parcel of land into two (2) or more lots or parcels; for the purpose, whether immediate or future, of sale, lease or building development, or if a new street is involved, any division of a parcel of land, provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes redivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or redivision of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision within the meaning of this section. (KRS 100.111)

SUBDIVISION AGENT – Any person who represents or acts for or on behalf of, a subdivider or developer, in selling, leasing or developing, or offering to sell, lease or develop any interest, lot, parcel, unit, site or plat in a subdivision, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

SUBDIVISION, MAJOR – See Major Subdivision.

SUBDIVISION, MINOR – See Minor Subdivision.

SUBDIVISION PLAT – The final map or drawing, described in these guidelines, on which the subdivider’s plan of subdivision is presented to the Planning Commission for approval and which, if approved, may be submitted to the Christian County Court Clerk or Recorder of Deeds for filing.

SURETY INSTRUMENT – A form of security submitted to the Planning Commission by a developer to assure all public improvements are preformed to meet the regulatory requirements of the various affected agencies. Surety instruments include, but are not limited to a cash deposit, surety bond, collateral or instrument of credit in an amount and form satisfactory to the Planning Commission.

TEMPORARY IMPROVEMENT – Improvements built and maintained by a subdivider during construction of the subdivision and prior to release of the performance bond.