

## Preliminary Subdivision Plan Review

### **1.4.01 Intent**

Preliminary Subdivision Plan Review is intended to provide for a complete review of a subdivision plan and layout, technical data and preliminary engineering drawings for a proposed **MAJOR SUBDIVISION**. The review shall evaluate potential impacts on both the site and surrounding areas, determine if public facilities and services are adequate to serve the proposed development, and resolve planning, engineering and other technical issues so that development may proceed.

### **1.4.02 When Major Subdivision Plan Review Applies**

Preliminary Subdivision Plan Review for a **MAJOR SUBDIVISION** shall be required for all **SUBDIVISIONS** not eligible for **MINOR PLAT** Review.

### **1.4.03 Optional Pre- Application**

Prior to formal application for this review the subdivider may present for discussion a sketch showing generally the boundaries of the proposed **SUBDIVISION**, the proposed **STREET** and **LOT** pattern, dimensions, topography, proposed drainage pattern, north arrow, scale and any other pertinent information then known to the subdivider. The subdivider or property owner or their agent, or the **PLANNING DIRECTOR**, may request a conference to discuss the requirements for a major subdivision of the **PLANNING COMMISSION** and other public agencies, the improvements and uses of the **SUBDIVISION** and any potential problems involved in the proposed **SUBDIVISION**.

For this review, the **SUBDIVIDER** shall contact the **PLANNING DIRECTOR** to set a meeting date to discuss intentions as they relate to a preliminary plat review. The pre-application meeting does not require formal application or fee.

The **SUBDIVIDER** shall file a formal application for Preliminary Subdivision Plan Review on a form supplied by the **PLANNING DIRECTOR** (see Appendix for forms) and shall submit therewith a preliminary plan prepared in conformance with the requirements of this Chapter. No application shall be accepted for review unless it is complete and accompanied by the appropriate review fee. The **PLANNING DIRECTOR** may require submission of information, material and documents beyond that required in this Part as necessary to determine compliance with these regulations.

**1.4.04  
Submittal of  
Application**

Upon receipt and acceptance of the Preliminary Subdivision Plan Review Application, the **PLANNING DIRECTOR** shall submit copies to interested public agencies and utility companies and obtain a written report or approval on the plan from each such agency or company. Notice of the proposed subdivision and date of the **TECHNICAL REVIEW COMMITTEE** (TRC) meeting shall be provided to adjoining property owners of the proposed **SUBDIVISION**.

**1.4.05  
The Review  
Process**

Staff Review - The staff of the **PLANNING COMMISSION** shall review the plan and shall consult with the affected cities, public agencies and utility company to resolve any problems raised by the proposed subdivision. The staff shall then present its recommendations and the reports of the agencies and companies to the **SUBDIVIDER** and adjoining property owners at the TRC meeting.

Administrative Approval - the **PLANNING DIRECTOR** or a staff member authorized by the **PLANNING COMMISSION** may take Planning Commission action if the plan or revision complies with the applicable provisions of these regulations. Such action shall not be taken until the expiration of the seven-day petition period provided for in this Part. No staff member shall be required to approve any delegated item if they have reason to question its accuracy, or its compliance with any applicable regulations. Items that are not appropriate for administrative approval shall be submitted to the **TECHNICAL REVIEW COMMITTEE** in accordance with the provisions of this Chapter.

A. Applicants or other affected parties seeking **PLANNING COMMISSION** review of an action of the **TECHNICAL REVIEW COMMITTEE** may request such on forms supplied by the **PLANNING DIRECTOR**. Requests for review must be submitted

within seven (7) calendar days of the TRC meeting at which the application is considered for approval. The request shall set out the item(s) for which the applicant or other affected party is seeking Planning Commission review. The request will be considered for review at the first Commission meeting following receipt of the request, or at a subsequent meeting if so requested by the applicant. Planning Commission action, along with the reasons therefore, shall be communicated in writing to the applicant. Final action on the Preliminary Plan shall be taken in accordance with these regulations.

- B. Planning Commission review of TRC recommendations shall address only specific items of the Preliminary Plan proposal that:
1. do not receive a consensus recommendation through the TRC process;
  2. are set out in a request for review by the applicant;
  3. are set out in a request for review by other affected parties; or
  4. are requested as waivers from current regulations.

The proposed subdivision plat shall be reviewed and action taken within ninety (90) days of receipt of a complete application and the preliminary subdivision plan, unless this time limit is waived, in writing, by the applicant.

**1.4.06  
Conditions of  
Approval**

When an application for Preliminary Subdivision Plan Review is approved, appropriate conditions and safeguards may be prescribed in conformity with the intent and provisions of this Part. Violation of such conditions and safeguards, when made a part of the terms under which the Preliminary Plan is approved, shall be deemed a violation of these regulations, subject to enforcement under the provisions established.

**1.4.07  
Effect of  
Preliminary Plan  
Approval**

Approval of the Preliminary Plan shall give the applicant authority to submit **CONSTRUCTION DRAWINGS** to the applicable **ENGINEERING OFFICIAL** and other appropriate agencies. All **CONSTRUCTION DRAWINGS** and **RECORD PLATS** submitted on the basis of an approved Preliminary Plan must conform to such Preliminary Plan and any conditions that may have been approved with it. However, the applicable **ENGINEERING OFFICIAL** may authorize minor modifications and adjustments during Construction Drawings review, without requiring additional Preliminary Plan review. Approval shall not authorize recording of the Plat nor constitute the acceptance of any land or improvements proposed to be dedicated.

**1.4.08  
Expiration of  
Preliminary  
Plan Approval,  
Extensions**

**CONSTRUCTION DRAWINGS** for the first construction stage of the development must be submitted within one year of Preliminary Plan

approval or the Preliminary Plan shall expire. One or more extensions for an additional one-year each may be granted by the **PLANNING COMMISSION** if it finds that the **SUBDIVIDER** has diligently pursued the application. The developer shall submit in writing a letter requesting and justifying an extension.

In the case of **SUBDIVISIONS** being developed by sections, for the period within five years of original approval of the Preliminary Plan, extensions of approval shall be automatic for all sections so long as construction is in progress in any section. Beyond this five-year period, an extension in accordance with the provisions above shall be required.

A decision by the Planning Director may be reviewed by the **PLANNING COMMISSION**. If the Planning Commission upholds the decision made by the Planning Director, it may be appealed to the Circuit Court of Woodford County. A petition for review shall specify the grounds upon which the petition alleges the illegality of the Commission's action. Such petition must be filed with the Circuit Court of Woodford County within thirty (30) days after the date of such decision.

**1.4.09  
Appeal of  
Planning  
Director and  
Planning  
Commission  
Decision**

The following information shall be provided in graphic or written form, as necessary to satisfy the requirements. The **PLANNING DIRECTOR** shall be authorized to waive these informational requirements where deemed appropriate.

A. General Information

1. Number of Copies: As determined by the **PLANNING DIRECTOR**. The applicant shall also submit the Preliminary Plan (inclusive of all application materials) in digital form and format determined by the **PLANNING DIRECTOR**. The Engineer or Surveyor shall also acknowledge that the coordinate geometry of the survey has been checked and found to close.
2. Legend, including
  - a) Name of the **SUBDIVISION** or development which shall not duplicate or closely approximate the name of any other subdivision
  - b) Legal description of the property
  - c) Acreage of the property
  - d) Scale (Not more than 1" = 100')
  - e) North Arrow
  - f) Existing zoning on the property, including any overlay districts
  - g) Number of lots proposed

**1.4.10  
Preliminary  
Plan  
Submittal  
Requirement**

- h) Date of preparation and space for revision dates
- i) A Vicinity Map showing the location of the proposed subdivision.

3. Name, Address, Phone Number and Email Address of

- a) Property Owner(s)
- b) Developer(s) or Subdivider(s)
- c) Engineer(s)
- d) Surveyor(s)
- e) Architect(s) and Landscape Architect(s)
- f) Agent(s) of property owner or others involved in the proposal

4. Information about abutting lands, including

- a) Names of abutting subdivisions
- b) Names of Recorded Owners of all abutting lots and parcels
- c) Existing zoning, including any overlay districts.

B. Existing Conditions

1. Existing streets, both on and within five hundred (500) feet of the proposed subdivision/site plan, including:

- a) Street Names
- b) Location of each street
- c) Right-of-way and paving width (inclusive of curbs/gutters of all streets)
- d) Driveway Approach locations and proximity to proposed subdivision entrance(s)
- e) Sidewalk locations
- f) Median locations
- g) Any other improvements in the right-of-way

2. Existing lot lines and easements on the property, indicating the purpose of each easement.

3. Existing utility and drainage infrastructure, including location, materials and size of

- a) Sanitary Sewers
- b) Storm Sewer
- c) Culverts
- d) Water Mains
- e) Fire Hydrants (within four hundred (400) feet of the site)

4. Existing buildings, structures, railroads, cemeteries, urban service boundaries, scenic corridor boundaries, governmental boundaries and emergency service district boundaries on or abutting the property. Any buildings or land areas that have been designated as local landmarks, or are listed on the National Register of Historic Places, should be specifically noted.
5. A topographic map showing existing contours at two (2) foot intervals, where data is available from the Woodford County GIS, or at five (5) foot intervals for all other areas, based on field data referred to U.S.G.S. sea level datum in sufficient detail to show the general character of the land. Where a subdivision or site development is proposed in a Conservation District, contour intervals of two feet are required. Contour lines shall be shown one hundred (100) feet beyond the subdivision or site boundary at ten-foot intervals.
6. A soils report showing subsurface soil, rock and groundwater conditions, and including
  - a) Soil classifications as identified by the U.S.D.A. Soil Conservation Service
  - b) Letter of written recommendation as to load bearing capacity and suitability for development prepared by a licensed civic engineer based on soil test(s).
  - c) If individual wells and/or septic tanks are proposed, show location and results of soil percolation tests in accordance with the specifications of the State and County Department of Health. Due regard shall be given to the effects of cut and fill which may make such data obsolete. Anticipated areas of cut and **FILL** shall be noted upon the plan.
  - d) The location, extent, status of all sinkholes.
7. The 100-year flood elevation, minimum habitable floor elevation, limits of the 100-year floodplain, and reference map number.
8. A surface drainage report showing direction and flow and methods of storm water retention and detention.
9. Existing surface water bodies, wetlands, streams, riparian areas both on and within fifty (50) feet of the proposed subdivision/site, including:
  - a) Normal high water elevation or boundary

- b. Attendant drainage areas for each
- c. Area, extent and type of wetlands

- 10. A tree and woodlands survey showing the general extent of tree canopies as determined from aerial photographs of the site, as well as any tree with a caliper of more than thirty (30) inches.
- 11. The precise location of any Woodford County geodetic system monument(s) whose coordinate values have been determined, which are within the proposed **SUBDIVISION** or and/or within a one-mile area surrounding it.

C. Proposed Development

- 1. Lot or site layout, including:
  - a) Lot lines
  - b) Scaled dimensions
  - c) **LOT** numbers, and block numbers where applicable
  - d) **BUILDING PLACEMENT LINES**, scaled for each lot
  - e) Type of intended use for each lot or site
  - f) Tracts to be held in common ownership for such purposes as recreation, storm water management, conservation, recreation/open space or other public use
- 2. Proposed Street System or Access Requirements, including:
  - a) Street names
  - b) Location and type of each street and/or site access location (include all streets shown on the adopted Transportation Plan - Major Thoroughfare System)
  - c) Right-of-way width for each street
  - d) Sidewalk locations
  - e) Median locations
  - f) Approximate elevations at the centerline of the street shall be shown at the beginning and end of each street, and at street intersections.
  - g) Any other proposed improvements in the rights-of-way
- 3. Location and scaled dimensions of all parcels of land proposed for public uses other than streets, including

- a) Easements for drainage, utilities, storm water management, pedestrian pathways, sidewalks, bike paths, parks/open space, etc.
  - b) Land dedications for public parks, schools, public facilities, storm water management, etc.
  - c) **CIVIC GREENS** and **CIVIC SQUARES** required by the provisions of this Chapter.
4. Proposed utility and drainage infrastructure, including the location and size of:
    - a) Sanitary sewers
    - b) Storm water management facilities
    - c) Culverts
    - d) Water mains
    - e) Fire hydrants
    - f) Electric, gas, telephone and other utilities
  5. The nature, location and scaled dimension of any buffer or transition areas
  6. Proposed provision of fire protection, street lighting, street signs and other proposed improvements or services.
  7. A preliminary tree protection plan indicating all trees with a caliper of twenty four (24) inches or greater that will remain and all tree canopy areas to be preserved. The Plan shall also indicate how trees and tree canopy areas to be preserved will be protected and maintained during the construction process
  8. Information concerning any private street(s) proposed to be included in the development, including
    - a) Copy of **DEED** or Legal Instrument that grants or provides the legal right to use the private street to property owners within the subdivision or site.
    - b) Copy of Written Notification to be provided at time of sale to all property owners having beneficial use of the private street, concerning their responsibilities in maintaining the street in safe operating condition.
  9. A paving, grading, drainage and erosion control plan.

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10. The location and extent of areas within and abutting the site with slopes of twelve (12%) percent or greater and eighteen (18%) percent and greater.
11. Gross and net acreage, density expressed as units per acre, or non-residential intensity expressed as a floor area ratio.

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