

**SCOTT FISCAL COURT  
ORDINANCE NO.99-07**

**AN ORDINANCE RELATED TO THE AMENDMENT  
OF THE GEORGETOWN-SCOTT COUNTY SUBDIVISION AND DEVELOPMENT  
REGULATIONS PROVISIONS RELATED TO DRIVEWAYS IN RURAL AREAS AND  
THE REVIEW REQUIRED FOR MINOR SUBDIVISIONS**

**WHEREAS:** The existing regulation of driveways in rural unincorporated areas permit the sharing of private driveways, a practice which has led to numerous substandard driveways. The existing provisions related to the designation of minor subdivision plats permit substantial development without significant review of transportation, access, drainage, or utility issues. This amendment is required to increase the required minimum standard for these provisions in order to enhance the public safety and welfare: and

**WHEREAS:** This proposed amendment to the Georgetown-Scott County Subdivision and Development Regulations has been submitted to the citizens through properly advertised public hearing before the Georgetown\Scott County Planning and Zoning Commission, who, at the close of that hearing, unanimously recommended the adoption of this amendment to the City and County governments of Scott County.

NOW, THEREFORE, BE IT ORDAINED BY THE SCOTT FISCAL COURT FOR SCOTT COUNTY, KENTUCKY, as follows:

**SECTION ONE: PROVISIONS BEING AMENDED.** [New language is underlined. Language which is unchanged is not be marked. Superseded language is shown as stricken.]

1. ARTICLE X, Section 1000, paragraph Q, 1, a. iv., is amended to read as follows:

“In rural or unincorporated areas, ~~a maximum of three single family lots may share one grave driveway.~~ all lots shall have either frontage on an existing public street, private street, or an approved access easement/driveway serving a maximum of three (3) lots. Such frontage or easement shall provide readily apparent physical means of access. The minimum separation distance between access easements/driveways shall be regulated by subparagraph V. of this section. If this distance cannot be provided, the applicant must

demonstrate a suitable separation distance to be approved by the Planning Director and/or Planning Commission Engineer, or request a variance in accordance with Article 1, Section 135 of these regulations. The provision for access easements/driveways, or a series of driveways, is not intended to be used as part of an overall major subdivision design and should be discouraged.

2. Article .X, Section 905, paragraph C. is amended to read as follows:

"A minor plat shall contain all information required for major subdivision plats, and include the following information:

1. In rural or unincorporated areas, a diagram showing the lot, or lots, being created by the plat and their relation to the remaining parent tract.
2. In rural or unincorporated areas, the surveyor shall certify, on the plat in the form of a diagram or drawing, the number of lots with access to each access easement/driveway."
3. In rural or unincorporated areas, in relation to any lot(s) whose access is provided by an access easement/driveway, the following notes shall be placed on the plat:

"The driveway (or access easement) shown on this plat may serve a maximum of three (3) lots."

"Further subdivision of lots with access to this driveway (or access easement) must be approved by the Planning Commission and can require improvement to public street standards, including an approved road name in accordance with the Street Naming and Numbering Guide."

"The driveway (or access easement) is not a public road and will not be maintained by Scott County or (Georgetown, if applicable)."

3. The Article II, Definitions for major and minor subdivisions are amended to read as follows:

"Subdivision, Major: A subdivision of land for multi-family residential, commercial, industrial, professional, or institutional uses; or into ~~six-~~ four (4) or more single family residential lots; or any subdivision of land, including for agricultural or horticultural use, that requires the construction, improvement, extension, or widening of streets or other public improvements; or that requires new off-street utility easements."

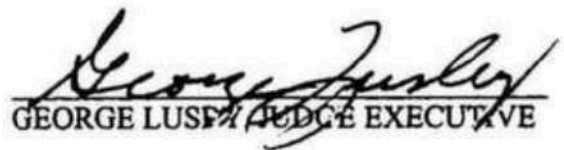
"Subdivision, Minor: (1) The division of a tract of land into ~~five~~ <sup>(5)</sup> three (3) or fewer single family residential, non-agricultural lots, the remainder of the original tract being counted as one lot. Such lots shall front on an existing public street, except where a single lot is added behind an existing lot that fronts on such a street, and shall involve no new street construction, widening, or extending of an existing street, or any other major public improvement.'

"(2) Only one (1) minor subdivision plat may be submitted and approved per parent tract. The parent tract shall be identified as any property in existence at the time of the adoption of this requirement, using the records contained in the Property Valuation Administrators Office, the Scott County Clerk's Office and the Planning Commission Office. Subsequent subdivision of such property shall be classified as a Major Subdivision, regardless of the number of lots, and require the submission of a Preliminary Subdivision Plat in accordance with Article III."

**SECTION TWO: EFFECTIVE DATE:** This Ordinance shall take effect upon passage and publication.

The foregoing Ordinance was introduced and read for the first time at the Scott Fiscal Court's regular meeting July 22, 1999, and for the second time, adopted and approved, at the Scott Fiscal Court's regular meeting **August 12, 1999.**

APPROVED BY:

  
GEORGE LUSBY, JUDGE EXECUTIVE

ATTESTED BY:

  
MARTHA NECLERIO, CLERK