

# ARTICLE I

## GENERAL PROVISIONS

### **100 PURPOSE**

These subdivision regulations are designed to encourage the development of residential, commercial, industrial, and public areas, according to recognized standards which provide for sound, healthful, and economical development; to provide for safe, convenient and efficient traffic circulation; to coordinate land development in order to ensure that future growth of Versailles, Midway and Woodford County will be orderly, efficient, and conducive to the provision of minimum outlay of public and private expenditures in providing services to developing areas; to provide for the protection of environmentally sensitive and geologic hazard areas; to minimize fire hazards; to provide for adequate light and air in habitable structures; to mitigate flooding hazards; to provide for proper disposal of sewage; to enhance the unique aesthetics of the community; to encourage the protection and enhancement of trees and woodland areas; and to provide sound and efficient guidelines for the overall development of the community in accordance with the adopted Comprehensive Plan for Woodford County and the Cities of Versailles and Midway, Kentucky.

### **110 TITLE**

These regulations shall be known and may be cited as the "Subdivision Regulations, 2024 as Amended - Woodford County, City of Versailles, City of Midway".

### **120 AGENCY AUTHORITY**

These regulations are adopted by the Versailles-Midway-Woodford County Planning Commission under authority granted by the Kentucky Revised Statutes, Chapter 100.

### **130 AMENDMENTS**

The Versailles-Midway-Woodford County Planning and Zoning Commission may from time-to-time revise, modify or amend these regulations by appropriate action after a public hearing has been held.

### **140 ADMINISTRATION**

These regulations shall be administered by the Versailles-Midway-Woodford County Joint Planning Commission. All applications, fees, maps, and documents relative to subdivision approval shall be submitted to this Planning Commission. The Planning Commission shall appoint a Planning Director to handle the daily administration of these regulations and may seek advice from planning consultants or other local, regional, and State agencies, regarding subdivision proposals. The Planning Commission may also appoint a Subdivision Committee, composed of members of the Planning Commission, to study

proposed subdivisions. However, no subdivision plat shall be approved except by official action of the Planning Commission, or its duly authorized designee.

**150 AREA OF JURISDICTION**

The provisions of these regulations shall apply to all lands within the boundaries of Woodford County, Kentucky.

**160 APPLICATION**

No land within Woodford County shall be subdivided, nor shall any lot be sold or building erected in a subdivision as herein defined, until a plat of the subdivision is approved by the Planning Commission and the plat properly filed and recorded by the Woodford County Clerk. In their interpretation and application, the provisions of these regulations shall be held to minimum requirements adopted for the promotion of the public health, safety, and general welfare. All subdividers should consider developing their subdivisions at higher standards. The Planning Commission may require standards above the minimum contained herein whenever it finds that public health, safety, or welfare purposes justify such increases. Whenever the provisions of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, that provision which is more restrictive or imposes higher standards of requirements shall govern.

**170 RELATIONSHIP TO ZONING ORDINANCE AND OTHER ORDINANCES**

Plans and Plats filed pursuant to these Subdivision Regulations shall be required to comply with applicable Zoning Ordinances or other regulations, rules, ordinances, or laws established by all applicable jurisdictions. In case of conflict between these Regulations or any part thereof, and the whole or part of any existing or future ordinance of the applicable jurisdictions or the whole or part of any existing or future private Covenants or deeds, the most restrictive shall apply in all cases.

**180 SEVERABILITY OF REGULATIONS**

These regulations are severable and the invalidation of any portion hereof by any court of competent jurisdiction shall in no way affect the validity of any other portion.

**190 EXCEPTIONS**

Where it can be shown that there are extraordinary hardships in the way of compliance with these regulations, the Planning and Zoning Commission shall have the power to grant an exception from these regulations if the no other ordinances of local government are violated, and the exception is the minimum exception necessary to provide relief from the demonstrated hardship. Financial disadvantage to the owner is not proof of hardship within the purpose of this regulation.

## **200 EFFECTIVE DATE**

Any Subdivision in which the application has been properly submitted and accepted by the Planning Commission on or after the effective date of these Subdivision Regulations shall comply with all provisions herein. Any Subdivision that has received Preliminary Plat Approval, or Preliminary Plat Approval based on the review of a Development Plan, prior to the effective date of these Subdivision Regulations shall continue to comply with the previous Subdivision Regulations, and all provisions therein, that were in effect as of the date of Preliminary Plan Approval WITH ONE EXCEPTION: As of the effective date of these Subdivision Regulations, ALL Subdivisions with Preliminary Plat Approval that have not been completed or recorded will be granted a three (3) year Preliminary Plat Approval beginning with the effective date of the prior approval. At the end of the three (3) year time frame, if the Subdivision is not complete or recorded, it shall comply with these Subdivision Regulations and all provisions herein. The Planning Commission may give special consideration, which may include a time extension, for large scale projects that have demonstrated continuous construction progress throughout the approval period.

## **210 LAND SOLD IN VIOLATION OF SUBDIVISION REGULATIONS**

When it has been discovered that land has been sold or transferred, or that a contract has been entered into for the sale or transfer of land in violation of the provisions of these regulations, the owner or owners of record shall file Plats of the land in accordance with these regulations. When land is sold or transferred, or a contract has been entered into for the sale or transfer of land in violation of these regulations, the land shall be governed by the Subdivision Regulations both prior to and after the Platting of the land by the owner of record as if a Plat had been filed in accordance with the provisions of these regulations. Plats filed pursuant to these regulations may be filed by the last transferee in the chain of title including holders of deeds, which may otherwise be void under KRS 100.277(2).

## **220 PENALTIES (KRS 100.991)**

- A. Any person or entity who violates any of the provisions of KRS 100.201 to 100.347 or any of these regulations adopted pursuant thereto for which no other penalty is provided, shall upon conviction, be fined not less than ten dollars (\$10) but not more than five hundred dollars (\$500) for each conviction. Each day of violation shall constitute a separate violation.
- B. Any person, owner or agent who violates these regulations shall, upon conviction, be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each lot or parcel which was subject of sale or transfer, or a contract for sale or transfer.
- C. The Planning Commission may appoint enforcement officers who shall have authority to issue citations for violations of these regulations, which the officer has observed, but shall not have powers of peace officers to make arrests or carry deadly weapons. The defendant shall appear within a designated time pursuant to the citation.
- D. The procedure for citations issued by an enforcement officer shall be as provided in KRS 431.015.