

SUBDIVISION REGULATIONS

ORDINANCE 03-10

Adopted July 15, 2008

Amended April 21, 2009

Revised April 25, 2010

THE STANDARDS FOR MANUFACTURED HOME PARKS IN ROWAN COUNTY

ORDINANCE 04-10

Adopted July 21, 2009

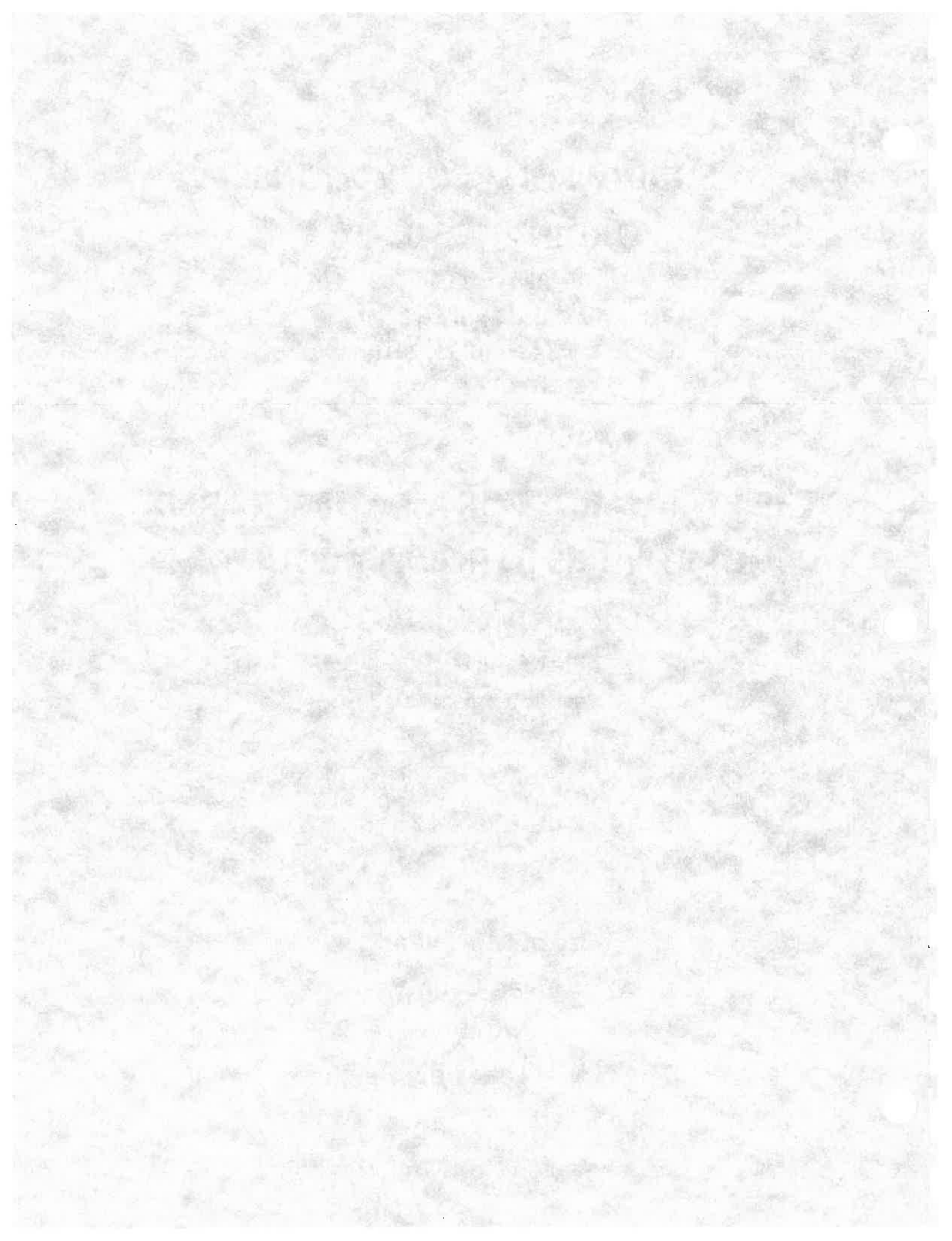
Revised April 25, 2010

City of Morehead,

Rowan County

And

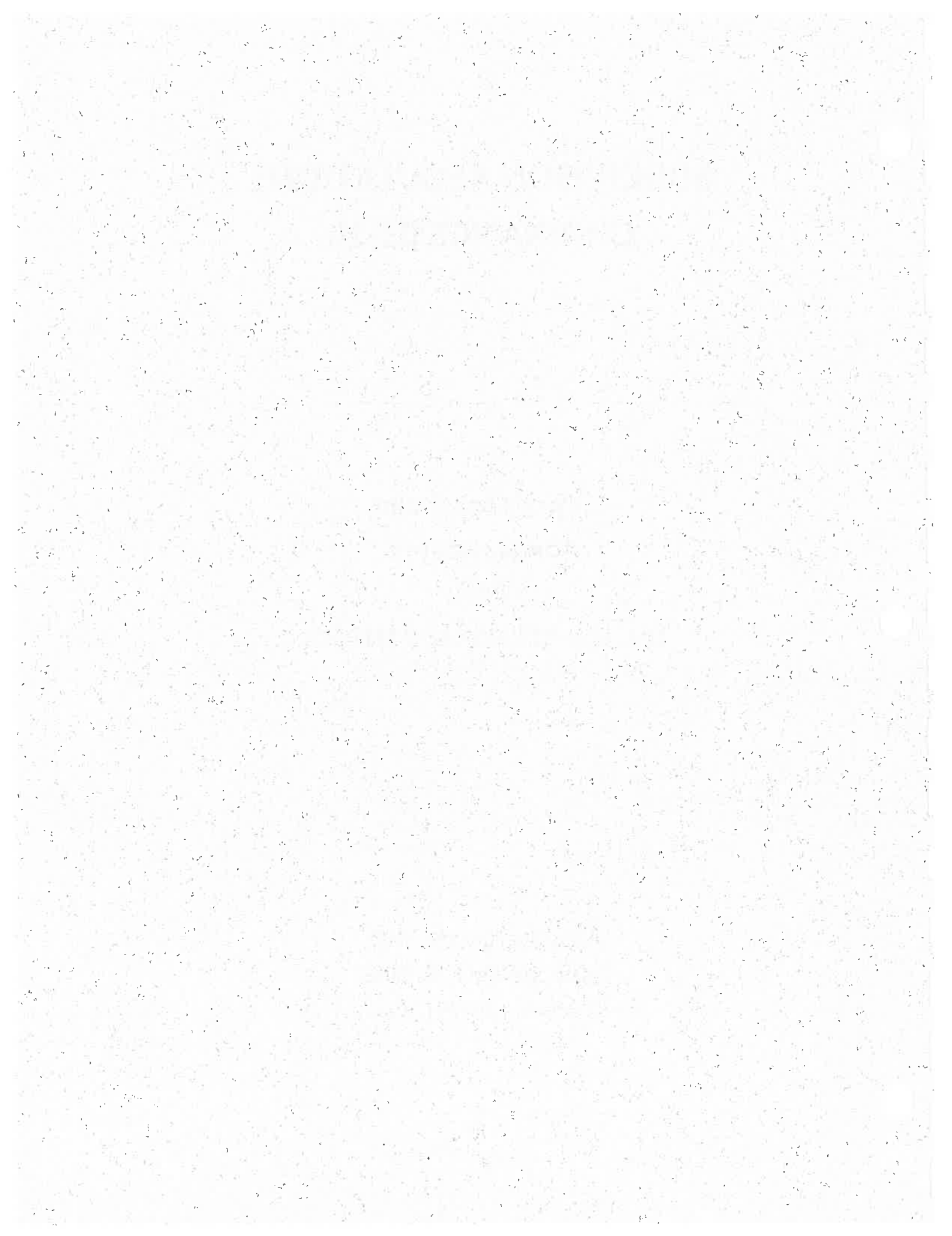
The City of Lakeview Heights



SUBDIVISION REGULATIONS ORDINANCE 03-10

**City of Morehead,
Rowan County
And
The City of Lakeview Heights**

**Adopted July 15, 2008
Amended April 21, 2009
Revised April 25, 2010**



ORDINANCE NO. 403-10

**ORDINANCE RELATING TO AMENDING THE ROWAN COUNTY
SUBDIVISION REGULATIONS**

WHEREAS, the Rowan Fiscal Court has determined that it is the best interest of the Fiscal Court, Rowan County, Kentucky and its citizens, that the Rowan County Fiscal Court to adopt the **Revised Rowan County Subdivision Regulations**. The Revised Rowan County Subdivision Regulations defines what constitutes a subdivision, the different requirements for subdivisions in different areas of Rowan County, the City of Morehead, and Lakeview Heights. The Regulations also allow for exemptions for Immediate Family, 5 acres or more of land, being on a county road, and being one acre or more requiring no new public road. Any county clerk who receives, files or records a plat in violation of the provisions of these regulations shall be fined not less than ten (10) dollars nor more than five hundred (500) dollars as provided in the Kentucky Revised Statutes, Chapter 100.991. Each day of violation shall constitute a separate offense. Any person who transfers any lot in a subdivision before the plat of said subdivision has been approved by the Joint Planning Commission and recorded in the County Clerk's Office or attempts the description of land by metes and bounds in violation of these regulations shall pay to the City of Morehead, Rowan County and The City of Lakeview Heights a penalty of five hundred (500) dollars for each parcel of land so transferred as provided in the Kentucky Statutes, Chapter 100.991. The Joint Planning Commission may by action in the Circuit Court enjoin the transfer or agreement to transfer land as provided in the Kentucky Revised Statutes, Chapter 100.292.

WHEREAS, the Rowan Fiscal Court finds that it is in the best interest of the citizens of Rowan County, that the Revised Rowan County Subdivision Regulations be adopted.

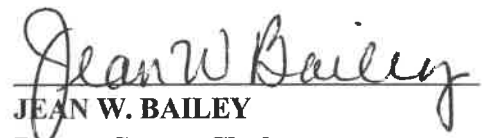
NOW THEREFORE, BE IT HEREBY ORDAINED, BY THE County of Rowan that the Rowan Fiscal Court does hereby adopt and give legal effect to the Revised Rowan County Subdivision Regulations the same being attached hereto and incorporated hereby by reference for all purposes.

GIVEN FIRST READING and passed by a vote of 5 ayes and 2 nays at a regular scheduled meeting of the Rowan Fiscal Court held on this the 20th day of April 2010.

APPROVED:

ATTESTED:

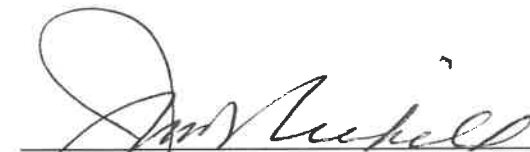

JIM NICKELL
Rowan County Judge/Executive

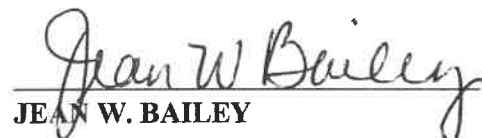

JEAN W. BAILEY
Rowan County Clerk

GIVEN SECOND READING and passed by a vote of 5 ayes and 2 nays at a regular scheduled meeting of the Rowan Fiscal Court held on this the 25th day of May 2010.

APPROVED:

ATTESTED:


JIM NICKELL
Rowan County Judge/Executive


JEAN W. BAILEY
Rowan County Clerk

REVISED SUBDIVISION REGULATIONS

**City of Morehead,
Rowan County
and
The City of Lakeview Heights**

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ARTICLE I INTRODUCTION

100 Mission Statement

This ordinance is designed to guide land use decisions in the City of Morehead, Rowan County, and the City of Lakeview Heights as a means of implementing subdivision regulations. The City of Morehead, the Rowan County Fiscal Court, the City of Lakeview Heights, and the Joint Planning Commission shall use this document as the basis for making decisions and granting approval for future subdivision development and as guidelines for developers in the City of Morehead, Rowan County and the City of Lakeview Heights.

This ordinance shall be used as a practical guide for understanding the land use process in the City of Morehead, Rowan County and the City of Lakeview Heights. This document has been drafted to provide flexibility in design and development while protecting the health, safety, general welfare and quality of life of the citizens and communities of Morehead, Rowan County and the City of Lakeview Heights.

ARTICLE II GENERAL PROVISIONS

200 Title

This ordinance shall be known as the City of Morehead, Rowan County and the City of Lakeview Heights Subdivision Regulations.

201 Authority and Jurisdiction

Pursuant to the provisions of KRS 67, KRS 82 and KRS 100 on and before the date of adoption, this ordinance shall govern the way that all subdivisions are designed and developed within the City of Morehead, Rowan County and the City of Lakeview Heights as now or hereafter established and within unincorporated areas for which a Major Street Plan has been or shall be adopted.

202 Requirements to Apply

Any owner of land within this area wishing to subdivide land shall submit an application and plat of the proposed subdivision to the Joint Planning Commission according to the requirements outlined in these regulations. All development plans shall be submitted to the Joint Planning Commission at least twenty-one (21) days prior to the regularly scheduled meeting.

203 Minimum Requirements

In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements. The Joint Planning Commission may require standards above the minimum contained herein whenever it finds that protection of the public safety and general welfare warrants such increases.

204 Consistency with Other Provisions

Whenever there is a discrepancy between the minimum standards set forth in the subdivision regulations and those of other lawfully adopted codes, rules, regulations, laws or ordinances, the most restrictive shall take precedence.

205 Separability and Severability

Should any section or provision of these regulations be for any reason voided or become invalid, it shall not affect the validity of any other section or provision.

206 Granting of Waivers

Where the Joint Planning Commission finds that strict compliance with these regulations would create an undue hardship because of exceptional, unique, physical or human conditions it may modify these regulations to the extent necessary to relieve the undue hardship. The granting of any waiver shall be based upon the subdivider or applicant making written request to the Joint Planning Commission. In granting such modification the Joint Planning Commission may attach and require whatever conditions it feels are necessary to secure the basic objectives of these regulations. No modifications shall be granted that would be detrimental to promotion of public health, safety and general welfare.

ARTICLE III

ADMINISTRATION AND ENFORCEMENT

300 The City of Morehead, Rowan County and the City of Lakeview Heights

The City of Morehead Building/Planning Official, the Rowan County Staff Designee and the City of Lakeview Heights Designee are the three bodies responsible for overall governance of their respective jurisdictions. The Joint Planning Commission responsibilities pertaining to planning and development in their respective jurisdictions are as follows:

1. Develop, adopt and amend ordinance, regulations and rules for conduct of governmental affairs.
2. Make preliminary and final decisions regarding all applications for land use changes and oversee the administration of the subdivision regulations and all building codes.

301 The Joint Planning Commission

The Morehead, Rowan County and Lakeview Heights Joint Planning Commission is a twelve (12) member board appointed as follows: Four (4) members are appointed by the Mayor of Morehead, four (4) members are appointed by the Rowan County Judge/Executive and four (4) members are appointed by the Mayor of Lakeview Heights. The Joint Planning Commission's responsibilities are as follows:

1. To set forth guidelines and recommendations for the development of land.
2. To review preliminary and final applications for land use change and ensure that proposed changes conform to subdivision regulations and building codes.

302 Planning and Codes Office

The City of Morehead Building/Planning Official, the Rowan County Staff Designee and the City of Lakeview Heights Designee shall be responsible for the administration of the Subdivision Regulations and Codes. The Planning and Codes Office responsibilities are as follows:

1. Govern and enforce provisions of the code.
2. Assist with the determination of acceptance of technical drawings and preliminary/final acceptance of development plans.
3. Enforce provisions of development plans approved by the Joint Planning Commission.

ARTICLE IV DEFINITIONS

400 Purpose

For the purpose of these regulations certain words used herein are defined as follows:

401 Definitions

401.1 Subdivision

"Subdivision" means the division of a parcel of land into three (3) or more lots or parcels for the purpose, whether immediate or future, of sale, lease or building development; provided that a division of land for agricultural use, and not involving a new street, shall not be deemed a subdivision. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or redivision of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision within the meaning of this section.

401.2 "Agricultural use" means the use of:

A tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers, or ornamental plants, including provision for dwellings for persons and their families who are engaged in the agricultural use on the tract, but not including residential building development for sale or lease to the public.

401.3 Subdivider

Subdivider shall mean any person, firm, partnership, association, corporation, estate or their group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as defined herein and including any agent of any subdivider.

401.4 Phase

Phase shall mean a stage of development in a commercial or residential subdivision.

401.5 Street

"Street" shall mean a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or otherwise designated.

401.5 (A) Arterial Streets

Arterial streets and highways are those primarily for high vehicular speeds or heavy volumes of traffic.

401.5 (B) Collector Streets

Collector Streets are those which will carry intermediate volumes of traffic from local to arterial streets.

401.5 (C) Local Streets

Local Streets are those which are used primarily for access to the abutting properties and which will carry limited volumes of traffic.

401.5 (D) Marginal Access Streets

Marginal access streets are minor streets which are parallel to and adjacent to arterial streets and highways and which reduce the number of access points to the arterial street for the purpose of increased traffic safety.

401.5 (E) Service Access Roads

A service access road shall primarily be used for access to loading and unloading areas.

401.5 (F) Private Street or Road

A private street or road is privately owned and maintained access provided for by a tract, easement or other legal means to serve as access to a dwelling or potential dwelling. Private streets shall not be maintained by local, state or county road maintenance division.

401.5 (G) Fire Access Roads

A road constructed and/or maintained expressly for fire department access.

401.5(H) Public Street or Road

A public street or road is a street (as defined in 401.4 above) which is intended to be used by the public and which is maintained by city, county or state road maintenance division.

401.6 Access

Access shall mean provisions for or means of vehicular entrance to or exit from a street.

401.6 (A) Limited Access

Limited Access is access only at specific intervals provided for in the design of a street, usually an interchange.

401.6 (B) Controlled Access

Controlled Access is access at points to be designated by the Joint Planning Commission as to type, number and location along a street.

401.7 Reserve Strip

A reserve strip is a reserved or allocated portion of land reserved for purposes determined by the appropriate jurisdiction. A reserve strip is not limited to roads, but would also include nature strips and footpaths.

401.8 Preliminary Plat Procedural Terms

The definitions of procedural terms described below are for preliminary plat approval or disapproval process.

401.8 (A) Review

The procedure by which the Joint Planning Commission and other concerned agencies (e.g. Morehead Utility Plant Board, Kentucky Utilities or other power company, Kentucky Department of Transportation, Health Dept., etc). shall examine plats and other documents that describe the proposed subdivision to ensure that the development meets the requirements of these regulations and any other that might pertain.

401.8 (B) Conditional Approval

Means the subdivider may proceed to the construction of the required improvements but only after the subdivider has submitted the required copies of the corrected preliminary plat to the Joint Planning Commission. If such corrected plans are not submitted within three (3) months after Joint Planning Commission action, the preliminary plat is deemed to be disapproved by the Joint Planning Commission.

401.8 (C) Disapproval

Means disapproval of the plan. For further action, the subdivider must file a new application along with preliminary plans as required by the Joint Planning Commission.

401.9 Final Plat Procedural Terms

401.9 (A) Review

The Joint Planning Commission and other agencies reviews and approves the final plan materials.

401.9 (B) Commission Action

No final plans will be considered for action by the Joint Planning Commission until they have been reviewed and approval granted from all utility companies and other agencies referenced in 401.7 (A). All final plans shall be approved or disapproved within ninety (90) days of the date they are first considered by the Joint Planning Commission.

401.9 (C) Approval

Means the final plan ready to be signed by the Joint Planning Commission chairperson, copies made, plat recorded and after recording the subdivider may sell or agree to sell lots by reference to an approved and recorded final plat.

401.9 (D) Conditional Approval

Means the subdivider may proceed as outlined above for "approval" but only after he/she has corrected the final plat as required by the Joint Planning Commission. If such corrections are not made within ninety (90) days of the Joint Planning Commissions action, the plan shall be deemed as disapproved by the Joint Planning Commission. A one time, ninety (90) day extension may be granted by the Commission for just cause.

401.9 (E) Postponement

Means that the Joint Planning Commission has deferred action until some future Joint Planning Commission meeting in order that certain clarifications can be made in regard to the plats but no completely new re-submittal is required of the subdivider as is the case for disapproval.

401.9 (F) Disapproval

Means disapproval of the plan. To request a new review and action, the subdivider shall file a new application along with plat copies and other material as required by the Joint Planning Commission.

401.10 Authority Having Jurisdiction

An organization, office or individual responsible for enforcing the requirements of a code or standard or for approving equipment, materials, an installation or procedure.

401.11 Staff Designee

The staff that represents the City of Morehead, Rowan County or the City of Lakeview Heights.

401.12 The Joint Planning Commission

Shall refer to the City of Morehead, Rowan County and the City of Lakeview Heights.

ARTICLE V

ADVISORY MEETING WITH CITY PLANNER/COUNTY DESIGNEE

500 Purpose

The intent of the Advisory Meeting with the City Planner is to obtain all documentation required and to develop a scope of the work that is proposed and obtain documents needed to present a preliminary and final development plan.

501 Procedures

Prior to the filing of an application for approval of the preliminary development plan, the subdivider shall meet with the Staff Designee to preapproved and to be scheduled for the next regularly scheduled Joint Planning Commission meeting. The subdivider shall present all information for the proposed development to the City Planner twenty-one (21) days prior to the Joint Planning Commission meeting. The intent of this meeting would be to review the checklist and to tentatively determine the location of proposed local streets, parks, playgrounds, school sites and other planned projects which may affect the property being considered for the subdivision.

The subdivider should review with the Staff Designee for each entity the minimum standards of design for the subdivision as specified in the general requirements and minimum standards. Such informal review should prevent unnecessary and costly revisions.

This step does not require formal application or filing of a development plan with the City Planner and the Joint Planning Commission. However, a written request must be submitted at least twenty-one (21) days prior to the regularly scheduled Joint Planning Commission meeting.

ARTICLE VI

GENERAL REQUIREMENTS AND MINIMUM DESIGN STANDARDS

600 Purpose

The purpose of this section is to protect and promote the health, safety and general welfare of the community by establishing regulations and standards to:

1. Preserve and protect the aesthetic quality, natural beauty and character of the land and the natural resources.
2. Preserve, enhance and protect the character and quality of life of the community and the environment.
3. Promote and protect the safety and convenience of motorists and pedestrians.
4. Encourage the best possible use of land.
5. Protect current property owners.

The subdivider shall comply with the provisions of this article for the layout of the subdivision.

601 Streets

601.1 Conformity to the Major Street Plan

The width and location of all major streets in a proposed subdivision shall conform to the following:

601.2 Street Extensions

The proposed street layout shall provide for the continuation or projection of existing streets into the surrounding area unless the Joint Planning Commission deems such extension undesirable for specific reasons of topography or design.

Where it is desirable to provide street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property.

601.3 Dedication of Right-of-Way for New Streets

The dedication of right-of-way, measured from lot line to lot line, for new streets they shall meet the following standards:

STREET TYPE	MINIMUM DEDICATED RIGHT-OF-WAY WIDTH
Arterial Streets	80'
Collector Streets	60'
Local Streets	40'
Marginal Access Streets	40'
Service Access Roads	30'

Dedication of one-half (½) of the right-of-way for proposed streets along the boundary of land proposed for the subdivision shall be prohibited.

601.4 Dedication of Right-of-Way for Existing Streets

Subdivisions platted along existing streets shall dedicate additional right-of-way, if necessary, to meet the minimum right-of-way width requirements as specified in Section 601.3 of this article.

1. The entire minimum right-of-way shall be dedicated where the subdivision is on both sides of the street.
2. When the subdivision is located on only one side of an existing street, one-half (½) of the required right-of-way, measured from the center line of the existing roadway, shall be dedicated.

601.5 Intersections

Streets shall intersect at right angles (ninety degrees) and have a minimum tangent distance of twenty-five (25) feet.

Street curb intersections shall be rounded by radii of at least twenty (20) feet.

601.6 Curves in Streets – Horizontal and Vertical

A tangent that is at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets. Refer to drawing of local, marginal and accesses.

Where a deflection angle in the alignment of a street is more than ten (10) degrees, a curve with a radius adequate to ensure sight distance shall be made. The minimum radii of curves shall be as follows:

STREET TYPE	MINIMUM CURVE RADII
Arterial Streets	300'
Collector Streets	200'
Local Streets	100'
Marginal Access Streets	100'
Service Access Roads	100'

601.7 Street Grade

Street Grades shall not exceed the following maximum percent grade:

STREET TYPE	PERCENT GRADE
Arterial Streets	7%
Collector Streets	8%
Local Streets	9%
Marginal Access Streets	9%
Service Access Roads	9%

For adequate drainage, the minimum street grade shall be not less than one-half (1/2) of one (1) percent.

When granted by waiver, any grades exceeding 9% must be appropriately designed according to KDOT standards.

601.8 Marginal Access Streets

Where a subdivision adjoins or contains an existing or proposed street, traffic volumes and vehicular speeds warrant special safety measures, the Planning Commission may require marginal access streets.

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601.9 Street Jogs

Street Jogs with center line offsets of less than 10 feet (See Figure on Page 41)

Bill Shelly
356-0646
783-1511

601.10 Dead-End Streets

Dead-end streets which are designed to be cul-de-sacs with a diameter of at least sixty (60) feet at the outside, or a diameter of at least eighty (80) feet at the outside, are allowed within the sixty (60) feet of the required curb. They shall be marked with approved signage stating no parking. The no parking signs and all installation.

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601.11 Street Names

Proposed streets which are in alignment with existing streets, shall bear the names of the existing streets. In no case shall the name for the proposed streets duplicate existing street names, irrespective of the use of the suffix: street, avenue, boulevard, driveway, place or court.

The subdivision subdivider shall be responsible for naming all streets within the development. All street names shall be approved by a written letter from the E-911 board.

601.12 Private Streets and Reserve Strips

Although private streets may exist on a private parcel within a subdivision, they shall not be platted, unless specifically required herein.

602 Blocks

602.1 Block Lengths

Block lengths shall not exceed fifteen hundred (1500) feet or be less than four hundred (400) feet, except where prevented by topographical conditions.

602.2 Block Lengths

Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where prevented by topographical conditions or size of the property, in which case the Joint Planning Commission may approve a single tier of lots of minimum depth.

603 Lots

603.1 Relation to Streets

All lots where zoning is in effect and served by a public sewer shall front upon a public street or road for a minimum distance of forth (40) feet.

603.2 Dimensions

Lot dimensions in zoned areas shall be a specified in the Zoning Ordinance Chart and in non-zoned areas shall be as follows:

1. Lots within the corporate limits shall conform to the requirements of the appropriate zoning ordinance.
2. Where no zoning ordinance is in effect residential lots not served by public sewer shall have seven thousand five hundred (7,500) square feet in area. All lots not served by public sewer must be at least one half acre or twenty-one thousand seven hundred eighty (21,780) square feet.
3. A greater area than specified above may be required for a residential lot if, in the opinion of the city or county health/environmental officer, there are drainage, soil or other conditions to cause potential health hazards.

603.3 Building Setback Line

For zoned areas please refer to the Zoning Ordinance Chart on page 38. For non-zoned areas the minimum setback line from the right-of-way shall be a least one-half (1/2) of the total width of the street right-of-way on which the building fronts, but in no case less than thirty (30) feet back from the right-of-way. A greater distance is permitted.

603.4 Corner Lots

For zoned areas please refer to the Zoning Ordinance Chart on page 38. For non-zoned areas the corner lot shall have sufficient extra width to meet the minimum building setback lines established on each street.

603.5 Yard Requirements

For zoned areas please refer to the Zoning Ordinance Chart on page 38. For residential subdivisions in non-zoned areas, yard requirements shall be the same as required by the Morehead Zoning Ordinance for an R-1 district.

603.6 Flood Hazards

The Joint Planning Commission may require special provisions and controls to ensure safe housing sites in areas subject to flooding. When any portion of a development is in a floodplain, the subdivider must comply with the floodplain ordinance of the authority having jurisdiction. The minimum finished floor of lowest floor must be one (1) foot above the one-hundred (100) year floodplain.

604 Off-Street Loading and Parking Facility

Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the Zoning Ordinance of the appropriate entity. Platting of individual lots should be avoided in favor of an overall design of land to be used for such purposes. Where deemed necessary by the Joint Planning Commission, service roads/drives shall be provided for service access.

605 Easements

Easements across or centered on rear or side lot lines shall be provided where necessary for utilities and drainage and shall be at a minimum of twelve (12) feet wide. All easements at rear or side lot lines shall be equally divided between the two lots, where possible. Above and below ground utilities shall be located within such easements, where possible.

A storm water easement or drainage right-of-way shall be required by the Joint Planning Commission where necessary for proper drainage within or through a subdivision.

606 Natural Features

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

607 Zoning or Other Regulations

ARTICLE VII

PRELIMINARY PLAT APPROVAL

700 Purpose

Subdivider may request an informational meeting prior to presentation of the preliminary plan. Subdivider shall cause to be prepared a preliminary plat prior to the making of any street improvements or installation of any utilities or prior to moving or excavation of any earth.

701 Preliminary Plat Requirements

The preliminary plat must be presented to the commission with fifteen (15) paper copies or three (3) paper copies and one pdf and shall meet the standards of design as set forth in Article VI and shall satisfy the following requirements:

1. Drawings shall be at a scale of one (1) inch to forty (40) feet or less. For example, a drawing may have a scale of one (1) inch equals twenty (20) feet (1" = 20').
2. Existing and proposed elevation data shall be sufficient to delineate drainage conditions and allow for adequate design; vertical datum shall be referenced to United States Geological Survey (USGS) monuments, or similar networks. All elevation data shall be relative to mean sea level. The origin and method of levels shall be indicated on the plat. The Registered Land Surveyor and/or Professional Engineer responsible for preparation of the plat shall recommend either to the Fiscal Court designee to the Joint Planning Commission (if the site is located in an unincorporated area), or the City designee to the Joint Planning Commission (if the site is in an incorporated area), the appropriate level of detail (i.e., contour intervals) to be developed and shown on the plat. After receiving the recommendation, the designee shall visit the site with the surveyor and/or engineer and shall accept or reject the recommendation as to the level of detail to be required on the plat.
3. The following information shall be displayed on the plat and other necessary sheets:
 - (A) The following names shall be displayed on the plat and all other necessary sheets:
Name of subdivision, name(s) and addresses of the owner(s), the engineer, architect, designer, surveyor and other adjacent property owners.
 - (B) Date, north point, and a graphic scale;
 - (C) Acreage of land to be subdivided
 - (D) Boundary lines of area to be subdivided with their bearings and distances
 - (E) Vicinity sketch of sufficient detail to locate the property;
 - (F) Existing and proposed easements (as disclosed by the landowner) with their location and width, approximate grades (if applicable), and other dimensions as required;
 - (G) Streets on and adjacent to the tract and their names, widths, approximate grades and other dimensions as required.
 - (H) Utilities on and adjacent to the tract showing proposed connections to existing utility systems.

- (I) Lot lines, lot numbers and acreage;
 - (J) E-911 addresses
 - (K) Sites and their acreage, if any, to be reserved or dedicated for parks, playgrounds or other public uses.
 - (L) Sites, if any, for semi-public, commercial or multifamily uses.
 - (M) Minimum building setback lines
 - (N) 100 year floodplain and floodway, if applicable
 - (O) The subdivider must show erosion control measures and proposed order of events.
4. Copies of the proposed deed restrictions, if any, shall be attached to the preliminary plat.
 5. The subdivider must receive approval from the Rowan County Health Department on individual and/or group septic systems.

702 Procedures

Fifteen (15) copies of the preliminary plat and supplementary material or three (3) copies and one (1) pdf of all documents specified shall be submitted to the appropriate planning office with a written application for conditional approval at least twenty-one (21) days prior to the hearing at which it is to be considered.

The chairman or appropriate planning office shall notify the subdivider of the time and place of the meeting no less than fourteen (14) days before the date fixed for review. Similar notice shall be mailed to the adjacent owners of the land immediately adjoining the area proposed to be platted as shown on the proposed subdivision plat, all mailings and legal advertisements shall be at the expense of the subdivider.

The preliminary plat shall receive the approval of the county health officer prior to consideration by the Joint Planning Commission. A certificate of approval by the county health office shall appear on the preliminary plat. In addition, the following utility companies including water, sewer, gas, electric, phone, cable, garbage and the United States Postal Service. The subdivider shall obtain in writing the approval and access of all utilities for the said preliminary plat.

Within sixty (60) days after the hearing on the preliminary plate the Joint Planning Commission shall approve or disapprove the said plat, subject to modifications specified at the hearing. Failure of the Joint Planning Commission to act on this preliminary plat within sixty (60) days of the review shall be deemed as approval of the plat. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications shall be indicated in writing.

The action of the Joint Planning Commission shall be noted on two (2) copies of the preliminary plat with any notations made at the time of the approval or disapproval of the specified changes required.

One (1) copy shall be returned to the subdivider and the other shall be retained by the Joint Planning Commission.

Approval of the preliminary plat shall not constitute acceptance of the final plat.

The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted with six (6) months from the date of such approval. An extension of time may be applied for and granted by the Joint Planning Commission.

ARTICLE VIII

REQUIRED IMPROVEMENTS PREREQUISITE TO FINAL APPROVAL

800 Purpose

The following improvements are required, as specified, before final approval may be granted by the Joint Planning Commission: The subdivider shall grade; provide a well constructed temporary collector access according to good engineering and design practices; install monuments; install a sewage disposal system (sanitary sewer, where possible, an aerobic sewage disposal system or septic tanks); and install water mains. All of these installations shall be in accordance with any additional specifications of the city or county engineer, city or county health/environmental office, county plumbing inspector, utility plant board, electric company, cable company or telephone company.

801 Monuments

A. For the purpose of survey control, a minimum of three concrete monuments, each at least thirty-six (36) inches in length and four (4) inches in diameter with a suitable metallic center shall be set (flush with the level of the ground) in each subdivision, at locations selected by a registered land surveyor. The origin and method of establishing horizontal control shall be indicated on the plat.

B. Exterior and interior monumentation for the subdivision shall be in accordance with "The Standards of Practice (Boundary Surveys)", as set out in 201 KAR 18:150.

C. All flood plain and floodway monuments shall be installed showing the location of the flood plain and floodway areas. A Kentucky licensed surveyor must install all flood plain and floodway monuments on three hundred (300) foot intervals with one-half (1/2) inch rebar with name and surveyor's license number displayed. All flood plain and floodway monuments must be displayed on property boundary lines.

802 Streets

802.1 Minimum Pavement Widths

Widths shall be measured between by edge of pavement to edge of pavement and shall be as follows:

STREET TYPE	MINIMUM WIDTH OF PAVEMENT
Arterial Streets	30'
Collector Streets	18'
Local Streets	18'
Marginal Access Streets	18'
Service Access Roads	18'

802.2 Minimum Pavement Specifications for Streets

Public Roads and streets in residential areas in Rowan County shall be constructed to the following minimum specifications:

1. Public Roads and streets in residential areas in the unincorporated areas of Rowan County shall be constructed to the following minimum specifications:
2. Such public roads and streets shall have a minimum right-of-way width of forty (40) feet and a paved surface of twenty (20) feet in width with one (1) foot wide shoulders composed of compacted #2 stone and Dense Grated Aggregate (DGA).
3. Class III Geo-Textile drainage fabric shall be laid on top of the sub- base (ground) to the full length and width of the road to be constructed, and including the shoulders of the road.
4. A minimum of six (6) inches of #2 stone shall be placed and compacted on the Geo-Textile drainage fabric. A deflection test shall be conducted in the presence of the County Road Foreman or City Public Works Director or person designated for the appropriate jurisdiction and additional stone shall be placed as necessary.
5. A minimum of three (3) inches of DGA or, preferably, crushed stone base shall then be applied to fill the voids in the #2 stone.
6. Three (3) inches of bituminous binder shall be placed to the full width of the surface to be paved (a minimum of 20 feet), and may be laid immediately after a successful deflection test and the placement of the abovementioned three (3) inches of DGA or crushed stone base. Once the three (3) inch binder has been laid three additional inches of DGA shall be added to the shoulders of the road.
7. One year following the laying of the binder, and at the request of the person constructing the roadway, the Rowan County Road Foreman, or city public works director, or person designated for the appropriate jurisdiction shall inspect the roadway for any imperfections, and, at such time as those have been corrected, the final one (1) inch surface coat shall be laid. After final approval by the County Road Foreman, or city public works director, or person designated for the appropriate jurisdiction, the County or city shall then accept the road into the appropriate road system.
8. Where jointed drain pipe (whether concrete, plastic or metal) is used in conjunction with roads maintained or to be maintained by the Rowan County Road Department or City Public Works Department, they must meet state specifications and be wrapped with Geo-Textile drainage fabric and be back-filled with #2 stone to the top of the pipe and then compacted DGA or compacted crushed stone base shall be applied. All continuous (non-jointed) pipe shall be installed and back-filled with #2 stone to the top of the pipe, and then compacted DGA or compacted stone base shall be applied.
9. At the discretion of the Rowan County Road Foreman, or City Public Works Director, or person designated for the appropriate jurisdiction slotted drainage pipe may be required at all driveway entrances to a public road or street based upon the need as determined by the incline and length of the driveway, public road, or area generally.

10. When a drainage pipe is installed in a ditch one-hundred (100) feet or more in length, a drop box shall be installed at an appropriate location; an additional drop box shall be installed for each additional 100 feet of drainage. Further, drop boxes shall be installed at appropriate locations at cross drains that serve a drainage of 100 feet or more. Locations and designs for the drop boxes shall be designated by the Rowan County Road Foreman, or City Public Works Director, or person designated for the appropriate jurisdiction.

11. All drainage pipe used for public roads (or roads that are expected to become public roads) in the unincorporated areas of Rowan County shall have a diameter and length to be determined by the Rowan County Road Foreman, or other Rowan Fiscal Court designee, as appropriate for the location where it is to be placed. All drainage pipe referred to herein shall meet the specifications of the Kentucky Department of Transportation.

12. All paving materials and construction methods shall comply at a minimum with the Kentucky Department of Transportation Regulations.

13. The subdivider shall not be required to grade or provide a pavement base or surface in excess of that required for Collector Streets, since such additional construction is not required for the benefit of the general public. The Joint Planning Commission may recommend that the city or county bear the extra expense of constructing the street to meet arterial street standards.

802.3 Bonding of Paved Streets

The subdivider shall provide a security bond, letter of credit or certified check for all proposed paved streets within the subdivision upon approval from the Joint Planning Commission of all proposed paved roads. Such security bond, letter of credit or certified check shall be provided to the appropriate governmental unit and must be received prior to commencement of work within the development.

803 Subdivider's Responsibility

The subdivider shall be responsible for pavement and any damages that occur to the pavement for at least one (1) year from the date that the pavement is placed. The subdivider shall obtain in writing from the county road foreman and/or the city public works director that he/she has inspected the road that was installed and the date the pavement was installed and that it is acceptable. The subdivider is responsible for filing this document with the proper staff designee. If the subdivider begins construction of a new phase of development within an existing department, the said subdivider shall be responsible for any and all damages to the existing pavement.

804 Curbs and Gutters

Curbs and gutters shall not be required in residential subdivisions in the county of Rowan, outside the corporate limits of Morehead and Lakeview Heights. The Joint Planning Commission may waive the requirements in residential subdivisions which are located inside the corporate limits of the cities of Morehead and Lakeview Heights for curbs and gutters if they are not deemed necessary for the proper drainage of storm water, or if all

lots have a width of one hundred (100) feet or more. Curbs and gutters shall, however, be required in all areas of commercial development in Rowan County, the City of Morehead and the City of Lakeview Heights, provided, however, that waivers may be granted under the provisions of section 206 or 1002 of these Subdivision Regulations.

805 Sidewalks in unincorporated areas of Rowan County

Except in areas of commercial development, sidewalks shall not be required in the County of Rowan situated outside the corporate limits of the City of Morehead, and the City of Lakeview Heights. Sidewalks, as required in these regulations in the City of Morehead, the City of Lakeview Heights, and, when required, in the County of Rowan, shall meet the following requirements and shall be the responsibility of the subdivider and shall be completed throughout the entire development prior to Morehead City Council, Lakeview Heights Council, or Rowan Fiscal Court accepting maintenance responsibility of the road system and rights of way. Any letter of credit or other financial instrument securing the improvements required in a subdivision shall not be released until such time as the sidewalks are constructed pursuant to the following guidelines:

805.1 Standards for Accessible Design

In accordance with the provisions of the Federal Department of Justice, "28 CFR Part 37, ADA Standards for Accessible Design" Chapter 3, "Pedestrian Accessibility" all sidewalks shall be designed and installed to be accessible to the physically disabled. The complete guidelines and requirements may be found on the Internet at the web address of: <http://www.ada.gov/stdspdf.htm>. The guidelines are made a part of this regulation by reference. It shall be the responsibility of the subdivider or his/her designee to become familiar with these regulations and ensure the strict compliance as prescribed in the twenty eight (28) referenced documents. Details of accessible sidewalks and curb cuts shall be provided on the plat where sidewalks are required.

805.2 Residential Subdivisions

In residential areas, sidewalks shall be provided on both sides of the street where the predominant lot width is less than one hundred (100) feet. Sidewalks shall be required on one side of the street where the predominant lot width is between one hundred (100) and two hundred (200) feet. Sidewalks will not normally be required where the predominant lot width is over two hundred (200) feet. Where a resident block exceeds nine hundred (900) feet in length, a through sidewalk in a ten (10) foot easement may be required by the Joint Planning Commission. When the street is a cul-de-sac and sidewalks are required on one (1) side of the street only, the sidewalk shall be extended around the cul-de-sac to include all lots that front on the cul-de-sac.

805.3 Commercial Development

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

805.4 STANDARDS

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

805.5 Maintenance of Walkway

It shall be the responsibility of the owner or persons entitled to possession of any house or other building within the City of Morehead and/or the City of Lakeview Heights which abuts or borders upon any public street, road, highway or public place to maintain the sidewalks abutting said property in good repair and free of any physical conditions that may cause accident or injury. Sidewalk maintenance in areas abutting commercial development in the City of Morehead, City of Lakeview Heights, and the County of Rowan shall be the sole responsibility of the owner or persons entitled to possession of said property. Whenever any sidewalks are repaired, renewed or reconstructed, said work shall conform to the City of Morehead, City of Lakeview Heights and Rowan County Subdivision Regulations and shall be in compliance with the applicable standards of the Federal Government Americans with Disability act, <http://www.ada.gov/stdspdf.htm>.

806 Residential Driveways

Each driveway shall have a minimum apron of four (4) feet wide beyond driveway and two (2) feet shall be the length of the flare.

Each driveway shall have a culvert with a minimum diameter of fifteen (15) inches and minimum length of twenty-four (24) feet unless otherwise noted by county road department and/or public works department requirements.

807 Utilities

807.1 Water Supply

Where, in the opinion of the Joint Planning Commission, the public water supply is reasonably accessible, the subdivider shall construct a complete water distribution system, including a connection to each lot and appropriately spaced fire hydrants. Where public water supply is not within reasonable distance, the subdivider shall provide an alternative water supply approved in writing by the city or county health/environmental officer or the fire chief.

807.2 Sanitary Sewer

Where, in the opinion of the Joint Planning Commission, the public sanitary sewer system is reasonably accessible, sanitary sewers of a size specified by an engineer and with connections to the public sewer system shall be installed to serve all lots. Where lots cannot be served by the extension of an existing public sanitary sewer, the subdivider shall obtain approval from the city or county health/environmental officer of lot sizes to accommodate individual septic tanks and disposal fields or an aeration sewage disposal system or obtain approval of a neighborhood sewage disposal system.

807.3 Storm Drainage

Adequate provisions for storm water drainage shall be provided in accordance with standards specified by the Joint Planning Commission. Absolutely no cross connections from the sanitary sewer system to the storm water drainage system will be tolerated. Subdivider may be required to obtain storm drainage schematic and hydrology calculations to prove adequate storm drainage for the development. The Joint Planning Commission reserves the right to request any and all necessary documents and calculations to assure proper measures are being taken to provide adequate storm drainage.

807.4 Master Utility Plan

Subdivider shall provide the Joint Planning Commission with a master utility layout plan that details the locations of all utilities within the proposed subdivision. The master utility layout plan shall also have the signatures of utility company representatives verifying that they have reviewed the proposed layout and agree that the plan is feasible.

807.5 Bonding of Utilities

Upon approval of all utility companies within the subdivision, the subdivider shall bond all site work and utilities that will be constructed or installed within the subdivision.

808 Street Name Signs

The Joint Planning Commission shall require the subdivider to install durable street signs at all intersections.

The Subdivider shall purchase initial signs and posts and dedicate each sign and post to the E-911 office.

809 Subdivision Entrance Sign

All subdivision entrance or advertisement signs shall be as follows:

1. A minimum of four (4) feet by eight (8) feet, unless written permission is granted by the Planning and Codes Enforcement Officer;
2. Compatible with their surroundings, pursuant to the objectives of proper sign design and land use amenities;
3. Designed, installed and maintained to meet the subdivider's needs while at the same time promoting the amenable environment desired by the general public;
4. Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety;
5. Legible, readable and visible in the circumstances in which they are used;
6. Respectful of the reasonable right of other advertisers;
7. Constructed of durable material (not plywood) and shall be decorative in nature.

810 Bridges

All bridges shall be designed by an engineer and constructed to an engineer's specifications or to Kentucky Department of Transportation specifications, whichever is more restrictive.

All public bridges shall have a minimum load capacity of twenty (20) tons or greater as required by the Joint Planning Commission after assessing the capacity of traffic.

811 Completion of Improvements Prior to Approval of Final Plat

811.1 Approval of Improvements

No final plat shall be approved by the Joint Planning Commission or accepted for record by the county clerk until the improvements listed in this article are constructed and approved by the appropriate city or county officials having jurisdiction. Each phase of infrastructure shall be finished within one (1) year of approval of the final plat.

811.2 Security Bond, Certified Check or Bank Letter of Credit

In lieu of such prior construction, the Joint Planning Commission may accept a security bond, bank letter of credit or certified check running to the city or county sufficient to cover the estimated cost of the required improvements. The bond, certified check or bank letter of credit shall be subject to the condition that the improvements will be completed within one (1) year after approval of the final plat. A security bond may be required for all roads, site work and utilities.

811.3 Maintenance Bond

In cases where the Joint Planning Commission deems that drainage, soil conditions, steep topography, amounts of cut and fill and/or type of construction warrant, the Commission shall require the posting of a maintenance bond or similar guarantee to cover workmanship, street or utility installation and repair for a period of one year after completion of the streets or utility or after final plat approval, whichever occurs last. The bond amount shall be for at least a minimum of ten (10) percent of the cost of reconstruction.

The intent and purpose of this bond is to relieve the governing body of reconstruction. For example: Where a street is washed out by faulty installation the governing body should not have to reconstruct this street. The street should stand for one (1) year bonded by the subdivider.

The Joint Planning Commission may consult with city or county engineer, U. S. Natural Resource Conservation Service or other qualified person in seeking evidence to warrant the requirement and amount of the one (1) year maintenance bond. The maintenance bond will commence on the date that the city or county releases the performance (installation) bond. The governing body shall receive a favorable report of inspection by their engineer prior to release of the bond covering installation and a similar report is required prior to the release of the one (1) year maintenance bond. The one (1) year maintenance bond inspection report will cover faulty

construction and/or conditions caused from construction of the development, no occurring from normal usage.

With respect to streets the governing body will be responsible only for snow removal during this interim period.

812 Fire Department Access and Water Supply

Fire department access and water supplies shall be provided in accordance with the Uniform Fire Code. An information copy of the relevant provision is provided as an appendix to these regulations. In order to ensure that these requirements are properly met, it is the subdivider's responsibility to meet with the appropriate fire department officials during the process of developing the subdivision plan.

813 Phased Development

The subdivider may choose with the Joint Planning Commission's approval to develop the project in phases. At all times during development provision for fire protection must precede placement of materials that could constitute a fire hazard.

ARTICLE IX FINAL PLAT APPROVAL

900 Purpose

The purpose of this article is to insure that the final project substantially conforms to the preliminary plat as approved by the Joint Planning Commission.

901 Final Plat Requirements

The final plat shall show the project as constructed and shall meet or exceed the standards of design.

1. Drawings shall be at a scale of one (1) inch to forty (40) feet or less. For example, a drawing may have a scale of one (1) inch equals twenty (20) feet (1"=20').
2. The final plat shall indicate any significant deviations in both horizontal and vertical alignments from the approved preliminary plat.
3. The following information shall be displayed on the plat and all other necessary sheets:
 - A. The following names shall be displayed on the plat & all other necessary sheets: name of subdivision, name(s) and address(es) of the owner(s), the engineer, architect, designer, surveyor, and adjacent property owners.
 - B. Date, north point and a graphic scale
 - C. Acreage of land to be subdivided
 - D. Boundary lines of area to be subdivided with their bearings and distances
 - E. Vicinity sketch of sufficient detail to locate property
 - F. Existing and proposed easements (as disclosed by the landowner) with their location, width, approximate grades (if applicable), and other dimensions as required
 - G. Streets on and adjacent to the tract and their names, widths, approximate grades and other dimensions, as required
 - H. Utilities on and adjacent to the tract showing proposed connections to existing utility systems
 - I. Lot line, lot numbers and frontage dimensions and acreage
 - J. E-911 address

- K. Sites and their acreage, if any, to be reserved or dedicated for parks, playgrounds or other public uses
 - L. Sites, if any, for semi-public, commercial or multifamily uses
 - M. Minimum building setback lines
 - N. Identify 100 year floodplain and floodway, if applicable
 - O. Silt fence locations, retention basins and check dams, if applicable
 - P. Location and description of monuments
 - Q. Names and locations of adjoining subdivisions and street and the names and addresses of adjoining unplatted property.
4. All dimensions, angles, bearings, and similar data on the plat shall be tied to the preliminary control points as approved by a registered land surveyor or professional engineer. Location and description of said control points shall be given;
 5. Label all tract boundary lines, right-of-way lines of streets, easements, and other right-of-way property lines of residential lots and other sites with accurate dimensions to the nearest one-hundredth of a foot; bearings or deflection angles, radii, arcs, and central angles of all curves with the dimensions to the nearest second;
 6. Name and right-of-way width of each street, easement or other right-of-way.
 7. Existing and proposed easements and their locations, width, approximate grades and other dimensions, as required.
 8. Copies of the proposed deed restrictions, if any, shall be attached to the final plat.
 9. Certification on plat of title showing the applicant is the owner and a statement by such owner dedicating streets, right-of-ways and any other sites for public use. The Joint Planning Commission reserves the right to ask for an independent certification from a licensed surveyor or engineer for certification of the accuracy of the final plat at the cost of the subdivider.
 10. Certification on plat by surveyor or engineer as to the accuracy of the survey and plat.
 11. Certificate by the city or county health/environmental officer and county plumbing inspector when individual sewage disposal or water systems are to be installed.

12. After adequate review by all necessary utility companies, certification shall be provided by a registered, professional engineer that the subdivider has complied with one of the following alternatives:
 - A. All the improvements have been installed in accordance with the requirements of these regulations, or
 - B. A security bond, certified check or bank letter of credit has been posted with the city or county legislative body in sufficient amount to assure such completion of all required improvements.
13. Show curbs, gutters, if required, grades of streets, sidewalks and locations of in-street utilities. These are to be drawn to the city or county standard scales and elevations shall be attached to the final plat.
14. Protective covenants shall either be place directly on the final plat or attached thereto in form for recording.
15. Certification on the plat by the Chairman of the Joint Planning Commission that the plat has been approved for recording in the office of the county clerk.
16. Attach copies of bond for utilities and road construction.
17. Subdivider must show erosion control measures and proposed order of events.
18. The subdivider must receive approval from the Rowan County Health Department on individual and/or group septic system.

902 Procedures

1. Fifteen (15) paper copies or three (3) paper copies and one pdf. File of the final plat together with any street profiles or other plans that may be required, shall be submitted to the chairman of the Joint Planning Commission with a written application for conditional approval at least seven (7) days prior to the hearing at which it is to be reviewed.
2. One (1) copy of the final plat shall be transmitted to the city or county health/environmental office when individual sewage disposal or water supply systems are to be installed. If the plat meets the approval of the health/environmental officer, he/she shall return the copy with his/her approval certified thereon within ten (10) days of receipt thereof.
3. Within sixty (60) days after the review of the final plat the Joint Planning Commission shall approve or disapprove the final plat. Failure of the Joint Planning Commission to act on this final plat within sixty (60) days of the review shall be deemed as approval of the plat. If a plat is disapproved reasons for such disapproval will be state in writing.
4. Approval of the Joint Planning Commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.
5. When the final plat has been approved by the Joint Planning Commission, one (1) copy shall be returned to the subdivider with the approval of the Joint Planning Commission certified thereon for filing with the county clerk as an official plat of record; one (1) copy certified by the Joint Planning Commission will be transmitted to the city or county legislative body for necessary action on any proposed dedication; and one (1) copy certified by the Joint Planning Commission shall be given to the city or county Planning/Codes Officer for filing and enforcement. The recording cost shall be paid at the expense of the subdivider.
6. The subdivider must supply certification stating that all improvements are constructed and installed in accordance with the approved submitted plans.

ARTICLE X WAIVER

1000 Exceptional Conditions

The Joint Planning Commission may grant a waiver to these regulations where by reason of exceptional shape of a specific piece of property or where by reason of exceptional topographic conditions the strict application of these regulations would result in extreme practical difficulties and undue hardship upon the owner of such property provided; however, that such relief may be granted without unnecessary detriment to the public good and without substantially impairing the intent and purpose of these regulations. A waiver shall be based upon the subdivider making a detailed written request to the Joint Planning Commission. In granting such waivers or modification the Joint Planning Commission may require such conditions as will substantially secure the objectives of the standards or requirements so varied or modified. Financial disadvantage to the property owner is not proof of hardship within the purpose of these regulations.

1001 Group Housing Developments

A comprehensive group housing development including the large scale construction of housing units together with necessary drives and ways of access may be approved by the Joint Planning Commission; although, the design of the project does not include standard street, lot and subdivision arrangements provided that the provisions of Section 1000 Exectional Conditions pertain.

1002 Procedural Waiver

1003 APPLICATION OF THESE SUBDIVISION REGULATIONS IN SPECIFIC CIRCUMSTANCES IN UNINCORPORATED AREAS OF ROWAN COUNTY; EXEMPTIONS

1. In the unincorporated areas of the County of Rowan, outside the corporate limits of the City of Morehead and the City of Lakeview Heights, whenever land is divided into tracts of five (5) acres or more, for the purpose

of sale or transfer of each tract, whether immediate or in the future, to an individual for agricultural or residential purposes, and for which no new public roads are required, same shall be exempt from any and all of these Subdivision Regulations, except that, in order to ensure compliance with this subsection, the owner of the land shall submit a plat of same with the Rowan County Designee to the Joint Planning Commission and the Chairman of the Joint Planning Commission which shall set out: (1) a survey of the tracts, including the names of adjoining landowners; (2) the location of any adjoining, existing public road or roads; and (3) the location of any private roads or streets (which shall be specifically designated as such). The Designee and the Chairman shall review same to ensure compliance with this subsection, and, after finding that the requirements herein have been satisfied, shall sign, date and approve same. The landowner shall then file the approved plat for recording with the Office of the Rowan County Clerk.

2. In the unincorporated areas of the County of Rowan, outside the corporate limits of the City of Morehead and the City of Lakeview Heights, and whenever no new public streets or roads are required, the owner or owners of a tract of land who wish to do so, may convey, as a gift or gifts, individual parcels of that land to members of his/her immediate family (as defined in this subsection), even when the land is divided into three or more lots or parcels, so long as the deeds conveying same are specific as to (1) the family relationship, and (2) the fact that it is a gift. For purposes of this subsection, "immediate family" shall refer to a spouse, child or children, step-child or step-children, grandchild or grandchildren, step-grandchild or step-grandchildren, parent(s), step-parent(s), or siblings. In such specific instances, the transactions shall be exempt from the requirements of these Subdivision Regulations. Such conveyances by gift to other family members not included in the definition of "immediate family," as defined in this subsection, may be granted the same exemption from these Subdivision Regulations, but, before same is granted, a specific waiver shall be obtained from the Rowan County Designee to the Joint Planning Commission.

3. In the unincorporated areas of the County of Rowan, outside the corporate limits of the City of Morehead and the City of Lakeview Heights, when land abutting the right-of-way of an existing public road is divided into three or more parcels having individual lot frontages of at least 100 feet for the purpose, whether immediate or future, of sale or building development, and where no new public road is required, same shall be exempt from the requirements of these Subdivision Regulations, except that, in order to ensure compliance with this subsection, the owner of the land shall submit a plat of same with the Rowan County Designee to the Joint Planning Commission and the Chairman of the Joint Planning Commission which shall set out: (1) surveyed descriptions of the parcels, including the names of adjoining landowners; (2) the location of the right-of-way of the abutting, existing public road; and (3) the location of any private streets or roads, including their specific designations as such. The said Designee and Chairman shall review same to ensure compliance with this subsection, and, after finding that the plat requirements herein have been satisfied, shall sign, date and approve the plat. The approved plat shall then be filed by the landowner in the Office of the Rowan County Clerk.

4. In the unincorporated areas of the County of Rowan, outside the corporate limits of the City of Morehead and the City of Lakeview Heights, when land is divided into three or more parcels of one (1) acre or more in size, for the purpose, whether immediate or future, of sale or building development, and each parcel is accessed from the nearest existing public road by its own private street or road, and no new public road is required, same shall be exempt from all requirements of these Subdivision Regulations, except that, to ensure compliance with the above requirements, a plat shall be submitted to the Rowan County Designee to the Joint Planning Commission and the Chairman of the Joint Planning Commission, which shall set out: (1) a surveyed description of the parcels, including the names of adjoining landowners; (2) the name and location of the nearest existing

public street or road which is accessed by the private streets or roads; and (3) the names and descriptions of the private streets or roads and their specific designation as such: Such private streets, as referenced in this subsection, shall be specifically described in the plat as being a part of the property being accessed. Names given to private streets or roads as hereinabove referenced shall be submitted to and approved by the Rowan County E-911 Board coordinator. The Designee and the Chairman shall review same to ensure compliance with the requirements of this subsection, and, after finding that those requirements have been satisfied, shall sign, date and approve the plat. The approved plat shall then be filed by the landowner in the Office of the Rowan County Clerk.

1004 ENTRANCES FROM PRIVATE STREETS OR ROADS ONTO PUBLIC ROAD(S) MAINTAINED BY THE COUNTY OF ROWAN

Wherever a vehicular access (junction) is proposed from a private street or road onto a public road maintained by the County of Rowan, the County Road Foreman (or other designee of the Rowan Fiscal Court) shall inspect the area, with respect to any traffic safety issues, and shall approve or deny the installation of same at the location under consideration. Determinations by the County Road Foreman concerning traffic safety issues shall be made with reference to the Commonwealth of Kentucky Transportation Cabinet "Permits Manual," Section PE 303.

ARTICLE XI

ENFORCEMENT AND PENALTIES FOR VIOLATIONS

1100 Enforcement

No plat or plan of a subdivision of land located within the jurisdiction of the Joint Planning Commission shall be admitted to the records of Rowan County or received or recorded by the county clerk until said plat has received final approval in writing by the Joint Planning Commission as provided in the Kentucky Revised Statutes, Chapter 100.417.

If any building is erected in violation of these regulations the building inspector or other appropriate official may cause the building to be vacated or removed as provided in the Kentucky Statutes, Chapter 100.417.

1101 Penalties

Any county clerk who receives, files or records a plat in violation of the provisions of these regulations shall be fined not less than ten (10) dollars nor more than five hundred (500) dollars as provided in the Kentucky Revised Statutes, Chapter 100.991. Each day of violation shall constitute a separate offense.

Any person who transfers any lot in a subdivision before the plat of said subdivision has been approved by the Joint Planning Commission and recorded in the County Clerk's Office or attempts the description of land by metes and bounds in violation of these regulations shall pay to the City of Morehead, Rowan County and The City of Lakeview Heights a penalty of five hundred (500) dollars for each parcel of land so transferred as provided in the Kentucky Statutes, Chapter 100.991. The Joint Planning Commission may by action in the Circuit Court enjoin the transfer or agreement to transfer land as provided in the Kentucky Revised Statutes, Chapter 100.292.

ARTICLE XII
ADOPTION AND EFFECTIVE DATE

1200 Effective Date

The Subdivision Regulations for the City of Morehead, Rowan County and the City of Lakeview Heights shall become effective from and after the date of its approval and adoption by the City of Morehead, Rowan County Fiscal Court and the City of Lakeview Heights.

City of Morehead

Rowan County Fiscal Court

City of Lakeview Heights

Mayor

Judge/Executive

Mayor

Date

Date

Date

Joint Planning Commission

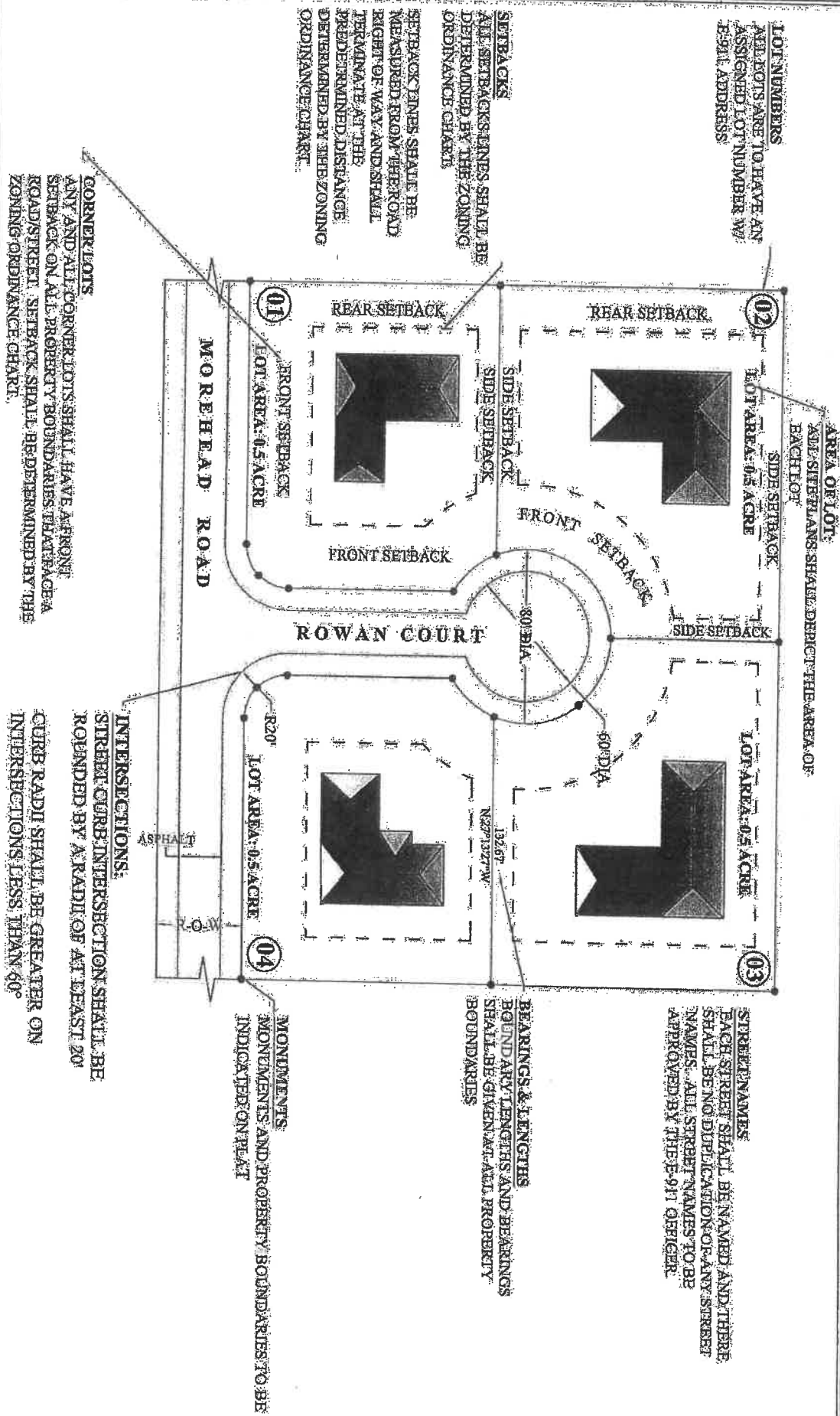
Chairman

Date

**ZONING ORDINANCE CHART
AS REQUIRED BY THE CITY OF MOREHEAD
AND THE CITY OF LAKEVIEW HEIGHTS**

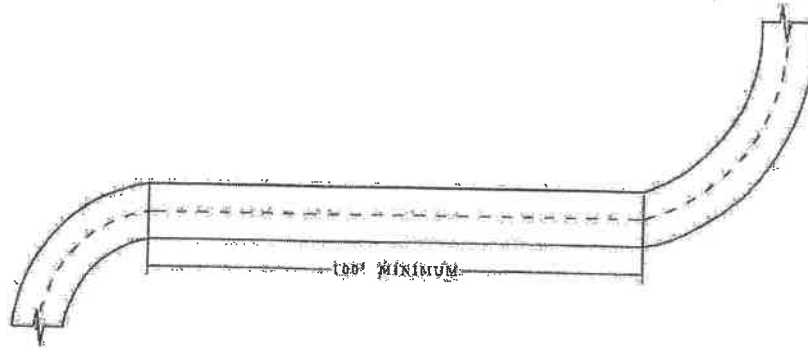
Zoning District	Minimum Lot Size	Frontage	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Acceptable Structure Front Setback	Acceptable Structure Rear Setback
B-1 (2) (3)	8,000 Sq. Ft.	80'	15'	10'	10'	8'	8'
B-2 (2) (3)	10,000 Sq. Ft.	100'	20'	10'	10'	8'	8'
B-3 (2) (3)	5,000 Sq. Ft.	35'	15'	0'	0'	Not Allowed	Not Allowed
R-1 (1) (2) (3)	7,500 Sq. Ft.	75'	30'	25'	25'	8'	8'
R-2 (1)(2)(3)(5)	6,500 Sq. Ft.	65'	30'	20'	20'	8'	8'
R-3 (1)(2)(3)(5)	6,500 Sq. Ft.	65'	30'	20'	20'	8'	8'
R-4 (1)(2)(3)(5)	6,500 Sq. Ft.	65'	20'	10'	10'	Not Allowed	Not Allowed
A-1 (2)	3 Acres	350'	60'	90'	90'	4'	4'
PUBLIC (2)	6,500 Sq. Ft.	65'	20'	0'	0'	4'	4'
I-1 (2)	50,000 Sq. Ft.	500'	50'	25'	25'	10'	10'

TECHINICAL DRAWINGS

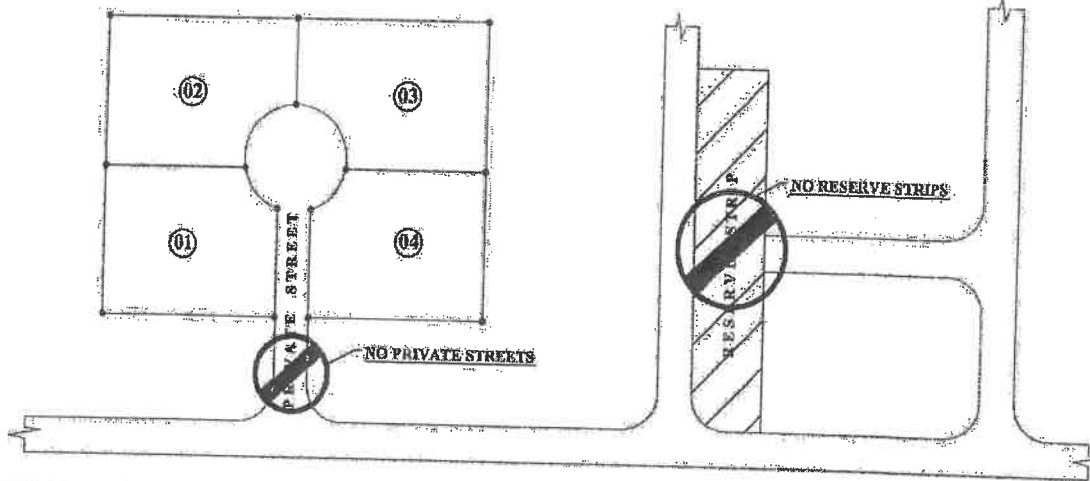


DRAWING 02

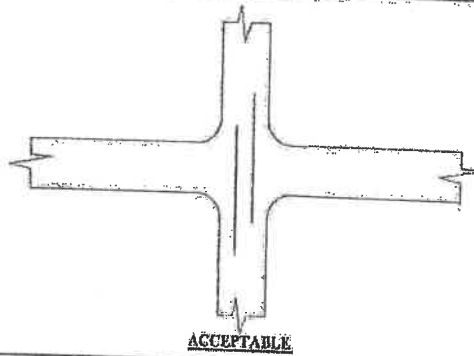
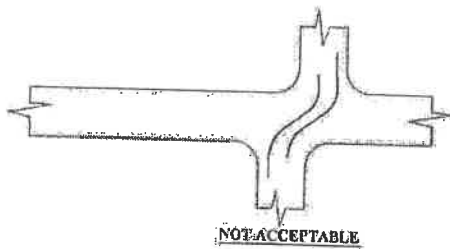
TANGENTS



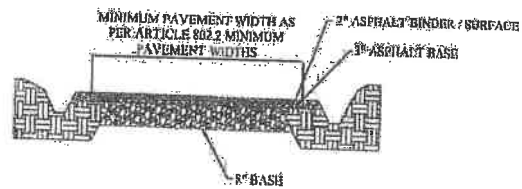
NO PRIVATE STREETS OR RESERVE STRIPS



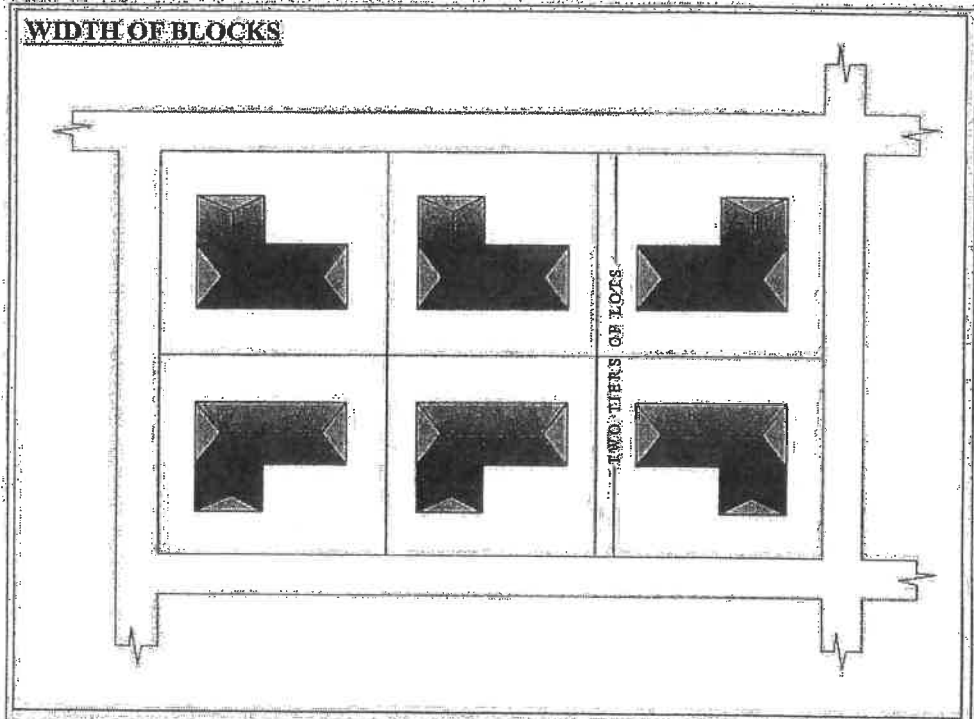
STREET JOGS



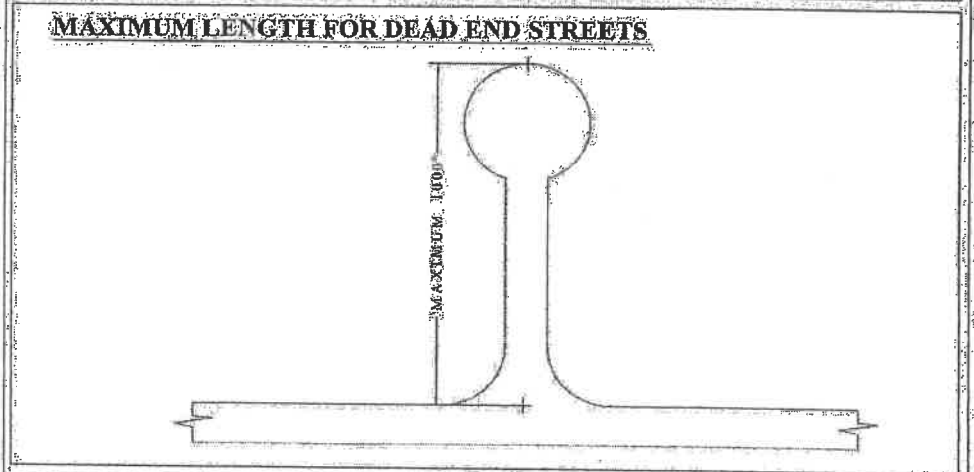
TYPICAL ROAD SECTION



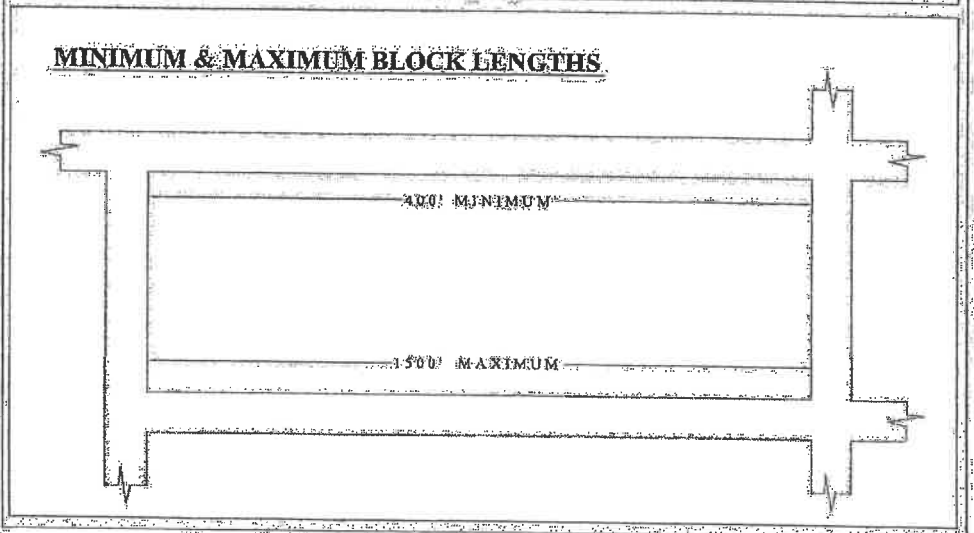
WIDTH OF BLOCKS

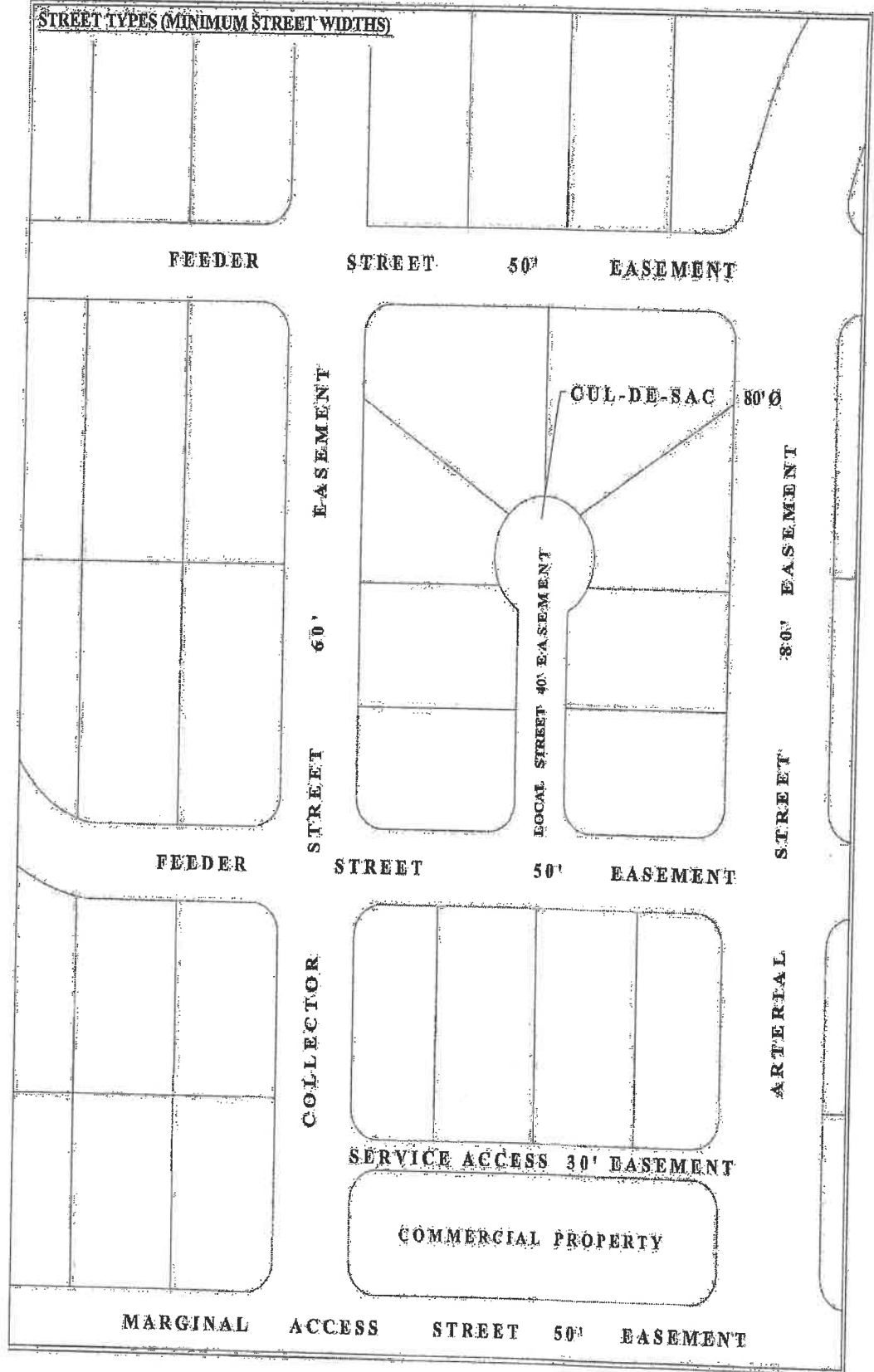


MAXIMUM LENGTH FOR DEAD END STREETS



MINIMUM & MAXIMUM BLOCK LENGTHS





FORMS FOR FINAL PLAT CERTIFICATION

Form 1 (To be on Plat)

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 line and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted in accordance with the City of Morehead, Rowan County and the City of Lakeview Heights Subdivision Regulations.

_____ 20____
Date

Owner

Owner

Form 2 (To be on Plat)

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 Joint Planning Commission and that the monuments have been placed as shown hereon to the specifications of the engineer and surveyor who designed and surveyed the subdivision.

_____ 20____
Date

Registered Engineer or Surveyor

Form 3 (To be on Plat)

CERTIFICATION OF THE APPROVAL OF WATER AND SEWAGE SYSTEMS

I hereby certify that the water supply and sewage disposal utility systems installed or proposed for installation in the subdivision plat entitled:

Fully meet the requirements of the Kentucky State Health Department and are hereby approved as shown.

_____ 20____
Date

City/County Health Officer
or Other Approving Agent

Form 4 (To be on Plat)

CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES

I hereby certify that: (1) Streets, utilities, gas, electric, water, sanitary sewer, telephone, cable and other improvements have been installed or designed in an acceptable manner and in accordance to the appropriate specifications in the subdivision entitled:

or (2) That a security bond in the amount of \$ _____ has been posted with the city or county legislative body to assure completion of all required improvements in case of default; or (3) That a letter of credit on the property being developed has been given to the city or county legislative body to assure completion of all required improvements in case of default.

City or County Road Foreman or Engineer

Date

Electric Company Engineer

Date

Water Company Engineer or Representative

Date

Gas Company Engineer or Representative

Date

Sanitary Sewer Engineer or Representative

Date

Telephone Company Engineer or Representative

Date

Planning and Codes Enforcement Officer

Date

Form 5 (To be on Plat)

CERTIFICATION OF THE APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of _____, Kentucky, with the exception of such variances, if any, as are noted in the minutes of the Joint Planning Commission and that it has been approved as shown hereon for recording in the office of the county clerk.

Date _____ 20____

Chairman or Secretary
Joint Planning Commission

PROCEDURE FOR JOINT PLANNING COMMISSION APPROVAL

APPLICATION FOR DEVELOPMENT

Date of Initial Application: _____/_____/_____

Subdividers Contact Information:

Name of Owner or Owners: _____

Address of Owner: _____

City _____ **State** _____ **Zip Code** _____

County _____ **Telephone Number:** _____

Proposed Subdivision Information:

Name of Subdivision: _____

Location of Subdivision: _____

Surveyor to be Used: _____

Engineer to be Used: _____

Zoning District: _____

Anticipated Number of Lots: _____ **Anticipated Lot Sizes:** _____

PROPOSED SUBDIVISION UTILITY PROVIDER:

Electric Company: _____

Water Company: _____

Gas Company: _____

Sanitary Sewer Provider: _____ **Septic System** _____

Telephone Company: _____

Cable Company: _____

DATE OF JOINT PLANNING COMMISSION MEETING: _____/_____/_____

TIME OF JOINT PLANNING COMMISSION MEETING: _____ : _____ am or pm

PRELIMINARY PLAT DATA SHEET

Subdividers Contact Information:

Name of Owner or Owners: _____

Address of Owner: _____

City _____ State _____ Zip Code _____

County _____ Telephone Number: _____

Proposed Subdivision Information:

Name of Subdivision: _____

Location of Subdivision: _____

Surveyor to be Used: _____

Engineer to be Used: _____

Zoning District: _____

Approved: _____ to proceed to final plat. Subject to the following:
DATE

Modifications:

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

Variance Granted:

1. _____
2. _____
3. _____

Disapproved: _____ to proceed to final plat. Subject to the following:
DATE

FINAL PLAT DATA SHEET

Subdividers Contact Information:

Name of Owner or Owners: _____

Address of Owner: _____

City _____ State _____ Zip Code _____

County _____ Telephone Number: _____

Proposed Subdivision Information:

Name of Subdivision: _____

Location of Subdivision: _____

Surveyor to be Used: _____

Engineer to be Used: _____

Zoning District: _____

Preliminary Plat Approval Granted: _____

DATE

Submitted for Final Plat Approval: _____

DATE

APPROVED FOR RECORDING: _____

DATE

Variances Granted:

1. _____ 2. _____

3. _____ 4. _____

DISAPPROVED _____ **for the following reasons:**

DATE

1. _____ 2. _____

3. _____ 4. _____

**THE STANDARDS FOR MANUFACTURED
HOME PARKS IN ROWAN COUNTY
ORDINANCE 04-10**

**City of Morehead,
Rowan County
And
The City of Lakeview Heights**

**Adopted July 21, 2009
Revised April 25, 2010**



ORDINANCE NO. 0470
AN ORDINANCE REVISING THE STANDARDS FOR
MANUFACTURED HOME PARKS
IN ROWAN COUNTY

WHEREAS, the Rowan Fiscal Court has found it in the best interest of Rowan County and its citizens to adopt an ordinance relating to the Standards for Home Parks in Rowan County; and

WHEREAS, the Rowan Fiscal Court has determined that it is necessary and desirable that the Standards for Manufactured Home Parks in Rowan County be in place to guide the development of Manufactured Home Parks within the county; and

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE FISCAL COURT OF THE COUNTY OF ROWAN, KENTUCKY AS FOLLOWS:

INTENT:

It is the intent of these regulations to encourage the proper placement of manufactured home parks throughout the county while improving the aesthetics and general life safety standards for housing in the County.

SCOPE:

Those persons desiring to develop a manufactured home park shall be required to follow the procedures and regulations listed herein:

The developer shall be required to obtain all required state permits as provided in K.R.S. 219.310 to 219.40 and Kentucky Administrative Regulations 902 KAR Chapter 15.

In addition to the state regulations, the developer shall be required to meet the full requirements of the City of Morehead, Rowan County and City of Lakeview Heights Planning Commission. Compliance shall include all requirements as if for a major subdivision with property fronting onto a road with a minimum 18 feet wide of pavement, fire flow shall be provided, street and utility construction, etc.

Any portion of this standard shall not contradict or be less than the minimum requirements of the State Fire Marshal and/or the State Licensing Office for Manufactured Home Parks.

REQUIREMENTS:

Manufactured home parks shall meet all applicable requirements of the Land Use Regulations and Subdivision Regulations in addition to the state requirements as provided in K.R.S. 219.310 to 219.40 and Kentucky Administrative Regulations 902 KAR Chapter 15. Manufactured home parks SHALL NOT be permitted unless it can be connected to a municipal sewage disposal system or a septic system approved by the Rowan County Health Department.

DEFINITIONS:

1. **Approved:** Acceptable to the authority having jurisdiction.
2. **Authority Having Jurisdiction:** The organization, office or individual responsible for approving equipment, materials, an installation or a procedure. (County: Staff Designee and/or City: City Planner)
3. **Park Management:** The person or entity who owns a development or has charge, care or control of a park (e.g., park, estate or subdivision.)
4. **Dwelling Unit:** One or more habitable rooms designed to be occupied by one family with facilities for living, sleeping, cooking, eating and sanitation.
5. **Manufactured Home:** A structure that is transportable in one or more sections and this in the traveling mode is 8 body feet or more in width and 40 body feet or more in length or when erected on site is 320 square feet or more. This structure is built on a permanent foundation when connected to the required utilities, which include plumbing, heating-air conditioning and electrical systems contained therein. Manufactured homes were formerly referred to as mobile homes or trailer coaches.
6. **Manufactured Home Site:** A parcel of land for the accommodation of one manufactured home its accessory building or structures and accessory equipment for the exclusive use of the occupants.
7. **Manufactured Home Park:** A parcel of land with sites available to the public in which three (3) or more manufactured home lots are occupied or intended for occupancy by manufactured homes, modular homes or any residential structure not wholly site built and including its accessory building or structures and accessory equipment for the exclusive use of the occupants.
8. **Municipal Sewage Disposal System:** A system controlled and operated by a local municipal government entity.
9. **Manufactured Home Park:** Used for rental only not individual ownership of land. (Exemption: Park Owner)
10. **Manufactured Home Community: Subdivision:** Individual property ownership
11. **Manufactured homes prior to 1976 that were not built to HUD or Energy Standards will not be permitted in the park settings.**

MANUFACTURED HOME PARK REQUIREMENTS

Before an application for a Manufactured Home Park can be considered the following conditions shall be verified by the City of Morehead, Rowan County, and City of Lakeview Heights Planning Commission:

1. Manufactured home communities shall be required to be developed in accordance with all applicable Land Use Ordinances and Subdivision Regulations as a major subdivision meeting the preliminary and final plat requirements.
2. A comprehensive development plan shall be submitted in accordance with the guidelines set forth in the Subdivision Regulations.
3. The appropriate land use designation – Manufactured Housing “Single Family Dwelling” shall be listed for property planned for such parks.
4. Manufactured home parks shall only be permitted where connection to a municipal sewage disposal system or a septic system that is approved by the Rowan County Health Department.
5. Manufactured home parks as with other major subdivisions shall only be permitted on county roads that have a minimum of 14 feet of pavement width or state roads that have a minimum of 18 feet of pavement width.
6. Minimum acreage required for a manufactured home park shall be 3 acres with a maximum acreage per manufactured home park of 10 acres.
7. Maximum number of no more than four (4) manufactured home sites per acre with proper Fire Code Setbacks.
8. Every home site shall be provided with a minimum of one (1) 26' x 26' paved off street parking space.
9. Manufactured Home Parks shall provide a 20' wide street that meets the requirements of the Rowan County Road Ordinance.
10. Sidewalks will not be required in a manufactured home park.

SUBMITTAL REQUIREMENTS

- A. Application for Development Approval

1. Applications for approval of a manufactured home park shall be submitted to the Planning and Development Office by the set deadlines for submittals. All applications shall be required to be reviewed by the Development Review Team, Planning Commission Work Session and Planning Commission Business Session. The following items shall be submitted at the time of making application:
 - (a) The developer shall be required to file preliminary and final plats;
 - (b) A comprehensive development plan complying with all requirements set forth in the subdivision regulations;
 - (c) A complete copy of the submittal packet as required by State regulations as set forth in 815 KAR 25:050, 815 KAR 25:060, 815 KAR 25:070, 815 KAR 26:080, 815 KAR 25:080 for the Cabinet for Human Resources shall be provided to the Planning Office.

B. Submission of a Construction Plan

Each application for a permit to construct or alter a manufactured home park shall be accompanied by a complete plan, drawn to scale of the proposed park or alteration. The plan shall show all items required by the subdivision regulations as well as all existing and proposed facilities including:

1. The area and dimension of the tract of land being developed;
2. The number, location and size of all manufactured home lots;
3. The area within each manufactured home lot intended for location of a mobile home and setback distances;
4. A detailed drawing of the foundation for the placement of the manufactured home stand within the manufactured home lot;
5. The location and width of roadways, driveways and walkways;
6. The number, location and size of all off-street automobile parking spaces;
7. The location of park street lighting and electrical system;
8. A detailed drawing of the water supply, if source is other than public;
9. A detailed drawing of the sewage disposal facilities, including specifications;
10. A detailed drawing of the refuse storage facilities;
11. The location and size of water and sewer lines and riser pipes;

12. The size and location of any playground areas within the park, if provided;
13. A separate floor plan of all buildings and other improvements constructed or to be constructed within the manufactured home park including a plumbing riser diagram; and
14. Parks shall be developed in one phase.

LOCATION AND GENERAL LAYOUT STANDARDS

A. General Layout

1. Every manufactured home and manufactured home park shall be located on a well-drained area, not subject to recurring flooding and the premises shall be properly graded to prevent the accumulation of storm or other waters. Manufactured housing shall not be permitted to be placed or constructed within the established floodplain or floodway as determined by the County Floodplain Administrator.
2. Each manufactured home or lot shall be numbered and displayed in some systematic order as established by E-911.
3. Site and Dimensional Requirements:
 - (a) Minimum Site: 10,890
 - (b) Minimum Lot Width: 60 Feet (50 Feet on cul-de-sacs measured at the front property line)
 - (c) Maximum Building Height 30 Feet
 - (d) Front Yard: 25 Feet from the front lot line
 - (e) Side Yard: 10 Feet from lot line
 - (f) Rear Yard: 10 Feet from lot line
4. All manufactured homes shall be located at least twenty-five (25) feet from any park property boundary line abutting upon a public street or highway and at least ten (10) feet from other park property boundary lines.
5. All lots shall abut upon a park street. All park streets shall be constructed in accordance with the road specifications of the Rowan County Administrative Code. Parking shall not be permitted on county roads. Owner shall be responsible for placement of No Parking Signs.
6. Park street, driveways and walkways shall be all weather construction, maintained in good condition, have natural drainage, relatively free of dust and shall be maintained free of holes.

7. The area of the manufactured home stand shall be improved to provide an adequate foundation for the placement of the manufactured home. The mobile home stand shall not heave, shift or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration or other forces acting on the superstructure.
8. The proposed site for placement of manufactured homes shall be graded to provide a maximum height for the home of 48 inches above grade measured from the pad grade to the underside of the chassis.

B. Lighting Within the Park

A minimum equivalent to a 150 watt metal halide type light or any energy efficient green lighting shall be provided at park entrances, intersections and at intervals of 200 feet within the park.

C. Marking of Underground Utility Lines

The location of all underground electrical cables, gas piping, water piping and sewer lines that are buried within four (4) feet of the perimeter of the site's largest planned manufactured homes shall be indicated by an aboveground sign(s) or underground marker tapes identifying the proximity of the lines. A plot plan showing the "as build" location of underground utility lines shall be available for installations in multiple site facilities.

D. Park Electrical Distribution Systems

Every park shall contain an electrical system consisting of wiring, fixtures, equipment and appurtenances installed and maintained pursuant to the requirements of the Public Protection and Regulation Cabinet for underground electrical systems.

E. Park Water Supply

1. The water supply shall be potable, adequate and from an approved public supply of a municipality or water district.
2. No physical connection shall be made between an approved public water supply and unapproved water supply.
3. Water distribution lines and connections shall comply with the state Plumbing Code.
4. Water Supplies for fire department operations shall be as required by the authority having jurisdiction. Fire-flow shall be provided to the manufactured home park/community.

5. Where provided, hydrants shall be located along community streets or public ways within 500 feet of all homes and building and shall be readily accessible for fire department use. Hydrant-hose coupling threads shall meet national standard threads or shall conform to those used by the local fire department if different than those specified in NFPA 1963.

F. Park Sewage and Waste Disposal

1. All sewage and waste matter shall be disposed of into a municipal sewer system or a septic system or a septic system approved by the Rowan County Health Department.
2. The sewer connection between the manufactured home and the sewer riser opening shall have a nominal inside diameter of at least three (3) inches with a slope of at least one-fourth (1/4) inch per foot. All joints shall be watertight.
3. The sewer outlet shall be capped when not in use.
4. Manufactured home park sewer systems and connections shall comply with the state plumbing code.

G. Storage, Collection and Disposal of Park Refuse

1. The permit holder shall be responsible for storage and disposal of refuse.
2. The storage, collection and disposal of refuse in the park area shall be constructed to not create a health, safety or fire hazard, rodent harborage, insect breeding area or cause air pollution.
3. All refuse shall be stored in fly tight, watertight, rodent proof containers, which shall be conveniently located near each manufactured home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse.
4. Approved container storage location shall be provided and shall be designed and maintained to not create a nuisance.
5. All refuse containing garbage shall be collected at least once a week or more often, if necessary. If suitable collection service is not available from municipal or private agencies, the owner or operator shall provide this service. All refuse shall be collected and transported in covered, leak-proof containers or vehicles.
6. All refuse and waste collected at a park shall be disposed in a safe and sanitary manner approved by the Natural Resources and Environmental Protection Cabinet.

H. Insect and Rodent Control Within the Park

1. Grounds, buildings and structures shall be maintained free of insects and rodent harborage and infestation. Approved extermination methods and other measures to control insects and rodents shall be used.
2. Parks shall be maintained free of accumulation of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.
3. Storage areas shall be maintained to prevent rodent harborage. Lumber, pipe and other building materials shall not be stored on premises.
4. If the potential for insect and rodent infestation exists all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.
5. Parks shall be maintained to prevent the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered detrimental to health. Parks shall be maintained free of heavy vegetative growth of any description.

LIFE SAFETY AND FIRE SAFETY

A. General:

1. The responsibility for life and fire safety within manufactured home communities shall be that of the owners and operators of the community. This standard covers fire safety requirements for the installation of manufactured homes and manufactured home sites, including accessory buildings, structures and communities.
2. The space under manufactured homes shall not be used for the storage of combustible materials or for the storage or placement therein of flammable liquids, gases or liquid or gas fuel powered equipment.
3. The following emergency information shall be printed and posted in conspicuous places in the manufactured home community. Phone numbers of the following:
 - (a) Fire Department
 - (b) Police Department or Sheriff's Department
 - (c) Park Office
 - (d) Person responsible for operation and maintenance of the manufactured home park
4. Locations of the following:
 - (a) Nearest public telephone
 - (b) Address of the manufactured home park

5. All parks shall comply with applicable regulations of the State Fire Marshal and applicable local fire codes pertaining to fire safety, fuel supply storage and fuel connections.
6. Fire Safety Separation Requirements: Any portion of a manufactured home excluding the tongue shall not be closer than ten (10) feet side to side, eight (8) feet end to end or six (6) feet end to end horizontally from any other manufactured home or community building unless the exposed composite walls and roof of either structure are without openings and constructed of materials that will provide a minimum 1-hour fire resistance rating or the structures are separated by a minimum 1-hour fire rated barrier.
7. Arrangement of manufactured homes and accessory buildings or structures on the site shall not restrict reasonable access to the site by emergency personnel. Each community operator shall maintain a community site plan for review by agencies responsible for emergency services. This plan shall include but not be limited to, the following:
 - (a) Street names
 - (b) Site separation lines
 - (c) Site numbers
 - (d) Water supplies for fire protection personnel
 - (e) Fire hydrant location
 - (f) Utility disconnects
8. Each street name in the manufactured home park/community shall be clearly marked with signs and each manufactured home site shall be marked for identification in a uniform manner established by the E-911 Addresser that is clearly visible from the street serving the site.
9. All areas and individual sites within the manufactured homes community shall be maintained so as to be free of dry brush, leaves, weeds and other debris that could contribute to the spread of fire within the site or community.

PARK MAINTENANCE AND REGISTRATION

1. The person to whom a permit to operate a park is issued, shall at all times operate in compliance with this regulation. The permittee shall maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
2. The permittee shall notify park occupants of all applicable provisions of this regulation and of their duties and responsibilities under this regulation.

3. The permittee shall be responsible for the proper placement of each manufactured home on its manufactured home stand and for securing its stability and installing all utility connections.
4. The permittee shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park.

INDIVIDUAL HOME SET UP REQUIREMENTS

1. All manufactured homes sold by a manufactured home retailer shall be responsible for the set-up in accordance with the manufacturers listing for that specific home. If the home is not sold by a retailer the owner of the home shall be set-up in accordance with the minimum standards set forth in ANSI Standards, ANSI A 225.1.
2. The electrical system including the main circuit box and all switches/outlets, shall be installed in accordance with the National Electrical Code and inspected by the County Electrical Inspector. C-1 seals are required on all new units before the utility provider may energize that unit.
3. Adequate and operable smoke detection equipment shall be installed in accordance with the applicable codes.
4. All exit doors and windows required by the applicable codes shall be operable and general structural integrity of the unit shall be acceptable.
5. A landing shall be provided on the exterior of each exit door from the home meeting the following requirements:
 - (a) Landing shall be placed not more than 8 ¼ inches below the threshold of the doorway.
 - (b) Landing shall be a minimum of 36 inches x 36 inches constructed of a weather resistant material.
 - (c) Steps from the landing shall have a maximum riser height of 8 ¼ inches and a minimum tread depth of 9 inches.
 - (d) Handrails shall be provided on all steps containing three or more risers. Handrail height shall be not less than 34 inches or more than 38 inches measured vertically above the nosing of the steps. Guardrails shall be provided on all porches/landings located more than 30 inches above the floor or grade level. Guards shall have intermediate rails spaced such that a 4-inch sphere cannot pass through the openings.
6. All homes shall be properly underpinned using materials approved by the manufacturers and the planning commission suitable for exposure to the weather and securely fastened in place.

7. Setup and anchoring of the homes shall be in accordance with the manufacturers listed instructions.
8. Manufactured housing is not permitted to be placed or constructed within the established floodplain or floodway as determined by the County Floodplain Administrator.

WAIVER:

Immediate families helping parents or children only, may allow direct son, daughter, mother, father, mother-in-law or father-in-law to place a manufactured unit on family property. This must have written approval of the Judge/Executive's Office and provide proof of relationship.

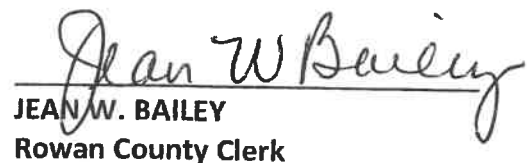
The waiver may be revoked at the discretion of the Judge/Executive if it is discovered that the unit is being used for other than the names listed on the waiver. Family agrees to remove home within 30 days of immediate family not occupying the unit.

GIVEN FIRST READING and passed by a vote of 5 ayes and 0 nays at a regularly scheduled meeting of the Rowan Fiscal Court held on this the 20th day of April 2010.

APPROVED:

ATTESTED:

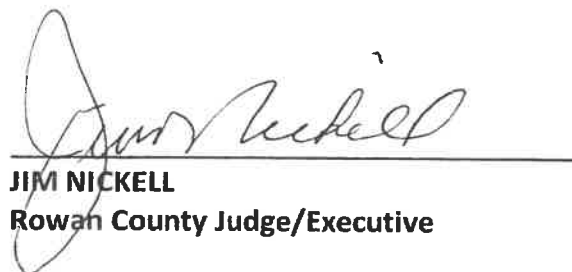

JIM NICKELL
Rowan County Judge/Executive

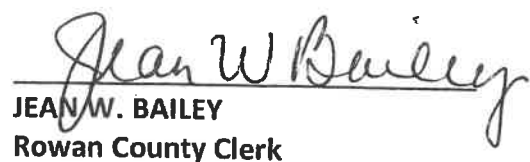

JEAN W. BAILEY
Rowan County Clerk

GIVEN SECOND READING and passed by a vote of 5 ayes and 0 nays at a special meeting of the Rowan Fiscal Court held on this the 25th day of May 2010.

APPROVED:

ATTESTED:


JIM NICKELL
Rowan County Judge/Executive


JEAN W. BAILEY
Rowan County Clerk

