DEVELOPMENT AND SUBDIVISION REGULATIONS FOR WINCHESTER/CLARK COUNTY

Revised and Prepared by the

WINCHESTER/CLARK COUNTY PLANNING COMMISSION

and

BLUEGRASS AREA DEVELOPMENT DISTRICT

and

CDP

Based on the October 1973 Edition
Revised March 1995
Revised October 2005
as amended through December 2012

TITLE: Development and Subdivision Regulations for Winchester/Clark County

AUTHORS: Winchester/Clark County Planning Commission,
Bluegrass Area Development District and CDP Engineers

SUBJECT: Regulation of design and processing of development plans and subdivision plats within Winchester and Clark County, Kentucky

DATE: March, 1995; update and revision of 1973 edition
Amendments:
August 1998, May 1999, July 2000, August 2000, December 2002, September 2004, October 2005, December 2012

REGIONAL PLANNING AGENCY: Bluegrass Area Development District

SOURCES OF COPIES: Winchester City Hall
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DEVELOPMENT AND SUBDIVISION REGULATIONS
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DEVELOPMENT AND SUBDIVISION REGULATIONS

These regulations take priority over and repeal any other city and county regulations, resolutions, orders, ordinances, or codes that conflict with the guidance contained herein. Included in these regulations are the:

A. Means for adopting and amending these regulations,

B. Definition of essential words and phrases commonly used in the development and subdivision of land.

C. Procedures for submitting and approving development plans and subdivision plats,

D. Design standards and principles for the layout of development plans and subdivision plats to include surveying and platting requirements,

E. Process for recording subdivision plats,

F. Requirements for installation of certain improvements to include necessary guaranteed construction agreements,

G. Method for administrating and enforcing these regulations (including violation penalties).

ARTICLE I
PURPOSE, AUTHORITY AND JURISDICTION

100 PURPOSE

Approval of a development plan and subdivision of property are the first steps in the process of community development. Once plans have been approved and land has been divided into lots, streets, and open spaces, a pattern has been established that determines how well community needs for residence, business and industry will be met. It also determines to a great extent, how well the community will be able to meet the demand for home sites, and how efficiently and economically it will be able to provide the many required services.

After plans have been approved, land has been subdivided, and lots recorded, it is very difficult and costly to correct defects and deficiencies in the development layout and in the facilities provided. In addition, a developed area sooner or later becomes a public responsibility since roads and streets must be maintained and public services must be provided. The welfare of the entire community is affected in many important aspects. The guidance of land development in harmony with community objectives is a matter of serious public concern. It is in the interest of the public, the developer, and the future property owners that development is designed and constructed in accordance with sound rules and proper standards. These development and subdivision regulations are designed to provide for the harmonious development of the community by ensuring the coordinated layout of streets and utilities, convenient open space for recreation, access for emergency equipment, adequate water, drainage, sewer facilities, and reduction of potential flood damage.

110 SHORT TITLE

The full title of these regulations shall be the "Development and Subdivision Regulations of the Winchester/Clark County Planning Commission of Winchester and Clark County, Kentucky." As a short title, these regulations shall be known, and may be cited as the "development and subdivision regulations."

120 AUTHORITY AND ADMINISTRATIVE AGENCY

These development and subdivision regulations were prepared and approved by the Winchester/Clark County Planning Commission pursuant to the authority granted by Chapter 100 of the Kentucky Revised Statutes. They shall be administered by the Winchester/Clark County Planning Commission upon their adoption.

130 AREA OF JURISDICTION

The Winchester/Clark County Planning Commission shall have jurisdiction and control over the development and subdivision of all land in the City of Winchester, Kentucky, and the County of Clark, Kentucky, which area also shall be designated the planning area of said Planning Commission.

140 AMENDMENTS

The Planning Commission may amend or modify these development and subdivision regulations by holding a public hearing on the proposed changes after giving notice as required by Kentucky Revised Statutes, Chapter 424.

150 FEE SCHEDULES

The Planning Commission shall adopt a fee schedule to cover the cost of reviewing development plans and plats, inspections, and other costs to the Planning Commission related to the development and subdivision of land.

ARTICLE II
DEFINITIONS

200 PURPOSE

The purpose of this article is to define certain words and phrases commonly used in the development and subdivision of land. The words and terms expressed in the present tense include the future tense. The words and phrases expressed singular in number include the plural number. The word "may" is permissive, while "shall" and "will" are mandatory.

210 DEFINITIONS

The following words or phrases as used herein shall be defined and interpreted as follows:

Agencies, governmental and private: Governmental and private agencies referred to herein mean those agencies having regulations relating to or having an effect upon subdivision and development of land. These agencies include, but not exclusively, Winchester/Clark County Planning Commission, City of Winchester, Clark County Fiscal Court, Winchester Municipal Utilities, and similar agencies.

Architect, Landscape: A landscape architect shall be a person licensed by the State Board of Examiners and Registration of Landscape Architects of Kentucky to practice landscape architecture as defined by KRS 323A.010 in the Commonwealth of Kentucky.

Building: Any man-made physical structure or part thereof, affixed to the land and intended for man's work, residence, or other use.

Building setback line: A building setback line is a line within the boundaries of a lot which determines the minimum distance the primary structure may be located from the property line.

City: City means City of Winchester, Kentucky.

City engineer: Licensed engineer appointed by or employed by the City of Winchester.

Clark County Conservation District: That body of government created by
KRS Chapter 262.

County: The County means County of Clark, Kentucky.

Developer: A developer is an individual, partnership, corporation or other legal entity or agent thereof, which undertakes the activities covered by these regulations. Inasmuch as the plan drawings are merely a necessary means to the end of assuring satisfactory development, the term "developer" includes "subdivider", "owner", "builder", etc., even though the persons and their precise interests may vary at different project stages.

Development plan: A development plan is the written and graphic material for the provision of a development, including the following: location and size of buildings and other structures, intensity of use, density of development, streets, lots, parking facilities, signs, drainage of surface water, access points, screening or buffering, utilities, existing man-made and natural conditions, and all other conditions agreed to by the applicant.

Engineer: An engineer is any person licensed to practice as an engineer in the Commonwealth of Kentucky.

Grade: A grade is the inclination, with the horizontal of a road, unimproved land, etc., which is generally expressed by stating the vertical rise or fall as a percentage of the horizontal distance.

Green infrastructure: Infrastructure and storm water design approaches and technologies that mimic the natural hydrologic cycle by a network of natural ecosystem processes of rainfall infiltration, evapotranspiration and reuse with an emphasis on interconnectivity to support long-term sustainability.

Implementation devices: Implementation devices are the Winchester/Clark County Zoning Ordinance, Development and Subdivision Regulations of Winchester/Clark County, FEMA floodplain maps, office maps, etc., adopted or established by the Planning Commission and/or governmental units of Winchester and Clark County to implement the Comprehensive Plan as set forth in Chapter 100 of Kentucky Revised Statutes (KRS 100).

Improvements: Improvements are physical changes made to raw land and structures placed on or under the land surface in order to make the land more usable for man's activities. Typical improvements in these development and subdivision regulations would be grading, street pavement, curbs, gutters, drainage ditches, storm and sanitary sewers, utility lines of all types, street name signs, property number signs, etc.

Infrastructure: The large scale public systems, services, and facilities of a community that are necessary for economic activity, including power and water supplies, public transportation, telecommunications, drainage and sewer, roads, and schools.

Jurisdiction, Agency with: Agencies having their own regulations relating to certain phases of development and subdivision of land. These include, but are not limited to, City of Winchester, Clark County Fiscal Court, Winchester Municipal Utilities, Clark County Health Department, Kentucky Transportation Cabinet, Federal Emergency Management Agency, and the Environmental Protection Agency.

Land surveyor: A land surveyor is any person currently licensed as a land surveyor by the Commonwealth of Kentucky.

Lot: A lot is a portion of a subdivision plat or the basic unit thereof, intended for transfer of ownership or for development.

Lot area: The lot area is the amount of land contained within the designated property lines of a lot, which may include utility easements, but shall not include street right-of-way.

Lot, Corner: A lot abutting upon two or more streets at a street intersection, or abutting upon two adjoining and deflected lines of the same street and thereby forming an interior angle of less than one hundred thirty-five (135) degrees. The depth of a lot is the maximum horizontal distance between the front and rear property lines of a lot.

Lot, Double frontage: A double-frontage lot is any lot having two or more of its non-adjoining property lines abutting upon separate streets.

Lot, Reverse frontage: A reverse frontage lot is a double frontage lot having its vehicular access point limited to the street which is not faced by the building situated thereon.

Lot width: The width of a lot is the distance measured between the two side property lines of a lot at the front yard building setback line.

Low impact development: A storm water management planning approach for commercial and residential development that emphasizes conservation and use of on-site natural features to protect water quality. This approach implements engineered small scale hydrologic controls to replicate the pre-development hydrologic regime of a watershed through infiltrating, filtering, storing, evaporating, and detaining runoff close to its source.

Paved street/road: A street or road that is constructed on compacted subsoil with a minimum of 8 inches of dense grade aggregate (DGA), a minimum of 2.5 inches of asphalt base, and a minimum of 1.5 inches of asphalt surface.

Planner, Community: The community planner is any person who shall be either a member or associate member in good standing of the American Planning Association.

Plan, Comprehensive: The Comprehensive Plan is the plan, or parts thereof, adopted by the Winchester/Clark Planning Commission to implement the future physical development of the City of Winchester and the County of Clark, Kentucky in regard to transportation, land use, community facilities, utilities and other physical needs, as defined in KRS 100.187.

Planning Commission: The Winchester/Clark County Planning Commission.

Roadway: Roadway is that portion within the street right-of-way consisting of the street pavement, curb and gutter (or open ditches), which is accordingly used as a channel for vehicular movement and water drainage.

Secretary: The secretary is that person designated or appointed as such by the Planning Commission.

Soil survey: The report developed by USDA - SCS in cooperation with UK Experiment Station and the Clark County Conservation District. (Series 1961, No. 11, Issued Oct. 1964).

Stormwater manual: A document to provide standards for the design and construction of stormwater infrastructure as well as describe the approval process for stormwater infrastructure. This manual is adopted by the Planning Commission by reference. When the manual is cited by these development and subdivision regulations, the current edition or latest revision shall be referenced.

Street: In its general sense herein, is an area of land designated for public use within defined limits in order to provide a means for vehicular and pedestrian movement. The right-of-way limits of any street shall include the street pavement, curb and gutter (or open ditches), sidewalks, and may provide space for the location of utilities. The right-of-way limits of any street shall be coincident to the property line of the adjacent or the abutting lot. Streets are classified specifically herein as follows:

A. Expressways: Expressways rank first in the classification of streets, and are used only for vehicular movement without access to abutting properties. Interchange of traffic

between expressways and other streets (only arterial streets when possible) is accomplished by grade separated interchange with merging deceleration and acceleration lanes.

B. Arterials: Arterial streets rank second in the classification of streets, and are used primarily for vehicular movement and are used secondarily for vehicular access to abutting properties. Access to abutting properties, if permitted, should be provided by means of a marginal access street in order to serve several abutting properties, rather than allowing each abutting property to have its own individual access thereto. Arterial streets are the link between expressways and collector streets, and generally rank next to expressways in traffic volume, speed limit control and right-of-way limits.

C. Collector streets: Collector streets rank third in the classification of streets and are principally used for vehicular movement; however, access to abutting properties are planned and controlled so that minimum disturbance is made to the traffic flow on said collector street. Collectors are the link between arterial and minor streets, and generally rank next to minor streets in right-of-way widths, and speed control.

D. Minors: Minor streets rank fourth in the classification of streets and are used primarily for providing access to abutting properties. Vehicular movement on minor streets should have an origin or destination in the immediate vicinity, whereas all types of through traffic should be eliminated. Minor streets are the primary link between generator points (homes, offices, stores, etc.) and collector streets. Minor streets require the least amount of vehicular movement and may be further classified into five categories as follows:

1. Continuing streets have two open ends; each end generally connects with different streets. One or more other streets may intersect such a street between its two open ends, and property abuts both sides of such a street.

2. Marginal access streets generally have two or more access points to the major street system by connecting to a street of higher classification. Marginal access streets are sometimes called access or frontage roads.

3. Loop streets have two open ends each and generally connect with the same street. No other streets intersect between the two ends and property abuts on both sides of the street.

4. Cul-de-sacs have only one open end that provides access to another street, and a closed end that provides a turn-around circle for vehicular movement. No streets of this type shall dead-end at the closed end, unless future plans provide for its continuation for an open end or a turn-around circle. Temporary turn-around circles may be required when deemed necessary by the Planning Commission.

5. Alleys generally have two open ends with each end connecting to different streets. Alleys generally provide service and access to the rear of abutting properties on both sides of the alley.

Subdivision: Subdivision means the division of land into two or more parcels for the purpose of sale, use or building development, whether immediate or future, and includes re-subdivision of existing subdivided land. For platting purposes, subdivisions are classified

herein under minor and major subdivisions. For physical improvement purposes, major subdivisions are further classified into special classes in Article VIII.

Subdivision plat: A document, drawn to scale, that maps the location and boundaries of individual parcels of property along with the streets, alleys, easements, and rights of use over the land. A subdivision plat must be recorded at the Clark County Courthouse to become a legal document. All major subdivision plats must be approved as final development plans by the Planning Commission prior to being recorded.

ARTICLE III
DEVELOPMENT PLAN PROCEDURES

300 PURPOSE

The purpose of this article is to establish the procedures which shall be followed by the developer and the Planning Commission in preparing, reviewing and approving all development plans. The overall purpose of this article is to foster and encourage better physical design in the transformation of open land to developed areas. Developers must work closely with the Planning Commission, its staff, and with qualified planning and design professionals to arrive at the most efficient and pleasing physical design which resolves potential land use, circulation, and other design issues related to development.

310 PRE-APPLICATION CONFERENCE PROCEDURES

The purpose of the pre-application conference is to afford the developer an opportunity to obtain advice and assistance from the Planning Commission staff before making formal application for development plan approval. The developer should consult with potentially interested parties, such as attorneys, engineers, land surveyors, landscape architects, lenders and community planners, in an effort to reach firm conclusions as to the type of market demand to be served, the suitability of the location of the proposed development, and the general arrangement of streets, lots and other features proposed. For Planning Commission purposes, there are only two steps involved at the pre-application conference.

A. Development plan: The developer should prepare a development plan indicating the boundaries of the tract, streets, lot patterns, and other physical information relating to the proposed development.

B. Office visit: The developer should visit the Planning and Community Development Office to discuss the development plan with the staff. This informal discussion shall not constitute a formal application and will be considered confidential. The developer should also consult with utility companies and other local agencies at this stage.

320 GENERAL DEVELOPMENT PLAN PROCEDURES

The following shall be the procedures for Planning Commission consideration of any development plan (preliminary and final).

A. Formal application and submission: To secure formal action on the development plan, the developer shall submit a complete application to the Planning and Community Development Office by the monthly deadline for Planning Commission public hearings. The deadline is the first Tuesday of each month to be placed on the agenda for the first Tuesday of the following month. Holidays and elections may alter the day, check with staff for specific dates.

B. Design plans: The developer shall have an engineer, land surveyor or landscape architect licensed to practice in the Commonwealth of Kentucky prepare the development plan in conformance with the format, design, and improvement requirements of Articles VI, VII, and VIII. All engineering data shall be supplied by a licensed engineer. Utility companies and other concerned city and county agencies

should be consulted before these are prepared. The complete application shall contain the following at a minimum:

1. Development Plan: Nineteen copies including four (4) full sets and fifteen (15) sets containing the site plan and grading plan.

2. Drainage report: Two (2) complete sets including computations.

3. Plans for stormwater, erosion and sediment control: Four (4) complete sets.

C. Technical Review Committee: Copies of the development plan shall be distributed by staff to the Technical Review Committee. The Technical Review Committee shall review and make its own recommendation to the Planning Commission for approval, conditional approval (with conditions noted), postponement, or disapproval. It is recommended that the developer or a representative attend the Technical Review Committee meeting to discuss specific aspects of the plan being considered. A copy of the Technical Review Committee's recommendations shall be given to the developer in order that the necessary changes can be made to the development plan. Three copies of the revised development plan shall be submitted to the staff for review in advance of the Planning Commission meeting. Technical Review Committee meetings are held on the second Tuesday of each month. Holidays and elections may alter the day, check with staff for specific dates.

330 PRELIMINARY DEVELOPMENT PLAN PROCEDURES

Development plans may receive their first official consideration by the Planning Commission as "preliminary" development plans. Preliminary development plans are less detailed than final development plans. The developer may choose this option to gain approval for the concept prior to finalizing the details required to begin construction. The Planning Commission may take any of the following actions after reviewing a preliminary development plan.

A. Approval means a grading permit may be issued by the Engineering Department if all stormwater documentation has also been approved. No developer shall proceed with any construction work on the proposed development, including grading, before obtaining approval from the Planning Commission and a grading permit from the Engineering Department. Lots shall not be sold at this time. Sale of lots shall occur only after a final development plan has been approved by the Planning Commission and a subdivision plat has been recorded at the Clark County Courthouse.

B. Conditional approval means the developer may not proceed as outlined above in Section 330 A until the specified conditions have been met. A revised plan may be required but no completely new application is required.

C. Postponement means action is delayed for definite reasons which shall be noted by the Planning Commission. Certain specified changes may have to be made to the preliminary development plan but no new application is required.

D. Disapproval means denial of the preliminary development plan. For further action, the developer must rework the preliminary development plan. The reworked preliminary development plan must be re-submitted as a completely new plan.

340 FINAL DEVELOPMENT PLAN PROCEDURES

Development plans shall receive their last review by the Planning Commission as "final" development plans. The developer may choose to bypass the preliminary development plan review by initially submitting an application that meets the more stringent requirements of a final development plan.

No developer shall sell or agree to sell any lot until after a final development plan has been approved by the Planning Commission and, where required, a subdivision plat has been recorded at the Clark County Courthouse. The Planning Commission may take any of the following actions after reviewing a final development plan.

A. Approval means the developer may apply for a grading permit, building permit, and/or begin the process of recording a subdivision plat. Planning Commission approval shall not be deemed to constitute or effect an acceptance of the dedication of any street or other proposed space offered for dedication since such acceptance is the prerogative of the city and county legislative bodies.

B. Conditional approval means the developer may not proceed as outlined above in Section 340 A until the specified conditions have been met. A revised plan may be required but no completely new application is required.

C. Postponement means that the Planning Commission has deferred action until some future Planning Commission meeting in order that clarifications can be made in regard to the final development plan. The Planning Commission may require specific changes to the development plan, but no new application is required.

D. Disapproval means denial of the final development plan. The developer must re-work the final development plan to conform to Planning Commission requirements and re-submit it as a completely new final development plan.

350 AMENDMENTS TO DEVELOPMENT PLANS APPROVED BY THE PLANNING COMMISSION

Amendments to approved development plans can be made only by official Planning Commission action. Content, format, and procedures shall be the same as those for the original submission. Amendments which fully meet the requirements set forth hereinafter for minor amendments may be approved by the Planning Commission staff without further action by the Planning Commission.

Minor amendments are intended to expedite approval in those situations where amendments are of minor significance and generally relate to the shifting of previously approved spaces. Such amendments shall <u>not</u>:

A. Decrease the overall land area in yards, or other open spaces;
B. Increase building footprint or height; or increase the number of dwelling units;
C. Increase the number or size of signs;
D. Change the location of any street and shall not increase the number, or change the location of, street access points; except that shifts in the approved access location not exceeding 25' may be approved as a minor amendment where the access point is not located on an arterial street.

ARTICLE IV
CONTENT AND FORMAT OF DEVELOPMENT PLANS

400 PURPOSE

The purpose of this article is to describe the content and format of development plan materials and the information which must be placed thereon. Conformance to these requirements provides maximum capability for thorough review and expedient processing. All development plans shall adhere to these specifications unless the Planning Commission grants permission for modifications due to unusual and special circumstances. Development plans which are flagrantly or repeatedly lacking specified data shall be returned to the developer immediately after review by the staff without waiting for review by the Technical Review Committee or the Planning Commission.

410 BASIC INFORMATION REQUIREMENTS FOR ALL DEVELOPMENT PLANS

A. Application form: This form may be obtained from the Planning and Community Development office or from the website www.winchesterky.com. One copy shall be filled out completely and accurately, and submitted as part of the development plan materials.

B. Stormwater pollution protection plan: Four (4) copies must accompany the development plan if the applicant wishes to apply for a grading permit following Planning Commission approval.

C. Paper prints of development plan: Nineteen (19) sets of prints (four (4) complete sets and 15 partial sets containing the site plan and grading plan) shall be submitted, and the sheet size shall be 24” x 36” unless the staff approves another size due to unusual or special circumstances. If necessary, more than one sheet may be used as long as a key is provided that relates each sheet to the entire planned area. The development plan should include, at a minimum, the following information:

1. Title Block: The title should be placed on the bottom right-hand corner of the plan, and shall contain the following information:
   a. Development Name: The proposed name of the development, which shall not duplicate nor closely approximate (phonetically or in spelling) the name of any other development in Clark County. The plan shall be titled "Development Plan of ____".
   b. Property Identification: The record name and mailing address of the property being developed.
   c. Identification: The name, mailing address, and phone number of the property owner, developer, engineer, and anyone else directly involved in the development.
   d. Date of preparation, prepared by, and date of revisions.

2. Vicinity map showing the location of the proposed development (in relation to the surrounding area) shall be placed on the sheet in the upper, right-hand corner. The vicinity map shall be drawn at a scale large enough to show the proposed development’s relationship to existing and proposed community

features such as shopping areas and industrial areas. Typically one inch should not exceed 2,000 feet.

3. Legend.

4. The written scale between (1” = 10’ and 1” = 50’).

5. North arrow.

6. Design engineer’s certification should be signed, dated, stamped and read as follows:

   “This development plan was prepared by me or under my direction and has been designed to meet the requirements of the Winchester/Clark County Zoning Ordinance and the Winchester/Clark County Development and Subdivision Regulations.”

7. Owner's certification shall be signed, dated, and witnessed as follows:

   “I (we) do hereby certify that I am (we are) the only owner(s) of record of the property platted hereon, said property being the same (or a portion of) property conveyed to me (us) by _____, dated _____, and recorded in Deed Book _____, Page ___, in the Clark County Clerk’s Office; and I (we) do hereby adopt this as my (our) development plan for this property.”

8. Planning Commission certification to be signed and dated by the Planning Commission secretary if the development plan is approved:

   "I do hereby certify that this development plan was approved by the Planning Commission."

9. <u>Existing conditions</u> on and adjacent to the tract: The following information detailing existing conditions shall be shown (property and other lines off the tract should be shown as dashed lines):

   a. The boundary lines of the tract should be shown by a special line style and weight (i.e. heavy solid line) which will provide quick and easy distinction between the developer's property and any adjacent property.
   b. Existing easements: location, width, and purpose of all easements.
   c. Names of all adjacent property owners.
   d. All buildings, parking lots, sidewalks, access points from public right-of-ways, fences, etc.
   e. Zoning classification of site and all adjacent properties.
   f. Streets: Location, name, pavement width, and right-of-way width.
   g. Utilities: The location of sanitary and storm sewers; water mains, gas lines, fire hydrants, electric lines, communication towers fiber optic lines.
   h. Other Conditions: Water courses, marshes, rock outcrops, wooded areas, isolated trees of six inch caliper or greater, houses, barns, and other significant features. Indicate which will be retained and which removed.
   i. FEMA flood plain areas and base flood elevations on and adjacent to the tract. Flood map number shall be referenced.

420 PRELIMINARY DEVELOPMENT PLAN REQUIREMENTS

In addition to the basic information requirements for all development plans (as detailed in Section 410), the following information for proposed development shall be shown on preliminary development plans:

A. Building locations and dimensions.

B. Access points from public right-of-ways.

C. Parking lots and sidewalks.

D. Streets: The proposed names (which shall not be the same or approximate the name of any other street in the county), pavement widths, and right-of-way widths.

E. Easements: Include the location, width and purpose.

F. Utilities.

G. Public Sites: The name, acreage, and use of any sites proposed for public use such as parks, playgrounds, etc.

430 FINAL DEVELOPMENT PLAN REQUIREMENTS

In addition to the basic information requirements for all development plans (as detailed in Section 410), the following information shall be shown on final development plans:

A. Existing Conditions on and adjacent to the tract: The following information detailing existing conditions shall be shown (property and other lines off the tract should be shown as dashed lines):

1. Accurate survey data for all boundary lines – seconds, lineal dimensions to hundredths of feet, radii, internal angles, points of curvature, tangent bearing, lengths of arcs, lengths of chords.

2. Streets: Classification of street, locations of culverts and gutters, elevations and locations of centerlines, elevations of curbs.

3. Utilities: The location, size and invert elevations of sanitary and storm sewers; location and size of water mains; gas lines; fire hydrants; utility poles and lines; and street lights. If water mains and sewers are not adjacent to the tract, indicate the direction and distance to them, provide size of nearest ones.

4. Sinkholes: Provide the location of all sinkholes. If sinkholes are present, staff and/or the Technical Review Committee may require the developer to provide technical information about subsurface conditions. The required information may include, but not be limited to, subsurface soil, rock, and ground water conditions.

B. The following information detailing proposed development shall be provided:

1. Drainage report including all calculations: Two (2) copies.

2. Building locations, dimensions, and finished floor elevations.

3. Access points from public right-of-ways.

4. Parking lots and sidewalks: Provide calculations for required parking, slope, ADA compliant provisions such as handicap parking and ramps, signage, directional arrows, dimensions of spaces and drive lanes, calculations for interior landscape requirements.

5. Streets: The proposed names (which shall not be the same or approximate the name of any other street in the county), right-of-way and roadway widths; grades, traffic calming devices, signage, and directional arrows (where needed). All street design shall be in accordance with Section 830(A).

6. Easements: Include the location, width and purpose.

7. Utilities: Alignment and location of all utilities.

8. Benchmarks: Location and elevation of all benchmarks; there shall be at least one per development.

9. Public Sites: The name, acreage, and use of any sites proposed for public use such as parks, playgrounds, etc.

10. Drainage Structures and Facilities: All design shall be in accordance with Section 850, "Storm Water Drainage."

11. Landscape plan showing location of landscape materials, a planting schedule indicating species, size, and number. Provide location of street and parking lot lights to insure no conflict exists between lights and trees. Provide planting details and notes detailing maintenance and warranty responsibilities.

12. Construction Drawings
    a. Street Profiles: The plan and profile of each proposed street (indicating the existing ground surface and proposed street grade surface) at a horizontal scale equal to the horizontal scale of the plan/plat and a vertical scale of 10 times the horizontal scale, with finish grades indicated.
    b. Street Cross Sections: A cross section of each proposed street at 50 foot intervals, at a scale of one inch equals ten (10) feet (or less), showing the width of pavement, the location and width of sidewalks, and rights-of-way.
    c. Sewers and Storm Water Drainage: The plans and profiles of proposed sanitary sewers and storm water sewers or other drainage ways, at a horizontal scale equal to the horizontal scale of the plan/plat and at a vertical scale of 10 times the horizontal scale, with grades and sizes indicated. If a piped system of sewers is not proposed, then an alternate system including green infrastructure and low impact development shall be properly illustrated as required by City engineer.

d. Other Utilities: Plans and line sizes of other proposed utilities shall be shown.
e. ADA Handicap compliant details indicating materials, slopes, etc.

ARTICLE V
MAJOR AND MINOR CLASSES OF SUBDIVISIONS ESTABLISHED FOR PROCESSING PURPOSES

500 PURPOSE

The purpose of this article is to establish different classes of land subdivisions on the basis of their relative importance to the community's overall development. This will then permit the establishment of requirements for subdivision plat preparation and approval which varies for the different classes.

510 PROCESSING CLASSES FOR SUBDIVISIONS

Chapter 100 of Kentucky Revised Statutes defines a subdivision in a county containing a third class city as "...the division of a parcel of land into two or more lots or parcels; for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes re-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 (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision within the meaning of KRS 100.111."

The statutes further provide that no land shall be subdivided, transferred, sold or agreed to be sold until after a plat of such land is prepared and approved in conformance with requirements established by the Planning Commission. Metes and bounds descriptions of the land shall not be used on contracts for the above purposes in order to replace the required plats. All plats must be reviewed, approved, and recorded before it can be used as a basis for subdivided land to be transferred or sold. Thus, these regulations are intended as the requirements established by the Planning Commission for the preparation and approval of subdivisions of land.

In order to proceed towards establishing such requirements, subdivisions shall be further classified as follows:

A. Major subdivisions shall be those subdivisions of land which are generally of major significance to the community's future development, and shall include all subdivisions which do not conform to the definitions established for minor subdivisions. Generally, major subdivisions are those which create four or more lots for sale or development for residential, commercial, or industrial activities. Subdivisions which meet the minor subdivision definition may be treated as major subdivisions whenever the Planning Commission feels such to be necessary. Major subdivision plats shall conform to the requirements established by Article VI of these development and subdivision regulations in addition to any other applicable regulations.

B. Minor subdivisions shall be those subdivisions of land which are generally of minor planning significance to the community's future development and include only the subdivisions as described below. Such minor subdivisions shall conform specifically

to the requirements established in Article VI of these development and subdivision regulations in addition to any other applicable regulations.

1. Consolidation minor subdivisions shall be solely for the purpose of transferring a portion of the subdivided land to an adjoining property with which it is to be consolidated. Such adjoining property shall have a common boundary with the portion of the subdivision intended for transfer and no new, buildable lots are created.

2. Agricultural minor subdivisions shall be those subdivisions characterized by the following conditions:

    a. The resulting divisions shall contain at least one acre (43,560 sq. ft.) of land.

    b. The resulting divisions shall be used for agricultural or residential purposes only. No building for commercial or industrial activity shall be placed thereon until a Zoning Map Amendment has been reviewed by the Planning Commission and adopted by the appropriate legislative body.

    c. All resulting divisions shall front on a paved street or road dedicated to and maintained by the public. No new streets or roads shall be permitted. When parcels of less than five (5) acres are created, a common entrance onto a public street or road shall be required and so indicated on the plat. Exceptions to these requirements are:

        i. Divisions approved as “family farm home sites” are exempt from the frontage requirement subject to an access easement placed on the plat and an accompanying note that states a private entrance is granted in accordance with Section 8.85 of the Winchester/Clark County Zoning Ordinance.

        ii. Divisions approved as “rural residential cluster developments” shall be exempt in accordance with Sections 8.73 and 8.78 of the Winchester/Clark County Zoning Ordinance.

    d. The subdivision shall be in conformance with the Comprehensive Plan, implementation devices, and other applicable regulations, including any necessary dedication for street right-of-ways. Where existing streets or roads do not meet current standard requirements for the proposed development, the developer may be required to bring to street or road into compliance with all current requirements.

    e. All plats for property not served by a sanitary sewer system must have the following note: No residential construction is permitted until sanitary sewer approval is given by the Clark County Health Department.

ARTICLE VI
SUBDIVISION PLAT PROCEDURES, FORMAT, AND CONTENT

600 PURPOSE

The purpose of this article is to establish procedures for plat submittal and review. The requirements for the format and content of subdivision plats are included in order that the plats may be prepared and processed efficiently.

610 PROCEDURES FOR SUBMITTAL AND REVIEW OF SUBDIVISION PLATS

The step-by-step procedures listed below shall apply to all subdivision plats unless otherwise indicated. Major subdivision plats shall only be submitted following Planning Commission approval of a final development plan for the property.

A. Plat preparation: The developer shall have a licensed land surveyor prepare a record plat in conformance with these regulations.

B. Submission: The developer shall submit two prints of the original plat, a completed application, a fee for review, and a fee for recording to the Planning and Community Development office.

C. Staff review: The staff shall review the plat for conformance to these regulations, mark both prints with any necessary changes, return one print to the developer, and retain one for office files. As soon as the plat conforms to these regulations, four final prints and one digital formatted copy (Appendix D) shall be submitted to be recorded. The four prints must be signed and stamped by the surveyor and signed by the owner(s).

D. Secretary's signature: The Secretary of the Planning Commission shall sign the Planning Commission's Certification on all four plats to signify the Planning Commission's approval and make it eligible to be recorded. One copy shall be kept for the office files, one returned to the developer, one retained with the Clark County Clerk, and one retained by the Clark County Property Valuation Administrator.

E. Recording: The signed plat shall be recorded in the exact form as previously approved.

620 FORMAT FOR SUBDIVISION PLATS

The plat shall be drafted in a manner that will produce a print that contains dark, stable lines that cannot be smudged or removed by ordinary handling. Four (4) prints shall be submitted and the sheet size shall be 17" x 22".

630 CONTENT REQUIRED FOR SUBDIVISION PLATS

A. New parcels shall be assigned addresses by Clark County Geographical Information System (GIS). The e-mail address is stephenberry@ccgisonline.com.

B. The subject property shall be placed in the center of the plat with the boundaries of the subdivision shown in a heavy, solid line; the boundaries of the remainder of the parent tract shall be shown in a lighter dashed line;

C. Provide a 3”x3” space in the bottom, right corner labeled “County Clerk” for the recording date and time stamp.

D. The title block shall be placed along the right side of the plat. It shall include the name of the subdivision as Record Plat of (name of property). The plat shall also show the mailing address of the property being subdivided, the owner, and the surveyor. The title block shall show the date of preparation and all dates of revisions.

E. The plat shall have a north arrow, legend, written and graphic scale (between 1” = 10’ and 1” = 100’) and provide the source of title.

F. A vicinity map shall be placed in the upper, right corner of the plat and show the relationship of the subject property (drafted in solid black) to a sufficient number of streets or highways in the area to enable one to quickly identify the section of Clark County. An appropriate scale is typically one inch equals 2,000 feet (or less).

G. All divisions shall have their acreage and a number or letter designation marked thereon.

H. Lot Layout and Building Setbacks: The location and distances for lot lines; lot numbers and block numbers; building setback lines with dimensions.

I. The plat shall provide the name of the owner(s) of adjoining property(s) or the name of an adjacent major subdivision including the recorded plat and deed information.

J. The name, and right-of-way width, and typical cross sections of all streets dedicated to public use which abut, adjoin or are included within the subdivision.

K. Where the tract shown on a subdivision plat represents only a portion of the developer's entire holding, an additional sketch shall be required as a means of showing the proposed street layout for the remainder of the tract.

L. The purpose, width, location and full extent of all easements shall be provided.

M. A dedicated right-of-way of at least thirty (30) feet shall be required for existing roads.

N. All boundaries shall be surveyed in the field; accurate bearings and distances shall be placed on each property line.

O. On consolidation plats, land consolidation hooks shall be shown on the parcel which is to be transferred and consolidated. In addition, the plat shall have the following notation, "Parcel # _____ shall be consolidated with adjoining parcel # ____ and not conveyed as a separate parcel".

P. The plat shall show all existing major physical improvements including, but not limited to, existing utilities, structures, property corners, as required to meet the Kentucky "Standards of Practice for Land Surveyors";

Q. Proposed and existing roadway entrances shall be indicated on the plat along with certification that the proposed entrance(s) have been approved by the agency having jurisdiction.

R. Where any property lying partly in Clark County and partly in an adjoining county is divided into two or more parcels, any parcel resulting from such division that lies partly within Clark County shall be subject to these regulations.

S. All plats for property not served by a sanitary sewer system must have the following note: No residential construction is permitted until sanitary sewer approval is given by the Clark County Health Department.

T. Protective Covenants: When the developer intends to regulate land use in the subdivision and otherwise protect the development, one copy of the final protective covenants shall be submitted as part of the final plan/plat materials.

U. Certifications required on all plats:

1. PLANNING COMMISSION CERTIFICATION

"I do hereby certify that this record plat conforms to regulations of the Winchester/Clark County Planning Commission, and that it has been approved to be recorded by the Clark County Court Clerk."

_____ _____

Planning Commission Secretary Date

2. LAND SURVEYOR'S CERTIFICATION

"I do hereby certify that the survey shown hereon was performed by me, or under my direction, by the method of random traverse and all monuments indicated hereon actually exist and their size, location, and material are correctly shown. The unadjusted mathematical error of closure ration of the random traverse was _____ and the bearings and distances shown hereon have been adjusted for closure. The survey as shown hereon is a Class ___ survey and the accuracy and precision of said survey meets all the specifications of this class. The basis of the bearings shown hereon is in relation to ___."

_____

Land Surveyor's Signature

_____

Date

INCLUDE SURVEYOR'S ORIGINAL SEAL

3. 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 the same (or a portion of) property conveyed to me (us) by _____, by _____ dated _____, and recorded in Book _____ Page ___, in the Clark County Clerk's Office; and do hereby adopt this as my (our) record plat for this property."

_____ _____

Owner(s) Signature and Address Date

_____

Witness Signature and Address

ARTICLE VII
DESIGN STANDARDS

700 PURPOSES AND SUITABILITY OF LAND

The purpose of this article is to establish the basic and minimum design standards which will be required for lots, streets, and other physical elements on land proposed to be developed. If the Planning Commission finds that it is in the best interest of the public that the land should not be developed for the purpose proposed due to flooding, high water table, topography, inadequate water supply, transportation facilities, schools, or other conditions which may endanger life or health, the Planning Commission shall not approve the proposed development unless adequate methods are proposed by the developer for solving the problems that will be created by the development.

710 STREET DESIGN STANDARDS

All streets, which are designed primarily for the movement of vehicular traffic, shall conform to the following requirements at the minimum.

A. Classification of streets: Four basic street classifications shall be observed by developers: expressways, arterials, collectors, and minor streets. Each class is fully defined in Article II.

B. Street standards: The following standards shall apply to street design elements:

1. Relation to topography: Streets shall be logically related to the topography so as to produce the most usable and properly situated lots, provide proper drainage for storm water, and produce proper grades.

2. Street continuity: Streets in proposed subdivisions shall generally provide for the continuation of existing or dedicated streets in adjoining or nearby tracts, and provide for connection to adjoining non-subdivided tracts.

3. Street names: Streets which are obviously in alignment with existing streets shall bear the names of the existing streets. Street names shall not duplicate or closely approximate the names of existing streets in Clark County. Street name signs of a type in use throughout the City and County shall be erected by the developer at all intersections. Temporary street signs and lot addresses shall be erected on all streets and lots under construction to facilitate first responders in the event of an emergency. Permanent street signs shall be required when the first building on the street obtains a Certificate of Occupancy.

4. Partial subdivision: Where a development plan includes only a site plan for part of the tract owned or intended for development by the developer, an overall plan of the proposed street system for the remaining portion shall be prepared by the developer and submitted to the Planning Commission for review and action.
5. Planning for conflicting traffic or land use: Whenever the proposed development contains, or is adjacent to a railroad, arterial street, or other conflicting land use, the Planning Commission may require marginal access streets, reverse frontage lots, lots with rear service alleys, lots with additional depth, or other such

treatments as may be necessary for protection of the properties and afford separation of conflicting types of traffic or land uses.

6. New partial streets and reserve strips shall not be permitted, except where essential to reasonable development of a tract and where satisfactory assurance for dedication of the remaining part of the street can be secured. No reserve strips shall be permitted unless the Planning Commission gives its express permission.

7. Existing partial streets: Whenever a proposed development borders an existing partial street, the other part of the street shall generally be plotted within the proposed development.

8. Cul-de-sacs shall not be longer than five hundred (500) feet including the turn around which shall be provided at the closed end with a right-of-way radius of fifty (50) feet and a transition curve radius of seventy-five (75) feet for connecting the turn around with the rest of the street. A temporary turn around may be required at the end of a stub street.

9. Oversized improvements: Whenever street right-of-ways or other improvements are required in excess of what is needed to meet the demands of the development being considered, the Planning Commission may require dedication or improvement costs of the developer only to the extent of the development requirements. The Planning Commission may encourage other appropriate entities to finance the acquisition or costs of the additional improvements.

10. Special street types: Permanent dead-end streets shall be prohibited. Temporary dead-end streets shall be permitted as part of a continuing street plan only if a temporary turn around is designed to the satisfaction of the Planning Commission.

11. Alleys may be required if other provisions cannot be made for adequate service access. The minimum widths for alleys shall be twenty (20) feet for the right-of-way and eighteen (18) feet for the pavement width.

12. Private streets, where permitted, shall be designed and constructed according to the standards for minor streets in these regulations. Such streets shall be maintained by a mechanism which provides for equitable common responsibility for street maintenance and repair. All recorded plats with private streets shall note the details of the maintenance responsibilities of the property owners abutting the street.

13. Rural residential streets shall be built to county road standards with a minimum pavement width and R.O.W. that meets the standards for minor streets in these regulations. The need for curbs, gutters, and sidewalks shall be determined by the Planning Commission on a case-by-case basis depending on anticipated traffic volume and increased storm water runoff.

C. Street right-of-ways and grades shall be as follows:

Street classification	Min. R.O.W.*	Max. grade**	Min. grade
Expressways	120'	5.0%	0.5%
Arterials	80'	5.0%	0.5%
Collectors	60'	10.0%	0.5%
Minors	50'	12.0%	0.5%
Alleys	20'	12.0%	0.5%

* Additional right-of-way may be required whenever a proposed development abuts or contains an existing road of inadequate width, or to provide parking space in high density residential districts or non-residential areas, or to provide drainage easements where streets parallel streams or drainage areas, or for other reasons to promote public safety and health.

** The Planning Commission may increase these maximum grades whenever they feel special topographic or other conditions justifies such increase.

D. Street alignment: The minimum horizontal and vertical alignment on all streets shall be as determined by accepted engineering practice and as follows:

Street classification	Horizontal curve radius*	Stop sight distance**	Crest curves	Sag curves***
Expressways	1,146'	550'	L=80A	L=70A
Arterials	573'	325'	L = 50A	L=60A
Collectors	500'	250'	L=45A; 100' min.	L=60A; 100' min.
Marginal Access	150'	150'	L=22A; 100' min.	L=35A; 100' min.
Minor, continuing	100'	150'	L=22A; 100' min.	L=35A; 100' min.
Cul-de-Sac	100'	150'	L=22A; 100' min.	L=35A; 100' min.
Alleys	100'	N.A.	N.A.	

* Whenever street centerlines are deflected in excess of one (1) degree, connection shall be made by horizontal curves with a minimum radius at the center line as noted. A 55 mph design speed was assumed for expressways, 40 mph for arterials, 30 mph for collectors, and 20 mph for all minor streets. Design must comply with the most recent AASHTO policy, "A Policy on Geometric Design of Highways and Streets."

** A minimum safe stopping sight distance, measured from driver's eye level of four and one-half (4.5) feet above road surface along centerline of driver's path to top of object four (4) inches high above road surface, shall be provided. Design must comply with the most recent AASHTO policy, "A Policy on Geometric Design of Highways and Streets."

*** All changes in street grades, having an algebraic difference exceeding one-half of one percent (0.5%), shall be connected by vertical curves of a minimum length as noted. In the formula, L = minimum length of vertical curve; A = algebraic difference in grades in percent; 100' min. means minimum acceptable length of curve.

E. Street intersections: The following standards shall be the minimum for intersection designs:

1. Number of approaches: Intersections involving more than four basic street legs or approaches shall be prohibited. Merging lanes, deceleration lanes, "Y" intersections,

etc., are not included in this prohibition, but are considered as being parts of one street leg or approach.

2. Angle of street intersection: For a tangent distance of at least one hundred (100) feet, measured from the intersection of right-of-way lines, all streets shall intersect at an angle of ninety (90) degrees, where practical, but in no case shall be less than seventy-five (75) degrees.

3. Intersection offset: Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred twenty-five (125) feet between their centerlines. For minor and collector streets, consideration should be given to "T" intersections.

4. Intersection spacing: All minor streets intersecting with, and entering the same side of, arterial and collector streets shall be located at least eight hundred (800) feet apart, measured between centerlines, except that in plans for entire neighborhoods such intersections may be spaced at closer intervals up to two hundred (200) feet. All minor streets intersecting with, and entering the same side of minor streets shall be located at least two hundred (200) feet apart, measured between centerlines. Access points from marginal access streets onto arterials and collectors also shall observe the 800' separation. When through streets cross marginal streets and enter a collector or arterial, the marginal access road may be required to be bowed outward at the intersection in order to provide storage space of 100' or more to the arterials or collector streets.

5. Excessive grades at intersections: Where the grade of any street exceeds three (3) percent at the approach to an intersection, a leveling area of three percent (3%) or less shall be provided for a distance of fifty (50) feet from the intersection of street centerlines. Vertical curves shall then be used to connect the intersecting grades.

6. Intersection sight triangle for crossing: At all intersections, sight triangles shall be provided which will permit vehicles on the designated "stop" street to safely cross, or turn onto, the through street. The sight triangles shall be formed by measuring from the intersection of the street centerlines and connecting the measured points. The resulting triangles must lie wholly within the street right-of-ways.

Street	**Distance Along**	**Distance Along**
Classification	**Through Street**	**Stop Street**
Expressways	NA.	NA.
Arterials	625'	35’
Collectors	500'	30’
All Minors, Ex. below	250'	25'
Marginal Access	200'	25'
Cul-de-Sacs	200'	25’
Alleys	NA	NA

7. Minimum property line radii for street intersections shall be 20' for all streets unless sound engineering practices dictate otherwise.

720 LOT DESIGN STANDARDS

The following shall be required standards to be observed for the design of lots in a subdivision.

A. Corner lots: Lots shall be of sufficient width to permit compliance with the minimum building setback lines on all property lines which abut streets. In order to comply with the additional width requirement and continue the same size homes as those on adjoining lots, residential corner lots shall be increased to the necessary width.

B. Lot lines: Side lot lines shall be at right angles to straight street centerlines, radial to curved street centerlines, and extensions of the center point of cul-de-sacs. Rear lot lines should consist of straight lines with a minimum number of deflections.

C. Lot shape: Excessive depth in relation to width should be avoided. A proportion of 2 1/2 to 1 is normally considered a desirable maximum for lot widths of sixty (60) feet or greater. Pointed or very irregular shaped lots should be avoided where possible. Additional depth may be required on lots which back up to railroads, major streets, or other conflicting land uses.

D. Access: All lots shall abut a paved, public street and shall have readily apparent physical means of pedestrian and vehicular access from the lot onto the street.

E. Double frontage lots: Double frontage lots shall be prohibited except where employed to prevent excessive vehicular driveway access to streets or to separate residential areas from other areas of conflicting land or traffic use.

F. Land remnants: If remnants of land exist after subdividing, and have no apparent future use which can be properly controlled, they shall be incorporated into the proposed lots to eliminate unusable parcels.

G. Lot area, width, and minimum building setbacks: Lots shall meet the minimum standards required by the zoning ordinance. All lots permitted with septic tanks shall be at least 43,560 square feet in size, as covered by Section 830(D).

H. Minimum width at building line/road frontage: Minimum lot width shall be measured at the front yard building setback line in all zones except as provided in agricultural zones. In agricultural zones, minimum lot width shall also comply with minimum road frontage requirements. Such road frontage requirements shall be of contiguous frontage.

730 EASEMENT DESIGN STANDARDS

The following shall be the required standards to be observed for the design of easements.

A. Utilities: An easement for utilities may be required along side and/or rear property lines, or wherever necessary to form a continuous right-of-way. Easement location shall be determined by the affected utility.

B. Slope/grading easement: Whenever a proposed development affects an existing or proposed road in such a way that present or future grading of such road's full right-of-way width will necessitate cuts and fills in adjoining property, a slope/grading easement on such adjoining property shall be required.

C. Storm water drainage easement: Wherever a development has a watercourse on it, a drainage easement shall be provided. This drainage easement shall have adequate width for workmen to install, maintain or repair drainage facilities with necessary equipment. When required for creeks or streams, such drainage easements shall be dedicated to the City or County and recorded on a plat. All requirements of Part II Section F of the Stormwater Manual shall be met.

D. Connection to existing easements: Where necessary, utility and drainage easements shall connect with written and recorded easements already established on adjacent properties.

740 COMMUNITY FACILITIES DESIGN STANDARDS

The following shall be the required standards to be observed for the design and provision of community facilities and related elements.

A. Assessing needs for community facilities: In reviewing development plans, the Planning Commission shall consider the adequacy of existing or proposed community facilities which must serve the additional population to be housed in the proposed development. Developers shall also give earnest consideration to dedicating or reserving land for those facilities which will be needed by the people who buy homes in residential developments--such as public buildings, schools, recreational areas, and shopping centers.

B. Adequacy of community facilities areas: Areas provided or reserved for such community facilities should be adequate for building sites, landscaping, and off-street parking for the proposed use.

C. Preservation of existing physical assets: Existing features which are assets to the community shall be preserved as much as possible through harmonious design of the development. Examples of such features are stone fences, groupings of trees or isolated outstanding trees, watercourses, vacant historical ground, historical buildings, and similar irreplaceable physical, cultural and/or historical assets.

D. Flood hazards: Development shall be prohibited in areas designated to lie within the one-hundred year flood plain on the Flood Insurance Rate Maps (FIRM's) produced by the Federal Emergency Management Agency (FEMA). Land subject to flooding or otherwise uninhabitable shall not be platted for residential use or for any other use which may increase danger to health, life, property or aggravate erosion or flood hazards. Such land within a development shall be set aside on the plat for uses that will not be endangered by flooding and will not result in conditions contrary to the public welfare. Some of those uses include, but are not limited to, open space, extensive recreation use, and conservation purposes. The Planning Commission shall require the developer to provide elevation and flood profiles for questionable lots. It is the responsibility of the developer to document that all proposed, buildable lots will be located on flood-free sites (as determined by FEMA). Where appropriate, notes shall be placed on lots that restrict the construction of basements. If fill is proposed within areas designated as floodplain, the developer shall include approval from the Kentucky Division of Water for the proposed fill as part of a complete application to be reviewed by the Planning Commission.

    1. Stream easement: The recorded plat shall provide a storm water easement for a floodway of at least twenty (20) feet when a stream flows through, or adjacent to, the proposed development. For smaller streams, the recorded plat shall provide channel improvements with the capacity to carry 100-year frequency rainfall within the stream banks.

    2. Streets: Approval shall not be given for streets within a development which would be subject to inundation, flooding, or culverts which are inadequate to handle the fifty-year frequency storm, unless the culvert is being used as a part of the stormwater retention/detention plan.

750 PUBLIC SITES AND OPEN SPACE DESIGN STANDARDS

The purpose of this article is to establish minimum standards that developers must conform to when providing and constructing public sites and open space in a development.

A. Reservation of land for public use: The Planning Commission may require a reservation of up to ten percent (10%) of the gross area of a development for a period of two (2) years from the date of approval by the Planning Commission for parks, playgrounds, schools or other public uses. The Planning Commission may recommend acquisition of the reserved area to the appropriate public agency. After the two (2) year period has

elapsed, if the public agency affected has not begun negotiations for acquisition for the area, full rights shall revert to the owner.

B. Capital improvement land reservation: If the City has adopted an official map and a Short Term Capital Improvement Program (as provided for in KRS 100.293--100.311) which includes parks, recreational areas, school sites, or other public grounds, the Planning Commission may require a reservation up to five (5) years, for the purchase of the public grounds by the appropriate public agency. If the public agency affected has not begun negotiations for acquisition for the area within the designated time, full rights shall revert to the owner.

C. Open space program: Every developer of land for residential developments that do not contain public sites shall be required to provide land or payment in lieu thereof, for that portion of benefits from public sites accruing to the proposed development as determined by the Planning Commission.

D. Buffer zones: Buffer zones of landscape plantings or other appropriate screening shall be required where incompatible land uses abut. The plant species, size, and quantity shall be provided on the development plan and the plantings shall be in accordance with the Landscaping and Buffer Guidelines of the Clark County Zoning Ordinance and may include green infrastructure practices.

760 LOW IMPACT DEVELOPMENT DESIGN STANDARDS

Low impact development (LID) is a planning and design approach to site development that is gaining popularity throughout the Commonwealth of Kentucky. Its attractiveness lies in its potential to lessen on-site and off-site stormwater impacts, reduce infrastructure costs to developers and municipalities, and promote development that is “softer on the land” compared with typical traditional development. This approach, which is applicable to residential, commercial and industrial projects, and scalable to urban, suburban and rural settings, often is linked with efforts by citizens and municipalities to foster more sustainable, livable communities.

Low impact development mimics pre-development hydrology, treats stormwater as close to its source as possible, provides opportunities for groundwater recharge, preserves natural drainage systems and open space, and incorporates small-scale controls that replicate natural processes in detaining and filtering stormwater. Low impact development uses the “divide and conquer” theory to treat relatively small amounts of stormwater and utilize it in beneficial ways. This contrasts with conventional stormwater management approaches geared to concentrating and collecting runoff and exporting it off-site as a waste product.

Low impact development techniques provide many benefits to a wide variety of stakeholders. Municipalities can often increase collaborative public/private partnerships and potentially reduce the cost of municipal infrastructure and maintenance (streets, curbs, gutters, and storm sewers). Municipalities may also reduce or eliminate nonpoint source pollutants from reaching waterways. The reduction of stream bank erosion protects regional flora and fauna. Balancing growth needs with environmental protection can potentially enhance both physical health (by increasing opportunities to walk and

exercise outside) and mental health (by improving the visual quality of the environment which can reduce stress and mental fatigue).

Developers can potentially reduce the costs of clearing and grading land, infrastructure (streets, curbs, and gutters), storm water management, and impact fees. They also can potentially increase lot yield and marketability. Low impact development potentially protects the environment by preserving the integrity of ecological and biological systems. Preservation of trees and natural vegetation reduces impacts to plants and animals. Water quality is improved when sediment, nutrient, and toxic loads to water bodies are reduced.

A. Green infrastructure is an approach to stormwater management that integrates systems that mimic natural processes in order to infiltrate, evaporate, and/or reuse stormwater. Green infrastructure uses soils, topography, and vegetation in a way that minimizes the impact of human disturbance and maintains the pre-development hydrology and water quality of urban environments. The goal of green infrastructure is to design a built environment that functions as part of an ecosystem rather than apart from it. This is an innovative approach to urban stormwater management that strategically integrates stormwater controls throughout the urban landscape and does not rely solely on conventional end-of-pipe structural practices.

B. Green infrastructure practices have the potential to address one or more of the following stormwater related issues: reduce runoff volume, reduce peak discharge, and improve water quality. A site may contain several green infrastructure practices that work together to capture, infiltrate and/or harvest rain water. The following section describes nine (9) of the most common green infrastructure practices divided into three (3) categories: capture, infiltration and harvest/reuse. Each green infrastructure practice has its advantages and appropriate applications. This section assesses those and describes each practice in terms of suitability, limitations, land area demands, relative costs, and maintenance.

1. Capture:
   a. Permeable pavement is available in the form of pervious concrete, porous asphalt, permeable pavers (concrete and brick).

Pervious concrete – during placement

Pervious concrete – after rain event – LFUCG South Elkhorn Pump Station

Permeable concrete pavers – Ronald McDonald House Charities of Bluegrass

Previous asphalt – Ronald McDonald House Charities of Bluegrass

   b. Vegetative roofs/vegetative walls are separated into two types based on the depth of growing media: extensive (2”-6”) and intensive (6”-4’).

Green roof example – Bernheim Forest

Green wall example – New York City

c. Tree box filters have mini filtration areas beneath trees or shrubs and are contained within an in-ground unit.

Tree box filter – Gainesway Pond, Lexington, KY

Tree box filter – Gainesway Pond, Lexington, KY

2. Infiltration:
   a. Downspout disconnection directs rain water away from buildings and allows it to flow over permeable surfaces such as grass.

Downspout disconnection

Downspout disconnection

   b. Vegetative swales are planted with grasses or native plantings designed to accept rain water flow then allow it to infiltrate the ground and be filtered.

Rain garden, Cincinnati, Ohio

Vegetative grass swale

c. Rain gardens and bio-retention areas are amended with soils that allow rainwater infiltration. They are planted with native grasses and wildflowers that move water from the soil into the air through evapotranspiration.

Vegetative grass swale, Lexington, KY

Rain garden, Cincinnati, Ohio

d. Street trees reduce storm water runoff and heat island effects through evapotranspiration.

New street trees

Mature street trees

3. Harvesting/reuse:
   a. Rain barrels and cisterns are appropriate for residential, commercial and industrial sites. Rainwater reuse includes irrigation for lawns, planting beds, and non-portable water uses.

Rain barrel - residential

Rain barrel - commercial

   b. Underground storm water storage systems can be used to meet storm water detention requirements.

Underground stormwater storage

Underground stormwater storage-detail

4. Incentives to implement green infrastructure practices potentially include the following:
   reduction of infrastructure costs for storm water management, increase in development marketability, reduction in land clearing and grading costs, potential synergies for meeting storm water quality, quantity and landscape requirements for the City of Winchester and Clark County.

   The EPA has produced two green infrastructure reports entitled "*Green Infrastructure Case Studies: Municipal Policies for Managing Stormwater with Green Infrastructure*" August, 2010, and " Reducing Stormwater Cost through Low Impact Development (LID) Strategies and Practices" December, 2007. These highlight case studies from across the United States that demonstrate the benefits of green infrastructure practices.

5. Resources

EPA Low Impact Development: http://water.epa.gov/polwaste/green/

EPA Green Infrastructure:
http://water.epa.gov/infrastructure/greeninfrastructure/index.cfm

Low Impact Development Center: www.lowimpactdevelopment.org/

Green Roofs for Healthy Cities: www.greenroofs.org/

ARTICLE VIII
Physical Improvements

800 PURPOSE

The purpose of this article is to establish the minimum standards to which developers must conform in providing and constructing the subdivision's physical improvements.

810 COMPLETION OF IMPROVEMENTS

All of the required improvements shall be completed in accordance with, and under the supervision of, the officials or agencies having jurisdiction, prior to the filing with the Commission of the final plans for approval.

Or, with the Commission's approval, the developer, in lieu of completing the improvements as stated above, shall furnish the Commission with a performance guarantee running to the Winchester/Clark County Planning Commission for and on behalf of the City of Winchester and the County of Clark, whichever is appropriate. The bond shall be sufficient to cover the cost, plus 10 percent, of all the improvements required to be installed by the subdivider and approved by the appropriate Planning Commission Engineer, thereby to secure the actual construction and installation of such improvements immediately after approval of the final plat or at a time as may be established by the Commission. All physical improvements (including all utilities) shall be installed under the direction, supervision, and coordination of the developer's engineer.

820 IMPROVEMENTS CLASSIFICATION OF SUBDIVISIONS

Each proposed subdivision, or portions thereof, shall be designated as falling in one or more of the classifications noted below, and improvements shall then be required in accordance with such designated classification. The subdivision's classification shall not necessarily be determined by its zoning ordinance district, even though reference to such districts is noted below.

Proposed Use of Land in the Subdivision	Subdivision Classification
1. Rural residential, generally county homes of an A-1 zone character	"A"
2. Suburban residential R-1 zone character	"B"
3. Urban residential, generally of an R-2 zone character	"C"
4. High Density Urban residential, an R-3, R-4, R-5 character	"D"
5. Business use, of a business zone character	"E"
6. Industrial use, of an industrial zone character	"F"

830 GENERAL DESCRIPTION OF REQUIRED IMPROVEMENTS

The following shall be the minimum required improvements to be installed by the developer at his expense in accordance with the specifications of the officials or agencies having jurisdiction unless otherwise noted. Improvements exceeding these minimum requirements may be provided by the developer, or may be required by the Commission or other agencies having jurisdiction. The detailed construction specifications for each improvement shall be supplied to the developer by the official or agency having jurisdiction. A subdivision's "classification" shall determine the character of the minimum improvements as shown in the following.

A. Streets

Type of Improvement	Subdivision Classification	R.O.W.	Pavement *1	Curb	Gutter	Sidewalks *2
Arterials	A	80'	*3	yes	yes	on both sides
	B	80'	*3	yes	yes	On both sides
	CDE	80'	*3	yes	yes	on both sides
Collectors	A	60'	36'	yes	yes	on both side
	B	60'	36'	yes	yes	on both side
	C	60'	36'	yes	yes	on both sides
Minors Continuing	A	50'	24'	yes	yes	on both side
	B	50'	30'	yes	yes	on both side
	CDE	50'	30'	yes	yes	on both sides
	F	50'	24'	no	no	On both sides
Alleys	ABCDEF	20'	*3	*3	*3	no
All Other	A	*3	24'	*3	*3	*3
Cul-de-Sac *4	ABCDE	50'	30'	yes	yes	yes
Miscellaneous	ABCDEF	Widening, or other improvements to existing streets shall be as required by the Commission with the advice of the Planning Commission Engineer and as required in Section 840(C). Sidewalks shall be maintained by property owner.				

Revised oct 2005

*1 Dimension of pavement width alone when no curbs; but back of curb to back of curb when curbs are used.

*2 Sidewalks shall be constructed on both sides of any street whenever the Commission finds such necessary for pedestrian protection. See Section 830(J) and 840(D) for specifications.

*3 As determined by the Commission with advice of Planning Commission Engineer, or State Department of Highways.

*4 Cul-de-Sac turnarounds shall have a 40' radius pavement within a 50' right-of-way radius. Temporary turn-arounds may be required at the end of stubbed streets, and contained within the straight street right-of-way.

The Planning Commission and/or DOT Engineer has jurisdiction over review of this element.

B. Grading

All streets shall be excavated and graded for the full width of their typical section. City or County Engineer, State Department of Highways as jurisdiction over this element.

C. Water Supply System

Every subdivision shall be provided with a complete water distribution system adequate to serve the area being platted, including a connection for each lot. Where fire protection service is provided by the water supplier, fire hydrants shall be installed and spaced in accordance with the guidelines established by the fire officials having jurisdiction. The entire

water system shall be designed to meet the approval of the officials having jurisdiction. Winchester Municipal Utilities Company, the relevant Water District, City or County Fire Departments, and Kentucky Department of Health has jurisdiction over this element.

D. Sanitary Sewage Disposal System

In every subdivision, provision shall be made for the satisfactory disposal of sanitary sewage as follows with the Planning Commission Engineer, County Health Department, and Winchester Municipal Utilities or other utilities having jurisdiction over this:

1. On all lots of less than 43,560 square feet, a public sanitary sewer main is required; the subdivision shall be provided with a complete sanitary sewer system connected to the existing sewer main, with lateral connections for each lot, and manholes spaced as approved by the utility having jurisdiction.
2. When the Commission feels that a public sanitary sewer main is not reasonably accessible, the Commission may consider permitting the use of individual disposal systems for each lot of 43,560 square feet or greater, if such lot fully conforms to the requirements of the officials having jurisdiction.
3. Whenever a complete sewer system is provided, all lines shall be constructed as approved by the utility having jurisdiction.

E. Gas Supply System

Columbia Gas and other gas companies shall have jurisdiction over this.

F. Electric Supply System

In every subdivision, provision shall be made for a satisfactory electric supply system. In all cases(except existing aboveground lines and new 3 phase service), all necessary wires shall be placed underground, rather than on poles and towers. (oct 2005)

G. Telephone,Cable and Communication Supply System

In every subdivision, provision shall be made for a satisfactory communications supply systems. In all cases (except existing aboveground lines) all wiring shall be placed underground, rather than on poles or towers. (oct 2005)

H. Street and Sidewalk Lighting

In every subdivision in the city provisions shall be made for a satisfactory street and walkway lighting system. In the city, these shall be installed at the City's expense in locations predetermined ky Kentucky Utilities and approved by the City. The underground service to the streetlights shall be provided for at the expense of the developer. (oct 2005)

I. Street Name Signs

In every subdivision, the developer shall provide street name signs at all street intersections.

J. Pedestrian Sidewalks

When required by the Commission sidewalks shall be of concrete, at least 4 feet wide, 4 inches thick, and located on the right-of-way line. All sidewalks shall be ramped at street intersections and in all other respects comply with American with Disabilities Act Guidelines. The Planning Commission Engineer has jurisdiction over this.

K. Curb Cuts for Private Driveways
All private driveway access points shall be constructed so as not to divert storm water away from the curb and gutter. The driveway shall not extend into any portion of the curb, gutter or paved area of the street. Prior to the construction of any such access point along any state and/or federal roads, and as required by local jurisdictions, an encroachment permit shall be required.

L. Driveway Approaches All areas of the private driveway constructed in the public right-of-way shall be of concrete.

M. Monuments
In all subdivisions, iron pin monuments one-half inch in diameter and at least 18 inches long, shall be placed at all points on subdivision boundary lines where there is a change of direction, and at all rear lot corners and behind the curb at the lot line extended. These pins shall be placed only after all area grading and sidewalk construction have been completed. A guard stake shall be placed next to each pin with the lot number and the number of the adjoining lot plainly lettered on the flat faces of the stake. The Planning Commission Engineer has this jurisdiction.

N. Street Trees
In all residential developments regardless of classification, street trees are requiredto be planted on both sides of all streets in accordance with Appendix F. (0ct 2005)

840 SPECIFICATIONS FOR STREET AND DRAINAGE CONSTRUCTION

The following shall be the minimum specifications for construction of streets and storm water drainage improvements.

A. General
Storm sewer design shall be made a part of the plans and the details thereon shall be adhered to except as otherwise stated herein. All storm sewer pipe shall be fifteen inches (15") or greater in diameter and shall meet Kentucky D.O.T. specifications.

Materials for all items of construction of any description or nature shall conform to standards set out in the Kentucky D.O.T. specifications, except as herein set out and described.

Portland cement concrete for all items of construction of any description or nature shall conform to requirements for 3500 pound per square inch compressive strength. In cases of disputes arising relating to construction methods, or materials, the Kentucky Standard Specifications for Road and Bridge Construction (1994 or the most recent edition) shall govern.

B. Street Construction
Streets shall be constructed in conformance with the Kentucky Standard Specifications for Road and Bridge Construction (1994 or the most recent edition) and the following requirements.

1. **Grading and Embankments:** The area on which streets are to be constructed should be cleared of all vegetation for a depth of at least six (6) inches and disposed of outside of the limits of the typical section. Prior to the construction of embankments, any unsuitable materials, on which the embankment will be superimposed, should be removed and the area should be stabilized by conventional methods. The embankments shall be formed by placing material in successive horizontal layers of not more than twelve (12) inches in thickness, loose depth. Each layer shall be thoroughly compacted.

2. **Cut Section Excavation:** Cut sections should be excavated to the required typical section and any unsuitable material encountered shall be removed and the area backfilled in six (6) inch horizontal layers and thoroughly compacted before successive layers are placed.

3. **Solid Rock Excavation:** If solid rock is encountered in connection with the grading operation, the solid rock shall be removed to a depth of six (6) inches below subgrade elevation and back filled to meet the requirements of Section 840(B)(1).

4. **Subgrade Preparation:** Prior to the construction of either rigid or flexible type surface course construction, the subgrade shall be shaped to the required typical section and thoroughly compacted. Any subgrade found to be unstable or irregular shall be corrected ahead of the various types of base or pavement construction

5. **Concrete Street Paving:** Portland cement concrete (rigid) street pavement is not permitted.

6. **Bituminous Concrete (asphalt) on Macadam Base:** The macadam base shall consist of dense graded aggregated limestone compacted to a finished depth of not less than eight (8) inches, to be laid in two (2), four (4) inch compacted courses. The aggregate base shall be pugmilled and contain sufficient moisture to obtain maximum compaction. Upon this base shall be placed a binder course consisting of Bituminous Concrete Class 1; placed as follows, based on Kentucky (KM 64-501) CBR (California Bearing Ratio)* test results performed at the proposed road location every five hundred (500) feet or fraction thereof;
   applied and finished to the requirements of the 2000 Kentucky Standand Specifications for Bridge and Road Construction.

*SEE "APPENDIX C" FOR CBR DESIGN STANDARD

7. **Street Crown:** Streets measuring thirty (30) feet from back of curb to back of curb shall have a three (3) inch crown between pavement edge of concrete gutter. Street measuring thirty (30) feet from back to back of curb shall have a three and one-half (3 1/2) inch crown between pavement edge of concrete gutters. Streets measuring thirty-six (36) feet from back to back of curb shall have a four (4) inch crown between pavement edge of concrete gutters.

8. **Concrete Mountable Curb and Gutter** (see Exhibit 8-1)**:** Concrete curbs shall measure twenty-four (24) inches from back of curb to outer edge of gutter. The back form shall be not less than ten (10) inches in depth. The outer edge of the gutter (next to the street paving) shall be full seven (7) inches in depth and shall have one (1) inch slope toward the curb except at street intersections where adjustments may be necessary to alter or eliminate the slope for practical reasons. The form at the edge of the gutter shall be full seven (7) inches in depth. Concrete shall comply with Kentucky DOT Standards.

9. **Concrete Box Curb and Gutter** (see Exhibit 8-1)**:** Concrete box curb and gutter shall measure twenty-four (24) inches from back of curb to the outer gutter. The back curb form shall be full twelve (12) inches in depth. The curb shall be full seven (7) inches in thickness for its entire width. The gutter shall slope one (1) inch toward the curb. Subgrade for curb and gutter shall consist of four (4) inches of D.G.A. Concrete shall comply with Kentucky DOT standards.

10. **Concrete Lip Curbs and Bituminous Curbs:** Concrete Lip Curbs and Bituminous Curbs are **not** permitted (see Exhibit 8-1).

11. **Testing of Subgrade and Macadam Base:**
The owner shall be required to have an independent agency test the subgrade prior to installation of the base utilizing a proof roll test and the base shall also be tested to insure compliance with the referenced standard in Section 6.0

C. Requirements for Development Adjoining Existing Roadways

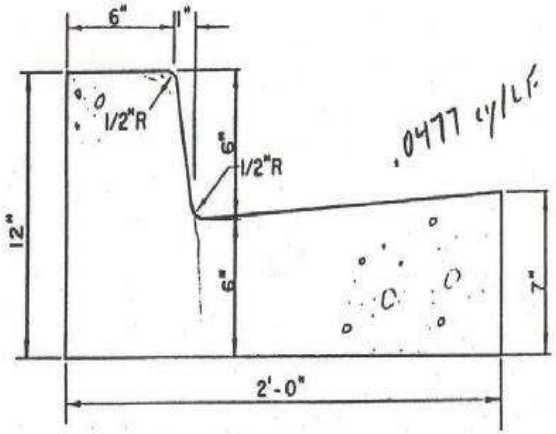
Whenever a subdivision is proposed abutting an existing public roadway which does not meet the right-of-way and pavement width standards contained herein for the functional classification of the street, and the Commission finds that development of the subdivision will increase the volume of traffic on such street to a significant degree, the following requirements shall apply:

1. The developer shall be required to dedicate right-of-way width necessary to comply with the standards contained herein. It is assumed that the same right-of-way dedication will be required on the opposite side of the roadway at such time as that property develops, thereby providing the full necessary right-of-way width.
2. Roadway widening improvements (including paving, curb, gutter, and sidewalk where appropriate) shall be required as necessary to bring the roadway up to the full cross section requirements contained in these Subdivision Regulations. The physical construction of such improvements by the developer shall be required; however, in certain cases, the Commission may require a cash payment or long term performance bond or letter of credit in lieu of construction if recommended by the Commission Engineer.
3. The maximum liability of any developer under this Section shall not exceed right-of-way and improvements as for collector streets contained herein. In cases where the ultimate proposed cross section would be a four lane arterial highway, developers may be required to dedicate excess right-of-way above the collector standard. In consideration of such dedication, widening improvements usually shall not be required in such cases for full road frontage, but rather, improvements such as turn lanes shall generally be required in association with new intersecting streets or other access points when necessary to provide as safe a situation as possible under the circumstances.

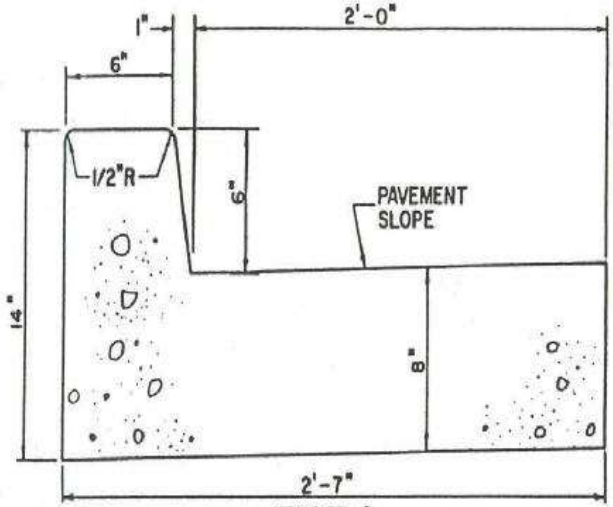
D. Concrete Sidewalks

Concrete sidewalks to be constructed a minimum width of four (4) feet and in accordance with the current standards and specifications of the Kentucky Transportation Cabinet. Sidewalks shall be placed on the edge of the street right-of-way line. Slope toward curb shall be one-quarter (1/4) of an inch to the foot. Concrete shall comply with Kentucky DOT standards.

(amended 9/7/04)



TYPE 1



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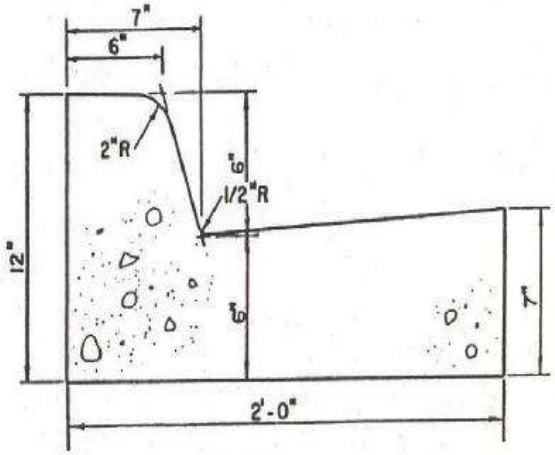

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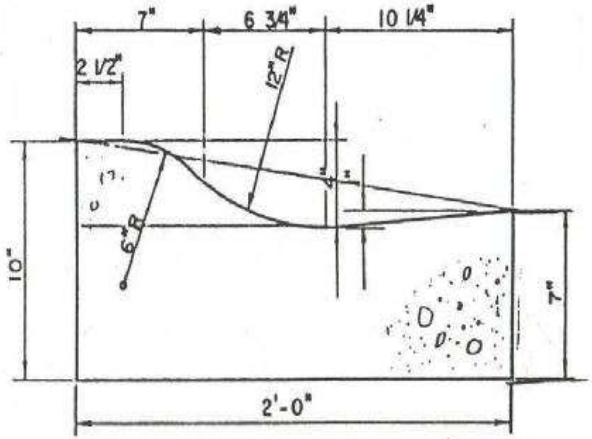


TYPE 4
(RESIDENTIAL LOCAL STREETS ONLY)

CONCRETE SHALL BE CLASS "A" WITH A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3500 P.S.I.

SAWED CONTRACTION JOINTS SHALL BE CONSTRUCTED EVERY 20 FEET.

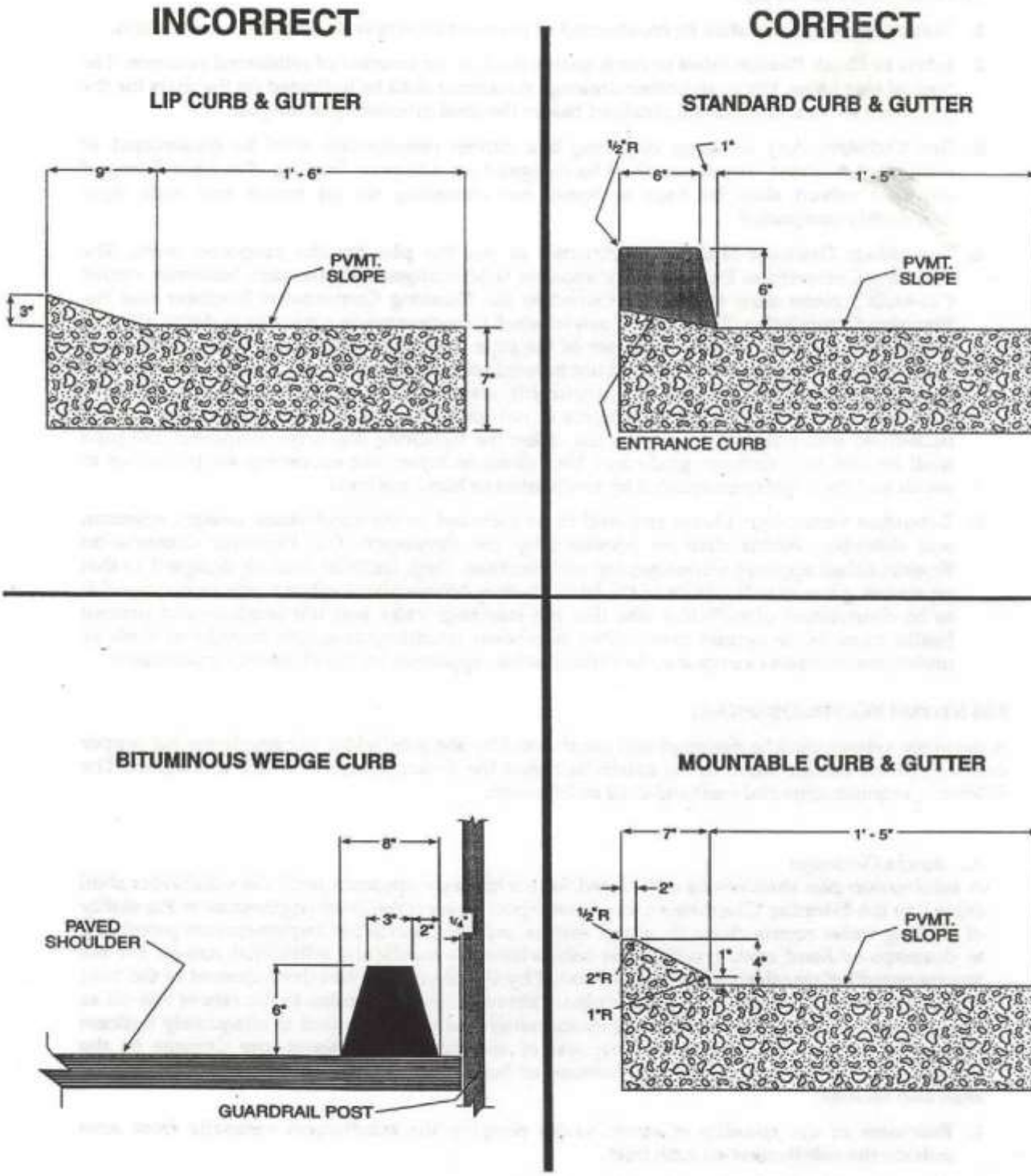
③ EXPANSION JOINTS SHALL BE CONSTRUCTED AT ALL BREAKS IN ALIGNMENT, AT ALL DRAINAGE INLETS, AT THE BEGINNING AND ENDING POINTS OF CURVES, AND NOT TO EXCEED 300' MAXIMUM SPACING.

④ ALL CONCRETE SHALL BE CURED WITH WHITE PIGMENTED MEMBRANE FORMING COMPOUND (AASHTO

DIVISION OF ENGINEERING

CURB & GUTTER

EXHIBIT 8-1



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E. Storm Water Drainage Construction The following shall apply:

1. **Manholes:** Manholes shall be constructed of precast concrete with a concrete foundation.
2. **Inlets or Catch Basins:** Inlets or catch basins shall be constructed of reinforced concrete. The type of manholes, inlets, and other drainage structures shall be indicated on the plats for the proposed work and approval obtained before the final processing of the plat.
3. **Box Culverts:** Any drainage requiring box culvert construction shall be constructed of reinforced concrete. Structures shall be designed for adequate loading. The back filling of any box culvert shall be done in layers not exceeding six (6) inches and each layer thoroughly compacted.
4. **Trenching:** Drainage shall be constructed as per the plat for the proposed work. The Planning Commission Engineer may approve field changes from the plat; however, record ("as-built") plans must then be furnished to the Planning Commission Engineer and the Planning Commission. Trenches for sewers shall be excavated to a minimum depth of three (3) inches below the outside diameter of the pipe if in solid rock and properly back-filled before the pipe is installed. Trenches not in solid rock shall be excavated to a uniform grade. During the trenching operations if unsuitable material is found it shall be removed to a sufficient depth and back-filled in layers of not more than six (6) inches. Each layer of the back-filled material shall be compacted. After the trenching has been completed, the pipe shall be laid to a uniform grade and back-filled in layers not exceeding six (6) inches in depth and thoroughly compacted by mechanical or hand methods.
5. **Retention Structures:** Where required to be included in the subdivision design, retention and detention basins shall be provided by the developer. The Planning Commission Engineer shall approve all designs for such facilities. Such facilities shall be designed so that no standing water will remain in the basin during dry weather, unless a permanent pond is to be constructed of sufficient size that the standing water will not stagnate and present health hazards. In certain cases, other non-basin retention/detention techniques such as underground vault storage may be utilized when approved by the Planning Commission.

850 STORM WATER DRAINAGE

A drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of the surface water of the subdivision and the drainage area of which it is a part. The following requirements and methods shall be followed:

A. Storm Drainage

A subdivision plat shall not be considered for preliminary approval until the subdivider shall submit to the Planning Commission a written report by a professional engineer as to the ability of existing water course channels, storm sewers, culverts, and other improvements pertaining to drainage or flood control within the subdivision, to handle the additional run-off for the storms noted below which would be generated by the planned future development of the land within the area according to long range plan. There shall be no increase in the rate of run-off as a result of new construction. Additional information shall be submitted to

adequately indicate that provision has been made for disposal of surface water without any damage to the developed or undeveloped land downstream or below the proposed subdivision. This report shall also include:

1. Estimates of the quantity of storm water entering the subdivision naturally from area outside the subdivision on each inlet.
2. Quantities of flow at each pick-up point (inlet).
3. Location, sizes and grades of required culverts, storm drainage sewers and other required appurtenances. This shall be recorded on the preliminary plan as well as the design calculation of the following factors for each culvert or channel: Drainage Area Discharge-Q; Amount of D.A. Imperviousness-C; Intensity of Rainfall-I; Time Conc.-TC; Amount of Head-H; Length of Runoff-L; and D.A. in acres-A; and the design-Q for each structure, and the resulting velocity.
4. The basic standard for design of drainage systems for subdivisions will be to keep run-off characteristics after development at the same level as existed prior to development. No excess stormwater runoff is permitted to occur. To achieve these objectives, storm water retention and/or detention systems will be required in most cases. The analysis used for the design of the required retention/detention systems shall consider impact on downstream properties for a 10-year/24-hour storm, a 25-year/24-hour storm, and a 100-year/24-hour storm. Likewise, where conditions and engineering calculations indicate benefit would not occur, storm drainage detention facilities may be deleted from the development requirements in favor of channel improvements, off-site improvements to improve flow, or other alternative wherein the alternate is less burdensome to the developer than providing detention facilities. In computing storm water run-off and designing the drainage system, the developer's engineer shall use standard engineering practice which shall be approved by the Planning Commission Engineer.

B. Drainage Requirements (Grading)

No final grading or sidewalk or pavement construction or installation of utilities shall be permitted in any proposed street until the Preliminary Plan has been approved by the Planning Commission.

The subdivider shall grade each subdivision in order to establish street, block, and lot grades in proper relation to each other and to topography as follows:

1. **Street Grading Plan:** A grading plat shall be prepared for the streets along with street improvement details. The grading of the roadway shall extend the full width of the right-of-way. Planting strips shall be graded at a gradient of not less than two (2) percent upward from the curb to the sidewalk or property line.
2. **Lot Grading:** Lots shall be graded so that water drains away from each building at a minimum grade of two (2) percent. Surface drainage swales shall meet the standards and specifications of the Clark County Conservation District and shall be designed so that the surface water will drain into a driveway, street gutter, storm sewer, drain inlet or natural drainage way. Contractors shall return lots to approved grade if disturbed during building construction.
3. **Top Soil:** If grading results in the stripping of top soil, the top soil shall not be removed from the site or used as spoil and shall be uniformly spread over the lots as grading is finished.

4. **Trees:** As many trees as can be reasonably utilized in the final development plan shall be retained and the grading adjusted to the existing grade of the trees where practicable.

C. Drainage System Requirements

The design criteria for storm drainage systems shall be based on information from the "Manual of Instruction for Drainage Design" prepared by the Department of Highways, Commonwealth of Kentucky.

Culverts shall be designed for fifty (50) year storm frequency unless the culvert is a part of the stormwater retention/detention system. Storm sewers in all streets shall be designed for a twenty-five (25) year storm frequency.

For curbs and gutters, curb and gutter inlets and open channels an intensity of four (4) inches per hour shall be used in all computations.

A minimum of "TC" of 8 minutes shall be used as well as the "C" valve shall be based on the planned future development of the watershed area according to the Comprehensive Plan.

D. Road Drainage System

All roadways shall be provided with an adequate storm drainage system.

The road storm sewer system shall serve as the primary drainage system and shall be designed to carry roadway, adjacent land, and building storm water drainage. No storm water shall be permitted to be run into the sanitary sewer system within the proposed subdivision. Since the road drainage is a major contributing factor to excess surface runoff, it must be routed through the storm water retention facilities.

Curb drainage box inlets shall be type A or B (unless otherwise approved by the Commission) and provided at intervals along roadways. Inlet spacing shall be adequate to limit the spread of water to two (2) feet into the roadway. Storm drain inlets will be placed so that crosswalks will not be flooded during the design storm intensity of four (4) inches per hour.

E. Off-Road Drainage Systems

The design of the off-road drainage system shall include the watershed affecting the subdivision and shall be extended to a watercourse or ditch adequate to receive the storm drainage.

1. When the drainage system is outside of the road right-of-way, the subdivider shall make provisions for dedicating of an easement to provide for the future maintenance of said system.
2. If a water course or ditch is left open it may be required to be protected by a fence as determined by the Planning Commission. The water course or ditch easement shall be wide enough to contain said ditch slope with ample clearance for the operation of maintenance equipment. The side slopes of the ditch shall not be greater than 3:1.

F. Drainage Easement

Easements for drainage purposes shall be a minimum of twenty (20) feet in width. Where the watercourse is large, easement widths shall be increased as determined by the Planning Commission. Where watercourses cross platted lots diagonally, the subdivider shall straighten such courses where practicable and shall substantially follow sub-lot lines. Easements shall be shown on the record plat and shall cover all existing or reconstructed watercourses.

G. Protection of Drainage Systems

The subdivider shall adequately protect all open drainage features to the satisfaction of the Planning Commission. Ditches and open channels shall be seeded, sodded or paved depending on grades (slopes) and types of soils. As a general rule, ditches and channels with grades up to one (1) percent shall be seeded, with graded from one (1) to four (4) percent shall be sodded and with grades over four (4) percent shall be paved. Paving operations shall be in compliance with the Commonwealth of Kentucky, Department of Highways, Division of Design, "Guidance Manual" issued by the Kentucky Department of Highways. Seeding and sodding operations shall be in accordance to the recommendations of the Clark County Conservation District.

H. Material Specifications

Material and construction specifications for all drainage projects (i.e., pipe, tile, seed, sod) shall be in compliance with the "Standard Specifications for Road and Bridge Construction" issued by the Kentucky Department of Highways.

860 PLANS REQUIRED FOR THE CONTROL OF EROSION AND SEDIMENTATION

In the event that any developer shall intend to make changes in the contour of any land proposed to be subdivided, developed, or changed in use by grading, excavating or the removal or destruction of the natural topsoil, trees, or other vegetative covering thereon the same shall only be accomplished after the owner of said land or his agent has submitted to the Planning Commission for approval a plan for erosion and sedimentation control. No topsoil or other construction products will be allowed to wash from the site under development onto adjacent roadways or public or private property (See Appendix E approved detail).

Such plans shall contain adequate measures for control of erosion and siltation where necessary, using the guidelines and policies contained herein and in accordance with recommendations of the Clark County Conservation District. If recommendations are not incorporated into said plan, the person, firm or corporation or its agent who submitted said plans, shall set forth in writing, the reason for not incorporating any of the recommendations of the Clark County Conservation District.

The Planning Commission shall review these plans as submitted, and shall take necessary steps to ensure compliance by the developer with these plans as finally approved.

A. Requirements

1. Two (2) sets of plans for the control of erosion and sedimentation shall be submitted to the Planning Commission at the time the preliminary plats are submitted.
2. Measures to be taken to control erosion and sedimentation shall be described and provided for in the construction agreement and the estimated cost of accomplishing such measures shall be covered in the performance guarantee (as Section 530(C)(4)) of these Regulations. In addition the developer shall be required to provide a cash escrow guarantee in an amount determined by the Planning Commission which would ensure that emergency measures could be taken at the developer's expense, if he did not initiate corrective action determined to be needed by the Planning Commission.
3. At the building permit application stage, a review will be conducted to insure conformance with the plan as approved.

4. During the planning phase, technical conservation planning assistance may be furnished, if necessary, by the Planning Commission, or by the local representative of the Soil Conservation Service through the Clark County Conservation District. The Planning Commission shall enforce compliance with the approved plans.
5. The Planning Commission shall make a continuing review and evaluation of the methods used and the overall effectiveness of the erosion and sedimentation control program.
6. All erosion control measures must meet the guidelines of the Clark County Conservation District.

B. Suggested Control Measures

The following control measures should be used for an effective erosion and sediment control plan:

1. The smallest practical area of land should be exposed at any one time during development.
2. When land is exposed during development, the exposure should be kept to the shortest practical period of time.
3. Where necessary, temporary vegetation, erosion fencing, and/or mulching should be used to protect areas exposed during development.
4. Sediment basins (debris basins, desilting basins, or silt traps) should be installed and maintained to remove sediment from run-off waters from land undergoing development.
5. Provisions should be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development.
6. The permanent final vegetation and structures should be installed as soon as practical in the development.
7. The development plan should be fitted to the topography and soils so as to create the least erosion potential.
8. Wherever feasible, natural vegetation should be retained and protected.

C. Erosion Plan

The report shall include but not be restricted to the following provisions:

1. The areas of said premises that may be exposed at any one time.
2. The type of temporary vegetation and/or mulching that will be used to protect exposed areas of said described premises during (1) the construction of any improvements thereon; or (2) changes being made in the contours thereof; or (3) in removal or destruction of topsoil, trees and other vegetation located thereon.
3. The locations, construction and maintenance of sediment basins or other control measures on said premises.
4. The type of permanent and final vegetation and water control structures or features (e.g., swales, diversions) that should be planted and installed on the said described premises and the time within such vegetation and structures are to be planted and installed.
5. Description of the type of soil comprising the described premises and physical properties of each type.

6. Description of the soil comprising the area immediately adjacent and within the general vicinity of the described premises, and physical properties thereof.

D. Construction Inspections

1. Responsible Official: The Planning Commission shall be responsible for the inspection of all improvements. The Planning Commission Engineer shall make a minimum of three inspections to ensure compliance with these regulations not under the jurisdiction of any conflicting agency or utility. The Commission shall adopt a fee schedule to cover the cost of said inspections.

2. Authority and Duties of Inspectors: Inspectors employed by the Planning Commission shall be authorized to inspect all work done and all materials furnished. Such inspection may extend to all or any part of the work and to the preparation, fabrication, or manufacture of the materials to be used. The inspector shall not be authorized to revoke, alter, or waive any requirements or the specifications of plans. He shall be authorized to call the attention of the contractor to any failure of the work or materials to conform to the specifications and contract. He shall have the authority to reject materials which do not meet specification requirements or suspend the portion of the work involved until any question at issue can be referred to and decided by the Planning Commission.

3. Final Inspections: Upon completion of all the improvements, the subdivider shall request, in writing, a final inspection by the Planning Commission Engineer. The Planning Commission shall make a final inspection of streets, sidewalks, curbs and gutters, storm sewers, and other improvements required in these Regulations, and copies of final inspections of other agencies.

ARTICLE IX
General Provisions

900 PURPOSE

These subdivision regulations are designed to encourage the development of sound, healthful, and economically stable residential, commercial, industrial, and public areas; to provide for safe, convenient, and efficient traffic circulation; to coordinate land developments in order to insure that our future physical growth shall be orderly, efficient, and conducive to the minimum outlay of public and private expenditures in providing services to new growth areas; to minimize fire hazards and to provide for light and air in habitable structures; and to provide for the overall harmonious development of our entire community.

910 VARIANCES

These land subdivision regulations are adopted only as minimum requirements, and all developers should consider developing their subdivisions at higher standards. Thus, the developer is encouraged to go beyond the standards of these regulations and the Commission may require standards above the minimum contained herein whenever it feels that public health, safety, or welfare purposes justify such increases. The Commission also may 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 varied regulations. Any variances granted by the Commission shall be noted in its official minutes along with reasons which justified the granting of the variance.

A. Exceptional and Undue Hardship

Where the Commission finds that strict compliance with these regulations would create an undue hardship because of exceptional and unique topographic or other physical conditions encountered on the particular land, the Commission may modify these regulations to the extent necessary to relieve the undue hardship; provided, however, that such resulting variances may be granted without detriment to the public good, and without impairing the desirable general development of the neighborhood and the community as proposed in the Comprehensive Plan. If such modification is determined to be a substantial departure from these regulations, a public hearing may be required prior to Planning Commission action.

B. Design Innovation and Large Scale Development

These regulations may be modified by the Commission in the case of plans for complete neighborhoods or other design innovations which, in the Commission's opinion, still achieve the basic objectives of these regulations. The Commission shall require those conditions, such as covenants or other legal provisions, which it feels are necessary to assure conformity to, and achievement of, the proposed subdivision plat.

C. Approval of Dimensional Variances by Planning Commission

In conjunction with the review and approval of subdivision plans/plats, the Planning Commission is authorized by KRS 100 to grant dimensional variances upon finding that:

1. The variance is a result of customary design standards or innovative design which, in the Commission's opinion, still achieve the basic objectives of the zoning laws and subdivision regulations; or

2. Strict compliance with the regulations would create an undue hardship because of exceptional and unique topographic or other physical conditions encountered upon the particular land, and the resulting variance may be granted without detriment to the public good.

920 AMENDMENTS

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

930 VIOLATIONS AND PENALTIES

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

A. No Subdivision of Land before Approval

No person or his agent shall subdivide any land before securing the Planning Commission's approval of a plat designating the areas to be sold.

B. No Selling of Land before Approval

No subdivider owning land composing a subdivision, or his agent, shall transfer or agree to sell any lot or parcel of land located within such a subdivision by reference to, or by exhibition, or by any other use of a plat of such subdivision, before such plat has been approved by the Commission. Any such instrument of transfer, sale, or contract shall be void and shall not be subject to be recorded, but all rights of such purchaser to damages are hereby preserved.

C. Metes and Bounds Descriptions No Exception

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

D. Penalties

Any person or entity who violates any of the provisions of KRS 100 or any of the regulations adopted pursuant thereunder 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.

E. Other Penalties

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.

F. Injunctions

The City of Winchester, the County of Clark, or the Planning Commission may bring action in the circuit court to prevent, correct, or abate the unlawful sale or use of land in violation of these regulations.

940 SEPARABILITY

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 being the intention of the Commission to adopt each and every provision of these regulations separately.

950 PREVIOUS REGULATIONS

Any previous subdivision regulations adopted by any Planning Commission of Winchester or Clark County are hereby repealed.

960 EFFECTIVE DATE

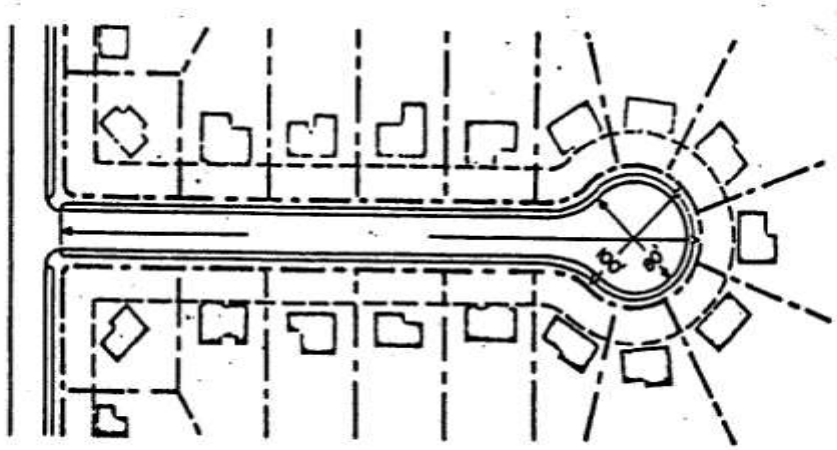
These regulations shall be in full force and effect as of the date of their adoption by the Winchester/Clark County Planning Commission.

Public Hearing held by on the Winchester/Clark County Planning Commission on August 2, 1994.

Approved by the Winchester/Clark County Planning Commission on March 7, 1995.

Approved by the Winchester/Clark County Planning Commission December 2012.

Winchester/Clark County Planning Commission Chairman Date



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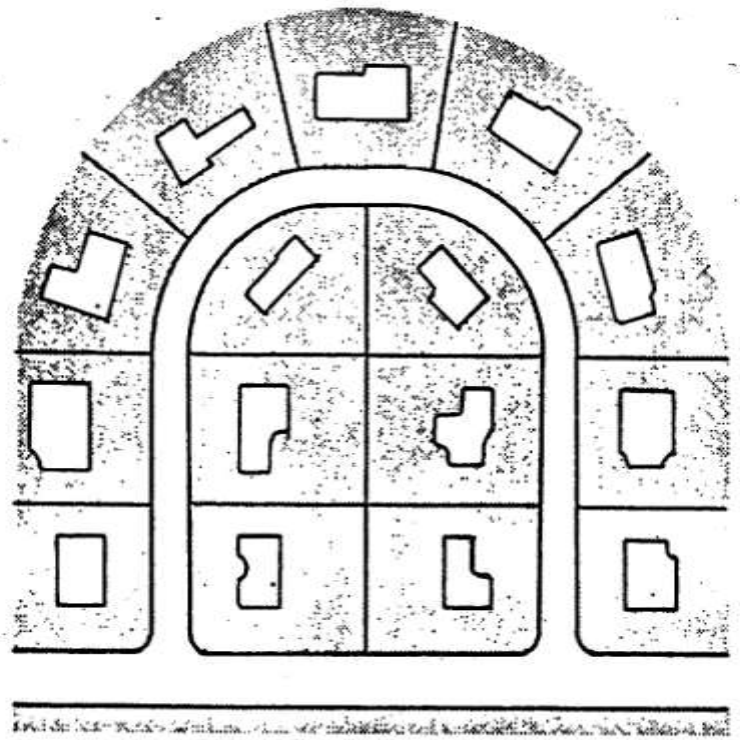
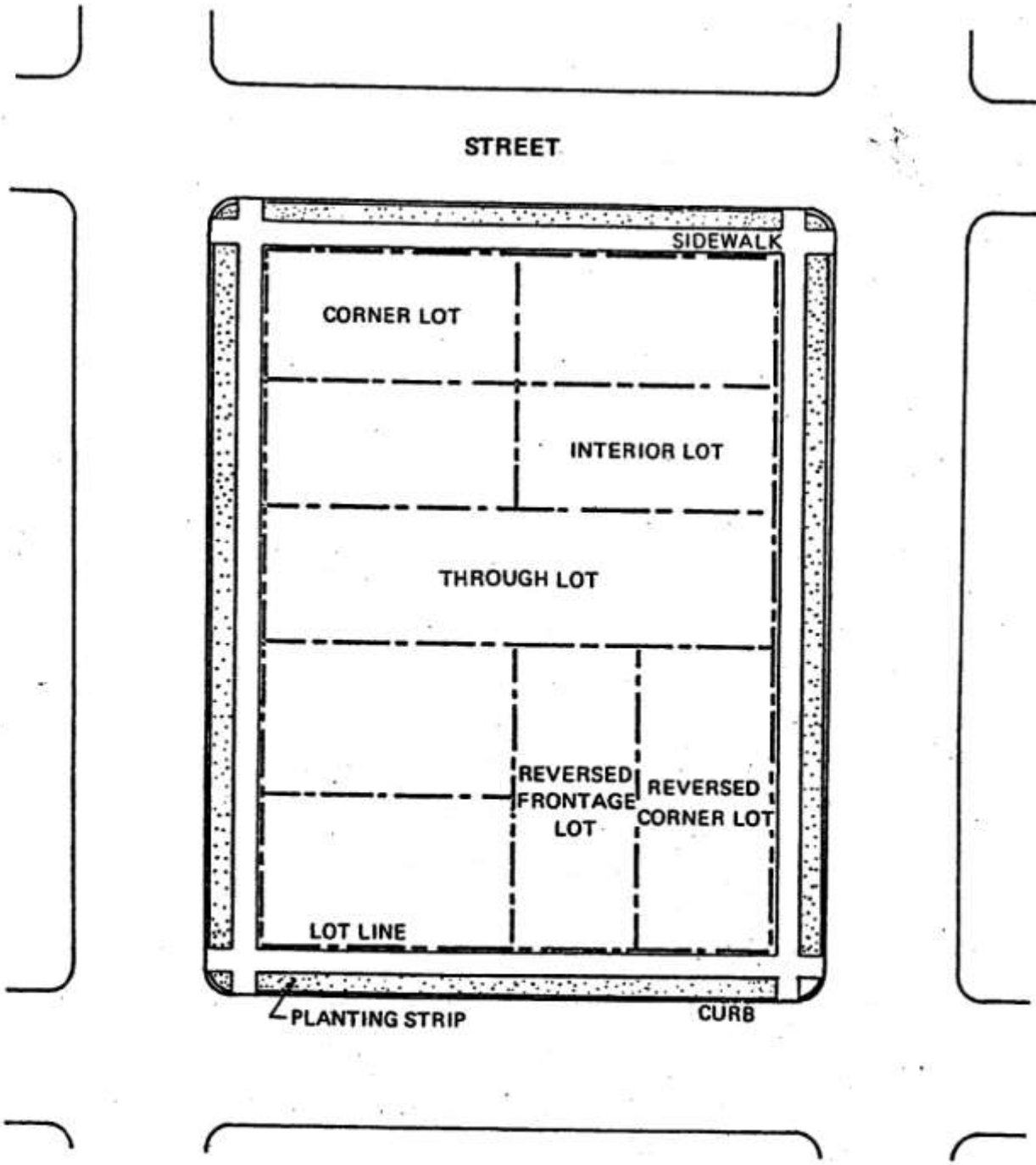


LOOP STREET

Types of Lots



Classification of the Thoroughfare System

Lot Terms

APPENDIX B

Forms

PRELIMINARY PLAN CHECKLIST

Date_____ _____Application Number
Subdivision

The following item(s) (does, does not) conform with the requirements of the Winchester/Clark County Subdivision Regulations. All Preliminary Development Plans shall conform with the requirements of Section 620(A) of the Winchester/Clark County Subdivision Regulations. All Preliminary Plans shall conform with the requirements of Section 630 of the Winchester/Clark County Subdivision Regulations.

Does	Does Not	Item
1. _____	_____	Name of Subdivision (no duplication permitted) (Section 630(B)(1)(a))
2. _____	_____	[illegible] 630(B)(1)(c))
3. _____	_____	[illegible] (Section 630(B))
4. _____	_____	Scale of 1" = 50' or less (Section 630(B)(2))
5. _____	_____	Date of preparation, north arrow, written scale (Section 630(B)(1)(d))
6. _____	_____	Names of adjacent subdivisions and owners
7. _____	_____	Zoning classification of all major parcels and proposed changes
8. _____	_____	Topography at 2' intervals

9. _____ _____ Location, width, and names of existing streets, right-of-ways, easements
(Section 630(B)(2)(a)(i) and (ii))

10. _____ _____ [illegible]
630(B)(2)(a)(vi))

11 _____ _____ Location of existing utilities including sewers, water lines, and communication lines or poles (Section 630(B)(2)(a)(iii))

12 _____ _____ Layout, names and widths of proposed streets or easements and proper dedications (Section 630(B)(2)(b)(i))

13. _____ _____ Layout and approximate dimensions of all lots (Section 630(B)(2)(b)(iii))

14. _____ _____
Building setback lines (Section 630(B)(2)(b)(iii))

15. _____ _____ Survey
monuments of adjacent properties

16. _____ _____ [illegible]
(Section 630(B)(2)(b)(v))

17. _____ _____ Proposed use of lots (Section 630(B)(2)(b)(v))

18. _____ _____ Sewage treatment and site evaluation results (Section 630(C)(3))

19. _____ _____ Adequate preliminary improvement plans

20. _____ _____ Required certifications

21. _____ _____ Stormwater study and drainage calculations (Section 630(C)(3))

22._____ _____ Design based on CBR test results for every 500 lf oft. (Section 840(B) (6))

23._____ _____ Tpye A or B drainage box inlets provided (Section 850(D))

Date

Title of

Position

Signature _

Revised8/1/00

FINAL PLAT CHECKLIST

Date _____Application Number
Subdivision

The following item(s) (does, does not) conform with the requirements of the Winchester/Clark County Subdivision Regulations. All Final Development Plans shall conform with the requirements of Section 620(B) of the Winchester/Clark County Subdivision Regulations. All Final Plats shall conform with the requirements of Section 640 of the Winchester/Clark County Subdivision Regulations.

Does Does Not Item

1. _____ _____ Submitted within 12 months of preliminary approval
2. _____ _____ Conforms to preliminary plan and incorporates suggested changes
3. _____ _____ Name of subdivision (Section 640(C)(1)(a))

4. _____ _____ Written scale, Date and North arrow(Section 640(C)(1)(d))

5. _____ _____ Property Identification (Section 640(C)(1)(b))

6. _____ _____ [illegible] 640(C))

7. _____ _____ Name and address of owner, surveyor, and engineer (Section 640(C)(1)(c))

8. _____ _____ Accurate survey data - seconds; lineal dimensions to hundredths of feet;
radii; internal angles; points of curvature; tangent bearing; lengths of arcs; lengths of cords (Section 640(C)(4)(c), (e) and (i))

9. _____ _____ Closure (Section 640(C)(2)(b))

10. _____ _____ Bearings and distances to permanent monuments (Section 640(C)(4)(c))

11. _____ _____ [illegible] of easements (Section 640(C)(4)(i))

12. _____ _____ Lot numbers, dimensions, and addresses (Section 640(C)(4)(i),(j),(k),(m))

13. _____ _____ Location and description of monuments (Section 640(C)(4)(g) and (h))

14. _____ _____ Building setback lines (Section 640(C)(4)(m))

15. _____ _____ [illegible] (Section 640(C)(4)(l))

16. _____ _____ Final deed restrictions (Section 640(C)(4)(n))

17. _____ _____ Required final certifications (Section 640(C)(2))

18. _____ _____ Special notes (Section 640(C)(4)(p))

19. _____ _____ Acreage on plat (Section 640(C)(4)(f))

20. _____ _____ Thirty (30) foot dedicated right-of-way (Section 420(D)(4))

21._____ _____ All proposed & existing roadway entrances indicated and certification that proposed entrance(s) have been aproved by the agency having jurisdiction (Section420(D)(10))

22._____ _____ Existing improvements, structures and utilities.(Section 420(D)(19))

23._____ _____ Health Dept. approval. (Section310(A)(2)(e))

24._____ _____ Flood plain elevation or appropiate notation. (Section640(C)(4)(o))

25._____ _____ [illegible] and proof roll test(840(B)(11)

26._____ _____ Cluster Worksheet (for ag. Divisions> 60 acres or 8 tracts).(Section310b(2f)

Date Title

Signature _____(rev8/1/00)

TECHNICAL DESIGN AND IMPROVEMENT CHECKLIST

The following item(s) (does, does not) conform with or does not apply (N/A) to the requirements of Articles VII and VIII of the Winchester/Clark County Subdivision Regulations.

Does Does Not N/A Item

General

1. _____ _____ _____ Conformance with major street plan
2. _____ _____ _____ Conformance with zoning regulations
3. _____ _____ _____ No flood hazards

4. _____ _____ _____ Acceptable natural drainage and erosion control
5. _____ _____ _____ Steep slopes not limiting factor
6. _____ _____ _____ Large trees and other significant natural features
7. _____ _____ _____ Areas of historical or cultural significance

Streets (Sections 710 and 830(A)and(B))

8. _____ _____ _____ Right-of-way widths
9. _____ _____ _____ Pavement widths
10. _____ _____ _____ Radius of curvature
11. _____ _____ _____ Horizontal visibility
12. _____ _____ _____ Vertical alignment and visibility
13. _____ _____ _____ Grades
14. _____ _____ _____ Cul-de-Sacs
15. _____ _____ _____ Turn-around radius - ROW - and pavement
16. _____ _____ _____ Dead-end streets
17. _____ _____ _____ Dedication and addition of half streets
18. _____ _____
19. _____ _____
20. _____ _____
21. _____ _____
22. _____ _____
23. _____ _____
24. _____ _____
25. _____ _____
26. _____ _____
27. _____ _____
28. _____ _____
29. _____ _____
30. _____ _____
31. _____ _____
32. _____ _____
33. _____ _____
34. _____ _____
35. _____ _____

____ Marginal access streets, points of access and planting strips
_____ Alleys
_____ Alignment of intersections
_____ Spacing of intersection relative to different road classifications
_____ Avoidance of multiple intersections _____ Avoidance of 4-way intersections _____ Pavement and ROW of intersections
_____ Streets for commercial subdivisions _____ Repair of pavement
_____ Streets for industrial subdivisions
_____ Crosswalks
_____ Street monuments
_____ Subgrade
_____ Base course
_____ Surface course
_____ Curbs and gutters
_____ Bridges
_____ Sidewalks
36. _____ _____ _____ Street names and numbers, signs

Lots (Sections 720 and 850)

37. _____ _____ _____ Size
38. _____ _____ _____ Setback lines
39. _____ _____ _____ Corner lot size
40. _____ _____ _____ Avoidance of double frontage lots
41. _____ _____ _____ Driveway culverts and grade
42. _____ _____ Monuments
43. _____ _____ _____ Grading plan

Others (Sections 730, 740, 750, 830, 840, 850, and 860)

44. _____ _____ _____ Parks and open spaces
45. _____ _____ _____ Type of water supply (Section 830(C))
46. _____ _____ _____ Test wells
47. _____ _____ _____ Type of sewage treatment (Section 830(D))
48. _____ _____ ____Percolation test results
49. _____ _____ [illegible] drainage report) (Section 840(E) and 850)
50. _____ _____ _____ Manholes
51. _____ _____ _____ Catch basins
52. _____ _____ _____ Headwalls
53. _____ _____ _____ Sufficient easements for utilities or open drainage
54. _____ _____ ____ Other utilities (Sections 830 (E), (F), (G))
55. _____ _____ Underground utilities (Sections 830 (F) and (G))

Date

Title

Signature

APPLICATION FOR PLAT APPROVAL

Winchester/Clark County

Planning Commission

Winchester, Kentucky

Date _____ Application No. _____

( ) Preliminary Plat (

) Final Record Plat

( ) Minor Subdivision Plat

1. Name of Applicant ____
   Address _____
   Phone _____
2. Name of Surveyor or Engineer
   Address _____
   Phone _____
3. Name of Subdivision ___
4. Present Zoning District _
5. Number of Lots _____
6. Total Area of Parcel

* * * *

For Official Use

COUNTY BOARD OF HEALTH

Date Received
A c t i o n
Comments

_____
_____
_____
_____
_____

Signature _____

* * * *

APPENDIX C

Pavement Designs Holding DGA Thickness Constant at 8"*

TRAFFIC LEVEL

CBR	A	B	C
1	8 in. DGA 6.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth =16"	8 in . DGA 7.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth = 17"	8 in. DGA 8.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth = 18"
2	8 in. DGA 5.5 in Asphalt Base 1.5 in. Asphalt Surf. Total Depth = 15"	8 in. DGA 6.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth = 16"	8 in DGA 7.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth = 17"
3	8 in DGA 4.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth - 14"	8 in. DGA 5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth = 14.5"	8 in. DGA 6.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth = 16"
4	8 in. DGA 3.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth - 13"	8 in. DGA 4.5 in. Asphalt Surf 1.5 in. Asphalt Surf. Total Depth - 14"	8 in. DGA 5.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth = 15"
5	8 in. DGA 2.5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth - 12"	8 in. DGA 4 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth = 13.5"	8 in. DGA 5 in. Asphalt Base 1.5 in. Asphalt Surf. Total Depth - 14.5"

* All Base depths are rounded up to the nearest 1/2 inch.

Traffic levels: A up to 400 adt,B up to 700 adt, C up to 1500 adt; where the adt exceeds 1500 the engineer shall submit design criteria. Where multiple CBR values are found the lowest value (higher number) shall be used.

APPENDIX D

1. Geodetic Control

The City of Winchester will make available all Geodetic Control information to be used for survey purposes. All coordinate values for these survey points shall be in Latitude Longitude using the North American Datum (NAD83) with a 1997 HARN adjustment. All Points should be projected into Kentucky State Plane System using the North American Datum (NAD83) with a 1997 HARN adjustment, Kentucky North Zone, FIPS zone 1601. All measurements shall be in US Survey Feet. The City's Geodetic Control network can be accessed through the Commonwealth of Kentucky National Geodetic Survey Advisor. see http://ngs.state.ky.us/

The surveyor or engineer preparing the plans shall tie the boundary into at least two points of the above mentioned survey control network. The basis of bearing for the plans must be in NAD83(1997) coordinate system.

If the Kentucky Geodetic Survey control points are not available and cannot be provided to the surveyor or engineer the above mentioned requirements will be waived. In these cases, the surveyor or engineer shall note and describe two reference locations. These locations will be used to tie the survey or plan to the state plane coordinate system.

2. Data Format

In addition to as-built plans submitted in hard-copy format, a digital copy of the file used to produce the hard-copy plans shall be provided in AutoCAD Drawing Format (Version 14 or greater). In addition to the AutoCAD Drawing file, a PostScript file will be created from the original software package, containing a "reproduction" of the hard-copy as-built plans.

All digital files must be mapped to scale and submitted to the city on 3.5" floppy disk or CDROM.

3. Data Layer Requirements

In order to evaluate the accuracy and promote the efficient use of the data in the City's GIS, digital file layering has been standardized. The digital data shall use the following layering scheme:

a.) Parcel Data

Layer Name	Description
PARCEL	PLAT and Taxable Parcel Lines
PARCEL_TXT	PLAT and Parcel Text (survey calls, ownership, etc.)
ROW	Plat & Condo ROW Lines
ROW_TXT	Right of Way text

Lot_Lines	Plat & Condo Lot Lines
LOT_TXT	Text for lot numbers and descriptions
Rd_Names	Road Names
Dimension	Plat & Condo Dimensions

WATER SYSTEM

b. Layer Name	Description
WA_MAIN	Water Mains
W_MN_TXT	Water Main Text
WAT_MH	Water Manholes
W_MH_TXT	Water Manhole Text
WVALVE	Water Values/not with manholes
WVLV_TXT	Water Valve Text
WAT_HYD	Hydrants
W_HYD_TXT	Hydrant Text
WLAT	Water Service Laterals
WLAT_TXT	Water Lateral Text

c. Sanitary Sewer

Layer Name	Description
SAN_SMN	Sanitary Sewer Mains
SAN_SMN_TXT	Sanitary Sewer Mains Text
SAN_SFRC	Sanitary Force Mains
SAN_SFRC_TXT	Sanitary Force Mains Text
SAN_SMH	Sanitary Manholes
SAN_SMH_TXT	Sanitary Sewer Manhole Text
SAN_SLAT	Sanitary Service Laterals
SAN_SLAT_TXT	Sanitary Service Laterals Text

d. Storm Sewer

Layer Name	Description
ST_SMAIN	Storm Sewer Mains
ST_SMAIN_TXT	Storm Sewer Main Text
ST_SLAT	Storm Sewer feeder lines
ST_SLAT_TXT	Storm Sewer feeder line Text
RET_PND	Storm water storage facilities
RET_PND_TXT	Storm water storage facility Text
ST_SMH	Storm Water manholes
ST_SMH_TXT	Storm Water manhole Text
ST_SINL	Storm Water Inlets
ST_SINL_TXT	Storm Water Inlet Text
ST_SCB	Storm Water Catch Basins
ST_SCB_TXT	Storm Water Catch Basin Text
ST_SHWLL	Storm Sewer head walls
ST_SHWLL_TXT	Storm Sewer head wall Text

4. Manually Prepared Plats

Survey data (for manually prepared plats) must be submitted in an ASCII text file within a rigidly defined tabular format.

5. Adjustments to these requirements

The City of Winchester may wave or adjust requirements specified herein, upon a finding that the strict adherence of the requirements does not apply or is contrary to the long-term maintenance of the GIS of the City of Winchester.

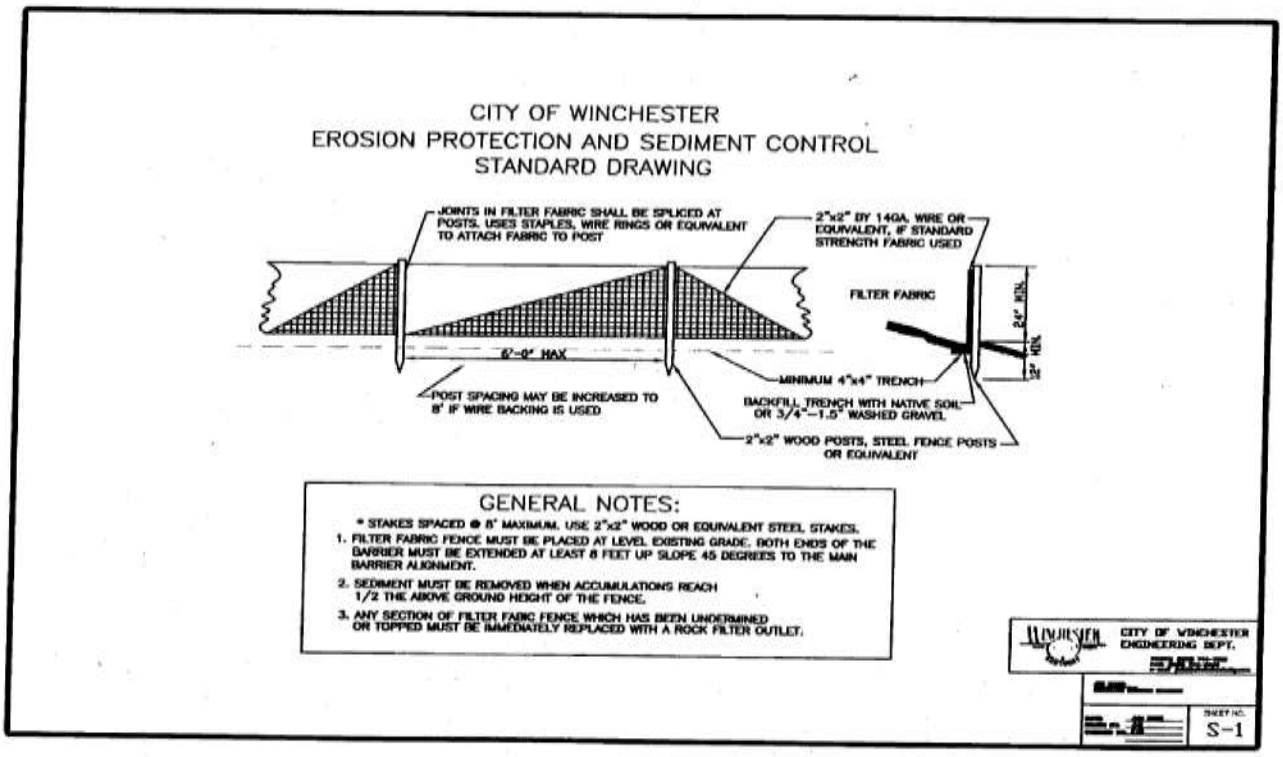
6. Review of Digital Data:

All digital data will be reviewed for the following criteria:

1. Correct layering
2. Closure of the geometry of the boundary
3. Verification that digital and hardcopy maps are consistent
4. Correct geographical position (i.e. correct coordinate values for final submission

The Applicant will be given ten (10) working days from the day of notification of errors to correct and resubmit the correct digital file prior to final approval by the Winchester Clark County Planning Commission.

APPENDIX E


CITY OF WINCHESTER
EROSION PROTECTION AND SEDIMENT CONTROL
STANDARD DRAWING
JOINTS IN FILTER FABRIC SHALL BE SPLICED AT POSTS. USES STAPLES, WIRE RINGS OR EQUIVALENT TO ATTACH FABRIC TO POST
2"x2" BY 14GA. WIRE OR EQUIVALENT, 4' STANDARD STRENGTH FABRIC USED
FILTER FABRIC
24" MIN.
2" MIN.
6'-0" MAX
MINIMUM 4"x4" TRENCH
POST SPACING MAY BE INCREASED TO 8' IF WIRE BACKING IS USED
BACKFILL TRENCH WITH NATIVE SOIL OR 3/4"-1.5" WASHED GRAVEL
2"x2" WOOD POSTS, STEEL FENCE POSTS OR EQUIVALENT
GENERAL NOTES:
* STAKES SPACED @ 8' MAXIMUM. USE 2"x2" WOOD OR EQUIVALENT STEEL STAKES.
1. FILTER FABRIC FENCE MUST BE PLACED AT LEVEL EXISTING GRADE. BOTH ENDS OF THE BARRIER MUST BE EXTENDED AT LEAST 8 FEET UP SLOPE 45 DEGREES TO THE MAIN BARRIER ALIGNMENT.
2. SEDIMENT MUST BE REMOVED WHEN ACCUMULATIONS REACH 1/2 THE ABOVE GROUND HEIGHT OF THE FENCE.
3. ANY SECTION OF FILTER FABRIC FENCE WHICH HAS BEEN UNDERMINED OR TOPPED MUST BE IMMEDIATELY REPLACED WITH A ROCK FILTER OUTLET.
CITY OF WINCHESTER ENGINEERING DEPT.
SHEET NO.
S-1

APPENDIX F

1-1 LANDSCAPING AND TREE PLANTING STANDARDS - The requirements for landscaping, land use buffers and tree planting shall be as follows:

1-1(a) LANDSCAPE AND LAND USE BUFFERS - All land subdivision plans shall conform to the requirements of Article 13 of the Zoning Ordinance.

1-1(b) STREET TREE PLANTINGS FOR RESIDENTIAL LOCAL AND COLLECTOR/CONNECTOR STREETS - Street plantings shall be required on all new collector/connector and local streets in all residential subdivisions in accordance with the following provisions:

1-1(b)(1) TYPE AND NUMBER - Trees to be planted shall be of the deciduous type, and shall be of a type of root growth pattern that minimizes potential damage to street and utility facilities. A listing of approved trees shall be included in the Planting Manual. Trees shall be required at the standard of one (1) tree per 45 feet of street frontage for large trees, 35 feet for medium trees, and 25 feet for small trees, as determined by the planning Commission.

1-1(b)(2) LOCATION CRITERIA - Two options shall be permitted at the developer's discretion. The first option shall be to place the trees within a planting easement with a minimum width of 5', to be located immediately adjacent and parallel to the street right-of-way. The second option shall be to plant the trees within the street right-of-way between the street curb and the sidewalk in the area, commonly called the "utility strip." The developer's choice shall be shown on the appropriate subdivision and development plans, and shall be consistent on any given street. Only small trees may be planted in a utility strip with a width of five (5) feet or less. Medium trees may be planted in a utility strip with a width of five and one-half (5.5) feet or greater, and large trees may be planted in a utility strip of seven (7) feet or greater. No street tree shall be located in the right-of-way within fifty (50) feet of the street intersection.

1-1(b)(3) PLATTING REQUIREMENT - The cross-section to be utilized and tree species shall be determined at the time of Commission action on the preliminary subdivision plan, and shall also be reflected on the final subdivision plan. Tree species shall be consistent for any given street, and at least one alternative species of the same genus shall be specified. The final plan will also indicate by symbol the number of trees required on each lot, based upon Section 1-1(b)(1) above, and their general location. The final subdivision plan shall also contain a note stating that the street trees required herein, either within the right-of-way or designated easement, shall be maintained by the property owner in accordance with Section 1-1(b)(5) herein below. A note stating that no tree may be removed without the approval of the Planning Office shall also appear on the final plan. A fee in the amount of ten dollars ($10.00) per tree shown on the plat, payable to the Planning Commission, shall be paid by the developer and collected by the Commission at the time of the recording of the final record plan.

1-1(b)(4) PLANTING - It shall be the responsibility of the developer to plant the street trees within one year from the date of the recording of the final record plat or or no later than occupancy of the residence, whichever occurs last.

1-1(b)(5) MAINTENANCE - The developer shall maintain all trees for a period of one year from the date of their planting and shall replace any required tree that dies within one year of its planting. Upon the expiration of one year from the date of planting, the owner of the subject property shall be responsible for the continued proper maintenance of all street trees and shall keep them in a proper, neat, and orderly appearance free from refuse and debris at all times. Topping trees or the severe cutting of limbs to stubs larger than three (3) inches in diameter within the tree crown to such a degree as to remove the normal canopy shall not be permitted for the maintenance of trees required by this section.

1-1(c) STREET PLANTINGS ON ARTERIAL STREETS - Street plantings shall be required for any double frontage lot in any zone that adjoins an arterial street not maintained by the state and which does not provide direct access to the adjoining property.

1-1(c)(1) TYPE, NUMBER, AND LOCATION - A continuous 6' high hedge shall be required with the same species to be used for the entire frontage of the development. Where possible, the hedge should be planted in the right-of-way, and 3' from the right-of-way fence. Trees should be planted in the right-of-way with the exact location to be approved by the Building Inspector. All trees are to be planted a minimum of 10' from the right-of-way fence. Where there is less than 10' between the right-of-way fence and the sidewalk, or where there is no sidewalk, less than 10' feet between the right-of-way fence and the curb line of the arterial street, no trees are required. No street tree shall be located in the right-of-way within fifty (50) feet of the intersection. Trees shall be required as described in Table Band the Plant Materials List in the Zoning ordinance shall be used to meet the minimum requirements set forth herein. Where, due to site restrictions, the planting cannot be placed in the right-of-way, the Commission may allow the landscaping to be placed on the adjacent property.

1-1(c)(2) PLATTING REQUIREMENT - The cross-section to be utilized and tree species shall be determined at the time of Commission action on the preliminary subdivision plan, and shall also be reflected on the final subdivision plan. Tree species shall be consistent for any given development, and at least one alternative species of the same genus shall be specified. The final subdivision plan shall also contain a note stating that the arterial street plantings required herein shall be maintained by the developer for one year from the date of planting. Such maintenance shall include replacing required plantings that die within the first year. After the first year, the adjacent property owner shall maintain the plantings.

1-1(c)(3) COMPLETION OF THE ARTERIAL STREET PLANTINGS - The required arterial street plantings shall be considered a public improvement and, as such, shall be fully installed prior to Commission consideration of the final record plan. The

Commission may, however, permit the plan to be approved and recorded prior to the completion of the plantings with the posting of a surety.

TABLE B: TYPE, NUMBER AND LOCATION OF TREES

LOCATION DESCRIPTION	REQUIRED TREES

(a) The elevation of the arterial is more than 10′ above the elevation of the adjacent property

(b) The elevation of the arterial is not more than 10′ above or is below the elevation of the adjacent property

(c) The intersection of a collector/connector street with the arterial

(d)Culverts and other wet locations