

**SUBDIVISION  
REGULATIONS**

**LONDON  
AND  
LAUREL COUNTY,  
KENTUCKY**

**EFFECTIVE DATE:**

**JANUARY 01, 2005**

**LONDON-LAUREL COUNTY PLANNING & ZONING COMMISSION**

**ARTICLE V**

## **LAND DIVISION AND DEVELOPMENT**

### **500 PURPOSE**

The purpose of this article is to provide for the harmonious development of land in London and Laurel County.

Land Subdivision is the first step in the process of community development. Once land has been divided into streets, blocks, lots and open spaces, a pattern has been established which usually determines how well community needs will be met for residential, business and industrial development. It also determines, to a great extent, how well it will be able to meet the demand for home sites, and how efficiently and economically it will be able to provide the many services demanded of it. After land has been subdivided and publicly recorded, it is very difficult and costly to correct defects and deficiencies in the subdivision layout and in the facilities provided. In addition, a subdivided area, sooner or later, becomes a public responsibility in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many respects. The guidance of land development in harmony with community objectives is, therefore, a matter of serious public concern and it is in the interest of the public, the developer and the future owners that subdivisions be conceived, designed and developed in accordance with sound rules and proper minimum standards. These Subdivision Regulations and the London-Laurel County Comprehensive Plan, certified copies of which are filed in the office of the County Clerk of Laurel County, Kentucky, are designed to provide for the harmonious development of the subdivided areas; for a coordinated layout; for the proper arrangement of streets; for adequate and convenient open spaces; for traffic, utilities, recreation, light, air and access of fire-fighting equipment; for avoidance of population congestion through requirements for minimum lot widths and lot areas; for adequate provision of water, drainage, sewer and other sanitary facilities; and for reducing flood damage potentials to the greatest extent possible.

**AUTHORITY AND ADMINISTRATIVE AGENCY** - These subdivision regulations were prepared and adopted by the London-Laurel County Planning Commission pursuant to the authority of Chapter 100, Section 100.273 through 100.291 of the Kentucky Revised Statutes. They shall be administered by the London-Laurel County Planning Commission. The London-Laurel County Planning Commission, established in accordance with Kentucky Revised Statutes, Chapter 100, Sections 100.133 through 100.181, has fulfilled the requirements set forth in the applicable sections of the Kentucky Revised Statutes as required for the adoption of such regulations.

**AREA JURISDICTION** - The London-Laurel County Planning Commission, through these Subdivision Regulations, shall have jurisdiction and control over the subdivision of all land within Laurel County, including the Corporate Limits of London.

### **DEFINITIONS**

**Developer** - A developer is the individual, partnership, corporation or other legal entity or agent, thereof, which undertakes the activities covered by these regulations. The term “Developer” includes subdivider, owner and builder.

**Subdivision** - Means the division of a parcel of land into three (3) or more lots or parcels except in a County containing a City of the first, second or third class or in an urban-county government were a subdivision means the division of a parcel of land into two (2) or more lots or parcels; for the purpose, whether immediate or future, of sale, lease or building development or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes resubdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or redivision of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision within the meaning of this section.

***Definition Clarification Statement -***

- 1. Partial conveyances of property are limited to two tracts or parcels of less than five (5) acres per calender year. Three (3) or more partial outconveyances of tracts or parcels of less than Five (5) acres within one calender year will require submittal and approval of a subdivision plan.***
- 2. Unlimited partial outconveyances of property tracts equal to or exceeding five (5) acres in size that are for Agricultural use are allowed.***
- 3. Any partial outconveyance that requires a new street to be constructed shall be deemed a subdivision. “Street”, for the purpose of this regulation means an access way from a public road to or upon private property that is proposed to be incorporated into the county or city road system. No roadway constructed after the effective date of this regulation may be accepted into the county or city road systems unless a subdivision plan has been submitted.***

***Family Exemption - In the case of an individual wishing to divide their estate between his/her immediate family (Children, Siblings, Parents or Grandparents) and said division is not intended for future development, no subdivision plan shall be necessary.***

**Agricultural Use** - Means the use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including, but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public and shall also include regardless of the size of the tract of land used, small wineries licensed under KRS 243.155 and farm wineries licensed under the provisions of KRS 243.156.

**SUBDIVISION OF A PORTION OF A LARGER TRACT** - Whenever a part of a tract is proposed to be subdivided and it is intended that additional parts of the tract be subdivided in the future, a sketch plan for the entire tract shall be submitted to the Planning Commission at the same time the Subdivision Plat for the first part of the tract to be platted is submitted.

**IMPROVEMENTS** - Improvements are physical changes made to raw land, including structures placed on or under the land surface, in order to make the land more usable for man's activities. Typical improvements in these regulations include, but not limited to, grading, street paving, curbs, gutters, drainage ditches, storm and sanitary sewers, utility lines of all types, street name signs and property number signs.

**LOT** - A lot is a portion of a subdivision plan or the basic unit thereof intended for transfer of ownership or for building development.

**500.1 SPECIAL CALLED MEETINGS**

Special called meetings may be called by the chairman of the Planning Commission or at the request of an individual. If an individual wishes to have a Special Called meeting of the Planning Commission, they are required to make the request at least seven (10) days prior to the date. At this time they will pay a fee of \$1350.00 to the London-Laurel County Planning Commission to cover expenses that the Commission may incur.

**501 PROCEDURES**

The review of subdivision plats within the City of London and Laurel County shall follow the procedures described in the following text.

PARTICIPANTS	ACTIONS
Developer/Applicant	Submits application to Planning/Codes Office
Codes Office	Reviews application Schedules Plat for review by Planning Commission
Planning Commission	Reviews recommendations of Codes Officer Hears Testimony on Plat Approves or Disapproves Plat

**502 INFORMAL ADVISORY MEETING**

The subdivider may submit an informal proposal to the Planning Commission to determine the reasonableness of proceeding with a formal subdivision application. The request for an informal

meeting should be filed with the Codes Office at least ten (10) working days prior to the next regularly scheduled meeting of the Planning Commission.

The subdivider should submit a sketch plat of the proposed project with the following information included as a minimum:

1. Name of Subdivision, Date, Scale and North Arrow.
2. A vicinity sketch map showing general location, surrounding property, existing roads and major physical features.
3. Generalized layout of property showing shape, approximate dimensions and total acreage.
4. Generalized layout of proposed lots, streets and utilities.
5. Intended land use.
6. Relationship to services (Parks, schools, etc.).

The Codes Officer shall review the proposal and try to provide enough guidance to allow the applicant to decide whether or not to proceed any further. It is not the purpose of this meeting for the Planning Commission to commit to any specifics of the proposed subdivision.

### **503 PLAT DETERMINATION**

At the time an application for subdivision is filed (including a request for an informal meeting), the Codes Officer shall determine whether the proposal constitutes a preliminary or final plat. All plats shall be prepared by a qualified registered engineer or land surveyor.

#### **503.1 PRELIMINARY PLATS**

The preliminary plat is designed to provide the Planning Commission with a detailed graphic statement of lot layout and proposed improvements. The preliminary plat is a very important document because it serves as the basis of initial construction of public improvements. No modification (cutting, filling, etc.) shall be made to the land in question prior to preliminary plat approval. The processing of a preliminary plat shall follow the steps indicated below:

1. The subdivider (or authorized representative) shall file an application with the codes office at least ten (10) working days prior to the next regular scheduled meeting of the Planning Commission.

The Codes Office shall review the preliminary plat and shall consider the following items in its review process:

- A. Conformance with this Ordinance.
- B. Conformance with the Comprehensive Plan.

C. Comments from other public officials and agencies.

Upon the completion of the review by the Codes Office, the copy of the review shall be provided to the subdivider with a written statement regarding the conditions to be met, or the reasons for disapproval.

Within sixty (60) days of the preliminary plat, it shall take one of the following sections:

- a. Approve the plat unconditionally
- b. Approve the plat subject to conditions being met
- c. Disapprove the plat
- d. Postpone taking action for thirty (30) days with specific stated reasons for the action.

Approval of the preliminary plat by the Codes Office does not constitute approval of the subdivision but is merely an authorization to proceed with preparation of the final plat.

If the preliminary plat is approved, one copy shall be returned to the subdivider for compliance with final plat requirements. Such approval is effective for one year from the date of approval. During that time, the general terms and conditions under which the plat was approved will not be affected by any changes to these regulations. The subdivider may receive a six month extension on approval provided he/she submits a written request to the Planning Commission and they approve the request.

**Waivers** - The Planning Commission may waive the requirements in any individual case where in its judgement such a waiver would be in the public's interest and would eliminate an undue hardship. No waiver shall be granted which will have the effect of nullifying the intent and purpose of these regulations.

*Any waiver that is being requested, shall be made in writing and placed upon the plat. And shall contain sufficient information to describe the waiver being requested. No waiver will be given to any developer that provides them with power to grant or deny variances or waivers. If such is indicated in the private restrictions/covenants or demonstrated in any manner, subdivision plan will not be approved.*

## **503.2 PLAT AMENDMENT**

If the preliminary plat has been approved by the Codes Office and the subdivider desires to make changes, it will be necessary to file an amended preliminary plat for review as described in section 503.3 (Plat Amendment).

**503.2.1 FINAL PLATS** - The final plat serves as the plat of record for public recording and transfer of land and as a check to assure that all subdivision requirements have been met. The final plat shall conform substantially to the preliminary plat as approved, and it may constitute only a portion of the preliminary plat which the subdivider proposes to record and develop.

**REQUIRED IMPROVEMENTS PREREQUISITE TO APPROVAL** - A perfectly prepared and recorded subdivision or plat means little to a prospective lot purchaser until he/she can see actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. Improvements by the subdivider spare the community a potential tax liability. The following tangible improvements are required in order to assure the physical reality of a subdivision which approval and recording will establish legally.

a. **MONUMENTS**

- (1) Concrete monuments at least thirty-six (36) inches in length and four inches in diameter or four inches square shall be set at all corners on the plat.
- (2) All other monuments set (lot corners, etc.) shall conform to the requirement of the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors.

The final plat shall be submitted to the Planning Commission for their review and action within one (1) year of approval of the preliminary plat. Failure to do so will result in an expiration of the preliminary plat. Failure to do so will result in an expiration of the preliminary plat, making it null and void and requiring resubmission of a new preliminary plat. An extension of six (6) months may be granted, provided the subdivider submits a written request for the extension and it is approved by the Planning Commission.

Eight (8) Copies of the final plat application shall be filed in the Codes Office at least ten (10) working days prior to the next regularly scheduled Planning Commission meeting. The final plat shall include all of the information required on the final plat checklist. Plat size shall not exceed 18" x 24", for final plat. Final Plats must be originals, no "Blueline" copies will be accepted.

The Planning Commission shall review the final plat to insure that all requirements of this Ordinance are met. The subdivider has the option of completing all of the required improvements prior to final plat submission or posting some form of surety (bond, certified check, irrevocable letter of credit, etc.) to adequately cover the cost of improvements not completed. The estimated costs of improvements pending must be provided by an engineer and must be approved by the commission.

Following review of the final plat, the Planning Commission shall take the appropriate action:

- a. Approve the plat unconditionally.
- b. Approve the plat with conditions.
- c. Disapprove the plat.
- d. Delay action on the plat for thirty (30) days.

The reasons for the action taken shall be provided in writing to the subdivider.

Failure of the Planning Commission to act upon the final plat within thirty-five (35) days shall be deemed approval of the plat. Approval of the final plat by the Planning Commission shall not constitute acceptance by the public of the dedication of any street, other public ways or ground.

Following approval of the final plat, the Planning Commission shall return one (1) copy of the plat to the subdivider with the Planning Commission certification thereon for filing with the County Clerk as an official plat of record. A final plat must be recorded within one (1) year of approval by the Planning Commission or else the approval is considered null and void. The subdivider shall provide the Planning Commission with evidence of the plat being recorded within thirty (30) days of the action. The subdivider may request an extension of six (6) months. Such written request must be submitted to the Planning Commission prior to the plat's expiration for their review and approval.

### **503.3 PLAT AMENDMENT**

Substantial changes to the final plat, as determined by the Planning Commission, will require the submission of an amended final plat in accordance with procedures indicated previously. Changes not determined as substantial shall still be reviewed by the Planning Commission, but shall not require filing of an amended plat.



**503.4 PLAT REVIEW CHARGE**

A charge shall be made for the examination and approval or disapproval of every plat reviewed by the Planning Commission, the subdivider shall deposit with the Planning Commission checks payable to the Planning Commission in the amount of One Hundred Dollars (\$100.00) for each plat and an additional Five Dollars (\$5.00) for each lot shown on such plat, there is a One Hundred and Fifty Dollar (\$150.00) minimum.

If the subdivider does not appear at the Planning Commission meeting in which the plat is reviewed and the plat is disapproved, the applicant shall be required to file another application and pay appropriate charges unless due cause for absence can be shown.

**503.5 PLAT REVOCATION**

The Planning Commission may revoke the approval of a subdivision plat, including all dedications of public facilities, easements and right-of-way under the following conditions:

- a. An application for revocation is made by the Planning Commission or all persons owning land comprising the subdivision.
- b. No person has purchased a lot shown on the plat.

A revocation shall become effective only upon:

- a. A revocation document being appended to the record plat stating that such plat has been revoked and the date of such vote of revocation; such document shall be signed by the chairman of the commission; and
- b. A written approval of such revocation filed with the Commission, duly signed by each entity to which an offer of dedication of any public facility, easement or right-of-way was made on the plat.

The remedy provided in this section is in addition to all other remedies provided by law and shall not impair the right of the Commission or any interested party from filing an action in circuit court for such relief as may be appropriate.

**503.6 PLAT CHECKLIST**

The following information shall be provided on the plat or in supporting documentation as indicated:

	Preliminary	Final
1. Name of Subdivision	x	x

2. Date of Plat	X	X
3. Plat type (Prelim/Final)	X	X
4. Graphic Scale	X	X
5. North Arrow	X	X
6. Acreage being Subdivided	X	X
7. Name and Address of Property Owner/Subdivider		
8. Name, address and seal of Registered Professional Engineer or Land Surveyor Who prepared the plat	X	X
9. <b><i>Names of adjacent property owners</i></b>		<b>X</b>
10. Names of abutting streets	X	X
11. Vicinity sketch map, subject property and land within ½ mile to include roads, etc.	X	X
12. <b><i>Proposed subdivision layout at Appropriate scale</i></b>	<b>X</b>	<b>X</b>
13. <b><i>Approximate distances</i></b>	<b>X</b>	
14. Final Bearings and Distances		X
15. <b><i>Locations of monuments and pins</i></b>		<b>X</b>
16. Physical features (streams, sinkholes, Ponds, etc.).	X	X
17. Contour lines at intervals not greater Than ten (10) feet.	X	X
18. Streets		
Existing and Proposed:		
Location	X	X
Pavement Width	X	X
Right-of-way Width	X	X
<b><i>Radii points of Curvature</i></b>		<b>X</b>
<b><i>Arcs (proposed only)</i></b>		<b>X</b>
<b><i>Finished grades</i></b>		<b>X</b>
Names (approved by 911 center)	X	X
Length of Cul-de-Sac	X	X
Drawing of street section	X	X
19. Utilities		
Water lines: location and size	X	
Fire hydrants	X	X
Sewer lines: location and size	X	
Electric lines: location	X	
Easements: location, size and use	X	X
20. Drainage		

Curb and Gutter: location and Specifications (if required in the City of London)		x
Culverts: location and size	x	x
Ditches	x	x
Easements: location and dimension	x	x
Location and description of Receiving stream or pipe on Adjacent property	x	x
21. Erosion controls		
Drainage features	x	x
22. Date submitted for preliminary Approval	x	x
23. Zoning district if located in the City of London	x	x
24. Copies submitted ten (10) days Prior to meeting	x	x
25. <b><i>Notification of hearing to subdivider and adjoining property owners</i></b>		<b>x</b>
26. <b><i>Copies sent to City Engineer and county health officer for recommendation</i></b>		<b>x</b>
27. Copies of private deed restrictions	x	x
28. Copy of completed subdivision application form	x	x
29. Statement of deed restrictions and protective covenants	x	x
30. Typical street cross-section	x	x
31. <b><i>Certification on plat showing street approval</i></b>		<b>x</b>
32. Copies sent to City utilities Commission of London, KY for recommendation	x	x
33. Proposed lot lines and lot numbers	x	x
34. <b><i>All dimensions to the nearest 100<sup>th</sup> of a foot and all angles to the nearest Second</i></b>		<b>x</b>
35. Lot lines, street lines and street names	x	x
36. Building setback lines	x	x
37. Lots numbered	x	x
38. <b><i>Certification on plat of water system and fire hydrant approval</i></b>		<b>x</b>
39. <b><i>Certification of ownership of property with reference to Deed Book and Page number</i></b>		<b>x</b>
40. <b><i>Certification of accuracy by</i></b>		<b>x</b>

*Engineer/Surveyor*

- 41. *Certification that subdivider has complied with one of the following:*
  - a. *Has completed all improvements* x
  - b. *Has posted sufficient bond for completion of all improvements* x
- 42. *Certification on plat by Chair of Planning Commission that the plat has been approved for recording* x
- 43. *Certification on plat by County Clerk that plat is accepted for Filing and recording* x
- 44. *Original print or final plat returned to owner* x
- 45. *Flood Plain Information* x
- 46. *Furnish copy of final recorded plat to Judge Executive for Fiscal Court Minutes.* x

**Note:** Final construction plans (as-built drawings) for sanitary facilities, storm water disposal, water supply, other utilities and streets shall be submitted upon completion of improvements.

**503.7A CERTIFICATION OF APPROVAL OF STREETS  
WITHIN THE CORPORATE LIMITS OF LONDON**

I hereby certify: (1) That the streets have been installed in an acceptable manner and according to the City specifications in the subdivision entitled \_\_\_\_\_

Or (2) That a performance bond in the amount of \$ \_\_\_\_\_

has been posted with the City to assure completion of all street improvements in the case of default.

All streets remain the responsibility of the developer until approved and accepted by the City Council which may be after fifty percent (50%) of the lots are occupied or three (3) years from approval of this plat.

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City Representative

Date

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City Road Foreman

Date

**503.7B**

**CERTIFICATION OF STREETS  
IN LAUREL COUNTY**

I hereby certify: (1) That the streets have been installed in an acceptable manner and according to the County specifications in the subdivision entitled \_\_\_\_\_

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Or (2) That a performance bond in the amount of \$ \_\_\_\_\_

has been posted with the County to assure completion of all street improvements in the case of default.

All streets remain the responsibility of the developer until approved and accepted by the Laurel County Fiscal Court which may be after fifty percent (50%) of the lots are occupied or three (3) years from approval of this plat.

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County Representative Date

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County Road Foreman Date

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Magistrate Date

**503.8                    SUGGESTED FORMS FOR FINAL PLAT CERTIFICATION**

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

**FORM 1  
(On Plat)**

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines and dedicate all streets, alleys, walks,

park and other open spaces to public or private use as noted.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

***Must Include Notary Statement***

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**CERTIFICATE OF ACCURACY**

FORM 2  
(On Plat)

I hereby certify that the plan shown and described hereon is a true and correct survey to the *precision* required by the London-Laurel County Planning Commission and the monuments have been placed as shown hereon, to the specifications of the County/City Engineer.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registered Engineer/Surveyor

**CERTIFICATE OF APPROVAL FOR RECORDING**

FORM 3  
(On Plat)

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations for the London-Laurel County Planning Commission with the exception of such variances, if any, as are noted in the minutes of the Planning Commission and that it has been approved for recording in the office of the County Clerk.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman or Secretary of the Planning Commission

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**CERTIFICATION OF THE APPROVAL OF FIRE HYDRANTS**  
**FORM 4**  
**(On Plat)**

I hereby certify that fire hydrant(s) have been installed in an acceptable manner according to the City/County specification in the subdivision entitled

\_\_\_\_\_

or, (2) that a performance in the amount of \$\_\_\_\_\_ has been posted with the City/County to assure completion of all fire hydrant(s) installations in case of default.

\_\_\_\_\_  
City or County Representative

\_\_\_\_\_  
Date

**504 DESIGN AND DEVELOPMENT STANDARDS**

**504.1 PURPOSE**

The Planning Commission is authorized under Kentucky Revised Statute 100.281 to specify design requirements for streets, blocks, lots, utilities, recreation areas, other public facilities and hazardous areas including land subject to flooding within the City of London and Laurel County. Furthermore, the Commission is responsible for insuring that such standards are enforced during development as a condition of subdivision plat approval.



## 504.2 STANDARDS

The standards for public improvements shall be utilized to assure the conformance of subdivisions to the Comprehensive Plan.

**Minimum Standards** - The standards set forth in this section are considered to be minimum acceptable standards of design for safe, efficient and economical community development. Where the Commission determines that excess capacity facilities are needed, as defined in the respective sections, the legislative body shall be responsible for arrangements to cover the cost of that capacity required beyond what is needed to serve the immediate development.

**Developer's Responsibility** - Generally, the Developer shall be responsible for providing the land and constructing those public improvements required to serve his development. It is also the Developer's responsibility to notify the proper governmental agency when improvements are underway so that the work can be inspected to insure compliance with this ordinance. Similarly, the developer is required to notify the appropriate governmental agency when work is completed so that final inspection can be conducted.

**Development Plan** - Commercial, industrial and large scale residential development (10 or more apartments, townhouses, etc.) shall submit a development plan to the Administrative Official to insure compliance with the design and improvement standards described in this ordinance. The Development Plan will be reviewed by the Planning Commission in keeping with the procedures indicated in Section 501.

**Land Suitability** - If the Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, poor drainage, topography or other such conditions which may endanger health, life or property, the Commission shall not approve the land for subdivision unless adequate methods are proposed by the subdivider for solving problems that will be created by the development.

The Planning Commission may refuse to approve what it considers to be scattered or premature subdivision of land which would involve danger or injury to public health, safety, welfare, by reason of lack of a water supply, schools, proper drainage, adequate roads or transportation facilities or other public services or which would necessitate an excessive expenditure of public funds for the supply of such services.

**Natural Features** - The street plan and lot arrangement of a proposed subdivision shall be so designed as to preserve natural features such as trees, streams, natural lay of the land and disposition of the topsoil.

### **504.3 DRAINAGE AND EROSION CONTROLS**

Significant erosion results from rainfall and runoff over unprotected soil. Erosion is increased by intense rainfalls, long slopes, steep slopes and lack of vegetative cover. These conditions are in part caused or aggravated by improper construction, grading or excavation practices which fail to adequately provide for erosion control.

This section of the regulation is designed to reduce soil erosion and to provide procedures for submission, review and approval of the subdivision and development plans.

**504.3.1 SCOPE OF COVERAGE** - The following are included within the scope of these regulations:

All persons submitting subdivision or development plans for property in Laurel County or the City of London must include a statement that no grading, excavating, stripping, filling or other disturbance of the natural ground cover shall take place prior to approval of subdivision or development plan. The plan to control erosion shall be submitted along with the subdivision or development control plan. The erosion control plan will be submitted along with the preliminary plat, or minor plat if applicable.

**EXCEPTIONS** - No erosion control plan shall be required for the following:

1. Finished grading and excavation below finished grade
  - (a) for basements and footings of a single-family or duplex residential structure,
  - (b) for retaining walls
  - (c) for swimming pools
  - (d) for cemeteries (human or animal)
  - (e) for accessory structures related to single-family residences or duplex structures authorized by a valid building permit.
2. Individual single-family lots.
3. Accepted agricultural land management practices such as plowing, cultivation, construction of agricultural structures, nursery operations such as the removal and/or transplanting of cultivated sod, shrubs and trees, tree cuttings at or above existing root mat intact.
4. Grading, as a maintenance measure, or for landscaping purposes on existing developed lots or parcels.
5. Installation of lateral sewer lines, telephone lines, electricity lines, gas lines or other public service facilities.
6. Subdivisions for which a preliminary or final plat is approved prior to the effective date of this regulation.

### **504.3.2 PROCEDURES AND STANDARDS FOR APPROVING SOIL EROSION CONTROL PLANS AND FOR ISSUING PERMITS**

**Administrative Procedures** - The proposed erosion control plan shall accompany the

development plan. The plan shall be designed as suggested in the “Soil Erosion and Sediment Control Guidelines for London”, or another acceptable form. The erosion control plan shall be reviewed by the Planning Commission. Upon approval of the plan by the Planning Commission, the developer can begin work. When work on the erosion control plan is completed, a representative of the City/County will certify the work.

**Contents of the Soil Erosion Plan** - The following information must be included in the Soil Erosion Plan:

1. The erosion control plan shall be drawn at a scale of 1" = 100' (or less) indicating:
  - a. The site location as well as the adjacent properties.
  - b. Identification of any structure or natural feature on the land adjacent to the site and within 250' which has a significant impact on drainage or siltation controls. If the development is to be in stages, the plan shall cover the entire tract to be developed.
2. Property boundary bearings and distances for the site on which the work is to be performed.
3. A soil survey or a description of the main soil types (available from the Laurel County Soil Conservation District).
4. The anticipated time of exposure of each area prior to the completion of effective erosion and sediment control measures.
5. Existing topography at contour intervals not exceeding ten (10) feet; five feet where conditions warrant.
6. Location and identification of any proposed additional structures or development on the site, except single-family and two-family residential structures and their accessory structures in a subdivision (if applicable).
7. Plans and specifications for all drainage provisions, retaining walls, cribbing, planting, anti-erosion devices or other protective devices (whether temporary or permanent) to be constructed in connection with, or as a part of the proposed work, together with a map showing the drainage area of land tributary to the site and a statement explaining the amount of estimated runoff used to determine the design characteristics of any drainage device. Upstream drainage must be considered and explained if any adverse effect is possible.
8. Plans for removal, recontouring or other final disposition of sediment basins or other structural improvements or devices included in the plan.
9. If a sedimentation basin is required, it should be designed by certified Engineers in accordance with the Soil Erosion and Sediment Control Guidelines for London.

#### **PRINCIPLES TO BE CONSIDERED IN REVIEWING APPLICATIONS**

1. The erosion control plan should relate to the site specific conditions.
2. The plan should keep land grading and land disturbance to a minimum under the circumstances.
3. Both surface and storm water drainage should be integrated to accommodate the

- increased runoff during land grading.
4. To prevent soil erosion existing, temporary and future protective vegetative cover should be emphasized.
  5. The plan shall coordinate grading operation and sediment control measures so as to minimize land exposure to erosion.
  6. Sediment basins below high sediment producing areas should be planned, installed and maintained as safety devices to catch and trap excessive sediment from the development site.
  7. The plan should utilize available technology to keep soil erosion to a minimum level.

**SPECIAL CONDITIONS ATTACHED TO PLANS** - Upon consideration of the factors listed above and for the purposes of this ordinance, conditions may be attached to the approval of erosion control plans. It is intended that these conditions be added to a plan for certain areas or problems to provide two basic results: (1) that during the project construction, off-site and on-site siltation and erosion be minimized; and (2) that after project completion, the total erosion control plan will be effective so as to preclude all significant on-site erosion.

No special conditions shall be attached to the plan which impose duties or liabilities upon the subdivision or development after a lot or the development has been sold. In the event of failure to complete work or failure to comply with all requirements, conditions and terms of the permit or plan, the Codes Officer may order the stoppage of work.

#### **504.4 LANDSCAPE REQUIREMENTS**

It is the intent of this section to provide for the use of landscape techniques within the City of London that will improve the aesthetic and functional quality of new development and minimize the friction between different urban land uses.

This section will govern the use of trees, shrubs, plants, ground covers, walls, fences and earth mounds to achieve the following objectives: retard erosion, channel vehicular and pedestrian circulation, protect surrounding property values, reduce the effects of air, odor, visual and noise pollution, reduce glare from artificial lighting, separate certain land use activities from vehicular movement, screen unsightly activities and separate different land use activities.

**Purpose** - When an applicant for a development or a conditional use permit has been submitted

within the City of London, a buffer area may be required by the zoning regulations. When a buffer area is required to screen unsightly activities and separate different land use activities; trees, shrubs, plants, ground cover, walls, fences and earth mounds may be required. Section 504.4.2 shall be the guidelines for the landscape requirements.

Landscape buffer areas shall be included in development plans for commercial, industrial and large scale residential developments. They will be reviewed by the Planning Commission.

**504.4.1 ENFORCEMENT**

Landscape requirements will be enforced by the Administrative Official. No building permit shall be issued until the landscape requirements have been approved as part of the final development plan. No occupancy permit shall be issued until the landscaping is completed.

**504.4.2 LANDSCAPE BUFFERS**

This table describes the landscaping requirements for the buffer areas required between different land use activities.

**MINIMUM LANDSCAPE EASEMENT REQUIREMENTS**

Category	Adjoining Uses		Width	Trees	Ground Cover
I	Single Or Two-Family	Multi-Family continuous Or Mobile Home	10'	1 Small or medium tree within 40' intervals	Choice of Grass, low shrubs, or mulch
II continuous Interval	Single Or	Commercial Or	15'	1 medium or large tree within 40' intervals	Choice of grass, low shrubs, or mulch

	Two-Family		Industrial				Planting
III continuous interval	Multi-Family Or and Mobile Home		Commercial Or Industrial	10'	1 medium or large tree within 40' intervals	Choice of grass, low shrubs or mulch	6' Or Planting
IV Continuous	Multi-Family		Mobile Home	10'	1 medium or large tree within 40' intervals	Choice of grass, low shrubs or mulch	Intervals
V Continuous	Commercial	and	Industrial	10'	1 medium or large tree within 40' intervals	Choice of grass, low shrubs or mulch	4' Intervals
VI continuous	All Residential Zones		Freeways and Highways and Railroads	20'	1 medium or large tree within 30' intervals	Choice of grass, low shrubs or mulch	6'
VII continuous	Commercial	and	Freeways and Highways	10'	1 medium or large tree within 30' intervals	Choice of grass, low shrubs or mulch	6'
VIII continuous	Industrial	and	Freeways and Highways	10'	1 medium or large tree within 30' intervals	Choice of grass, low shrubs or mulch	6' Intervals
IX continuous	Vehicular Use Areas and (All Zone)	and	Any public Right-of-Way (Excluding Freeways)	5'	1 medium or large tree within 40' intervals	Choice of grass, low shrubs or mulch	6' Intervals
X continuous	All Zones	and	Utility Substations Landfills Junkyards sewage plants Dumpsters	15' to all Boundaries (5' for sub- stations)	1 medium or large tree within 30' intervals	Choice of grass, low shrubs or mulch	6'

## 504.5 LOT DEVELOPMENT

The size, proportion and orientation of individual parcels of land and the buildings placed on them will vary with intended type of land use and with the geologic characteristics of the land. Many of these characteristics are determined through the zoning regulations governing the use of land (i.e. minimum lot size, yard requirements, building setback and lot coverage). Other principles of lot use and layout are more generally applicable and are basic to principles of good subdivision design.

### 504.5.1 LOT AREA REQUIREMENTS

**Lot Area for Sewer Systems** - Where public sewers are available and zoning is in effect, minimum residential lot area requirements shall conform to the zoning

ordinance. Where public sewers are available and zoning is not in effect, residential lots shall be a minimum of 10,000 square feet in area. Wherever no public sewers are available, residential lots shall be a minimum of 21,780 square feet in area.

**Single Building Per Lot** - Each separate principle use building shall be situated on a separate and single subdivided lot of record.

**Non-Residential Lots** - Lots to be used for commercial or industrial purposes shall contain such area as required by zoning regulations or in lieu of zoning regulations, such as necessary to accommodate proposed buildings, parking, off-street loading, landscaping and buffer areas as required.

#### 504.5.2 LOT LAYOUT

**Lot Lines** - All side lines of lots should be at right angles to straight streets and radial to curved street lines.

**Lot Width** - All lots shall front on a public street for a minimum distance of fifty (50) feet and shall be at least Seventy-Five (75) feet in width at the building line. Lots fronting on a Cul-de-Sac (turn around) shall have a minimum frontage of forty (40) feet and have a minimum width of Seventy-Five (75) feet at the building line.

**Corner Lots** - Corner lots shall be laid out so as to provide at least minimum front yard requirements along both street frontages. Access to corner lots shall be at a distance of at least fifty (50) feet from the intersection.

**Double Frontage Lots** - Lots shall not be laid out so that they have frontage on more than one street except: (a) corner lots or (b) when the rear of the lot faces an arterial, freeway or railroad right-of-way and the front lot faces on a minor street.

**Topography** - All parcels shall be laid out as related to topography and shall provide a building site of adequate size, free from drainage problems.

**Land Remnants** - If remnants of land exist after subdividing and have no apparent future use which can be properly controlled, they should be incorporated into the lot pattern or the proposed subdivision.

#### 504.5.3 BUILDING SETBACK LINE

**Setback requirements** - Yard requirements for residential subdivisions or

portions thereof inside the corporate limits of London or Laurel County shall be the same as the yard requirements set forth in the dimensional requirements of an R-1 district. Minimum yard requirements shall be as follows:

- Front Yard - 30 feet (*From Street Right-of-Way*)
- Rear Yard - 20 feet (*From Rear Property line or Line that is located at the rear of home*)
- Side Yard - 15 feet (*From side lot line, lots having two street frontages will be required to meet the front setback requirement for each side adjoining a street.*)

*\* A foundation plat, prepared by a Licensed Professional Surveyor, must be prepared and submitted to the Codes Enforcement Officer. Plat would illustrate: Building location and it's relation to boundary lines. Said plat would be made at the time footers are poured.*

#### 504.5.4 LOT IDENTIFICATION

**Monuments** - Permanent monuments of concrete or steel rods shall be set at all lot corners, angle points and points of curves in streets and their location marked on the final plat.

**Lot Numbers** - All parcels of land in a subdivision, other than streets, shall be given a consecutive number. This applies also to lots intended for non-residential use.

**Property Numbering System** - Individual lots shall be given a street address by the Post Office.

#### 504.5.5 MOBILE HOME AND PLANNED UNIT DEVELOPMENT

**Mobile Home Development** - Development of mobile home sites for rental, lease or sale shall conform to the requirements of City's mobile home park regulations or Kentucky Revised Statute Chapter 219, whichever is more restrictive.

**Permit Application** - The developer of a mobile home park shall apply to the Kentucky Department of Health to obtain a permit to construct or alter a mobile home park prior to filing a preliminary or final subdivision plat with the Planning Commission.

**Construction Plan** - The complete construction plan as required by the Kentucky Department of Health shall be considered a suitable substitute for all plat requirements of these regulations in regard to mobile home parks.



**504.5.6 PLANNED DEVELOPMENT PROJECT**

Sections of the Regulations may be modified by the Planning Commission in the case of plans for complete neighborhoods or other design innovations which, in the opinion of the Commission, achieve the basic objectives of these regulations and provided they are in keeping with the intent of Section 402.1.2 of this Ordinance.

**504.6 TRANSPORTATION**

The Planning Commission shall assure that transportation improvements conform to the Transportation plan. Proposed streets, shall be considered in their relationship to existing and planned streets, to topography, public convenience and safety and in relationship to proposed land uses to be served. Where it is desirable, consideration shall be given to other modes of transportation including pedestrian and bicycle.

**504.6.1 STREETS**

Streets, as ways for the movement of vehicular traffic, serve two principle functions: first, the movement of people and goods and second, access to adjoining properties. Unfortunately, these two functions are of a conflicting nature because the smooth movement of traffic is interrupted by vehicles entering or leaving traffic from or to adjacent property.

***\*\*No subdivision or development plan shall be approved that fronts on an existing State, County or City road or street unless the governing authority has issued an encroachment permit for each entrance onto their respective right-of-way.***

To satisfy the competing street functions of movement and access, sound traffic engineering principles require the use of a street classification system of several levels. Each street classification serves a combination of these two functions.

**Bituminous Concrete or Macadam Base** - Plats containing subdivision streets located within Laurel County and within the City limits of London, may not be acceptable to or initially approved by the proper authority having jurisdiction (magistrate and County Road Supervisor if in County/ Street Foreman if in City) until:

1. All grading and drainage is completed and approved by the County/City and a contract and performance bond is entered into whereby the subdivider agrees to complete all street improvement as requested by the County/City.
2. In order to allow for a time of adjustment, the black base or binder shall be applied not earlier than twelve (12) months nor later than eighteen (18) months after the

initial approval of the plat or when the lots are fifty (50) percent occupied with dwellings, whichever first occurs. The sand-mix based blacktop surface shall be applied not earlier than thirty-six (36) months nor later than forty-two (42) months after initial approval of the plat or when the lots are fifty (50) percent occupied with dwellings, whichever first occurs.

- 3. The binder and surface on subdivision streets may be applied at any time; at the risk of the subdivider, provided the subdivider maintains the binder and surface in good condition, subject to inspection and approval by the fiscal court or city council at all times set out herein.
- 4. The performance bond shall be in an amount determined by the county/city, and shall be filled by property bond with certified appraisal of real estate attached and approved by the county or by cash, cashier's check, bank draft or approved insurance company in a good and sufficient amount and with surety approved by the fiscal court/city council representative and or Planning Commission. (Reference to performance Bond 504.6.1.1).
- 5. No subdivision street may be accepted into the county/city road program for maintenance or become the responsibility of Laurel County or City of London until all improvements have been completed as set out herein and until officially accepted by the fiscal court/City Council at a regular or special meeting. And a record document for the road/street made to the City or County.

**STREET CLASSIFICATION STANDARDS**

Type of Street	Minimum Right-of-Way	Minimum Pavement Width
Cul-de-sac (a)	50' Radius	45' Radius from center

**Access Easement Standards** - No Private approach or driveway shall be constructed or maintained from any subdivision street, which is or may become a county maintained road, unless the approach method of construction is inspected by and approved by the county, prior to construction. Tile for driveways within subdivision shall be at least fifteen (15) inches in diameter and shall be concrete.

**CONTRACT FOR SUBDIVISION IMPROVEMENT**

I, \_\_\_\_\_, owner/subdivider of a subdivision in Laurel County, Kentucky, outside the London City Limits, do hereby certify that the streets, utilities and other improvements have been installed to meet the City, County and state regulations, except for the blacktop binder and surface for the streets.

Further, in consideration of initial approval of the subdivision plat by Laurel County, I acknowledge myself indebted to Laurel County, Kentucky in the sum of \$ \_\_\_\_\_ to guarantee that I will install binder and surface blacktop subject to approval of the County on all roads in the subdivision, prior to the roads being accepted into the County road system and according to the subdivision regulations for London-Laurel County, Kentucky.

I agree that the roads are my responsibility until accepted by the Fiscal Court, which I understand may be after approval of the roads with a surface coat of pavement when the lots are fifty percent (50%) occupied by dwellings or after three (3) years from the original approval of the subdivision plat by the Planning and Zoning Commission.

Subdivision Name: \_\_\_\_\_

Length of All Roads: \_\_\_\_\_

Location of Subdivision: \_\_\_\_\_

Improvements provided by Owner/Subdivider:

Streets	_____	Sidewalks and Curbs	_____
Electricity	_____	Fire Hydrant(s)	_____
Gas	_____	Security	_____
Water	_____	Other	_____
Sewer	_____		
Cable	_____		

For all of which I have posted a performance bond, with \_\_\_\_\_ as surety.

This the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Owner/Subdivider

\_\_\_\_\_  
Address

### ATTACH PERFORMANCE BOND

### CONTRACT FOR SUBDIVISION IMPROVEMENT

I, \_\_\_\_\_, owner/subdivider of a subdivision in Laurel County, Kentucky, within the London City Limits, do hereby certify that the streets,

utilities and other improvements have been installed to meet the City, County and state regulations, except for the blacktop binder and surface for the streets.

Further, in consideration of initial approval of the subdivision plat by City of London, I acknowledge myself indebted to the City of London, Kentucky in the sum of \$\_\_\_\_\_ to guarantee that I will install binder and surface blacktop subject to approval of the City on all roads in the subdivision, prior to the roads being accepted into the City road system and according to the subdivision regulations for London-Laurel County, Kentucky.

I agree that the roads are my responsibility until accepted by the City Council, which I understand may be after approval of the roads with a surface coat of pavement when the lots are fifty percent (50%) occupied by dwellings or after three (3) years from the original approval of the subdivision plat by the Planning and Zoning Commission.

Subdivision Name: \_\_\_\_\_

Length of All Roads: \_\_\_\_\_

Location of Subdivision: \_\_\_\_\_

Improvements provided by Owner/Subdivider:

Streets	_____	Sidewalks and Curbs	_____
Electricity	_____	Fire Hydrant(s)	_____
Gas	_____	Security	_____
Water	_____	Other	_____
Sewer	_____		
Cable	_____		

For all of which I have posted a performance bond, with \_\_\_\_\_ as surety.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Owner/Subdivider

\_\_\_\_\_  
Address

**ATTACH PERFORMANCE BOND**

**STREET CLASSIFICATION SYSTEM** - The following functional street classification shall be considered in the planning of a subdivision and the implementation of the Comprehensive Plan.

1. **Interstate Highways** - For the purpose of moving vehicles intercity or between major parts of a city at high speed. Access is limited to continuous flow, grade-separated interchanges with arterial streets. Directional flow is served by two or more lanes each direction and is separated by a grass or barrier median.
2. **Arterial Streets** - Primarily for the purpose of moving vehicles intra city (highways) and connecting sections of a city at moderate speeds. Directional flow may be separated by mountable, non-mountable or barrier medians and be served by one to three lanes in each direction. Additional lanes may be designated for left and right turns. Parking may be permitted. Access from adjacent property is controlled and where arterial streets are State Highways, require an access permit form from the State Department of Transportation. Where a subdivision fronting on a highway with a potential for fifty (50) or more lots is proposed for development, the developer shall be required to provide turn lanes on the highway to serve the proposed development. Entrances to the subdivisions fronting on highways will be required to provide adequate site visibility for highway traffic.

Access from adjacent residential development should be limited to intersections from collector streets. Residential development should back up to arterial streets and have deeper backyards and provisions for buffering.

3. **Collector (Major) Street** - For the purpose of “collecting” traffic from local streets for distribution to arterial streets and to provide access to adjacent property. Directional flow may be served by one or two lanes in each direction with additional turning lanes as needed. Parking may be permitted.
4. **Local (Minor) Streets** - For the purpose of providing vehicular access to adjacent properties. Directional flow is served by one lane in each direction. Posted speed limits are low. Parking is permitted and may require additional roadway width. Layout should discourage through traffic.
5. **Cul-De-Sac Streets** - A local street with only one end open to vehicular traffic and the other end terminated by a permanent vehicular turn-around. The length of Cul-de-sac streets shall not exceed six-hundred (600) feet, except where topographic conditions may require a waiver.
6. **Frontage (Marginal Access) Roads** - For the exclusive purpose of providing access to properties adjacent to arterial streets and expressways. Frontage roads provide for two-way traffic at a slow rate of speed and parallel the arterial street with limited access points. The Commission may require frontage roads as a condition to approval of development along designated or proposed arterial streets or expressways.
7. **Alleys** - For the purpose of providing secondary vehicular access to adjacent properties along the rear or side lot lines in commercial or industrial areas. Alleys shall not be used for residential subdivision.

8. **Dead End Streets** - A street having an outlet at only one end and terminated at the other end by undeveloped property. Dead End streets that extend beyond the corner lot shall be served by temporary turn-around facilities.

**STREET CLASSIFICATION STANDARDS**

Type of Street	Minimum Right-of-Way	Minimum Pavement Width	Minimum Lane Width	Grade		Lanes
				Max.	Min.	
Interstate Highways	Variable	24'	12'	4%	0.5%	4
Arterial	100'	48'	12'	6%	0.5%	2 - 4
Collector (Major)	50'	40'	10'	8%	0.5%	2 - 4
Local (Minor)	40'	20'	10'	12%	0.5%	2
Cul-de-Sac (a)	50'	20'	10'	12%	0.5%	2
Frontage (Marginal Access)	40'	20'	10'	8%	0.5%	2
<u>Alley</u>	<u>20'</u>	<u>20'</u>	<u>10'</u>	<u>10%</u>	<u>0.5%</u>	<u>2</u>

(a) Turn around diameters are 100' for Right-of-Way, and 80' for pavement.

**\*\*Streets in Commercial Subdivisions shall have an additional 10' of pavement width.**

**CUTS IN CITY STREETS** - Any public utility or person desiring to place a water, sewer, gas or oil conduit within the right-of-way of any street or alley within the City of London, Kentucky, shall first make written application to the Mayor of the City of London for a permit to do so. The application shall be accompanied with a permit fee of Fifty (\$50) dollars, together with a scaled drawing of the street or alley to be cut. The London Utility Commission is specifically exempted from the requirements of this Ordinance. Upon issuance of the permit to cut the surface of the street or alley, the utility or person cutting the street or alley shall execute a bond in an amount to assure the same will be repaired in as good a condition as it was prior to the cut. The Mayor or the Building Inspector of the City of London shall approve the repair to the street or alley prior to release of the bond.

Barricades, warning lights and flagmen (when necessary) shall be provided by the person cutting the city street or alley. One-half of the traveled portions of the street or alley shall be opened to travel at all times; any exception of this, must be approved by the Mayor of

London in advance of the street cutting.

**CONSTRUCTION MATERIAL ON CITY STREET RIGHT-OF-WAYS** - It shall be unlawful for any truck to place or unload any type of construction material or construction equipment within the right-of-way of any City street, unless approved by the Mayor of the City of London in advance. If such circumstances do exist to warrant the same, the person shall notify the City Police and place flagmen and warning lights or signs for the purpose of warning drivers of the obstruction. The flagmen and warning devices shall not be removed until the obstruction is cleared from the street or alley.

**CONSTRUCTION TRUCKS WITHIN CITY LIMITS** - No vehicle hauling construction material shall transport same on a city street or subdivision street in a total gross weight, including the load, in excess of eighty (80) thousand pounds. Any person violating this portion of this ordinance shall be responsible for the repair of the street upon which the operator was operating the overweight truck. There shall be a legal presumption that any damage to the street that becomes known within six (6) months of the operation of the overweight truck was caused by the violation of this portion of this ordinance.

**PENALTIES** - Any person who violates previous three sections of this ordinance shall be guilty of a class B misdemeanor, and upon conviction shall be fined a sum not less than two-hundred and fifty (\$250) dollars.

**CONFORMANCE WITH PLAN** - The arrangement, location, character, width, grade and construction of all streets shall conform to the Comprehensive Plan and shall be considered in relationship to existing and planned streets, topography, access to adjacent land, and public convenience and safety.

**RESPONSIBILITY FOR STREETS** - The developer shall construct streets including all clearing, grading, laying of subbase, base, pavements, curbs, gutters, culverts, bridges, sidewalks, storm sewer mains and structures in accordance with current City/County standards.

To achieve the purpose of the Comprehensive Plan, the City/County may require that certain streets serving a subdivision or planned development be constructed to higher standards than would be necessary to serve the particular subdivision or planned development.

**GENERAL STREET DESIGN CRITERIA** - The following guidelines shall be used in the review of subdivision layout:

**BLOCKS** - The width of a residential block should accommodate two tiers of lots. Block length should be at least five hundred (500) feet but not exceed twelve hundred (1200) feet. Where a block exceeds nine hundred (900) feet in length, a through sidewalk on a ten (10) foot right-of-way may be required.

**PRIVATE STREETS AND RESERVE STRIPS -**

- a. There shall be no private streets platted within a subdivision, unless appropriate bond is posted.
- b. There shall be no reserve strips in a subdivision except where there control is definitely vested in the City or County under conditions approved by the Planning Commission, as authorized in these regulations.

**STREET INTERSECTIONS** - Multiple intersections involving the junction of more than two streets shall be avoided. Street intersections shall be aligned opposite one another, otherwise offsets between intersections shall be greater than 125 feet between centerlines.

Streets shall intersect as nearly as possible at right angles.

**STREET GRADE AND ELEVATIONS -**

- a. Street Grades shall conform to the following:

<u>Street Types</u>	<u>Percent Grade</u>	
	<u>Allowable Maximum</u>	<u>Desirable Maximum</u>
Arterial	12	4
Collector	12	5
Minor	12	8

- b. All streets shall be designed to provide for the discharge of surface water from the pavement and from the right-of-way by grading and drainage. For adequate drainage, the minimum street grade shall not be less than one-half (1/2) of one percent.
- c. The Planning Commission shall not approve streets which will be subject to inundation or flooding. All streets must be located at elevations which will make them flood-free so that portions of the subdivision will not be isolated by floods. Where flood conditions exist, the Planning Commission shall require profiles and elevations of streets in order to determine the advisability of permitting the proposed subdivision activity. Fill may be used in areas subject to flooding to provide flood-free streets if such fill does not unduly increase flood heights. Drainage openings shall be designed as not to restrict the flow of water and thereby unduly increase flood heights.

Minimum safe distance at an intersection shall be determined as a straight line of unobstructed view measured in each direction across the corner between points, each fifty



(50) feet back from the theoretical intersection of the centers of the pavement extended and between two and one-half (2 ½) and ten (10) feet above the surface of the pavement. The space so described shall not be blocked by bushes, trees, structures or other obstructions.

**MULTI-FAMILY AREAS** - Streets serving multi-family areas shall connect to collector or arterial streets to avoid generating large volumes of traffic on local streets. Such streets should also be of adequate width to accommodate parking on both sides of the road.

**STREET NAMES** - Street names shall be selected which will not duplicate or be confused with names of other existing streets in Laurel County. Proposed streets, which are clearly in alignment with existing streets, shall bear the name of the existing street. Generally, no street should change direction by more than ninety (90) degrees without a change in name.

**STREET SIGNS** - Subdivisions shall have permanent street signs installed by the developer according to City/County Standards.

**STREET LIGHTS** - The City of London will continue to provide for installation of street lighting systems on streets within the City Limits. Approval of street lights shall be made by the Mayor and City Council.

**DEDICATION OF RIGHT-OF-WAY FOR NEW STREETS -**

- a. The dedication of right-of-way for new streets measured from lot line to lot line shall meet the following standard: A minimum of forty (40) feet right-of-way. In no case shall the flat surface of the road be less than 24 feet and the pavement width less than twenty (20) feet. A sketch of a typical section is shown.
- b. Through proposed business areas, street widths shall be increased ten (10) feet on each side if needed to provide parking without interfering with normal traffic movement.
- c. In cases where topography or other physical conditions make a street of the required minimum width impracticable, the Planning Commission may modify these requirements.

**DEDICATION OF RIGHT-OF-WAY FOR EXISTING STREETS** - Subdivisions platted along existing streets shall dedicate additional right-of-way if necessary to meet the minimum street width requirements:

- a. The entire minimum right-of-way shall be dedicated where the subdivision is on both sides of an existing street, one-half (½) of the right-of-way width, measured from the

center line of the existing roadway, shall be dedicated.

- b. Dedication of one-half (1/2) of the rights-of-way for proposed streets along the boundaries of land proposed for subdivision shall be prohibited.

**DEAD-END STREETS** - Dead-End streets, other than complete cul-de-sac streets, shall only be permitted as part of a continuing street plan and only if a temporary turn-around, satisfactory to the Planning Commission, is provided. Dedicated rights-of-way on dead-end streets shall extend to the tract boundary, and reserve strips which might be used to control access to adjacent property are prohibited.

**HALF STREETS** - Dedication of new half-streets along tract boundaries shall not be permitted except to complete the other half where such a street has been previously platted.

**STREET CONSTRUCTION** - Streets shall be constructed in conformance with the following requirements:

***Grading and Embankments*** - The area on which streets are to be constructed should be cleared of all vegetation for a depth of at least three (3) inches and disposed of outside the limits of the typical section. Prior to the construction of embankments, any unsuitable material 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 by rolling with a ten (10) ton three wheel roller, sheeps-foot roller or other approved type roller.

***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.

***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 backfilled to meet the requirements above.

***Subgrade Preparation*** - Prior to 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.

***Concrete Streets*** - Shall meet requirements for Class "A" Kentucky Department of Transportation Bureau of Highways, Standard Specifications, Current Edition.

***Bituminous Concrete on Macadam Base*** - The Macadam base shall consist of four (4) inches of #3 stone and four (4) inches of D.G.A., or eight (8) inches of DGA, for a total after compaction of eight (8) inches. Upon this base apply 0.35 gallons per square yard of RT-2 light prime emulsion or equal. Place two (2) inches Bituminous Concrete Class I (black base or binder) and one (1) inch of sand mix based blacktop after compaction and then compact with a five (5) or ten (10) ton roller. The developer shall notify the responsible City or County official in charge of streets at least seventy-two (72) hours before putting down the base of blacktop.

***Curbs and Gutters*** - Box curbs and gutters may be required in situations where a development is being constructed on existing streets with curbs and gutter. The Planning Commission shall determine when curbs and gutters are necessary.

***Ditches*** - Where curbs and gutters are not required, the developer shall provide properly graded ditches for drainage.

**ACCESS EASEMENT STANDARDS** - Access easements shall be permitted to provide sole access to a lot (or lots) only under exceptional circumstances, provided the Planning Commission finds that the application of the requirements and standards for public or private streets would clearly be excessive or impossible. Prior to permitting an access easement as sole access to a lot (or lots), the Commission shall first thoroughly review the possibility of utilizing a public or private street as access and shall give specific reasons for permitting the access easement in its action on the proposed subdivision. The Commission shall have the right to fully regulate such access easements as to width, construction standards, use, length, number of lots to be served and any other relevant factor.

Nothing within this section shall be construed so as to abrogate the power of the Commission to deny a subdivision or planned development proposing to use an access easement as sole access.

## 504.6.2 WALKWAYS

The purpose of walkways (sidewalks) is to provide pedestrian circulation and safety. They also serve as an important element in the recreational system providing space for walkers/hikers, joggers and bicyclists. Generally, the need for walkways will vary, based on such factors as street types, traffic flow, on-street parking, probable volume of pedestrians, proximity to schools, etc.

The provision for sidewalks shall be required in the City of London according to the following conditions and shall be the responsibility of the developer.

**RESIDENTIAL SUBDIVISIONS** - In residential areas, sidewalks shall be provided on both sides of the street where the predominant lot width is less than one-hundred (100) feet. Sidewalks shall be required on one side of the street where the predominant lot width is under two-hundred (200) feet. Where a residential block exceeds nine-hundred (900) feet in length, a through sidewalk in a ten (10) foot easement may be required by the Commission.

**COMMERCIAL SUBDIVISIONS** - Sidewalks shall be required for all commercial lots by the Commission.

**INDUSTRIAL SUBDIVISIONS** - Sidewalks shall be required for all industrial lots by the Commission.

**STANDARDS** - Sidewalks shall be constructed of concrete, at least four (4) inches thick and four (4) feet wide, poured over a compacted four (4) inch dense grade gravel subbase.

**ACCESSIBILITY** - In order to provide adequate access for all citizens, the following requirements apply to all new sidewalk development.

Curb ramps in compliance with dimensions shown below shall be provided wherever an accessible route crosses a curb. Transitions from ramps to walks, gutters or streets shall be flush and free of abrupt changes.

If a curb is located where pedestrians must walk across the ramp or where it is not protected by handrails or guardrails, then it shall have flared sides.

Built-up curb ramps shall be located so that they do not project into vehicular traffic lanes. Curb ramps shall be located or protected to prevent their obstruction by parked vehicles.

## **504.7 PUBLIC UTILITIES FACILITIES**

The administration of these regulations by the Planning Commission shall take into account the

relationships between new development and the adopted community plans for utility systems. Proposed development shall be considered in terms of required service by sanitary sewer facilities, water supply, storm water drainage and energy supply. Where necessary, the Commission shall require provision of exclusive utility easements consistent with the needs to serve the proposed and future development.

#### **504.7.1 SANITARY SEWAGE TREATMENT SERVICE**

Where a public sanitary sewer system is reasonable accessible, as determined by the Planning Commission, sanitary sewers shall be installed by the developer to adequately serve all lots with connections to the public system.

**INDIVIDUAL DISPOSAL SYSTEMS** - Where a public sanitary sewer system is not reasonably accessible, septic tank or other individual systems may be installed in accordance with these regulations and subject to the approval and conditions of the County Health Officer and/or Kentucky Department of Health, based on the review of a soil analysis and percolation data or other pertinent data for each lot in the subdivision.

**FUTURE SERVICE** - Where plans exist for extending a public sanitary sewer system into an area that is being subdivided, and it is reasonably expected that the area will be served by a public sewer system within a period of five (5) years, capped sewers shall be installed to adequately serve all lots in the proposed subdivision.

**GENERAL STANDARDS** - Subject to the specific determination to the contrary by the Commission or other agency, the following general standards shall apply. The minimum size sewer pipe connection to any parcel shall be four (4) inches inside diameter (i.d). The minimum sewer pipe line to be used in a residential subdivision shall be of six (6) inch inside diameter.

**PLANS REQUIRED** - In compliance with section 503.3 of these regulations, the subdivider shall submit plans for the proposed sanitary sewage treatment facilities with the filing of the preliminary plat for Commission approval. Such plans shall be prepared by a registered Civil Engineer and shall show pipe sizes, type of pipe, the location, type and size of all lift or pumping stations and treatment facilities, if on site. Such plans shall be designated as a logical extension of the public sewer system including trunk lines as needed to serve the subject tract and future extensions of the system.

#### **504.7.2 STORM WATER DRAINAGE**

Provisions shall be made by the developer for the collection and channelization of storm water runoff by means of a storm water drainage system designed to handle the runoff from storms

occurring on average frequency of ten (10) years. The proposed system shall be subject to the review and approval of the Planning Commission, with the recommendation of the City Street department or County Road Department.

**PLANS REQUIRED** - All major subdivisions and all multi-family residential, commercial and industrial sites of one acre or more in Laurel County or of ½ acre or more in the City of London are required to submit a detailed storm water management plan.

The plan must show the following items:

1. Name of drainage basin in which property is located.
2. Adjacent land uses.
3. Proposed use of site.
4. Runoff analysis:
  - Inflow
  - On-site Flow (before and after deviation)
  - Outflow (based on plan to mitigate impact)
5. Details for channelizing water on-site (natural/artificial systems) showing location and site of all structures (storm sewers, inlets, catch basins, manholes, culverts, swales, etc.)
6. Details for diverting, detaining or retaining water on-site showing location, type and specifications for structures.
7. Certification by Engineer that the figures are correct and that the design is adequate for minimizing outflow.

**DISPOSAL BEYOND SUBDIVISION** - Where an adequate public storm sewer is available at the subdivision boundary, the developer shall construct the storm sewer system to connect with such storm sewer line. If such a system is not available, the developer may be required by the Commission to provide for the construction of necessary storm drainage facilities as may be required beyond immediate the boundaries of the subdivision in order to conduct runoff to an acceptable point of disposal.

### **504.7.3 WATER SUPPLY SYSTEM**

Where a public water supply is available, the subdivider shall be required to provide an adequate supply of pure water to all lots in the subdivision. The water supply shall be sufficient to satisfy the needs of both domestic use and fire protection. The distribution system shall be so designed and constructed as to form an integral part of the City's or rural water district or association's distribution system, and be in conformity with the Comprehensive Plan. The distribution system shall be in accordance with current City standards as well as the standards of the Natural Resources and Environmental Protection Cabinet, and the State Fire Rating Bureau.

**PLANS REQUIRED** - In compliance with section 503.3 of these regulations, the subdivider shall submit plans for the proposed water system. These plans shall show location of connections to existing systems, locations and size of proposed mains and fire hydrants.

## **FIRE HYDRANT BONDING**

**PLANS REQUIRED** - In compliance with section 503.3 of these regulations, the subdivider shall submit plans for the proposed water system. These plans shall show location of connections to existing systems, location and size of proposed mains and fire hydrants. Each developer of a proposed subdivision shall pay a sum of money to be held in escrow, or submit a bond with the approval of the County. The bond shall be sufficient enough to install the fire hydrant's required for the subdivision being submitted before the final plat may be approved. When the subdivision is located in Laurel County, Kentucky, outside the London City Limits, the Laurel County Fire alliance shall hold the money and or bond in an escrow account until the fire hydrants have been installed, and have met all requirements required by the LAND DIVISION AND DEVELOPMENT REGULATIONS. In the event the fire hydrants cannot be installed in accordance with these requirements, the bond shall be held in escrow account until the fire hydrants are installed, or for a period of twenty (20) years. After a twenty year period, if the Planning Commission receives adequate documentation proving the water system for the subdivision is not capable of sustaining a fire hydrant, the Laurel County Fire Alliance may use the amount of the bond for the purpose of fire prevention in the community in which the subdivision is located. If the subdivision is located in the London City Limits the bond shall be held by the London City Clerk. The bond shall be cash, cashier's check in an amount with surety approved by the Fiscal Court or City Council representative and/or Planning Commission.

## **RESIDENTIAL SUBDIVISIONS (Includes Mobile Home Parks)**

### **WATER SUPPLY**

- a. Water mains shall be not less than six (6) inches in diameter, including fire hydrant branch connections, installed in conformity with the minimum requirements of the City/County Fire Department and Utilities. Where the size and physical characteristics indicate, the developer may be required to install mains of a larger diameter.
- b. Water mains shall be so arranged that the distance between intersecting mains does not exceed eight hundred (800) feet, eight (8) inch or larger mains must be used.
- c. Eight (8) inch mains shall be used where dead-end and poor circulating gridironing is likely to exist for a considerable period of time, or where layout of the streets and topographical characteristics are not well adapted to a circulating system.
- d. The distribution system shall be equipped with a sufficient number of valves so located that breakage or other interruption will not cause the shut-down of any portion of a main greater than eight hundred (800) feet.
- e. Approval of the City/County Fire Departments and Utilities shall be obtained prior to issuance of a building permit.

**FIRE HYDRANT INSTALLATION** - Fire Hydrants shall be spaced to meet the following requirements:

1. In the City of London fire hydrants shall be spaced not farther than one-thousand (1000) feet apart as measured over hard-surface road.
2. In the County fire hydrants shall be spaced not farther than two-thousand (2000) feet apart as measured over hard-surface roads.
3. In the City of London in no event shall the distance between a fire hydrant and a building exceed five hundred (500) feet as measured on an all-weather road.
4. In the County in no event shall the distance between a fire hydrant and a building exceed one-thousand (1000) feet as measured on an all-weather road.
5. Where Cul-de-Sac streets are being developed, a fire hydrant will be located on one of the lots at the beginning of the Cul-de-Sac street.

**FIRE HYDRANT USE**

- a. Fire hydrants shall meet the minimum specifications and be installed in conformity with the requirements of the City/County Fire Departments and Utilities.
- b. Fire hydrants shall be able to deliver five hundred (500) gallons per minute with a friction loss of not more than 2 ½ pounds per square inch in the hydrant, and a total loss of not more than five (5) pounds per square inch between the street main and outlet.
- c. Fire hydrants shall be equipped with not less than 2 ½ inch outlets and a large pumper outlet of 4 ½ inch internal diameter.
- d. A gate valve must be installed between the main and the hydrant.

**INDUSTRIAL/COMMERCIAL/HIGH DENSITY RESIDENTIAL DEVELOPMENT**

**WATER SUPPLY**

- a. Water mains shall not be less than eight (8) inches in diameter and fire hydrant branch connections shall not be less than six (6) inches. Water supply and water main sizes will be subject to reasonable additional requirements relative to the degree of density of development and use.
- b. Approval of the City/County Fire Departments and Utilities shall be obtained prior to the issuance of a building permit.

**FIRE HYDRANT INSTALLATION**

- a. Fire hydrant spacing shall not be less than that required for residential areas referred to above, and in addition, each building shall have hydrants within the following distances:
  1. 300 feet distance - 1 hydrant
  2. 500 feet distance - 3 hydrants
  3. 1000 feet distance - 5 hydrants
- b. No part of the exterior of the building, other than dwellings, shall be farther than five



hundred (500) feet from a hydrant, or must meet state regulations or requirements. Distances are to be measured along the shortest feasible exterior route (never measured through buildings) for laying hose.

- c. Fire hydrants must be located at least twenty-five (25) feet from the exterior wall of any masonry building and at least fifty (50) feet from any exterior wall of frame or equivalent construction, including brick and stone veneer.

#### **FIRE HYDRANT TYPE**

- a. Fire hydrants shall meet the minimum specifications and be installed in conformity with the requirements of the City/County Fire Departments and Utilities.
- b. Fire hydrants shall be able to deliver one-thousand (1000) gallons per minute with a friction loss of not more than 2 ½ pounds per square inch in the hydrant, and a total loss of not more than five (5) pounds per square inch between the street main and outlet.
- c. Fire hydrants shall be equipped with not less than 2 ½ inch outlets and a large pumper outlet of 4 ½ inch internal diameter.
- d. A gate valve must be installed between the main and the hydrant.

#### **ADMINISTRATIVE PROCEDURE**

- a. During the installation of all water lines and fire hydrants, the developer and/or his contractor must notify the City/County Fire Departments and Utilities so they may inspect said improvements. No improvements shall be covered or concealed until they have been approved by both authorities.
- b. Upon completion and approval, the City/County Fire Departments and Utilities must certify in writing that all improvements have been accepted and approved to the Planning Commission.
- c. No building permits may be approved until this certification has been made.
- d. In order for a fire hydrant to be installed in the City of London or outside the city limits by the water district, a Professional Engineer will have to certify that the system can provide minimum fire flow of two-hundred fifty (250) gallons per minute; and that the system can provide this flow for a period of two (2) hours plus consumption at the maximum daily rate. The location, installation and responsibility for maintenance of fire hydrants, public and private protection facilities, connecting mains and their ownership may be subject to negotiation by the utility and, if owned by the utility, shall be subject to conditions the Commission may impose, based upon the compensation received for this service. Within the City of London or outside the city limits, the Planning Commission will determine the requirements for fire hydrants based on the certification by a Professional Engineer.

#### **504.7.4 PROVISION OF UTILITY AND DRAINAGE EASEMENTS**

The subdivider shall set aside easements for placement and access to maintenance of public and private utilities and drainage as indicated below. The specific use of the easement shall be indicated on the plat.

**LOCATION OF EASEMENTS** - Where public utilities do not follow streets, easements shall follow lot lines in order not to restrict the placement of buildings.

**DIMENSIONS OF EASEMENTS** - The minimum width for utility easements shall be twenty (20) feet to permit access by maintenance vehicles. Where such easements follow lot lines, they may be split with ten (10) feet provided on each lot. Dead-end easements shall not exceed one hundred fifty (150) feet in length. Drainage easements must be at least fifteen (15) feet in length.

**RESTRICTIONS** - No fences, principle or accessory buildings or other structures shall be permitted within easements. Any overhanging or obstruction limbs, shrubbery or vegetation may be removed within the limits of the easement at the sole discretion of the appropriate maintenance personnel.

**MAINTENANCE AND REPAIR OF IMPROVEMENTS** - The developer is responsible for the maintenance and repair of the improvements installed. The developer shall be responsible for any damage done to the improvements by construction traffic, local traffic or by any other means and shall insure the accessibility to all occupied lots until final acceptance for maintenance by the City/County. Upon completion of work and before public acceptance, the developer shall clean up all ground occupied or affected in connection with work. Failure to maintain or repair improvements may result in withholding approval of subsequent units of the subdivision.

**LIABILITY INSURANCE** - The developer shall furnish insurance as deemed necessary by the Planning Commission which shall indemnify and save harmless the City/County from any and all liability arising from any conditions which may result from the construction or installation of improvements. The insurance shall be of such as determined by the Planning Commission, but in no case shall be allowed to expire earlier than one (1) year from the date that construction or improvements is accepted for maintenance by the City/County. A copy of the insurance policy shall be filed with the City/County Clerk.