

CITY OF GEORGETOWN

AN ORDINANCE AMENDING THE GEORGETOWN/SCOTT COUNTY
SUBDIVISION AND DEVELOPMENT REGULATIONS.

ORDINANCE NO. 14-008

SUMMARY

SECTION ONE

Amends Article III of the Georgetown/Scott County Subdivision and Development Regulations to provide that preliminary plat approvals are valid for a period of two years. Provides that, where street or utility improvements are involved, approval of construction plans for a proposed subdivision or phase of a subdivision shall extend the preliminary plat approval an additional two years from the date of the construction plan approval. Provides that, where street or utility improvements are not involved, approval of Final Plat for a proposed subdivision or phase of a subdivision shall extend the preliminary plat approval an additional two years from the date of Final Plat approval. Provides for an additional one year extension of preliminary subdivision plat approvals, provided that appreciable changes in the vicinity of the approved preliminary plat have not occurred, upon application to the Director of the Planning Commission and subject to the Commission's review.

SECTION TWO

Amends Article IV of the Georgetown/Scott County Subdivision and Development Regulations to provide that preliminary development plan approvals are valid for a period of two years. Provides for an additional one year extension of preliminary development plan approvals, provided that appreciable changes in the vicinity of the approved preliminary development plan have not occurred, upon application to the Director of the Planning Commission and subject to the Commission's review.

SECTION THREE

Provides that all prior ordinances and parts of ordinances in conflict with this Ordinance are repealed.

SECTION FOUR

Provides that this Ordinance shall become effective on passage and publication.

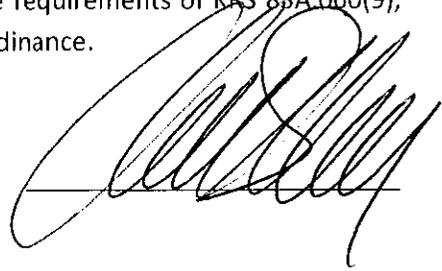
APPROVED:


Everette L. Varney, Mayor

ATTEST:


Tracie Hoffman, City Clerk

I, Andrew S. Hartley, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky. My office is located at 100 North Court Street, Georgetown, Kentucky 40324. I further certify the foregoing Summary of Ordinance 14-001 of the City of Georgetown, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9), and is a true and accurate summary of the contents of said Ordinance.

A handwritten signature in black ink, appearing to read "Andrew S. Hartley", written over a horizontal line. The signature is cursive and stylized.

CITY OF GEORGETOWN

ORDINANCE 14-008

AN ORDINANCE AMENDING THE GEORGETOWN/SCOTT COUNTY
SUBDIVISION AND DEVELOPMENT REGULATIONS.

Sponsor: Council Member Connie Tackett

WHEREAS, the existing subdivision approval procedures of the Subdivision and Development Regulations have not satisfied the needs of the community. The regulation must be updated to reflect the Georgetown-Scott County Planning Commission's experience in the implementation of the community's development; and

WHEREAS, the proposed amendments were discussed at a public hearing before the Georgetown-Scott County Planning Commission at its March 13, 2014 meeting; and

WHEREAS, at the close of said public hearing, the Georgetown-Scott County Planning Commission voted unanimously to recommend to the respective legislative bodies the adoption of this ordinance;

NOW THEREFORE, be it ordained by the City of Georgetown, Kentucky, as follows:

Section One

Article III of the Georgetown/Scott County Subdivision and Development Regulations is hereby amended as follows:

ARTICLE III MAJOR SUBDIVISION APPROVAL PROCEDURE

All Major Subdivision Plats shall receive both Preliminary Plat approval and Final Plat approval according to the procedure described in this Article.

300 Optional Initial Step:

Applicants may file a conceptual plan of the proposed subdivision in accordance with Article VIII (Conceptual Plans) to provide for consultation with Planning Staff regarding site feasibility and status of the subdivision as major or minor. See Article III (Definitions).

305 All applicants for major Subdivision Plat approval shall obtain Preliminary Plat approval pursuant to the procedure outlined below.

A. Applicants must file seventeen copies of the Preliminary Plat for Planning Commission Approval and pay required fee. The Preliminary Plat must:

1. Be filed by the first working day of the month pursuant to the adopted Filing Deadlines and Review Schedule in the Planning Commission Office (generally six weeks prior to consideration by Planning Commission).
 2. Conform to the Content and Format Standards in Article V.
 3. Provide for adequate circulation, parking, and utilities pursuant to Article X (Site Design Standards).
 4. Address the following requirements where appropriate:
 - a. Public Facilities Dedication and Private Maintenance of Improvements. See Article XIII.
 - b. Standards for Environmentally Sensitive Areas and Hazardous Materials Uses. See Article XII.
 - c. Standards for any proposed Private Utilities (Article X and Appendix IX) and Annexation. See Article I.
 - d. Miscellaneous Site Design Standards in Article X.
- B. For concurrent review and approval of Construction Plans, within ten days of Filing the Preliminary Plat, Applicants shall also file for approval by the commission engineer Construction Plans and Specifications, which shall contain:
1. A description of all proposed new streets in accordance with the Article X, Section 1000 requirements and standards, and
 2. The proposed Site Preparation Plan, which includes the grading plan, water quality protection plan, and stormwater management plan in accordance with the Article XI requirements and standards.
- Note:** Planning staff, including engineer, review of the preliminary plat and construction plans and specifications shall require revision of submitted documents if any of the above-noted standards have not been met (except where a variance has been requested).
- C. All applicants shall meet with Staff and members of the Technical Review Committee (TRC) at the scheduled meeting of the TRC (see Filing Deadline and Review Schedule) to discuss the submitted plat and construction plans and receive staff comments.
- D. By the "Response Date" in the Filing Deadline and Review Schedule, applicants shall:
1. Respond to staff and TRC comments, in writing or in a meeting prior to the response date;

2. Submit three revised preliminary plats (if revision is required);
 3. Submit three (3) copies of the Preliminary Plat, as revised, reduced to 11" x 17" to the Planning Commission office for mailing to Commission members.
- E. Formal staff review of preliminary plat, including Review Form, see Appendix III, shall be mailed to all Planning Commissioners and applicants one week prior to the regular meeting.
 - F. Planning Commission shall consider the application for Preliminary Plat approval at its regularly scheduled meeting.

If certain minor requirements have not been met, the Planning Commission may approve the Preliminary Plat with Conditions of Approval, which must be met before the Preliminary Plat can be signed and the Final Subdivision Plat submitted for approval.

- G. Applicants shall provide two copies of the approved Preliminary Plat to the Planning Commission, which the Planning Commission chairman or designee shall sign, and one of which shall be returned to the applicant as the "owner's copy." The remaining copy shall be retained by the Planning Commission.
- H. No installation of improvements shall begin until the Construction Plans have been approved and signed.

306 Preliminary Plats shall be valid for a period of two (2) years.

- A. If street or utility improvements are involved, approval of construction plans for a proposed subdivision or phase of a subdivision shall extend the preliminary plat approval an additional two (2) years from the date of the construction plan approval.
- B. If street or utility improvements are not involved the approval of a Final Plat for a phase or section of a subdivision shall extend the overall Preliminary Plat approval an additional two (2) years from the date of the Final Plat approval.
- C. An applicant may extend the approval of the Preliminary Plat for one (1) year upon written request, subject to the Planning Commission's Planning Director determination that appreciable changes in the vicinity of the approved Preliminary Plat have not occurred. If the Planning Director determines that changes have occurred in the area that warrant re-submission of the Preliminary Plat to the Commission, such findings shall be in writing and subject to review by the full Commission

310 All applicants for major subdivision plat approval must obtain Final Plat approval pursuant to the procedure outlined below.

- A. Prior to submission of Final Plat for approval and signature, applicants must:
1. Install, file as-built plans for, and have field inspected by the Commission Engineer, all water quality protection measures, followed by stormwater management installations, streets, sanitary sewers, water systems and other improvements; and File an adequate bond or letter of credit pursuant to Article (VII) to ensure that all installed water quality protection measures remain in place for at least one year from date of completion of grading.

OR

2. File bond or letter of credit for any of the improvements listed above which are not completed (see Article VI for conditions, amount and release standards of bond or letter of credit), except for water quality protection measures and rough grading for streets and storm drainage systems, which must be completed and inspected, and installed water quality protection measures bonded as required in the preceding paragraph prior to submission of final plat.

Note: No building permits in the subdivision shall be issued until the first course of gravel has been installed on all streets.

- B. Applicant must file one original with original signatures and six copies of the Final Plat for approval, accompanied by the required fee. There is no filing deadline for Final Subdivision Plats.
- C. Final Plats must be in conformity with the Contents and Format standards in Article VII and all changes from the approved Preliminary Plat must be noted.
- D. Any significant change will be reviewed according to the adopted Filing Deadline and Review Schedule and considered by the Planning Commission at a regularly scheduled meeting for its approval or disapproval.
- E. If the submitted Final Plat substantially conforms to the approved Preliminary Plat, if all certificates have been signed, and the requirements of Section A above have been met, the Planning Director shall recommend approval of the Final Plat in writing using the review form in Appendix V, within 30 days of filing and shall mail a copy of the recommendation to the applicant. A determination that a significant change requires Planning Commission review (see paragraph D above) shall likewise be in writing to the developer, describing the changes using the Final Plat Review Form in the Appendix.
- F. Final Plats recommended for approval by the Planning Director or approved by the Planning Commission shall be certified as approved by the Planning Commission chair or designee on the original reproducible and six copies of the Final Plat. The original reproducible shall be designated the "official copy" and

shall be retained in the files of the Planning Commission. One copy shall be designated "record plat," a second copy shall be designated "owner's copy" and shall be furnished to the property owner.

The "record plat" along with any Certificate of Land Use Restrictions must be recorded in the Office of the County Court Clerk. The Planning Commission shall record any Public Facilities Easements conveyed pursuant to Article XIII, Section 1300.F.

Section Two

Article IV of the Georgetown/Scott County Subdivision and Development Regulations is hereby amended as follows:

ARTICLE IV

DEVELOPMENT APPROVAL PROCEDURE

All major developments shall receive both Preliminary Development Plan approval and Final Development Plan approval according to the procedure described in this Article (for subdivisions, see Article III).

400 Optional Initial Step:

Applicants may file a conceptual plan of the proposed development in accordance with Article VIII (Conceptual Plans) to provide for consultation with Planning Staff regarding site feasibility and status of the development as major or minor. See Article II (Definitions).

405 All applicants for major Development Plan approval shall obtain Preliminary Plan approval pursuant to the procedure outlined below.

- A. Applicants must file seventeen copies of the Preliminary Plan for Planning Commission Approval and pay required fee. The Preliminary Plan must:
1. Be filed on the first working day of the month pursuant to the adopted Filing Deadlines and Review Schedule in the Planning Commission Office (generally six weeks prior to consideration by Planning Commission).
 2. Conform to the Content and Format Standards in Article V.
 3. Provide for adequate circulation and parking pursuant to the Site Design Standards in Article X.
 4. Include, for approval by the commission engineer, Construction Plans and Specifications, which shall contain:
 - a. A description of all proposed new streets, parking lots, utilities, and access in accordance with the Article X, requirements and standards, and
 - b. The proposed Site Preparation Plan, which includes the grading plan, water quality protection plan, and stormwater management plan in accordance with the Article XI requirements and standards.
 - c. Landscaping Plan pursuant to the Landscape and Buffer Ordinance.
 5. Address the following requirements where appropriate:
 - a. Public Facilities Dedication and Private Maintenance of Improvements. See Article XIII.
 - b. Standards for Environmentally Sensitive Areas and Hazardous

Materials Uses. See Article XII.

- c. Annexation. See Article I, Section 170 and Miscellaneous Site Design Standards, Article X, Section 1015.

Note: Planning staff, including engineer, review of the preliminary plan shall require revision of submitted documents if any of the above-noted standards have not been met.

- B. All applicants shall meet with Staff and members of the Technical Review Committee (TRC) at the scheduled meeting of the TRC (see Filing Deadline and Review Schedule) to discuss the submitted plan and receive comments. See Article II (Definitions).
- C. By the "Response Date" in the Filing Deadline and Review Schedule, applicants shall:
 - 1. Respond to staff and TRC comments, in writing or in a meeting prior to the response date;
 - 2. Submit three revised preliminary plans (if revision is required);
 - 3. Submit three (3) copies of the Preliminary Plan, as revised, reduced to 11" x 17" to the Planning Commission office for mailing to Commission members.
- D. Formal staff review of preliminary plan, including Review Form, see Appendix III, shall be mailed to all Planning Commissioners and applicants one week prior to the regular meeting.
- E. Planning Commission shall consider the application for Preliminary Plan approval at its regularly scheduled meeting.

If certain minor requirements have not been met, the Planning Commission may approve the Preliminary Plan with Conditions of Approval, which must be met before it can be signed or the Final Development Plan submitted for approval.

- F. Applicants shall provide three copies of the approved Preliminary Plan to the Planning Commission, which the Planning Commission chairman or designee shall sign, and two of which shall be returned to the applicant as the "owner's copies."

406 Preliminary Plan approval is valid for a period of two (2) years.

- A. An applicant may extend the approval of the Preliminary Plan for one (1) year upon written request, subject to the Planning Commission Planning Director's determination that appreciable changes in the vicinity of the approved Preliminary Plan have not occurred. If the Planning Director determines that

changes have occurred in the area that warrant re-submission of the Preliminary Plan to the Commission, such findings shall be in writing and subject to review by the full Commission.

- 410 All applicants for major development plan approval must obtain Final Plan approval pursuant to the procedure outlined below.
- A. Applicant must file one original with original signatures and six prints of the Final Plan for approval, accompanied by the required fee. There is no filing deadline for Final Development Plans.
 - B. The Final Plan must be accompanied by an adequate bond or letter of credit to ensure that all site improvements required by these Subdivision and Development Regulations and the Zoning Ordinance shall be completed prior to occupancy of the site. See Article VI for bonding and release information.
 - C. Final Plans must be in conformity with the Contents and Format standards in Article VII and all changes from the approved Preliminary Plan must be noted thereon.
 - D. Any significant changes will be reviewed according to the adopted Filing Deadline and Review Schedule and considered by the Planning Commission at a regularly scheduled meeting for its approval or disapproval.
 - E. If the submitted Final Plan substantially conforms to the approved Preliminary Plan, if all certificates have been signed, and the requirements of Section B above have been met, the Planning Director shall recommend approval of the Final Plan in writing using the review form in Appendix V, and shall mail a copy of the recommendation to the applicant. Determination that a significant change requires Planning Commission review (see paragraph D above) shall likewise be in writing to the applicant, using the Final Plan review form.
 - F. Final Plans recommended for approval by the Planning Director or approved by the Planning Commission shall be certified as approved by the Planning Commission chair or designee on the original reproducible and six copies of the Final Plan. The original reproducible shall be designated the "official copy" and shall be retained in the files of the Planning Commission. One copy shall be designated "owner's copy" and shall be furnished to the property owner or applicant. Other copies shall be distributed to the building inspector, and to the utilities providers.
 - G. No building permit shall be issued until the Final Plan has been signed. No Certificate of Occupancy shall be issued by the building inspector until all the improvements shown on the approved plan are completed, inspected, and certified as approved by the Building Inspector, and bonded to secure the installation of landscaping (see Article VI for bond and release provisions).

Section Three

All prior ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

Section Four

This Ordinance shall take effect upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME: April 28, 2014

PUBLICLY READ SECOND TIME AND PASSED: May 12, 2014

APPROVED:


Everette L. Varney, Mayor

ATTEST:

