

ARTICLE I
APPLICATION AND AUTHORITY OF REGULATIONS

REGULATIONS FOR ESTABLISHING SUBDIVISION PROCEDURES FOR THE SUBMISSION AND APPROVAL OF THE PRELIMINARY AND FINAL PLAT AND RECORDING OF FINAL PLATS; DESIGN STANDARDS AND PRINCIPLES FOR THE LAYOUT OF SUBDIVISIONS AND FOR THE SURVEYING AND PLATTING REQUIREMENTS THEREOF; REQUIRING THE INSTALLATION OF CERTAIN IMPROVEMENTS AND PROVIDING FOR THE NECESSARY CONSTRUCTION AGREEMENTS AND GUARANTEES THEREIN; PROVIDING FOR CERTAIN PRELIMINARY AND FINAL PLAT REQUIREMENTS; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION AND ENFORCEMENT AND THE PENALTIES FOR VIOLATION THEREOF; PROVIDING FOR THE MEANS OF ADOPTION AND AMENDMENT; REPEALING ALL REGULATIONS, RESOLUTIONS, ORDERS, ORDINANCES, AND/OR CODES IN CONFLICT HEREWITH.

SECTION 1.0 SHORT TITLE: These regulations shall be known and may be cited as the "Subdivision Regulations" of Pendleton County, State of Kentucky.

SECTION 1.1 PURPOSE AND AUTHORITY:

- A. PURPOSE: These Subdivision Regulations as herein set forth, have been prepared in accordance with the adopted comprehensive plan for Pendleton County, to promote the public health, safety, and general welfare of the county; to provide for the proper arrangement of streets in relation to existing or proposed streets; to provide for adequate and convenient open spaces for vehicular and pedestrian traffic circulation, utilities, access of fire fighting apparatus, the avoidance of congestion of the population, and to facilitate the orderly and efficient layout and appropriate use of the land. In addition, these regulations also provide for the accurate surveying of land, preparing and recording of plats, and the equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both the approving authority and subdividers.

- B. AUTHORITY: These regulations are adopted in accordance with the Kentucky Revised Statutes - Chapter 100.111 - 100.991.

SECTION 1.2 TRANSFER OF LOTS: All tracts of land as they exist within Pendleton County on the effective date of these regulations may be subdivided one (1) time, creating one new tract, without Pendleton County Joint Planning Commission approval. Any further divisions of a tract of land as it existed on the effective date of these regulations shall require the approval of the Pendleton County Joint Planning Commission. The second division of a parcel of land as it existed on the effective date of these regulations shall be defined a "lot division", and no lot division may be sold or transferred unless a Plat has been approved by the Pendleton County Joint Planning Commission and recorded with the Pendleton County Clerk. No lot division shall be recorded by the Pendleton County Clerk until a plat has been approved by the Pendleton County Joint Planning Commission and any instrument of land transfer or sale of a lot division without Pendleton County Joint Planning Commission approval shall be void.

SECTION 1.3 GENERAL RESPONSIBILITIES:

- A. **SUBDIVIDER:** The subdivider shall: use a land surveyor and engineer, as defined herein, to prepare plats and plans consistent with the design standards; accomplish improvements consistent with the improvement requirements; and submit said plats and plans in accordance with these regulations.

- B. **PLANNING COMMISSION:** The planning commission, or its duly authorized representative, is charged with the duty of reviewing the design and improvements of proposed subdivisions, and requiring conformance of such subdivisions with the Kentucky Revised Statutes, Chapter 100, and these regulations.

- C. **DELEGATION OF AUTHORITY BY PLANNING COMMISSION TO ITS DULY AUTHORIZED REPRESENTATIVE:** Pursuant to KRS 100, the planning commission has delegated certain authority to its duly authorized representative. However, the planning commission shall have final approval authority over all actions of its duly authorized representative.