

ARTICLE IV

DESIGN STANDARDS

Section 400. Location and Arrangement of streets.

1. The arrangement, character, extent, width, grade and location of all streets shall conform to the Comprehensive Plan for the City and County as adopted or amended, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety and in their appropriate relation to the proposed uses of the land to be served by such streets.
2. Where such is not indicated in the Comprehensive Plan the arrangement of streets in a subdivision shall either provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
3. Local streets shall be so laid out that their use by through traffic will be discouraged.
4. “Dead-end streets (cul-de-sac), designed to be so permanently, shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet so the Planning Commission may approve an alternate design such as a T or Y back-around. Such street shall not be longer than 700 feet measured from its intersecting R. O.W. line to the outer edge of the turnaround except where topographical or other conditions make this limitation impractical. Where, in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-around having a roadway diameter of at least eighty (80) feet”.

Section 401. Access to Streets.

1. Where a subdivision abuts or contains a present or proposed arterial street, the Planning Commission may require reverse frontage with screen planting contained in a non-access easement along the rear property line, marginal access street, or such other treatment as may be necessary for adequate protection

of residential properties and other abutting properties and to afford separation of through and local traffic.

2. Reserve strips controlling access to streets shall be prohibited except where control thereof is vested in the City or County under conditions approved by the Planning Commission. When the subdivision adjoins unsubdivided acreage, new streets shall be provided through to the boundary lines of the development with temporary easements for turn-around.

Section 402.

Street Intersections

1. Street jogs with centerline offsets of less than one hundred and fifty (150) feet shall be avoided where practicable.
2. Streets shall be laid out so as to intersect at right angles wherever possible.
3. Right-of-way lines at street intersections shall be rounded with a radius of twenty-five (25) feet, or of a greater radius where the Planning Commission may permit comparable cut-off s or chords in place of rounded corners.
4. No cross intersections of centerlines of other than minor, marginal access, or cul-de-sac streets shall be closer than 800 feet apart, unless the Commission deems otherwise.
5. Multiple intersections involving the junction of more than two streets shall be avoided, and where such avoidance is impossible such intersections shall be designed with extreme care for both vehicular and pedestrian safety.
6. Grades at intersections shall be in conformance with Section 405, Subsection 3 following.
7. Proper sight lines shall be maintained at all intersections of streets. Measured from the intersecting street lines, these shall be a clear sight triangle from the point of intersection indicated on the plan and maintained free and clear of shrubs, structures, signs and other visual obstructions.
8. The intersection should be designed and graded to allow for proper drainage.

Section 403.

Street Widths And Building setback Lines

1. Street right-of-way and pavement widths shall be not less than as follows where practicable.

<u>Street Type</u>	<u>Right-of-way</u> (in feet)	<u>Paving Width</u> (in feet)
Arterial	80	40
Collector	60	36
Minor	50	20
Marginal Access	50	20
Cul-de-sac	50	20

2. Additional rights-of-way and paving widths than those specified in this or other Ordinances may be required by the planning commission in order to lessen traffic congestion, to secure safety from fire, panic and other dangers, to facilitate the adequate provision for transportation and other public requirements or to promote the general welfare
3. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these Regulations. If circumstances render this impracticable, adequate provision for the concurrent dedication of the remaining half of the street shall be furnished by the Subdivider. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.
4. Where a subdivision abuts or contains an existing street if inadequate right-of-way width, additional right-of-way width shall be dedicated to conform to the standards established in section 403, Subsection 1.

Section 404.

Street Alignment

1. Except for collector and minor, marginal access and cul—de-sac streets, there shall be a tangent of at least one hundred (100) feet measured at the centerline between curves.
2. The minimum radius at the centerline shall be four hundred (400) feet for arterial streets, three hundred feet for minor streets. Proper super-elevation shall be provided on essential arterial streets where necessary.

Section 405.

Street Grades

1. Street grades, where feasible, shall not exceed the following:

<u>Street Type</u>	<u>Desirable</u>	<u>Maximum</u>
Arterial	4%	5%
collector	5%	7%
Minor	8%	12%
Marginal Access	8%	12%
Cul-de-sac	8%	12%

2. Vertical curves shall be used at changes of grade exceeding one (1) percent and shall be designed in relation to the extent of grade change

and to provide the following minimum lengths of curves where practicable:

- a. For over crests (summits), for each four (4) percent difference in gradients, one hundred and twenty-five (125) feet in length of curve, shall be provided.
 - b. For under crests (sags), for each four (4) percent difference in gradients, one hundred (100) feet in length of curve.
3. Where practicable, the grade of any street at the approach to an intersection should not exceed seven (7) percent. In those cases where the natural grade exceeds seven (7) percent as indicated hereinbefore, a leveling area shall be provided having a minimum length of fifty (50) feet measured back from the street line within which no grade shall exceed a maximum of seven (7) percent. Furthermore, the maximum grade within an intersection, shall not exceed three percent.
 4. No Street grade shall be less than one-half (0.5) percent.

Section 406.

Street Names

No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the Planning Commission.

Section 407.

Private Streets and Reserve Strips

1. There shall be no private streets platted in a subdivision with any lot less than five (5) acres and every subdivision with any lot of less than five (5) acres shall be served by a public dedicated street, which shall be constructed in accordance of Article V, Section 503 the subdivision street requirements and other appropriate provisions of these regulations.
2. Subdivisions which have all of its lots containing at least five (5) acres or more may have privately maintained gravel streets provided each and every of the following conditions are met:
 - a. The subdivision is located in the county and not in the City.
 - b. The total number of lots in the subdivision which the private streets serve, shall not exceed six (6) in number, each of which shall contain five (5) acres or more.
 - c. The private streets within a subdivision shall have a combined maximum length of all private streets within that division of 1mile (5,280 feet), which shall connect to each other, but must connect to a public road (county or state).
 - d. The width of the private streets shall be at least 24 feet wide with at

least 20 feet of which shall consist of at least 6 inch gravel base compact in accordance with the subdivision street requirement of these regulations and said private streets shall have at least a 2 feet shoulder on each side of the gravel base. The road(s) shall be inspected by a Magistrate and/or County Road Foreman or an Engineer if the Magistrate and/or County Road Foreman deems necessary. Building Permits for such developments are not to be issued until the inspections are complete and approval is granted.

- e. Prior to approval by the Planning Commission, the subdivision plat shall show the gravel road or roads and shall be inscribed “ PRIVATE ROAD(S), NOT MAINTAINED WITH PUBLIC FUNDS”.
- f. As private gravel streets, the county will not provide any maintenance for said streets, nor provide public transportation. The following shall be shown on the Record Plat and Deed.

“The streets serving this subdivision are designated as private streets, the maintenance for which is the sole responsibility of the owners of the lots served by said streets and under no circumstances shall the local legislative body be obligated at anytime to provide any maintenance for said street or streets” nor to provide public transportation.

- g. The maintenance agreement, after approval by the Commission, shall be recorded with the plat in the Spencer County Clerk’s office.
 - h. A sign shall be placed at the entranceway of said development, inscribed “PRIVATE ROAD, NOT MAINTAINED WITH PUBLIC FUNDS,” as soon as the entrance is constructed sign is to be erected.
- 3. The county shall not maintain the private street or streets, unless the street or streets are blacktopped and conformed to all the requirements of Article V, Section 503, the street requirements of these regulations and the street or streets are accepted as a public street by the county.
 - 4. The definition of private street or streets and private road are synonymous for the purpose of these regulations and shall mean a thoroughfare for the use of vehicular traffic, which may be graveled rather than blacktopped as required by Article IV, Section 503 of these regulations.
 - 5. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the City or County under conditions approved by the Planning Commission and accepted by the appropriate legislative body.

Section 408.

Alleys

1. Alleys shall be provided in commercial and industrial districts, except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.
2. The width of an alley shall not be less than fifteen (15) feet.
3. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the dead-end, as determined by the Planning Commission.

Section 409.

Easements

1. Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be at least ten (10) feet wide.
2. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both as will be adequate for both present and future drainage needs.

Section 410.

Blocks

1. The lengths, widths, and shapes of blocks shall be determined with due regard to:
 - (a) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - (b) Zoning requirements as to lot sizes and dimensions.
 - (c) Needs for convenient access, circulation, control, and safety of street traffic.
 - (d) Limitations and opportunities of topography.
2. To the extent possible, block length shall not exceed sixteen hundred (1600) feet, or be less than five hundred (500) feet.
3. Where possible, residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering a street are used.
4. Pedestrian cross walks, with a minimum pavement width of three (3) feet, shall be required where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

Section 411.

Lots

1. Lot dimensions shall conform to the requirements of the Zoning Ordinance.
2. The subdividing of the land shall be such as to provide, by means of public street, each lot with satisfactory access to an existing public street.
3. Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
4. Side lot lines shall be substantially at right angles or radial to street lines.
5. In residential zones, lot depths shall not be less than one (1), nor more than three (3) times the average width. Pursuant to KRS 100.281 subsection six (6), the Planning Commission may hear and finally decide applications for variances when a proposed development requires a subdivision and one (1) or more variances.
 - a. With regard to variances in subdivisions, the Planning Commission shall assume all powers and duties otherwise exercised by the Board of Adjustment pursuant to KRS 100.231, 100.233, 100.237, 100.243, 100.247 and 100.251.
 - b. The applicant of the subdivision at the time of the filing of the application for the subdivision may elect to have any variance for the same development to be heard and finally decided by the Planning Commission at the same public hearing set for the subdivision, or by the Board of Adjustment as otherwise provided for in this chapter.
6. The size, depth, and width of parcels laid out or reserved for non-residential use shall be in conformance with all the provisions of the Zoning Ordinance.

Section 412.

Storm Drainage.

1. Drainage facilities shall be provided:
 - (a) to permit unimpeded flow of natural watercourses; and
 - (b) to ensure adequate drainage of all points along the line of streets.

2. Storm sewers, where required by the Planning Commission, shall be placed in back of the curb when located in a street right-of-way. When located in undedicated land, they shall be placed within an easement not less than ten (10) feet wide.
3. In some cases, storm water must travel in original stream beds or in open channels. Where necessary concreted or rip rapped channels shall be required. Open channels, whether concreted or not, shall generally be straightened and widened to conform to drainage requirements.
4. Inlets and manhole covers and frames shall conform to City or County standards. At street intersections, inlets shall be placed in the tangent and not in the curved portion of the curbing.
5. Bridges and culverts shall have ample water way to carry expected flows. Culverts shall be provided with wing walls and constructed for the full width of the right-of-way. Bridges shall be provided with a paved flow line and with deep aprons and wing walls at each end. Bridges shall be constructed no narrower than the paved width plus (2) feet on each side of pavement.

Section 413.

Community Facilities.

1. Where a proposed park, playground, school or other public use shown in the Comprehensive Plan is located in whole or in part in a subdivision, the Planning Commission may require the reservation of such area within the subdivision in those cases which the Commission deems consistent with the Comprehensive Plan.
2. Where deemed essential by the Planning Commission upon consideration of the particular type of development proposed in the subdivision, the commission may require the reservation of such other areas or sites of a character, extent, and location suitable to the needs created by such development for schools, parks, and other neighborhood purposes.
3. The following standards shall apply to the provision of recreation space:
 - (a) Areas set aside for recreational purposes shall be reasonably compact parcels, placed to serve all parts of the subdivision, accessible from a public street, and not excessively irregular in terrain.
 - (b) Playgrounds for active sports shall be not less than two and three-quarters (2-3/4) acres.
 - (c) In subdivisions which provide or are intended to provide housing facilities for more than fifty (50) families suitable open areas may

be required for recreation. Standards to be used by the Planning Commission in testing the adequacy of space provided shall be as follows:

50 to 300 families – 1-1 1/2 acres
per hundred families

Section 414. Land Subject To Flooding

1. Land subject to flooding or other hazards to life, health, or property and land deemed to be topographically unsuitable shall not be platted for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the subdivision plans.
2. Such land within the subdivision shall be set aside on the plat for uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.
3. Where flooding is known to have occurred within an area shown on the plat, such area shall be clearly marked “subject to periodic flooding” and shall not be platted in streets and lots.

Section 415. Preservation of Natural Resources

1. Wherever possible, Subdivider shall preserve trees, groves, waterways, scenic points, historic spots, and other community assets and landmarks.
2. Subdivisions shall be laid out so as to avoid the necessity for excessive cut or fill.
3. Top soil shall not be stripped, covered or removed from the subdivision site.

Section 416. Overhead Utilities.

Wherever practicable, telephone and electric service lines shall be placed at the rear of all lots or underground, and all transformer boxes and other equipment located so as not to be unsightly or hazardous to the public.

Section 417. Requirement for Utilities.

The planning Commission may require the subdivider to furnish all necessary public utilities in and to the proposed subdivision. Water supply and sewage disposal must be furnished in accordance with the plan approved by the appropriate State, county, and city officials.