

LAND SUBDIVISION REGULATIONS FOR UNION COUNTY

BY

UNION COUNTY PLANNING COMMISSION

JUNE 30, 1979

LAND SUBDIVISION REGULATIONS FOR UNION COUNTY

PREPARED BY

UNION COUNTY PLANNING COMMISSION

Under Supervision and Administration of
The Department for Local Government
Commonwealth of Kentucky

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ABSTRACT

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ABSTRACT TEXT: This document provides for the enforcement of county-wide land subdivision regulation by the Union County Planning Commission to provide efficient guidelines for the orderly development of land within Union County and its' incorporated cities.

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TABLE OF CONTENTS

<u>ARTICLE</u>		<u>PAGE</u>
I	<u>ENACTING CLAUSE AND ADMINISTRATIVE PROVISIONS</u>	1
	Section 101 Purpose	1
	Section 102 Short Title	1
	Section 103 Authority and Administration	1
	Section 104 Area of Jurisdiction Section 100.131 KRS	1
II	<u>DEFINITION</u>	1
	Section 201 Purpose	6
	Section 202 Definitions	7
III	<u>PROCEDURES FOR APPROVAL OF MINOR SUBDIVISION PLATS</u>	
	Section 301 Purpose	10
	Section 302 Procedure	10
	Section 303 Plat Specifications for Minor Subdivisions	11
IV	<u>PROCEDURE FOR APPROVAL OF MAJOR SUBDIVISION PLATS</u>	
	Section 401 Purpose	12
	Section 402 Pre-Application Conference	12
	Section 403 Preliminary Plat Procedure	13
	Section 404 Final Plat Procedure	14
V	<u>PLAT SPECIFICATIONS FOR MAJOR SUBDIVISIONS</u>	
	Section 501 Purpose	16
	Section 502 Preliminary Plat Materials	16
	Section 503 Final Plat Materials	18
VI	<u>MINIMUM DESIGN STANDARDS</u>	
	Section 601 Purpose	21
	Section 602 Completion of Improvements	21

Section 603 Street Design Standards 21

Section 604 Block Design Standards 24

Section 605 Lot Design Standards24

Section 606 Easement Design Standards25

Section 607 Community Facilities Design Standards26

Section 608 Other Required Improvements 26

VI AMENDMENT I

Section 610 Mobile Home Park Minimum Design Standards; For the Purpose
of Lease27

VII GENERAL PROVISIONS

Section 701 Variances33

Section 702 Amendments34

Section 703 Violations and Penalties34

Section 704 Separability35

Section 705 Previous Regulations35

Section 706 Effective Date35

ARTICLE I – ENACTING CLAUSE AND ADMINISTRATIVE PROVISIONS

SECTION 101 - PURPOSE

These subdivision regulations are designed to encourage the development of subdivisions according to recognized standards which provide for sound, efficient, and economical development; to provide for safe, convenient, and efficient traffic circulation; to coordinate land development; to insure that future growth will be orderly and conducive to provision of minimum outlay of public and private expenditures in providing services to developing areas; to minimize fire hazards; to provide for adequate light and air in habitable structures; and to provide sound and efficient guidelines for the overall development of the area where these subdivision regulations are in force.

SECTION 102 SHORT TITLE

The full title of these subdivision regulations shall be “The Land Subdivision Regulations of Union County, Kentucky.” The short title of these regulations shall be known, and may be cited as the “Subdivision Regulations.”

SECTION 103 AUTHORITY AND ADMINISTRATION

The regulations are adopted by the _____ under the authority granted by the Kentucky Revised Statutes, Chapter 100. The regulations shall be administered by the Union County Planning Commission which hereafter shall be referred to as the Planning Commission or Commission.

Delegation of this administrative power may be made to the Administrative Official which is defined as any department, employee, or advisory, elected or appointed body which is authorized to administer any provision of the zoning regulation, subdivisions, and if delegated, any provision of any housing or building regulation or any other land use control regulation.

SECTION 104 AREA OF JURISDICTION, SECTION 100.131 KRS

The Union County Planning Commission, by virtue of these regulations, shall have jurisdiction and control over the subdivision of all land within Union County and its incorporated communities of Morganfield, Sturgis, Waverly and Uniontown, Commonwealth of Kentucky.

ARTICLE II – DEFINITIONS

SECTION 201 PURPOSE

For the purpose of these regulations, certain terms and words shall be used and interpreted as defined hereafter and in Kentucky Revised Statutes, Chapter 100. Words used in the present

tense include the future. The singular number includes the plural, and the plural the singular. The word “shall” is mandatory.

SECTION 202 DEFINITIONS

Access: A location at which provisions are made for vehicular entrance to or exit from a street or from a lot or other street.

Limited Access: Is access which is provided only at specific intervals provided for in the design of a street usually a street interchange or an intersection of major arterials.

Controlled Access: Is access which is given at certain locations designated by the Planning Commission. These access locations are usually to marginal access streets or collector streets intersecting an arterial street.

Accessory Structure: A subordinate building or other structure located on the same lot with the main building, occupied by or devoted to an accessory use. Where an accessory building is attached to the main building, in a substantial manner, as by a wall or roof, such accessory building shall be considered part of the main building.

Accessory Use: A use customarily incidental and subordinate to the main use or building located on the same lot wherewith. In no case shall such accessory use dominate, in area, extent, or purpose, the principal lawful use or building.

Administrative Official: Any department, employee, or advisory, elected or appointed body which is authorized to administer any provision of the zoning regulation, subdivision regulations, and if delegated, any provision of any housing or building regulation or any other land use control regulation.

Block: A Tract of land enclosed by streets. The length of a block is measured between right-of-way lines of the through streets that intersect the streets running along one side of the block. The length of a block is the greatest distance between streets on opposite sides of the block.

Building: Is any structure having a roof supported by columns, piers, or walls, including tents, lunch wagons, trailers, dining carts, camp cars, or other structures on wheels and intended for shelter, housing or enclosure of persons, animals or chattel.

Building Line: Is a line formed by the intersection of a horizontal plane at average grade level and a vertical plane that coincides with the exterior surface of the building on any side. In case of a cantilevered section of a building or projected roof or porch, the vertical plane will coincide with the most projected surface. All yard requirements of measured to the building line.

Building Permit: A permit issued by the Administrative Official allowing a property owner or his agent to construct, alter, or remove a building, etc., or engage in similar activity which would alter the character of the lot in question.

Building Principal: A building, including covered porches, carports and attached garages in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the principal building on the lot on which same is situated.

Lot: A piece, parcel or tract of land occupied by or to be occupied by one principal building and its accessory buildings and including the open space required under this Regulation, and having is principal frontage on a street.

- A. Corner Lot: A lot which abuts on two intersecting streets at their intersection.
- B. Double-Frontage (Through) Lot: Any lot other than a corner lot which abuts on two streets.
- C. Interior Lot: A lot other than a corner lot with frontage on only one street.

Mobile Unit: A structure used or designed to be used for dwelling or other purposes or both and which is designed to be temporary and equipped with wheels (i.e. originally equipped with axels) for the purpose of mobility in transporting said unit from place to place.

Mobile Home Park: A parcel of land under single ownership which has been planned and improved for the placement of two (2) or more mobile homes for non-transient use.

Major Subdivision: Those subdivisions of land which are of major significance to the future development of the community, and shall include all subdivisions which do not conform to the definitions established for minor subdivisions. Major subdivisions shall also be those subdivisions which create five or more lots for sale, lease, or building development for the establishment of residential, commercial, or industrial activities, or where a new street is involved. If the Commission determined that a minor subdivision is of significant importance to the development of an area, the subdivision may be treated as a major subdivision.

Minor Subdivision: Shall be those subdivisions of land which are generally of secondary planning significance to the area's future development.

- A. Consolidated Minor Subdivision: Shall be those subdivisions characterized by the following:
 - 1. Adjoining Properties: The subdivision shall be solely for the purpose of transferring a portion of a parcel or tract of land to an adjoining property with which it is to be consolidated. Such adjoining property shall have a common boundary with the parcel of land intended for transfer.
 - 2. Conformance to Community Plans: The subdivision shall be in conformance with the community development plans, implementation devices, and other applicable regulation or ordinances; including, among other considerations, any necessary dedication for adequate street right-of-way.

- B. Building Site Minor Subdivision: Shall be those subdivisions characterized by the following:
1. Number of Divisions: There shall be a maximum of four lots in a building site minor subdivision.
 2. Access: All lots shall abut for a least seventy (70) feet upon a street dedicated for public use. If a new street is involved, the subdivision shall be considered a major subdivision.
 3. Conformance to Community Plans: The subdivision shall be in conformance with the community development plans, implementation devices, and other applicable regulations or ordinances; including among other considerations; any necessary dedication for adequate street right-of-way.

Subdivision: The division of a parcel of land into three 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; providing that a division of land for agricultural purposes into lots of parcels of five acres or more and not involving a new street shall not be deemed a subdivision. The term includes re-subdivision 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 acre occurring within (12) months following a division of the months following a division of the same land shall be deemed a subdivision within the meaning of this Act.

Street: Any vehicular way, regardless of size or designation, but excluding private driveways serving only one parcel of land for a residential use.

- A. Alleys: Streets used primarily for vehicular service access to the backs or to the side of properties which otherwise abut on streets.
- B. Arterial Streets: Those streets or highways serving as connection points between the principal generation points within the community and also within interior points of the surrounding neighborhood.
- C. Collector Streets: Streets which carry or will carry intermediate volumes of traffic from minor streets to arterial streets.
- D. Limited Access Highway: Streets designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic.
- E. Marginal Access Streets: May be either an Arterial, Collector, or a Minor Street which is parallel to and adjacent to a Limited Access Highway or Arterial Street providing access to adjoin properties without impeding the flow of the heavier travelled thoroughfare.
- F. Minor Streets: Streets that provide access to individual properties and carry primarily intra-neighborhood traffic into or out of the other street systems.

ARTICLE III – PROCEDURES FOR APPROVAL OF MINOR SUBDIVISION PLATS

SECTION 301 PURPOSE

The purpose of this article is to establish special requirements to expedite the preparation and processing of minor subdivision plats.

SECTION 302 PROCEDURE

The following procedures shall be followed in the processing of all minor subdivision plats. Minor Subdivisions shall be those that conform to the definitions under Article II, Definitions Section 201.

302.1 -- Plat Preparation – A plat suitable for recording shall be prepared by a qualified surveyor or engineer, after the developer has communicated with the Administrative Official to determine if the proposed subdivision qualifies as a minor subdivision.

302.2 -- Submission – The developer shall submit two (2) copies of the original plat to the Commission.

302.3 -- Administrative Official's Review – The Administrative Official shall review the plat for conformance to all applicable regulations, mark the copies where any necessary changes are required, and return one copy to the developer. During the review process, the Administrative Official will secure comments from other concerned agencies.

302.4 -- Planning Commission Review – When the plan conforms to these regulations, it shall be submitted to the Commission for the necessary approval, conditional approval with conditions, attached, postponement, or disapproval. The Commission may delegate this review procedure to the Administrative Official.

302.5 -- Signing by Chairman – When the plat fully conforms to these regulations, the Chairman of the Commission or his authorized representative shall sign the Commission's certification on the plat to signify the Commission's approval and make it eligible for recording.

302.6 -- Copies Required – After signing of the plat by the Chairman of the Commission or his authorized representative, and before the approved plat is returned to the developer, the developer shall have five (5) copies of the plat made and delivered to the Commission. The approved plat may then be returned to the developer.

302.7 – Recording – After the Commission’s approval of the plat, the signed plat shall be recorded in the exact form as previously approved, or the approval becomes null and void.

SECTION 303 PLAT SPECIFICATIONS FOR MINOR SUBDIVISIONS

Minor subdivision plats shall be prepared according to the following specifications. In addition to the plat, improvement drawings may be required by the Planning Commission if necessary.

303.1 -- Copies Required – Three (3) copies of the proposed plat shall be submitted.

303.2 -- Material and Size – The plat shall contain neat and legible information and shall have a minimum size of 8 ½” by 14”.

303.3 -- Title Information

- A. Name of Subdivision
- B. Acreage within Subdivision
- C. Written Scale
- D. Name and address of owner / s
- E. Name of surveyor or engineer
- F. Date of preparation
- G. Direction indicator

All title information shall be placed in an orderly manner and a convenient location on the plat.

303.4 -- Location Sketch – A location sketch shall be placed in the upper right-hand corner of the sheet, and shall show the relationship of the property being subdivided, distinctly marked, to a sufficient number of streets or highways in the area to enable one to quickly recognize the area in which the subdivision located.

303.5 -- Land Subdivision Plan – The land subdivision plan shall be placed in the center of the upper half of the plat and shall show the boundaries of the subdivision in a heavy and solid line. The scale of the drawing shall not exceed 1” = 50’. The drawing and other required information should not overlap. The following information shall also be placed on the plat:

- A. Names, width, and locations of all easements.
- B. Pavement widths of all streets that abut, adjoin, or are included within the subdivision.
- C. Building setback lines.
- D. Accurate bearings and dimensions of all subdivision boundaries and lot lines surveyed in the field.

- E. All adjoining properties illustrated by dashed lines with the name of the respective owner.
- F. A legal description of property subdivided placed below the drawing.

303.6 -- Consolidated Property – When a portion of a tract of land is transferred to an adjoining property, the dimensions of the remaining property from which the portion was transferred shall be placed on the plat.

303.7 -- Physical Improvements – When require by the Commission, the physical improvements shall conform to the improvement requirements of other articles herein.

303.8 -- Certification Information – The following signatures are required for certification of a minor plat.

- A. Surveyor’s or Engineer’s Certification with Registered Stamp.
- B. Health Officer’s Certification.
- C. Owner’s Certification.
- D. Planning Commission’s Certification.

All certifications shall be in accordance with Appendix I, (see example for Health Officer’s Certification) and shall be incorporated below legal description or attached in a convenient manner.

ARTICLE IV – PROCEDURE FOR APPROVAL OF MAJOR SUBDIVISION PLATS

SECTION 401 PURPOSE

The purpose of this article is to establish the procedure which shall be followed by the developer and the Planning Commission in preparing, reviewing, and approving all subdivision plans (except for minor subdivision plats for which different procedures or requirements are established in Article III).

SECTION 402 PRE-APPLICATION CONFERENCE

The developer shall arrange a conference with the Administrative Official before a preliminary plat is submitted. The purpose of the conference is to afford the developer an opportunity to avail himself of the assistance of the Administrative Official and/or the Commission before he prepares preliminary plan and makes formal application for its approval. This procedure will reduce the number of unnecessary and costly changes which are often required when a plat is submitted to review before the Administrative Official has had an opportunity to review it.

402.1 -- Sketch Plan – The developer should have a rough sketch plan prepared before the pre-application conference to show the boundaries of the tract, the proposed street and lot arrangement, and other pertinent information.

402.2 -- Office Visit – The developer should then visit the Administrative Official's office and informally discuss his ideas with the Administrative Official. This informal discussion shall not constitute a formal application and will be considered confidential. The developer should also consult with the utility companies and other local agencies at this time.

If a developer does not have a sketch plan, but would like to discuss certain general ideas with the Administrative Official, he should feel free to visit the Administrative Official's office and discuss these ideas.

SECTION 403 PRELIMINARY PLAT PROCEDURE

All subdivision plats shall receive their first official consideration as preliminary. No developer shall proceed with any construction work including grading, before a plat has been given preliminary approval.

The following procedures shall be required during the preliminary plat procedure:

403.1 -- Design Plans – The developer shall have a registered surveyor, registered engineer, landscape architect, architect or community planner (provided that engineering data is supplied by a registered engineer or surveyor for landscape architects, architects, and community planners) prepare the preliminary plat in conformance with the format, design, and improvement requirements of these regulations. Utility companies and other concerned city and county agencies should be consulted before the preliminary plat is prepared.

403.2 -- Formal Application and Submission – A completed application (Appendix II) secured from Administrative Official's office and six (6) prints of the preliminary plat (including improvement drawings and other required preliminary plat information) submitted to the Administrative Official shall constitute an application for formal action on the preliminary plat. For maximum assurance that a plat will receive Commission consideration at a certain meeting, the plats must be submitted at least fourteen (14) days before such meeting.

403.3 -- Distribution and Review of Plats – The administrative Official shall make copies of the preliminary plats available to all concerned city and county agencies. The plats will be reviewed and the Administrative Official will summarize all recommendations for presentation to the Commission.

403.4 -- Planning Commission Review – No preliminary plat shall be considered for action by the Commission until the plats have been reviewed by the Administrative Official. After review and recommendation by the Administrative Official, the Commission will review all

recommendations and then decide upon their own recommendation which may include approval of the plat, conditional approval with conditions noted, postponement, or disapproval.

403.5 -- Notification of Action – After Commission action, the Administrative Official shall mark two (2) copies of the plat in conformance with the Commission’s actions. The Administrative Official shall notify the developer of the Commission’s action and request him to pick up his plat.

- A. Approval – Means the developer is authorized to proceed with physical improvements in the proposed subdivision and to proceed with the preparation of the final plats. Lots shall not be sold until a final plat has been approved.
- B. Conditional Approval – Means the developer may proceed as outlined above in Section 403.3A, but only after corrected preliminary plat has been submitted to the Administrative Official.
- C. Postponement – Means action is delayed for definite reasons which shall be noted by the Commission.
- D. Disapproval – Means the denial of approval for the submitted plat. Before further action can occur, the developer must revise his plat to conform to the Commission’s requirements.

SECTION 404 FINAL PLAT PROCEDURE

All subdivision plats shall receive their second and last consideration as final plats. No developer shall sell or lease, or agree to sell or lease, any lot until after a final plat has been approved. The following procedure shall be required for all final plats.

404.1 -- Design Plans – The developer shall have a registered surveyor or engineer prepare a final plat in conformance with the format, design, and improvement requirements of these regulations. The final plat is a legal record of the subdivision as surveyed in the field and must agree with the approved preliminary plan, except that final plans covering a portion of the approved preliminary plat may be submitted.

404.2 -- Time Lapse – Unless a time extension has been requested by the developer and granted by the Commission, all final plats shall be submitted within twelve (12) months of the approval date of the preliminary plat. If a time period in excess of twelve (12) months elapses, the preliminary plat must be resubmitted and approved before final plat approval can be considered.

404.3 -- Material to be Submitted – The following final plat materials must be submitted by the developer. For maximum assurance that a plat will be considered at a certain Commission meeting the plat materials must be submitted as least fourteen (14) day prior to such meeting.

- A. Subdivision Plats – Six (6) prints of the plat showing the manner in which the land is proposed to be subdivided, and legally recorded, shall be presented to the Administrative Official. The plats shall be in conformance with specifications outlined in Article V.
- B. Bond for Physical Improvements – The Commission shall have no obligation to allow developers to post surety bonds in lieu of completed physical improvements, but it may permit said bond if it so desires. When bonds are permitted, the developer shall submit his cost estimates to the Administrative Official to cover the full cost of all physical improvements. The developer shall then post a surety bond with the staff, running to the Planning Commission for and on behalf of the _____
 _____ A time period of one (1) year shall be allowed for construction of improvements.

404.4 -- Distribution and Review of Plats – The Commission’s staff shall make copies of the final plat available to all concerned city and county agencies. The plats will be reviewed and the Administrative Official will summarize all recommendations for presentation in the Commission.

404.5 -- Planning Commission Review – No final plats shall be considered for action by the Commission until they have been reviewed by the staff. After review and recommendations by the Administrative Official, the Commission will review all recommendations and then decide upon its own recommendation which may include approval of the plat, conditional approval with conditions noted, postponement, or disapproval.

404.6 -- Notification of Action – After Commission action, the Administrative Official shall make two (2) copies of the plat in conformance with the Commission’s action. The Administrative Official shall notify the developer of the Commission’s action and request his to pick up his plat.

- A. Approval – Means the final plat has been signed by the Chairman of the Commission or his authorized representative and may be recorded. After recording, the developer may sell or agree to sell lots by reference to the approved and recorded final plat. Commission approval shall not be deemed to constitute or effect and acceptance by the city or county of the dedication, since such acceptance is the prerogative of the city and county legislative bodies.
- B. Conditional Approval – Means the developer may proceed as outlined above in Section 404.6A, but only after he has met the conditions attached to the approval.
- C. Postponement – Means the Commission has deferred action until some future Commission meeting in order that certain clarification can be made in regard to the plat.

D. Disapproval – Means complete denial of the final plat. To request review and action, the developer must revise his plat to conform to Commission requirements and resubmit a new set of final plats.

404.7 -- Recording Final Plat – Within ninety (90) day of the Commission’s approval, unless a time extension has been granted by the Commission previous to the expiration date, a certified copy of the final plat shall be filed for recording in the Union County Clerk’s Office. The Commission’s action is also voided if the certified plat is altered in any manner (except for Commission requirements) between the date of the Commission approval and recording.

404.8 -- Release of Bond – If a surety performance bond has been permitted by the Commission its release shall be approved the Commission after all improvements, in the opinion of the Administrative Official, have been satisfactorily completed.

404.9 -- Private Engineer’s Inspection – Before the surety performance bond is release, he developer’s engineer must certify that all physical improvements have been completed and are in full conformance with the Commission’s regulations.

ARTICLE V – PLAT SPECIFICATIONS FOR MAJOR SUBDIVISIONS

SECTION 501 PURPOSE

The purpose of this article is to describe the content and format of required major subdivision plat materials and the information which that plats must contain. Conformance to these requirements will provide for the expedient processing of plats.

All plans shall adhere to these specifications unless the Commission grants permission for modifications due to unusual or special circumstances. Plans which are flagrantly or repeatedly lacking the required data shall be returned to the developer by the Commission’s staff immediately after the absence of data is apparent.

SECTION 502 PRELIMINARY PLAT MATERIALS

The preliminary plat material shall consist of three categories of materials as explained below. Other materials may be submitted by the developer or may be required by the Planning Commission.

502.1 -- Restrictive Covenants – When the developer proposed to regulate land use in a subdivision and otherwise protect a development, one draft copy of such covenants shall be submitted as part of the preliminary plat materials.

502.2 -- Land Subdivision Plat – Six (6) prints of the proposed subdivision shall be submitted on sheet sizes of 24” x 36”, unless the Administrative Official grants permission for other sizes because of unusual or special circumstances. If necessary, more than one sheet may be used if key map is prepared to relate each sheet to the entire subdivision. The information required on the preliminary plats shall be positioned in the following manner:

- A. Title Block – The title block should be placed on the lower right-hand corner of the sheet and shall contain the following information:
 1. Subdivision Name – The name of the proposed subdivision, which shall not duplicate or approximate the name of any other subdivision in Union County.
 2. Property Identification – The record name and mailing address of the property being subdivided.
 3. Identification – The record name and mailing address of the property owner and the developer’s engineer.
 4. Legend Information – Graphic scale, written scale, north point, date of preparation, and any other pertinent legend data.
- B. Location Sketch – A sketch showing the general location of the subdivision shall be placed in the upper right or left corner of the sheet. The location sketch shall be drawn at a scale large enough to show the proposed subdivisions relationship to existing and proposed features such as major traffic arteries, schools, recreation areas, shopping areas, and industrial areas.
- C. Lot Design – The design scheme shall be drawn at a scale of one hundred (100) feet or less to the inch, and shall show the following existing conditions and proposed development features.
 1. Existing Conditions – The following information of existing conditions shall be illustrated:
 - a. Boundary Lines – The location, distance, and bearing of the boundary lines.
 - b. Streets – Street names, right-of-way widths, and approximate grades shall be shown on all streets adjacent to and within the proposed subdivision.
 - c. Utilities – The location and size of all utilities and easements adjacent to and within the proposed subdivision.
 - d. Topography – Contours with two (2) foot intervals, referenced to U.S.G.S datum.
 - e. Subsurface Conditions – When required, results to tests made to ascertain soil percolation quality if individual sewage disposal systems are proposed.
 - f. Other Conditions on the Tract – Such as water-courses, marshes, wooded areas, isolated preservable trees, and houses and barns and other significant features which will be retained or removed.
 - g. Conditions on Adjacent Land – such as approximate direction and gradient of ground slope; railroads, commercial areas, and other nearby nonresidential land uses or adverse influences; owners of adjacent, un-platted land; subdivision

names of adjacent platted land; perimeter lotting and typical lot size in adjacent subdivision.

2. Proposed Development on Tract – The following information on proposed development shall be shown.
 - a. Streets – The proposed names, right-of-way and pavement widths, and approximate grades and direction thereof.
 - b. Other Rights-of Way or Easements – The location, width, and purpose.
 - c. Lot Lines – The location and approximate distances of all lot lines. Lot number shall also be shown.
 - d. Setback Lines – The location of proposed building setback lines with dimensions showing the setback from the street rights-of-way.
 - e. Public Sites – The name, acreage, and use of any sites proposed for public use, such as parks, play grounds, and school sites.
 - f. Multi-Family and Non-Residential Uses – The acreage and use of non-public uses such as multi-family dwellings, shopping centers, churches, etc.

502.3 -- Other Materials - When the tract shown on the subdivision plans represents only a portion of the developer's holding, an additional sketch shall be required to illustrate the proposed street layout for the remainder of the tract.

SECTION 503 FINAL PLAT MATERIALS

The final plat materials shall consist of three groups of materials: restrictive covenants; plat for recording; and as build improvement construction drawings. Other materials may be submitted by the developer or required by the commission.

503.1-- Restrictive Covenants – When the developer intends to regulate land use in a subdivision and otherwise protect the development, town (2) copies of the restrictive covenants shall be submitted as part of the final plat materials.

503.2 -- Plat for Recording – A legible plat suitable for recording with an overall sheet size of 24” x 36” shall be prepared. If necessary, more than one sheet may be used if a key map is shown to relate each sheet to the entire platted area. Six (6) prints of this plat shall be submitted by the developer when he makes application for final approval. The information required on this sheet should be positioned in the title block, certificate block, location sketch, or on the lot design scheme.

- A. Title Block – The title block should be placed on the bottom of the sheet and shall contain the following information:
1. Subdivision Name – The name of the subdivision and, where the proposed final plat is a portion of a larger subdivision bearing the same name, the section number of other positive identification. A subdivision name shall not duplicate or closely approximate any other subdivision name in the county.
 2. Person Identification – The names and mailing addresses of the following: The property owner; developer; and developer's engineer.
 3. Legend Information – The graphic scale, north point, date of preparation, and other pertinent legend information.
- B. Certification Block – The certification block should be placed on the bottom of the sheet at the end of the title block or attached to the plats and shall contain the following certification with signatures: Owner's Certification, Engineer's Certification, Commission's Certification. All certifications shall be in accordance with Appendix III, attached to and incorporated herewith.
- C. Location Sketch – A sketch showing the general location of the subdivision in relation to the surrounding area should be placed in the upper right or left hand corner of the sheet. The location sketch shall be drawn at a scale large enough to show the proposed subdivision's relationship to existing and proposed community features such as major traffic arteries, schools, recreation areas, shopping areas, and industrial area.
- D. Lot Design – The design scheme shall be drawn at a scale of one hundred (100) feet or less to the inch, and shall show the following information for the proposed subdivision and adjacent land:
1. Streets on Adjacent Land – The exact location of streets on adjacent land, and with width along the property lines for all existing or recorded streets intersecting or paralleling and boundaries of the proposed subdivision.
 2. Owners of Adjacent Land – For adjacent land which is platted show the boundaries with dashed lines, the record name, date of recording, and plat book and page number. For adjacent land which is un-platted, show the name (s) of record.
 3. Boundary Lines of Tract – In a line style and weight which will distinguish the developer's property from all adjacent property, show the tract boundary lines with lengths to hundredths of a foot and bearings to the nearest minutes. These boundaries shall be determined from an accurate survey in the field.
 4. Monuments – Show the accurate location and material of all permanent reference monuments.
 5. Streets, Easements, and Lot Lines – For street rights-of-way show the names, bearings, angles of intersection, right-of-way and pavement widths; for all arcs show the length, radii, points of curvature, and tangent bearings; for all easement or other rights-of-way show the locations, widths, and purposes; for lot lines show

dimensions in feet to hundredths of a foot and bearings to the nearest minute, as well as interior angles of all lots.

6. Lot Numbers – Lot numbers shall be shown and numbered in numerical order.
 7. Reservations and Dedications – Show the accurate outline of all property which is either offered for dedication to public use or which is reserved by covenant in the deeds for the common use of the property owners in the subdivision with the purpose plainly thereon.
 8. Building Setback Lines – Show the minimum building setback line which shall be no distance less than thirty-five (35) feet unless waived by the Commission.
- E. Construction Drawings – Two (2) copies of these drawings shall be submitted to the City or County Engineer (whichever has jurisdiction) or the Administrative Official on a sheet size of 24” x 36”. The drawings shall be referenced to the name and unit number of the proposed subdivision, and shall show the following information.
1. Street Profiles – The profile of each street indicating the existing ground surface and the grade of the new street surfaces at a horizontal scale equal to the horizontal scale of the record plat, and a vertical scale of 1/10th of the horizontal scale, with final grades indicated.
 2. Street Cross Sections – A cross section of each new street shall be shown at a scale of ten (10) feet or less to the inch, and shall include the width of pavement, and location and width of sidewalks, and the location and utilities.
- F. Other Materials – In addition to other sketches or materials which may be required by the Planning Commission, the following shall apply to surety performance bonds and recording of plats.
1. City (County) Engineer’s Inspection – After completing all improvements, the developer shall notify the City (County) Engineer or the Administrative Official that the improvements are ready for final inspection.
 2. Engineer’s Notification to Commission – If the City (County) Engineer or the Administrative Official finds the improvements are complete in conformance with Commission requirements, he shall notify the Commission’s staff by letter and recommend the release of the bond. Conversely, if the date of completion has passed and improvements are not completed in accordance with Commission requirements, the Engineer shall notify the Commission and recommend that the bonding company be fortified to complete the required work with a specific period of time.
 3. Planning Commission Action – The Planning Commission shall then act on the Engineer’s or the Administrative Official’s recommendation and either release the bond and/or call for completion of the required improvements.

ARTICLE VI – MINIMUM DESIGN STANDARDS

SECTION 601 PURPOSE

The purpose of this article is to establish the minimum design standards and the minimum standards to which developers shall conform in providing and construction physical improvements within a subdivision.

SECTION 602 COMPLETION OF IMPROVEMENTS

Unless the Planning Commission approves a survey performance bond, all required improvements shall be completed prior to final plat approval.

Within the Commission approval the developer, in lieu of completing the improvements as stated above, shall furnish the Commission with either a surety performance bond, an escrow account or irrevocable letter of credit in a local lending institution running to the Planning Commission for and on behalf of the _____. The bond shall be sufficient to cover the cost of all required improvements to be installed by the sub-divider.

The required improvements shall be installed by the developer at his expense in accordance with the specifications of the official or agencies having jurisdiction. Improvements exceeding these minimum requirements must be reviewed by the Commission and may be provided by the developer or required by the Commission.

All physical improvements shall be installed under the direction and supervision of the developer’s engineer.

SECTION 603 STREET DESIGN STANDARDS

Streets within or adjacent to a proposed subdivision shall be classified according to one or more of the classifications noted below, and physical improvements and design standards shall be required in accordance with the following standards:

Right-of-Way and Pavement Width

Street Type	Minimum Dedicated Right-of-Way Width
Limited Access Highway	120 feet **
Arterial Street	80 feet
Collector Street	60 feet
Minor Street	40 feet
Marginal Access Street	20 feet

Alley	20 feet
Limited Access Highway	44 feet
Arterial Street	44 feet
Collector Street	36 feet
Minor Street	24 feet
Marginal Access Street	20 feet

** The Major Street Plan may indicate greater right-of-way widths for certain limited access and arterial streets, but in no case shall the Sub-divider be required to dedicate more than 80 feet for any one street.

603.1 -- Base Course – The base course shall consist of dense graded aggregate and shall be constructed in accordance with Section 303 of the Kentucky Department of Highways Standard Specifications for Road and Bridge construction – 1979 Edition. The base course shall be bonded with water and rolled to a smooth surface.

603.2 -- Surface – The surface shall consist of bituminous concrete and be constructed in accordance with Section 403 of the Kentucky Department of Highways Standard Specifications for Road and Bridge Construction – 1979 Edition, or with comparable standards approved by the Planning Commission.

603.3 -- Drainage – All storm sewers and cross drains of a proper size shall be installed prior to paving, and be construction in accordance with Section 611 of the Kentucky Department of Highway Standard Specifications for Road and Bridge Construction 1979 Edition, or with comparable standards approved by the Planning Commission. Roadway grades shall be designed so as to carry all surface water to the drainage structures. Where required the Engineer, headwalls for drainage pipes shall be constructed. All entrance pipes of adequate size shall be installed under driveways.

603.4 -- Curb and Gutter – Curbs and gutters are required right-of-way improvements, and shall be constructed in accordance with Section 713 of the Kentucky Department of Highway Standard Specifications for Road and Bridge Construction 1979 Edition or to comparable standards approved by the Planning Commission.

603.5 -- Conformity to Major Street Plan – The location of all streets in a proposed subdivision shall conform in general alignment to the Major Street Plan.

603.6 -- Street Continuity – The proposed street layout shall provide for the continuation of existing streets to adjoining tracts, unless the Planning Commission deems such extension undesirable for specific reason of topography or design. Where it is desirable in the opinion of

the Planning Commission to provide street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property.

603.7 -- Relation to Topography – Streets shall be designed with respect to topography to produce the most usable and properly situated lots, provide proper drainage for storm water, and produce proper grades.

603.8 -- Street Names – Proposed streets in alignment with existing streets should bear the name of the existing street. When streets are not in alignment no names shall be used which would duplicate or be confused with names of existing streets.

603.9 -- Conflicting Traffic or Land Use –When a proposed subdivision contain or is adjacent to existing or proposed railroad right-of-way, other significant rights-of-way, or conflicting and detrimental land uses, the Planning Commission may require marginal access streets, reverse frontage lots, lots with rear service alleys, lots with additional depth, or other measures which may be necessary for protection of abutting properties and the maintenance or function of major traffic arteries.

603.10 -- Portion of Streets (Proposed) – New half or partial streets shall not be permitted. The entire minimum right-of-way shall be dedicated when a proposed subdivision is located on one or both side of a street.

603.11 -- Existing Deficient Street Rights-of-Way – Subdivisions platted along existing street should dedicate addition right-of-way, if necessary to meet the minimum width requirements specified in these regulations.

603.12 -- Reserve Strips and Private Streets – There shall be no reserve strips or private street platted within a subdivision.

603.13 -- Oversized Improvements – Whenever street rights-of-way or improvements are required in excess of what is necessary to meet the demands of the subdivision under consideration, the Commission should require dedication or improvement costs of the developer only to the extent required by his subdivision. The appropriate authorities should be encouraged to finance the acquisition or cost of the additional improvements.

603.14 -- Street Intersections – Minimum standards for intersection design are as follows:

- A. Number of Approaches – Intersection involving more than four basic street approaches shall be prohibited. Merging lanes, deceleration lanes, “Y” intersections, etc., are not in this prohibition and are considered as parts of one street approach.

- B. Angle of Intersection – For a tangent distance of at least one hundred (100) feet, measured from the intersection of right-of-way lines, all streets should intersect at an angle of ninety (90) degrees. In no case should the angle of intersection be less than seventy-five (75) degrees.
- C. Street Jogs – Street jogs with centerline offsets of less than one hundred fifty (150) feet should not be made.
- D. Excessive Grades at Intersections – When a street grade at the approach to an intersection exceeds three (3) percent, a leveling area shall be provided with grades of not greater than three (3) percent for a distance of fifty (50) feet from the intersection of street centerlines. Vertical curves shall then be used to connect the intersection grades.
- E. Minimum Property Line Radii – At street intersections the minimum radius at property lines shall be twenty (20) feet for all streets.

SECTION 604 BLOCK DESIGN STANDARDS

The following standards shall be observed in the design of blocks:

604.1 -- Residential Block Length – Intersecting streets shall be provided at such intervals as necessary to meet existing street patterns, topography and standards required for safe and convenient vehicular and pedestrian circulation. Blocks should not, however, exceed sixteen hundred (1,600) feet in length, nor be less than five hundred (500) feet in length.

604.2 -- Residential Block Width – The width of blocks shall be sufficient to provide for two tiers of lots of appropriate depth.

604.3 -- Non-Residential Blocks – Blocks intended for non-residential uses shall be of such length, width, and other design as the Commission finds necessary for the prospective use, including adequate provision for off-street parking, loading and unloading, and limitation and control of vehicular access points of adjacent streets.

SECTION 605 LOT DESIGN STANDARDS

The following standards shall be required in the design of lots.

605.1 -- Corner Lots – Corner lots shall be sufficient width to permit compliance with the required minimum setback line. In order to comply with the additional width requirement and continue the same size homes as are on adjoining lots, corner lots shall be increased to whatever width is necessary.

605.2 -- Lot Lines – Side lot lines shall be at right angles to straight street centerlines and radial to curved street centerlines. Rear lot lines should consist of straight lines with a minimum number of deflections.

605.3 -- Access – There shall be no more than two (2) points of access to one public street on a lot of less than four hundred (400) feet, but more than one hundred (100) feet in width. Lots in excess of four hundred (400) feet may have two (2) points of access to any one public street for each four hundred (400) feet of frontage. Lot less than one hundred (100) feet in width shall have no more than one (1) point of access to any on public street.

No point of access shall be allowed within thirty (30) feet of the intersection of the right-of-way lines of intersecting streets.

No curbs on city streets or right-of way shall be cut or altered without written approval of the Administrative Official.

A point of access shall not exceed twenty (20) feet in width for one way and/or one land ingress or egress. Two-way access points shall not exceed thirty-five (35) feet in width.

605.4 -- Lot Dimensions – Lots located in areas where a zoning ordinance is in effect shall conform to the zoning regulations, except residential lots not served by public sewer shall be at least eight (80) feet wide and twelve thousand (12,000) square feet in area. Where no zoning ordinance is in effect, residential lots served by public sewer shall be at least seventy (70) feet wide and seven thousand five hundred (7,500) square feet in area.

A greater lot area than specified above may be required for residential lots if, in the opinion of the City (or County) Health Officer, there are factors due of drainage, soil conditions or other conditions to cause potential health problems.

605.6 -- Development of Hazardous Area – When lots are located on land which is subject to flooding subsidence, or other hazards injurious to the health and safety of potential users, and when such hazards cannot be eliminated or adequate safeguards provided to protect the health and safety of potential users, the Planning Commission may declare such land to be unsuitable for subdividing and disapprove such plans or portions thereof.

SECTION 606 EASEMENT DESIGN STANDARDS

606.1 -- Utilities – Easements twenty (20) feet in width may be required between at the rear or in front of lots, whenever necessary. Easements of greater width may be required if necessary for the extension of water and sewer lines or other utilities.

606.2 -- Storm Water Drainage Easement – Storm water easements or drainage rights-of-way may be required by the Planning Commission if necessary for proper drainage within or through a subdivision.

606.3 -- Connection to Existing Easements – When necessary, utility and drainage easements shall connect with existing easements on adjoining property.

SECTION 607 COMMUNITY FACILITIES DESIGN STANDARDS

607.1 -- Assessing the Need for Community Facilities – During the review of subdivision plats the Planning Commission shall consider the adequacy of existing or proposed community facilities which will serve the additional population to be housed in a proposed subdivision. Subdividers shall give consideration to dedicating or reserving land for facilities which will be needed in a subdivision – such as public buildings, recreational areas, and shopping facilities.

607.2 -- Adequacy of Such Areas – Areas provided or reserved for such community facilities shall be adequate for building sites, landscaping and off-street parking.

SECTION 608 OTHER REQUIRED IMPROVEMENTS

608.1 -- Water Supply System – Where public water supply, in the opinion of the Planning Commission, is reasonably accessible, the sub-divider shall construct a complete water distribution system, including a connection for each lot and appropriately spaced fire hydrants, or with an alternate supply approved by the County Health Officer where public water supply is not within a reasonable distance. Such system may be constructed for that portion to be immediately built on and to be filed as a final plat.

608.2 -- Storm Drainage – Adequate provision for storm water drainage shall be provided in accordance with standards specified by the Planning Commission.

608.3 -- Sanitary Sewers – Where the public sanitary sewer system, in the opinion of the Planning Commission, is reasonable accessible, sanitary sewers shall be installed to adequately serve all lots with connections to the public system; approval of the size line will be obtained from the Engineer. Where lots cannot be served by the extension of an existing public sanitary sewer, the Sub-divider shall obtain approval of lot sizes from the Count Health Officer for individual septic tanks and disposal fields, or approval of a neighborhood disposal system.

608.4 -- Electric Supply System – provision shall be made in every subdivision for a satisfactory electric supply system. Every consideration should be given to the possibility of underground installation of all necessary wires.

608.5 -- Monuments –

- A. Concrete Monuments – Two (2) concrete monuments at least thirty-six (36) inches in length and four (4) inches square with a suitable center point shall be set on at least two (2) corners of the boundary of a subdivision and at such intermediate points as shall be required by the City Engineer.
- B. Iron Pin Monuments – Iron Pin Monuments three-fourths (3\4) inch in diameter and at least twenty-four (24) inches long shall be placed at all points on boundary lines where there is a change of direction and at all lot corners. These pins shall be placed only after all grading and other construction have been completed.

608.6 -- Sidewalks – Sidewalks are required on all lots abutting a public access, unless waived by the Planning Commission and shall have a minimum width of four (4) feet.

608.7 -- Intent – It is not the intent of these regulations to impose prohibitive or unduly restrictive requirements upon subdivision development, but rather to promote orderly growth and progressive development as hereinabove set out, and in determining the adequacy of storm water drainage, and whether or not public water supply and public sanitary sewers are reasonably accessible, due consideration will be given to economic factors involved, including relative costs of connection to public water system compared to separate water distribution system, and relative costs of installation of individual septic tank and disposal field or neighborhood disposal system as compared to connection with public system and installation of sanitary sewer system.

ARTICLE VI – AMENDMENT 1

SECTION 610 MOBILE HOME PARK MINIMUM DESIGN STANDARDS; FOR THE PURPOSE OF LEASE

610.1 -- General Compliance with Subdivision Regulations –

- A. It is the intent of Article VI, Amendment I, to provide a separate set of minimum design standards, offering developers of mobile home parks for the purpose of lease, more flexibility than Article VI of the Union County Subdivision Regulations.
- B. Theses design standards, therefore, are held applicable only to mobile home parks developed for the purpose of leasing individual lots; all other developments must comply with the general provision of the Union County Subdivision Regulations.
- C. Compliance with these mobile home park design standards shall not exempt a developer from complying with other general provision of the Union County Subdivision Regulations which may be deemed necessary or required by the Union County Planning Commission.

- D. The developer of a mobile home park for lease shall submit as part of the plat materials, a written verification, that no individual lots will be sold. In the event of a sale of a previously platted mobile home park, which will involve a new use of said development, said parcel of land shall be considered as another subdivision, thereby, subject to the general provision of the Union County Subdivision Regulations.

610.2 -- General Park Design --

- A. No mobile home park shall be permitted on an area of less than one (1) acre in size.
- B. The number of mobile home permitted in a park shall not exceed a density of eight (8) mobile homes per gross acre.
- C. The developer may be permitted to develop the park in stages as long as he complies with the overall plan for entire tract.
- D. Every mobile home and mobile home park shall be located on a well drained area, not subject to reoccurring flooding, and the premises shall be property graded to as to prevent the accumulation of storm or other waters.
- E. A six (6) foot ornamental wall, chain link fence with slats, or other ornamental fence, dense evergreen hedges (to have attained a height of six (6) feet in not more than three (3) years) or a combination of the above shall be constructed along property lines contiguous to areas of existing conventional residential construction and subject to the provision of architectural review by the Planning Administrator.
- F. A landscaping plan of the proposed park, including at least one tree per mobile home lot of at least 1 1/2" diameter measured 3 feet above ground shall be submitted for approval by the Administrative Official. No more than 30% of the landscaped area may be maintained in ornamental rock or gravel.

610.3 -- Street Design Standards --

- A. A mobile home park shall have access to an existing street and/or road. All mobile homes shall have access to an interior street within the mobile home park.
- B. All lots shall abut upon a private park street. For a two-way park street the minimum width shall be twenty (20) feet and, if parking is permitted, the width shall be at least twenty-seven (27) feet for one (1) side parking and thirty-six (36) feet for both side parking. For a one-way street the minimum width shall be fourteen (14) feet and, if parking is permitted, the width shall be at least twenty-three (23) feet for one side parking and thirty-two (32) feet for both side parking.
- C. Park streets and parking spaces shall have a base course consisting of dense graded aggregate and shall be construction in accordance with Section 303 of the Kentucky Department of Highways Standards Specifications for Road and Bridge Construction - 1979 Edition. The base course shall be bonded with water and rolled to a smooth surface.

- D. The surface of park streets and parking spaces shall consist of bituminous concrete and be constructed in accordance Section 303 of the Kentucky Department of Highways Standards Specifications for Road and Bridge Construction – 1979 Edition, or with comparable standards approved by the Planning Commission.
- E. All mobile home lots must be served from internal private streets within the mobile home park, and there shall be no direct access from a mobile home lot to a public street or alley.
- F. Grades of streets shall be sufficient to insure adequate surface drainage, but shall be not more than eight percent. Short runs with a maximum grade of twelve percent may be permitted, provided traffic safety is assured by appropriate paving, adequate leveling areas and avoidance of lateral curves.
- G. Within 100 feet of an intersection, streets shall be approximately right angles. A distance of at least 150 feet shall be maintained between center lines of offset intersecting streets. Intersections of more than two streets at one point shall be avoided.
- H. Parking spaces shall be provided in all mobile home parks for the use of occupants and guests, and shall be in compliance with Section C and D of the Street Design Standards. Such spaces shall be furnished at a rate of at least two (2) car spaces for each mobile home lot; plus additional parking spaces, if determined necessary by the Planning Commission. Please refer to Section B of the Street Design Standards for on-street parking provision.

610.4 -- Block Design Standards –

- A. Lengths:
 - 1. Minimum – eighty (80) feet
 - 2. Maximum – six hundred (600) feet
- B. Minimum widths:
 - 1. One tier – one hundred (100) feet
 - 2. Two tier – two hundred (200) feet

610.5 -- Lot Design Standards –

- I. Each mobile home or lot shall be displayed and numbered in some systematic order.
- II. Lot size:
 - 1. Each mobile home lot shall contain a minimum of four thousand (4000) square feet and shall measure forty (40) feet in width.
 - 2. Lots not served by a central or public sewer system shall be at least eighty (80) feet wide and twelve thousand (12,000) square feet in area.

3. A greater lot area than specified above may be required for residential lots if, in the opinion of the City or County Health Officer there are factors of drainage, soil conditions, or other conditions to cause potential health problems.
- III. Mobile homes shall be separated from each other and from other buildings and structures by at least twenty (20) feet. An accessory structure which has a horizontal area exceeding twenty-five (25) square feet, if attached to a mobile home or located within ten (10) feet of its window, and has a opaque top or roof that is higher than the nearest window shall, for purpose of all separation requirements, be considered to be part of the mobile home.
- IV. All mobile homes shall be located at least twenty-five (25) feet from any park property boundary line abutting upon a public street or highway and at least ten (10) feet from other park boundary lines.
- V. There shall be a minimum setback distance of twenty (20) feet between and individual mobile home and adjoining pavement of a park street, or common parking area or other common areas.
- VI. A secure mobile home stand, consisting of a concrete foundation or runway, shall be provided for each lot. Securing the stability of the mobile home shall be done with a device capable of sustaining a tensile strength of twenty-eight hundred (2,800) pounds, placed at each corner of the mobile home stand.
- VII. Mobile home stands shall be connected to streets, driveways, or parking spaces by a paved walk. Such individual sidewalks shall have a minimum width of two (2) feet.

610.6 -- Easement Design Standards – A drainage easement may be required by the Planning Commission, if necessary, for proper drainage within or through a mobile home development.

610.7 -- Lighting Within Park – A minimum equivalent to 175 watt mercury vapor type light shall be provided at park entrances, intersections and at intervals of 200 feet with the park.

610.8 -- Park Water Supply –

- A. The water supply shall be potable, adequate and from an approved public supply of a municipality or water district, if available. In the event a public water supply of a municipality or water district is not available, the supply for the park shall be developed and approved in accordance with applicable requirement of the Department for Natural Resources and Environmental protection; provided, however, if a public water supply of a municipality or water district subsequently becomes available, connections shall be made thereto and the park supply shall be discontinued.
- B. The water supply shall be capable of supplying a minimum of 150 gallons per day per mobile home.

- C. No physical connection shall be made between an approved public water supply and unapproved water supply.
- D. Water distribution lines and connections shall comply with the State Plumbing Code.

610.9 -- Park Sewage and Waste Disposal –

- A. All sewage and waste matter shall be disposed of into a public sewerage system, if available. In the event a public sewerage system is not available, disposal shall be made into a private system designed, constructed, and operated in accordance with the requirements of the Department for Natural Resources and Environmental Protection; provided, however, if a public sewerage system subsequently becomes available, connections shall be made thereto and the park sewerage system shall be discontinued.
- B. The sewer service connection between the mobile home and the sewer riser opening shall have a normal inside diameter of at least three (3) inches with a slope of at least one-fourth (1/4) inch per foot. All joints shall be water tight.
- C. All materials used for sewer connections shall be semi-rigid, corrosive resistant, nonabsorbent and durable. The inner surface shall be smooth.
- D. The sewer outlet shall be capped when not in use.
- E. Mobile home parks wastes systems and connections shall comply with the State Plumbing Code.

610.10 -- Storage, Collection and Disposal of Park Refuse –

- A. The permit holder shall be responsible for storage and disposal of refuse.
- B. The storage, collection and disposal of refuse in the park area shall be so conducted as not create a health, safety or fire hazard, rodent harborage, insect breeding are or cause air pollution.
- C. All refuse shall be stored fly-tight, watertight, rodent proof containers, which shall be conveniently located near each mobile home lot. Containers shall be provided in sufficient number and capacity to property store all refuse.
- D. Approved container storage location shall be provided and shall be so designed and maintained as to not create a nuisance.
- E. All refuse containing garbage shall be collected at least once a week or more often, if necessary. Where suitable collection service is not available from municipal or private agencies, the owner or operator of the park shall provide such service. All refuse shall be collected and transported in covered, leak-proof containers or vehicles.
- F. All refuse and waste collected at a park shall be disposed of in a safe and sanitary manner. In the event a permitted site or facility approved by the Department of Natural Resources and Environmental Protection is available, disposal shall be at such site of facility.

610.11 -- Insect and Rodent Control Within the Park –

- A. Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Approved extermination methods and other measures to control insects and rodents shall be used.
- B. Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.
- C. Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe and other building materials shall be stored at least 1 foot above the ground.
- D. Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.
- E. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered detrimental to health. Parks shall be maintained free of heavy vegetative growth of any description.

612.12 -- Park Electrical Distribution Systems –

- A. Every park shall contain an electrical system consisting of wiring, fixtures, equipment and appurtenances installed and maintained in accordance with applicable codes and regulations. Every consideration should be given to the possibility of underground installation of all necessary wires.
- B. Main power lines not located underground shall be suspended at least eighteen (18) feet above the ground. There shall be a minimum horizontal clearance of three (3) feet between overhead wiring and any mobile home, service building or other structure.
- C. All direct burial conductors or cables shall be buried at least eighteen (18) inches below the ground surface and shall be insulated and specially designed for such purpose. Conductors shall be located not less than one (1) foot radial distance from water, sewer, gas or communication lines.
- D. Electric service connection between the meter box and the mobile home shall be suspended above ground in a non-hazardous manner or buried.

610.13 -- Park Fire Protection – All parks shall comply with applicable rules and regulations of the State Fire Marshall and applicable local fire codes pertaining to fire safety, fuel supply storage and fuel connection.

610.14 -- Park Maintenance –

- A. The person to whom a permit to operate a park is issued shall at all times operate in compliance with this regulation. The permittee shall maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- B. The permittee shall be responsible for the proper placement of each mobile home on its mobile home stand and for securing its stability and installing all utility connections.

ARTICLE VII – GENERAL PROVISIONS

SECTION 701 VARIANCES

These land subdivision regulations are adopted as minimum requirements, and all developers should consider developing their subdivision at higher standards. Thus, the developer is encouraged to go beyond the requirements of these regulations and the Planning Commission may require standards above the minimum contained herein, wherever it feels that public health, safety, or welfare purposes justify such increases.

The Planning Commission may also reduce or otherwise vary the requirements of these regulations whenever it encounters the situations described below. In granting such variances, the Commission may attach and require whatever conditions it feels are necessary to secure the basic objectives of the regulations.

701.1 -- Exceptional Conditions – When the Commission finds that strict application of these regulations would result in extreme practical difficulties because of exceptional and unique topographic or other physical conditions, the Commission may modify these regulations to the extent necessary to provide relief from the undue hardship; provided, however, that such relief may be granted without detriment to the public welfare and without substantially impairing the intent and purpose of these regulations. In granting such variances or modifications, the Planning Commission may require such conditions as will substantially secure the objectives of the standards or requirements so varied or modified. Financial disadvantage to the property owner is no proof of hardship within the purpose of these regulations.

701.2 -- Design Innovation and Large Scale Development – These regulations may be modified by the Planning Commission in the case of plans for cluster development, planned unit development, or other design innovations which, in the Commission's opinion, achieve the basic objectives of these regulations. The Commission may require such conditions as it deems necessary to secure the objectives of these regulations.

SECTION 702 AMENDMENTS

The Commission may revise, modify or amend these regulations by appropriate action taken at a regularly scheduled meeting after the required notice and public hearing.

SECTION 703 VIOLATIONS AND PENALTIES

The following violations and penalties are hereby cited from Chapter 100 of the Kentucky Revised Statutes.

703.1 -- No Subdivision of Land Before Preliminary Plat Approval – No person or agent of said person shall subdivide any land before securing the approval of the Planning Commission of a plat designating the area to be subdivided.

703.2 -- No Selling of Land Before Final Plat Approval – No person owning land composing a subdivision, or agent of said person, shall transfer, sell, or lease or agree to sell or lease 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 recorded by the County Clerk. Any such instrument of transfer, sale, or contract shall be void and shall not be subject to be recorded.

703.3 -- Metes and Bounds Descriptions – The description of lots or parcels 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 right or remedies he may otherwise have.

703.4 -- No Recording Before Final Approval – No plat of a subdivision of land shall be recorded by the County Clerk until the plat has been approved by the Commission and the approval entered hereon in writing by the Chairman of the Commission.

703.5 -- Injunction – The Planning Commission shall have the power to apply for an injunction against any type of subdivision construction by a sub-divider or a landowner where the subdivision regulations have been violated.

703.6 -- Penalties – Any person or entity who violates any of these provisions or any of the regulations adopted pursuant hereunder for which no other penalty is provided, shall upon conviction be fined not less than ten but no more than five hundred dollars for each conviction. Each day of violation shall constitute a separate offense.

Any person, owner or agent who violates this chapter shall, upon conviction, be fined not less than one hundred nor more than five hundred dollars for each lot or parcel which was the subject of sale or transfer, or a contract for sale or transfer.

SECTION 704 SEPARABILITY

Should any section, subsection, paragraph, or provision of these regulations, or application thereof be held invalid or unenforceable by the court of competent jurisdiction, such decision shall in no way affect the validity of any other provision of these regulations, or the application thereof to other persons or circumstances.

SECTION 705 PERVIOUS REGULATIONS

Any previous subdivision regulations adopted by the Planning Commission are hereby repealed.

SECTION 706 EFFECTIVE DATE

These Subdivision Regulations shall take effect and be in force immediately upon their adoption and publication of a notice of such adoption.

APPENDIX I

MINOR PLAT CERTIFICATES

I. OWNER'S CERTIFICATION

I (we) do hereby certify that I (we) am (are) the only owners of record of the property platted herein, said property being recorded in deed (plat) book ____, page ____, in the Union County Clerk's Office, and do hereby adopt this as my (our) record plat for this property; and do hereby dedicated the streets and any other space so indicated to public use.

Date

Owner's Signature

II. ENGINEER'S CERTIFICATION

I hereby certify that this plat was prepared by me or under my direction; that all monuments indicated hereon actually exist and their locations, size, and materials are correctly indicated; the information shown hereon is correct to the best of my knowledge and belief; and all requirements of the Subdivision Regulations have been fully complied with.

Date Engineer's Name Engineer's Seal

III. Commission's Certification

I hereby certify this record plat was approved by the Planning Commission on _____, 19____, and is now eligible for recording.

Date Union County Planning Commission