

## I. Introduction

The land use element of a comprehensive plan is most often used as part of the process to change a property's zoning classification; that process generally referred to as the rezoning process. KRS 100.213 requires that a proposal to change zoning classifications be evaluated for compliance with the adopted comprehensive plan. This plan, as depicted in Map 14 "Proposed Land Use", provides guidance as to geographic or locational appropriateness for land use in Spencer County. This section provides additional guidance in the form of narrative guidelines both generally applicable to all development in Spencer County and applicable to each of the land use categories as shown on Map 14 "Proposed Land Use".

## II. Area Wide Development Policies

The following development policies apply to all development within the community. They apply equally to development occurring in areas heretofore undeveloped and infill development proposals. These policies are generally applicable across planning areas and are listed separately in this section so that they need not be repeated in the sections applicable specifically to those areas.

- A. New development and redevelopment within the 100 year floodplain is discouraged. Any necessary development within the 100 year floodplain should incorporate mitigation measures that minimize its impact on the floodplain and protect the development from flood damage.
- B. Areas proposed for development should be assessed for the presence of sinkholes. Where sinkholes are found, development, although not discouraged, should incorporate appropriate measures so as to minimize the impact on ground water and to avoid structural instability.
- C. Development should occur in areas where there is existing infrastructure and public services or where they are easily provided in order to minimize public costs associated with those services.
- D. Reuse and redevelopment of existing parcels and structures, versus development of vacant parcels, is encouraged. Such projects, when involving appropriate uses and densities, should require minimal review.
- E. Except as otherwise provided, the size and scale of all development and redevelopment should reflect and be complimentary to the character and style of surrounding developed areas, in particular development in rural areas should reflect agricultural or rural characteristics.
- F. Developers should incorporate where possible and practicable the protection of all natural resources into their development proposals to create unique additions to the community while protecting the natural environment. These natural resources include but are not limited to questionable soil types, wetlands, floodplains and steep slopes.

- G. New, large scale commercial and industrial development should occur only in areas where sanitary sewers are available from public agencies and can meet the additional demand as determined by those agencies.
- H. New development should occur only where there is adequate public water supply and pressure for fire protection services, the finding of adequacy based on data from and the opinion of the water provider.
- I. Extensions of utility service will be the responsibility of developers with public agency participation possible where utility service extensions are needed and desired to serve larger areas and are appropriate future expansions of the utility.
- J. Access points along major arterials from new developments should be minimized to the extent possible. New developments should be interconnected with existing developed areas and allow for interconnection with adjacent undeveloped areas in order to provide alternative means of ingress and egress as well as to allow efficient means of providing public services.

### III. Proposed Land Use – Categories

As stated above, Map 14 “Proposed Land Use” provides guidance as to the appropriate locations for various land use categories. In the following sections guidelines for development and infrastructure policies are provided for each of categories as depicted on Map 14. By using these guidelines and policies the Planning Commission and the appropriate legislative bodies can discern between various development proposals; those meeting the guidelines and policies and those less desirable.

#### A. High Density Residential Area

##### Development Policies/Guidelines:

Guideline 1 – Infill development should be encouraged that preserves or enhances the character of the surrounding neighborhood. Such development should be similar to existing or planned uses in terms of density and/or intensity, architectural and landscape elements and other aspects of site design.

Guideline 2 – The abandonment of streets and street rights-of-way within neighborhoods should be discouraged unless it can be clearly demonstrated that the closure will not have an adverse impact on traffic circulation or the character of the neighborhood. Provide interconnectivity of neighborhood streets.

Guideline 3 – The width and depth of lots and placement of structures on lots should be similar to other lots and structures within the same block face

and/or opposing block face. It is appropriate to consider averaging building setbacks along a block face in order to determine where new structures are located on a lot.

Guideline 4 – Minimum lot size should not be used as the only standard to govern the density of development. The number of units allowed per gross acre provides a better method to manage density, providing the opportunity to develop multiple housing types.

Infrastructure Policies:

Policy 1 – All development shall be served by a public water provider and should maintain adequate water pressure.

Policy 2. – All development shall incorporate infill sidewalks.

Policy 3. – All development should occur only when roadway levels of service existing at the time of development are maintained.

Policy 4. – Storm water runoff shall be managed using techniques reflecting the state of the art at the time of development with due consideration given to safety in a residential environment.

B. Medium Density Residential Area

General Development Policies/Guidelines:

Guideline 1 – Infill development should be encouraged that preserves the character of the surrounding neighborhood. Such development should be similar to existing or planned uses in terms of density and/or intensity, and other aspects of site design.

Guideline 2 – New neighborhoods should be primarily single family homes. Multifamily buildings are encouraged but should be carefully integrated into the neighborhood. Some non-residential land uses can be included. Limited neighborhood commercial, personal service, and professional offices uses may be appropriate only where they will serve the surrounding neighborhood, while posing minimal impact on it. Multifamily and non-residential buildings should be of a scale and character that blend into the neighborhood.

Guideline 3 – Civic uses should be included within larger neighborhoods where possible and appropriate in order to provide for close-to-home opportunities for residents, or to provide locations for important public services or facilities that would serve the neighborhood.

Guideline 4 – Lands for neighborhood parks and open space should be planned and developed within neighborhoods where there is demonstrated need and the community can support such facilities. Sidewalks, connectivity, and access to transportation alternatives are desired features in these neighborhoods. Provide interconnectivity of neighborhood streets.

Guideline 5 – Minimum lot size should not be used as the only standard to govern the density of development. The number of units allowed per acre provides a better method to manage density, providing an incentive for development of multiple housing types. This type of density factor should only be permitted when three or more housing types are included within a neighborhood.

Infrastructure Policies:

Policy 1 – All development shall be served by a public water provider and should maintain adequate water pressure.

Policy 2. – All development shall incorporate sidewalks and the best design for new streets.

Policy 3. – All development shall occur only when roadway levels of service existing at the time of development are maintained.

Policy 4. – Storm water runoff should be managed using techniques reflecting the state of the art at the time of development with due consideration given to safety in a residential environment.

C. Low Density Residential Area

General Development Policies/Guidelines:

Guideline 1 – Agricultural lands and operations should be encouraged by the use of various land use techniques including but not limited to conservation easements and right to farm regulations and limited residential clustering.

Guideline 2 – Agricultural tourism related land uses should only be permitted as an accessory land use to a principal use that is agricultural related. Lands approved for an agricultural tourism related use should remain in the same ownership as the principal use.

Guideline 3 –Proposed driveways to State and County roads should be coordinated with the appropriate local and state toad departments to maximize site distance while minimizing the impact to the corridor.

Guideline 4 – Rural residential and small community developments should be designed to minimize the need for cut and fill operations that would significantly alter the natural topography and drainage patterns of the site.

Guideline 5 – The relationship of dwellings, farm accessory structures, country roads and open space is a primary element defining rural character. When new dwellings and accessory structures associated with rural residential development are proposed, the siting of such structures should be accomplished in a manner that preserves or enhances long views and vistas, complements existing structures, and does not adversely impact existing agricultural operations of adjoining property owners.

Guideline 6 – Entrances to farms and dwellings from country roads represent opportunities for identification and can be an important rural design element. Farm and rural property owners should be encouraged to use these opportunities for identification in a way that would complement the rural character of Spencer County and add interest to the countryside as viewed from country roads.

Guideline 7 – On-site sanitary sewer systems associated with tourism activities or rural development should be reviewed by the Health Department to ensure an appropriate placement of the system with regard to steep slope areas, rock outcroppings and potential sinkholes, and groundwater conditions.

Guideline 8 – Site and building lighting for proposed uses should be reviewed in order to determine that off-site impacts are minimized.

#### Infrastructure Policies:

Policy 1 – All development other than agricultural should be served by a public water provider and should maintain adequate water pressure.

Policy 2 – All development may not incorporate sidewalks.

Policy 3 – All development should occur only when roadway levels of service existing at the time of development are maintained with careful consideration given to location of access points given issues with narrow roadways, terrain and farm traffic.

Policy 4 – Storm water runoff shall be managed using techniques reflecting the state of the art at the time of development with due consideration given to the environment and farming operations.

Policy 5 – Where sanitary sewers are not available, development should occur with on-site sewage disposal systems approved by the appropriate public agency.

## D. Mixed Area

### General Development Policies/Guidelines:

Guideline 1 – Existing civic, cultural and governmental uses should be retained and new civic uses encouraged in downtown areas. These types of uses not only bring people to downtown areas but also provide reservoirs of parking that could be shared with other downtown uses.

Guideline 2 – Downtown areas contain many historic buildings. Restoration of existing buildings and construction of new infill buildings should continue to preserve the historic character of these cultural areas.

Guideline 3 – The ground floors of existing downtown buildings should be retained in “active” uses that include retail commercial, personal service establishments, and similar uses. Conversion of active uses to other types of uses should be discouraged.

Guideline 4 – Residential and office use of the upper floors of Downtown buildings should be encouraged and barriers removed to the conversion of such space for residential use. This will involve working with the Building Code to address the use of commercial standards for residential uses in a mixed use structure.

Guideline 5 - Business signage regulations should be adapted to the special needs and characteristics of this district, permitting the retention of signage with special design characteristics or historic importance.

Guideline 6 – Off-street parking should not be permitted to occupy the street side portion of any lot in a downtown area. Such parking should be located to the rear of the lot.

Guideline 7 – Site and building lighting for proposed uses should be reviewed in order to determine that off-site impacts are minimized.

Guideline 8 – The centers of small communities should be made more useful and meaningful for the community. The center should be a place of greater activity where a civic presence as well as daily needs and services can be found. The historic character should be preserved and remaining historic buildings should be rehabilitated.

Guideline 9 – Natural features within and next to a small community should be an integral part of defining the character of a rural settlement. Careful attention to topography, long vistas, and environmental features can help to

determine the areas that should be conserved or maintained as open space for the well-being and enjoyment of the community's residents.

Guideline 10 – Small-scale business and service uses should be allowed within the centers of small communities to help meet the daily needs of local residents.

Guideline 11 – When a commercial use adjoins an existing neighborhood or lands designated to be a neighborhood, a landscaped buffer should be provided along all boundaries with the existing or future neighborhood area, but still provide connectivity. Such buffers may consist of canopy and under story trees, fencing and/or landforms, or land area sufficient to mitigate adverse impacts from the operations of the uses within the commercial area.

Guideline 12 – All future commercial uses should be governed by signage plans approved as part of the development process and/or newly developed sign requirements. Billboards should not be permitted on site and ground mounted signage is preferred. Free standing pole signs, if permitted, should be no more than 35 feet in height.

Guideline 13 – The service areas associated with principal structures should be located or screened on site to preclude being visible from the adjacent public roadways or from any adjoining neighborhoods.

Guideline 14 – Buildings should be set back from adjoining major arterial roadways sufficient distance to permit the installation of a landscape buffer. The width and type of buffer can vary based on the amount and type of landscape materials, use of berms and fencing, and width of land between the right-of-way and the edge of the closest structure.

Guideline 15 – Commercial buildings and development should be designed to incorporate and blend in with rural characteristics of Spencer County.

Guideline 16 – Industrial uses should be located in industrial park settings or on large parcels with the infrastructure necessary to support the proposed uses. Industrial areas should be, to the extent possible, segregated from residential and other sensitive uses.

#### Infrastructure Policies:

Policy 1 – All development shall be served by a public water provider and should maintain adequate water pressure.

Policy 2 – All development shall incorporate limited sidewalks, adequately protecting the pedestrian from automobile and truck traffic and where

anticipated pedestrian traffic patterns warrant, and the best design for new streets and landscaping.

Policy 3 – All development should occur only when roadway levels of service existing at the time of development are maintained with minimal access points incorporated that can handle the diverse mix of traffic anticipated.

Policy 4. – Storm water runoff shall be managed using techniques reflecting the state of the art at the time of development with due consideration given to regional or area demand.

Policy 5. – Signage should be of a type, character, construction, location and size to be considered an asset to the development and the community as a whole.

Policy 6. – Development should only occur where the electrical distribution system is designed and has the capacity to handle the increase loads anticipated.

E. Areas of Special Concern – Taylorsville Lake Area/Plum Creek Watershed

General Development Policies/Guidelines:

Guideline 1 – Land areas with slopes exceeding 18 percent can occur within these areas and are an important environmental and scenic element. Development should not be encouraged in such areas without an extensive local review and assurances that storm water and soil erosion can be controlled to minimize sediments reaching the lake or any of its tributary streams, and that structures can be safely built within existing soil and subsurface geological conditions.

Guideline 2 – Tourism activities associated with the lands and environmental resources of the area should be encouraged, but such activities and associated uses/structures should be placed with careful attention paid to compatibility with topography, long vistas, current agricultural operations and environmentally sensitive features.

Guideline 3 – On-site sanitary sewer systems associated with tourism activities or other types of permitted low impact development should be reviewed by the Health Department to ensure an appropriate placement of the system with regard to steep slope areas, rock outcroppings and potential sinkholes, and groundwater conditions.

Guideline 4 – Site and building lighting for proposed uses should be reviewed in order to determine that off-site impacts are minimized.



Guideline 5 - Wellhead protection areas should be identified and protected through regulatory controls on development type, density and timing.

Infrastructure Policies:

Policy 1 – All development shall be served by a public water provider and should maintain adequate water pressure.

Policy 2 – All development may not incorporate sidewalks.

Policy 3 – All development should occur only when roadway levels of service existing at the time of development are maintained with careful consideration given to location of access points given issues with narrow roadways and terrain.

Policy 4 – Storm water runoff shall be managed using techniques reflecting the state of the art at the time of development with due consideration given to the environment.

Policy 5 – Where sanitary sewers are not available, development should occur with on-site sewage disposal systems approved by the appropriate public agency, and that are designed to protect the important water resources in the area.

Adopted - August 16, 2012

Motion was made by Commissioner Woods and seconded by Commissioner Lewis to adopt the proposal of re-adoption of the existing Comprehensive Plan as amended specifically with an amendment to the Land Use Section of the Taylorsville-Spencer County Comprehensive Plan. Motion carried.