

**MADISON COUNTY, KENTUCKY FISCAL COURT
ORDINANCE NO. 2021-17
AMENDMENT TO ORDINANCE #00-02**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,
AMENDING ORDINANCE #00-02, THE MADISON COUNTY SUBDIVISION
REGULATIONS, REGARDING STREETLIGHTS, ROADWAYS AND
STORMWATER AND SEDIMENT CONTROL**

**BE IT ORDAINED BY THE FISCAL COURT OF MADISON COUNTY,
KENTUCKY:**

WHEREAS, the Madison County Office of Planning and Development identified a need to amend certain portions of the Madison County Subdivision Regulations regarding roadways and streetlights, and stormwater and sediment control in subdivisions, as suggested by the Madison County Road Department; and

WHEREAS, the Madison County Planning Commission held a public hearing on Tuesday, November 16, 2021, to consider said amendments to the Regulations; after discussion of same, the Commission found that the amendments as changed hereinafter set forth to be desirable and recommended same to the Fiscal Court;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE FISCAL COURT OF THE COUNTY OF MADISON, COMMONWEALTH OF KENTUCKY, that the findings of Madison County Planning Commission are hereby adopted and that the text of Madison County Subdivision Regulations be altered and amended as follows:

I: SECTION 308 TRANSPORTATION

(i) **Section 308.15 (h) Streetlights**

The developer shall provide a streetlight at the entrance to the subdivision. The developer shall pay for maintenance of said light. Other streetlights may be provided (and maintained) within the subdivision at the developer's expense. In the absence of a developer, the property owners shall be responsible for said maintenance.

(ii) **Section 308.16 (e) Concrete Streets** removing said section entirely:

(iii) **Section 308.16 (f) Bituminous Asphalt on Macadam Base** to read as follows:

The macadam base shall consist of four (4) inches of #2 or #310 stone and six (6) inches of D.G.A for a total compaction of ten (10) inches. Once final stone is placed as set out herein, the developer shall place two and a half (2 ½) inches of base asphalt and one and a half (1 ½) inches of surface asphalt. The developer will notify the responsible County Official in charge of streets at least seventy-two (72) hours before putting down the base stone or asphalt.

Take out: After the subdivision is 75% developed (defined as 75% of lots having completed houses constructed thereon) the developer may petition for permission to place one (1) inch of sand-mix blacktop.

For streets primarily serving industrial and commercial areas, the base will be a total of twelve (12) inches after compaction. place two and a half (2 ½) inches of Base Asphalt and one and a half (1 ½) inches of surface asphalt. The developer will notify the responsible County Official in charge of streets at least seventy-two (72) hours before putting down the base stone or asphalt.

(iv) **Section 308.17 (12) :**

12. A minimum of 4 inches of asphalt shall be laid over the portion to be widened. Once the subdivision is complete and plans to place the required 1 ½ inch cap of asphalt over the subdivision streets, the developer shall place at the same time a 1 ½ inch cap of asphalt over the existing County Road being widened. This 1 ½ inch cap shall be applied over the entire 20 feet width of County Road being widened. A separate letter of credit or bond shall be made to Madison County Fiscal Court and provided to the Planning Office for the roadwork to be done. The final 1 ½ inch cap of asphalt shall be applied over the existing County Road when the subdivision lots are 75% developed or within 18 months, whichever comes first. Upon recommendation by the County Road Supervisor, the developer may request an extension of the 18 months to complete the final layer of asphalt, however, the bond or letter of credit shall be extended as well.

(v) **Section 308.17.1 Turn Lane Specifications:**

Turn Lanes Required from Existing Roads

Where a development is proposed containing fifty (50) lots or more, the developer is required to construct a right-hand turn lane and a left-hand turn lane, on the existing County Road, at their sole expense. The developer must construct the turn lanes to County specifications given by the Madison County Road Department and the specifications contained herein.

The turn lanes would be required to be constructed and completed before the final plat could be considered for approval. Where turn lanes are required on development plans, the turn lanes shall be completed prior to occupancy of the building or structure in part or

whole. Turn lane requirements may be altered at the discretion of the Madison County Road Supervisor, and with the approval of the Planning Commission, with proper cause being shown as to the reason for the requested alteration.

II: SECTION 310 STORMWATER AND SEDIMENT CONTROL

(vi) **Section 310(B)(6):**

6. *Pipes/Culvert type and material must be HDPE corrugated and double wall.*

(vii) **Section 308 (B) (11)** to read as follows:

11. Inlets (catch Basins) Capacity – All curb inlets are to be a minimum of five (5) foot open throat boxes and ten (10) foot where needed. All Inlets (catch basins) are to be precast boxes and lids and must comply with all KYTC Standards.

(viii) **Section 308 (B) (15):**

15. Headwalls – Standard headwalls for pipe sizes 15 inch through 24 inch and headwalls including wingwalls and aprons for pipes larger than 24 inches shall be constructed at the outfall of all storm sewers in accordance with Standard Construction Drawings as provided in the current KYTC Standards Drawings Manual. Pipes must extend a minimum of 120 feet from the back of the curb. Must include rip rap at the outflow a minimum of 4 feet in the direction of water flow and must be at least as wide as the headwall structure, with a swale for drainage control. If, in the opinion of the Road Supervisor, the minimum requirements are not sufficient and need to be expanded, he or she may do so with approval of the Planning Commission. If the requirements can be shown to be excessive, the Road Supervisor may adjust them as needed with Planning Commission approval.

The Madison County Office of Planning and Development shall make the appropriate textual changes to the Madison County Subdivision Regulations to effect this change.

That the County Clerk cause this Ordinance to be published in accordance with the Kentucky Revised Statutes.

THIS ORDINANCE SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.

DATE OF FIRST READING: 11/23/2021

MOTION BY: JOHN TUDOR

SECONDED BY: TOM BOTKIN

VOTE:	YES	NO
Magistrate District 1	<u>Vacant</u>	<u>Vacant</u>
Magistrate Roger Barger	<u>✓</u>	<u>_____</u>
Magistrate John Tudor	<u>✓</u>	<u>_____</u>
Magistrate Tom Botkin	<u>✓</u>	<u>_____</u>
Judge Reagan Taylor	<u>✓</u>	<u>_____</u>

DATE OF SECOND READING: 12/14/2021

MOTION BY: JOHN TUDOR

SECONDED BY: BEN ROBINSON III

VOTE:	YES	NO
Magistrate Ben Robinson III	<u>✓</u>	<u>_____</u>
Magistrate Roger Barger	<u>✓</u>	<u>_____</u>
Magistrate John Tudor	<u>✓</u>	<u>_____</u>
Magistrate Tom Botkin	<u>✓</u>	<u>_____</u>
Judge Reagan Taylor	<u>✓</u>	<u>_____</u>

Signed:
[Signature]
Madison County Judge Executive

Attested:
[Signature]
Madison County Clerk, Kenny Barger