

SUBDIVISION REGULATIONS

FOR

THE CITY OF NICHOLASVILLE, KENTUCKY

Prepared by the

BLUEGRASS AREA DEVELOPMENT DISTRICT

and

NICHOLASVILLE PLANNING COMMISSION

Adopted June 1, 1980

Amended thru November 28, 2022

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Nicholasville, Kentucky

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ABSTRACT OF TEXT: These subdivision regulations present a code of requirements dealing with the development of land for residential subdivisions. Designed to provide a coherent approach to development, these regulations set requirements for subdivision streets, sidewalks, water, sewer stormwater drainage construction specifications, and lots. These regulations are intended to assist not only the Planning Commission and the Zoning Enforcement Officer, but also the developer in providing quality housing developments for the City of Nicholasville.

PREAMBLE

AN ORDINANCE OF THE CITY OF NICHOLASVILLE, KENTUCKY, ENACTED IN ACCORDANCE WITH CHAPTER 100, KENTUCKY REVISED STATUTES, AND FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE; AND REGULATING THE DEVELOPMENT OF SUBDIVIDED AREAS; PROMOTING THE PROPER ARRANGEMENT OF STREETS AND LAYOUT OF LOTS; PROVIDING FOR ADEQUATE AND CONVENIENT PROVISION OF OPEN SPACES, UTILITIES, RECREATION, AND ACCESS TO SERVICE AND EMERGENCY VEHICLES; PROVIDING FOR ADEQUATE PROVISION OF WATER, DRAINAGE, SEWER AND OTHER SANITARY FACILITIES; PROVIDING FOR THE ADMINISTRATION OF THESE REGULATIONS AND DEFINING THE POWERS AND DUTIES OF THE ADMINISTRATIVE OFFICERS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS ORDINANCE OR ANY AMENDMENT THERETO; AND FOR THE REPEAL THEREOF.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF NICHOLASVILLE, STATE OF KENTUCKY.

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**ARTICLE 1
ADMINISTRATION**

100 TITLE - These regulations shall be known and may be cited and referred to as the "Subdivision Regulations of the City of Nicholasville, Kentucky" and shall hereinafter be referred to as "These Regulations."

110 AUTHORIZATION - These subdivision regulations are adopted under the authority granted by the Kentucky Revised Statutes, Chapter 100, Section 100.273 through 100.291 and 100.334. The Nicholasville Planning Commission, established under the Kentucky Revised Statutes Chapter 100, Section 100. (117 or 121) has fulfilled the requirements set forth in KRS 100.273 as a prerequisite to the adoption of these regulations and is thereby designated as the administering agency.

120 PURPOSE - Once open land has been divided into streets and parcels, a pattern has been established which may determine how well community needs for residential, public, commercial and industrial land will be met. It will also affect the community's ability to handle traffic problems and the economic provision of public utilities. Assuring that this development is in harmony with community objectives is therefore a matter of serious public concern.

It is therefore declared to be the policy of the Nicholasville Planning Commission to consider land subdivision plats as part of a plan for the orderly, efficient, and economical development of the land within its general welfare. The purpose of the standards and procedures included is to first provide a guide for the change that occurs when land becomes urban in character as a result of development for residential, commercial, or industrial purposes; second, to provide assurances that the purchasers of lots are buying a commodity suitable for development and use; and third, to assure the proper provision of public services in an efficiently safe and orderly manner conducive to the minimum outlay of public and private expenditures. This shall be interpreted to include the following provisions which shall guide the Planning Commission in formulating its decisions:

- 121 - Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health and welfare from flooding, fire contamination, erosion, or other menace.
- 122 - Proper provision shall be made for drainage, water and energy supply, sewerage, and other needed improvements at such a rate as will accommodate the anticipated rate of development.
- 123 - Proposed streets shall compose a convenient and efficient traffic circulation system, properly related to the proposals of the transportation plan. Streets shall be of such width, grade and location to accommodate prospective traffic, provide adequate light and air, and to provide access by service and emergency vehicles.
- 124 - Land of suitable location, size, and character for utility or drainage easements or public community services shall be shown on the subdivision plat wherever appropriate.

125 - Subdivision plats shall show such information as required to establish the exact location and dimension of each parcel of land in order to provide adequate records for land titles.

130 JURISDICTION - In accordance with Chapter 100, Section 100.131 of the Kentucky Revised Statutes, these regulations shall govern all subdivision of land within the corporate limits of the City of Nicholasville, Kentucky as now or hereafter established. Any owner of land within these areas, or his representative, wishing to subdivide land shall submit to the Nicholasville Planning Commission a plat of the subdivision according to the requirements outlined in these regulations.

140 INCONSISTENCY WITH OTHER PROVISIONS - Wherever there is a discrepancy between minimum standards set forth in these regulations and those of any other lawfully adopted rules, regulations, ordinance or resolutions, the most restrictive or highest standards shall apply.

141 - Nothing in these regulations shall prohibit the subdivider from placing self-imposed restrictions, or imposing higher standards than required by these regulations, but not in violation of these regulations, on the development. However, such restrictions shall be indicated or attached to the plat for processing by the Commission and filing with the County Clerk.

150 SEPARABILITY - The invalidity of any provision of these regulations shall not invalidate any other part thereof which is not itself invalid.

160 AMENDMENTS - The Planning Commission may recommend to the Nicholasville City Commission revisions and modifications of these regulations from time to time by holding a public hearing on the proposed changes after giving notice as required by K.R.S. Chapter 424. It shall then make its recommendation on the proposed changes to the legislative body. It shall take a majority of the entire legislative body to override the recommendations of the Planning Commission.

170 PROCEDURES

171 GENERAL RESPONSIBILITIES

171.1 SUBDIVIDER OR DEVELOPER - The subdivider or developer shall prepare plats and plans consistent with the design standards, accomplish improvements consistent with the improvement requirements, and process said plats and plans in accordance with these regulations.

171.2 PLANNING COMMISSION - The Planning Commission, or its duly authorized representatives, is charged with the duty of making investigations and reports on the design and improvements of proposed subdivisions and developments and requiring conformance of such subdivisions and developments with the Comprehensive Plan for the City, the Kentucky Revised Statutes, Section 100.111 to 100.991 and these Regulations. The Planning Commission shall require such redesign of street patterns, lot layout, and such other information or plans as the

circumstances may warrant to ensure not only conformance to the aforementioned, but good traffic patterns, proper design and development of a particular area; and appropriate consideration of abutting development.

171.3 LEGISLATIVE BODY - No street or other public ground which has been dedicated shall be accepted, nor shall any performance or maintenance bond surety be released, nor any change to these regulations be made by the legislative body until it has received the recommendation from the Planning Commission.

(Approved 6-20-2013 Ordinance #874-2013)

172 PUBLIC HEARING - The Commission, on its own initiative or upon petition by any citizen or neighboring property owner, may, prior to acting on a preliminary plat of a subdivision, hold a public hearing thereon at such time and place and upon such notice as required under KRS 424.

173 APPLICANTS TO APPEAR AT THE SCHEDULED HEARING - It shall be the responsibility of any person requesting action by the Nicholasville Planning Commission to appear at the scheduled hearing to request same. Failure of a person to appear either on behalf of himself or by authorized agent, shall result in the request being denied and the matter being removed from the Agenda.

The above shall not apply, however, if the applicant requests and receives either of the following prior to the hearing date:

1. A continuance, for good cause shown, which shall be granted at the discretion of the Administrative Officer of the Nicholasville Planning Commission, or--
2. A waiver of these requirements, based upon agreement with the Administrative Officer of the Nicholasville Planning Commission, that the applicant's appearance is not necessary.

A denial of any request which is caused by the applicant's violation of this section shall be treated in the same manner as any other denied request.

174 PROCESSING OF SUBDIVISION PLATS

STEP

1	Prepare Sketch Plat (S 320)	Subdivider
2	Submit Sketch Plat 21 working days prior to Commission Meeting	Subdivider
3	<u>Pre-Application Conference</u>	Planning Commission & Subdivider
4	Prepare Preliminary Plat (S 330) Method #1 or #2	Subdivider & Engineer
5	Prepare construction plans for streets and utilities	Certified Engineer
6	Submit Preliminary Plat and improvement plans 21 working days prior to Commission meeting	Subdivider
7	Distribution and review of plat and plans	Planning Commission and appropriate agencies
8	<u>Public Hearing on Preliminary Plat</u>	Planning Commission, Subdivider and Engineer
9	Approval, Conditional Approval or Disapproval of plat (within 90 days of hearing)	Planning Commission
10	Installation of public facilities and marking of lots	Subdivider/Developer
11	Inspection of public facilities under construction	City Engineer
12	Prepare Final Plat (S 340)	Subdivider
13	Prepare as-built utility plans	Certified Engineer
14	Submit Final Plat and Plans 21 working days prior to Commission meeting	Subdivider
15	Inspection of completed public facilities and section performance bond if needed	City Engineer
16	<u>Public Meeting on Final Plat</u>	Planning Commission, Subdivider and Engineer
17	Approval, Conditional Approval or Disapproval of plat (within 90 days of meeting)	Planning Commission
18	File Final Plat with County Clerk	Planning Commission
19	Recommend acceptance of dedicated public facilities to Legislative Body	Planning Commission and Legislative Body

ARTICLE 2 DESIGN STANDARDS

200 MINIMUM DESIGN STANDARDS - 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 Nicholasville. Furthermore, the Commission is responsible for insuring that such standards are enforced during development as a condition of subdivision plat approval.

These standards for public improvements shall be utilized to assure the conformance of subdivision to the Comprehensive Plan and Zoning Ordinance.

The standards set forth in this section are considered to be minimum acceptable standards of design acceptable for safe, efficient, and economical community development. Generally, the Developer shall be responsible for providing the land and constructing those public improvements required to serve his development. Where the Commission determines that excess capacity facilities are needed, as defined in the respective sections, the legislative body may be consulted for arrangements to cover the cost of that capacity required beyond what is needed to serve the immediate development.

201 SELF-IMPOSED REGULATIONS - The Subdivider may provide for final maintenance of common facilities or place restrictions on development more restrictive than those provisions, if any, shall be noted in the deed restrictions which shall be made a part of the Commission's record.

210 LOT DESIGN STANDARDS - 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. (See FIGURES 7 & 8, pages 73 and 74 of these Regulations)

211 GENERAL LOT LAYOUT GUIDELINES

211.1 CONFORM TO ZONING REQUIREMENTS - The site and proportions of lots in any subdivision shall conform to the zoning of the property in effect at the time of final plat submission.

211.2 PUBLIC STREET - The arrangement of lots shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in locating a building on each lot and in providing access to a building on such lots from an approved street. All lots shall front on a public street, and without invalidating any of the provisions of the Nicholasville Zoning Ordinance, such frontage will extend a minimum of fifty (50) feet for all lots except for R-1F zoned lots which shall extend a minimum of forty (40) feet, and R-1T and R-3T zoned lots which shall extend a

minimum of twenty (20) feet. However, lots which front on turnarounds for cul-de-sacs or on curves of a minimum radius of one hundred (100) feet, shall be allowed a minimum frontage of forty (40) feet except for R-1F zoned lots which shall be allowed a minimum of thirty (30) feet, and R-1T and R-3T zoned lots which shall be allowed a minimum of fourteen (14) feet.

(Adopted: 09-17-98 Ordinance 274-1998)

211.3 ONE BUILDING PER LOT - Each separate principle use building within an R-1 or R-2 zone shall be situated on a separate and single subdivided lot of record. In all other zones, principal use buildings should be located on the lot so that all current zoning ordinances may be met if the buildings and lot are subdivided in the future.

211.4 LOT LINES - All side lines of lots shall be at right angles to straight street lines and radial to curved street lines. All rear lines of lots shall consist of straight lines with a minimum number of deflections.

211.5 CORNER LOTS - Corner lots shall be laid out so as to provide at least minimum front yard requirements along both street frontages. However, in certain circumstances a primary and a secondary street frontage may be designated in the following residential zoned areas, if approved by the Planning Commission:

- a) R-1, R-1A, R-1B, R-1C, R-1D and R-1E.
- b) R-2 zones in existence prior to December 14, 1989, limited to single family lots only.

In all zones, the design of corner lots shall take into account the driveway access setback requirements and restrictions in Section 222.12 of the Nicholasville Subdivision Regulations and in Article 955 of the zoning ordinance. As necessary, the width of a corner lot shall be increased beyond the minimum lot widths specified in Article 7 of the zoning ordinance for the above referenced districts in order to comply with driveway access setbacks.

When the primary frontage of a corner lot has been designated, the secondary frontage of the lot may reduce the setback by not more than ten (10') feet. The lot adjacent to the corner lot with the designated secondary frontage may be reduced by five (5') feet. The next adjacent lot shall be laid out so as to provide the minimum front yard requirement. If a primary and secondary street frontage is to be utilized, they shall be shown on the proposed subdivision plat when submitted for review. Access to corner lots shall be at least fifty (50') feet from the intersection of street right-of-ways unless otherwise specified by Section 211.12.

(Adopted: 02-28-2022 Ordinance 067-2022)

211.6 TOPOGRAPHY - All parcels shall be laid out as related to topography (whenever possible at or above the grades of the streets) to provide a building site of adequate size and free from drainage problems. An overlot grading and drainage

plan shall be provided with the construction plans, see Section 243.2.

211.7 LOT AREA REQUIREMENTS - Lot dimensions and area shall conform to the zoning ordinance. No lot shall have a depth in excess of four (4) times its width at the building line except for R-1T or R-3T lots which shall not have a depth in excess of eight (8) times its width at the building line unless it has been determined by the Commission that exceptional topographic conditions, or some other extraordinary situation or condition of the site would deprive the owner reasonable capacity to make use.

(Adopted: 09-17-98 Ordinance 275-1998)

211.8 BUILDING SETBACK LINE - The building setback line shall comply with the requirements of the Zoning Ordinance.

211.9 MONUMENTS - Permanent monuments in a subdivision shall be placed in accordance with the MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN KENTUCKY and subsequent revisions, except as modified within these Regulations. These permanent monuments shall be set at the PI of all street curves unless the PI falls outside of the street right-of-way, the PC and PT shall be monumented. In addition, a similar monument shall be set at the intersection of all streets contained within the subdivision boundary. The permanent monuments shall be either:

1. A steel bar no less than 1/2 inch in diameter and at least twelve (12") inches long, installed after construction has been completed and level with the surface.
2. Marked railroad spikes (full size 80# plus rail size) installed by the following procedure:
 - a. Installed after the first bituminous layer of asphalt is completed prior to the second bituminous layer being started.
 - b. If installed after construction is completed, a square recess 1/2" plus deep and 2" x 2" shall be cut under the head to allow for flush recess.

The top of these monuments shall have the permanent point marked with a punched point or cut "x". They shall be described on the Final Subdivision Plat, each in relation to a coordinate system as established by the City in accordance with the requirements of the authorized engineer or person (See Section 345.IJ also).

211.10 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 of the lot faces on a minor street.

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

211.12 ACCESS TO LOTS - Any parking area shall be designed in such a manner that any vehicle leaving or entering the parking area from or into a public or private street shall be traveling in a forward motion. Access of driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such a lot shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access or driveway from a public or private street.

Lots shall have their primary access only from an approved street in accordance with these regulations. All points of access from an arterial street shall be approved by the Planning Commission, which may require that several such lots be served by a combined marginal access street or shared access driveway in order to limit possible traffic hazards on such street. Access to a corner lot shall be measured from the intersection of street right-of-way lines and meet the minimum setback requirements specified below.

If access to a lot is from an arterial street, a setback of not less than one hundred and twenty-five (125) feet from any intersection shall be provided. If access to a lot is from a collector or a marginal access street, a setback, of not less than seventy-five (75') feet from any intersection shall be provided. For residential lots abutting streets internal to the subdivision, a driveway not exceeding eighteen (18') feet in width and placed within three (3') feet of the internal side property line shall be considered complying with the setback requirement for a minor street.

In all cases, if a lot abuts an intersection of two classes of streets, access shall be from the lower class of street. The Commission may waive, modify, or reduce these requirements at the time of final development plan review for lots located in Business and Industrial zones.

Alleys may be approved to provide primary access for residential use. Where a watercourse separates the buildable area of a lot from the access street, provision shall be made for the installation of culvert or other structure of a design approved by the city engineer or other authorized person.

(Adopted: 02-28-2022 Ordinance 067-2022)

220 SUBDIVISION DESIGN PRINCIPLES - The following sections specify the interrelationships between characteristics of the land (slope, soil composition, woodlands) and the components of urban development of land under these regulations be carried out in harmony with the limitations of the land. Within these limitations, it is intended that flexibility with regard to innovative design and new technology be encouraged.

221 RELATION TO LAND - The street plan and lot arrangement of a proposed subdivision shall be so designed to preserve, wherever possible, historical or natural features such as

trees, landmarks, water courses, and the natural lay of the land and disposition of the topsoil. The Planning Commission may prepare a list of all such features within its area of jurisdiction which it deems worthy of preservation.

Failure of a subdivider to comply with the decision of the Planning Commission in preservation of any of the above is punishable under Section 420.

221.1 UNSUITABLE LAND CONDITIONS - 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; and if investigations conducted by the public agencies concerned determine that in the best interest of the public that the land should not be developed for the proposed purpose; the Commission shall not approve the land for subdivision unless adequate methods are proposed by the subdivider for solving those problems that will be created by the development of the land.

221.2 AREAS PREMATURE FOR 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 the public health, safety, welfare, by reason of a lack of 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 supply of such services.

221.3 LAND SUBJECT TO FLOODING - Land subject to flood shall not be platted for residential use or for any other use which may increase the danger to health, life or property or aggravate erosion. Such land within the subdivision shall be set aside on the plat for such uses as will not be endangered by periodic or occasional inundation or will not result in conditions contrary to the public welfare.

To ensure that lots will be located only where they will provide flood free building sites, the Planning Commission shall require the subdivider to provide elevation and flood profiles sufficient to demonstrate that no part of a principal building*, including crawlspaces or basements, proposed to be constructed upon a lot shall be located less than one (1') foot above the flood plain as defined in Section 500.

Fill may be used in areas subject to flood, if authorized by the Commission, as part of the Construction plans, and upon being granted the necessary permits from the State of Kentucky, provided that it does not increase flood heights to the extent that any existing or proposed principal building*, including crawlspaces or basements, will be located less than one (1') foot above the flood plain as defined in Section 500. No streets subject to inundation or flooding, shall be approved by the Commission.

Sinkholes (either active or inactive) shall not be considered as a viable part of the storm drainage system and shall not be enlarged or opened (within proposed developments) so as to allow for the discharge of surface water into the ground at a higher rate than existed prior to development. Development within sinkhole areas

can occur, if authorized by the Commission, provided that any existing or proposed street or principal building*, including crawl spaces or basements will not be located less than one (1') foot above the Floodplain as defined in Section 500. For the purposes of calculating flood elevations, the areas within sinkhole drainage boundaries that are (or will be) located at an elevation below the natural or man-made overflows at the sinkhole boundaries shall not be counted as available storage volume for surface water runoff (i.e. the Design Engineer shall assume that the sinkholes are filled to the elevations of the natural or man-made overflows at the sinkhole boundaries).

* Principal Building - A building in which is conducted the main or principal use of the lot on which said building is located.

(Adopted: 07-18-02 Ordinance 416-2002)

222 RESIDENTIAL DEVELOPMENT - The subdivision of land for residential purposes shall adhere to sound planning processes in the relationship of land to buildings and to movement systems.

222.1 BLOCKS - The width of a residential block should accommodate two (2) tiers of lots. However, where extraordinary physical conditions exist, or where lots might otherwise front on an arterial street, the Commission may approve a single tier of lots of minimum depths.

Block length should be at least 500 feet but shall not exceed 1200 feet, or fifteen (15) times the minimum lot width, whichever is greater; except when the Commission deems it impractical or necessary to allow otherwise to secure efficient use of land under extraordinary physical conditions, in which case the Commission may require the reservation through the block of a ten (10) foot wide easement to accommodate utilities or pedestrian traffic.

222.2 STREET PATTERN - The arrangement, location, character, width, grade, and construction of all streets shall conform to the City Transportation Plan and shall be considered in relationship to existing and planned streets, topography, access to adjacent land, and public convenience and safety. The street pattern shall discourage through traffic in the interior of a subdivision. Residential development should not front on arterial class streets. See also Section 231.2 of these Regulations.

222.3 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 lot pattern of the proposed subdivision.

223 COMMERCIAL AND INDUSTRIAL DEVELOPMENT - The location and orientation of commercial and industrial land subdivision shall be consistent with the intent of the Nicholasville Zoning Regulations and in conformance with the adopted Land Use Plan.

223.1 BLOCKS - Block length should be at least 500 feet but shall not exceed 1200 feet, or fifteen (15) times the minimum lot width, whichever is greater; except when the Commission deems it impractical or necessary to allow otherwise to secure efficient use of land under extraordinary physical conditions, in which case the Commission may require the reservation through the block of a ten (10) foot wide easement to accommodate utilities or pedestrian traffic.

223.2 MINIMIZE IMPACT - Lot layout and building arrangement shall be so organized as to minimize the adverse effects of normal business operations and vehicular activities on adjacent land. Streets serving commercial and industrial activities shall be planned to connect with arterial or collector streets so as not to generate traffic on minor streets.

223.3 PUBLIC IMPROVEMENTS - The Planning Commission shall require of the Developer public improvements, including streets and utilities, of capacities adequate to avoid overloading by recommended development in the immediate area.

224 MOBILE HOME DEVELOPMENT - Development of mobile home sites for rental, lease, or sale shall conform to the requirements of the appropriate zoning classification of the Nicholasville Zoning Regulations, or Kentucky Revised Statute Chapter 219, whichever is more restrictive.

224.1 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 minor subdivision plat with the Planning Commission.

224.2 MOBILE HOME PARK REQUIREMENTS - Mobile home parks shall meet the requirements of the Kentucky Mobile Home and Recreational Vehicle Park Law adopted by the Kentucky State Department of Health under the authority of the Kentucky Revised Statutes, Chapter 219.310 to 219.410 or the standards of these regulations and the Nicholasville Zoning Ordinance, the highest standards shall apply.

225 PLANNED UNIT DEVELOPMENT - Sections of these 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. The Planning Commission may require additional conditions, such as covenants or specific notes which it feels necessary to assure conformity to and achievement of the proposed subdivision plan. Such development proposals shall be accompanied by a compatible zoning plan which complies with the requirements of the Nicholasville Zoning Ordinance, Article 11.

225.1 VARIANCES TO LOT DESIGN STANDARDS - Lot design standards may be varied to accommodate innovative building styles and methods. Minimum lot sizes may be waived when the difference is made up by available common open

space. Frontage on public streets and single principle use provisions may be waived for cluster developments.

225.2 VARIANCES TO SUBDIVISION DESIGN STANDARDS - Subdivision design standards may be varied to permit private internal circulation systems, use of physical land features, and mixture of residential, service, commercial, or industrial land use.

225.3 VARIANCES TO TRANSPORTATION FACILITY STANDARDS - Variances or waivers may be granted for internal circulation systems, however, all streets intended for dedication must be built to City standards. Planned unit developments shall conform to all standards applying to arterial and freeway streets.

225.4 VARIANCES TO PUBLIC UTILITY STANDARDS - No waivers or variances shall be granted for planned unit developments which would result in lower standards or capacities of construction equipment or service.

226 CEMETERIES - These Regulations shall not apply to the subdivision of burial lots in cemeteries except for the requirements to file a plat or record with the Jessamine County Clerk.

227 USPS CENTRALIZED MAIL DELIVERY – Mail delivery shall be addressed with any preliminary plat application submitted to the City of Nicholasville. Prior to submittal, contact shall be made with the Nicholasville US Post Office to obtain approval for the area and facilities proposed for centralized mail delivery.

Centralized mail box units shall not be placed on storm sewer structures. Access to mail boxes shall also be from a paved area with a minimum of four (4') feet of pavement around the box. Design should consider the visual or noise impact on residential dwellings and be sited accordingly.

(Adopted: 02-28-2022 Ordinance 067-2022)

230 TRANSPORTATION FACILITY DESIGN STANDARDS - The Planning Commission is responsible for assuring that street development conforms to the Major Street Plan with regard to the arrangement, character, location, right-of-way and pavement widths, and grade. Proposed streets shall be considered in their relationship to existing and planned streets, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

Streets shall be related to topography in their design in order to produce the most usable building sites, whenever possible at or above the grades of the streets; to provide proper drainage for storm water; and to produce proper grades and curves as required by these Regulations.

Where it is desirable, consideration will also be given to non-motorized modes of transportation routes including walkways and bikeways.

231 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 conflicting nature because the smooth movement of traffic is interrupted by vehicles entering or leaving traffic from or to adjacent property.

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 the two basic functions. Freeways with access limited to controlled points, are exclusively movement corridors. Arterial streets are also primarily movement streets but also serve adjacent properties through controlled access points. Collector streets are major streets whose function is to collect traffic from local streets and channel it to arterials. Local streets are the opposite from freeways as locals primarily provide access to lots which front on the street. Other types of streets which primarily intend to provide accessibility to adjacent property include cul-de-sac streets, frontage roads and alleys.

231.1 RESPONSIBILITY FOR STREETS - The developer shall construct streets including all clearing, grading, laying of sub-base, base, pavements, curbs, gutters, culverts, bridges, sidewalks, storm sewer mains and structures in accordance with current City standards. The respective legislative body is not required to accept any street until it has been inspected by the City Engineer or other authorized person and has been determined that such construction is in conformance with the approved plans and adopted standards. To achieve the purposes of the Comprehensive Plan, the City may require that certain streets serving a subdivision be constructed to higher standards than would be necessary to serve the particular subdivision. When higher standards are required, the City may assure a proportionate share of the increased cost of construction. Such cost shall not exceed the difference between that required for construction of the minimum street capable of adequately serving the subdivision and the cost of street construction required by the City.

231.11 UPGRADING OF STREETS - When a previously unincorporated area is annexed to the City of Nicholasville, the City may require that streets be upgraded, or cause such streets to be upgraded to conform to City standards. The City may refuse to accept dedication of substandard streets or to extend city services to areas served by substandard streets.

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

231.21 CONFORMANCE WITH COMPREHENSIVE PLAN - The width and location of all streets in a proposed subdivision shall conform in general alignment with the street system as included in the Comprehensive Plan.

231.211 RIGHT-OF-WAYS AND MINIMUM DESIGN STANDARDS - Right-of-ways to be dedicated for new streets shall be in conformity with the Comprehensive Plan and shall meet at least the

minimum standards specified in Section 231.38.

231.22 DEAD-END STREETS - Dead-end streets, other than complete cul-de-sac streets, shall only be permitted as a part of a continuing street plan. Streets shall be arranged to provide for the continuation of principal streets between adjacent properties for convenient movement of traffic, effective fire protection, efficient provision of utilities, and particularly where such continuation is in accordance with the Comprehensive Plan.

Dedicated right-of-way and improvements shall be extended to the tract boundary and reserve strips which might be used to control access to adjacent property are prohibited. Temporary dead end streets shall not exceed seven hundred (700) feet.

231.23 STREET INTERSECTIONS - Street intersections shall not involve more than (4) street approaches, merging lanes and acceleration lanes are considered parts of one street approach. Within forty (40) feet measured for each street from the closest intersection of right-of-way lines, such streets shall intersect as much as possible at a ninety (90) degree angle, and in no case shall the angle be less than seventy-five (75) degrees. No cross intersections of centerlines of other than minor or marginal access streets shall be closer than eight hundred (800) feet apart, unless the Commission deems it unrealistic under extraordinary physical conditions. Offset intersection of centerlines shall not be closer than one hundred fifty (150) feet. Except in a Central Business District and unless extraordinary physical conditions necessitate a retaining wall to be approved by the Commission, within the triangular area formed at corners by the intersecting street centerlines; for a distance of ninety (90) feet on each from their point of intersection, and diagonal connecting the end points of these lines, visibility for traffic safety shall be provided and by excavating if necessary.

A "site triangle" will be observed at all street intersections or intersections of driveways with streets to insure that landscape materials and structures do not constitute a driving hazard (see FIGURES 1 & 2, page 15.) Within this site triangle nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede

Grades at street intersections shall be limited to two (2%) percent for a distance of seventy-five (75) feet from the intersection of the center lines. All street intersection corners shall be rounded by curves or radii of at least twenty (20) feet.

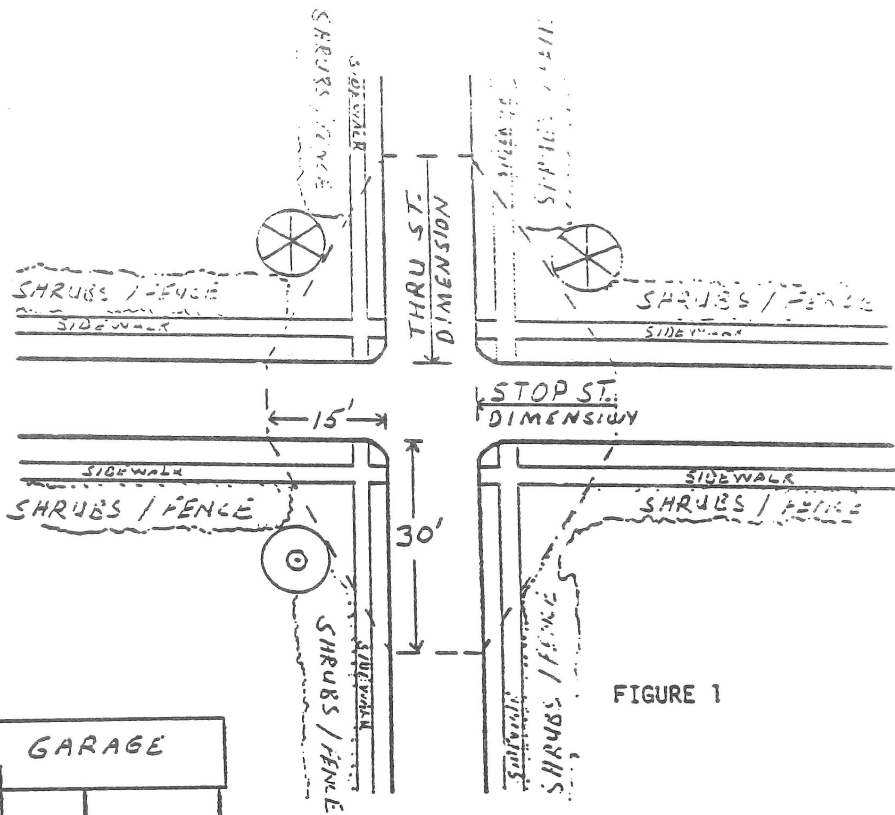


FIGURE 1

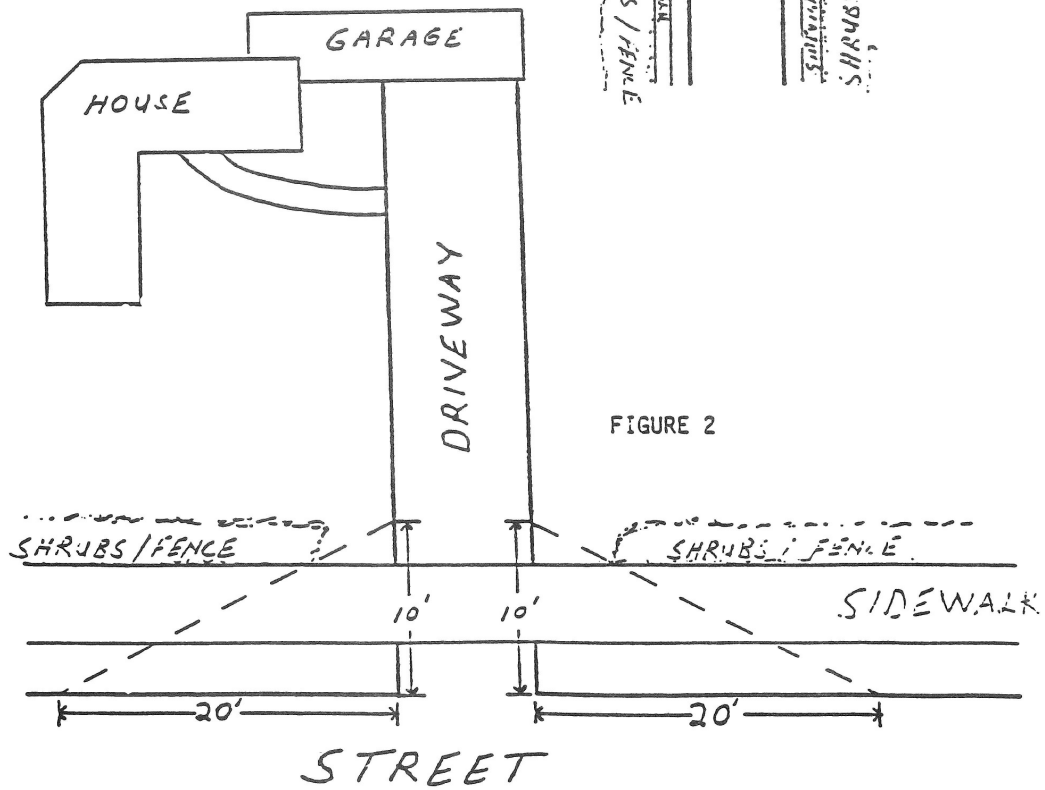


FIGURE 2

231.24 EXISTING STREETS, REALIGNMENT OR WIDENING - Where a subdivision is proposed along an existing street, a street indicated for widening or realignment on the official map, half of the additional width needed to bring the existing right-of-way to the required right-of-way will be dedicated by the property on each side of the existing street as it is proposed for subdivision*. Such areas shall be shown and marked on the Subdivision Plat - "Reserved for Street Alignment (or Widening) Purposes".

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.

*The Developer shall be required to construct all necessary improvements.

231.25 INCREASED RIGHT-OF-WAY - If extraordinary physical conditions render it impractical for a subdivision to provide the required parking by the zoning ordinance, the Commission may require the right-of-way to be increased to an adequate width to accommodate parking on one or both sides of the street.

231.251 MULTI-FAMILY AREAS - Streets serving multi-family areas shall connect directly to collector or arterial streets so as not to generate large volumes of traffic on local streets. Such streets should also be of adequate width to accommodate parking on both sides of the road.

231.26 STREET NAMES - Street names shall be selected which will not duplicate nor be confused with names of other existing streets in Jessamine 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 90 degrees without a change in name.

231.261 STREET SIGNS - The subdivider shall install, installed all street signs, including but not limited to stop signs, street names, speed limit and no parking signs, at locations directed by the City of Nicholasville. The subdivider shall submit a signage plan to be approved prior to final plat. All signs and installation shall conform to specifications of the City and MUTCD standards.

(Adopted: 01-9-97 Ordinance 193-1996)
(Adopted: 11-28-22 Ordinance 098-2022)

231.27 HAZARDOUS OR CONFLICTING CONDITIONS - When a proposed subdivision contains or is adjacent to an existing or proposed arterial or collector street, right-of-ways, or conflicting detrimental or hazardous land uses, the Commission may require marginal access streets, reverse frontage lots, lots with rear service alleys, lots with additional depth, or other measures which may

be necessary for protection of abutting properties and the maintenance or function of major traffic arteries.

(Adopted: 10-01-98 Ordinance 278-1998)

231.28 PRIVATE STREETS AND RESERVE STRIPS - There shall be no private streets platted within a subdivision. Reserve strips shall not be accepted except where their control is clearly vested in the City, under conditions approved by the Commission as authorized in these regulations.

231.29 STREET TREES - The Commission may request that trees be planted in the front yard. Trees to be planted shall be of the deciduous type, and shall be of a type of root growth pattern which minimizes the potential damage to street and utility facilities. Street trees shall conform with the specifications in this section and the Nicholasville Zoning Ordinance, Section 891 STREET TREES.

231.291 LOCATIONAL CRITERIA - Two options shall be permitted at the developer's discretion. The first option shall be to place the trees within the front yard no closer than 2-1/2 feet to the sidewalk. 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".

In this second option, the utilities normally placed in the utility strip shall instead be placed within an easement adjacent and parallel to the street right-of-way. The width of this easement shall be at least equal to the utility strip. A Wider easement may be required in some cases by the City or utility companies in order that adequate room for provision and maintenance of services is available. The physical separation of the trees and utility facilities required under these options are intended to provide for the protection and enhancement of both uses.

231.292 PLATTING REQUIREMENT - The cross section to be utilized shall be determined at the time of Commission action on the preliminary subdivision plat and shall also be reflected on the final subdivision plat. The final subdivision plat shall also contain a note stating where the street trees are to be located either within the right-of-way or designated easement.

231.3 STREET CLASSIFICATION SYSTEM - The following functional street classification shall be considered in the planning of a subdivision and the implementation of the Comprehensive Plan. For examples of types of streets refer to FIGURE 3 page 19.

231.31 EXPRESSWAYS - 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.

231.32 ARTERIAL STREETS - Primarily for the purpose of moving vehicles intercity (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 properties is controlled and where Arterial Streets are state highways, require an Access Permit from the State Road Engineer of the District 7 Office of the Bureau of Highways.

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

Adjacent apartment or commercial development should not have direct access to arterial streets, but should be served by parallel frontage roads with access points to the arterial street separated by at least (1000) feet.

231.33 COLLECTOR STREETS - 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 is permitted. Posted speed limits are low - thirty-five miles per hour or less.

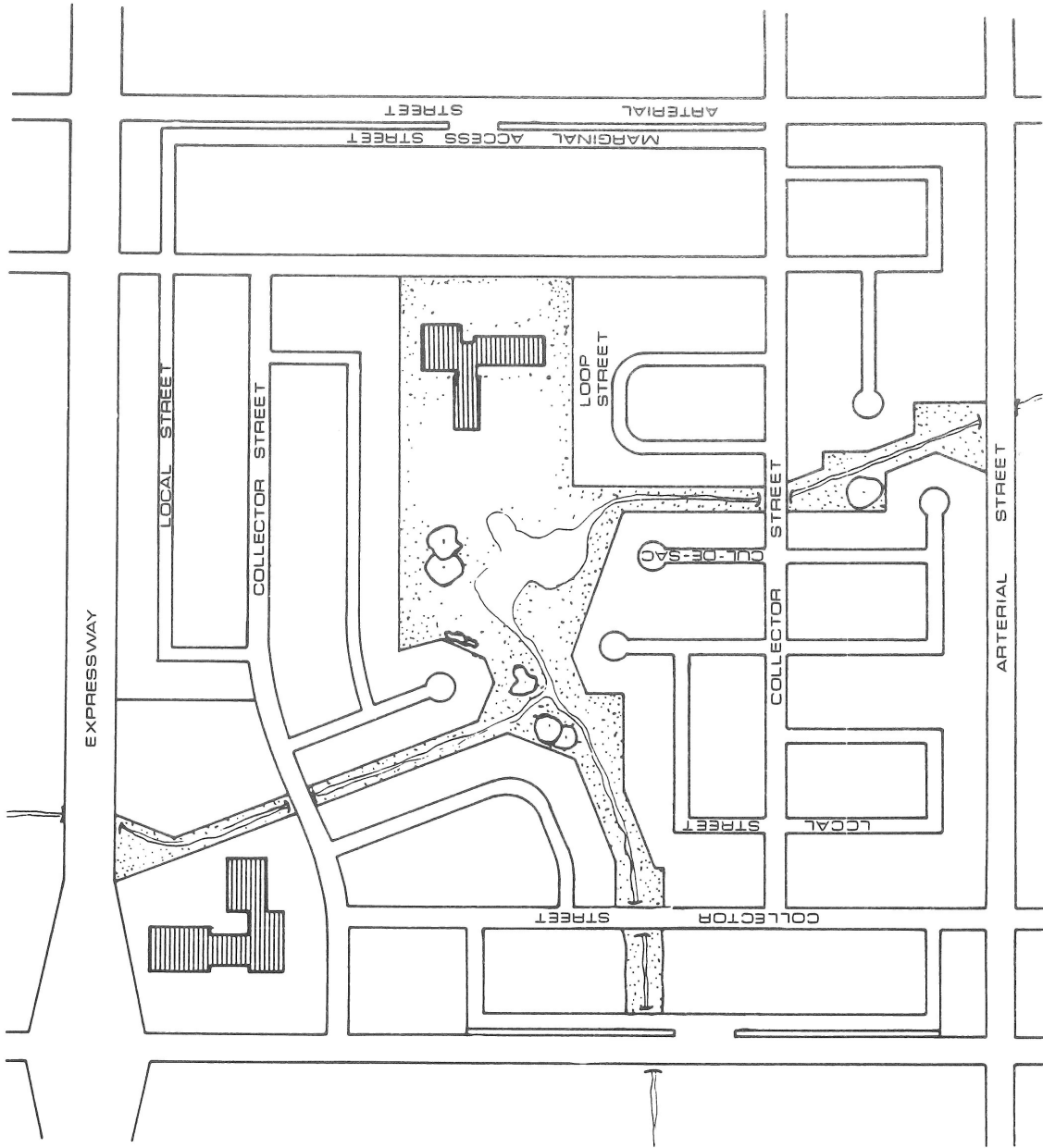
231.34 LOCAL STREETS - For the purpose of providing vehicular access to adjacent properties. Directional flow is served by one lane in each direction. Posted speed limits are low. Parking is permitted and may require additional roadway width than for movement only. Layout should discourage through traffic.

231.341 CUL-DE-SAC STREETS - A local street with only one end open to vehicular traffic and the other end terminated by a permanent vehicular turnaround. The length of cul-de-sac streets shall not exceed seven hundred (700) feet with a minimum right-of-way radius of fifty (50) feet with a pavement radius of forty-one (41) feet.

Such a dead-end street shall not come closer than one hundred (100) feet from the boundary of a subdivision if its continuation is not needed for

CLASSIFICATION OF THOROUGHFARES

FIGURE 3



access of adjoining property. The Commission may require the reservation of a twenty (20) foot wide easement between the end of the proposed dead-end street and an adjacent piece of property to accommodate pedestrian traffic or utilities.

231.342 LOOP STREETS - A local street where both ends terminate at an intersection with the same collector or arterial street. The radius of the loop shall not be more than one thousand (1000) feet from the intersecting collector or arterial street.

231.35 FRONTAGE 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 access points to it not more than every four hundred (400) feet. The Commission may require frontage roads as a condition to approval of development along designated or proposed arterials or expressways.

231.36 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 subdivisions.

231.37 DEAD END STREETS - A street temporarily having only (1) outlet for vehicular traffic and intended to be extended or continued in the future.

231.38 STREET DESIGN STANDARDS - See page 22.

231.39 PAVEMENT SPECIFICATIONS FOR STREETS - All streets, parking lots and off-street parking shall be "dust free" with no loose aggregate.

231.391 PLANS REQUIRED - In compliance with Section 333.2F of these regulations, the subdivider shall submit plans for the proposed street system with the filing of the preliminary plat (Method #1 or #2) for Commission approval. Such plans shall be prepared by a Registered Civil Engineer, drawn to a scale of not less than one hundred (100) feet to the inch horizontally and ten (10) feet to the inch vertically, showing existing and proposed elevations along the centerlines of all proposed streets, and the elevations of existing streets for a distance of one hundred (100) feet either side of their intersection with a proposed street. In addition proposed profiles including lengths of vertical curves and grades shall be shown in prominent lines.

Such plans shall be designed as a logical extension of the public street system to serve the development and for future extension of the system.

231.392 STANDARDS - Streets shall conform with the dimensions and geometric designs as described in these Regulations and Section **III-3 STREETS, NICHOLASVILLE GENERAL SPECIFICATIONS.**

STREET DESIGN STANDARDS

Type of Street	Minimum Right of Way	Minimum Pavement Width ¹	Minimum Radius of Horizontal Curves ²	Grade %		Minimum Sight Distance	Turn-Around Diameter R.O.W. Paved	Minimum Intersection Spacing	Minimum Length of Vertical Curves	Minimum Length of Tangents Between Reverse Curves
				Max.	Min.					
Arterial	80 ft.	44 ft.	400 ft.	5%	0.5%	500 ft.		1,320 ft.	200 ft.	300 ft.
Collector	60 ft.	42 ft.	300 ft.	7%	0.5%	300 ft.		500 ft.	200 ft.	200 ft.
Local	50 ft.	32 ft.	100 ft.	10%	0.5%	200 ft.		150 ft.	100 ft.	100 ft.
Cul-de-Sac	50 ft.	41 ft.	100 ft.	10%	0.5%	100 ft.	100 ft. 82 ft.	150 ft.	100 ft.	100 ft.
Loop	50 ft.	32 ft.	100 ft.	10%	0.5%	100 ft.		150 ft.	100 ft.	100 ft.
Frontage Road	50 ft.	32 ft.	100 ft.	10%	0.5%	200 ft.		100 ft.	100 ft.	100 ft.
Alley	20 ft.	20 ft.	100 ft.	10%	0.5%	100 ft.		100 ft.	100 ft.	100 ft.

¹ Does not include parking on both sides of the street.

² Except for street intersection corners.

232 CURBS AND GUTTERS - Curbs and gutters shall be required in all subdivisions. For specifications refer to Section III-4 CURBS AND GUTTERS, NICHOLASVILLE GENERAL SPECIFICATIONS.

233 SIDEWALKS - Sidewalks shall be required within all subdivisions, within shopping centers, and to provide access to playgrounds, schools, and similar uses. Sidewalk locations shall provide for easy, safe, and convenient pedestrian circulation. The Planning Commission may waive, for good cause shown by the applicant, sidewalks internal to an industrial subdivision. External sidewalks on streets abutting the subdivision shall not be waived.

(Adopted: 02-28-2022 Ordinance 067-2022)

233.1 STANDARDS - Sidewalks shall be at least (5) five feet wide, and located no further than one (1) foot inside the street right-of-way line except at the intersection, where they shall extend to the curb. Proper curbing and ramps shall be provided consistent with ADA and applicable current design standards. When a five (5') foot wide sidewalk abuts a narrower sidewalk, a sufficient taper shall be provided for transition; not less than ten (10') feet. Handicap ramps are required at all street intersections. For specifications refer to **Section III-5. SIDEWALKS and SECTION III-4. CURBS AND GUTTERS, NICHOLASVILLE GENERAL SPECIFICATIONS.**

(Adopted: 02-28-2022 Ordinance 067-2022)

234 BIKEWAYS - Where conditions of high bicycle utilization exist, the Planning Commission may require one of the following types of bicycle facilities to be provided by the Developer to insure the safety of the cyclists and encourage greater use of the bicycle as an alternate means of transportation.

234.1 BICYCLE PATHS - Shall include only those bicycle facilities whereby a separate right-of-way is set aside for the exclusive use of cyclists to the exclusion of motorized vehicles and pedestrians. One-way bike paths shall be at least four (4) feet wide and paved with concrete or bituminous paving material. Two-way bike paths shall be at least eight (8) feet wide.

234.2 BICYCLE LANES - Shall include those bicycle facilities where a portion of a street is designated by a raised curb or painted land strip, for the exclusive use of cyclists. Bike lanes shall be prominently marked as such and be one way in direction on each side of the street and a minimum of four (4) feet wide.

234.3 BICYCLE ROUTES - Shall include those existing or proposed streets that are determined by specific analysis to be suitable for the safe operation of bicycles. Bike routes do not provide for the exclusive use of bicycles but require sharing the street with other vehicles, and are designated by a map of public distribution and/or by the

official "Bike Route" sign.

235 STREET LIGHTING - The Developer shall install street lights in accordance with the standards and specifications of the City of Nicholasville in each subdivision.

235.1 STANDARDS - Street lights shall be located at each entrance (streets and walkways) to the subdivision and at each street intersection within the subdivision.

Whenever the distance between two (2) adjacent street (walkways) lights would exceed three hundred (300) feet, then additional lights shall be installed. The subdivision plat shall indicate whether overhead or underground electric service is being provided to each individual pole.

In addition to the above, all street light installation shall be in compliance with Nicholasville Ordinance **6-D-83**. **AN ORDINANCE PROVIDING FOR MINIMUM STANDARDS ON STREET LIGHTING POLES, SUPPORTING BASE FOR MOUNTING POLES, LUMINARES, AND ARMS AND BRACKETS FOR SUPPORTING LUMINARES IN ALL AREAS WITHIN THE CITY LIMITS OF THE CITY OF NICHOLASVILLE.**

240 PUBLIC UTILITIES - 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 the provision of exclusive utility easements consistent with the needs to serve the proposed and future development.

Generally utilities should be provided in rear lot easements wherever possible. In cases where underground utilities must be provided within the right-of-way of streets, they should not be installed under the pavement. All of the in-street underground work, including water mains, gas mains, sewer lines, etc., and all service connections shall be completely installed and approved by the authorized engineer or person throughout the length and width of the street before covering.

241 WATER SUPPLY SYSTEM - Where a public water supply system is reasonably accessible to the proposed subdivision, as determined by the Planning Commission, the Developer shall construct a complete water distribution system according to the specifications of the agency having jurisdiction and shall provide a connection for each lot with laterals extended to the lot line. The distribution system shall be so designed and constructed as to form an integral part of the City's or Water District's distribution system.

241.1 PLANS REQUIRED - In compliance with Section 333.2G of these Regulations, the subdivider shall submit plans for the proposed water distribution system with the filing of the preliminary plat (Method #1 or #2) for Commission approval. Such plans shall be prepared by a Registered Civil Engineer, drawn to a scale of not less than one hundred (100) feet to the inch horizontally and ten (10) feet to the inch vertically, showing pipe sizes, type of pipe, finished grade elevations, valves, and fire hydrants. Such plans shall be designed as a logical extension of the public water system including trunk lines as needed to serve the subject tract and future extensions of the system.

241.2 STANDARDS - For specifications refer to **Section I. WATER FACILITIES, NICHOLASVILLE GENERAL SPECIFICATIONS.**

241.3 PUBLIC WATER UNAVAILABLE - In subdivisions where City water supply is not available and an individual well or cistern will supply each dwelling, a letter of acceptance and approval from the State Health Department must be submitted with the preliminary plat. Wells should be located twenty-five (25) feet from the property lines, one hundred (100) feet uphill from septic tanks or other sewage systems and forty (40) feet from lakes or drainage ways.

241.4 OVERSIZED FACILITIES - Whenever the City or rural water service deems it appropriate and necessary, the Subdivider may be required to install water main, fire hydrants, and valves in excess of those required to adequately serve the subdivision. In these cases, the Developer may apply to the City Commission which may reimburse the Developer for the difference in cost between the water facilities actually needed in the subdivision and the cost of the water facilities necessary to provide for planned future development.

242 SANITARY SEWAGE TREATMENT SERVICE - Where a public sanitary sewer system is reasonably accessible to the proposed subdivision, as determined by the Planning Commission, a complete sanitary sewer with lateral connections for each lot (provided to the lot line) shall be installed by the Developer and connected to the public system when the authorized engineer or person has approved said subdivision system.

242.1 PACKAGE TREATMENT PLANS - Where a public sanitary sewer system is not reasonably accessible or cannot be tapped into, due to overloading, a neighborhood or "Package" disposal system may be installed according to standards determined by the County Health Officer and the Kentucky Department of Natural Resources and Environmental Protection, if approved by both the Planning and City Commissions.

242.2 INDIVIDUAL DISPOSAL SYSTEMS - Where a public sanitary sewer system is not reasonably accessible, septic tank or other individual systems may be installed, subject to the approval and conditions of the County Health Officer and/or Kentucky Department of Health based on the review of a soils analysis and

percolation data or other pertinent data for each lot in the proposed subdivision.

242.3 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 years, capped sewers shall be installed to adequately serve all lots in the proposed subdivision.

242.4 PLANS REQUIRED - In compliance with Section 333.2H of these Regulations, the subdivider shall submit plans for the proposed sanitary sewer disposal system with the filing of the preliminary plat (Method #1 or #2) for Commission approval. Such plans shall be prepared by a Registered Civil Engineer, drawn to a scale of not less than one hundred (100) feet to the inch horizontally and ten (10) feet to the inch vertically, showing pipe sizes, gradients, type of pipe, invert and finished grade elevations, location and type of manholes, the location, type and size of all lift or pumping stations and treatment facilities, if on site. Such plans shall be designed 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.

Where septic tank systems are used, plans shall show percolation rates, the capacity of the tank and location and length of the drainage field for each parcel.

242.5 STANDARDS - For specifications refer to **Section II, SEWERAGE FACILITIES, NICHOLASVILLE GENERAL SPECIFICATIONS.**

242.6 OVERSIZED FACILITIES - When it is determined to be necessary, the Developer may be required to install collection or treatment facilities in excess of those required to adequately serve the subdivision. In these cases, the Developer may apply to the City Commission which may reimburse the Developer for the difference in cost between the facilities actually needed in the subdivision and the cost of facilities necessary to provide for future planned development.

243 STORM WATER DRAINAGE SYSTEM - The Developer shall be responsible for adequate and safe disposal of all surface waters in the subdivision and shall provide for that purpose a complete drainage system.

243.1 DISPOSAL BEYOND SUBDIVISIONS - 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 the immediate boundaries of the subdivision in order to conduct runoff to an acceptable point of disposal.

243.2 PLANS REQUIRED - In compliance with Section 333.2I of these Regulations, the subdivider shall submit plans for the proposed storm water drainage system with the filing of the preliminary plat (Method #1 or #2) for Commission

approval. Such plans shall be prepared by a Registered Civil Engineer, drawn to a scale of not less than one hundred (100) feet to the inch horizontally and ten (10) feet to the inch vertically, showing contours, invert elevations, gradients, lengths of pipe, catch basins, manholes, junction boxes, inlets, pipe storm drains, ditches, and holding ponds indicating size and material, culverts, and headwalls, bridges, pump stations, and discharge points. An overlot grading and drainage plan shall also be included with these plans. Such plans shall be designed as a logical extension of the public storm water drainage system to serve the subject tract and future extensions of the system.

243.3 STANDARDS - For specifications refer to **Section IV, STORM DRAINAGE FACILITIES, NICHOLASVILLE GENERAL SPECIFICATIONS.**

243.4 OVERSIZED FACILITIES - When it is determined to be necessary, the Developer may be required to install drainage structures in excess of those required to serve the subdivision. In these cases the Developer may apply to the City Commission which may reimburse the Developer for the difference in cost between the facilities actually needed in the subdivision and the cost of facilities necessary to provide for future planned development.

243.5 LOTS WITH DETENTION/RETENTION BASIN - Lots that have a detention/retention basin located on them may be recorded on a Final Plat but a Building Permit shall not be issued until the detention/retention basin is constructed to specifications. A note shall be placed on the Construction Plans, Preliminary Plat and Final Plat to this effect.

244 ELECTRIC, TELEPHONE AND GAS SERVICE - Electric service and telephone service shall be provided within each subdivision. Gas service may be required where reasonably accessible.

Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat. Telephone, electric, and street lighting wires, conduits and cables may be constructed underground by the Developer.

245 PROVISION OF UTILITY EASEMENTS - The Subdivider shall set aside land easements for the placement and access for maintenance of public and private utilities in accordance with the requirements of Sections 333.1I and 345.1G of these Regulations.

245.1 LOCATION OF EASEMENTS - Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within the street right-of-way, perpetual unobstructed easements shall be provided along rear lot lines. The Planning Commission may allow easements along side lot lines if deemed necessary. Easements will terminate where they meet a street or other easement.

245.2 DIMENSIONS OF EASEMENTS - The minimum width for utility easements shall be twelve (12) feet, centered along lot lines (six feet provided on

each lot). Dead end easements shall not exceed one hundred (150) feet in length.

245.3 DRAINAGE EASEMENTS - If a perennial stream flows through or is adjacent to the proposed subdivision, the plat shall provide an easement for a floodway in accordance with Section 221.3 of these Regulations. The floodway easement shall provide for future improvement of the stream channel as adjacent areas become more developed and runoff rates increase.

245.4 EASEMENTS FOR PEDESTRIAN ACCESS - The Planning Commission may require, in order to facilitate pedestrian access from streets, to schools, parks, playgrounds, or other nearby streets, a perpetual unobstructed easement at least twenty (20) feet in width.

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

250 COMMUNITY FACILITIES AND OPEN SPACE - The process of land subdivision and development represents a long term commitment to a particular land use and movement pattern, good or bad. It is therefore the point in time of a community's development that the planning process is actually implemented with respect to securing the land needed for public services.

251 RESERVATION OF LAND -

252 OFFICIAL PUBLIC PROPERTIES MAP - If the City has adopted an Official Properties Map, as provided for in KRS 100.293 - 100.317 which includes such public use, then, in addition to the provisions for reservation (Section 251), the Legislative Body may prevent the development of such area by refusing to issue a construction permit. Unless such permit is granted, no person shall recover any damages for the taking for public use of any structure or improvement constructed within the lines shown on the Map. Any such structure or improvement shall be removed at the expense of the owner when the land is acquired for public use.

253 UNFORSEEN DEVELOPMENT - Where considered essential by the Commission in its review of large scale or planned unit development not anticipated in the adopted plans, the Commission may require the reservation for purchase of such areas of an extent and location suitable for the needs created by such development for parks, schools, streets or public use for no more than two years.

254 DESIRABLE FEATURES - In the subdivision of any land within the area of jurisdiction, due regard shall be given to all natural features such as tree stands, water courses, historical spots, or similar conditions which, if preserved, will contribute to the attractiveness and value of the proposed development. (See Section 221)

ARTICLE 3

SUBDIVISION PROCESSING

300 PURPOSE - One of the tools available to local planning commissions for the implementation of the adopted comprehensive plan is the administration of land subdivision regulations. The emphasis of a community's subdivision regulations is to control the quality of development that has been specified for any given tract of land by the Planning and Zoning Ordinance. This is achieved through the efficient utilization of the land in accordance with the standards established in Article 2 of these Regulations.

301 AUTHORITY - The Commission's authority and responsibilities for these purposes is stated in the Kentucky Revised Statute, Chapter 100, Section 100.277 as follows:

1. No person or his agent shall subdivide any land, before securing the approval of the planning commission of a plat designating the areas to be subdivided, and no plat of a subdivision of land within the planning unit jurisdiction shall be recorded by the county clerk until the plat has been approved by the commission and the approval entered thereon in writing by the chairman, secretary, or other duly authorized officer of the commission.
2. No person owning land composing a subdivision, or his agent, shall transfer or sell or agree to sell any lot or parcel of land located within a subdivision by reference to, or by exhibition, or by any other use of a plat of such subdivision, before such plat has received final approval of the planning commission and has been recorded. Any such instrument of transfer, 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. The description of such lot or parcel by metes and bounds in any contract or instrument of transfer or other document used in the process of selling or transferring same shall not exempt the person attempting to transfer from penalties provided or deprive the purchaser of any right or remedies he may otherwise have.
3. Any street or other public ground which has been dedicated shall not be accepted by the legislative body until it has received recommendations for the planning commission.

The subdivider or developer is required to submit certain maps of his proposed subdivision (plats) to the commission which contain such information as to permit the evaluation of the proposed project by the commission and other agencies of the City.

302 APPLICABILITY - These Regulations and Standards shall apply to the subdivision of any tract of land into two (2) or more parcels, counting the original tract; the consolidation of two or more parcels of land into a fewer number of parcels; the survey or re-survey of property; and to the amendment of any subdivision plat previously approved by the commission.

302.1 CLASSES OF SUBDIVISIONS - Proposed subdivisions of land shall be determined by the Chairman or his designee to be classified as Major or Minor Subdivisions. Major Subdivisions shall be processed in accordance with Sections 310 through 340 of these Regulations. Minor Subdivisions shall be processed in accordance with Sections 310, 340 and 350 of these Regulations.

310 GENERAL REQUIREMENTS - The following requirements are applicable to the Preliminary, Final and Minor Subdivision Plat submittals.

311 - They shall be clearly and legibly drawn or produced in black waterproof ink or other black waterproof medium or transparent linen tracing cloth, or other approved stable base permanent transparent materials, at the specified scale.

312 - Drawings, except those on U.S.G.S. maps and otherwise indicated, shall be submitted on uniform size sheets 24" x 36". When more than one sheet is required to show the Subdivision Plat, an index of the same size shall be submitted.

313 - An identifying title block in the lower right hand corner of the Subdivision Plat shall contain the following information:

313.1 - Name of subdivision.

313.2 - Name and address of the owners of record and/or the subdivider (if other than owner).

313.3 - Names, address, and seal or stamp of the licensed engineer of land surveyor responsible for preparation of the plat.

313.4 - Acreage to a hundredth of an acre of land proposed for subdivision.

313.5 - The date.

313.6 - A graphic scale.

313.7 - Approximate true north pointer.

313.8 - Indicate whether the plat is a Preliminary, Final, Minor, etc.

320 PREAPPLICATION CONFERENCE - The preapplication conference is intended to provide the initial contact between the prospective subdivider (property owner or developer) and the Planning and Zoning Department. At this meeting the Department learns of the imminent plans for the development of the subject tract of land and can initiate contacts with other governmental departments to determine the potential need for acquiring land and providing services. The subdivider is then briefed on the subdivision regulations and procedures to be followed for processing the application. It shall be the responsibility of the subdivider requesting action to be present, (in person or by agent), appear at the scheduled conference (See Section 173). A

Preapplication Conference shall be held unless waived by the Planning Director or his designee. In which case the applicant may proceed to the preliminary plat.

This conference will not be advertised by staff but can be attended by the public.

(Adopted: 02-28-2022 Ordinance 067-2022)

321 PROCESSING

321.1 NOTIFICATION - The subdivider should contact the Planning & Zoning Department to schedule a preapplication conference well in advance of a scheduled submittal deadline.

(Adopted: 02-28-2022 Ordinance 067-2022)

321.2 PLAT PREPARATION - The subdivider shall provide a sketch plat containing the information specified in Section 323 of these Regulations for review during the preapplication conference. This sketch plat shall be of adequate size to show the subdivided area at a scale of 100 feet per inch or other suitable scale. The sketch plat does not have to be prepared or certified by a registered engineer.

(Adopted: 02-28-2022 Ordinance 067-2022)

321.3 CLASSIFICATION - At the preapplication conference the proposed subdivision will be classified as a Major or Minor subdivision and the subdivider advised accordingly of the proper procedure to follow. (Minor plats shall be classified and processed according to Section 350)

322 FEES - There shall be no fees charged for the review of a sketch plat or a preapplication.

(Adopted: 02-28-2022 Ordinance 067-2022)

323 SKETCH PLAT REQUIREMENTS AND CHECK LIST

323.1 - The following items should be included on sketch plans presented for review at initial project presentations:

- A. A generalized vicinity sketch showing existing roads and their names, the subject property, and major streams.
- B. Generalized shape of the subject property at a scale of 100 feet per inch with boundary dimensions and total acreage.
- C. Existing physical features including natural drainageways, existing structures, wooded areas, ponds, and sinkholes.
- D. Generalized topographic contours at 10 foot intervals.
- E. Generalized layout of proposed streets and lots.
- F. Names of adjacent land owners of subdivisions.

323.2 - The following items of supplementary information are to be included with the submittal of a sketch plan as specified in Section 320.

- A. Existing and proposed zoning.
- B. Within the City or unincorporated county.
- C. Available utilities and proposed methods of service for water supply, sanitary sewer, storm water drainage.
- D. Relationship to community services including shopping, schools, parks.
- E. Intended land use for all parcels.

324 TYPICAL PREAPPLICATION SKETCH (See FIGURE 4, page 33)

330 PRELIMINARY PLAT - The purpose of the preliminary plat is to provide the Commission with a detailed graphic statement of the proposed improvements to the subject tract of land. The preliminary plat is "preliminary" only in the sense that the Commission may make suggestions or request suggestions from other qualified agencies towards improving the design or improvement standards presented by the subdivider. Upon Commission approval of the preliminary plat (Method #1 or #2), the developer is authorized to proceed with the development of the approved plan and construction of public facilities.

331 PROCESSING

331.1 SUBMITTAL - Within six months of the pre-application conference, the subdivider shall file an application for the consideration of a preliminary subdivision plat (shown in Article 6). Such application shall be filed with the Planning Commission along with the plat and the information specified in Section 333 at least twenty-one (21) days prior to a regularly scheduled meeting date of the commission. Two methods of application are available. The land developer must select one of the following methods:

METHOD #1

An application and construction plans* shall be filed prior to any approval of a preliminary layout and prior to filing an application for approval of a final subdivision plat.

METHOD #2

(Step 1) - An application shall be filed prior to any approval of a preliminary layout and prior to filing an application for approval of a final subdivision plat. Approval of this step shall merely constitute approval of the subdivision location and general layout. Site preparation is permissible, but construction of any improvements required by this ordinance shall not be permitted. (The Planning Commission reserves the right to require construction plans, if it deems necessary, during this step.)

(Step 2) - After having gained approval of Step 1 and prior to filing an application for approval of a final subdivision plat, the developer shall submit, within six (6) months construction plans* for approval. After having gained approval of Step 2 and compliance with other applicable requirements of this ordinance, construction of improvements may begin. Failure to submit construction plans within six (6) months shall require reapproval of expired preliminary layout, Step 1. The preliminary plat shall be prepared by a qualified licensed professional engineer or licensed professional land surveyor, at a scale of not less than one hundred (100) feet per inch and shall be on one or more sheets 24" x 36" (inches) in size.

***Construction Plans** - These drawings which depict the erection, construction, alteration, repair, renovation, excavation, filling and grading of subdivision

improvements as required by this ordinance and including a description and list of materials used in said improvements. (See Sections 231.39, 241.1, 242.4 & 243.2.) The construction plans can be submitted in phases, if proposed construction phases shown on the Preliminary Plat [Method #1 or Method #2 (Step 1)] are approved by the Planning Commission. The Planning Commission may delegate approval of the construction plans to the Planning Commission Staff. If the Planning Commission delegates approval of the construction plans to the Staff, the following conditions shall apply:

- A. The construction plans will not be approved until complete sets of plans for the construction phase are submitted for all public improvements (utilities).
- B. If variances are requested, the construction plans shall be brought back to the Planning Commission.
- C. Items that cannot be resolved between the Staff and the Developer's Engineer shall be brought back to the Planning Commission and resolved prior to the construction plans being approved.

(Adopted: 03-26-12 Ordinance 832-2012)

331.2 NUMBER OF COPIES - The subdivider shall submit eight (8) copies of the preliminary plat and required supplementary information to the Chairman or his designee for distribution to and review by the commission members and such other agencies and officials as may be necessary for the purpose of review and recommendations.

331.3 PLAT REVIEW - The preliminary plat shall be reviewed by the Commission and other such agencies and officials as necessary. The findings will be presented and evaluated at a public hearing by the Commission. The subdivider will be mailed a notice at least five (5) days prior to the meeting at which the plat is to be considered. Similar notice shall be mailed to the owners of the land immediately adjoining the acreage proposed to be subdivided as shown on the proposed plat, in order that they may be informed of the action. It shall be the responsibility of the subdivider requesting action to appear at the scheduled hearing to request same (See Section 173). All notifications shall be in accordance with KRS 100 & KRS 424.

(Adopted: 02-28-2022 Ordinance 067-2022)

331.31 REVIEW BY KENTUCKY BUREAU OF HIGHWAYS - If the Bureau of Highways has filed corridor maps with the Commission in accordance with KRS 100.287, the Commission will provide a copy of any affected plat and defer approval until the comments have been received within fifteen (15) days after the Bureau's receipt of the plat.

331.32 - In determining whether a preliminary plat shall be granted approval, the Commission shall consider the following:

- A. Conformance with plat specification.
- B. Conformance with the applicable provisions of the Zoning Regulations.
- C. Coordination with the elements of existing land use and the Comprehensive Plan.
- D. Fair allocations of areas for streets, parks, schools, public and semi-public buildings, homes, utilities, business, and industry.
- E. Distribution of population and traffic in a manner to create conditions favorable to health, safety, convenience and the harmonious development of the community.
- F. Review comments received from agencies and officials.
- G. Comments expressed by the public at the Commission review hearing.
- H. The effects of the proposed development on adjoining lands as yet undeveloped.

The applicant or his authorized agent, preferably his engineer, shall be prepared to attend the meeting of the Planning Commission to discuss the above.

331.33 - The Commission may require the reservation of land for parks, schools, and other public uses for a period not to exceed two years.

331.4 COMMISSION ACTION - Within 90 days of the Commission meeting on the preliminary plat, it shall take one of the following actions: (1) approve the plat, (2) approve the plat subject to conditions, (3) disapprove the plat, unless such time is extended by agreement of the Commission and the subdivider, or (4) postpone taking action for specific stated reasons for up to 90 days. If the Commission finds that the preliminary plat does not meet the requirements of these Regulations, it shall either disapprove the plat, or conditionally approve the plat, subject to specified revisions, within the said time period. Failure of the Commission to act on the plat within the specified time shall be considered as approval of the plat.

Approval of the preliminary plat by the Commission does not constitute approval of the subdivision but is merely an authorization to proceed with the preparation of the final plat and construction of public facilities. (As per application submission method, Section 331.1)

In the event of disapproval or conditional approval of the preliminary plat, a statement in writing by the Commission setting forth the reasons for disapproval or the conditions of approval, shall be mailed to the subdivider and entered into the records of the Commission.

331.5 EFFECTIVE PERIOD OF APPROVAL - At such time as a preliminary plat has been approved by the Commission, the Chairman, or his designee shall affix his signature to the plat notification for preliminary approval. One copy shall be returned to the subdivider for compliance with the final approval requirements. Such approval shall be effective for a twenty-four (24) month period from the date of approval. During that time the general terms and conditions under which the preliminary approval was granted will not be affected by any changes or amendments to these Regulations.

Approval of the Preliminary Plat shall not constitute acceptance of the Final Subdivision Plat. The final subdivision plat may comprise only a portion of the preliminary plat and extensions of time (up to twenty-four (24) months each) may be granted by the Planning Commission for the submission of a final subdivision plat for the remainder of the preliminary plat. If a preliminary plat is granted an extension of time by the Planning Commission, all current City Zoning Ordinances, Subdivision Regulations, and General Construction Specifications must be met. Failure to submit an application for a final subdivision plat (as hereinbefore stated) or an extension of time within twenty-four (24) months shall require reapproval of the expired preliminary plat.

331.6 ADJUSTMENT OF PRELIMINARY PLAT REQUIREMENTS - The Planning Commission may waive the requirements in any individual case where, in the Commission's judgment such waiver would be in the public interest and would eliminate undue hardship. No waiver shall be granted which will have the effect of nullifying the intent and purpose of these Regulations. In granting any adjustment, the Commission shall attach such conditions as are necessary, in its judgment, to secure substantially the objections of the standards or requirements so adjusted.

A Planned Unit Development comprised of the large scale construction of housing units together with related uses and necessary ways of access may be approved by the Commission although the design of the project does not follow standard street, lot, or subdivision arrangements; provided that the departure from the standards of these Regulations can be made without destroying their intent. The Commission may require such covenants or other legal provisions, which it determines are necessary to insure conformity to the proposed plan and the intent of these Regulations.

Any waiver of these Regulations shall be specifically requested in writing by the Subdivider with reference to the particular section to be waived. This request shall be accompanied by the submission of the preliminary plat and be entered in the minutes of the review meeting.

331.7 AMENDMENT OF PRELIMINARY PLAT - If, after the Commission has approved a preliminary plat, the Subdivider desires to make a change in the number of lots, alignment of streets, or use of previously dedicated property, an "Amended Preliminary Plat" shall be filed for review according to the procedures previously described.

332 FEES - The Planning Commission shall levy a plat review fee for the examination and review of every preliminary plat reviewed by the Commission. The following fees apply to preliminary plats and are payable by the Subdivider at the time of filing his application for preliminary plat approval.

332.1 FEES FOR PRELIMINARY PLATS -See Building Permit and Planning and Zoning Fee Schedule.

332.2 METHOD OF PAYMENT - Plat review fees shall be paid in legal tender, check, or money order made payable to the Nicholasville Planning Commission.

332.3 LATE FILING FEES - The fee for plats filed later than twenty-one (21) days prior to the Commission's meeting will be triple the regular fee.

332.4 FEE FOR "AMENDED PRELIMINARY PLAT" - The fee for review of an Amended Preliminary Plat shall be the same as for the Preliminary Plat.

332.5 REFUNDS - Fees for reviewed plats are not refundable. Fees for unreviewed plats may be refunded minus cost already incurred by the Planning Commission.

332.6 CONSTRUCTION PLANS - See Building Permit and Planning and Zoning Fee Schedule.

(Adopted: 11-6-17 Ordinance 994-2017)

333 PRELIMINARY PLAT REQUIREMENTS AND CHECK LIST

333.1 - The following information shall be included on the Preliminary Plat presented for review by the Planning Commission unless accompanied by a request for waiver:

- A. **THE GENERAL REQUIREMENTS** as stated in Section 310.
- B. Names of all adjoining property owners of record and adjacent subdivisions along with intersecting property lines.
- C. Vicinity sketch map at a scale of two thousand (2000) feet per inch or greater shall be placed on the preliminary plat. The vicinity map shall show the subject property and surrounding land within one thousand (1000) feet and include existing roads with at least one intersection of common reference, scale, north arrow, streams, and an outline of the subject property. Boundary

lines and streets in adjacent developments shall be shown and how they connect with streets in the proposed subdivision to assure the most advantageous development. Existing and proposed shopping facilities, schools and parks should be designated.

- D. The proposed subdivision shall be drawn at a scale of not less than one hundred (100) feet per inch on uniform size sheets 24" x 36". Boundaries of the tract will be drawn to scale showing all bearings and distances to nearest one hundredth foot.
- E. The plat shall show physical features that may influence the design of the subdivision including streams, ponds, swamps, rock outcrops, wooded area, existing structures, and sinkholes.
- F. Existing topographic contours at an interval of not greater than five (5) feet, or two (2) feet if deemed necessary by the Planning Commission, shall be shown for the subject property and extending beyond for five hundred (500) feet. Sinkholes, if any, shall be labeled and their low point clearly marked.
- G. Location, dimensions and names of existing streets, railroads, easement, municipal boundaries or other public properties and significant features shall be shown within and adjacent to the plat for a minimum distance of five hundred (500) feet.
- H. Zoning classification of the tract and adjoining property shall be indicated as well as a description of proposed zone changes, if any, and political jurisdiction.
- I. Location of existing sewers, water mains, storm drains, power transmission lines with capacities and direction of flow within and adjacent to the tract and showing proposed connections. Rear easements for utility poles and wires shall be required wherever possible. (Section 245)
- J. Location, name, right-of-way and pavement width of existing and proposed streets according to Section 231.38.
- K. Existing and proposed easements, their locations, widths, and distances. (Section 245)
- L. Radii of streets, points of curvature, lengths of arcs.
- M. Street names selected so as not to duplicate any other within the County as specified in Section 231.26.

- N. Layout of proposed parcels of land including dimensions of lot lines, number and area of all proposed or existing lots, lot numbers and building setback line.
- O. Designation and acreage of all parcels and areas to be used for non-residential purposes including parcels reserved or dedicated for public use and utility installations. All such parcels shall be assigned parcel numbers.
- P. Location and type of monuments and pins, which shall be placed at the intersection of property lines, the intersection of street center lines, changes in street direction, and the intersections and angles of subdivision boundary.
- Q. Note indicting the lot number and area in square feet of the smallest lot in the subdivision.
- R. Subdivision plats being submitted for industrial or commercial development shall also show access points, building masses including proposed entrances, loading areas and, when possible, the number of establishments to be contained within.
- S. Lots that have a storm water detention basin or retention basin located on them may be recorded on a Final Plat, but a Building Permit shall not be issued for those lots until the detention/retention basin has been constructed to City of Nicholasville specifications. A note shall be placed on the Construction Plans and Preliminary Plat to this effect.

333.2 SUPPLEMENTARY INFORMATION - The following items of supplementary information shall be submitted with and considered as part of the preliminary subdivision plat as specified in Section 330.

- A. Copy of completed subdivision application form.
- B. Legal description of the tract to be subdivided.
- C. Description of physiographic characteristics including soil types, slope, permeability rates, ground water, depth of bedrock, sink holes, flood frequency.
- D. Statement of deed restrictions and protective covenants, if any.
- E. Typical street sections showing roadbed construction, curbs, gutters, sidewalks and relationship of underground utilities shall be shown.
- F. A plan showing the information described in Section 231.391 indicating in dotted lines, the original land contour, and any other items that may apply throughout these Regulations.

- G. A plan showing the provisions for domestic water supply as described in Section 241 of these Regulations on a separate map of property lines, street and easement right-of-ways.
- H. A plan showing the provisions for sanitary sewage disposal as described in Section 242 of these Regulations on a separate map of property lines, street and easement right-of-ways.
- I. A plan showing the provisions for storm water disposal as described in Section 243 of these Regulations on a separate map of property lines, street and easement right-of-ways.
- J. Request for modification, variance or waiver of preliminary plat requirements or design standard. (Optional)
- K. Certification by the City Engineer or authorized representative that the subdivision shall be supplied with water and/or sewer services.
- L. Certification of Ownership signed by the owner of record of the property to be subdivided testifying that he is the owner of the tract and agrees with the subdivision plat being filed.
- M. Ce
rtification by the licensed engineer or land surveyor that the plat bearings and dimensions are accurate.
(Adopted: 07-02-09 Ordinance 745-2009)
- N. Certification by the Planning Commission Chairman or his designee that the Preliminary Plat and all supplementary information has been reviewed and meets the Commission's Regulations with the exception of requested variances. (To be signed after Commission approval of the plat).
- O. Certification of review by the Kentucky Bureau of Highways in accordance with Section 331.31, if necessary.

340 FINAL PLAT - The Final Subdivision Plat serves two purposes: It is first of all, a plat of record containing such information as necessary for the public recording and transfer of land including lot lines, easements, and restrictions. The final plat may also include construction details for streets, sidewalks, public utilities and lands. The final plat review process serves as a check to assure that subdivision requirements and specifications have been met and that public utilities and other improvements have been or will be installed according to minimum standards. Approval of the final plat authorizes the subdivider to record the subdivision with the Jessamine County Clerk and offer lots for sale to the public.

(Adopted: 02-28-2022 Ordinance 067-2022)

341 PROCESSING

341.1 SUBMITTAL - Within the twenty-four (24) month effective period of the preliminary plat, the subdivider shall submit a Final Subdivision Plat application to the Planning & Zoning Department for review and action. Said application shall include the appropriate Certificates as shown in Article 6. Failure to submit a final plat application or to request an extension of time (Section 331.5) within twenty-four (24) months of preliminary plat approval shall require reapproval of the expired preliminary plat.

The applicant shall also supply the Planning & Zoning Department a digital submittal of the plat that complies with Section 360 of the Nicholasville Subdivision Regulations.

(Adopted: 02-28-2022 Ordinance 067-2022)

341.2 CONTENT - The final plat shall conform substantially to the approved preliminary plat and incorporate all modifications and changes as required in the Commission's approval of the preliminary plat. The final plat may be submitted in phases and constitute only that portion of an approved preliminary plat which the subdivider proposes to develop and record at the time. The plat shall include those items and supplementary information specified in Section 345 of these Regulations. The Planning Director may waive certain requirements in his/her discretion in situations of undue hardship upon written request from the Subdivider as specified in Section 331.6 of these Regulations. The final plat shall be prepared at a scale of not less than one hundred (100) feet per inch on sheets 18" x 24" (inches) in size by a registered engineer whose seal shall appear on the plat.

(Adopted: 02-28-2022 Ordinance 067-2022)

341.3 NUMBER OF COPIES - The subdivider shall submit five (5) copies of the final plat and required supplementary information with the application to the Planning & Zoning Department for distribution and review by other agencies and officials as may be necessary for review and comment.

(Adopted: 02-28-2022 Ordinance 067-2022)

341.4 PLAT REVIEW - Prior to submission to the Planning & Zoning Department, the subdivider shall submit the final plans for review and certification by the City

Engineer or other qualified representative. Upon application, the final plat shall be reviewed by the Planning & Zoning Department, other city staff, and such agencies and officials as necessary. Final Plats conforming with the preliminary plat approval by the Planning Commission and any associated conditions of approval are subject to administrative review and approval by staff. The Planning Commission, upon request by the Planning Director, however may review any final plat application. The Planning Director, subject to his/her discretion, may refer any final plat application to the Planning Commission for review.

The City Engineer or other qualified representative will check the plat in regard to computation, certification, monuments, and that the required improvements have been installed to the satisfaction of the City officials and any other agencies and officials having jurisdiction. Where such improvements have not been installed, the City Engineer or other qualified representative, and any other agencies having jurisdiction over the required improvements shall establish the amount(s) of the surety required to be posted to cover the costs of such improvements in accordance with Section 343.

It shall be the responsibility of the subdivider requesting action to appear at the scheduled hearing to request same (See Section 173).

(Adopted: 07-02-09 Ordinance 751-2009)
(Approved: 6-20-2013 Ordinance #875-2013)
(Adopted: 02-28-2022 Ordinance 067-2022)

341.5 COMMISSION ACTION - Within 90 days of the final plat application, the Planning & Zoning Department shall either approve, disapprove, or postpone action on the plat. If the plat is disapproved, the reasons for disapproval shall be provided in writing to the Subdivider. If action on the plat is postponed for up to 30 days, the specific reason for postponement will be stated in writing. Failure of the Planning & Zoning Department to act within the prescribed time shall be considered as approval of the plat.

The final plat shall not be disapproved if the Subdivider has fulfilled all requirements and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat. If the final plat is disapproved, the subdivider shall make the necessary corrections and resubmit the final plat within thirty (30) days from disapproval. If a plat is refused by the Planning & Zoning Department, the person submitting the plat which the Planning & Zoning Department refused to approve may file a petition within 30 days after such refusal with the Board of Adjustment.

Approval of the final plat by the Planning & Zoning Department shall not constitute or imply the acceptance by the City of the dedication of any street, park, or other public ways or grounds. The Planning & Zoning Department may require said plat to be endorsed with appropriate notes to this effect. The Commission may also require the filing of a written agreement between the applicant and the City Commission, covering future title, dedication and provision for the cost of grading, development, equipment, and maintenance of any park or playground area.

341.6 RECORD PLAT - Five (5) 18" x 24" and one (1) 11" x 17" copy of the Final Subdivision Plat shall be filed with the Planning & Zoning Department. Once upon approval of the final plat, the Planning & Zoning Department shall within thirty (30) days from the date of request, file at the developer's expense, (one) 1 copy of the Subdivision Plat with the Jessamine County Clerk as an official plat of the record. When the Plat has been recorded, one (1) copy bearing evidence of the County Clerk's recording of same shall be returned to the Subdivider or his agent.

(Adopted: 02-28-2022 Ordinance 067-2022)

341.7 REVISIONS OF APPROVED PLAT - No changes, erasures, modifications or revisions shall be made on any subdivision plat after approval and endorsement by the Planning Commission Chairman in writing on the plat, unless the Planning Director determines that the revision is minor and does not make a material difference to the plat. If the Planning Director determines that the revision is not minor, the change shall be requested through an official plat amendment application. An explanation shall be placed on such plat stating the purpose for any changes, erasures, modifications or revisions. In the event that any such subdivision plat is recorded without complying with this requirement, that plat shall be considered null and void, and the Commission shall institute proceedings to have said subdivision plat stricken from the records of the County Clerk.

(Adopted: 02-28-2022 Ordinance 067-2022)

341.8 LOTS WITH DETENTION/RETENTION BASIN - Lots that have a storm water detention basin or retention basin located on them may be recorded on a Final Plat, but a Building Permit for those lots shall not be issued until the detention/retention basin has been constructed to City of Nicholasville specifications. A note shall be placed on the Final Plat to this effect.

342 FEES - The following schedule shall be used by the Planning Commission to compute the fee that shall accompany any application for a final plat.

342.1 FEES FOR FINAL PLATS - See Building Permit and Planning and Zoning Fee Schedule.

342.2 METHOD OF PAYMENT - Plat review fees shall be paid in legal tender, check or money order made payable to the Nicholasville Planning Commission.

342.3 LATE FILING FEES - The fee for plats filed later than twenty-one (21) working days prior to the Commission's meeting will be triple the regular fee.

342.4 FEE FOR "AMENDED FINAL PLAT" - The fee for review of an Amended Final Plat shall be the same as for the Final Plat.

342.5 REFUNDS - Fees for reviewed plats are not refundable. Fees for unreviewed plats may be refunded minus costs already incurred by the Planning Commission.

343 CONSTRUCTION GUARANTEES

343.1 COMPLETION OF IMPROVEMENTS - Prior to the submission of the final plat to the Planning Commission for approval, the developer shall complete all required improvements per approved Construction Plans to the satisfaction of the City Engineer who will certify their satisfactory completion in writing to the Planning Commission, or if such improvements have not been fully constructed at the time of the Planning Commission's consideration of the Final Plat, a financial guarantee amount to secure the associated costs of the improvements shall be utilized as provided in Section 343.2.

343.2 FINANCIAL GUARANTEE REQUIREMENTS - The owner/ developer shall file financial guarantees with the City, and with other agencies having jurisdiction, to secure payment of the costs associated with the installation or completion of the required improvements when requesting approval of the final plat. A financial guarantee filed with the City (which may be in an itemized form listing each individual improvement to be completed) shall be executed in favor of the City of Nicholasville in an amount not less than 125% of the cost as the City Engineer shall estimate and determine to be reasonably necessary to complete all of the improvements required of the owner/ developer (including measures to control erosion and sedimentation, when applicable). The financial guarantee shall be in the form of cash, certified check, official bank check or irrevocable letter of credit in a form approved by the City attached as Exhibit "A" hereto.

The financial guarantee filed with the City shall be executed by the owner/ developer of the property being developed and shall insure the availability of funds for the construction and installation of all required improvements under the Final Development Plan and Construction Plans, together with all engineering and inspection costs and fees incurred by the City. The City shall establish a completion date, after which should the owner/ developer fail to complete all work and improvements required to be done, the City shall cause all required work to be done and improvements completed. The owner/ developer executing the financial guarantee to the City shall be firmly bound for the payment of all necessary costs associated with said improvements. Whenever the owner/ developer elects to post a financial guarantee, the City shall be authorized, in the event of any default on the part of the developer or the performance of any work or construction of any improvements for which the financial guarantee has been filed, to draft or withdraw that amount required for the installation and completion of said improvements. The financial guarantee to the City shall be filed with the Planning and Zoning Department. Additional financial guarantees to other agencies having jurisdiction over required improvements may be necessary. The owner and the developer shall also be financially responsible for all of the costs associated with the construction of the improvements which exceed the amount of the financial guarantee filed.

343.21 - The financial guarantee to the City shall be renewed, if needed, sixty (60) days prior to the expiration date. In the event that the owner/ developer fails to do so, the City shall be authorized to withdraw the full amount of the financial guarantee without further notice to said owner/ developer or any other person.

343.22 - Any owner/ developer who files a financial guarantee with the City shall both sign a statement, attached hereto as Exhibit "B", that they have read and understand Section 343 and all subsections thereunder, and that they will abide by its terms. The owner and developer must further acknowledge in writing that they are aware of the expiration date of the financial guarantee and that they will not attempt to hold the Nicholasville Planning Commission or the City of Nicholasville, nor any employees of either liable for any damages which may result from the strict enforcement of Section 343 and all subsections thereunder.

(Adopted: 07-02-09 Ordinance 752-2009)
(Adopted: 06-20-2013 Ordinance 876-2013)
(Adopted: 01/03/2022 Ordinance 061-2021)

EXHIBIT "A"

ISSUING BANK'S LETTERHEAD

_____, 20__

City of Nicholasville
Attn: Planning and Zoning
517 North Main Street
Nicholasville, KY 40356

Re: Irrevocable Letter of Credit _____
Beneficiary: City of Nicholasville, KY ("You" or "Your")
Issuing Bank: _____ ("We", "Us" or "Our")
Expiration Date: _____, 20__

Nicholasville City Commission:

We hereby establish our irrevocable Letter of Credit in your favor for the account of [name of entity posting the letter of credit] and for the completion of [description of project being guaranteed], available by your drafts (partial drawings are permitted, but any such drawing shall reduce the amount of this Letter of Credit by an equivalent amount) drawn on us and payable for any sum of money not to exceed a total of US \$ _____, when accompanied by this letter of credit and the following document signed by you and stating:

"The Nicholasville City Commission hereby certifies that, by resolution adopted by its members, the sum of \$ _____ is due and is drawn under (issuing bank's name) Letter of Credit _____, dated _____, 20__."

It is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for a one (1) year period from the present or any future expiration date hereof, unless at least 60 (sixty) days prior to any such expiration date and by no later than your close of business on the sixtieth (60th) day, we shall send you by a recognized overnight carrier notice that we have elected not to renew this Letter of Credit.

Where not inconsistent with the terms contained herein, this Letter of Credit is governed by the Uniform Customs and Practice for Documentary Credits ("UCP") as most recently promulgated and published by the International Chamber of Commerce ("ICC").

City of Nicholasville

_____, 20__

Page Two

We hereby agree with you that all drafts drawn in compliance with the terms of this Letter of Credit will be duly honored upon presentation and delivery of the documents specified above by a recognized overnight carrier to our office in _____, Kentucky, on or before the present or any future expiration date and by no later than the close of our business on any such expiration date.

Sincerely,

APPROPRIATE BANK OFFICIAL'S
NAME AND OFFICE

EXHIBIT "B"

**FORM TO BE USED IN CONJUNCTION
WITH FINANCIAL GUARANTEE**

WHEREAS, _____, herein is
(name of property owner)
the ("Owner") of _____
(name of entire property owned)
_____, located in Nicholasville, Kentucky, and

WHEREAS, _____, herein is
(name of developer of property)
the ("Developer") of _____

(name of property or portion thereof for which Final Development Plan/ Construction Plans approved);

WHEREAS, the Final Development Plan/ Construction Plans for _____
_____,
(name of property or portion thereof for which Final Development Plan/ Construction Plans approved)
showing the location, construction and installation of improvements therein and related thereto, have
been filed with and approved by the Nicholasville Planning Commission and staff, and which are
hereby referred to and made part of this instrument, as if fully copied and set forth herein.

WHEREAS, the Owner/ Developer herein does hereby agree and financially guarantee to the
City of Nicholasville and its successors and assigns to complete the construction and installation of
said improvements related to _____

(name of property or portion thereof for which Final Development Plan/ Construction Plans approved)
in accordance with the Final Development Plan/ Construction Plans now on file with the
Nicholasville Planning Commission.

WHEREAS, _____, acknowledges and

(name of property owner)

agrees that the Final Development Plan/ Construction Plans are covenants running with the land

regarding _____.

(name of property or portion thereof for which Final Development Plan/ Construction Plans approved)

NOW, THEREFORE, _____ does

(name of entity posting the guarantee)

hereby firmly bind itself, its heirs, executors, administrators, successors and assigns unto the City of

Nicholasville in the sum of \$ _____ by

_____ , conditioned upon the

(cash, certified check, official bank check, or irrevocable letter of credit)

satisfactory performance by the Owner/ Developer of its undertaking herein, and its completion

of the said _____

(title of particular plat being secured)

the construction and installation of all improvements herein called for, the same improvements to be

completed on or before the _____ day of _____, 20____ , unless extended by the

Nicholasville Planning Commission, and until such time the City of Nicholasville or its authorized

agent elects to terminate same.

If the Owner/ Developer fails to timely complete the construction, and installation of all

the improvements of _____

(title of particular plat being secured)

as shown and provided for by said Final Development Plan/ Construction Plans herein referred, then

the authorized agent of the City of Nicholasville, shall be entitled to use the funds to perform the

construction and installation of the improvements herein above referred to and the Owner and

Developer shall also pay or cause to be paid to the City of Nicholasville such sums as may exceed

the amount of the financial guarantee and that may be necessary to complete said improvements.

The Owner and Developer further agrees that he/she will not hold the Nicholasville Planning

Commission or the City of Nicholasville, nor any employees of either, liable for any damages which may result from the strict enforcement of the financial guarantee, and that he/she has read and understands Section 343 of the Subdivision Regulations.

WITNESS OUR HANDS this the _____ day of _____, 20_____

Owner: _____

Name (Please Print)

Title

Signature

Address

Witness: _____

Name (Please Print)

Signature

Address

Developer (If different than Owner):

Name (Please Print)

Title

Signature

Address

343.3 MAINTENANCE AND REPAIR OF IMPROVEMENTS - The Developer shall be 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. Upon completion of work and before public acceptance, the Developer shall clean up all ground occupied or affected in connection with the work. Failure to maintain and repair improvements may result in withholding approval of subsequent units of the subdivision or the billing of the developer for such service performed by the City. Payment shall be guaranteed by surety.

(Adopted: 06-20-2013 Ordinance 877-2013)

343.4 LIABILITY INSURANCE - The Developer shall furnish such insurance as deemed necessary by the Planning Commission which shall indemnify and save harmless the City 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 Commission but in no case shall be allowed to expire earlier than one year from the date that construction of improvements is accepted for maintenance by the City. A copy of the insurance policy shall be filed with the Nicholasville Planning Commission.

344 ACCEPTANCE AND DEDICATION OF IMPROVEMENTS - The surety, as hereinbefore required by the City of Nicholasville, may be released by the City Commission in whole or in part, only with the recommendation of the Planning Commission that the City of Nicholasville accept the dedication of the streets, improvements and other public grounds in the Subdivision in question, in accordance with one of the following methods:

- A. A full release may be obtained only after all improvements have been properly installed in the subdivision; or
- B. A partial release may be obtained, as requested by the developer, as the subdivision improvements are satisfactorily completed. Two reductions in the amount of the surety will be permitted. However, the surety will not be reduced to less than 25 percent of its original value. No reduction will be granted after a completion date has passed, and no reduction will alter the original completion or termination date of the surety. A fee may be charged by the Planning Commission for each reduction to cover inspection and clerical record keeping costs.

The Planning Commission shall make such a recommendation after it has received a report from the Planning Commission Engineer or other authorized person that the improvements have been properly installed, that the subdivision plat has been approved, and that all requirements of these Subdivision Regulations have been met.

(Adopted: 07-02-09 Ordinance 753-2009)
(Adopted: 06-20-2013 Ordinance 878-2013)

345 FINAL PLAT REQUIREMENTS

345.1 INFORMATION TO BE INLCUED ON FINAL PLAT - The following information shall be included on the final plat presented for review by the Planning Commission unless accompanied by a request for waiver:

- A. **THE GENERAL REQUIREMENTS** as stated in Section 310.
- B. Total site data including acreage, acreage in street right-of-way, number of lots, area and lot number of the smallest lot, square feet of area or acres in parks and other public uses, and zone districts that apply to the subdivision.
- C. The proposed subdivision shall be drawn at a scale of not less than one hundred (100) feet per inch on uniform size sheets 18" x 24". All exterior plat boundary lines with lengths of courses and bearings as determined by an accurate survey in the field.
- D. Bearing and distance to nearest established street lines or other recognized permanent monuments.
- E. Exact location, right-of-way and names of all streets within and adjoining the plat. For all proposed streets within the subdivision typical cross-sections showing street pavement, curbs, gutters, and sidewalks shall be shown.
- F. Radiis, internal angles, points of curvature, tangent bearings, lengths of arcs, and lengths and bearings of chords of all applicable streets within the plat area.
- G. Location and dimensions of all easements or right-of-way when provided for or owned by public utilities, with the limitations of the easement rights definitely stated on the plat.
- H. Location and dimensions of all property which is offered for dedication for public use or reserved by deed restrictions or covenant for the common use of property owners of the subdivision. The intended purpose of such use shall be stated on the plat.
- I. Location of lots and blocks showing dimensions to nearest one hundredth foot, dimensions of lot lines, lot number, street number as directed by the Administrative Officer and building setback line.
- J. All permanent monuments or pins set shall be shown and described on the final plat. Such monuments shall be set at the intersections of property lines, lot corners and at angles along the subdivision boundary. Any required monument or pin destroyed before acceptance of improvements shall be replaced by the subdivider or developer. (See Section 211.09)

- K. Subdivision plats being submitted for industrial and commercial development shall also show buildings including entrances, loading areas and, when possible, the number of establishments to be contained within.
- L. The area (square footage) of each lot or parcel shall be shown.
- M. A note shall be placed on the plat identifying the current Federal Emergency Management Agency's (FEMA) map number and effective date, and whether or not the property is located within a FEMA flood plain. (If the property is located within the FEMA flood plain, or if the property contains local flood hazard areas, the limits of the FEMA flood plain and/or flood hazard areas shall be identified on the plat.)
(Adopted: 03-26-12 Ordinance 833-2012)

345.2 SUPPLEMENTARY INFORMATION TO BE SUBMITTED - The following items of supplementary information shall be submitted with and included as part of the final subdivision plat as specified in Section 340.

- A. Copy of completed subdivision application form for final plat review and payment of subdivision processing fees.
- B. Legal description of the tract being subdivided and reflecting the boundary survey.
- C. Deed restrictions and protective covenants shall either be placed on the Final Plat or attached thereto in form for recording. (If recorded separately, reference to the restrictions shall be made on the final plat).
- D. Four (4) sets of as-built construction plans (one shall be a certified reproducible copy) for streets, water supply system, sanitary sewer facilities, and storm water disposal facilities. These shall be drawn to a scale of not less than one hundred (100) feet to the inch horizontally and ten (10) feet to the inch vertically. They shall show the same information as required for the construction plans.
- E. Application requesting modification, variance or waiver of final plat requirements or design standards (Optional).
- F. Certification by the City Engineer or authorized representative that the subdivision shall be supplied with water and/or sewer services.
- G. Certificate of Ownership signed by the owner of record of the property to be subdivided testifying that he is the owner of the tract and agrees with the subdivision plat being filed.
- H. Certificate of Surveyor - A certificate shall be signed by a Licensed Land Surveyor, in Kentucky, stating the he is responsible for the survey and that the Final

Plat accurately depicts the subdivision and the survey. The signature of such surveyor must be accompanied by his seal and registration number.

(Adopted: 07-02-09 Ordinance 746-2009)

- I. Certificate by the City Engineer or authorized representative, that streets, utilities and other improvements have been constructed in acceptable manor or that surety has been posted to assure completion.

(Adopted: 06-20-2013 Ordinance 879-2013)

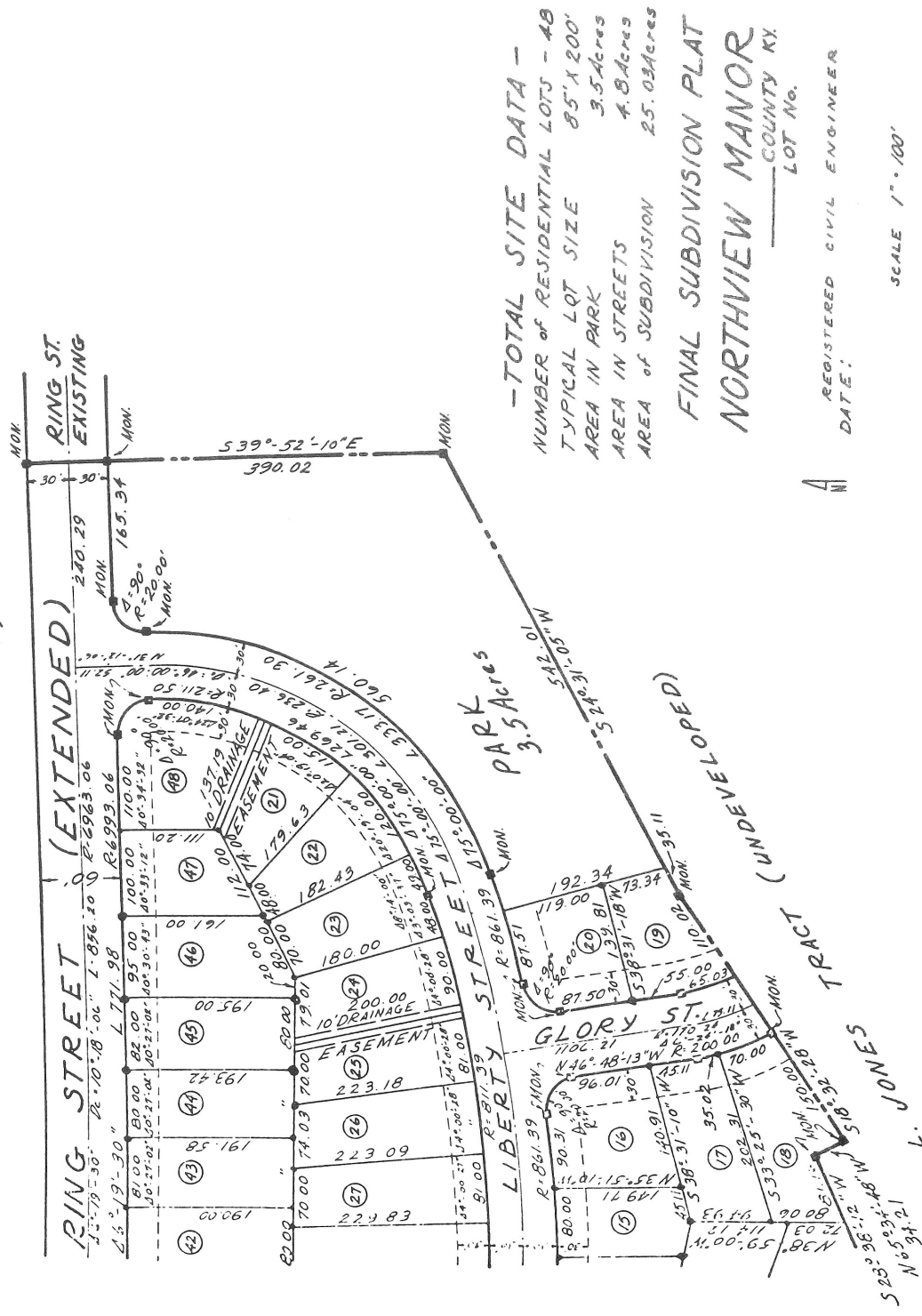
- J. Certificate by the Planning Commission Chairman or his designee that the Final Plat and the supplementary material have been reviewed and found to meet the prescribed requirements and therefore approved. (To be signed after Commission approval of the plat.)

- K. Certificate signed by the Chairman of the Board of Adjustment, if a variance has been granted to the subdivision plat by the Board.

346 TYPICAL FINAL SUBDIVISION PLAT (See FIGURE 6,)

TYPICAL FINAL SUBDIVISION PLAT
FIGURE 6

D. J. SMITH TRACT (UNDEVELOPED)



350 MINOR PLAT - The Commission, Commission Chairman, or his designee will determine whether the proposed subdivision constitutes a Major or Minor Subdivision. In the case of minor subdivision, the lesser significance on the long range development of the community is considered justification for simplifying and expediting the processing of such plats.

351 MINOR PLAT REQUIREMENTS - To qualify for consideration as a minor subdivision plat, a subdivision must meet one of the following situations:

351.1 - Where a subdivision contains three (3) or fewer lots, counting the remainder of the original tract; and fronts on an existing public street; and involves no opening, widening, or extension of streets or utilities; and conforms to the adopted subdivision and zoning regulations and comprehensive plan of the City of Nicholasville.

(Adopted: 03-20-97 Ordinance 203-1997)

351.2 - Where a subdivision provides for the transfer of land between adjacent property owners and does not involve the creation of any new lots or building sites.

351.3 - Where up to and including five (5) lots of record are consolidated to create a lesser number of parcels and involve no new public improvements.

351.4 - Where there is a need to make technical revisions to a recorded final plat of an engineering or drafting nature or similar small discrepancy, but not including the altering of any property lines or public improvement requirements.

351.5 - Where vacant land is subdivided for non-building purposes only; and fronts on an existing public street or on a roadway access easement for a future street approved by the Planning Commission; and conforms to the adopted subdivision and zoning regulations and comprehensive plan of the City of Nicholasville. (The plat shall be labeled "MINOR NON-BUILDABLE PLAT" and the following note shall be placed on the plat: "This property shall be used for non-building purposes only. No construction shall be permitted on this property unless and until a major subdivision plan is submitted to and approved by the Planning Commission in accordance with the Nicholasville Subdivision Regulations.")

(Adopted: 03-26-12 Ordinance 834-2012)

352 MINOR PLAT PROCESSING - Upon the determination that a proposed subdivision meets the requirements of Section 351 of these Regulations, the following procedure may be followed by the Planning Commission.

352.1 WAIVER OF PRELIMINARY PLAT - Upon review by the Commission, Chairman or his designee, the Preliminary Plat procedure may be waived. In this case, the subdivider shall proceed directly with the preparation of a final plat as per Sections 340, 341, and 345 excluding those references to preliminary plats.

352.2 PLANNING COMMISSION REVIEW - An application (shown in Article 6) for the consideration of the minor plat shall be filed with the Planning Commission at least twenty-one (21) days prior to a regularly scheduled meeting date of the Commission. The Chairman or his designee may decide at this time to waive the

required public review of the minor plat upon the determination that all plat requirements are met. If he so chooses, the Chairman or his designee shall sign the plat thus certifying its approval for recording by the County Clerk. Otherwise the minor plat shall be presented for public review at the next Commission Meeting.

353 FEES - See Building Permit and Planning and Zoning Fee Schedule.

354 PURPOSE OF PLAT - All minor plats shall state the purpose of the plat in detail.

360 DIGITAL DRAWING SUBMISSION - Notwithstanding any other requirement contained herein, digital drawings shall be submitted in addition to any required hard copy plan submittals. Submission of digital drawings does not supersede any requirements to submit hard copy plans for the review and approval process. The hard copy will continue to be the official document.

361 DATA FORMAT

361.1 - All hard copy plan submittals shall be accompanied by a copy of the drawing in .pdf format.

361.2 - A digital drawing file in one of the following formats shall be filed in conjunction with Final and Minor Plats and As-Built plans:

- A. DWG (CAD drawing file)
- B. XF (AutoCAD Drawing Exchange Format)
- C. ESRI Shapefile
- D. ESRI Geodatabase Feature Class

362 DRAWING STANDARDS

362.1 - The digital drawings required in Section 361.2 shall meet the following standards:

- A. All drawing elements shall be submitted referencing the Kentucky State Plane Coordinate System, North Zone, and will utilize the North American Datum of 1983 for horizontal control and be measured in US Survey Feet.
- B. All digital data shall use a descriptive layering scheme to identify and group drawing elements.
- C. Layer naming shall be consistent across files.
- D. All line types shall be snapped at intersections.

- E. All polygons shall be separate and closed.
- F. All digital data and hardcopy maps shall be consistent.

363 MEDIA REQUIREMENTS

363.1 - The following methods of data transfer are considered acceptable for digital drawing submissions: (Media will not be returned)

- A. CD-R or CD-RW discs
- B. DVD-R or DVD-RW discs
- C. USB Flash Drive

363.2 - The submitted media shall be labeled with the title of the project (drawing file name), type of drawing (i.e. final plat), project contact information (name, affiliation, phone number, etc.) and a submittal and file creation date.

(Adopted: 10-24-2016 Ordinance 952-2016)

370 DISPLAY/MODEL HOMES - It shall be lawful to permit for construction a limited number of display/ model homes prior to the recording of the Final Subdivision Plat. These permits shall be subject to all of the following:

1. Display/ model home plans may be submitted only after approval and certification of the Preliminary Subdivision Plat for the subdivision and approval of the required construction plans.
2. These housing units are for display only and no lot, containing a display/ model home may be rented, leased, conveyed, or occupied in any manner whatsoever, unless and until a final subdivision plat has been approved and recorded.
3. There may be one (1) display/ model home for every ten (10) subdivision lots shown on the preliminary plat, not to exceed a maximum of five (5) display/ model homes per subdivision. Fractions of one-half (1/2) or more, based upon this formula, may be rounded to the next highest whole number (e.g., 25 lots on the preliminary plat would permit a maximum of three (3) display lots).
4. All normal requirements necessary to obtain a building permit shall apply to the acquisition of a display/ model home building permit.
5. All display/ model homes shall be subject to the same regulations, building code requirements, inspections and fees of a regular home of like size and description.
6. The building permit for a display/ model home shall contain the following language:

"The granting of this building permit shall not authorize either the sale or the occupancy of building and lot constructed thereon until the final record plat has been approved by the Nicholasville Planning Commission and recorded in the Office of the Jessamine County Clerk."

(Adopted: 01-03-2022 Ordinance 062-2021)

ARTICLE 4 ENFORCEMENT

400 PURPOSE - Chapter 100 of the Kentucky Revised Statutes enables the Planning Commission to establish community standards for local development as well as to establish the procedures necessary for implementing these standards within the context of an adopted Comprehensive Plan. The Statutes also include specific provisions for the enforcement of these Regulations and penalties for the violation thereof. These provisions are set forth as follows:

410 PLATS OF RECORD - Much of the authority for regulating land subdivision comes from the necessity for recording parcels of land with the County Clerk as a condition for transfer of ownership. These conditions are set forth in KRS 100.277 cited in Section 301 of these Regulations.

411 RECORDING OF PLATS (KRS 100.344) - Recording of Plats, Variances, Conditional Use Permits. All final plats approved by the Planning Commission and all variances and conditional use permits approved by the Board of Adjustments shall be recorded at the expense of the applicant in the Office of the County Court Clerk. A copy of all Regulations and the Official Map of each planning unit shall be filed in the Office of the County Court Clerk.

412 LAND SOLD IN VIOLATION (KRS 100.341) - Land sold in violation of acts; plats filed; effect. When it has been discovered that land has been sold or transferred, or that a contract has been entered into for the sale or transfer of land in violation of the provisions of this chapter pertaining to the regulation of subdivisions, the owner or owners of record shall file plats of the land in accordance with this chapter, the land shall be governed by the subdivision regulations both prior to and after the platting of the land by the owner of record as if a plat had been filed in accordance with the provisions of this chapter pertaining to subdivision regulations.

413 UTILITY IMPROVEMENTS CONDITIONAL TO A LEGAL PUBLIC STATUS OF THE STREET - No Board, public officer or authority shall accept, layout, improve or authorize utilities to be laid in any street within the territory for which the Planning Commission has adopted these Subdivision Regulations or unless a street corresponds with a street shown on the Major Thoroughfare Plan or equivalent; or unless a street on a Subdivision Plat or a Street Plan has been approved by the Planning Commission.

420 PENALTIES - The Kentucky Revised Statutes further specify the powers and penalties available to the Planning Commission for insuring compliance to these Regulations.

421 ENFORCEMENT BY COMMISSION (KRS 100.337) - Commission shall have a cause of action for all appropriate relief including injunctions against any governmental bodies or any aggrieved person who violates this chapter or regulations adopted hereunder.

422 WITHHOLDING BUILDING PERMITS & CERTIFICATES OF OCCUPANCY - The Planning Commission may direct the authorized officer not to issue building permits in the subdivision in question.

422.1 PENALTIES (KRS 100.991) - (1) Any person or entity who violates any of the provisions of KRS 100.201 to 100.347 and 100.991 (2) or any of the regulations adopted pursuant hereunder for which no other penalty is provided, shall upon conviction be fined not less than ten but no more than five hundred dollars for each conviction. Each day of violation shall constitute a separate offense.

430 ADMINISTRATIVE PERSONNEL - Kentucky Statutes place the authority of enforcement with the Planning Commission. The Commission, however, may delegate its administrative and enforcement authority to various agents responsible to it. In other situations, it depends on other municipal or county departments for information and advice as in the case of public utilities inspection by the City or County Engineer.

431 ADMINISTRATIVE OFFICER (KRS 100.271) - Administrator of zoning regulations, powers. An administrative official shall be designed by the city or county to administer the zoning regulation, and, if delegated, housing or building regulations. The Administrative Official may be designated to issue Building Permits or Certificates of Occupancy, or both, in accordance with the literal terms of the Regulations, but may not have the power to permit any construction, or to permit any use or any change of use which does not conform to the literal terms of the Zoning Regulations.

432 DELEGATION OF AUTHORITY - (KRS 100.281) - Contents of Subdivision Regulations. All Subdivision Regulations shall be based on the Comprehensive Plan and shall contain; (1) The procedure for the submission and approval of preliminary and final plat and the recordation of final plats. The Commission may delegate to its secretary or any other officer or employee the power to approve plats in accordance with the Commission's adopted requirements, but all plats, preliminary and final, shall be approved or disapproved within ninety days.

433 PLANNING COMMISSION STAFF (KRS 100.173) - Employing planners or other persons. The Planning Commission may employ a staff or contract with planners or other persons as it deems necessary to accomplish its assigned duties under this chapter.

440 APPEALS - State statutes also specify the course of action available to persons or entities who disagree or claim to be injured or aggrieved by action of the Commission.

441 APPEALS FROM COMMISSION ACTION (KRS 100.347) - Appeals from Commission or Board of Adjustment. Any Appeal from Commission action may be taken in the following manner: (1) Any person or entity claiming to be injured or aggrieved by any final action of the Planning Commission or Board of Adjustments may appeal from the action to the Circuit Court of the county in which the land lies. Such Appeal shall be taken within thirty (30) days after the final action of the Commission or Board. Final action shall not include Commission's recommendations made to other governmental bodies.

(2) All Appeals shall be taken in the appropriate Circuit Court within thirty (30) days after the action or decision of the Planning Commission or Board of Adjustments and all decisions which have not been appealed within thirty (30) days shall become final. After the Appeal is taken, the procedure shall be governed by the rules of civil procedure. When an Appeal has been filed, the

Clerk of the Circuit Court shall issue a summons to all parties, including the Planning Commission in all cases, and shall cause it to be delivered for service as in any other law action.

ARTICLE 5 DEFINITIONS

500 DEFINITIONS - For the purpose of these Subdivision Regulations, certain terms are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural, words in the plural number include the singular; the word person includes association, firm, partnership, trust governmental body, corporation, organization, as well as an individual; the word structure includes building; the word occupied includes arranged, designed or intended to be occupied; the word used includes arranged, designed or intended to be used; the word shall is always mandatory and not merely directive; the word may is permissive. Other words and terms shall have the following respective meanings:

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

AS-BUILT PLANS - Engineering plans of public facilities, prepared after construction, by the developer, to show the exact location and dimensions of the system as it has actually been installed.

BIKEWAY - A way or portion of a way intended and designated primarily for bicycle traffic.

BLOCK - A piece of land entirely surrounded by public streets, railroad right-of-way lines, parks, streams, etc., or a combination thereof. The length of a block shall be the greatest distance between right-of-way lines on opposite side of the block.

BUILDING PERMIT - A permit issued by the authorized officer allowing a proprietor or his agent to construct, alter or remove a building, etc., or engage in similar activity which would alter the character of the lot in question.

BUILDING PRINCIPAL - A building, including any permanently covered space such as porches, carports and attached garages in which is conducted the principal use of the lot on which it is situated. In a residential district, any dwelling shall be deemed to be the principal building on its lot.

BUILDING SETBACK LINE - A line in the interior of a lot which is generally parallel to and a specified distance from the street right-of-way line or lines. No building shall then be placed in the space between the building setback line and the right-of-way lines.

CERTIFICATE OF OCCUPANCY - A certificate issued by the authorized officer after building has taken place certifying that the building meets minimum standards for human occupancy.

CITY - Refers to the incorporated area of the City of Nicholasville as it existed at the time of the adoption of these Regulations and including any revisions thereto.

CITY ENGINEER - Refers to the engineer employed or contracted by the City for the purpose of administering the operation of public facilities and inspecting the plans and construction of these public facilities.

CHAIRMAN - The elected Chairman of the Planning Commission or, in his absence, the Vice Chairman or other delegate.

COMMISSION - The Planning Commission administering these Regulations.

COMPREHENSIVE PLAN - A plan, or portion thereof, adopted by the Planning Commission and/or legislative body of the City of Nicholasville in accordance with KRS 100.183 through 197, showing the general location and extent of present and proposed physical facilities including housing, commercial and industrial uses, major streets, parks, schools and other community facilities. This plan also establishes the goals, objectives, and policies of the community.

DEVELOPER - Any individual, firm, association, corporation, governmental agency or any other legal entity commencing proceedings under these regulations, to carry out the development of land as defined herein, for himself or for another.

DISPLAY/ MODEL HOME - A dwelling unit used initially for display purposes, which typifies the type of units that will be constructed in the subdivision and which will not be permanently occupied during its use as a display.

(Adopted: 01-03-2022 Ordinance 062-2021)

EASEMENT - Authorization by a property owner for the use by others, of any designated part of his property, for a specified purpose and time as described in the conveyance of land by such easement.

FLOODPLAIN - An area which would be under water as the result of the largest rainfall during a one hundred (100) year period.

GRADE - The inclination from the horizontal of a road, unimproved land, etc. and is expressed by stating the vertical rise or fall as a percent of the horizontal distance.

LEGISLATIVE BODY - The chief body of a city or a county with legislative power, whether it is the board of aldermen, the general council, the common council, the board of commissions or the county fiscal court.

LOT OR PARCEL - A portion of land in a subdivision or plat of land, separated from other lots or portions of land by description as on a subdivision or record of survey map or by metes and bounds; for the purpose of sale, lease or separate use. A lot or parcel shall have at least one principal frontage on a right-of-way of a public street.

LOT AREA - The amount of surface land contained within the property lines of a lot, including the land within easements on the lot, but excluding any land within the street right-of-way or public open space.

LOT, CORNER - A corner lot is defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the

foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

LOT DEPTH - The average horizontal distance between the front and rear property lines of a lot.

LOT FRONTAGE - The front of a lot is that portion nearest to the street. For the purpose of determining yard requirements for corner and through lots, all sides of a lot adjacent to a street shall be considered frontage.

LOT-OF-RECORD - A lot which is part of a subdivision recorded in the office of the County Clerk, or a lot or parcel described by metes and bounds, the description of which has also been recorded.

LOT, THROUGH OR DOUBLE FRONTAGE - A lot of which the opposite ends abut on streets.

LOT WIDTH - The distance between the two side property lines of a lot.

MAJOR STREET PLAN - That portion of the Comprehensive Plan pertaining to transportation and existing and proposed streets.

MINOR SUBDIVISION PLAT - See Section 351 of these Regulations.

MOBILE HOME PARK - A parcel of land available to the public in which two or more mobile home lots are occupied or intended for occupancy by mobile homes and includes any service building, structure, enclosure, or other facility used as a part of the park.

OFFICIAL PUBLIC PROPERTIES MAP OR OFFICIAL MAP - A map prepared in accordance with KRS 100.293 through 317 and adopted by the Planning Commission and/or the legislative body, showing the location and extent of the existing and proposed public streets, including right-of-way, water courses, parks and playgrounds, public schools and building sites, and other public facility needs.

OWNER - Any individual, firm, association, corporation, governmental agency or any other legal entity whose name last appears on the tax roles as owner of the land proposed to be subdivided.

PLANNED UNIT DEVELOPMENT - An area of land in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these Regulations.

PLAT - A map or layout of a subdivision indicating the location and boundaries of individual properties.

SKETCH PLAT - A preliminary sketch indicating the subdivider's general objectives and desires in regard to the future development of his land, presented to the Planning Commission for its informal consideration.

PRELIMINARY PLAT - The drawings and supplementary material indicating the proposed layout of the subdivision to be submitted to the Planning Commission for its consideration.

FINAL SUBDIVISION PLAT - The final map, drawing, or chart upon which the subdivider's plan of subdivision is presented to the Planning Commission for approval, and which, if approved, will be submitted to the County Clerk for recording.

PUBLIC AGENCY - A city, county, urban county, school district, special district, or any department, board, commission, authority, office or other sub-unit of a political subdivision which shall include the offices of the city or county.

PUBLIC FACILITY - Any use of land, whether publicly or privately owned, for transportation, utilities or communications, or for the benefit of the general public, including, but not limited to libraries, streets, schools, fire or police stations, county buildings, municipal buildings, recreational centers including parks, and cemeteries.

RIGHT-OF-WAY -- Land used generally for streets, sidewalks, alleys, easements, or other public uses. Right-of-way also refers to the distance between lot property lines which generally contains not only the street pavement, but also sidewalks, grass area, and underground and above ground utilities.

SETBACK LINE - See "BUILDING SETBACK LINE".

SIDEWALK - A way or portion of a way intended primarily for pedestrian traffic.

SIGHT DISTANCE - A straight line of unobstructed view measured between a point four feet above the finished surface of a road, at the center line of each traffic lane, and a point at a given minimum specified distance away from the first point located one (1') foot above the finished surface at the centerline of the same traffic lane.

STREET - A way for vehicular traffic, however designated and regardless of size or ownership but excluding private driveways serving only one parcel of land.

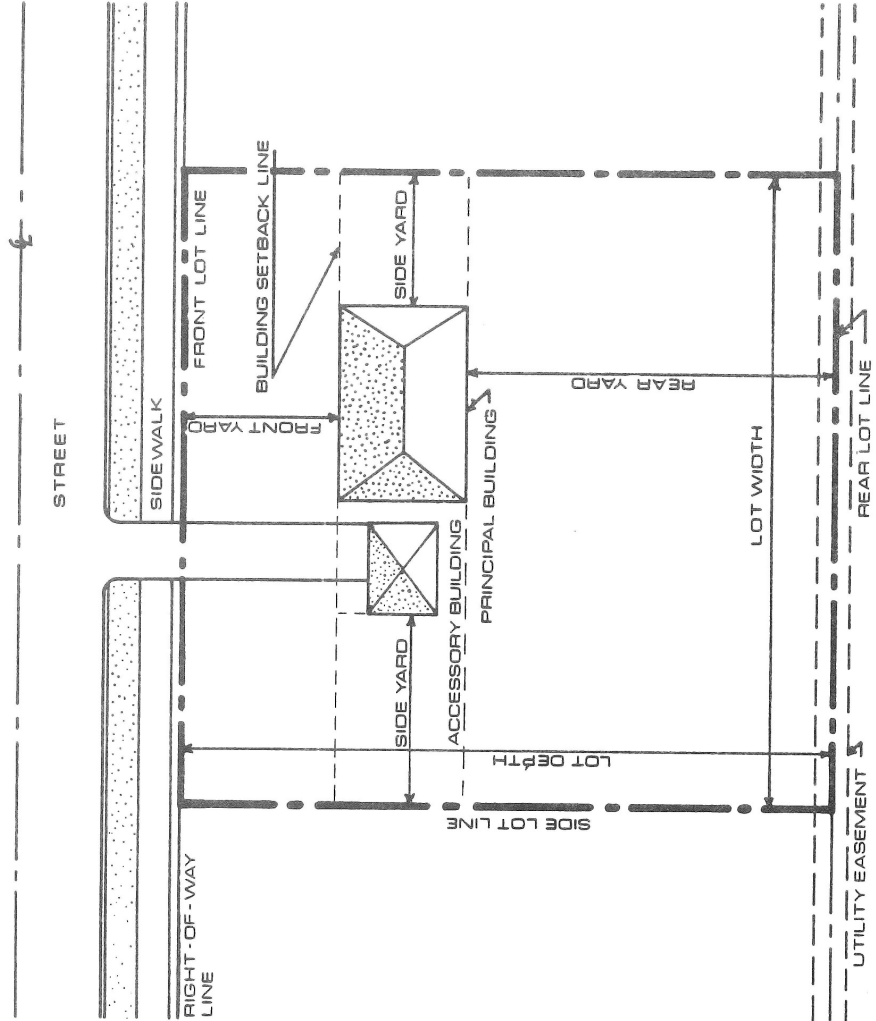
STREET CLASSIFICATION - See Section 231.3 of these Regulations.

SUBDIVIDER - Any individual, firm, association, corporation, governmental agency or any other legal entity commencing proceedings under these Regulations, to create a subdivision of land as defined herein for himself or for another.

SUBDIVISION - 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. The term includes resubdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided.

UNIT - A portion of a subdivision selected for development as one of a series of stages.

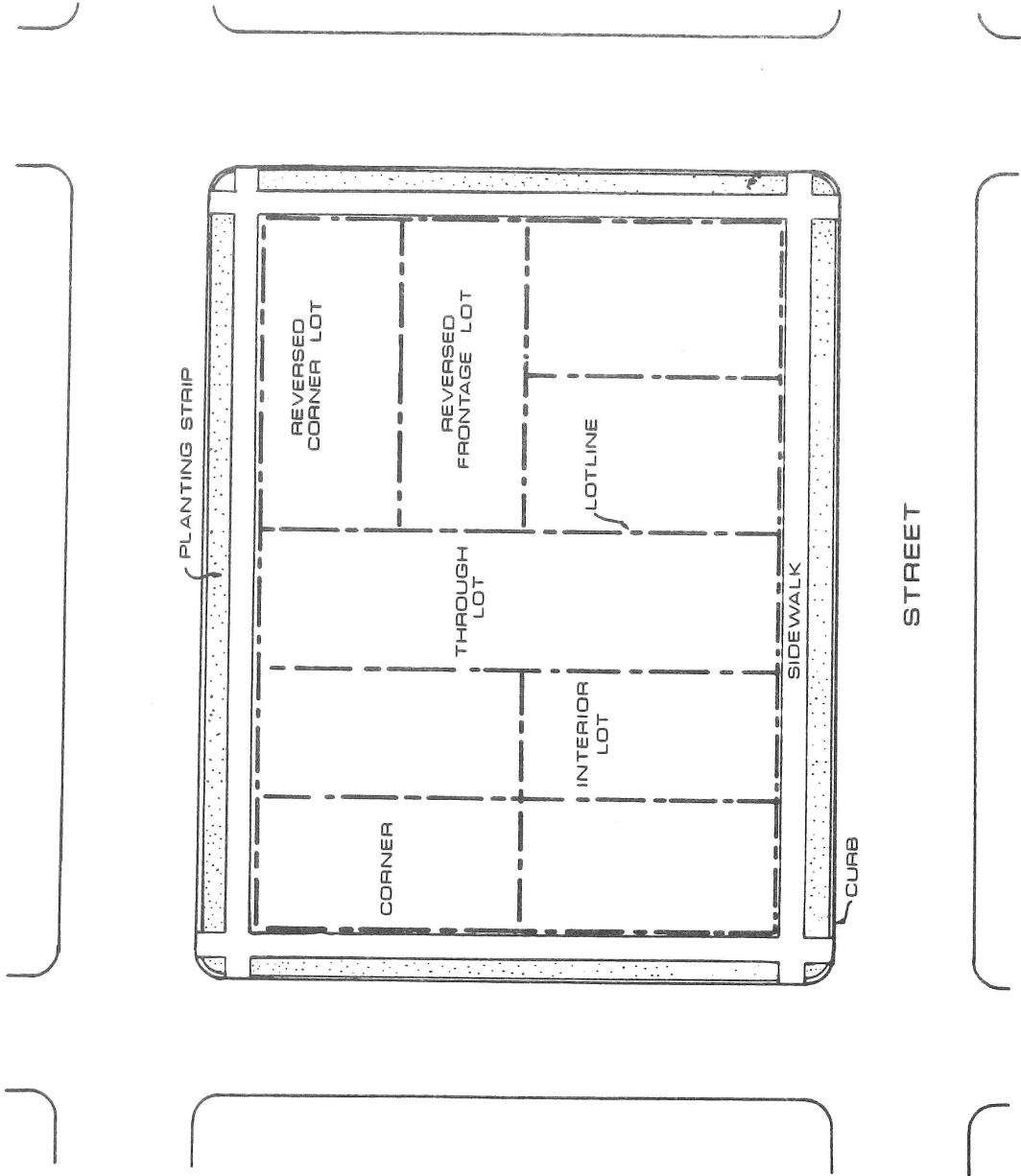
LOT TERMS
FIGURE 7



LOT AREA = TOTAL HORIZONTAL AREA LOT COVERAGE = PERCENT OF LOT OCCUPIED BY BUILDING

NOTE: Accessory buildings as shown are not permitted.

LOT TYPES
FIGURE 8



**ARTICLE 6
CERTIFICATES AND FORMS**

600 PURPOSE - In order to document compliance with these Regulations and insure the orderly and uniform processing of subdivision development, the following forms and certificates should be used.

610 CERTIFICATES FOR PLAT REVIEW AND APPROVAL - The following certifications shall appear on the preliminary subdivision plat prior to review by the Planning Commission.

611 CERTIFICATE OF AVAILABILITY OF WATER AND/OR SEWER SERVICES
I hereby certify that. . .(name of agency or company). . . shall supply. . . (name of subdivision). . .with water and/or sewer services.

_____, 20_____

(Water)

City Engineer or
Authorized Representative

_____, 20_____

(Sewer)

City Engineer or
Authorized Representative

612 CERTIFICATE OF OWNERSHIP AND DEDICATION - 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, parks and other open spaces to public or private uses as noted, in accordance with the City of Nicholasville Subdivision Regulations, unless otherwise noted.

_____, 20_____

(Owner)

(Owner)

613 CERTIFICATE OF ACCURACY - I hereby certify that the plan shown and described hereon is true and correct to the accuracy required by the Nicholasville, Kentucky Planning Commission.

_____, 20_____

Licensed Engineer or Surveyor

(Adopted: 07-02-09 Ordinance 747-2009)

614 CERTIFICATE OF APPROVAL - I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Nicholasville, Jessamine County, Kentucky with the exception of such variances, if any, as are noted in the minutes of the Nicholasville Planning Commission.

_____, 20_____

Chairman or His Designee

615 CERTIFICATE OF REVIEW BY KENTUCKY BUREAU OF HIGHWAYS
(Optional) - I hereby certify that I have reviewed the preliminary subdivision plat for , subdivision and submitted necessary recommendations to the Planning Commission.

_____, 20_____

Permits Officer, District -
Office Bureau of Highways

620 CERTIFICATIONS FOR PLAT REVIEW AND APPROVAL - The following certifications shall appear on the final subdivision plat prior to review by the Planning Commission.

621 CERTIFICATE OF AVAILABILITY OF WATER AND/OR SEWER SERVICES - I hereby certify that. . .(name of agency or company). . .shall supply. . .(name of subdivision. . . with water and/or sewer services.

_____, 20_____

(Water)

City Engineer or
Authorized Representative

_____, 20_____

(Sewer)

City Engineer or
Authorized Representative

622 CERTIFICATE OF OWNERSHIP AND DEDICATION - 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, parks, and other open spaces to public or private use as noted, in accordance with the City of Nicholasville Subdivision Regulations, unless otherwise noted.

_____, 20_____

(Owner)

(Owner)

623 CERTIFICATE OF ACCURACY - I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Nicholasville, Kentucky Planning Commission and that the monuments have been placed as shown on the final plat, to the specifications of the City Engineer or other authorized officer.

_____, 20_____

Licensed Engineer or Surveyor

(Adopted: 07-02-09 Ordinance 748-2009)

624 CERTIFICATE OF APPROVAL OF STREETS AND UTILITIES - I hereby certify: (1) that streets, utilities and other improvements have been installed, in an acceptable manner and according to city specifications, in the subdivision entitled:

_____ or, (2) that surety in the amount of \$_____ has been posted with the city legislative body to assure completion of all required improvements in case of default.

_____, 20_____

City Engineer or Authorized Representative for
the Streets and/or Storm Drainage Facilities

_____, 20_____

City Engineer or Authorized Representative for
the Water and/or Sewerage Facilities

* If the City of Nicholasville does not have jurisdiction over all of the required improvements (water facilities, sewerage facilities, streets or storm drainage facilities), the certificate title, wording and signature line(s) may be modified, as necessary, for the specific agencies having jurisdiction. A separate certificate will be required on the plat for the City and for each agency having jurisdiction.

(Adopted: 07-02-09 Ordinance 754-2009)
(Adopted: 06-20-2013 Ordinance 880-2013)

625 CERTIFICATE OF APPROVAL FOR RECORDING - I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Nicholasville, Jessamine County, Kentucky with the exception of such variances, if any, as are noted in the minutes of the Nicholasville Planning Commission and that it has been approved for recording in the Office of the County Clerk.

_____, 20_____

Chairman or His Designee

626 CERTIFICATE OF VARIANCE(S) GRANTED BY THE BOARD OF ADJUSTMENT (OPTIONAL) - I hereby certify that the subdivision plat shown hereon has been granted a variance(s) as noted in the minutes of the Nicholasville Board of Adjustment.

_____, 20_____

Chairman or Secretary
Board of Adjustment

APPLICATION
FOR
LAND SUBDIVISION & DEVELOPMENT

Type of Subdivision: ___ MAJOR ___ PRELIMINARY
 MINOR ___ FINAL

Complete in Duplicate and Give Copy to Applicant

The undersigned does hereby request approval of the subdivision and/or development described hereafter.

1. Name of Applicant _____
Address _____
Phone (Business) _____ (Home) _____
2. Legal Owner of Land _____
Address _____
Phone (Business) _____ (Home) _____
3. Name of Surveyor or Engineer _____
Address _____
Phone (Business) _____ (Home) _____
4. Name of Subdivision _____
5. Locational Description: Tax Lot or other identification _____

(In addition, please attach copy of legal description)
6. Proposed Use _____
7. Purpose of the Plat _____
8. Present Zoning District _____
9. Number of Lots _____ Area of Tract _____
10. Do you propose deed restrictions? Yes _____ No _____
(If YES, please attach a copy)
11. State your intention to install or post a guarantee prior to actual installation of the following improvements.

Improvement

Installation

Guarantee (Cost)

a. Monuments	_____	_____
b. Streets	_____	_____
c. Curbs and Gutters	_____	_____
d. Sidewalks	_____	_____
e. Street Signs	_____	_____
f. Street Lighting	_____	_____
g. Water System	_____	_____
h. Sanitary Sewer System	_____	_____
i. Storm Drainage System	_____	_____
j. Over-Size Improvements	_____	_____

12. Have all required improvements been installed? Yes/No _____

If NO, include detailed estimates of cost and a statement relative to the method of improvement guarantee. All estimates must be approved by the responsible municipal official.

13. Variances requested from plat or design requirements.

Section Number

Item

a.	_____	_____
b.	_____	_____
c.	_____	_____
d.	_____	_____
e.	_____	_____

14. Fee _____

- a. Preliminary Plat - Section 332
- b. Final Plat - Section 342
- c. Minor Plat - Section 353

15. List other materials submitted with this application.

Item

Number of Copies

a.	_____	_____
b.	_____	_____
c.	_____	_____
d.	_____	_____
e.	_____	_____

16. Supporting Information: Attach the following items to the application.

a. Preliminary Plat

1. A list of all property owners and their mailing address within, contiguous to, and directly across the street from the proposed subdivision. (See attached format, page ___)
2. The applicant shall prepare and submit adjoining property owner notification letters (see attached format, page ___), addressed envelopes, and all completed documents for certified mail.

b. Minor plat (This requirement may be waived by Chairman of Planning Commission)

1. A list of all property owners and their mailing address within, contiguous to, and directly across the street from the proposed subdivision. (See attached format, page ___)
2. The applicant shall prepare and submit adjoining property owner notification letters (see attached format, page ___) and addressed envelopes.

I certify that the information contained in this application and its supplement are true and correct.

Applicant: _____

Date: _____

Owner: _____

Date: _____

FOR OFFICIAL USE ONLY

Date Received _____

Date of Meeting of Planning Commission _____

Action by Planning Commission (Approved) _____ (Denied) _____

If approved, the following conditions and safeguards were prescribed:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

If plat denied, reason(s) for denial _____

Variances approved (if any) _____

Date: _____ Chairman: _____

LIST OF ADJOINING PROPERTY OWNERS
TO RECEIVE CERTIFIED OR REGISTERED LETTERS

The applicant must submit a list of names and mailing addresses of all persons owning property adjoining (including properties across public right-of-ways) the subject property, using the form below. Such names shall be secured from the records of the Jessamine County Tax Assessor no more than thirty days prior to the filing of this application. The applicant should retain a copy of this listing, especially to insure certified or registered letters cover all persons.

Address of Property Located Adjoining Subject Property	Name of Property Owner Adjoining Subject Property	Property Owner's Address If Different From Property Address
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
14.		

Adjoining property owners will have five (5) days in which to contact the Planning Commission Staff Office, regarding any comments they may have about the proposed plat. After the five (5) days, the Chairman of the Planning Commission may sign the plat or require that it be presented at the next regular Commission meeting.