

ARTICLE I. GENERAL PROVISIONS

SECTION 1.01 PURPOSE

These subdivision **regulations** 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 future growth will be orderly and conducive to the provision of a 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 provision of water, drainage, sewer, and other sanitary facilities.

SECTION 1.02 TITLE

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

SECTION 1.03 LEGISLATIVE AUTHORITY

These **regulations** were prepared and adopted by the Hopkinsville-Christian County Planning Commission under authority granted by the Kentucky Revised Statutes (KRS), Chapter 100. **Under these regulations, the City of Oak administers provisions related to the construction and installations of public improvements and, as such, has adopted the construction standards outlined herein by Ordinance _____.**

SECTION 1.04 AREA OF JURISDICTION

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

SECTION 1.05 ADMINISTRATION

These **regulations** shall be administered by the Hopkinsville-Christian County Planning Commission (see Article III).

SECTION 1.06 COMPLIANCE WITH APPLICABLE RULES AND STANDARDS

- A. In addition to the regulations set forth herein, all subdivisions of land including the design, construction, and/or dedication of improvements shall comply with the following laws, rules, and regulations:
1. All applicable federal laws including the administrative regulations promulgated by federal departments and agencies;
 2. All applicable provisions contained in the Kentucky Revised Statutes or Kentucky Administrative Regulations;
 3. All jurisdictional ordinances;
 4. The requirements of the Christian County Health Department;
 5. The requirements of the Kentucky Transportation Cabinet if the subdivision abuts a state highway or requires access to a road maintained by the Commonwealth of

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Kentucky or as required by KRS 100.287 or other applicable law; and
6. The standards and regulations promulgated by the affected utility providers.

- B. All subdivisions reviewed and approved under these regulations shall comply with the zoning requirements of the City of Oak Grove. No subdivision of land shall be approved which results in the reduction of a lot's yards, area, width, or density below the minimum requirements established for the affected zoning district.

SECTION 1.07 INTERPRETATION AND CONFLICT WITH PRIVATE PROVISIONS

- A. In their interpretation and application, the provisions of these regulations 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 regulations and standards found herein and shall constitute the degree of compliance which must be maintained before approval can be granted.
- B. Neither these regulations, nor any provision herein, is intended to repeal any easement, covenant or any other private agreement or restriction.

SECTION 1.08 COMMISSION APPROVAL REQUIRED FOR SUBDIVISIONS

- 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 or Executive Director of the commission.
- B. No person owning land composing a subdivision, or his agent, shall transfer or sell any lot or parcel of land located within a subdivision by reference to, or by exhibition, or by any other use of a plat of such subdivision, before such plat has received final approval of the Planning Commission and has been recorded. Any such instrument of transfer or sale shall be void and shall not be subject to be recorded unless the subdivision plat subsequently receives final approval of the Planning Commission, but all rights of such purchaser to damages are hereby preserved. The description of such lot or parcel by metes and bounds in any 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. Provided, however, any person, or his agent, may agree to sell any lot or parcel of land located within a subdivision by reference to an unapproved or unrecorded plat or by reference to a metes and bounds description of such lot and any such executory contract of sale or option to purchase may be recorded and shall be valid and enforceable so long as the subdivision of land contemplated therein is lawful and the subdivision plat subsequently receives final approval of the Planning Commission.
- C. Any street or other public ground which has been dedicated shall be accepted for maintenance by the legislative body after it has received final plat approval by the Planning Commission. Any street that has been built in accordance with specific standards set forth in subdivision regulations or by ordinance shall be, by operation of law, automatically accepted for maintenance by a legislative

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body forty-five (45) days after inspection and final approval.

- D.** Any instrument of transfer, sale or contract that would otherwise have been void under this section and under any of its subsections previously, is deemed not to have been void, but merely not subject to be recorded unless the subdivision plat subsequently receives final approval of the Planning Commission.

SECTION 1.09 LAND SOLD IN VIOLATION OF THE SUBDIVISION REGULATIONS

When it has been discovered that land has been sold or transferred, or that contract has been entered into for the sale or transfer of land in violation of the provisions of these regulations, the owner or owners of record shall file plats of the land in accordance with these regulations. When land is sold or transferred, or a contract has been entered into for the sale or transfer of land in violations of these regulations, the land shall be governed by the subdivision regulations both prior to and after the platting of the land by the owner of record as if a plat had been filed in accordance with the provisions of these regulations. Plats filed pursuant to these regulations may be filed by the last transferee in the chain of title including holders of deeds, which may be otherwise void under KRS 100.277(2).

SECTION 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.** Any person or entity who violates any of the provisions of KRS 100.273 to 100.292 or any of these subdivision regulations adopted pursuant thereto for which no other penalty is provided shall, upon conviction, be fined not less than ten dollars (\$10) but not more than five hundred dollars (\$500) for each conviction. Each day of violations shall constitute a separate violation.
- C.** Any person, owner, or agent who violates these regulations shall, upon conviction, be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each lot or parcel which was subject to sale or transfer, or contract for sale or transfer.
- D.** 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.

SECTION 1.11 AMENDMENTS

The Hopkinsville-Christian County Planning Commission may, in accordance with the provisions of KRS 100, revise, modify, or amend these regulations by appropriate action after a public hearing has been held.

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SECTION 1.12 SEPARABILITY AND PREVIOUS REGULATIONS

- A. Should any section, subsection, paragraph, or provision of these regulations be held invalid or unenforceable by a court of competent jurisdiction, such decision shall in no way affect the validity of any other provision of these regulations. It is the intention the Hopkinsville-Christian County Planning Commission to adopt each provision of these regulations separately.
- B. Any previously adopted subdivision regulations for the City of Oak Grove are hereby repealed.

SECTION 1.13 EFFECTIVE DATE

These regulations shall be effective upon adoption by the Hopkinsville-Christian County Planning Commission and the adoption of Public Improvement Specifications (Article VI, Divisions 2, 3, 4, and 5), as contained herein, by the Oak Grove City Council. Any subdivision which has been properly submitted and accepted by the Planning Commission on or after the effective date of these regulations shall comply with all provisions herein. Any subdivision that has received preliminary plat approval prior to the effective date of these regulations shall continue to comply with the previous subdivision guidelines, provided such plat receives final approval and is recorded within two (2) years of the effective date of these regulations.

ARTICLE III. ADMINISTRATION

SECTION 3.01 PLANNING COMMISSION TO ADMINISTER REGULATIONS

- A. These regulations shall be administered by the Hopkinsville-Christian County Planning Commission. All applications, fees, maps, and documents related to subdivision approval shall be submitted to the commission.
- B. Under these regulations, certain authority is delegated to the Planning Commission's Director (see Section 3.02). Review and approval authority exclusive to the Planning Commission's governing board includes, but is not limited to:
- (1) Review and final action on all major subdivisions (preliminary and final);
 - (2) The hearing and deciding of appeals from actions of the Director;
 - (3) Recommendation regarding the acceptance of public streets;
 - (4) Amendments to these regulations;
 - (5) All matters referred by the Director or required by the commission pursuant to Section 3.02B; and
 - (6) All matters not otherwise delegated by these regulations or that may be required under the provisions of the Kentucky Revised Statutes.

SECTION 3.02 DUTIES OF THE DIRECTOR UNDER SUBDIVISION REGULATIONS

- A. The Director shall assist the Planning Commission's Governing Board in the administration and enforcement of these regulations. Under these regulations, the Director shall have the authority and responsibility to:
- (1) Review and, where appropriate, issue administrative approvals and other determinations for minor subdivisions;
 - (2) Receive and, where appropriate, authorize the filing of subdivision plats excepted from the terms of these regulations;
 - (3) Maintain records of all plats, plans, applications, including all resulting actions, and fees collected;
 - (4) Review, file, and forward to the commission the records and applications related to major subdivisions, appeals, and all other matters requiring review and consideration by the commission;
 - (5) Ensure consultation and coordination with the City of Oak Grove (see Section 3.03);
 - (6) Provide clerical, technical, and consultative assistance to the commission in the exercise of its duties;

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(7) Investigate and resolve violations;

(8) Conduct inspections of lands and public improvements to determine compliance; and

(9) Perform all other duties as assigned by these regulations or as may be delegated by the commission.

- B. **Referral of Matters to the Planning Commission.** The Director may request or the Planning Commission may require the referral of any matter, otherwise delegated or as provided in Section 3.02A, to the commission for its advisement, review, and/or a final decision. Any person aggrieved by a decision of the Director in the administration of these regulations may appeal such order, requirement, decision, or determination to the Planning Commission's governing board for a final determination.

SECTION 3.03 RESPONSIBILITIES OF THE CITY OF OAK GROVE

Under these regulations and KRS 100, the Planning Commission or its Director is responsible for the review and approval of all subdivisions within the City of Oak Grove; however, under these regulations and by ordinance the City of Oak Grove is responsible for the daily administration of certain subdivision related improvements. The city's responsibilities include:

- 1) The review and approval of construction documents related to the installation of streets, sidewalks, and other right-of-way improvements; water and sewer extensions and related improvements such as lift-stations, pump-stations, and towers; storm water management basins and related facilities; and all other improvement to be accepted into city maintenance or required by these regulations or city ordinance;
- 2) The inspection and final approval of such improvements; and
- 3) The acceptance, maintenance, and release of surety instruments for required public improvements.

SECTION 3.04 APPEALS FROM PLANNING COMMISSION ACTION

Any person or entity claiming to be injured or aggrieved by any final action of the Planning Commission in the administration of these regulations shall appeal from the final action to the Christian County Circuit Court. Such appeal shall be taken within thirty (30) days of such action. All appeals shall conform to the requirements prescribed by KRS 100.347.

SECTIONS 3.05 TO 3.99 RESERVED

ARTICLE IV. SUBDIVISION APPROVAL PROCEDURES

DIVISION 1: MAJOR SUBDIVISION REVIEW AND APPROVAL

SECTION 4.01 PROCEDURE IN GENERAL

- A. The procedure for the review and approval of major subdivisions, as defined herein, shall consist of two separate steps. These are: 1) review and approval of a preliminary plat; and 2) review and approval of a final plat. For all plat considerations, the Planning Commission may approve, approve with conditions, or disapprove a request consistent with the terms of these regulations.
- B. Approval of a preliminary plat shall be completed prior to making any street, storm water, or utility improvement on lands subject to subdivision. When improvements are to be installed, such improvements shall not commence prior to the submission of all required construction plans and approval by the City of Oak Grove and/or the affected utility. Improvements commencing prior the approval and recording of a final plat shall be deemed to occur at the “developer’s own risk.” The Planning Commission, City of Oak Grove, and any affected utility provider assume no responsibilities or liability for the approval and acceptance of any public improvement occurring in the absence of an approved and recorded final plat.
- C. Requests for the review and approval of a preliminary or final subdivision plat shall be accompanied by a written application. The Planning Commission shall approve the form of all applications to be considered by it. The Director shall maintain a copy of all applications forms and shall provide such forms to prospective subdividers upon request.

SECTION 4.02 REVIEW OF PRELIMINARY PLAT; ACTION BY COMMISSION

- A. **Submission.** The subdivider shall submit two (2) copies of a complete application (including applicable review fees) and twenty four (24) black line copies of the preliminary plat to the Director no less than thirty (30) days prior to the commission meeting on which the request is to be considered. Preliminary plats shall conform to the standards of Section 5.02. Exception: The Director may authorize a reduction in the number of black line copies required when a copy of the preliminary is provided in a transmittable electronic format.
- B. **Director’s Review and Report.** Upon receipt, the Director shall review the preliminary plat for conformity with these regulations and shall transmit copies of the plat to the Planning Commission. At the discretion of the Director or the commission, copies of the plat may be distributed to other departments or agencies for their review and comment. The Director shall prepare and distribute a written report on the requested preliminary plat approval to the commission and subdivider. The Director’s report shall include review comments received from the City of Oak Grove and may incorporate comments received from other departments or agencies.
- C. **Action by the Planning Commission.** The Planning Commission shall act on the preliminary plat within the time prescribed by KRS 100.281. All decisions and other actions shall be recorded in the minutes of the commission. If approving, the commission shall indicate approval in writing and shall state the conditions of approval, if any. Preliminary approval shall be noted on the plat and certified by the Director. If disapproved, the

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commission shall express, in writing, its disapproval and its reasons therefore. The Director shall promptly provide notice of the commission's decision to the subdivider.

D. Effect of Preliminary Plat Approval. Application for the approval of the final plat will be considered only after the requirements for preliminary plat approval as specified herein have been fulfilled and after all other conditions have been met. Upon approval of the preliminary subdivision plat by the Planning Commission, the subdivider may proceed to comply with the other requirements of these regulations and the preparation of the final subdivision plat.

E. Expiration of Approval. The subdivider shall have two years from the date on which a preliminary plat was approved or conditionally approved by the Planning Commission to submit a final plat. Failure of the subdivider to submit a final plat within this time period shall void the approval of the preliminary plat. The subdivider may request and the commission may grant an extension to this time limitation, not to exceed one (1) year. The failure of the applicant to formally request an extension shall void the preliminary plat's approval.

F. Modifications to an Approved Preliminary Plat. The subdivider may request and the Director may authorize minor modifications to an approved preliminary plat. Such modifications, when authorized, shall not require the resubmission or reconsideration of the preliminary plat prior to the preparation of the final plat. The subdivider's request for modification and the Director's authorization shall be in writing. Minor modifications do not include any change that would:

- (1) Result in an increase in the number of lots;
- (2) Alter the exterior boundary of the subdivision through the addition or removal of land;
- (3) Alter the proposed right-of-way or alter the extent or location of any improvement to be dedicated to the City; and/or
- (4) In the opinion of the Director, exceed the scope or intent of the Planning Commission's original approval or consideration.

The Director shall coordinate the approval of modifications with the City of Oak Grove and any affected utility provider.

SECTION 4.03 REVIEW OF FINAL PLAT; ACTION BY COMMISSION; RECORDING

A. Submission. Following the approval of the preliminary plan and the completion of all conditions requisite to such approval, the subdivider may proceed with the submission of a final plat for consideration by the Planning Commission. The subdivider shall submit two copies of a completed application form (including applicable review fees), twenty-four (24) signed (owner and surveyor) black line plat copies, and one reproducible copy of the final plat (mylar or similar copy) to the Director no less than thirty (30) days prior to the commission meeting on which the request is to be considered. Final plats shall conform to the standards of Section 5.03. Exception: The Director may authorize a reduction in the number of black line copies required when a copy of the preliminary is provided in electronic format.

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B. Director's Review and Report. Upon receipt, the Director shall review the final plat for conformity with these regulations and shall transmit copies of the plat to the Planning Commission. At the discretion of the Director or the commission, copies of the plat may be distributed to other departments or agencies for their review and comment. The Director shall prepare and distribute a written report on the requested final plat approval to the commission and subdivider. The Director's report shall include review comments received from the City of Oak Grove and may incorporate comments received from other departments or agencies.

C. Action by the Planning Commission. The Planning Commission shall act on the final plan within the time prescribed by KRS 100.281. All decisions and other actions shall be recorded in the minutes of the commission. If approving, the commission shall indicate approval in writing and shall state the conditions of approval, if any. If disapproved, the commission shall express its disapproval and its reasons therefore. The Director shall promptly provide written notice of the commission's decision.

D. Conditions Requisite to Signing of the Final (Record) Plat. Prior to the Planning Commission Chairman or Director signing an approved final plat for recording, the subdivider shall:

- (1) Correct all deficiencies and make any other corrections to the final plat as specified in the commission's approval;
- (2) Meet all conditions specified in the commission's approval. The subdivider shall provide documentation indicating that all conditions have been satisfied;
- (3) Install all subdivision monuments as required by Section 6.04;
- (4) Submit street, utility, stormwater management, and other construction documents and receive approvals as required in Article VI;
- (5) Install and have accepted all required public improvements or provide an acceptable surety instrument to guarantee the installation and acceptance of public improvements. Documentation of surety acceptance by the City of Oak Grove shall be required;
- (6) Pay any outstanding Planning Commission review fees; and
- (7) Submit five (5) black line copies of the final (record) plat and one (1) digital copy to the Director. All certifications, as required by Section 5.03, shall be signed upon submission, excluding the "Commission's Certification."

E. Signing and Recording of the Final (Record) Plat. Upon the approval of the final plat and the subdivider's compliance with subsection (D) above, the Planning Commission Chairman or Director shall sign the plat's "Commission's Certification." This print becomes the instrument (record plat) to be recorded in the Office of the Christian County Clerk. The subdivider shall be responsible for promptly filing the plat and any accompanying Certificate of Land Use Restriction in the Office of the Christian County Clerk.

F. Expiration of Approval. The subdivider shall have two (2) years from the date on which a final plat was approved or conditionally approved by the Planning Commission to submit the plat for signature and recording. Failure of the subdivider to submit and record a final (record) plat within this time period shall void the plat's approval. The subdivider may

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request and the commission may grant an extension to this time limitation, not to exceed one year. The failure of the applicant to formally request an extension shall void approval of the plat.

SECTIONS 4.04 TO 4.19 RESERVED

DIVISION 2: MINOR SUBDIVISION REVIEW AND APPROVAL

SECTION 4.20 REVIEW OF MINOR PLAT; ACTION BY THE DIRECTOR

- A. **Director to Approve.** Minor subdivisions, as defined herein, may be reviewed and approved by the Director in conformance with these regulations. Unlike major subdivisions, the review and approval of a minor subdivision shall consist of only one (1) step, the final plat. Final plats for minor subdivisions shall conform to the same exhibit standards as required for major subdivisions pursuant to Section _____.
- B. **Submission.** The subdivider shall submit a completed application form, six (6) black line copies, and a digital copy of the final plat. The "Certificate of Ownership and Dedication" and the "Certificate of Accuracy" must be signed.
- C. **Director's Review.** Upon receipt, the Director shall review the final plat for conformity with these regulations. At the discretion of the Director, copies of the plat may be distributed to other departments or agencies for their review and comment.
- D. **Action by the Director.** The Director shall act on the final plan within the time prescribed by KRS 100.281. If approving, the Director shall provide notification to the subdivider and shall state the conditions of approval, if any. If disapproved, the Director shall provide written notice of the disapproval and the reasons therefore.
- E. **Conditions Requisite to Signing of the Final (Record) Plat.** Prior to the Director signing an approved final plat for recording, the subdivider shall:
 - (1) Correct all deficiencies and make any other corrections to the final plat as specified in the Director's approval;
 - (2) Meet all conditions specified in the Director's approval. The subdivider shall provide documentation indicating that all conditions have been satisfied;
 - (3) Install all subdivision monuments as required in Article _____;
 - (4) Submit documentation of all regulatory approvals as required ;
 - (5) Pay all applicable review fees; and
 - (6) If corrected from the original submission, five (5) signed and stamped black line copies and a digital copy of the final (record) plat shall be submitted to the Director. All certifications, as required by section 155.343, shall be signed upon submission, excluding the "Commission's Certification."
- F. **Signing and Recording of the Final (Record) Plat.** Upon the approval of the final plat and

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the subdivider's compliance with subsection (E) above, the Director shall sign the plat's "Commission's Certification." This print becomes the instrument (record plat) to be recorded in the Office of the Christian County Clerk. The subdivider shall be responsible for promptly filing the plat and any accompanying Certificate of Land Use Restriction in the Office of the Christian County Clerk.

G. Expiration of Approval. The subdivider shall have one (1) year from the date on which a final plat was approved or conditionally approved by the Director to submit such plat for signature and recording. Failure of the subdivider to submit and record a final (record) plat within this time period shall void the plat's approval and require resubmittal.

SECTIONS 4.21 TO 4.29 RESERVED

DIVISION 3: EXCEPTED SUBDIVISIONS

SECTION 4.30 EXCEPTED PLATS NOT SUBJECT TO SUBDIVISION REGULATIONS

Excluding the provisions of this division, subdivisions and other plats defined as "excepted" are not subject to the requirements of these regulations. All such subdivisions and other plats shall be submitted to the Director for notification and a determination of compliance with this division.

SECTION 4.31 SUBMISSION; ACTION BY DIRECTOR; RECORDING

Excepted subdivisions and other plats shall be prepared consistent with the requirements for final plats as provided in Section 5.03. Such plats shall be prepared by a surveyor licensed by the Commonwealth of Kentucky to perform land surveying pursuant to the requirements of KRS 322.

SECTION 4.32 SUBMISSION; ACTION BY DIRECTOR; RECORDING

The subdivider shall submit two black line copies of the plat purporting to be excepted to the Director. Within seven days of the receipt of such plat, the Director shall determine:

- (1) The subdivision or other depiction would constitute an excepted subdivision or plat as defined by these regulations and would conform to the requirements of this division. Upon such determination, the Director shall place a stamp of the plat, attested by signature, which reads, "This plat constitutes a subdivision or other depiction which is excepted by the terms of the Subdivision Regulations of Oak Grove, Kentucky. No other determination of this plat's compliance with the requirements of said regulation has been made. This plat may be recorded in the Office of the Christian County Clerk." One stamped copy of the final (record) plat shall be returned to the subdivider and the subdivider may record the plat without further review or action by the Director; or
- (2) The subdivision or other plat depiction would constitute an excepted subdivision; however, the form of the plat does not comply with the terms of this division. In such

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instance, the Director shall promptly notify the subdivider and shall state in writing the corrections required prior to the recording of the plat. Once corrections have been made, the subdivider shall resubmit the plat to the Director for a determination; or

- (3) The subdivision or other depiction would not constitute an excepted subdivision as defined herein and would be subject to review under the terms of these regulations. Upon such a determination, the Director shall promptly provide written notification to the subdivider and shall specify the process to be followed, i.e. minor subdivision or major subdivision, as required by these regulations.

SECTIONS 4.33 TO 4.99 RESERVED

ARTICLE V. PLAT FORMAT AND REQUIRED EXHIBITS

SECTION 5.01 GENERAL REQUIREMENTS

- A. **Purpose.** The purpose of this division is to establish minimum standards for the content and form of subdivision plats and plans to be reviewed by the Planning Commission or Director. The form and content provisions of this Article are to be regarded as the minimum standards. Where additional exhibits or depictions would be needed to demonstrate compliance with these regulations, the Planning Commission or Director may require such additional exhibits or depictions.
- B. All plats and plans are to be legible and shall present information in a manner that is easily understood. In addition to the other requirements of these regulations, plats and plans may include "plat notes" and other explanatory information where, in the opinion of the Planning Commission or Director, such information would be necessary to state the purpose of a depiction or provide other pertinent advisements.
- C. All subdivision plats shall be prepared by a professional land surveyor licensed to practice surveying pursuant to KRS 322.
- D. Plat preparation and content shall conform to the requirements of the Commonwealth of Kentucky's *"Standards of Practice"* (201 KAR 18:150). Where these standards provide a requirement for a plat depiction inconsistent with or in conflict with a requirement of these regulations, the requirements of the state standards shall govern. Where this chapter requires a depiction or other plat data, in addition to but not in conflict with or preempted by the requirements contained in the state standards, the requirement of these regulations shall govern. Determinations of an alleged conflict and the applicability of this provision shall be made by the Director after consultation with the Kentucky Board of Licensure for Professional Engineers and Land Surveyors.

SECTION 5.02 REQUIREMENTS FOR PRELIMINARY PLATS

The preliminary plat of a proposed subdivision shall be clearly and legibly depicted at a scale not smaller than one hundred (100) feet to one inch. The plat sheets shall be either eighteen (18) inches by twenty-four (24) inches or twenty-four (24) inches by thirty-six (36) inches. If the preliminary plat requires more than one sheet, a key diagram showing the relative location of the various sections shall be drawn on each sheet. The preliminary plat shall include or be accompanied by the following data.

(1) General Data. General data shall include:

- (a) The proposed name of subdivision which does not duplicate or approximate any other subdivision name in the city;
- (b) A legend to include a north arrow (magnetic, true, or grid north), graphic scale, written scale, depictions and labeling of line types and other symbols used on the plat, date that the original drawing(s) was completed and dates of any revisions to the original drawing(s);
- (c) Name of the owner, subdivider, and surveyor;
- (d) The source of title (e.g. deed book and page number);

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- (e) Names, title source (deed book and page number) and locations of all owners of property abutting the subdivision; and,
- (f) A location sketch placed in the upper left hand corner of the sheet showing the relationship of the subdivided 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) Existing Data. Existing data shall include:

- (a) The distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of existing streets;
- (b) Total tract boundaries of the property being subdivided, showing bearings and distances, and a statement of the total acreage of the property;
- (c) Contour lines at vertical intervals of two feet or less. The location and elevation of the bench mark to which the elevations refer should be noted;
- (d) All existing property lines, right-of-ways, easements, railroads, sewer lines including grades and invert elevations, water lines, fire hydrants, utility transmission lines, culverts, bridges, ditches, water courses, buildings, areas of special flood hazard, sinkholes, wooded areas, designated wetlands, and all other significant manmade or natural features within the property boundaries of the subdivision. Where the property borders or includes lands outside the corporate boundaries of the City of Oak Grove, the location of the corporate limits lines shall be denoted; and
- (e) All existing streets (included streets that are recorded, but not constructed) on or abutting the tract, including the names, right-of-way widths, pavement widths, and approximate grades.

(3) Proposed Site Data. Proposed site data shall include:

- (a) Street rights-of-way, pavement widths, grades, and street names. Street profiles and cross sections shall be provided on a separate sheet;
- (b) Lot lines, lot dimensions, lot and block numbers, and the minimum front yard setback lines for buildings along streets;
- (c) Other easements and rights-of-way, including their location, dimensions, and functions;
- (d) Contour changes to be made by grading;
- (e) Areas, other than streets and easements, designated for public use with any conditions governing their use;
- (f) Preliminary plans prepared by a registered engineer for sidewalks, sanitary sewers, waterlines, storm sewers, culverts, storm water detention basins, electric lines, and gas lines. Preliminary plans shall include all information and exhibits required under the applicable standards of the reviewing and/or approving department, agency, or utility;
- (g) Plans for the protection of on-site soils from wash and erosion during construction;
- (h) Areas to be used for parks and open spaces, with the purpose, location, and dimensions indicated; and
- (i) All planned encroachments by buildings, utilities, rights -of-way, easements, fill, or excavations into areas of special flood hazard. All proposed dredging, filling , or other alterations to the flood-prone areas shall be accompanied by a report prepared by a

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registered engineer containing, at a minimum, the following information:

1. The source and characteristics of all fill materials;
2. Proposed deposition of all spoil materials;
3. Engineering evaluation of proposed filling or dredging operations with specific reference to anticipated engineering problems such as drainage, siltation, slope erosion, fill settlement, etc.; and,
4. Evaluation of the impact of the subdivision on the ecology of the area and the overall environment of the community.

(4) Supplemental Data: Supplemental data shall include:

- (a) A completed application as prescribed in Section ____; and
- (b) Other information considered by the subdivider or the Planning Commission to be pertinent to the review of the preliminary plat.

SECTION 5.03 REQUIREMENTS FOR FINAL PLATS

The final plat of a proposed subdivision shall be clearly and legibly depicted at a scale not smaller than one hundred (100) feet to one inch. The plat sheets for subdivisions shall be either eighteen (18) inches by twenty-four (24) inches or twenty-four (24) inches by thirty-six (36) inches, or in the case of a minor subdivision, twelve (12) inches by eighteen (18) inches. In cases where the Office of the Christian County Clerk prescribes a dimensional standard for plat book entries contrary to this provision, the final plat shall be prepared to conform to the standards of the recording authority. If the final plat requires more than one sheet, a key diagram showing the relative location of the various sections shall be drawn on each sheet. The final plat shall include the following data.

(1) General Data. General data shall include:

- (a) The proposed name of subdivision which does not duplicate or approximate any other subdivision name in the city;
- (b) A legend to include a north arrow (magnetic, true, or grid north), graphic scale, written scale, depictions and labeling of line types and other symbols used on the plat, date that the original drawing(s) was completed and dates of any revisions to the original drawing(s);
- (c) Name of the owner, subdivider, and surveyor;
- (d) The source of title (e.g. deed book and page number);
- (e) Names, title source (deed book and page number) and locations of all owners of property abutting the subdivision; and,
- (f) A location sketch placed in the upper left hand corner of the sheet showing the relationship of the subdivided 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.

(b) Platting Information. Platting information shall include:

- (a) All lot lines with distances and bearings;
- (b) Right-of-ways and easements to include their location, widths, and purposes ;

ARTICLE V. PLAT FORMAT AND REQUIRED EXHIBITS

- (c) Minimum building setback lines;
 - (d) Streets and alleys, to include radii, central angles, tangents, lengths of arcs and curvatures;
 - (e) The location of public sidewalks on or adjacent to the property;
 - (f) Street names (see Section 6.23);
 - (g) All watercourses, streams, lake shores, wetlands, and areas of special flood hazard. The base flood elevation for the area of special flood hazard shall be denoted on the plat;
 - (h) Lot numbers shown in numerical order, a statement of the total number of lots, the total acreage (or square footage) of all divided lots, and the total acreage (or square footage) of right-of-ways to be dedicated by the plat;
 - (i) Lot size, denoted in square feet if under one acre;
 - (j) All reservations and dedications including the accurate outline of all property, whether offered for dedication to public use or reserved by covenant for the common use of the property owners of the subdivision, shall be shown with the purposes plainly marked;
 - (k) The location (and elevation, if established) of all existing and proposed street monuments as required by Article ____; and
 - (l) All other data or illustrations needed to readily determine and reproduce accurately on the ground the location, bearing, and length of every street and alley line, lot line, easement, boundary line, and building line whether curved or straight. This shall include the radius, point of tangent and other data for curved property lines and curved street, to an appropriate accuracy and in conformance with 201 KAR 18:150.
- (c) Certifications. The following certifications shall be placed along the bottom of the final plat. These certifications shall be signed prior to the recording of the final (record) plat:
- a. Owner's Certification

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 Book ____, Page ____, in the Christian County Clerk's Office, and do hereby adopted this as my/ our record plat for this property; and hereby dedicate the streets and other spaces so indicated to public use.

Owner's Signature

Date

ARTICLE V. PLAT FORMAT AND REQUIRED EXHIBITS

b. Certificate of Accuracy

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 the monuments have been placed as shown herein.

Registered Professional Land Surveyor

Date

Seal

c. Commission’s Certification

COMMISSION’S CERTIFICATION

I hereby certify that the subdivision plat shown hereon complies with all subdivision regulations with the exception of such variances, if any, as noted in the minutes of the commission or shown as notes on the plat and that it has been approved for recording in the Office of the Christian County Clerk.

Planning Commission Chairman or Director

Date

d. Flood Certification (to be completed by the Land Surveyor)

FLOOD CERTIFICATION

A portion of the property as illustrated on this Subdivision Plat

IS

IS NOT

within an Special Flood Hazard Area, as designated on the Flood Insurance Rate Map of Christian County, Kentucky or as may have been identified by field survey.

ARTICLE V. PLAT FORMAT AND REQUIRED EXHIBITS

- e. Improvement Certification (Major Subdivisions Only)

IMPROVEMENTS CERTIFICATION

I hereby certify that the improvement plans for this subdivision have been reviewed by the City of Oak Grove; are in conformance with applicable city standards; and the improvements have been accepted by the governing authority or the City of Oak Grove has been provided sufficient surety to guarantee the installation of streets and other improvements illustrated on this plat.

Mayor or Authorized Official

Title

Date

SECTIONS 5.04 TO 5.99 RESERVED

ARTICLE VI. SUBDIVISION AND IMPROVEMENT STANDARDS

DIVISION 1. SUBDIVISION IMPROVEMENTS IN GENERAL

SECTION 6.01 CONFORMANCE WITH STANDARDS

All streets and other improvements regulated by this Article shall be constructed in accordance with the material and design specifications as set forth herein and other requirements and standards which have been duly adopted by the Oak Grove City Council.

SECTION 6.02 IMPROVEMENT COSTS

Except as required by law, the costs for installing improvements shall, in all cases, be the responsibility of the subdivider of the property.

SECTION 6.03 STREET FRONTAGE REQUIRED FOR NEW LOTS

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. Lot frontage may be reduced to a minimum of twenty (20) feet in Zero-Lot-Line and Planned Unit Developments subject to compliance with the City of Oak Grove Zoning Ordinance.

SECTION 6.04 LOT IMPROVEMENTS AND SIZE

- A. The lot arrangement shall be such that there will be no foreseeable difficulties in compliance with the Zoning Ordinance and Christian County Health Department Regulations, and in providing driveway access to buildings on such lots from a publicly maintained street or roadway.
- B. The minimum size of any lot created through the subdivision of land shall comply with the lot size standards of the applicable zoning district.
- C. Any lot hereafter created which is not served by public water and/or sewer as provided by Section 6.41 shall not be less than one (1) acre in area and have a minimum width of not less than 100 feet. In addition, the lot(s) shall conform to requirements of the Christian County Health Department for the placement of a private well and/or septic system.

SECTION 6.05 SUBDIVISION MONUMENTS

The subdivider shall place permanent monuments in the subdivision, as required by these regulations, and as approved by a registered surveyor.

- 1. Concrete Monuments - Two(2) concrete monuments at least twenty-four(24) inches in length shall beset 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 surveyor's Certificate of Accuracy shall be considered by the Planning Commission as assurance that the

ARTICLE VI. SUBDIVISION AND IMPROVEMENT STANDARDS

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.

SECTIONS 6.06 TO 6.19 RESERVED

DIVISION 2. STREET DESIGN, IMPROVEMENTS, AND DEDICATION

SECTION 6.20 PURPOSE AND INTENT OF DIVISION

This division establishes basic design and improvement standards for new streets. This division specifies the process to be followed for the dedication and acceptance of streets and related improvements into public maintenance. The requirements of this division are considered the minimum standards. The Kentucky Transportation Cabinet has promulgated a construction standards manual entitled *Standard Specifications for Road and Bridge Construction* [‘KYTC’s Specifications’]. The regulations contained in KYTC’s Specifications (latest edition) are considered supplemental to the requirements of this division.

Where this division does not provide a specific standard for construction, material type, inspection, or testing, the requirements as contained in KYTC’s Specifications shall apply and shall govern the occurrence. Where this division provides standards in excess of those contained in KYTC’s Specifications, the provision of this division shall govern. All questions concerning an alleged conflict between the requirements of this division and those contained within KYTC’s Specifications shall be referred to the City of Oak Grove Public Works Director for resolution.

SECTION 6.21 STREET DESIGN IN GENERAL

- A. **Conformity with the Official Map.** The location and width of all proposed streets shall be in conformity with the Official Map as may be adopted by the City Council in accordance with KRS 100.293 et seq.
- B. **Continuation of Adjoining Street System.** The proposed street layout shall be coordinated with the street system of the surrounding area.
- C. **Access to Adjacent Properties.** Where it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided.
- D. **Private Streets Prohibited.** There shall be no private streets platted in any subdivision. Private access may be granted through the platting of an ingress/egress easement; however, no new lot shall be created without frontage on and access to a public street as required by Section 6.04.
- E. **Reserve Strips.** Reserve strips at the terminus of a new street are prohibited. In addition, reserve strips extending parallel to planned rights-of-way are prohibited, except in cases where the Planning Commission determines that such reservations would be necessary to preserve public safety or to maintain the street’s level of service.

SECTION 6.22 BLOCKS

Blocks shall not be less than 400 feet nor more than 1,000 feet in length, except as the Planning Commission considers necessary to secure efficient use of land or desired features or street patterns. In blocks over 500

ARTICLE VI. SUBDIVISION AND IMPROVEMENT STANDARDS

feet in length, the Planning Commission may require one (1) or more public walkways or utility easements of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary. Blocks shall be wide enough to allow two (2) tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the Planning Commission may approve a single tier of lots of minimum depth.

SECTION 6.23 STREET NAMES

The preliminary and final plat shall indicate the names of proposed streets. Proposed streets, which are obviously in alignment with other existing and named streets, shall bear the assigned name of the existing streets. In no case shall the name of the proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of suffix, street, avenue, boulevard, drive, place, court, etc.

SECTION 6.24 RIGHT-OF-WAY AND PAVEMENT WIDTH

- A. The minimum pavement and right-of-way width (in feet) for streets to be dedicated are illustrated in Table 6.24 below:

Table 6.24 Minimum Pavement, Right-of-Way, & Shoulder Widths			
Street Type	Right-of-Way Width⁽²⁾	Pavement Width⁽¹⁾⁽²⁾	Shoulder Width (Where Ditching is Permitted)
Frontage Street	40 feet	22 feet	4 feet
Cul-de-sac	50 feet	22 feet	8 feet
Local Street	50 feet	24 feet	8 feet
Collector	60 feet	24 feet	10 feet
Minor Arterial	60 feet	24 feet	10 feet
Major Arterial	100 feet	26 feet	12 feet

Table Notes: (1) Pavement width is measured from the edge of the pavement to the edge of the pavement and does not include the width of the curb. (2) The minimum pavement width and right-of-way width is for two lanes and does not include medians, left turn lanes, or service lanes. Where these features are provided, the right-of-way width and, where applicable, the pavement width shall be increased by a width equal to the width of these features.

- B. Easements or additional rights-of-way will be required where cut, fill slopes, or other street appurtenances extend beyond the required minimum right-of-way as provided in Table 6.24. Slope areas beyond indicated right-of-way limits shall be kept clear of development until slopes have been constructed.

SECTION 6.25 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 subdivider shall be required to dedicate on the final plat additional right-of-way necessary for the improvement of such street.

SECTION 6.26 CUL-DE-SACS AND DEAD END STREETS

- A. Residential cul-de-sacs shall have a minimum right-of-way radius of forty (40) feet and minimum outside edge-of-pavement radius of thirty-five (35) feet.

ARTICLE VI. SUBDIVISION AND IMPROVEMENT STANDARDS

- B. Nonresidential cul-de-sacs shall have a minimum right-of-way radius of fifty (50) feet and a minimum outside edge-of-pavement radius of forty-five (45) feet.
- C. A cul-de-sac shall have a minimum width of twenty-two (22) feet of unobstructed pavement.
- D. The maximum length of a cul-de-sac shall be 500 feet.
- E. No dead-end streets shall be permitted except those ending in a cul-de-sac.
- F. Where the platting of a dead end street involves that planned continuation of said street in a future phase of development, a temporary cul-de-sac shall be provided. The temporary cul-de-sac shall include a provision for easements, which may be abandoned upon the extended street's dedication. The temporary cul-de-sac is not required to be surfaced; however, the temporary cul-de-sac must contain compacted subgrade and DGA.

SECTION 6.27 STREET GRADE

Street grade shall not exceed six (6) percent. All streets shall have a minimum grade of not less than one-quarter ($\frac{1}{4}$) of one (1) percent. The finished street section shall have a slope of two (2) percent from the centerline crown to the curb/shoulder.

SECTION 6.28 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 **eighty (80)** 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 subdivider shall cut such 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 the area.

SECTION 6.29 STREET CURVES

- A. **Vertical Curves.** Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of 200 feet, said sight distance being measured from the driver's eyes, which are assumed to be four (4) and one-half ($\frac{1}{2}$) feet above the pavement surface, to an object four (4) inches high on the pavement.
- B. **Horizontal Curves.** Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On a street with a right-of-way or sixty (60) feet or more in width or on a street with a planned posted speed of 35 mph or greater, the centerline radius of curvature shall be not less than 300 feet. On all other streets, a minimum radius of not less than one-hundred (100) feet shall be provided.

SECTION 6.30 RAILROADS

Streets parallel to the railroad when intersecting 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

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means of appropriate approach gradients.

SECTION 6.31 CURBING AND STANDARDS FOR OPEN DITCHING

- A. Except as provided in this section, concrete extruded curb or curb and gutter shall be installed for all new streets. The use of in-right-of-way ditching (in lieu of curb and gutter) may be permitted in cases where:
 - 1. The new street will serve as an extension to an existing street (without curbs) that utilizes in right-of-way ditching for drainage; or
 - 2. The new street is located in an industrial district.
- B. When ditching is permitted, the slope of the in-right-of-way ditch shall not exceed 3 to 1 (three feet horizontal for every one foot vertical). A street shoulder, meeting the width requirements of Table 6.24, shall be maintained between the edge of the pavement and the ditch slope. The location of in-right-of-way ditching and the placement of sidewalks and utilities shall be coordinated. Required utilities shall not be placed within the slope or line of any ditch nor shall the ditch's slope be placed within two (2) feet of the edge of a required sidewalk.

SECTION 6.32 COMPACTION AND COMPOSITION OF STREET CONSTRUCTION

All new streets shall be designed to carry the expected traffic loads and which shall conform with KYTC Specifications for concrete pavement or for bituminous pavement. At a minimum, the following is required for all new streets and the extensions of existing streets within the City of Oak Grove:

- 1. *Subgrade.* The subgrade shall be constructed in conformance with KYTC *Standard Specifications for Road and Bridge Construction*. If the compacted subgrade method is used as listed in §207 then the finished, compacted thickness shall be at least 12 inches thick with a density of 95% as determined by the Method of Test for Moisture-Density Relation of Soils, A.A.S.H.T.O. Destination: 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: D2167 or they may be performed by an acceptable Nuclear Density Meter. Tests will be made at such frequency as deemed necessary by the Oak Grove Public Works Department or their duly assigned representatives to assure the entire subgrade is compacted to the specified density. All density testing shall be the responsibility of the subdivider or contractor under the direction and guidance of the Oak Grove Public Works Department.
 - (a) If alternative subgrades are approved, they shall be constructed to the applicable standards and strengths specified in KYTC Specifications.
 - (b) The subgrade is the foundation upon which 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.
- 2. *Dense-graded aggregate base.* The base courses shall consist of the required depth (compacted) of graded aggregate and water mix placed on the prepared subgrade and shaped and compacted to the lines, grades and cross-sections shown on the drawings, all in accordance with the regulations set out herein.

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- (a) The aggregate shall be crushed limestone meeting the requirements of KYTC *Standard Specifications for Road and Bridge Construction* (see Division 300), compacted to a density of not less than 95% of solid oven-dry, bulk specific gravity, ASTM C 127, and the dry weight of the aggregate from the test hold. At least one density test shall be made at intervals of 500 feet or less and as many additional tests shall be made as deemed necessary by the Oak Grove Public Works Department to determine the extent of any low density sections.
 - (b) 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 subdivider/contractor shall provide all necessary labor and equipment for making the test.
3. *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 Division 400 of KYTC *Standard Specifications for Road and Bridge Construction* to the thicknesses set forth in this Article.
 4. *Minimum thickness by classification.* The DGA base, bituminous concrete base course, and bituminous concrete surface course shall observe the minimum material thickness as illustrated in Table 6.32.

Table 6.32 MATERIAL THICKNESS			
Street Type (Residential and Commercial)	DGA Base	Bituminous Concrete Base Course	Bituminous Concrete Surface Course
Frontage Street	8"	3"	1"
Cul-de-sac	8"	3"	1"
Local	8"	3"	1"
Collector	8"	3"	1"
Minor Arterial	8"	3"	1"
Major Arterial	8"	3"	1"
Street Type (Industrial)	DGA Base	Bituminous Concrete Base Course	Bituminous Concrete Surface Course
All types	8	5"	1 1/2"

5. *Alternatives.* If an alternative type of surface construction is used, it must be approved by the City of Oak Grove subject to the provisions of Section 5.38.

SECTION 6.33 SIDEWALKS

- A. When a new street(s) is to be dedicated or in cases where a sidewalk(s) is required or planned as part of a subdivision proposal, sidewalks shall be constructed in accordance with the requirements of this section and KYTC's Specifications. The construction and dedication of sidewalks shall be concurrent with the construction and dedication of streets as provided by this division.
- B. Except for streets constructed in industrial zoning districts, sidewalks are required. Sidewalks shall

ARTICLE VI. SUBDIVISION AND IMPROVEMENT STANDARDS

be constructed on both sides of the street; except, sidewalks along frontage streets shall be constructed on one street side abutting the lots deriving frontage. Sidewalks are encouraged, but not required, in industrial districts.

- C. Sidewalks shall be constructed to a sufficient width, slope, and provide ramping to ensure accessibility as required by the Americans with Disabilities Act (ADA). The minimum width for newly constructed sidewalks is provided in Table 6.33 below:

Table 6.33 Minimum Sidewalk Width	
Street Type	Minimum Sidewalk Width
Frontage Street	5 feet
Cul-de-sac	5 feet
Local Street	5 feet
Collector	6 feet
Minor Arterial	6 feet
Major Arterial	8 feet

- D. All required sidewalks shall be constructed within the dedicated right-of-way. In residential districts the sidewalk shall be setback a minimum of two (2) feet from the back of the street curb or, where no curb is provided, a minimum setback of three (3) feet from the edge of pavement shall be observed. The area between the sidewalk and the street curb or surface shall be landscaped with grass. Where other plantings are proposed by a subdivider, the Oak Grove City Council may approve such plantings as may be recommended by the Public Works Director.

- E. Except as provided by Section 6.37, sidewalks are to be constructed of Portland Cement in accordance with KYTC Specifications.

SECTION 6.34 STREET SIGNS

- A. Materials and specifications for all street signs and markings shall be in accordance with the latest approved edition of the Manual on Uniform Traffic Control Devices for Streets and Highways.
- B. The City of Oak Grove, acting through its Public Works Director, shall determine the type, location, and number of signs to be installed in the subdivision.

SECTION 6.35 STREET LIGHTING

Pending

SECTION 6.36 STREET FURNITURE

Street furniture, which consists of the man-made elements of a streetscape generally associated with the amenities for pedestrians (e.g. benches, public trash receptacles, bike racks, etc.), shall be placed where needed and not interfere with the safe use of the sidewalk or roadway. Street furniture shall not be placed within a street's right-of-way except when incorporated into the design of an approved Planned Unit Developed or specifically authorized by the Oak Grove City Council.

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SECTION 6.37 DECORATIVE AND SUBSTITUTE MATERIALS

- A. The Oak Grove City Council may approve sidewalks and/or street surfaces that incorporate decorative elements or substitute materials provided the request is accompanied by certification from the subdivider and Public Works Director indicating:
1. The substitute material(s) is of equal or comparable strength and durability;
 2. The substitute material(s) or decorative elements can be maintained by the city without additional public expenditure; and
 3. The substitute material(s) or decorative element(s) will not compromise the accessibility of the sidewalk or the functionality of the street.
- B. The dedication and subsequent acceptance of streets and sidewalks containing decorative elements or substitute materials shall in no way obligate the City of Oak Grove to repair or replace any damaged or deteriorated section to the original design standard.
- C. Any determination by the City of Oak Grove to permit decorative or substitute materials shall be provided to the Planning Commission.

SECTION 6.38 REQUIRED PLANS; INSPECTIONS; AS-BUILTS; ACCEPTANCE

- A. **Plan Required.** Street construction shall not commence until a preliminary plat, illustrating the proposed street, has been approved by the Planning Commission and street construction plans, consistent with the requirements of this Article, have been submitted to and approved by the City of Oak Grove Public Works Department. Construction plans shall consist of three (3) blue or black line copies of the proposed construction on sheet sizes of twenty four (24) inches by thirty-six (36) inches. The following information shall be shown:
1. **Street Profiles.** The final grades of each street shall be shown at a horizontal scale equal to one-tenth (1/10th) of the horizontal scale;
 2. **Street Cross-Section.** A scale of one (1) inch to ten (10) feet shall be used to show the cross-section of each new street. The cross-section shall include pavement width, curb, gutters, DGA and pavement thickness, sidewalks including composition, utility locations, and, where applicable, shoulders. Where a street's cross-sections differ due to variations in pavement width, composition, or other factors, multiple cross-sections representative of the construction shall be illustrated;
 3. **Miscellaneous Depictions.** Drainage easements, rights-of-way improvements including the location of sidewalks, manholes, and catch basins, street signs, street lights, the location, size and invert elevations of existing and proposed sanitary sewers, storm water drains, and all underground utilities including fire hydrant hook ups shall be illustrated; and
 4. **Other Materials.** When the proposed subdivision or development is only a portion of the owner's holdings and intentions are for future development, a sketch plan illustrating the street layout and proposed lots of the remaining tract is required.
- B. **Inspections.** Inspections are to be performed by the City of Oak Grove Public Works Department. A minimum of two (2) working days notice must be given for any requested inspection. If subsequent work is done prior to inspection, it is done at the subdivider's own risk and may, upon a decision of the Public Works Director, be required to be removed and reinstalled or have the

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quality substantiated by additional tests. In the event that weather or construction activities result in changes to approved conditions, re-inspection shall be required before proceeding to the next stage of construction. All approved inspections shall be valid for a maximum of thirty (30) days. Inspections will be required after each of the following stages of construction and shall meet the minimum requirements of this Article and, when applicable, the requirements of the KYTC Specifications:

1. Clearing and grubbing;
2. Drainage infrastructure installation;
3. Subgrade;
4. DGA installation;
5. Base course application;
6. Surface course installation;
7. Sidewalk installation;
8. Grass seeding of shoulders and ditches;
9. Sign installation including street name signs and traffic control signs; and
10. Final inspection of all completed infrastructure.

C. As-Built Plan. Following the completion of in-right-of-way construction, the subdivider shall submit to the Oak Grove Public Works Department three (3) copies of an “as-built” plan documenting the condition of the improvements. The plan shall be based on actual field surveys for location and elevation information. The plans shall bear the stamp, seal, and signature of the land surveyor or engineer who prepared the plan and the signature of the subdivider. In the event the “as-built” plan shows that field changes were made, or significant differences exist from the design plans, the design engineer or another civil engineer shall certify that the changes or differences are not detrimental and that the system will still meet the minimum standards of these regulations.

D. Street Improvement Acceptance. The City Council shall accept a street and other in-right-of-way improvements into public maintenance, when such improvements are installed in accordance with these regulations. The acceptance by the City Council must be preceded by the referral of the acceptance request to the Planning Commission for a recommendation. The City Council shall not be obligated to accept any improvement where the subdivider has failed to follow the design, construction, or procedural requirements of these regulations.

SECTIONS 6.39 TO 6.40 RESERVED

DIVISION 3. UTILITIES

SECTION 6.41 SUBDIVISIONS TO BE SERVED BY UTILITIES

A. All subdivisions are to be served by utilities. Required utilities include electric power, public water to include the installation of fire hydrants, and sewer service. Natural gas, telephone, and other utilities may also be provided. The extension of utilities to service individual lots within a subdivision shall be at the subdivider’s expense. Easements sufficient to convey such services shall be provided.

1. Water Supply and Fire Hydrants.

ARTICLE VI. SUBDIVISION AND IMPROVEMENT STANDARDS

- a. Public water lines and related infrastructure shall be extended to serve all subdivided lots when existing mains and connections of sufficient size and capacity are available within 250 feet of the property boundary of the subdivision. Water lines, when practicable, shall be located in a utility easement adjacent to the street right-of-way.
 - b. Where an extension would require placement within the right-of-way, the water line shall be setback no less than five (5) feet from the back of the street curb or, when no curb is provided, no less than five (5) feet from the paved surface of a street (excluding laterals and required crossovers) provided right-of-way width is sufficient to accommodate such placement. Except in zoning districts permitting buildings to be located on the front property line, water lines shall not be located under a sidewalk.
 - c. The installation of water line improvements shall include the installation of fire hydrants in accordance with the requirements of the State Fire Code or other applicable regulations. Where a water line extension is not required to service a subdivision, however, the subdivision of land would necessitate the placement of a fire hydrant(s) under the applicable code, a hydrant(s) and all necessary water line connections shall be installed.
 - d. Exceptions. Where determined by the City of Oak Grove that 1) existing water lines or connections are not available within 250 feet of a property and an extension by the city is not feasible or 2) the extension of water line and infrastructure is impractical due to topographic (elevation), geologic, or other site related impediments, the installation of a private well(s) to service individual subdivision lots may be permitted. Installation of private wells are subject to the requirements of Christian County Health Department and the minimum lot size requirements of these regulations.
2. Sewerage System.
- a. Public sewer lines and related infrastructure shall be extended to serve all subdivided lots when existing mains and connections are available within 250 feet of property boundary of the subdivision. Sewer lines, when practicable, shall be located in a utility easement adjacent to the street right-of-way. Where an extension would require placement within the right-of-way, the line shall be setback no less than five (5) feet from the back of the street curb or, when no curb is provided, no less than five (5) feet from the paved surface of a street (excluding laterals and required crossovers) provided right-of-way width is sufficient to accommodate such placement. Except in zoning districts permitting buildings to be located on the front property line, sewer lines shall not be located under a sidewalk.
 - b. Exceptions. Where determined by the city that 1) existing sewer mains or connections are not available within 250 feet of a property and an extension by the city is not feasible or 2) the extension of sewer lines and infrastructure is impractical due to topographic (elevation), geologic, or other site related impediments, the installation of a private septic systems to service individual subdivision lots may be permitted. Installation of private septic systems are subject to the requirements of Christian County Health Department and the minimum lot size requirements of these regulations.
3. Natural Gas and other utility services. Natural gas lines and other utility services, when practicable, shall be located in a utility easement adjacent to the street right-of-way. Where an extension would require placement within the right-of-way, the line shall be setback no less than five (5) feet from the back of the street curb or, when no curb is provided, no less than

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five (5) feet from the paved surface of a street (excluding laterals and required crossovers). Except in zoning districts permitting buildings to be located on the front property line, gas lines and other utilities shall not be located under a sidewalk.

4. Where questions or conflicts exist between the utility providers with respect to the allowable location of proposed utilities within the right-of-way or adjacent easement, such questions shall be referred the Oak Grove Public Works Department for resolution and final determination.

SECTION 6.42 UTILITY EASEMENTS REQUIRED

- A. Utility Easements. To provide for the installation and perpetual maintenance of natural gas, water and sewer, telephone, and electric services, utility easements shall be provided along the front property line adjacent to the street. Easements shall be not less than twenty (20) feet in width. In blocks greater than 500 feet in length, one (1) side yard utility easement of no less than twenty (20) feet in width (ten [10] feet per lot) shall be provided for every 250 feet of street frontage.
- B. The individual utility providers may request, and the Planning Commission may require, easements of greater width or varied location than the minimum standards provided in Subsection A.
- C. All utility easements are to be platted consistent with the procedures specified in Article IV.
- D. Exception. The requirements of Subsection A shall not apply in zoning districts where buildings are permitted to be located on the front property line.

SECTION 6.43 PLAN SUBMISSION; APPROVAL; INSPECTIONS

- A. Prior to the installation of utilities as provided by this Article, complete plans shall be submitted and approved by the applicable utility provider and the Oak Grove Public Works Department. The content of complete plans shall follow the requirements of the utility provider and these regulations.
- B. When utility installation is to occur within a right-of-way or is to be performed in conjunction with construction of a new street, the inspection requirements of Section 6.38 shall apply.
- C. Upon completion, the subdivider shall submit to the Oak Grove Public Works Department three (3) copies of an “as-built” plan documenting the condition of the improvements. The plan shall be based on actual field surveys for location and elevation information. The plan shall bear the stamp, seal, and signature of the land surveyor or engineer who prepared the plan and the subdivider. In addition, the subdivider shall provide to the Public Works Director written certification from the utility provider that the utility(ies) have been installed in accordance with applicable standards and, where applicable, maintenance of the in-right-of-way infrastructure has been assumed by the public or franchised utility.

SECTION 6.44 RESERVED

ARTICLE VI. SUBDIVISION AND IMPROVEMENT STANDARDS

DIVISION 4. STORM WATER AND FLOODING

SECTION 6.45 GENERAL REQUIREMENT

All subdivisions shall comply with the City of Oak Grove Flood Damage Prevention and Storm Water Management ordinances. The Planning Commission may require documentation from the subdivider with accompanying certification from the City of Oak Grove of such compliance prior to the approval of any subdivision.

SECTION 6.46 EASEMENTS REQUIRED

Easements required for the conveyance of storm water runoff shall be platted, including easements necessary for the placement of storm water detention basins. Unobstructed easements at least fifteen (15) feet in width shall be provided across property with satisfactory access to a street or natural watercourse.

SECTION 6.47 FLOOD ELEVATION TO BE IDENTIFIED

Subdivision plats shall identify Special Flood Hazard Areas (100-year flood elevation) as illustrated on the Flood Insurance Rate Map for Christian County, Kentucky. In addition, subdivision plats that include storm water basins, natural or manmade depressions, and conveyance structures shall illustrate high water elevations anticipated during a designed storm event (at a minimum a 100-year, 3 hour event). All elevations shall, at a minimum, be identified to the nearest one-tenth ($1/10^{\text{th}}$) of one (1) foot.

SECTIONS 6.48 TO 6.50 RESERVED

DIVISION 5. PARKS AND RECREATIONAL AREAS

SECTION 6.51 OPEN SPACE ENCOURAGED

- A. In major subdivisions greater than twenty (20) lots or where the density of a major subdivision exceeds six (6) lots per acre, the subdivider is encouraged to provide three percent (3%) of the total land area as Common Recreational Space (CRS). Common recreational space may include but not be limited to wooded areas, watercourses, greenway trails and recreational facilities (i.e. swimming pools, golf courses, playgrounds, soccer practice fields or picnic or passive play areas):
 1. CRS shall be defined as the area of a subdivision open and unobstructed to the sky which is legally accessible to and usable by all residents of the development;
 2. CRS shall be constructed or developed by the subdivider;
 3. CRS may include but not be limited to wooded areas, watercourses, greenway trails and recreational facilities (i.e. swimming pools, golf courses, playgrounds, soccer practice fields, or picnic or passive play areas). These areas are not to be part of any drainage areas;
 4. CRS shall be maintained by the subdivider until at least fifty percent (50%) of the lots of the proposed subdivision has been developed and sold. The subdivider shall have the option, at that time, of transferring ownership of the CRS to either the City of Oak Grove, or a properly

ARTICLE VI. SUBDIVISION AND IMPROVEMENT STANDARDS

constituted homeowners association acceptable to the city. Only after the city or homeowners association voluntarily agree to take possession of the CRS area through a transfer of deed will the subdivider's responsibility for maintenance be terminated; and

5. Any metered utilities, such as electric and water serving the CRS, will be paid for by the owner of the CRS.

B. OPTIONAL PUBLIC PARK LAND (PP) – Instead of satisfying the standard three percent (3%) common open space requirement, all major subdivisions or developments shall have the option of dedicating a land area as “Public Park Land” (PP) within the subdivision. All PP must be shown on the preliminary lot layout and recording plat:

1. PP shall be defined as the area of a subdivision open and unobstructed to the sky and which is owned by the local municipality or government and is legally accessible to all citizens of Oak Grove;
2. PP may include, along with natural environmental elements, formal landscaped areas, wooded areas, watercourses, greenway trails and recreational facilities such as public swimming pools, public golf courses, playgrounds or picnic and passive play areas; and
3. All proposed PP dedications shall be reviewed and approved by the City of Oak Grove prior to acceptance.

SECTIONS 6.51 TO 6.60 RESERVED

DIVISION 6. SURETY

SECTION 6.61 PURPOSE

It is recognized that the subdivider's need to receive subdivision plat approval and record a plat may precede the installation and acceptance of certain improvements. It is the purpose of this Division to provide reasonable accommodation to a subdivider while guarding the financial interests of the city and ensuring that the requirements of these Regulations are met. This section provides a mechanism by which a subdivider can receive subdivision plat and record said plat prior to the acceptance of required improvements, provided sufficient financial guarantees have been established to ensure timely installation and acceptance.

SECTION 5.62 SURETY INSTRUMENT AUTHORIZED

A surety instrument may be posted by a subdivider to allow for the approval and recording of a final plat prior to the installation and acceptance of required improvements. The form and sufficiency of surety instruments shall be subject to approval by the City of Oak Grove. The city has the right to refuse, for cause, a surety instrument. Required improvements may include the installation and acceptance of water and sewer infrastructures, fire hydrants, public streets and sidewalks, and other improvements requisite to the Planning Commission's approval of a final plat.

ARTICLE VI. SUBDIVISION AND IMPROVEMENT STANDARDS

SECTION 6.63 COST ESTIMATE AND SURETY POSTING

The subdivider shall submit to the Oak Grove Public Works Department a detailed itemized unit cost estimate for all incomplete improvements. The cost estimate shall include costs for engineering and design, materials, installation, and inspection. Upon acceptance by the City of Oak Grove, the subdivider shall submit to the Public Works Director a surety instrument in an amount not less than 100% of the approved estimate; however, the city may require funds in excess of 100% of the approved cost estimate to account for possible changes in material or installation costs over the duration of the surety's term. The surety instrument shall be for a term no greater than one (1) year. The Public Works Director is authorized to develop necessary applications and agreements requisite to the acceptance of a surety instrument.

SECTION 6.64 RELEASE OF SURETY; FAILURE TO PERFORM

Upon installation and acceptance of required improvements, the City of Oak Grove shall release the surety instrument. The city is authorized to grant a partial reduction in the amount of the surety based on progress by the subdivider in installing required improvements. Failure to install and have those improvements accepted within the time period specified in the surety instrument shall be grounds for the city to recover proceeds from the surety instrument that are necessary to install the required improvements.

SECTION 6.65 FAILURE TO PERFORM TO CONSTITUTE VIOLATION

The posting of surety instrument does not relieve a subdivider of the responsibility of installing improvements. A default or failure to perform under the terms of a surety instrument by a subdivider is a violation of these Regulations and is subject to the enforcement provisions of this Article.

SECTIONS 6.66 TO 6.99 RESERVED