

ORDINANCE NO. 07-26

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY
AMENDING THE SUBDIVISION REGULATIONS OF MADISON COUNTY,**

WHEREAS, the Madison County Planning Commission recommends to the Fiscal Court to amend Section 308.12 Encroachment Permits Required of the Madison County Subdivision Regulations by creating an application and process requiring encroachment permits for the opening of any new entrance into a county road.

WHEREAS, the Madison County Planning Commission recommends to Fiscal Court that 308.12 Encroachment Permits of the Madison County Subdivision Regulations be amended as shown in Section 1;

NOW, THEREFORE, be it ordained by the Fiscal Court of the County of Madison, Commonwealth of Kentucky, as follows:

SECTION I

308 Transportation

Proposed streets shall be considered in their relationship to existing and planned streets, to topography, public convenience, and safety, and in relationship to proposed land uses to be served. Where it is desirable, consideration shall be given to other modes of transportation, including pedestrian and bicycle.

308.1 Streets - Streets, as ways for the movement of vehicular traffic, serve two principle functions: (a) the movement of people and goods and (b) access to adjoining properties. Unfortunately, these two functions are of a conflicting nature because the smooth movement of traffic is interrupted by vehicles entering or leaving traffic from or to adjacent property.

To satisfy the competing street functions of movement and access, sound traffic engineering principles require the use of a street classification system of several levels. Each street classification serves a combination of the two functions.

308.11 Street Classification System - The following functional street classification shall be considered in the planning of a subdivision:

Federal and State Highways - Primarily designed to move vehicles at moderate speeds and connect communities.

Collector Streets – Streets that are primarily designed to collect traffic from local streets and channel it to local arterial streets or state/federal highways.

County Roads - Primarily designed to move vehicles at low to moderate speeds and to channel local traffic from rural communities and subdivisions to highways.

Frontage or Service Roads - Roads that are designed to provide access to property adjacent to major highways at moderate rates of speed. They normally run parallel to the major highway and have access to it at intersections with other highways or county roads.

Local Streets - Streets primarily designed to provide access to individual lots that are located within subdivisions. Cul-de-sac streets (streets with only one end open to traffic and the other end terminated by a turn-around) are allowed.

308.12 Encroachment Permits Required – Prior to the opening of any new street, driveway or other encroachment onto a County Road an “Encroachment Permit” must be obtained from the Madison County Road Supervisor.

SECTION II

That the County Clerk cause this ordinance to be published in accordance with the appropriate Kentucky Revised Statues.

DATE OF FIRST READING: December 18, 2007

MOTION BY: William H. Tudor

SECONDED BY: Roger Barger

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE ROGER BARGER ✓
MAGISTRATE WILLIAM TUDOR ✓
MAGISTRATE HAROLD BOTNER, JR. ✓

DATE OF SECOND READING: January 8, 2008

MOTION BY: Roger Barger

SECONDED BY: Larry Combs

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE ROGER BARGER ✓
MAGISTRATE WILLIAM TUDOR ✓
MAGISTRATE HAROLD BOTNER, JR. ✓

[Signature]
MADISON COUNTY JUDGE EXECUTIVE

Attest: [Signature]
MADISON COUNTY CLERK