CHAPTER VI

IMPLEMENTATION STRATEGY

The long-term success of the Hardin County Comprehensive Plan rests largely on the techniques and programs selected by the County to implement the plan. This chapter provides an overview of various land use implementation techniques or programs grouped into two major categories: regulatory techniques and public facilities planning and financing techniques. Each of these techniques or programs should be considered by the County as possible approaches for implementing the Comprehensive Plan.

Regulatory Techniques – Zoning Ordinance and Subdivision Regulations

The two most commonly used regulatory tools as they relate to land use planning are zoning and subdivision regulations. The purpose of zoning and subdivision controls are to regulate the use and development of land in such a way that the overall public health, safety and welfare is maximized, negative impacts of development on surrounding areas are mitigated, and the quality of the built environment meets established community standards.

One of the first steps in the implementation of this Plan should be to conduct a review of the County's land use regulations. Many of the regulations are inadequate to manage the growth pressures facing the community. A basic review of the structure and purposes of the zoning districts, the definitions and pattern of permitted uses for each district, and the intensity and density standards should be reviewed and updated. Similarly, the current development standards designed to mitigate negative land use impacts, such as landscaping, parking, and access standards need to be modernized, as do the design standards related to subdivisions. Lastly, the development review process – zone changes, variances, site plan reviews, planned unit developments, and others should be reviewed to insure that the community is getting the quality it deserves while being fair and efficient for the development community.

Beyond this general need for improvements to the current land use regulations; there are some specific approaches that should be considered. Based upon the Comprehensive Plan, the following are specific areas of land use regulations that should be emphasized and improved in order to implement the plan.

Improved Non-Residential Development Standards

Hardin County lies literally at the crossroads of several national and state highways. Commercial and industrial uses are located both at the interstate and through the midst of the community creating a variety of development character and quality. It is imperative that the County improve the quality of development standards for commercial development. This is particularly important given that there is a

considerable amount of non-residential development occurring at the major interstate interchanges which serve as the "front door" into the community. Further, the commercial and industrial uses within the County create important first impressions of the community. The community should develop and improved site planning standards that deal with items such as:

- Site Configuration and Layout
- Landscaping
- Signage
- Access Management Techniques
- Building Materials
- Pedestrian Connections
- Parking
- Lighting

It is particularly important that the community develop improved standards for large retail structures and centers that tend to dominate the visual appearance of commercial corridors.

Improved site plan standards and procedures will go a long way toward implementing the policies related to quality and character development in this plan.

Binding Elements

Another way the community can improve upon the quality of new development or redevelopment is through the establishment of binding elements. The most common form of a binding element is a developer's agreement tailored to each individual project and signed by both the county and the developer. These agreements clearly establish specific standards by which the community is assured that the development will be constructed according to the plans approved by the county.

Binding elements can be very general and only include basic information on land uses and open space. Other agreements are very specific and place standards on building appearances, percentage of open space and impervious surfaces, enclosures of storage areas, and financial guarantees for improvements. Strong site planning standards can in some cases accomplish the same goal.

Cluster Zoning

Also known as, "open space subdivisions", the principles behind cluster development design guidelines are intended to create development in rural area that preserves rural character. As an alternative to the traditional subdivision, this program would involve site planning guidelines and incentives designed to encourage the preservation of open spaces, particularly as they relate to environmentally sensitive areas.

Through the use of lot clustering, an overall gross density can be maintained while preserving open space. The use of open space subdivisions, or cluster zoning, allows for the preservation of rural character while accommodating reasonable development.

Minimum Zoning Density Standards

One of the central concepts of the Comprehensive Plan is the creation of a more compact urban form in some of the more urban areas of the county, meaning that development is encouraged to occur in and around existing developed areas currently served by infrastructure, rather than in a less efficient and desirable sprawled pattern. Under this policy, the community is encouraged to view existing served areas as valuable resources. In furtherance of this policy, the County may wish to consider the use of minimum densities, as well as, the traditional maximum densities in selected urban zoning districts. For example, in an area that has existing sewer and water service, the average maximum size of a residential lot may be restricted, discouraging rural development within areas that should be reserved for more urban density.

This approach ensures that urban development is sufficiently dense, thus supporting appropriate infrastructure investments. It also limits the pressure on rural land, by insuring that more development is absorbed within the urban area.

Design Review Guidelines

Areas of Hardin County, such as the major roadway corridors or interstate interchange areas could benefit from special design review guidelines and/or regulations that require new construction to emulate the character of the surrounding development. These types of regulations can range from generalized regulations that require buildings to be setback a similar distance as neighboring structures and have the same height and mass of surrounding buildings but without creating specific quantifiable regulations. On the other hand, the county could develop very specific regulations that clearly specify setbacks and could identify permissible colors, a percentage of a façade that must be constructed of windows, and other site and building requirements. There are a variety of regulations and methods of regulating to ensure compatibility in established areas and the design guidelines serve as the tool for maintaining the existing character of an area.

Overlay Zoning

The County should explore the development of simple and flexible overlay zoning techniques to deal with particular planning problems. An overlay zone is a mapped zone that imposes a set of requirements and a review process over existing zoning districts. When an overlay zone is put into place, it acts as a second layer of zoning to accomplish a specific purpose while maintaining the existing underlying zoning regulations. In most cases, the underlying zoning requirements remain the same; however, there is an additional set of development guidelines or requirements that must be followed if the subject property falls within an overlay zone. In some

instances, overlay zones may modify the existing zoning district requirements. Overlay zones can be a vehicle to accomplish many goals in the plan.

Overlay zoning may be used as a technique to incorporate the improved commercial standards discussed above, as well as, the open space zoning concept. Overlay zoning may also be used to address a variety of other types of planning issues. For example, overlay zoning can be used to improve the review process associated with historic areas and environmentally sensitive areas. Overlay zoning approaches should be explored as a method to protect environmentally sensitive areas.

Impact Analysis

As a part of the subdivision process, impact analysis should be required concerning traffic impacts, water and sewer facility needs, drainage impacts, environmental impacts, and school and park impacts. This would apply to major subdivisions and developments falling within certain thresholds for employees, traffic, square footage or environmental concerns.

Public Facilities Planning

The following strategies relate to public facilities planning and financing. Unlike regulatory approaches which are essentially reactive in nature (meaning that they only come into play when and if land is proposed to be developed), public facilities planning and financing techniques are more proactive. They are designed to encourage the community to stay ahead of development; through the use of coordinated public facilities planning, the community can use the provision of infrastructure to guide the location and form of development rather than simply responding to market forces.

Capital Improvements Planning

The most basic component of a system that attempts to link land use planning with capital facilities planning is a Capital Improvement Plan (CIP). A CIP identifies in 5, 10 and 20-year increments the forecasted capital facilities systems needed to support forecasted growth and development pursuant to the Comprehensive Plan. For example, it is desirable to develop thoroughfare plans, sewer service plans, water service plans, and others using the Comprehensive Plan as a guide. Cost estimates may then be made for those forecasted improvements, with those costs being phased over time. In fact, the various service providers are currently engaged in capital facilities planning. The challenge for the community is to coordinate current and future capital facility planning efforts with the Comprehensive Plan, specifically with the land use plan and associated population and employment forecasts.

Redevelopment Incentives

A number of older areas of the county have had less demand for new development. To encourage development in these areas tax abatements could be offered as well as other incentives to direct economic growth into these areas suitable for development. The county could waive building or utility fees for new construction in these areas. If the

fees cannot be waived, the county should investigate other means for payment of these fees. Other areas of the county where development is desired may need commitment of road, water, sewer, and other community services to increase the attractiveness of these areas.

Adequate Public Facilities Program

One of the simplest growth management techniques is the use of an adequate public facilities program (APF) that requires that new development be approved only when and if adequate public facilities will be available to serve it at the time of actual development. Also, know as a "concurrency" requirement, this approach provides standards for ensuring that new facilities are available concurrent with the demand for those facilities created by new development.

An adequate public facilities program requires several elements. First, minimum levels of service standards are needed in order to define "adequate" for various types of services. These standards may be of an engineering nature for services such as sewer, water, and roads, while policy judgments are often necessary for other types of services such as fire protection, libraries, and parks.

Typically, most communities require regulations that a developer provide on site public facilities within a particular development through the use of subdivision regulations. An adequate public facilities program addresses the off-site facilities that may be affected by development of land.

Impact Fees

An impact fee is a tool that requires a developer to pay a proportional share of the cost of expanding off-site public facilities that are affected by a particular development. It is a more system wide approach than an adequate public facilities program. Impact fees are most commonly used for roads, sewer, water, and parks. The purpose of impact fees is to create a method of transferring some of the community's costs for growth onto the developer.

The use of impact fees are closely associated with capital facilities planning in that they require the existence of a public facility plan tied to growth forecasts, cost estimates for public improvements, and a rational allocation of those costs to anticipated new development.

Impact fees can be an effective tool for mitigating the cost of new development; however, it may not be used to cure existing deficiencies unrelated to new development.