

Step-by-Step Process for Major Plat Approval Joint City-County Planning Commission of Nelson County

This information sheet is a simplified description of the steps for the preparation, submission, review, and approval of major plats in Nelson County.

A Major Subdivision is defined in the *Subdivision Regulations for All of Nelson County* as the division of land, not classified as a minor subdivision, into four (4) lots or more from the parent tract, for the purpose, whether immediate or future, of sale, lease, or building development, or if there is major construction of site improvements, including any new street or other public right-of-way or provision for a public area or facility, any division of a parcel of land. Division of land into parcels of twenty (20) acres or greater in size and not involving a new street or other public right-of-way or provision for a public area or facility will be presumed to be divided for agricultural purposes. The definition of Major Subdivision also includes resubdivision, a division of any property whose parent tract was involved in any division since 1974, the year of adoption of the *Subdivision Regulations for All of Nelson County*.

Major Subdivision Plat approval shall require preliminary plat, construction plans, and final plat, with the exception of administrative review and approval of the following major plats by the Planning Commission Director:

- (a) Division of parent tract of one hundred (100) acres or less into ten (10) tracts or less with or without a private road;
- (b) Division of tract into only one additional lot, provided that no more than one such division per parent tract shall be approved;
- (c) Addition or subtraction of land from adjacent tracts without creating additional lots; and,
- (d) Plat amendment combining or re-platting lots whereby no more than (3) additional lots are created.

The Planning Commission Director reserves the right to defer approval of any plat to the Planning Commission for their consideration.

Prior to any land disturbance, physical improvements, or utility installation, preliminary plat and roadway construction plans must be approved, and before the transfer or sell of any lot or parcel, a final plat must be approved and recorded.

Step #1: Pre-Application Conference

Prior to initiating survey or engineering work, the Subdivider should schedule a pre-application conference with the Planning Commission staff to informally discuss the proposed division of land and to review minimum subdivision design standards and required submittals, fees, and deadlines. This advisory meeting is voluntary but beneficial to prevent unnecessary and costly revisions and delays in layout and development of the subdivision.

Step #2: Plat & Plan Preparation

Preliminary Plat: The Subdivider must employ a Land Surveyor licensed in the Commonwealth of Kentucky to prepare a preliminary plat. A list of surveyors is available from the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors. All plats shall comply with the *Minimum Standards of Practice for Land Surveyors in Kentucky* (201 KAR 18.150) and *Zoning and Subdivision Regulations*. The Subdivider also should consult with all appropriate utility and agencies.

For phased subdivisions, the Subdivider must submit a preliminary plat for the entire development and specify the individual phases to be developed.

Construction Plan: If a major subdivision includes public improvements, the Subdivider must employ a Civil Engineer licensed in the Commonwealth of Kentucky to prepare construction plans for the public improvements pursuant to the *Subdivision Regulations* and applicable city or county roadway standards. Construction plans shall be approved and improvements completed and inspected or acceptable improvement guarantee posted prior to final plat approval.

Public Services Review: The Subdivider must meet with and obtain review form signatures from the appropriate utilities, and submit the form with the preliminary plat.

Traffic Assessment or Traffic Impact Study: If a traffic assessment or traffic impact study is required, then the Subdivider must follow the process and requirements set forth in Section 3.2D(7) of the *Subdivision Regulations* for conducting and submitting the assessment or study. The Subdivider must submit copies of the assessment or study with the preliminary plat.

Variances: If a variance from *Subdivision Regulations* is necessary, then the Subdivider must prepare a written description and justification statement and submit with the preliminary plat. If a variance from the dimensional requirements of the *Zoning Regulations* is necessary, then the Subdivider must prepare a variance application and either submit for Planning Commission consideration at the same time as preliminary plat submission or submit for Board of Adjustment consideration.

Step #3: Preliminary Plat Submission

The Subdivider must submit the following items before the scheduled deadline for Subdivision Review Committee (SRC) and Planning Commission review:

- Major Preliminary Subdivision Application, completed and signed;
- Ten (10) copies of the preliminary plat;
- Public Services Review form, completed and signed;
- Twelve (12) copies and one electronic copy of traffic assessment or traffic impact study, if required;
- For phased developments, conceptual plan for residual tract, if applicable;
- Street profiles and other improvement drawings, if required;
- Written Subdivision Regulations variance (§8.1) request and justification statement, if applicable;
- Written description of Zoning Regulations variances to be requested, if applicable;
- Draft copy of private deed restrictions or protective covenants, if required; and,
- Nonrefundable review and Certificate of Land Use Restriction fees, made payable to the Planning Commission (see Fee Schedule).

Step #4: Staff & SRC Review

The Subdivision Review Committee (SRC) will meet to review plats for coordination of improvements and conformance with applicable requirements. The Planning Commission staff will forward any SRC comments and required plat modifications to the Land Surveyor of record. The Land Surveyor must revise the preliminary plat and submit three (3) copies of the revised preliminary plat to the Planning Commission for its consideration.

Step #5: Planning Commission Action

Within sixty (60) days of preliminary plat submission, the Planning Commission will approve, disapprove, or conditionally approve the preliminary plat. The Planning Commission reserves the right to defer action on a preliminary plat until a future meeting in order to obtain additional information or clarifications.

If approved, the Subdivider will proceed with final plat preparation and submission, and if construction plans have been approved, the Subdivider may begin construction of improvements.

Preliminary plat approval does not constitute final plat approval. Lots shall not be sold until a final plat has been approved and recorded. Final plats must be submitted within one year of preliminary plat approval. Failure to receive final plat approval within one year period will require resubmission and reconsideration of the preliminary plat. The Planning Commission may grant preliminary plat approval extensions upon written request.

For phased major subdivisions, the Subdivider must submit the final plat for the first phase within one year of preliminary plat approval and subsequent phases within six (6) months of the previous phase.

If disapproved, the Planning Commission will provide its reasons for disapproval in writing.

If conditionally approved, the Planning Commission will notify the Subdivider and Land Surveyor of record of all conditions on approval. A revised preliminary plat must be submitted to the Administrative Official for review prior to the submission and consideration of a final plat.

Step #5: Final Plat Preparation & Submission

Within one year of preliminary plat approval, the Subdivider must proceed with the final plat preparation and submission. All final plats must conform to the approved preliminary plat and incorporate all required modifications and revisions. The Subdivider must submit the following items before the scheduled deadline for Subdivision Review Committee (SRC) and Planning Commission review:

- Major Final Subdivision Application, completed and signed;
- Ten (10) copies of the final plat;
- Copy of state entrance approval, if applicable;
- Copy of city/county roadway and drainage approval, if applicable;
- Evidence of approved variances, if applicable;
- Copy of private deed restrictions or protective covenants, if required; and,
- Nonrefundable review fee, made payable to the Planning Commission (see Fee Schedule).

Step #6: Staff & Committee Review

The Subdivision Review Committee (SRC) will review the final plat. The Planning Commission staff will forward any SRC comments and necessary plat modifications to the Land Surveyor of record. The Land Surveyor must revise the final plat and submit four (4) copies of the revised final plat to the Planning Commission for its consideration.

Step #7: Planning Commission Action

Within sixty (60) days of final plat submission, the Planning Commission will approve, disapprove, or conditionally approve the final plat. The Planning Commission reserves the right to defer action on final plats until a future meeting in order to obtain additional information or clarifications.

If approved, the Planning Commission will notify the Subdivider of the approval and requirements for recordation. Final plat approval does not constitute acceptance of dedicated street or public ground by the appropriate legislative body (see Step #10).

If disapproved, the Planning Commission will provide its reasons for disapproval in writing.

If conditionally approved, the Planning Commission will notify the Subdivider and Land Surveyor of record of all conditions on approval. A revised final plat must be submitted to the Planning Commission for approval prior to recordation.

Step #8: Certification Completion

The Subdivider must obtain signatures on all owner and agency certifications.

Step #9: Final Plat Recordation

Within sixty (60) days of Planning Commission approval, the Subdivider must submit the final plat to the Planning Commission for final signature and recordation in the Nelson County Clerk’s office. If the final plat is not recorded within sixty (60) days or a time extension is not granted by the Planning Commission, final plat approval will be void. Any final plat that is altered in any manner, with the exception of required Planning Commission modifications, between the dates of approval and recordation, shall also cause the final plat to be void.

Upon recordation, the Subdivider may transfer, sell, or agree to sell lots by reference to the approved and recorded final plat.

Step #10: Final Inspection, Acceptance, & Guarantee Release

If improvements were not completed and a guarantee was posted, the Subdivider may proceed with construction of the improvements. Upon completion, the City or County Engineer will inspect the improvements to ensure compliance with the approved plat and construction plans. Upon final inspection and acceptance, the City or County Engineer will release the posted improvement guarantee. Any street built in accordance with specific standards set forth in the *Subdivision Regulations* or by ordinance shall be, by operation of law, automatically accepted for maintenance by the appropriate legislative body forty-five (45) days after inspection and final approval (KRS 100.277(4)).

Step #11: Final Plat Amendments

Any revision of an approved final plat requires the submission of an amended plat for approval. Depending on the revision, the amended plat may require either administrative approval or Planning Commission approval. Contact the Planning Commission staff to determine the process for final plat amendments.

Note: This step-by-step process is presented for general information purposes only. All subdividers, developers, land surveyors, and engineers should refer to the Subdivision and Zoning Regulations and consult with the Planning Commission.

For more information, please contact:

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Major Plat Approval Flowchart

