



3. Policy Framework

3.1 FUTURE LAND USE ELEMENT

Background

The introduction to the 1990 Warren County Comprehensive Plan set a lofty goal in stating the need “to develop methods to direct growth, rather than merely react to it.” (p.11) However, this statement of intent went partially unfulfilled, in part because that Plan did away with a Future Land Use Map – a tool which most communities use as a guide in considering requests for re-zonings so as to grow incrementally toward a sustainable, pre-determined pattern of land uses. The justification for this unconventional approach was stated in the 1990 Plan, as follows.

“Unlike previous plans which relied up a map depiction of the future, this plan sets standards for the way we develop our community in the future. Future land use is not governed by a map. In more than half of Warren County, any urban development can be considered. If the proposal can be shown to meet the standards of the Plan, it should be approved.” (p.53)

The 1990 Plan also establishes three development districts within Warren County: the Rural Conservancy District within which urban density development is premature at densities and patterns to which basic services cannot be provided, the Urban Density Development District which includes areas within the corporate limits of Bowling Green, areas within the corporate limits of any 5th or 6th class city, or areas within 1,500 feet of public sanitary sewer and finally, the Rural Density Development District, which is the balance not already developed or classified as Urban Density Development or a Rural Conservancy District” (p.86-87). However, these three districts were not mapped, thus leaving considerable uncertainty concerning what areas of the County the Planning Commission might determine to place in either category.

This reluctance to more explicitly anticipate and guide various types and quantities of development to certain areas of the County runs contrary to the intent to “direct growth” and is likely part of the

Quick Facts 2010:

- Land areas, populations (2010) and densities, by jurisdiction:
 - Warren County = 348,934 ac / 113,792 (persons) / 0.33 persons per ac (ppa)
 - Bowling Green = 22,400 ac / 58,067 / 2.26 ppa
 - Plum Springs: 192 ac / 453 / 2.36 ppa
 - Smiths Grove = 512 ac / 714 / 1.39 ppa
 - Oakland = 896 ac / 225 / 0.25 ppa
 - Woodburn = 256 ac / 355 / 1.39 ppa
- Existing Land Use:
 - Warren County: Predominantly rural agricultural (90%, or some 303,000 acres). The next most sizable land use, in acreage, is residential, with approx. 6% of total land. Residential uses are undiversified, with multifamily residential development totaling only 0.5 of percent.
 - Bowling Green: More balanced land use mix, consistent with a more urban area. Residential uses add up to nearly 28%, although multifamily is still less than 4% of the total. Commercial and industrial uses both exceed 10% of the total land area. Land classified as agricultural tops 32%.
 - Fifth and sixth class cities: primarily residential village and rural residential, with modest town centers containing mixed retail and service uses.

reason for the fragmented sprawl that has occurred over the past two decades. Thus, if Warren County wants to avert a continuation of the pattern of fragmented sprawl and its fiscal and quality of life consequences, it needs a new set of tools to make good on the unfulfilled promise of the 1990 Plan to direct growth and not merely react to it.

Existing Land Use

Beyond the city limits of Bowling Green, Warren County is still predominantly rural in character. Ninety percent (90%) or approximately 300,000 acres of it is classified as agriculture or open space (FLU-1).

Much of the land north of the Dripping Springs

Escarpment is covered by a blanket of deciduous forest, shrubs, and grassland. While some of this land is used for silviculture, much of it is simply undeveloped, open space. This portion of the County also contains fragmented patches of pastureland. Land south of the Escarpment is primarily pastureland or cropland. In 2002, Warren County had the 5th most cropland, over 111,000 acres, of all counties in Kentucky and the third highest number of farms. In 2007, approximately 58,000 acres were farmed for hay, 29,000 for corn, and 24,000 for soybeans. The majority of crops is concentrated in the portions of the County classified as prime farmland—south of Bowling Green between KY 68-80 and I-65 and northeast of Bowling Green in the areas around 31W and I-65 (Fig FLU-2).



The number of farms in Warren County has decreased from nearly 1,600 in 2002 to slightly over 1,300 in 2007. On the other hand, the County's market value of products sold has also increased by nearly 16 percent during the same period.

Table FLU-1: Existing Land Use - Warren County

Existing Land Use	Acres	Percent of Total Land
Agriculture	303,168.3	90.0
Single Family Residential	18,382.9	5.5
Multi-Family Residential	1,013.8	0.3
Commercial	3,479.2	1.0
Institutional	1,037.2	0.3
Government	3,298.1	1.0
Industrial	3,661.6	1.1
Vacant	2,909.1	0.9
Total	336,950.0	100.0

Although Warren County has by total acreage among the highest amounts of farmland in the state, individual farms are relatively small—the national and state averages are 500 acres and 164 acres respectively, whereas Warren County's average is 145 acres. Agriculture also makes up the largest single land use within the City of Bowling Green, at 32.2% of the total land (FLU-3).

Table FLU-2: Existing Land Use - City of Bowling Green

Existing Land Use	Acres	Percent of Total Land
Agriculture	7,130.8	32.2
Single Family Residential	5,292.0	23.9
Multi-Family Residential	853.8	3.9
Commercial	2,500.3	11.3
Institutional	438.3	2.0
Government	2,267.7	10.3
Industrial	2,611.3	11.8
Vacant	1,017.7	4.6
Total	22,111.8	100.0

The area south of Bowling Green – with flatter terrain, soils suitable for development and a location close to major arterials – has become the subject of developers' interest. Re-zoning data between 2002 and 2007 confirm a trend of reclassifying large, disconnected parcels from agricultural to single family (often "large lot") residential between I-65 and KY 68 south of Bowling Green.

The population capacity of the land between KY 68 and the Barren River outside of Bowling Green far exceeds projected population over the planning horizon, indicating that not all of it needs to be developed. Approximately 87,500 acres are classified as agricultural or vacant in this growth corridor. If only 50 percent of this land is used for residential (with the remaining 50 percent allocated to other uses such as the road network, commercial, industrial, etc., as well as stormwater management), that leaves 43,750 acres potentially available for development. Even at a moderate density of 1 dwelling unit per acre and at Warren County's 2007 average household size of 2.46, this

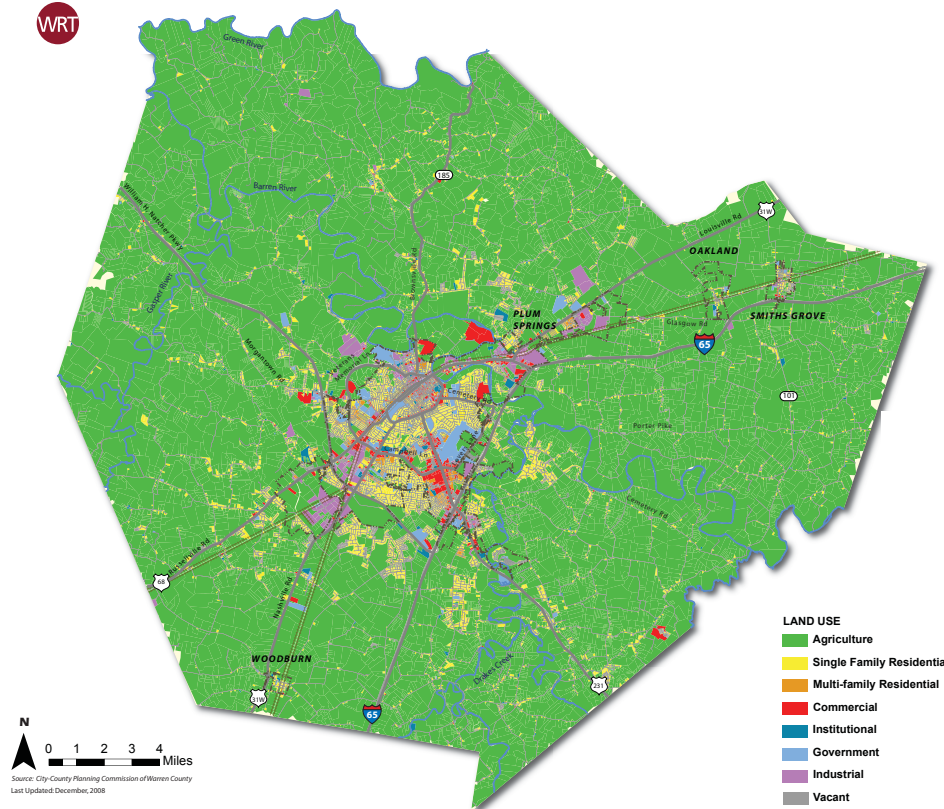


Figure FLU-1: Existing Land Use Pattern - Warren County

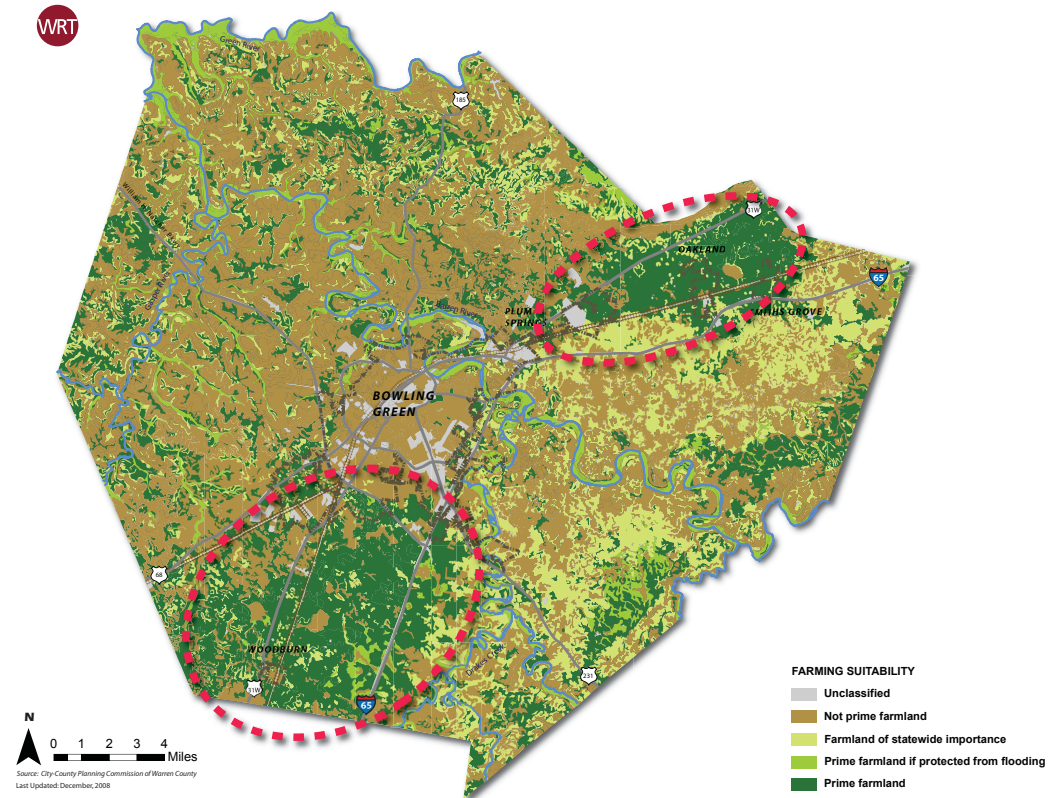


Figure FLU-2: Farming Suitability / Concentration of Land Classified as Prime Farmland

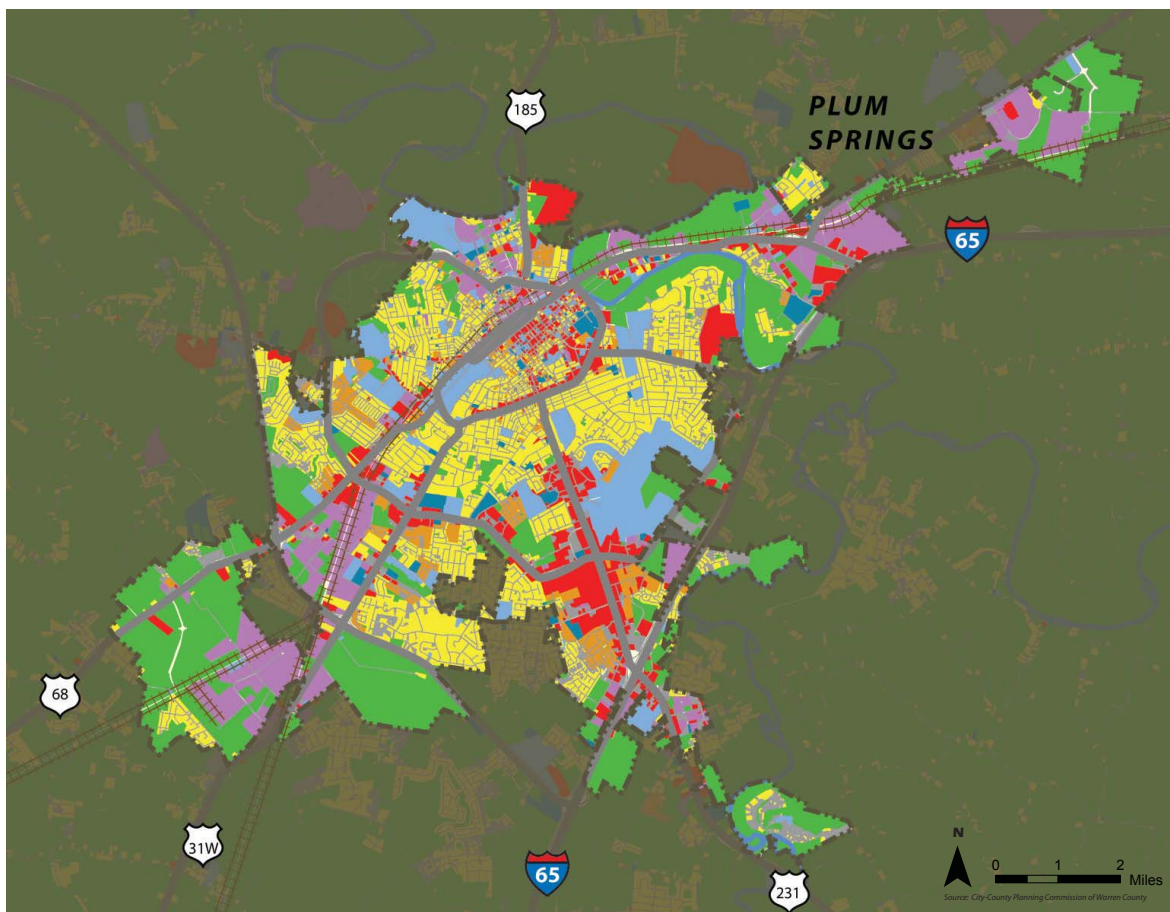


Figure FLU-3: Existing Land Use Pattern - Bowling Green

area could hold in excess of 107,625 people (about 44,000 dwelling units) or roughly 1-1/2 times the total projected population of the City of Bowling Green through the year 2030.



The area south of Bowling Green has experienced significant development pressure due to an easier topography, better soil suitability, and more available road infrastructure.

Growth Dynamics and Capacities

According to the latest estimates and projections available from the Kentucky State Data Center, the population of Warren County will increase by approximately 43 percent over the next two

decades, from 105,862 people in 2008 to 152,843 in 2030, an increase of roughly 46,981 people. Using the same 2007 average household size of 2.46 persons, these 46,981 people will reside in 19,098 households / dwelling units. Applying a hypothetical average density estimate of three (3) dwellings per acre (balancing large lot development in the rural fringe with higher densities in Bowling Green) those 19,098 new households might be expected to consume roughly 6,366 acres of land for new residential development. An additional 2,546 acres for non-residential uses will be needed to serve the expanded population (schools, parks, shopping centers, etc.), if the present ratio of residential to non-residential development were to be maintained.

With over 300,000 acres of undeveloped land countywide, the critical question for managing growth is not if there is space to accommodate the additional 46,981 people and the approximate 8,912 acres they might consume, but rather where, how and when this development should occur. Needed are principles related to the capacity of infrastructure and public facilities and to the aspiration stated in the Vision Statement to protect

valuable scenic farmland and the County's smaller rural cities and settlements by promoting compact growth patterns.

Within the present city limits of Bowling Green, there are approximately 1,200 acres of undeveloped land zoned for various residential densities. Although many of these sites are impacted by stormwater retention, averaging 10-12% of site area, most are developable. Considering that this undeveloped land already is served by infrastructure and public services and that compact growth shortens travel times and mitigates sprawl, it is common sense planning to seek to accommodate as much as possible of the County's growth in these "infill" locations.

While some infill is occurring within Bowling Green, more new development is taking place as leapfrog fringe area "greenfield" subdivisions, driven by a combination of relatively inexpensive land and highway accessibility. This accelerating conversion of formerly rural land is concentrated south of the City between Route 68/80 and Drakes Creek and northeast of the City around 31W, I-65 and the Transpark. These two areas alone have vastly more development capacity than will be needed for many decades. The fact that rural land is being opened for growth more rapidly and to a much greater extent than can be absorbed by the actual projected growth presents the potential for accelerating fragmented sprawl, unless mitigated by a new approach to managing growth.



Some infill and redevelopment to higher densities is taking place within the City of Bowling Green; however, greenfield development is still the norm.

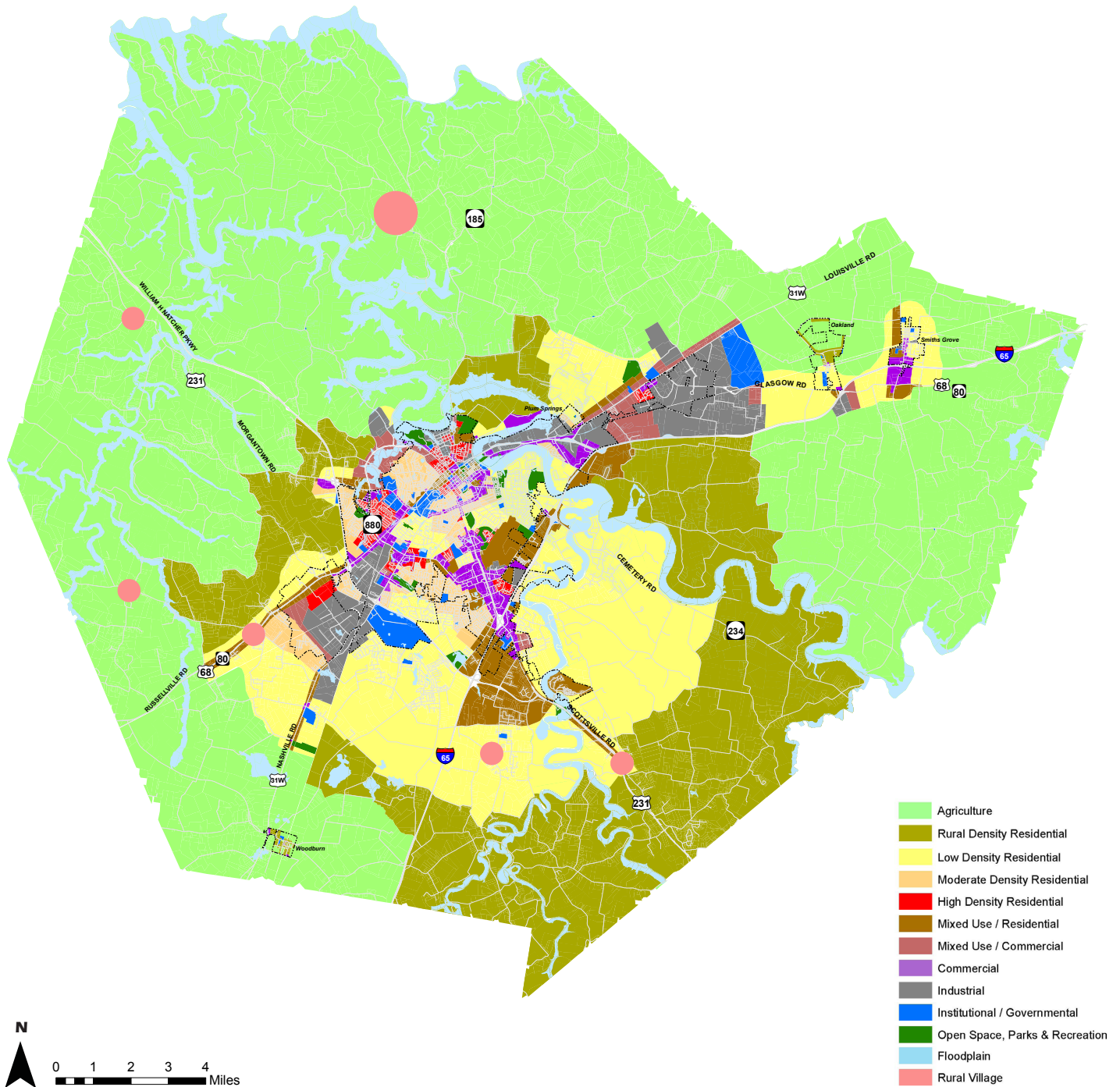


Figure FLU-4: Future Land Use Map (FLUM), conceptually representing the pattern of land use in Warren County in the year 2030. The goals, policies and actions in the Future Land Use element all strive toward achieving this land use pattern.



LAND USE GOAL 1

Create a framework to manage growth and promote sustainable, balanced and predictable patterns of land use, consistent with the ability to provide adequate public services and facilities.

OBJECTIVES / ACTIONS

Objective LU-1.1 *Upon Plan adoption, utilize the Future Land Use Map (FLUM, Figure FLU-4) to guide decision-making regarding land uses and development proposals.*

Action LU-1.1.1 The Future Land Use Map (FLUM, Figure FLU-4) shall be used to determine the consistency which exists between future land use and development proposals.

Context

The purpose of a future land use map is to depict, in generalized fashion, the desired and expected future (typically 20-year) land use pattern. The term “generalized” is used because the map does not aim to represent future land use at the scale of individual properties. Rather, it represents the predominant land use which currently exists and which is expected to remain stable; or land uses that are expected to occur from anticipated future development in response to population growth and factors such as transportation and infrastructure improvements.

The mandate of KRS 100.187 does not specifically mention or require a Future Land Use Map (FLUM). However, such a map would be a reasonable means to meet the requirement to show proposals for the most appropriate, economic, desirable and feasible patterns for the general location, character and extent of future land uses.

Zoning Regulations and Map

It is important to distinguish the Zoning Map from the Future Land Use Map in the land use element of the comprehensive plan. The zoning map depicts current and site specific allocations of zoning districts which set out uses and development patterns which are currently permitted. In contrast, the Future Land Use Map depicts in a generalized, non-site specific, manner, the potential long range use of land which further the goals and objectives of the comprehensive plan, irrespective of current land uses or current zoning. The connection between the Future Land Use Map and Zoning Map is that the former is intended as a guide, along with other criteria, in considering rezonings to accommodate incremental growth and change.

Legal Requirements for Zoning Map Changes

Kentucky law requires that consistency with the comprehensive plan is a primary consideration in reviewing re-zoning requests, as defined in KRS 100.213, as follows.

“Before any (zoning) map amendment is granted, the planning commission or the legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan or, in the absence of such a finding, that one (1) or more of the following apply and such a finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:

- (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate; and
- (b) That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area."

The FLUM depicts conceptually the pattern of land use which will accommodate growth in Warren County over the next 20 years. While, in most cases, it reflects present land uses in developed areas which are expected to remain stable over this time period, most importantly it anticipates likely future land uses in areas that are presently agricultural or undeveloped, but which lie in the path of future growth. Specific future land use designations of presently undeveloped property are influenced primarily by two factors: (1) transportation/ accessibility and (2) adjacent existing land uses. For example, undeveloped properties along major highways or rail lines are generally shown as commercial, industrial or mixed use, where such developments are established nearby.

Similarly, "crossroads" in some outlying areas are shown as a Rural Villages, because such locations offer a sense of community while continuing to provide essential goods and services. One potential major influence on future land use in the long range is the influence of major new highways under consideration by the Kentucky Transportation Cabinet, including the proposed circumferential "bypass." While these and other new high volume roadway corridors could exert major influence on land use patterns, they mostly remain unfunded, and therefore their construction within the timeframe of the Focus 2030 Comprehensive Plan is in doubt. For this reason, their potential implications on land use patterns are not depicted, to avoid prematurely raising development expectations along these potential corridors.

Action LU-1.1.2

The following land use categories are depicted on the FLUM and shall be used in conjunction with the map to determine the consistency of land use and development proposals:

Agricultural (AG)

This land use designation applies to those rural areas relatively remote from the expanding rural-suburban fringe, where agricultural uses are predominant with small and large-scale farm operations. This classification can also include undeveloped areas used for open space and large tract single family residential property.

While the presence of R-E-zoned land is acknowledged, and in some small areas, this zoning may even be prevalent, a new "conservation development alternative" to development under conventional AG or R-E zoning, will become available to landowners. Conservation development is an approach to the design of residential subdivisions, which is highly suited to rural areas where the retention of open space, farmland, or uninterrupted vistas of the scenic, rural landscape is desired (See Page FLU-24 for a map of proposed Land Conservation Development Areas). Higher densities may be possible with a conservation-style development as permitted by the Zoning Ordinance.

Rural Density Residential

This land use designation applies to those rural areas relatively close to the suburban fringe. It also applies to areas where property fragmentation has occurred within unincorporated areas or near farming activities through provisions for “exception lots” in the AG zoning district or through re-zoning and incremental subdivision of land as Residential Estate lots with gross densities ranging from zero (0) dwelling units per acre to one (1) dwelling unit per acre. Higher densities may be possible with a conservation-style development as permitted by the Zoning Ordinance.

Low Density Residential

This land use designation comprises areas designated for single family detached development and attached single family development, including twin homes and townhomes, where each unit is platted on its own individual lot, with gross densities ranging from zero dwelling units per acre to four and a half (4.5) dwelling units per acre. Higher densities may be possible with a conservation-style development as permitted by the Zoning Ordinance.

Moderate Density Residential

This land use designation encourages areas developed for higher density single family detached (RS-1C & RS-1D), as well as semi-detached multi-family development such as duplexes and townhouses, apartment buildings, condominiums and mobile home parks. Densities in this land use should range between three and a half (3.5) and thirteen (13) dwelling units per acre.

High Density Residential

This land use designation consists of areas occupied by multifamily housing, including higher density duplexes, townhomes, apartment buildings and condominiums. Densities exceeding eight (8) dwelling units per acre are encouraged in this Future Land Use category. Higher density single family may also be acceptable at five and a half (5.5) dwelling units per acre or greater.

Commercial

This land use designation consists of a broad array of commercial development, including individual commercial (retail, service, hotel or office) businesses that may exist along a highway corridor or a business district, as well as larger planned shopping centers and office parks. Limited high density multi-family uses are allowed to be mixed into commercial areas. These uses should be limited to upper stories or blended in or scattered among commercial uses. No more than twenty-five percent (25%) of any contiguous area designed Commercial should contain a multi-family use. Compatibility will be assessed by applying policies in LU-1.1.3 below in conjunction with a general development plan.

Mixed-Use

The Future Land Use Map includes two categories of mixed land use. They refer to areas that combine complementary activities—for example, retail, office or other commercial uses with residences, or industry with commerce. These can be existing developed areas, such as downtown Bowling Green, which retain a mixture of uses; or undeveloped or developing areas where the basic qualities of those existing mixed-use areas (efficient use of land, higher development intensities, and pedestrian friendliness) are intended to be replicated. Bringing a diversity of uses together, in close proximity with one another, makes it possible to encourage the pedestrian orientation and to reduce vehicular trips and traffic congestion.

The development pattern in mixed-use areas may include different uses housed in different structures (sometimes on a single site), or different uses stacked one on top of another in a single structure. Generally, both of these development types are likely to be found in the mixed land use districts, which differ primarily in the relative amount of each land use that is encouraged in them. There are two sub-categories of mixed-use, based on the predominant character encouraged in each:

• **Mixed-Use/Residential**

This category applies to mixed-use areas where, taken as a whole, the primary land use is residential in a variety of housing types and densities, balanced by complementary retail, office, institutional and civic uses. The distribution of land among these various activities shall be implemented through specific zoning, with standards addressing the form and character of development to ensure compatibility.

This designation applies to the historic core of downtown Bowling Green or urbanized areas being redeveloped where the primary land use is residential, and where complementary commercial and service uses are provided in a contiguous area. Here, development standards should be tailored to emphasize an urban character and a mix and intensity of development appropriate to this unique center of activity.

When proposed as part of a mixed use development, commercial uses should comprise only twenty-five percent (25%) of such development. Standalone commercial developments should not exceed ten percent (10%) of any contiguous area designated Mixed-Use/Residential. No commercial footprint should exceed ten thousand (10,000) square feet. Compatibility will be assessed by applying policies in LU-1.1.3 below, in conjunction with a general development plan.

• **Mixed Use/Commercial**

This category applies to strategic areas, mostly undeveloped today, that are located near designated industrial parks and accessible from major transportation corridors. These areas are envisioned as predominantly large-scale employment and business centers, albeit supplemented by compatible light industrial, retail, services, hotels and, where appropriate, higher density residential development (stand-alone or in mixed-use developments). The distribution of land among these various activities shall be addressed through specific zoning. However, primary activities in these areas may include low and medium-rise office complexes, as well environmentally friendly manufacturing and business centers.

On large tracts, these uses should be encouraged to develop in a campus-like setting, with quality architecture and generous, connected open space to maximize value, promote visual quality, and encourage pedestrian activity between employment areas and areas of supporting uses such as retail, restaurants, and residential. The primary focus of this category is commercial mixed uses with complementary residential comprising up to fifty percent (50%) of the contiguous area. Compatibility will be assessed by applying policies in LU-1.1.3 below, in conjunction with a general development plan.

Industrial

This land use designation consists of areas developed or suitable for the uses permitted in the light (LI) and heavy (HI) industrial zoning categories. Because such areas require rail and truck access, future industrial development will continue to gravitate to the rail corridors and I-65 interchanges. Complementary service and commercial uses are allowed up to twenty-five percent (25%) of the total contiguous area. Compatibility will be assessed by applying policies in LU-1.1.3 below, in conjunction with a general development plan.

Institutional / Governmental

This land use designation consists of major public institutions, including the WKU campus and public schools, and governmental functions and operations such as the airport, government offices, and police and fire stations.

Open Space, Parks and Recreation

This land use designation applies to all existing City- and County-owned public parks, golf courses, other recreational facilities, and permanently protected open spaces of countywide significance.

Rural Village

This land use designation is intended to provide for the continued vitality of the existing commercial and residential mixed use areas found in the smaller rural agricultural centers throughout Warren County. The rural village brings a sense of community and identification to the surrounding rural areas with an emphasis on providing essential goods and services to rural residents, but are not intended as employment designations for urban residents.

Neighborhood scale commercial uses are encouraged as pockets of mixed use developments. Commercial uses should be limited in size and scale (less than 10,000 square feet) and only allow uses permitted in the zones outlined in the table below. When proposed as part of a mixed use development, commercial components should comprise no more than ten percent (10%) of such development. Stand alone commercial development should not exceed no more than twenty-five (25%) of any contiguous area designated Rural Village. Limited moderate density multi-family uses may be appropriate in some areas if limited in size and scale. Multi-family should not consist of more than twenty-five percent (25%) of any rural village. Compatibility will be assessed by applying policies in LU-1.1.3 below, in conjunction with a general development plan, and by applying specific policies found in Focal Point Plans, area plans, corridor studies or any other plan created and approved by the Planning Commission.

Future Land Use Category	Residential Density Range	Potentially Compatible Zoning Designations
Agriculture	0-0.2**	AG, RR*, RE*
Rural Density Residential	0-1.0**	RR, RE
Low Density Residential	0-4.5**	RR, RE, RS-1A, RS-1B, PUD
Moderate Density Residential	3.5-13	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, PUD, MHP
High Density Residential	5.5 or greater	RS-1D, RM-3, RM-4, GB, OP-R, CB, PUD, MHP
Commercial	25 % of development or 10% of total contiguous area	RM-3, RM-4, GB, HB, OP-C, CB, PUD
Mixed-Use/Residential	75% of development or 90% of total contiguous area	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, NB, GB, OP-R,
Mixed-Use/Commercial	50% of contiguous area	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, RM-4, OP-C, CB, GB, HB, LI, PUD
Industrial	Not Allowed	OP-C, HB, LI, HI
Institutional/Governmental	Not Allowed	P
Open Space, Parks and Recreation	Not Allowed	P
Rural Village	75% of development or 90% of total contiguous area	RR, RE, RS-1A, RS-1B, RM-2, RM-3, NB, OP-R, GB, PUD

* Allowed only with Agriculture FLUM exception lots as defined in LU-1.1.4

** Higher Densities may be allowed in a Conservation Subdivision.

Action LU-1.1.3

Requested re-zonings (zone changes) shall be reviewed for consistency with the FLUM and the Development Review Provisions listed below:

Development Review Provisions

- Map and General Policy Review - The first step in determining compliance with the Comprehensive Plan is determining if the proposed use and zone are in agreement with the Future Land Use Map (LU-1.1.1) and Future Land Use categories listed in LU-1.1.2. Additionally, applicable goals, objectives and action items found in the Comprehensive Plan that may apply to the proposed use and zone should be identified as part of the community wide development compliance.
- Site Characteristics Review - Unless specifically exempted by the zoning ordinance or by the Planning Commission, all zone change requests must be accompanied by a General Development plan including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening and buffering utilities, existing and man-made and natural conditions, and all other conditions requested by the Planning Commission and agreed to by the applicant. Each site shall identify the applicable site specific characteristics below and incorporate them on the General Development Plan, or in the application. The Planning Commission will consider how these items relate to relevant goals, objectives and action items contained within the Comprehensive Plan as well as any other applicable codes, regulations or policies.
 - Proposed development layout, lot sizes and setbacks (HN-1.2)
 - Transportation system adequacy or provisions for improvements (LU-2.3.1, TR-2.1)
 - Fire protection district, nearest station and hydrant locations (CF-1.1, CF-1.4, TR-3, TR-4)
 - Public water location, provider and certification of availability (CF-1.1, CF-1.4)
 - Waste water location, provider and certification of availability (CF-1.1, CF-1.4)
 - Existing natural features (NCR-1.1, NCR-1.3)
 - Identification of prime farmland (Map FLU-2, NCR-2.4)
 - Soil suitability (Map 32)
 - Location of flood plains or wetlands (NCR-1.1)
 - Cultural and/or historical assets being removed or preserved (NCR-2.1, NCR-2.2)

- **Site Design and Compatibility Review** - All proposals for new development must be assessed to determine their compatibility with the existing surrounding development. Compatibility may be shown because the proposed use is the same as the surrounding neighborhood, or it may be established by site design, buffering, control of access through the adjacent neighborhood, or other measures. Developments should address the following site design and compatibility considerations:
 - Surrounding density (HN-1.2)
 - Surrounding land uses (LU-2)
 - Surrounding building architecture including height, bulk, scale, massing, etc. (HN-1.2)
 - Proposed building materials (HN-1.2)
 - Building orientation in relation to the roadway (HN-1.2)
 - Proposed landscape buffers and/or screening (HN-1.2)
 - Proposed open space (LU-2.1.1, PR-2)
 - Connectivity to adjacent properties (LU-2.1.2)
 - Any pedestrian, bicycle or greenway facilities existing or proposed connections (LU-2.1.3, TR-3, TR-4, NCR-1.4, PR-3)
- **Area Specific Policy Compliance** - In addition to the review items above, the Planning Commission will consider area-specific policies created in focal point plans, area plans, corridor studies and/or other similar plans created by the Planning Commission or other local and state government organizations (LU-2.4, LU-2.8)

Action LU-1.1.4

The following is a recommended protocol for the use of the Future Land Use Map and amending the FLUM.

Purpose / Relationship to Zoning

While the Zoning Map, and its associated zoning districts, defines specific uses and development types currently permitted for individual properties, the Future Land Use Map depicts more broadly the likely pattern of land uses that may exist in the future. Therefore, the FLUM does not directly determine the specific development that may be approved for a particular property. Applicants for zoning changes must demonstrate that the proposed use / development is consistent with the land use designation on the FLUM. However, consistency with the FLUM is only one of several considerations, and all other development criteria must be met for a rezoning approval, per the process laid out in the zoning ordinance and in KRS 100.213.

Because FLUM designations are considerably broader than provided in specific zoning districts, several different zoning districts may conform

to the provisions of a single FLUM land use category. However, in cases where a proposed development type and associated zoning district is clearly inconsistent with the FLUM, and/or other provisions of the Comprehensive Plan, such rezoning approvals shall not be granted until and unless the FLUM is amended.

Exceptions

The following types of re-zoning requests shall not require FLUM amendment prior to consideration for approval:

- Emergency situations requiring immediate actions to protect public health, safety and welfare (e.g., providing temporary housing for those displaced by a natural disaster)
- Corrections of zoning map errors
- Single family residential rezoning requests for non-conforming parcels that are less than 5 acres in size, are compatible with existing residential land uses, and where only one new lot is being created from a parent tract that existed prior to July 1, 2001.
- Rezoning requests of 10 acres or less, where a proposed development site lies within two or more future land use designations, if at least 50% of the property lies within a future land use designation which is consistent with the proposed zoning district.
- Rezoning requests for property located within the Agriculture FLUM designation where the result will be the enlargement of an existing agricultural tract and the number of lots will remain the same as (or less than) what existed at the time the rezoning application was filed. The remaining lot must meet the requirements of the proposed zone and no lot resulting may be non-conforming.

Procedures for Amending the FLUM

The Planning Commission's approval of a FLUM amendment request should be based on at least one of the following criteria:

- A demonstrated over-riding public benefit of the proposed development (this may include the provision of a major public facility or amenity, the provision of a major source of employment or an economic development asset that cannot be accommodated in a location consistent with the current FLUM).
- The request is a correction of inconsistencies or mapping errors contained within the FLUM.
- That the proposed use is clearly compatible with existing surrounding development as demonstrated by the applicant. This review should include a compatibility assessment of the proposed use, which includes, but is not limited to, location and bulk of buildings and other structures, building height, building materials, intensity of use, density of development, location of parking and signage within the surrounding area. In addition, the applicant must prove that the proposed amendment will not result in development that exceeds the capacity of existing infrastructure (such as roads, water, sewer and stormwater).

LAND USE GOAL 2

Encourage compact, sustainable, high quality development which protects community character, provides balanced land uses and which is tailored to the variety of urban, suburban and rural sections of Warren County.

OBJECTIVES / ACTIONS

Urban and Suburban Areas

Objective LU-2.1 Improve design standards and establish incentives for urban and suburban residential development.

- Action LU-2.1.1 Consider increasing or refining the standards for open space retention in new residential development, to ensure an adequate share of such space is usable and of scenic or ecological value.
- Action LU-2.1.2 Consider adoption of a “roadway connectivity index” applicable to new residential development or other developments with a significant residential component (40% or more).

Context:

A Connectivity Index is a tool to evaluate proposed development projects, and is designed to ensure sufficient directness of routes and density of connections in a road network while allowing design flexibility in how the requirement is met.

A well-connected road network has many short links, numerous intersections and minimal dead-ends (cul-de-sacs). As connectivity increases, travel distances decrease and route options increase. The Index is measured as the ratio of the number of roadway links (roadway sections between intersections, between intersections and cul-de-sac ends and stubs to adjacent properties) to the number of nodes (intersections and cul-de-sac ends). Generally, communities utilizing a Connectivity Index do not go lower than a ratio of 1.2.

- Action LU-2.1.3 Consider encouraging new developments to incorporate planned greenway links (as per the Greenbelt Master Plan) into their developments or, at a minimum, to provide connections to the greenway system whenever possible.
- Action LU-2.1.4 Consider adopting incentives to promote the preservation of existing trees on private property before, during, and after development, and standards that discourage clear cutting of trees.
- Action LU-2.1.5 Consider incentives for the provision of land for, location, and design of schools, parks, emergency services, local commercial, or other essential local-serving community facilities and services.

Objective LU-2.2 *Modify zoning regulations to better promote compact mixed use development and Traditional Neighborhood Development (TND).*

- Action LU-2.2.1 Provide greater zoning flexibility and incentives for innovative development types and multiple housing types, including dwellings suited to empty nesters and others desiring smaller, more affordable and closer-in dwelling types.
- Action LU-2.2.2 Establish guidelines and incentives to promote infill development in underutilized areas, where practical and economically feasible.

Objective LU-2.3 *Upgrade design standards for commercial and industrial development.*

- Action LU-2.3.1 Improve standards for access management (e.g., review spacing of driveways, consider requiring driveway sharing or parking lot connectivity, etc.) in order to reduce traffic “friction” and enhance safety.
- Action LU-2.3.2 Prepare landscape and building design guidelines to improve the aesthetics of all new commercial development.
- Action LU-2.3.3 Adopt specific locational guidelines and design guidelines for “big-box” and “mid-box” commercial development. Building design guidelines should address topics such as building mass (façade and roof) articulation, façade transparency, etc.

Context:

Although the extensive commercial development along Scottsville Road has greatly expanded the community’s array of goods and services, as well as the commercial tax base, it has also changed the character of the community and contributed to significant traffic congestion. Future commercial development should apply lessons learned from the development of Scottsville Road through improved standards to influence the design of commercial structures, the size of signage, the locations suitable for major traffic generators such as a “big box,” as well as access management techniques to reduce traffic conflicts. One such technique is to require that all adjacent parking lots be connected, thus allowing drivers to go from center to center without re-entering the highway.

- Action LU-2.3.4 Require that proposals for heavy industrial development in areas with a DRASTIC index of greater than 160 be accompanied by a detailed geologic analysis to determine the carrying capacity of the underlying soils with respect to the possibility of accidental spills of hazardous materials and storm water management.



Provide greater zoning flexibility and incentives for innovative development types and multiple housing types, including dwellings suited to empty-nesters and others desiring smaller, more affordable housing in closer-in areas.



Prepare building, landscape and parking guidelines to improve the aesthetics of new commercial development.

- Action LU 2.3.5 Modify regulations to ensure that the location of all industrial development shall give due consideration to the karst landscape, the carrying capacity of the underlying soils and karst streams, and to prevailing wind direction to minimize the possibility of adverse impacts on the natural environment or on surrounding uses.

Objective LU-2.4 *Establish a consistent sector/ small area planning process to focus on areas of the County or the City that require special attention and a more detailed level of planning.*

Context:

Numerous models for sector or small area plans exist and are available from communities across the country. In addition, the Planning Commission staff has previously developed “focal point” plans for several areas of the County, which can serve as a starting point to craft a consistent planning process. Additional study areas, potentially including gateways, commercial corridors, and residential neighborhoods should be identified.

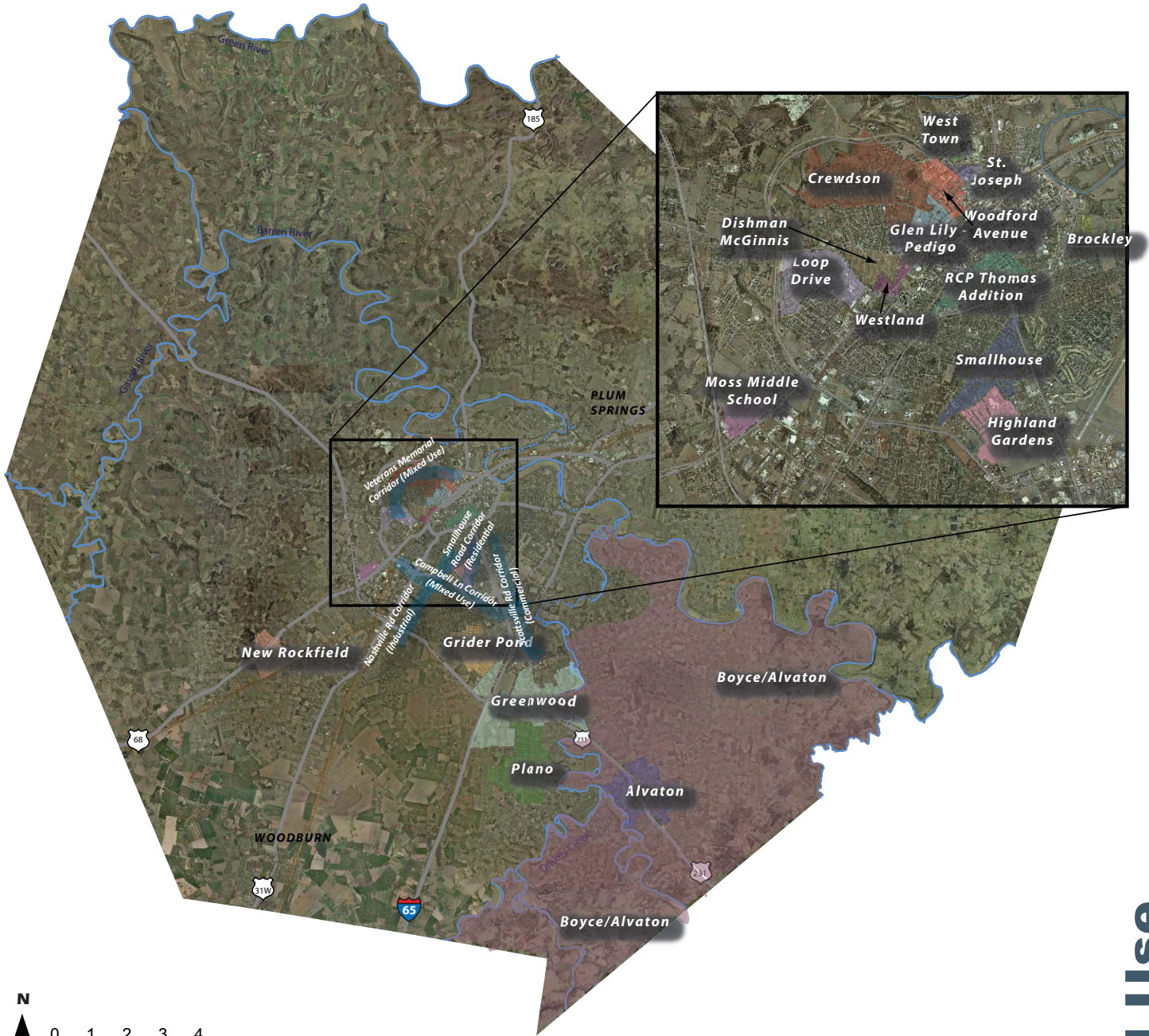
- Action LU-2.4.1 Identify candidate study areas for sector planning, including those that are susceptible to change because of particular growth pressures, the potential availability of land for development, or obsolescence/decline. These may include, but are not limited to, those illustrated in the Areas Susceptible to Change Map (Figure FLU-6).
- Action LU-2.4.2 Develop local design guidelines and implement regulations for sub-areas within the County for which sector area plans are prepared.

Objective LU-2.5 *Stabilize and protect Bowling Green’s older neighborhoods.*

- Action LU-2.5.1 Review conditions in transitional neighborhoods to assist in the establishment of tools and policies designed to preserve older neighborhoods.
- Action LU-2.5.2 Prepare guidelines to ensure the compatibility of infill development, particularly next to historic structures and sites.

Context:

Compatible infill is development that makes a positive contribution to the scale and character of a general neighborhood’s streetscape. If important attributes of the neighborhood are not considered in the design and construction of new projects, infill development can have a lasting negative impact on the character of a neighborhood. Guidelines generally should address setbacks, building orientation, width, height, and lot coverage. They can also address accessory structures, parking and garages, and guidelines for materials, windows, roof shapes, wall articulation, and other issues specific to a particular neighborhood character or historic architectural style.



Source: 1990 Warren County Comprehensive Plan, Appendix 1 (2003)
Last Updated: January, 2009

Figure FLU-6: Areas Susceptible to Change, depicting areas where, due to particular growth pressures, potential availability of land for development, or obsolescence, small area/sector or corridor planning may be desirable.

- Action LU-2.5.3 Continue to identify and promote opportunities for revitalization and redevelopment.



Continue to identify and promote opportunities for revitalization and redevelopment.

- Action LU-2.5.4 Monitor public and private initiatives to preserve and enhance historic downtown resources.

- Action LU-2.5.5 Ensure that zoning and building regulations are supportive of adaptive reuse of historic structures.



Ensure that zoning and building regulations support adaptive reuse of historic structures.

- Action LU-2.5.6 Revisit and, as necessary, adjust zoning in neighborhoods which are predominantly single family, but designated for multi-family use.

Rural Areas

Objective LU-2.6 Consider revisions to zoning regulations to promote alternatives to large-lot sprawl in the rural area.

Context:

No less than six (6) affirmations in the Focus 2030 Vision Statement clearly express an intent to preserve and protect Warren County's agricultural base, scenic open space and its rural character:

"We will retain our agricultural base and scenic rural character by discouraging sprawl, and premature and incompatible development."

"We will forever preserve a significant share of our County's scenic open space through an expansive network of greenways, trail and protected stream corridors."

"We will maintain the County's rural character by encouraging development that retains open space and limits impacts on agriculture."...

"In rural areas, we will ...

- *Reduce pressure for development of farmland and provide large land-owners with a variety of options. These may include programs and incentives such as conservation development, purchase or transfer of development rights, and rural land.*
- *Reduce pressure on farming operations from population growth infringing upon rural areas.*
- *Achieve limited low-density development that is compatible with and retains rural character."*

Action LU-2.6.1 Establish in the Zoning Ordinance and Subdivision Regulations conservation development as an alternative to development under conventional AG zoning.

Context:

Conservation development, typically in the form of a residential subdivision, is characterized by preserved common open space and clustered compact lots. The purpose of a conservation development subdivision is to protect farmland and/or natural resources, while allowing for the maximum number of residences permitted under present zoning and subdivision regulations. The preserved portions of such subdivisions may be maintained as natural open space or as agriculture, depending on the original use of the property.

Action LU-2.6.2 Consider exempting private landowners and developers who propose new residential developments under the conservation development option from undergoing rezoning. Conservation development subdivisions, however, shall be subject to all other requirements of the Subdivision Regulations.

Action LU-2.6.3 Consider adopting a program to establish voluntary agricultural conservation easements for the protection of farmland.

Context:

A conservation easement is a deed restriction landowners voluntarily place on their property to protect resources such as productive agricultural land, ground and surface water, wildlife habitat, historic sites or scenic views. Conservation easements are flexible documents tailored to each property and the needs of individual landowners.

Agricultural conservation easements limit subdivision, non-farm development and other uses that are inconsistent with commercial agriculture. Most easements allow lots to be reserved for family members.

Most agricultural conservation easements are permanent, but term easements which impose restrictions for a specified number of years are also possible. They may cover an entire parcel or portions of a property.

After granting an agricultural conservation easement, landowners retain title to their property and can still restrict public access, farm, use the land as collateral for a loan or sell their property. Land subject to an easement remains on the local tax rolls. Landowners continue to be eligible for state and federal farm programs. Grantors can receive several tax advantages. Donated agricultural conservation easements that meet Internal Revenue Code Section 170(h) criteria are treated as charitable gifts.

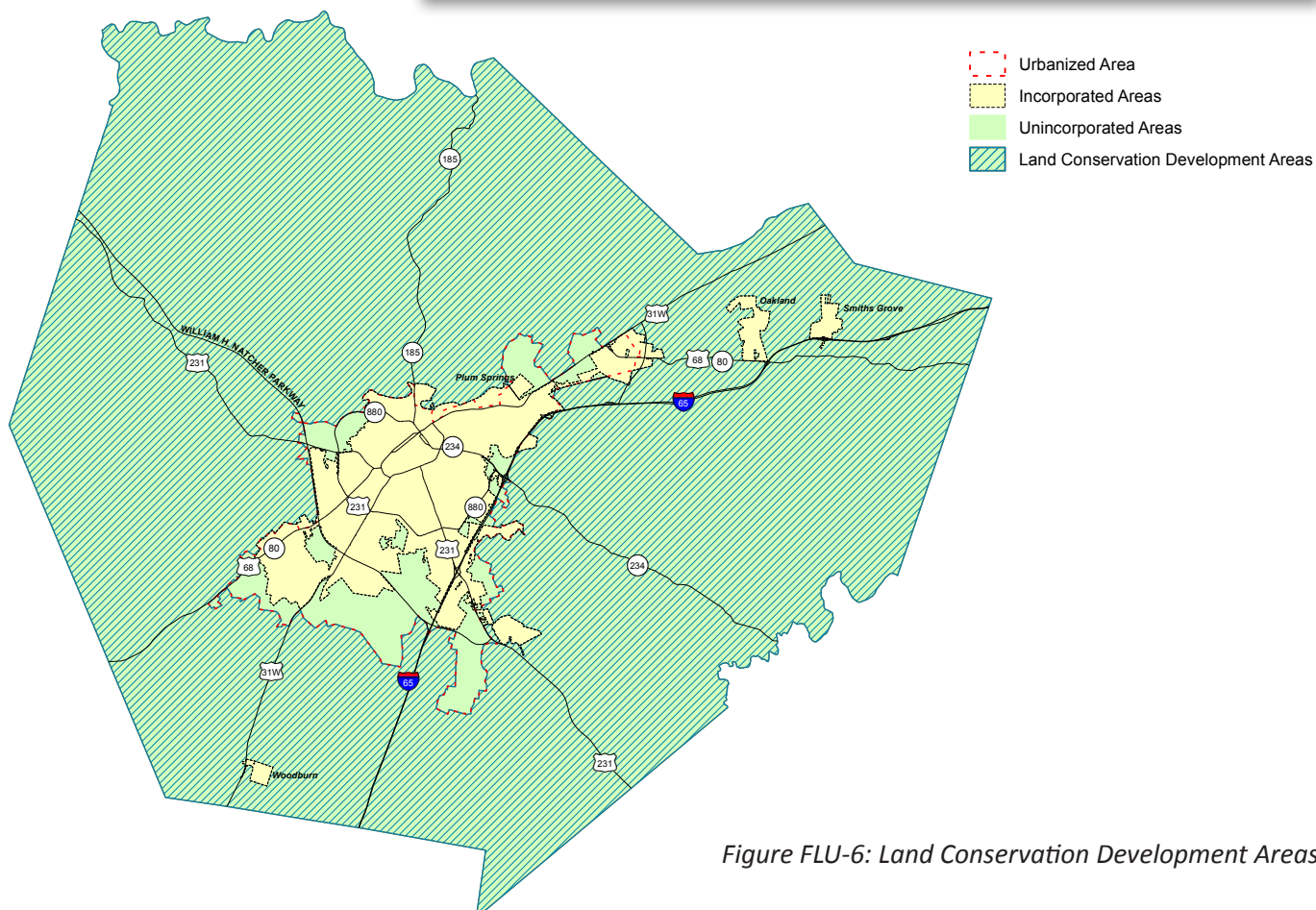


Figure FLU-6: Land Conservation Development Areas

Objective LU-2.7 Consider potentially available resources to pursue a “purchase of development rights” program in Warren County.

Context:

A Purchase of Development Rights (PDR) Program under which a landowner voluntarily sells rights to develop a parcel of land. The landowner retains all other ownership rights attached to the land and a deed restriction is placed on the land and recorded on the title. The buyer essentially purchases the right to develop the land and extinguishes that right permanently, thereby assuring that development will never take place. Landowners usually will take the proceeds from the sale to invest in farming operations, or pass it on to heirs at significantly reduced taxable value. PDR programs typically are voluntary.

- Action LU-2.7.1 Identify potential sources that may be used to start up and maintain a PDR program.

Objective LU-2.8 Continue to apply selected policies established in prior focal plans and overlay districts, in particular those pertaining to the smaller incorporated cities and corridors.

Context:

The contents of existing focal plans and overlay districts are hereby incorporated into this plan by reference, and shall apply unless such policies are in conflict with the intent of this plan or the FLUM.

- Action LU-2.8.1 Continue to implement the adopted policy plans for Lovers Lane, Cemetery Road, Walnut Valley, the Cedar Ridge Neighborhood and the rural villages of Smiths Grove, Oakland and Woodburn. Any discrepancies between the 2030 Comprehensive Plan Future Land Use Map and the adopted policy plan maps shall follow that of the adopted policy plan (Volume 2 - Appendix 3). (Moved from FLU-19. Old Action Item 2.4.3).

Objective LU-2.9 Identify techniques to protect the County’s small municipalities and rural settlements from development that is out-of-character.

Context:

Like the unincorporated rural areas, Warren County’s fifth and sixth class cities and its unincorporated settlements may become at risk of becoming surrounded by new development, compromising their character and identity over the 20-year comprehensive plan horizon. The plan, therefore, should identify new, proactive mechanisms to ensure that development remains compatible with each community’s scale and character. Tools may include a revised and updated set of Focal Point Plans, as well as a set of tailored development standards to be applied via overlay districts.

- Action LU-2.9.1 Adjust zoning and subdivision regulations to require development in rural village centers to be compatible in design and placement with existing structures, and to contribute to the historic character of the community.

Objective LU-2.10 Identify and designate “special character areas” such as scenic roads and viewsheds for protection.

- Action LU-2.10.1 Consider the development of new, context-sensitive engineering standards or modify existing standards to protect the character of designated “scenic corridors.”

Context:

Context sensitive design (CSD, also called context sensitive solutions) refers to roadway engineering standards that are flexible and sensitive to community values, allowing development of roadways that better fit their physical setting and preserve scenic, aesthetic, historic, and environmental resources, while maintaining safety and mobility. To achieve this, CSD takes a more flexible approach to lane widths, speed limits, capacity/level of service, signage, and other aspects of standard roadway design. This tool is commonly used in the protection of scenic and rural character areas, where road corridors offer an unhindered view of natural scenic resources and aesthetic values. However, CSD can also be applied in conjunction with overlay site development and building design standards to achieve specific goals for other types of designated corridors and special areas.



Establish in the Zoning Ordinance and Subdivision Regulations a conservation development alternative. Conservation development provides for the same number of lots (or more) as a conventional subdivision, but on smaller lots, clustered as to preserve valuable natural features and open space.