

FLUM AMENDMENT AND ZONE CHANGE STAFF REPORT

DOCKET/CASE/APPLICATION NUMBERS

PROPERTY ADDRESS/LOCATION

**2019-19-Z-CO
2019-04-FLUM**

1237 Old Dearing Road



CCPC
City-County
Planning Commission
warrenpc.org | (270) 842-1953
1141 State Street
Bowling Green, KY 42101

PUBLIC HEARING DATE

PRE-APP DATE

May 16, 2019

March 22, 2019

APPLICANT/PROPERTY OWNER

PVA PARCEL NUMBER

Earl Cole

056A-40D

BRIEF SUMMARY OF REQUEST: The applicant is proposing to amend the FLUM for 5.16 +/- acres located at 1237 Old Dearing Road from Agriculture to Rural Density Residential. If the FLUM amendment is successful, the applicant would like to rezone the property from AG (Agriculture) to R-E (Residential Estate), in order to develop the property with a maximum of three (3) single family residential lots.



MAP SOURCE: <http://warrenpc.org/beta/gis/>

CURRENT ZONING	PROPOSED ZONING	FUTURE LAND USE	SIZE OF PROPERTY	OTHER INFORMATION
AG	R-E	Agriculture	5.16 Acres	<input checked="" type="checkbox"/> Development Plan Conditions <input checked="" type="checkbox"/> General Development Plan <input type="checkbox"/> Neighborhood Meeting <input type="checkbox"/> Traffic Impact Study (TIS) <input type="checkbox"/> Environmental Assessment <input type="checkbox"/> Public Comments
CURRENT LAND USE	PROPOSED LAND USE	FLUM AMENDMENT	PROPOSED DENSITY	
Single Family Residential	Single Family Residential	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	0.58 du/ac	

PROPERTY HISTORY: AG (Agriculture) is the original zoning of the property.	COMPATIBILITY with COMPREHENSIVE PLAN: The property is designated Agriculture on the FLUM. The applicant has requested to amend the FLUM to Rural Density Residential. The proposed R-E zone is a potentially compatible zoning designation in the Rural Density Residential FLUM category and may be appropriate if the Planning Commission determines that the proposed development is compatible with the surrounding area.
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COMPATIBILITY with the SURROUNDING DEVELOPMENT: The property is located in a rural area of Warren County. A site characteristic review notes the narrowness of portions of Old Dearing Road and limitations regarding water flow and pressure. The majority of the property is heavily wooded. There is also a large sinkhole located along the western portion of the property. Site design has been addressed in the general development plan and development plan conditions, in conjunction with the requirements of the Zoning Ordinance. If the FLUM amendment is approved, the proposed zoning map amendment may be appropriate. The Planning Commission should determine if the proposed development is compatible with the surrounding area.

POINTS TO CONSIDER:

- ❖ If the FLUM amendment is approved, the proposal would be consistent with the FLUM and Rural Density Residential category.
- ❖ The proposed development complies with the majority of the site characteristics review criteria, with limitations noted regarding road width and fire protection.
- ❖ The proposed General Development Plan complies with a majority of the review criteria for site design and compatibility, and meets the minimum requirements in the Zoning Ordinance.

Note: Please see attached pre-application information for FLUM category descriptions and other below-referenced material.

FUTURE LAND USE MAP

FLUM Designation: Agriculture, with a proposed FLUM amendment to Rural Density Residential (please see the attached Future Land Use Map).

The Agriculture land use designation applies to those rural areas relatively remote from the expanding rural-suburban fringe, where agriculture 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.

The Rural Density Residential land use designation applies to those rural areas relatively close to the suburban fringe. It also applies to areas where property fragmentation as 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.

LU-1.1.4 of the Comprehensive Plan outlines procedures for amending the FLUM. The Planning Commission’s approval of a FLUM amendment 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 majorly 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.
- ❖ 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 building 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).

The applicant included the following information with their application to address the criteria listed above:

“The proposed amendment of the FLUM map to rural density residential will be compatible with the surrounding land uses with several lots already zoned R-E. R-E will be the proposed zoning if this FLUM map amendment is approved. This site is mostly wooded and is not prime farmland. Soils are such that prior to recording a plat to create the lots, (maximum of three) a site evaluation will be required by the Warren County Health Department. There are no historic or cultural features on the site. There are no area specific policies in the comprehensive plan for this area. Even though the site does not meet the minimum fire control standards for Warren County, with only creating three lots, this site is exempt from the requirement. One of the proposed lots already contains an existing residence. The road width does meet the minimum width of 18’ with the only exception being directly in front of the existing house. At that location, the pavement width is 17.8 feet. With the existing lot size of 5.16 acres and maximum density will be 0.58 dwelling units per acre.”

SITE CHARACTERISTICS REVIEW

Layout, lot sizes and setbacks: The proposed layout is shown on the attached Preliminary Development Plan. Setbacks will adhere to the R-E standards set forth in Zoning Ordinance.

Transportation Infrastructure: The property has frontage on Old Dearing Road, a County maintained rural local roadway with fifty (50) feet of right-of-way and pavement width that varies.

Fire protection: This property is served by the Plano Volunteer Fire Department.

FLUM Amendment and Zone Change Staff Report

Water adequacy: This property is served by Warren County Water District (WCWD) and does not have adequate water flow to meet the minimum fire protection requirements. However, the proposal is exempt from this requirement because less than 5 lots are proposed.

Wastewater adequacy: The existing residence is served by an on-site septic system. The proposed lots will each use an on-site septic system.

Natural features: The majority of the property is heavily wooded. There is also a large sinkhole located along the western portion of the property. The applicant committed to preserving vegetation to the greatest extent and that any sinkholes that develop during construction shall be repaired.

Prime farmland: The property contains a soil type that is classified as farmland of statewide importance.

Soil suitability: The property contains soil types that are classified as somewhat limited and very limited regarding soil suitability for septic tank absorption fields.

Flood plains and wetlands: There are no known floodplains or wetlands located on the property.

Cultural or historical features: There are no known unique cultural or historical features on the site.

This application generally complies with the majority of the items in the Site Characteristics Review.

SITE DESIGN and COMPATABILITY REVIEW

Surrounding density: The majority of the area is comprised of large agricultural tracts. There are a handful of smaller residential lots also located in the vicinity.

Surrounding land uses: Please see the attached existing land use map. The surrounding area is comprised of agricultural and single family residential uses. There are also several vacant tracts located in the general vicinity.

Surrounding architectural features: The majority of the structures in the area are one-story. There are also a couple of one and a half and two-story structures located nearby.

Building materials review: The majority of the residential structures in the area are vinyl. There are also several brick structures and a couple of metal agricultural buildings located in the general vicinity.

Building orientation: The existing residence faces Old Dearing Road. The applicant has committed that all new buildings will face the public street.

Landscaping and screening: N/A

Proposed open space: The maximum allowable lot coverage in the R-E zone is 30%, meaning 70% of the property will remain as open space.

Connectivity: N/A

Pedestrian, bicycle or transit facilities: N/A

AREA SPECIFIC POLICY REVIEW

Applicable plan(s): There are no focal point plans or corridor studies applicable to this property.



FLUM Amendment and Zone Change Staff Report**GENERAL DEVELOPMENT PLAN / DEVELOPMENT PLAN CONDITIONS**

The applicant has submitted the following Development Plan Conditions to help address compatibility with the surrounding area:

- 1) Any new lot created shall be a minimum of one acre.
- 2) The minimum square footage shall be 1,800 for a single-story residence and 1,800 square feet on the ground level of a one and one-half or two-story home, exclusive of porches and garages.
- 3) All homes will have a minimum of a two-car garage with a maximum of three car.
- 4) Building materials shall be brick, stone, fiber cement board or vinyl. No metal or wood siding will be permitted.
- 5) Each lot will be permitted to have one detached accessory structure with the façade to match the primary residence.
- 6) All utilities shall be underground.
- 7) Existing vegetation shall be preserved to the greatest extent.
- 8) Any sinkholes that develop during construction shall be repaired.
- 9) Each new residence will be limited to a single driveway access point. Driveway placement shall be coordinated with the Warren County Public Works Road department prior to construction.
- 10) Each proposed lot shall have an on-site evaluation for septic tank leach field prior to a plat being recorded.
- 11) All residences shall be constructed to face the public street.
- 12) The existing mobile home located on the property is to be removed.

The proposed General Development Plan meets a majority of the review criteria for site design and compatibility.

FOCUS 2030 CATEGORY REVIEW

Applicable Goals, Objectives and/or Actions Items

Future Land Use: LU-1.1.1, LU-1.1.2, LU-1.1.3, LU-2, LU-2.1.4, LU-2.3.1

Transportation: N/A

Community Facilities: CF-2.6, CF-5.3

Parks and Recreation: PR-1.7

Natural and Cultural Resources: NCR-1.1, NCR-1.1.6, NCR-1.3, NCR-2.4.1

Housing and Neighborhoods: HN-2.1, HN-4

Economic Development: N/A

This proposal may comply with the FLUM, and with LU-1.1.1 and LU-1.1.2, if deemed compatible with the surrounding area, the FLUM amendment to Rural Density Residential is approved, and if the Planning Commission determines that the proposal is compatible with the area and complies with LU-1.1.3.

The proposal may comply with LU-2. The Planning Commission should determine if the proposal is a high quality development that that will protect the character of the area.



FLUM Amendment and Zone Change Staff Report

The proposal generally complies with LU-2.1.4, PR-1.7 and NCR-1.1.6. The applicant committed in development plan condition #7 that existing vegetation shall be preserved to the greatest extent.

The proposal complies with LU-2.3.1, as the applicant committed in development plan condition #9 that each new residence will be limited to a single driveway access point, and that driveways placement shall be coordinated with the Warren County Public Works Department prior to construction.

The proposal complies with CF-2.6, as the applicant committed in development plan condition #10 that each proposed lot shall have an on-site evaluation for septic tank leach field prior to a plat being recorded. The proposal complies with CF-5.3. Although the property does not have adequate water to meet the minimum Fire Control Standards of Warren County, less than 5 lots are proposed, and are therefore exempt from this requirement.

The proposal complies with NCR-1.1 or NCR-1.3. The applicant committed in development plan condition #8 that any sinkholes that develop during construction shall be repaired.

The Planning Commission should determine compliance with NCR-2.4.1. The proposal is located on a roadway with portions being less than the 18-foot minimum standard for County roads and is served by less than 250 gallons per minute of water. The Planning Commission should determine whether or not the proposed lots will result in an increased amount of development pressure on the countryside.

The proposal may comply with HN-2.1 and HN-4. The Planning Commission should determine if the proposed development is located in a suitable location and if it will enhance the array of housing options available in the area.

STAFF REVIEW SUMMARY

The applicant is proposing to develop the property with three (3) single family residential lots. The Planning Commission should determine if the proposed FLUM amendment is compatible with the area. If the FLUM amendment is approved, the proposed R-E zone may be appropriate given the Rural Density Residential FLUM designation and category description. The proposal complies with the majority of the criteria assessed in the review process, with limitations noted regarding road width and fire protection. The Planning Commission should determine if the proposal is compatible with the area and meets the goals and objectives of the Comprehensive Plan.



FLUM Amendment and Zone Change Staff Report

SUGGESTED MOTIONS (FLUM Amendment)

I make the motion to **APPROVE** the proposed Future Land Use Map Amendment, docket number **2019-04-FLUM**.

Based upon the testimony and documents presented in this public hearing, the proposed FLUM Amendment:

- ❖ Has met the directive to amend the FLUM as outlined in LU-1.1.4 in the Comprehensive Plan.

Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing.

I make a motion to **DENY** the proposed Future Land Use Map Amendment docket number **2019-04-FLUM**.

Based upon the testimony and documents presented in this public hearing, the proposed FLUM Amendment:

- ❖ Has **not** met the directive to amend the FLUM as outlined in LU-1.1.4 in the Comprehensive Plan.

Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing.



FLUM Amendment and Zone Change Staff Report

SUGGESTED MOTIONS (Zone Change)

I make the motion to **APPROVE** the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket number **2019-19-Z-CO**.

Based upon the testimony and documents presented in this public hearing, the proposed Zoning Map Amendment **is** consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its compliance with the objectives and action items presented in the staff report.

(Compliance Summary Listed at Bottom of Page - Note Exceptions if Applicable)

Therefore, the proposed Zoning Map Amendment is in agreement with the adopted Comprehensive Plan.

Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing.

I make the motion to **DENY** the proposed Zoning Map Amendment, docket number **2019-19-Z-CO**.

Based upon the testimony and documents presented in this public hearing, the proposed Zoning Map Amendment is **not** consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its non-compliance with the objective and action items presented in the staff report.

(Compliance Summary Listed at Bottom of Page - Note Exceptions if Applicable)

Therefore, the proposed Zoning Map Amendment is **not** in agreement with the adopted Comprehensive Plan.

Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing.

COMPLIANCE SUMMARY

Items In Compliance:		Items Not In Compliance	
<input type="checkbox"/> LU-1.1.1	<input type="checkbox"/> NCR-1.1	<input type="checkbox"/> LU-1.1.3*	<input type="checkbox"/> HN-2.1*
<input type="checkbox"/> LU-1.1.2	<input type="checkbox"/> NCR-1.3	<input type="checkbox"/> LU-2*	<input type="checkbox"/> HN-4*
<input type="checkbox"/> LU-1.1.3*	<input type="checkbox"/> NCR-1.1.6		
<input type="checkbox"/> LU-2*	<input type="checkbox"/> NCR-2.4.1*	<input type="checkbox"/> NCR-2.4.1*	
<input type="checkbox"/> LU-2.1.4			
<input type="checkbox"/> LU-2.3.1	<input type="checkbox"/> HN-2.1*		
	<input type="checkbox"/> HN-4*		
<input type="checkbox"/> PR-1.7			
<input type="checkbox"/> CF-2.6			
<input type="checkbox"/> CF-5.3			

**Denotes items in both the compliance and non-compliance columns. Planning Commission to determine compliance with these items.*





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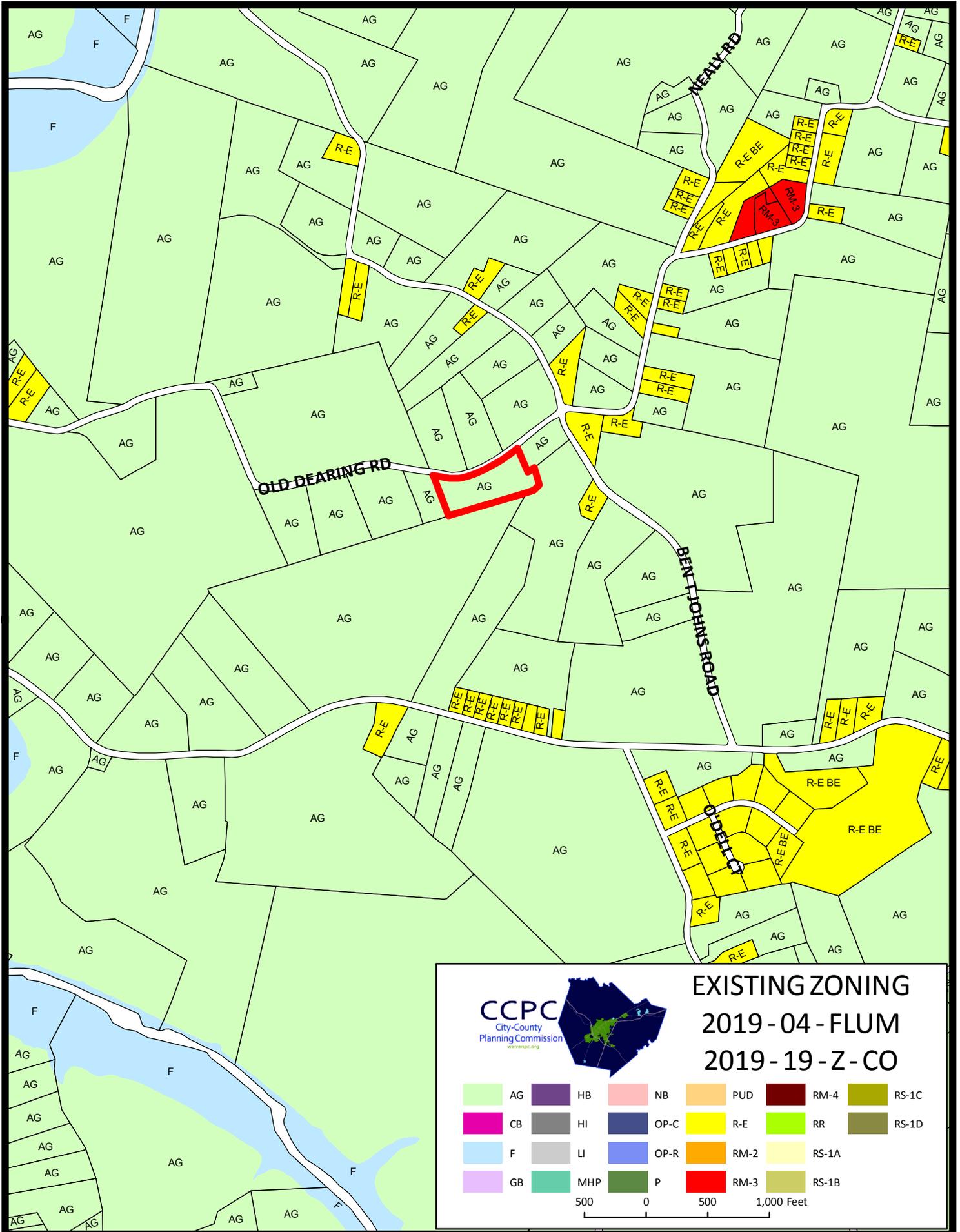


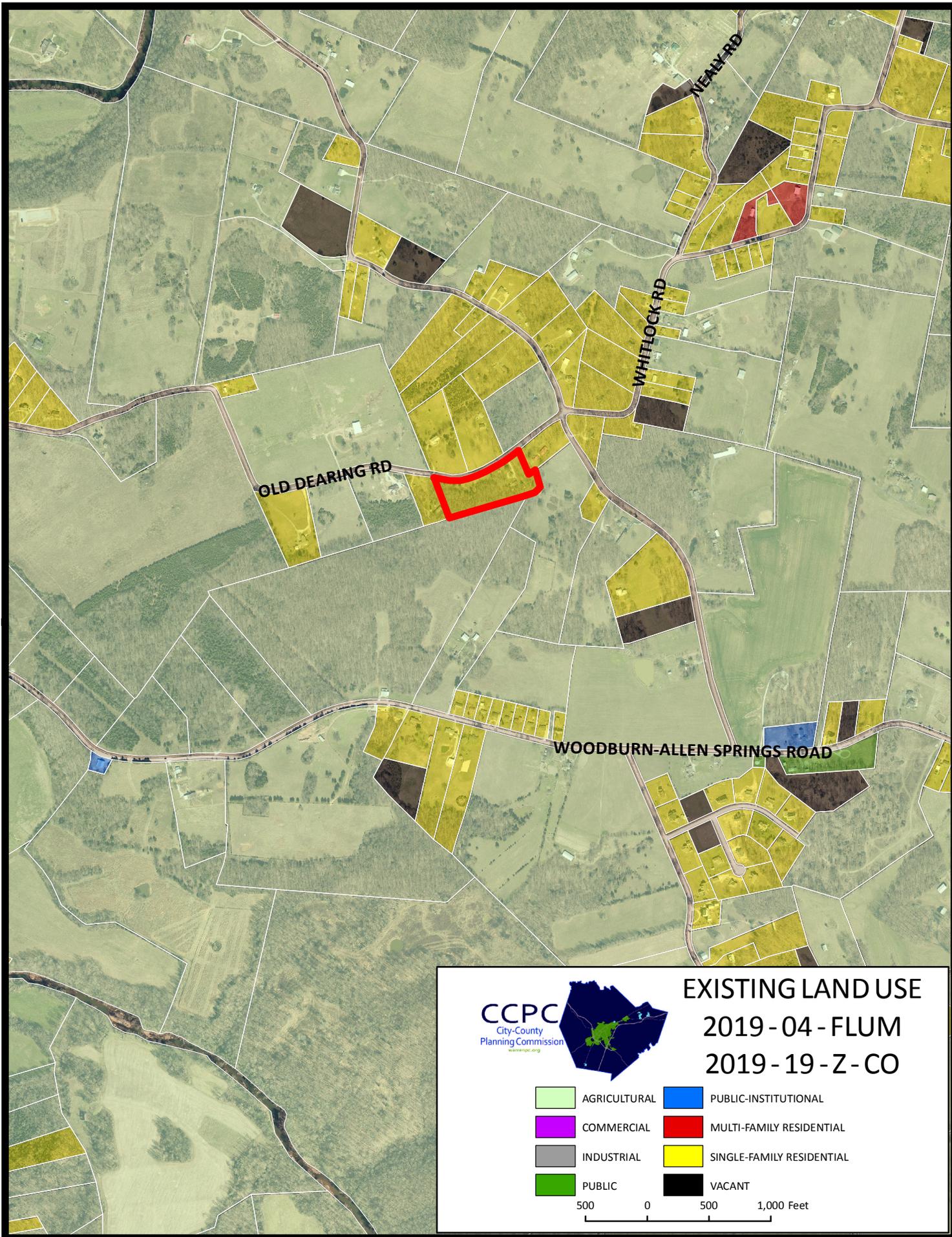
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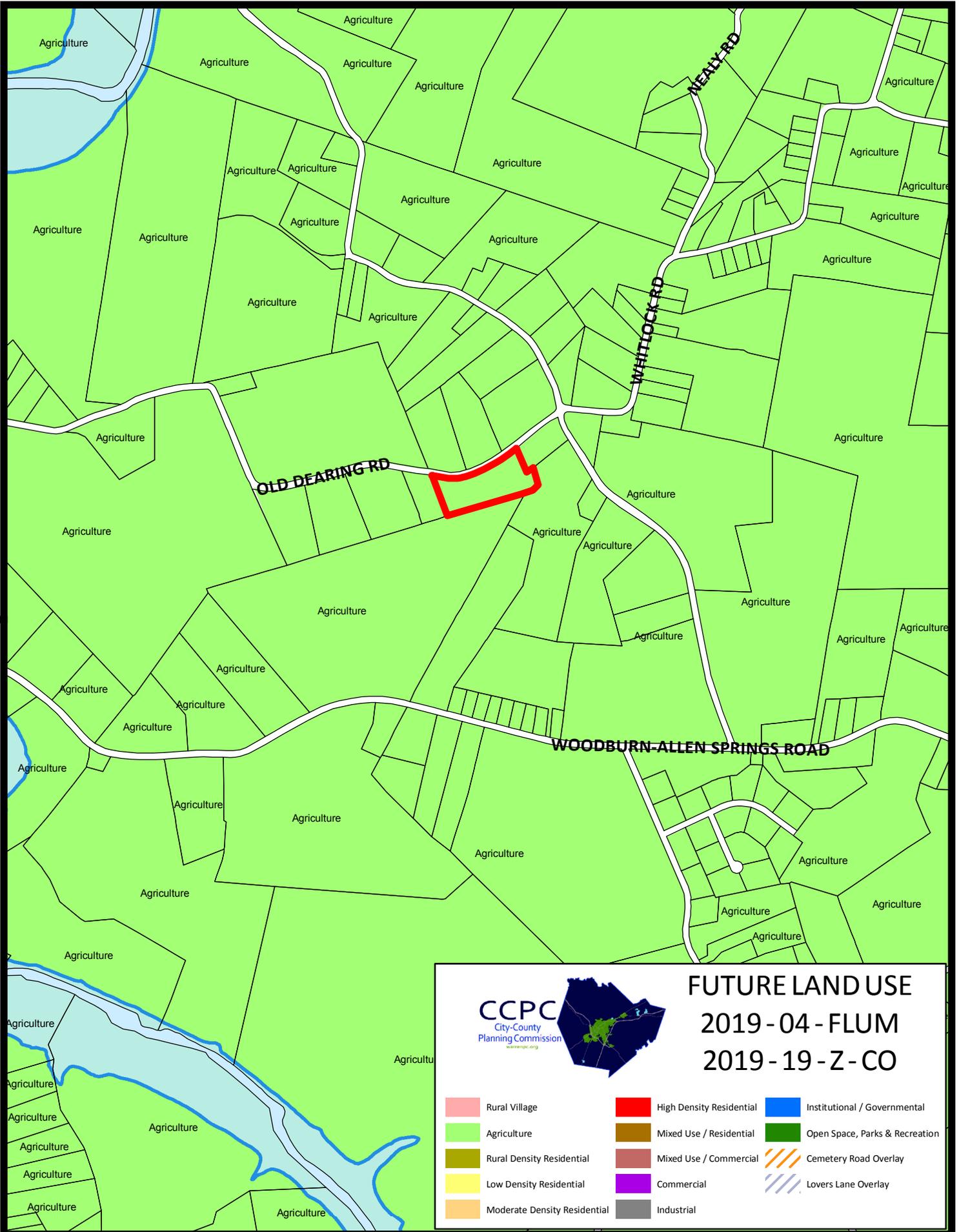
2019 - 04 - FLUM
2019 - 19 - Z - CO

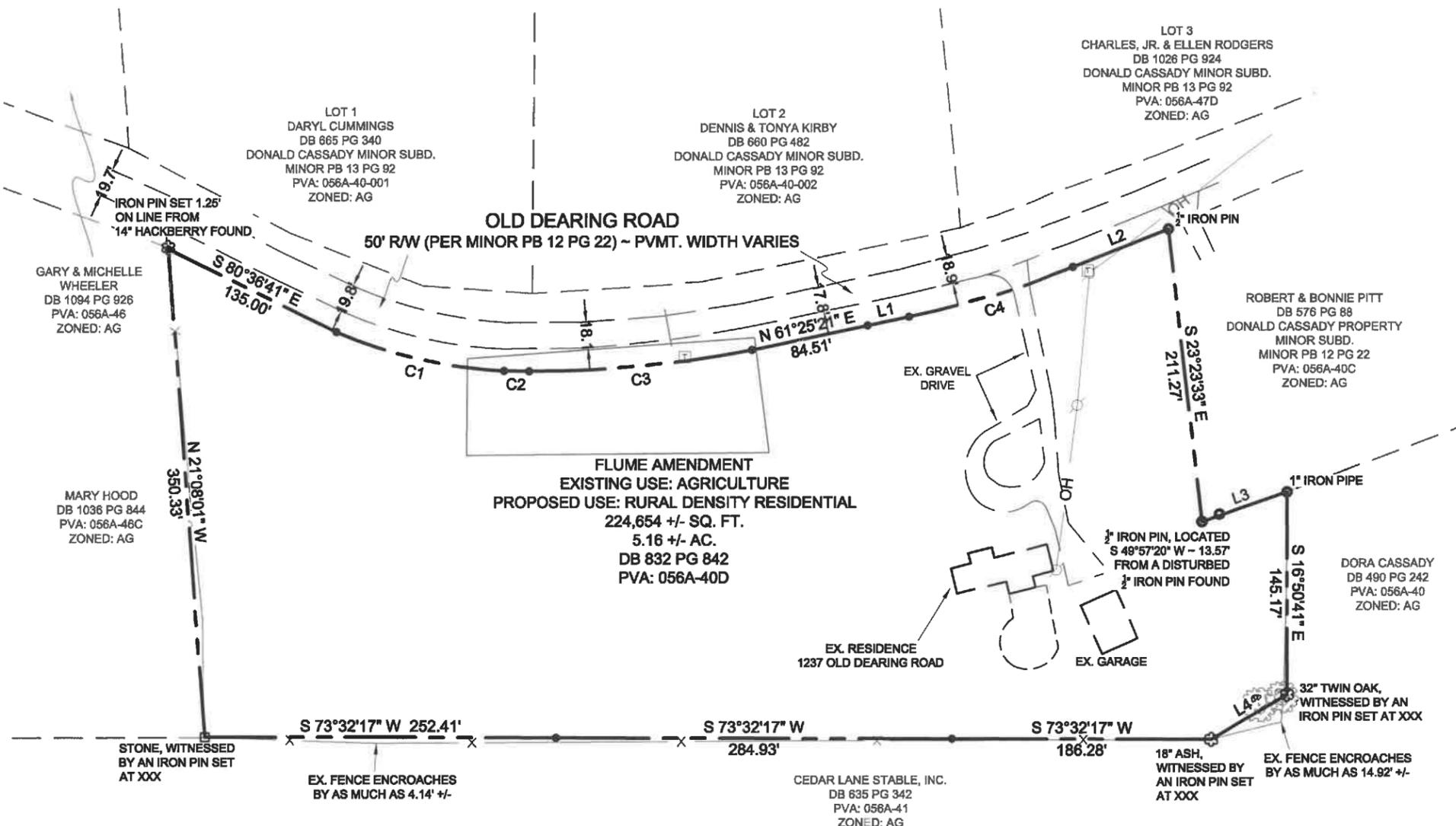
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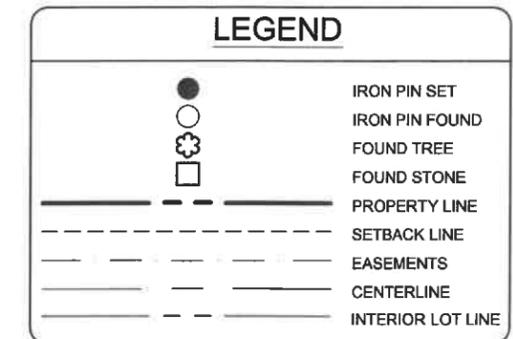






GENERAL NOTES

1. THE PURPOSE OF THIS EXHIBIT IS TO DEPICT THE PROPERTY OWNED BY EARL COLE AS PREVIOUSLY RECORDED IN DEED BOOK 832 PAGE 842 FOR WHICH A FLUM AMENDMENT FROM AGRICULTURE TO RURAL DENSITY RESIDENTIAL IS REQUESTED.
2. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON.
3. THIS EXHIBIT IS SUBJECT TO ANY AND ALL FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
4. THIS EXHIBIT IS FOR INFORMATIVE PURPOSES ONLY AND DOES NOT CONSTITUTE A BOUNDARY SURVEY. THIS EXHIBIT IS NOT TO BE USED AS AN INSTRUMENT TO TRANSFER TITLE.
5. THE PROPOSED ZONING OF THE PROPERTY SHOWN HEREON IS R-E.



PARCEL OWNER, ADDRESS & SOURCE OF TITLE

EARL COLE
1237 OLD DEARING ROAD
ALVATON, KY 42122
DEED BOOK 832 PAGE 842

FLOODPLAIN INFORMATION

THE PROPERTY SHOWN HEREON DOES NOT LIE IN A FLOOD PRONE AREA ACCORDING TO (FIRM) FLOOD INSURANCE RATE MAP FOR WARREN COUNTY, KENTUCKY. SAID AREA IS SHOWN ON MAP # 21227C0410E WITH AN EFFECTIVE DATE OF MAY 2, 2007.

BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
L1	N 61°25'21" E	30.07'
L2	N 51°38'33" E	74.44'
L3	N 54°11'32" E	64.85'
L4	S 42°57'35" W	63.36'

BOUNDARY CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	340.52'	123.55'	122.88'	N 86°30'39" E	20°47'20"
C2	810.89'	18.26'	18.26'	N 74°18'38" E	1°17'25"
C3	810.89'	161.27'	161.01'	N 67°58'04" E	11°23'43"
C4	666.61'	123.68'	123.50'	N 56°43'17" E	10°37'49"

TOTAL AREA OF SURVEY

224,654 +/- SQ. FT.
5.16 +/- ACRES



PROJECT/CLIENT: **FLUM EXHIBIT OF THE EARL COLE PROPERTY**

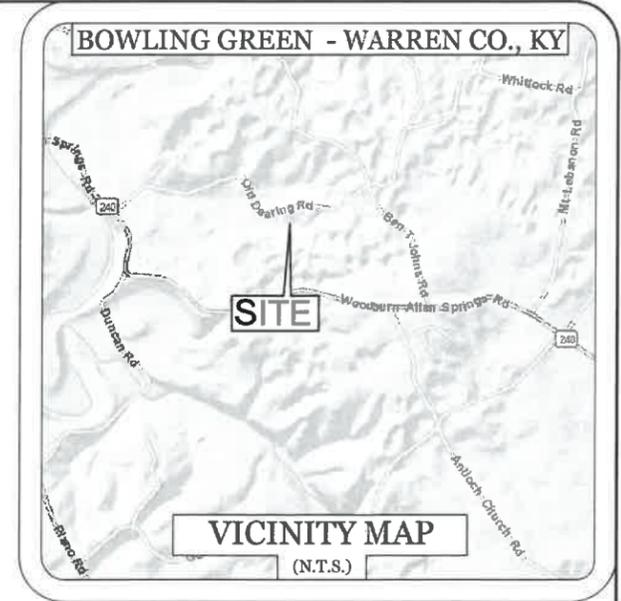
EARL COLE
1237 OLD DEARING ROAD
ALVATON, KY 42122

DRAWN BY: J. HOGUE DATE: 4-18-2019 SCALE: 1" = 100'

CHECKED BY: B. HESTER PROJECT NUMBER:

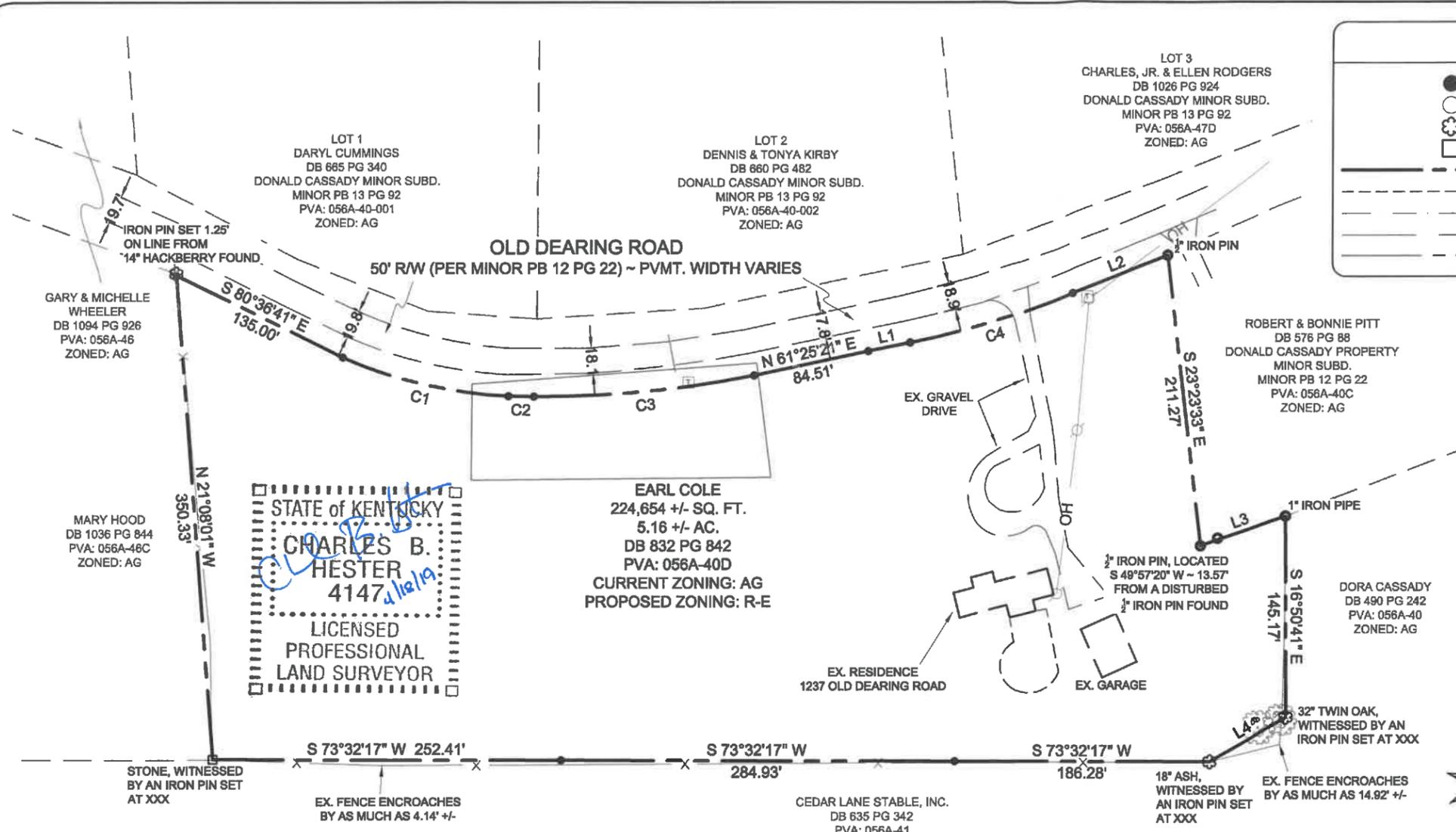
PREPARED BY:

ARNOLD CONSULTING ENGINEERING SERVICES, INC.
P.O. BOX 1338 BOWLING GREEN, KY 42101
PHONE (270) 780-9445



LEGEND

- IRON PIN SET
- IRON PIN FOUND
- FOUND TREE
- FOUND STONE
- PROPERTY LINE
- SETBACK LINE
- EASEMENTS
- CENTERLINE
- INTERIOR LOT LINE



SURVEYOR'S CERTIFICATE

I DO HEREBY CERTIFY THAT: THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY COMPLYING WITH 201 KAR 18:150; THE URBAN SURVEY SHOWN HEREON WAS COMPLETED ON APRIL 10, 2019 AND WAS PERFORMED UNDER MY DIRECTION USING APPROPRIATE GPS METHODS FOR MEASURING RECOVERED MONUMENTS AND ESTABLISHING SURVEY CONTROL, AND/OR BY THE METHOD OF RANDOM TRAVERSE; THE UNADJUSTED MATHEMATICAL ERROR OF CLOSURE OF THE TRAVERSE AND THE THEORETICAL UNCERTAINTY OF THE CORNERS ESTABLISHED MEET OR EXCEED THE REQUIREMENTS FOR A SURVEY OF THIS CLASS AS SET FORTH BY THE COMMONWEALTH OF KENTUCKY, STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS IN 201 KAR 18:150; THE BEARINGS AND DISTANCES SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR CLOSURE AND ARE BASED ON GRID NORTH AS ESTABLISHED BY STATE PLANE COORDINATES (SOUTH ZONE 1602, GEOID 12B CONUS), TAKEN FROM STATIC GPS OBSERVATION:

Charles B. Hester
 CHARLES B. HESTER, PLS 4147
 DATE: 4/10/19



FLOODPLAIN INFORMATION
 THE PROPERTY SHOWN HEREON DOES NOT LIE IN A FLOOD PRONE AREA ACCORDING TO (FIRM) FLOOD INSURANCE RATE MAP FOR WARREN COUNTY, KENTUCKY. SAID AREA IS SHOWN ON MAP # 21227C0410E WITH AN EFFECTIVE DATE OF MAY 2, 2007.

GENERAL NOTES

1. THE LOCATION OF ALL UTILITIES SHOWN HEREON ARE BASED ON THE FIELD LOCATION OF FOUND VISIBLE STRUCTURES OR AS FLAGGED OR MARKED BY THEIR RESPECTIVE UTILITY COMPANIES. THERE MAY BE OTHER UNDERGROUND UTILITIES LOCATED ON THE PROPERTY SHOWN HEREON. NO GUARANTEE IS EXPRESSED OR IMPLIED TO THE ACTUAL LOCATION OF SAID UTILITIES.
2. THE PROPERTY SHOWN HEREON IS SUBJECT TO: ANY AND ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON; ANY AND ALL FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH
3. A BOUNDARY SURVEY DOES NOT DETERMINE LAND OWNERSHIP, A PROFESSIONAL LAND SURVEYOR ONLY PROVIDES AN OPINION OF PREVIOUSLY DESCRIBED BOUNDARY LINES WHICH MAY OR MAY NOT BE UPHELD BY A COURT OF LAW. UNWRITTEN RIGHTS MAY OR MAY NOT EXIST ON SUBJECT PROPERTY
4. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON.
5. ALL IRON PINS SET ARE 1/2" X 18" PINS SET WITH 1" YELLOW PLASTIC CAP STAMPED "B. HESTER PLS 4147" UNLESS OTHERWISE NOTED
6. AT THE TIME OF THE RECORD RESEARCH CONDUCTED FOR THIS SURVEY, THE SUBJECT PROPERTY ADDRESS WAS LISTED AS 1237 OLD DEARING ROAD.
7. THE DATUM FOR THIS SURVEY IS GRID NORTH AS ESTABLISHED BY KENTUCKY STATE PLANE COORDINATES, SOUTH ZONE 1602. THE VERTICAL DATUM FOR THIS SURVEY IS NAVD 88 AS OBTAINED FROM STATIC OPUS OBSERVATION.

BOUNDARY LINE TABLE

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PARCEL OWNER, ADDRESS & SOURCE OF TITLE

EARL COLE
 1237 OLD DEARING ROAD
 ALVATON, KY 42122
 DEED BOOK 832 PAGE 842

TOTAL AREA OF SURVEY

224,654 +/- SQ. FT.
 5.16 +/- ACRES

GPS NOTE

THE SURVEY SHOWN HEREON IS BASED ON GPS DATA COLLECTED BY ACES USING BOTH STATIC & RTK METHODS WITH DUAL FREQUENCY TOPCON HIPER V (GGD) RECEIVERS. THE ENTIRETY OF THE DATA COLLECTED FOR THIS SURVEY WAS DONE SO THROUGH GPS MEANS WHEN ACCEPTABLE AND BY CONVENTIONAL MEANS, FROM GPS CONTROL POINTS WHEN NECESSARY. THE ACCURACY OF THE CONTROL POINTS USED TO LOCATE CORNER MONUMENTS BY CONVENTIONAL METHODS WAS VERIFIED BY DIRECT TOTAL STATION MEASUREMENT. REDUNDANT MEASUREMENTS WERE TAKEN TO ENSURE THE QUALITY OF THE GPS DATA USED TO ESTABLISH CORNER MONUMENTS.

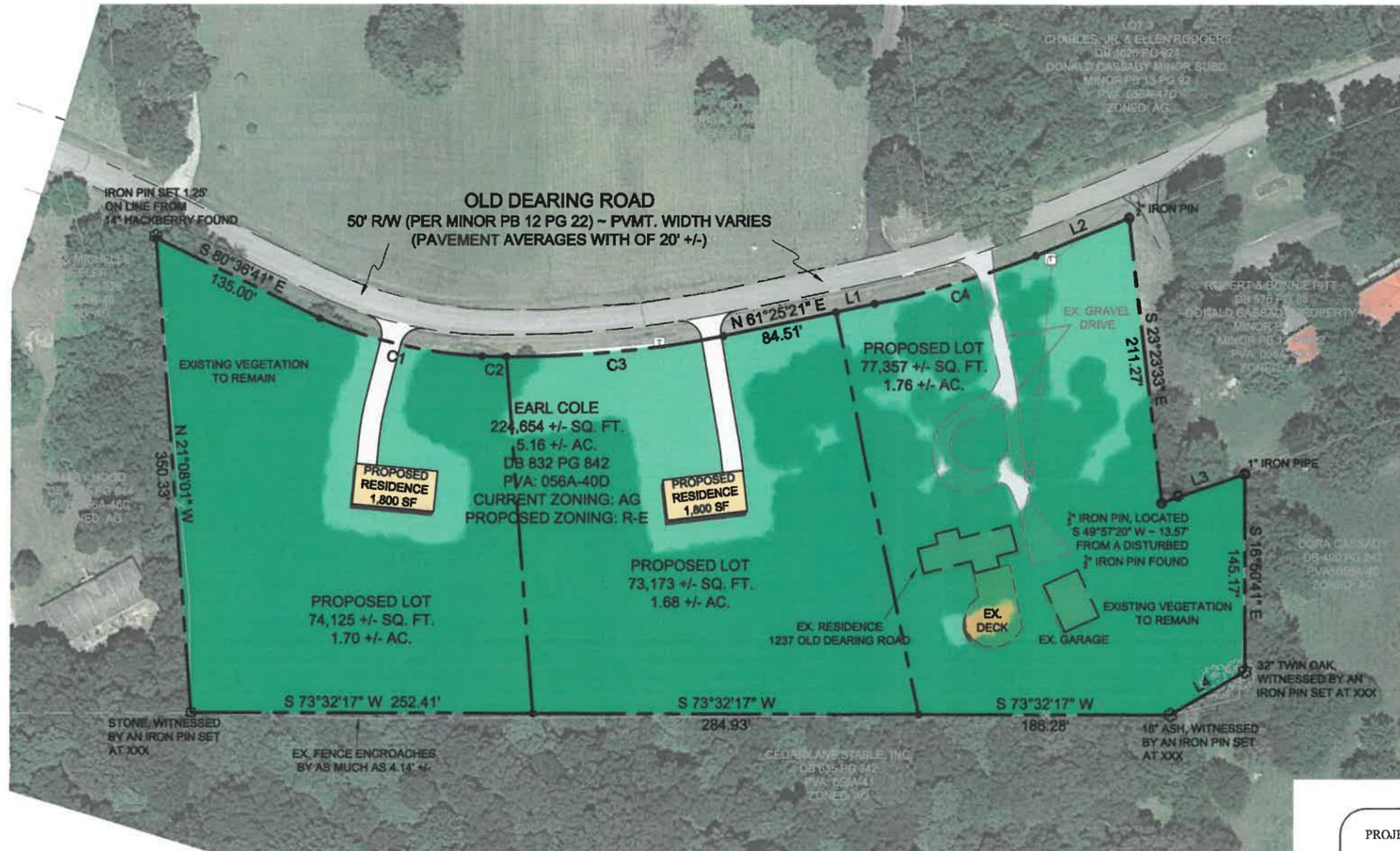
PROJECT/CLIENT: **REZONING EXHIBIT OF THE EARL COLE PROPERTY**

EARL COLE
 1237 OLD DEARING ROAD
 ALVATON, KY 42122

DRAWN BY: J. HOGUE DATE: 4-18-2019 SCALE: 1" = 100'

CHECKED BY: B. HESTER PROJECT NUMBER:

PREPARED BY: **ARNOLD CONSULTING ENGINEERING SERVICES, INC.**
 P.O. BOX 1338 BOWLING GREEN, KY 42101
 PHONE (270) 780-9445



BOUNDARY LINE TABLE

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PROJECT/CLIENT:

REZONING EXHIBIT "B"
OF THE
EARL COLE PROPERTY

EARL COLE
1237 OLD DEARING ROAD
ALVATON, KY 42122

DRAWN BY: K. CARDWELL

DATE: 4-18-2019

SCALE: 1" = 100'

CHECKED BY: B. SHIRLEY

PROJECT NUMBER:

PREPARED BY:



ARNOLD CONSULTING ENGINEERING SERVICES, INC.
P.O. BOX 1338 BOWLING GREEN, KY 42101
PHONE (270) 780-9445



APPLICATION FOR FUTURE LAND USE MAP AMENDMENT

Docket Number: 2019-04-FLUM Public Hearing Date: 5/16/2019
Date Application Filed: 4/18/2019 Pre-Application Meeting Date: 3/22/2019

APPLICANT(S) INFORMATION

1) APPLICANT(S) NAME(S): Earl Cole

Names of Officers, Directors, Shareholders or Members (If Applicable):

Mailing Address: Phone Number: Trish Pratte (POA, Sister)
Cell Number:
E-Mail Address:

2) PROPERTY OWNER(S) NAME(S): Earl Cole

Mailing Address: Phone Number: Trish Pratte (POA, Sister)
Cell Number:
E-Mail Address:

PLEASE USE ADDITIONAL PAGES IF NEEDED

3) APPLICANT(S) ATTORNEY: N/A

Name of Law Firm:
Phone Number: Cell Number:
E-Mail Address:

PROPERTY AND PROPOSED DEVELOPMENT INFORMATION

Property Address: 1237 Old Dearing Road
PVA Parcel Number: 056A-40D Current FLUM Designation: Agriculture
Acreage: 5.16 +/- Proposed FLUM Designation: Rural Density Residential

PROJECT SUMMARY

Please describe the proposed use of the property

The proposed use of the property will be for three single family residential at a density of 0.58 dwelling units per acre. With the site already containing one existing residence, there will be two new residences proposed.

FINDINGS REQUIRED FOR FUTURE LAND USE MAP AMENDMENT

In order for the Planning Commission to approve the request for a Future Land Use Map (FLUM) amendment, it must make findings of fact in support of its recommendation. Please provide a detailed explanation as to how the proposed FLUM amendment satisfies 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; or
- 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).

Please check (✓) one of the above findings of fact and cite specific evidence to address such finding in the space provided below. Please attach additional sheets if more space is needed.

The proposed amendment of the FLUM map to rural density residential will be compatible with the surrounding land uses with several lots already zoned R-E. R-E will be the proposed zoning if this FLUM map amendment is approved. This site is mostly wooded and is not prime farm land. Soils are such that prior to recording a plat to create the lots, (maximum of three) a site evaluation will be required by the Warren County Health Department. There are no historic or cultural features on the site. There are no area specific policies in the comprehensive plan for this area. Even though the site does not meet the minimum fire control standards for Warren County, with only creating three lots, this site is exempt from the requirement. One of the proposed lots already contains an existing residence. The road with does meet the minimum width of 18' with the only exception being directly in front of the existing house. At that location, the pavement width is 17.8 feet. With the existing lot size of 5.16 acres and maximum density will be 0.58 dwelling units per acre.

APPLICATION CHECKLIST

- A completed and signed Application
- Plat prepared by a licensed surveyor (please include one (1) 11" x 17" or smaller copy)
- Adjacent Property Owners Form
- Filing and Recording Fees
- Concept Plan, or Preliminary Development Plan (please include one (1) 11" x 17" or smaller copy)

APPLICANT'S CERTIFICATION

I do hereby certify that, to the best of my knowledge and belief, all application materials have been submitted and that the information they contain is true and correct. Please attach additional signature pages if needed.

Signature of Applicant(s) and Property Owner(s):

Date:

1) Earl Cole
Earl Cole owner
(please print name and title)

4/10/2019

2) Earl Cole
Earl Cole owner
(please print name and title)

4/17/2019

The foregoing signatures constitute all of the owners of the affected property necessary to convey fee title, their attorney, or their legally constituted attorney-in-fact. If the signature is of an attorney, then such signature is certification that the attorney represents each and every owner of the affected property. Please use additional signature pages, if needed.

REQUIRED FILING FEES MUST BE PAID BEFORE ANY APPLICATION WILL BE ACCEPTED

Application Fee: _____

Land Use Certificate Fee: _____

Recording Fee: _____

Date Fees Received: _____



City-County
Planning Commission
warrenpc.org



APPLICATION FOR ZONING MAP AMENDMENT

Docket Number: 2019-19-Z-CO Public Hearing Date: 5/16/2019
 Date Application Filed: 4/18/2019 Pre-Application Meeting Date: 3/22/2019

APPLICANT(S) INFORMATION

1) APPLICANT(S) NAME(S): Earl Cole

Names of Officers, Directors, Shareholders or Members (If Applicable):

Mailing Address: _____ Phone Number: Trish Pratte (POA, Sister)
 _____ Cell Number: _____
 _____ E-Mail Address: _____

2) PROPERTY OWNER(S) NAME(S): Earl Cole

Mailing Address: _____ Phone Number: Trish Pratte (POA, Sister)
 _____ Cell Number: _____
 _____ E-Mail Address: _____

PLEASE USE ADDITIONAL PAGES IF NEEDED

3) APPLICANT(S) ATTORNEY: N/A

Name of Law Firm: _____
 Phone Number: _____ Cell Number: _____
 E-Mail Address: _____

PROPERTY AND PROPOSED DEVELOPMENT INFORMATION

Property Address: 1237 Old Dearing Road
 PVA Parcel Number: 056A-40D Acreage: 5.16 +/-
 Current Zoning: AG Proposed Zoning: R-E
 FLUM Designation: Agriculture (proposed FLUM amendment to Rural Density Residential)

PROJECT SUMMARY

Please describe the proposed use of the property

The proposed use of the property will be for three single family residential at a density of 0.58 dwelling units per acre. With the site already containing one existing residence, there will be two new residences proposed.

FINDINGS REQUIRED FOR ZONE CHANGE

In order for the Planning Commission to make a recommendation for a zoning map amendment, it must make findings of fact in support of its recommendation. Please provide a detailed explanation as to:

- What major economic, physical or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and which have substantially altered the basic character of the area, which make the proposed amendment to the Official Zoning Map appropriate. This explanation shall contain a list of such specific changes, a description as to how said changes were not anticipated by the comprehensive plan, a description as to how said changes have altered the basic character of the area and a description as to how said changes make the proposed amendment to the official zoning map appropriate; or
- Why the original zoning classification of the property in question is inappropriate or improper; or
- How the proposed zoning map amendment is in agreement with the FOCUS 2030 Comprehensive Plan, Including the Future Land Use Map (Please see attached Comprehensive Plan Compliance Checklist).

Please check (✓) one of the above findings of fact and cite specific evidence to address such finding in the space provided below. Please attach additional sheets if more space is needed.

Whereas the subject property consists of 5.16 acres, and any remaining land resulting from further division of said property would be under the minimum required 5 acres for AG zoning, the proposed subdivision of the subject property would not meet the current zoning classification (AG). For this reason, it is the desire of the owner to rezone the subject property from AG to R-E to allow for a maximum of three lots, each to be more than one acre. There is an existing house on one of the proposed lots and there will be a maximum of two additional residence. Please see the attached Development Plan Conditions.

APPLICATION CHECKLIST

- A completed and signed Application
- Plat prepared by a licensed surveyor (please include one (1) 11" x 17" or smaller copy)
- Adjacent Property Owners Form
- General Development Plan (please include one (1) 11" x 17" or smaller copy)
- Development Plan Conditions
- Written Narrative Detailing Compliance with Findings Required for Zone Change on Page 2
- Application Fees
- Water/Sewer Verification
- Traffic Impact Study (If Applicable)
- Geologic Analysis (Heavy Industrial development with a DRASTIC Index > 160)
- Neighborhood Meeting Date (If Conducted): _____

APPLICANT'S CERTIFICATION

I do hereby certify that, to the best of my knowledge and belief, all application materials have been submitted and that the information they contain is true and correct. Please attach additional signature pages if needed.

Signature of Applicant(s) and Property Owner(s):

Date:

1) *Earl Cole*
Earl Cole owner
(please print name and title)

4/17/2019

2) *Earl Cole*
Earl Cole owner
(please print name and title)

4/17/2019

The foregoing signatures constitute all of the owners of the affected property necessary to convey fee title, their attorney, or their legally constituted attorney-in-fact. If the signature is of an attorney, then such signature is certification that the attorney represents each and every owner of the affected property. Please use additional signature pages, if needed.

REQUIRED FILING FEES MUST BE PAID BEFORE ANY APPLICATION WILL BE ACCEPTED

Application Fee: _____

Land Use Certificate Fee: _____

Date Fees Received: _____

Pre-Application Conference Information

Date: March 22, 2019

CCPC

City-County
Planning Commission
warrenpc.org



PROPERTY INFORMATION

Attendees: Perry Thessen

Property Location: 1237 Old Dearing Road PVA Parcel #(s): 056A-40D

Property Owner(s): Earl Cole Contract Vendee(s): _____

Current Zoning: AG Proposed Zoning: R-E

Current Land Use: Agriculture Proposed Land Use: Single Family

APPLICATION TYPE

- Zoning Map Amendment
- FLUM Amendment to: Rural Density Residential
- Development Plan/ Development Plan Conditions Amendment
- Conditional Use Permit
- Variance
- Other _____

ADDITIONAL DOCUMENTATION REQUIRED

- Traffic Impact Study
- Development Plan Conditions
- General Development Plan
- Water / Sewer Verification
- Geologic Analysis
- Other _____

COMPREHENSIVE PLAN / FLUM COMPLIANCE REVIEW

(FLUM and Category Descriptions are Attached)

FLUM Designation

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Agriculture | <input type="checkbox"/> Rural Density Residential | <input type="checkbox"/> Low Density Residential |
| <input type="checkbox"/> Moderate Density Residential | <input type="checkbox"/> High Density Residential | <input type="checkbox"/> Mixed-Use / Residential |
| <input type="checkbox"/> Mixed-Use / Commercial | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Institutional / Governmental | <input type="checkbox"/> Open Space, Parks & Recreation | <input type="checkbox"/> Rural Village |
| <input type="checkbox"/> Special Focal Point Plan / FLUM | | |

Applicable Goals, Objectives and Action Items

Future Land Use

- | | | | |
|--|--|--|-----------------------------------|
| <input checked="" type="checkbox"/> LU-1.1.1 | <input checked="" type="checkbox"/> LU-1.1.2 | <input checked="" type="checkbox"/> LU-1.1.3 | <input type="checkbox"/> LU-1.1.4 |
| <input checked="" type="checkbox"/> LU-2 | <input type="checkbox"/> LU-2.1 | <input type="checkbox"/> LU-2.1.1 | <input type="checkbox"/> LU-2.1.2 |
| <input type="checkbox"/> LU-2.1.3 | <input checked="" type="checkbox"/> LU-2.1.4 | <input checked="" type="checkbox"/> LU-2.3.1 | <input type="checkbox"/> LU-2.3.4 |
| <input type="checkbox"/> LU-2.4 | <input type="checkbox"/> LU-2.5 | <input type="checkbox"/> LU-2.5.2 | <input type="checkbox"/> LU-2.5.3 |
| <input type="checkbox"/> LU-2.8 | <input type="checkbox"/> LU-2.8.1 | <input type="checkbox"/> LU-2.9 | <input type="checkbox"/> LU-2.10 |

Transportation

- | | | | |
|---------------------------------|---------------------------------|-------------------------------|-------------------------------|
| <input type="checkbox"/> TR-1.1 | <input type="checkbox"/> TR-2.1 | <input type="checkbox"/> TR-3 | <input type="checkbox"/> TR-4 |
|---------------------------------|---------------------------------|-------------------------------|-------------------------------|

Community Facilities

- | | | | |
|----------------------------------|---------------------------------|--|--|
| <input type="checkbox"/> CF-1.1 | <input type="checkbox"/> CF-1.4 | <input checked="" type="checkbox"/> CF-2.6 | <input checked="" type="checkbox"/> CF-5.3 |
| <input type="checkbox"/> CF-10.1 | | | |

Parks and Recreation

- | | | | |
|--|---------------------------------|-------------------------------|---------------------------------|
| <input checked="" type="checkbox"/> PR-1.7 | <input type="checkbox"/> PR-1.8 | <input type="checkbox"/> PR-3 | <input type="checkbox"/> PR-5.2 |
|--|---------------------------------|-------------------------------|---------------------------------|

Natural and Cultural Resources

- | | | | |
|---|---|---|---|
| <input checked="" type="checkbox"/> NCR-1.1 | <input checked="" type="checkbox"/> NCR-1.1.6 | <input checked="" type="checkbox"/> NCR-1.3 | <input type="checkbox"/> NCR-1.4 |
| <input type="checkbox"/> NCR-2.1 | <input type="checkbox"/> NCR-2.2 | <input type="checkbox"/> NCR-2.4 | <input checked="" type="checkbox"/> NCR-2.4.1 |
| <input type="checkbox"/> NCR-2.4.3 | <input type="checkbox"/> NCR-2.5 | <input type="checkbox"/> NCR-2.5.3 | |

Housing and Neighborhoods

- | | | | |
|---------------------------------|---------------------------------|---------------------------------|--|
| <input type="checkbox"/> HN-1 | <input type="checkbox"/> HN-1.2 | <input type="checkbox"/> HN-1.3 | <input checked="" type="checkbox"/> HN-2.1 |
| <input type="checkbox"/> HN-2.3 | <input type="checkbox"/> HN-3.2 | <input type="checkbox"/> HN-3.6 | <input checked="" type="checkbox"/> HN-4 |
| <input type="checkbox"/> HN-6 | | | |

Economic Development

- | | | | |
|---------------------------------|---------------------------------|-------------------------------|---------------------------------|
| <input type="checkbox"/> ED-1 | <input type="checkbox"/> ED-1.8 | <input type="checkbox"/> ED-3 | <input type="checkbox"/> ED-4.5 |
| <input type="checkbox"/> ED-9.1 | <input type="checkbox"/> ED-9.3 | | |

Pre-Application Conference Information



SITE CHARACTERISTICS REVIEW

Layout, Lot Sizes and Setbacks

- Internal Street(s): n/a
- Proposed Setbacks: 25' front, 10' side/rear
- Minimum Lot Size: 1 acre
- Minimum Lot Width: 100'

Transportation Infrastructure

What type of Roadway will serve the proposed development?

- Warren County
- Bowling Green
- KYTC
- Other _____

What is the road width of the roadway that will serve the development? 16-17' +/-

Fire Protection / Water Adequacy

Does the proposed development meet the minimum requirements? YES NO

- All property located within the designated Bowling Green / Warren County Urbanized Area: 600 gallons per minute at 20 pounds of residual pressure.
- All property located outside the designated Bowling Green/ Warren County Urbanized Area: 250 gallons per minute with 20 pounds of residual pressure for Agriculture, Rural Residential and/or Residential Estate districts and 600 gallons per minute at 20 pounds of residual pressure for all other districts.

Wastewater Considerations

- Public Sewer Available
- Property within 2,000' of Public Sewer
- On-Site Septic System

Natural Features

Are there any natural features present on the property (i.e. streams, ponds, woodlands, sinkholes, etc.)?

The majority of the property is heavily wooded. There is also a sinkhole located along the western portion of the property.

Soil Suitability BaD (95% of property), BaC (5%)

How is the property classified in terms of soil suitability (See Figure 27, APP-63)?

- Not Limited
- Somewhat Limited BaC
- Very Limited BaD

Prime Farmland BaD - not prime farmland, BaC - Statewide importance

How is the property classified in terms of farming suitability (See Figure 28, APP-64)?

- Prime Farmland
- Prime Farmland if Protected from Flooding
- Farmland of Statewide Importance
- Not Prime Farmland
- Unclassified

Flood Plains and Wetlands

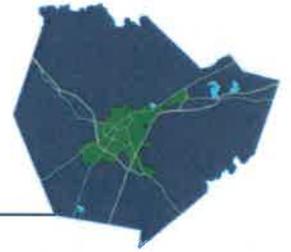
Is the property (or a portion of the property) located within a flood plain or wetland? YES NO

Cultural and Historical Features

Are there any cultural/historical features located on the property (i.e. cemetery, historic structure, etc.)?

none.

Pre-Application Conference Information



SITE DESIGN AND COMPATIBILITY REVIEW

Surrounding Density: The majority of the area is comprised of large, agricultural tracts. There are a handful of smaller residential lots also located in the vicinity.

Surrounding Land Uses: Agriculture and Single Family Residential

Surrounding Architectural Features: The majority of the structures in the area are 1 story. There are also a couple of 1 1/2 and two story structures located nearby

Building Materials: The majority of the residential structures in the area are vinyl. There are also several brick structures and a couple of metal agricultural buildings located in the general vicinity.

Building Orientation: The existing home faces Old Dearing Road. New structures should also face Old Dearing Road.

Landscaping / Screening: n/a

Proposed Open Space: Minimum 70% per lot in R-E zone

Connectivity: n/a

Pedestrian, Bicycle or Transit Facilities: n/a

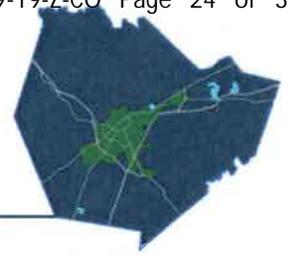
AREA SPECIFIC POLICY REVIEW YES NO

Is the property located within the boundary of any special Focal Point Plans, Overlay Districts, etc?

- | | |
|---|---|
| <input type="checkbox"/> Cemetery Road Overlay District | <input type="checkbox"/> Walnut Valley Focal Point Plan |
| <input type="checkbox"/> Lovers Lane Overlay District | <input type="checkbox"/> Cedar Ridge Focal Point Plan |
| <input type="checkbox"/> Scottsville Road Corridor Study Area | <input type="checkbox"/> Smiths Grove Focal Point Plan |
| <input type="checkbox"/> Woodburn Focal Point Plan | <input type="checkbox"/> Oakland Focal Point Plan |

STAFF NOTES

- Would like to subdivide property into 3 lots
 - If lot is 5 acres or greater, a FLUM amendment to Rural Density Residential is required.
 - The property is currently served by less than 250 GPM and does not meet minimum requirements for fire protection in WC (although up to 4 lots are exempt).
 - Old Dearing Road is < 18' in width, which is less than current County requirements for roadways in WC
 - The property is comprised mainly of a soil type classified as very limited regarding septic tank absorption fields.
 - prohibit mobile and manufactured homes
 - Max # of Lots 3



FLUM AND CATEGORY DESCRIPTIONS

Future Land Use

Objective LU-1.1.1: 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-1.1.1.1: 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.

Action LU-1.1.1.2: 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:

Agriculture (AG)

This land use designation applies to those rural areas relatively remote from the expanding rural-suburban fringe, where agriculture 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 units 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 where each unit is platted on its own individual lot, with gross densities ranging from zero 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 and attached (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. High density single family may also be acceptable at five and a half (5.5) dwelling units per acre or greater.

Pre-Application Conference Information



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 multifamily 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 25% of any contiguous area designed Commercial should contain a multifamily uses. 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

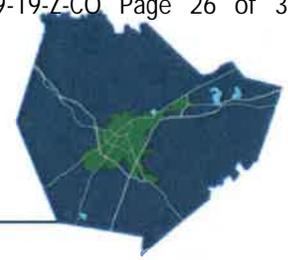
This category applies to mixed-use areas where, taken as a whole, the primary land use is residential in a variety of housing types and densities, balanced by complementary retail, office, institutional and civic uses. The distribution of land among these various activities shall be implemented through 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 with the primary use as residential where complementary commercial and services 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 of 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 predominately 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 as 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 of up to 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 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 / Government

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, Park 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.

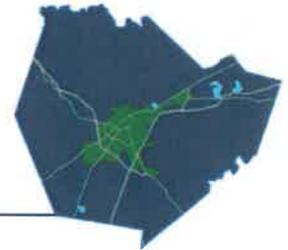
Rural Village

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 only comprise of no more than 10% of any such development. Standalone commercial development should not exceed more than 25% of any contiguous area designated Rural Village. Limited moderate density multifamily uses may be appropriate in some areas if limited in size and scale. Compatibility will be assessed by applying policies in LU-1.1.3 below, in conjunction with a general development plan, and by applying specific polies 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, CB, PUD
Mixed-Use / Commercial	50% of contiguous area	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, RM-4, OP-C, HB, LI, PUD
Industrial	Not allowed	OP-C, HB, LI, HI
Institutional / Government	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 buffering 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)

Pre-Application Conference Information



- ❖ 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 single family non-conforming parcels that are less than 5 acres in size, and 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).

Pre-Application Conference Information



Goal LU-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.

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).

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-2.3.1: 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-2.3.4: 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.

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.

Objective LU-2.5: Stabilize and protect Bowling Green's older neighborhoods.

Action LU-2.5.2: Prepare guidelines to ensure the compatibility of infill development, particularly next to historic structures and sites.

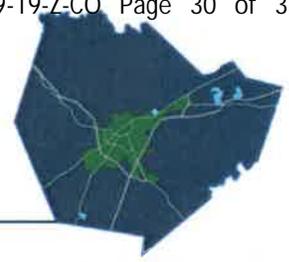
Action LU-2.5.3: Continue to identify and promote opportunities for revitalization and redevelopment.

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.

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).

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

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



Transportation

Action TR-1.1: In reviewing development applications, identify the need to retain rights-of-way for roadways depicted in the long-range plans of the MPO and the KYTC.

Action TR-2.1: Continue to require that all private and public development is undertaken in a manner which promotes connectivity and minimizes traffic congestion on the existing road network, by implementing measures such as (but not limited to) the following:

- o Adjacent developments shall provide for internal circulation between them in accordance with the subdivision regulations.
- o At least one stub street should be constructed into each adjacent undeveloped property of 10 acres or more. The design of future alignment of street extensions onto adjacent tracts should benefit the surrounding community. Subsequent development of these adjacent tracts shall connect to the original stub street.
- o Access to existing collector and arterial roads shall be provided by newly constructed public streets spaced not closer than 600 feet on collectors and not closer than 1,320 feet on arterials.
- o All residential developments of 10 lots or more shall be served by an interior street system.
- o Development within the City limits of Bowling Green shall comply with the City's adopted Traffic Access Management Manual.

Objective TR-3: Pedestrian and Bicycle Mobility: Promote pedestrian and bicycle mobility through an integrated network of sidewalks, paths and trails and through the encouragement of bicycle and pedestrian-friendly streets and land use and development patterns.

Objective TR-4: Transit System: Expand opportunities for transit alternatives to auto-dependence for local, citywide, countywide and regional travel.

Community Facilities

Action CF-1.1: Proactively plan all public facilities to support desired land use patterns. Complete plans within timeframes sufficient to allow strategies for meeting future needs to be implemented before current planned capacities are exceeded.

Action CF-1.4: Consider establishing a process for coordinated development review with utility providers, Planning Commission staff, parks department representatives, school district representatives, postal service representatives, fire and police representatives and other such relevant agencies, to expedite and more effectively coordinate development reviews.

Action CF-2.6: On-site sewage disposal systems may continue to be used provided that:

- o The Health Department must perform a site evaluation to determine the location, size and type of on-site system to install.
- o The site evaluation must be performed and the on-site disposal system located on the site before obtaining a building permit.
- o Every on-site disposal system installation, regardless of lot size, must be approved by the Health Department.

Action CF-5.3: Any new subdivision encompassing 5 lots or more shall be required to provide a minimum fire flow of 250 GPM. An exemption for subdivisions consisting of no more than 4 lots will continue to apply.

Action CF-10.1: Promote technologies that reduce the impact of development and human activities on the environment, including sustainable development patterns, green building (e.g., encourage the use of green technologies in new construction, but also place an emphasis on adaptive reuse of existing buildings, and responsible deconstruction and reuse of building materials), alternative transportation, etc.

Pre-Application Conference Information

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Planning Commission
warrenpc.org



Parks and Recreation

Action PR-1.7: As necessary, review and enhance standards for new residential developments to ensure:

- Connectivity of open spaces to the County's greenways system.
- Protection of stream corridors and floodplains.
- Protection and enhancement of tree canopy.

Action PR-1.8: Adopt conservation/cluster subdivision design provisions to encourage the protection of open space, farmland, and rural character, making this approach an attractive alternative to conventional development in the AG zoning district.

Objective PR-3: Continue to implement the Greenbelt System Master Plan and other programs that support bicycle and pedestrian recreation and mobility.

Action PR-5.2: Provide and encourage appropriate levels of public access and amenities along the County's blueways, where feasible.

Natural and Cultural Resources

Objective NCR-1.1: Review and, as necessary, modify the land development regulations to ensure that land use and development decisions consider the physical suitability and natural resources of individual sites or areas anticipated for development.

Action NCR-1.1.6: Consider amending the Zoning Ordinance and/or Subdivision Regulations to include standards and incentives for the protection of existing trees on infill and redevelopment sites before, during and after land development. The standards should take into account the health and maturity of existing trees to determine whether trees should remain in place, may be removed, or should be relocated (either on- or off-site) upon development.

Objective NCR-1.3: Ensure that development is compatible with the natural environment, preserves unique landscapes and natural areas, conserves environmental resources and minimizes human impact on the natural environment.

Objective NCR-1.4: Take advantage of local natural resources to create, protect, and enhance, and maintain recreational, educational, and cultural opportunities and activities, as long as such uses are compatible with those resources.

Objective NCR-2.1: Gather, analyze and continuously update data about Warren County's unique cultural resources.

Objective NCR-2.2: Support educational efforts to increase awareness of Warren County's cultural resources and to foster their preservation.

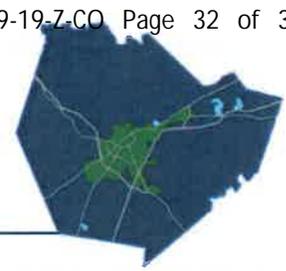
Objective NCR-2.4: Implement strategies and tools to preserve and enhance Warren County's rural and agricultural heritage, including its agricultural landscapes and viewsheds, rural village centers, rural landmarks, and scenic rural corridors, etc.

Action NCR-2.4.1: Use the Future Land Use Map, together with the policies in the Land Use, Transportation, and Community Facilities elements, in particular, to direct development first to areas where infrastructure already exists, in order to reduce the premature development pressure on the countryside.

Action NCR-2.4.3: Adjust zoning and subdivision regulations to require development in rural village centers to be compatible in design and placement with existing surrounding structures, and to contribute to the historic character of the community.

Objective NCR-2.5: Promote the economic viability and vitality of historic neighborhoods, historic districts, and rural landscapes, adjusting local government decision-making processes, as necessary, to adequately consider cultural resources and historic preservation.

Action NCR-2.5.3: Consider cultural historical resources in applicable development review.



Housing and Neighborhoods

Objective HN-1: Promote the development of infill sites with existing urban services and suitable redevelopment projects that maintain or improve existing character, development patterns and urban design.

Action HN-1.2: Establish in the Zoning Ordinance clear compatibility criteria for new redevelopment and infill projects based on factors such as (but not limited to): building scale (massing, height), setbacks, parking location, landscaping and architectural character. Criteria may also include such items as requirements for compatible densities, street patterns, etc. (e.g., average density of new development should not exceed the density by more than 50 percent of the surrounding area, defined as that area located within a 1,000 foot radius).

Action HN-1.3: Continue to identify and promote opportunities for infill and redevelopment, particularly projects which may strengthen existing neighborhoods and districts.

Action HN-2.1: Promote the diversification of new housing stock by applying variable zoning densities and allowing a range of housing types in suitable locations, consistent with the Future Land Use Map. (e.g., mixed-use centers, etc.).

Action HN-2.3: Where housing is in severe disrepair to the point that rehabilitation is financially unfeasible, explore the possibility of acquiring and razing the structure to facilitate developing new housing for low and moderate-income families. In cases of residential structures with historical significance, a higher threshold should apply for determining that rehabilitation is financially unfeasible.

Action HN-3.2: Make revitalization of the "Shake Rag" neighborhood a priority, including housing rehabilitation activities, streetscape improvements, residential infill development, relocation of selected businesses, relocation of overhead utility lines, creation of a "heritage walk" from Fountain Square to the Barren Riverfront, development of minority-owned businesses and identification of historic properties.

Action HN-3.6: Revisit and, as necessary, adjust zoning in neighborhoods which are predominantly single family, but designated for multi-family use. Characteristics of existing zoning designations that may need to be adjusted could include, but are not limited to: (a) failure to protect the primarily single-family neighborhood from more intensive development; and/or (b) failure to promote new residential development that is sensitive in scale, form, and density to the established neighborhood character.

Objective HN-4: Encourage an array of housing options in all parts of Warren County.

Objective HN-6: Provide for the housing needs of the elderly, disabled and those in need of transitional housing.

Economic Development

Objective ED-1: Pursue actions to strengthen core industries, retain existing businesses and industries in the community and attract new businesses and industries, particularly those that will help to diversify the local economy.

Action ED-1.8: Encourage the development and expansion of healthcare facilities and support facilities for those of retirement age.

Objective ED-3: Support local small businesses, entrepreneurial endeavors and industries.

Action ED-4.5: Allow and encourage agri-tourism, farmers' markets, local Co-ops and community supported agriculture (CSAs), farmstands, accessory farm businesses, agricultural festivals, equestrian events and other activities that help to support a viable agriculture economy.

Action ED-9.1: Support new cultural and entertainment venues, such as the development of a whitewater course on the Barren River, and completion of the Heritage Trail (a walking path from Fountain Square to the Riverfront), in Downtown Bowling Green, that complement current establishments such as the minor league baseball stadium, the Southern Kentucky Performing Arts Center and the Historic Railpark and Train Museum.

Action ED-9.3: Consider the need for tourist support facilities (hotels, restaurants, etc.) when making land use and zoning decisions.

Rachel Hurt

From: Rachel Hurt
Sent: Tuesday, April 30, 2019 11:51 AM
To: 'Brian Shirley'; 'best
Subject: Staff Comments: Proposed FLUM Amendment and Zone Change - 1237 Old Dearing Road
Attachments: image002.png

Good Morning,

In reviewing the proposed applications for a FLUM amendment and rezoning of the property located at 1237 Old Dearing Road, staff has generated the following comments for your consideration:

- Proposed development plan condition (DPC) #2 outlines minimum square footage for residences on the property. The PVA lists the existing residence at 1,000 square feet, which does not comply with this proposed condition. Will the existing home remain? If so, would you consider revising this DPC accordingly?
- Proposed DPC #3 outlines a minimum/maximum attached garage requirement. PVA records indicate that the existing home has a two-car detached garage. If the existing home/garage are to remain, would you consider revising this DPC accordingly?
- Proposed DPC #5 appears to have a typo. "Each lot **will may** be permitted to have..." Please confirm which is correct/revise accordingly.

To ensure timely delivery of meeting materials to our Planning Commissioners, please submit any revisions you may have no later than **Tuesday, May 7th at 12:00 PM.**

Please let me know if you have any questions or concerns regarding the above comments. I am happy to assist however I can!

Sincerely,

Rachel Hurt
Planner III



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Bowling Green, KY 42101
270.842.1953