

## CHAPTER NINE

### INTRODUCTION

In developing this Comprehensive Plan, goals for land use in the City of Columbia were established and recommendations made for their attainment. The recommendations are of little value, however, unless steps are taken to implement them. Planning is a continuous process, needing constant updating and refinement as conditions change. This plan is intended to cover a five to ten year period, while looking further ahead where possible. During the next five years the plan is intended to serve as a guide for public and private decisions. However, as the plan is required to be updated every five years, a thorough re-evaluation should be conducted to determine its applicability for the next planning period.

The existence of this plan, however, does not preclude a thorough examination of each recommended project or regulatory approach as it is developed to consider whether it continues to be in accordance with the planning program. Nor does the existence of the plan preclude changes to the goals, objectives, or standards in the document itself, through the public review process set out in KRS Chapter 100, where changed conditions warrant. A number of means are available to assist in the implementation of the plan.

### LOCAL LEADERSHIP

The public officials of Columbia bear the primary responsibility for the implementation of this plan. It is important that public officials understand, support, and adopt the development policies. In addition, it is important that public and private agencies form partnerships to implement the plan. As the decision makers, the Columbia City Council and the Columbia Planning Commission have the power that is necessary to adopt policies that fulfill the goals of the city. These bodies should maintain a close relationship with the Adair County Fiscal Court, regional planning council (Lake Cumberland Area Development District) and the planning commissions of surrounding cities so that the planning process is properly coordinated. Because of their statutory

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role in planning and development review, the planning commission and its staff possess special expertise as well as an overview of development issues and needs within the city. If properly utilized by local elected officials, the planning commission is very well positioned to act both as policy advisor and enforcer of local development policies. In addition, the public should be kept informed of community development plans to solicit input and support for the program.

## **SUBDIVISION REGULATIONS**

The subdivision of land is the initial step in the process of building a community. Subdivision regulations are locally adopted regulations that serve to govern the conversion of raw land into building sites. The quality of the subdivisions and the standards that are built into them determine the overall form and character of a community. Once land has been divided into blocks and lots, streets built, and utilities are installed, a development pattern is permanently established and unlikely to be changed. For generations the entire community and the individuals who live in the subdivision will be influenced by the quality and character of the subdivision design. Therefore, subdivision regulations applied in advance of development provide a community with its only opportunity to ensure that its new neighborhoods are properly designed and that they enhance the quality of life for the residents.

Subdivision regulations play a crucial role in establishing development standards for new development. Good standards help assure effective traffic patterns, adequate streets, adequate water pressure for domestic use and fire fighting capacity, adequate provision of sewerage, storm water drainage, appropriate spacing between buildings and between streets and buildings, adequate recreational facilities, and an aesthetically pleasing environment.

It is recommended that the subdivision regulations be reviewed and updated as necessary after final adoption of the comprehensive plan. In addition, it is important that these regulations be uniformly and regularly enforced by the planning commission. Without enforcement, the regulations have no merit and begin to lose meaning as precedents of non-conformance are established. In

addition to regular enforcement, it is also recommended that subdivision and site improvements be inspected regularly in order to ensure that all improvements are being installed in accordance with the subdivision regulations and approved plans. Adair County Fiscal Court adopted subdivision regulations for unincorporated areas in October 2003.

Other areas that should be addressed are the implementation of access management techniques and landscaping, buffering, tree planting and protection requirements to ensure that all new developments are aesthetically pleasing. Furthermore, the subdivision regulations should be revised to address minimum standards for the creation of open space, greenway corridors and the inclusion of bike paths, walking trails and sidewalks in developments.

## ZONING

The zoning ordinance is considered to be one of the principal tools for implementing the land use plan. Zoning generally divides the community into exclusive use districts - agricultural, residential, commercial, and industrial - specifying the particular uses that will be allowed in each district. Standards are then set for each district. For example, these standards regulate permitted uses, density of population and structures, lot sizes, percent coverage of lots by buildings, building setbacks and off-street parking. The theory behind separation of uses through zoning is that of protecting property values by preventing incompatible uses from locating next to one another. Zoning implements the land use plan because the use districts are based upon the land development policies established in Chapter 8 of the plan.

Alternate approaches to strict use separation are also available. Performance standards may be developed to regulate permissible impacts of each land use on neighboring uses and on community services. In theory this would allow any mix of land uses within an area as long as negative impacts on neighboring uses could be controlled. Some of the methods that could be required to control potentially negative impacts could include buffering along property boundaries, special sound proofing of structures and altering traffic patterns on site.

A combination of the above approaches is also possible. Such an ap-

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# Implementation

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proach could include a separation of uses into broad categories, such as residential, commercial, industrial, and agricultural. Within these broad categories, standards could be provided to determine the appropriate type or density of development based on site factors (for example, soils, slope, and drainage characteristics), compatibility with neighboring uses, and availability of needed services (for example, road capacity, availability of central water or sewer, and school capacity).

Upon final adoption of the comprehensive plan, the zoning regulations should be reviewed and updated as necessary to implement the comprehensive plan. In addition, once the final determination is made for the placement of the Columbia By-pass, the planning commission may encourage the city to annex all areas adjacent to the by-pass (or work with the Adair County Fiscal Court for extra-territorial jurisdiction) in order to establish development guidelines and overlay districts in this area. In addition, other potential alternatives for development such as Clustering and Planned Unit Developments should also be addressed. The planning commission may also consider the reinstatement of permitting requirements for the demolition of structures within the city in order to ensure that proposed re-uses of the property are in compliance with city regulations and to ensure that structures are removed in a manner not detrimental to adjacent properties. Finally, uniform and regular enforcement of the zoning ordinance must be established. Procedures and violation notices should be developed in order to process violations in a standard and efficient manner. In addition, education of the county attorney, other local attorneys and officials should be conducted in order to encourage efficient prosecution of offenders. In the future, the planning commission may consider hiring an attorney, on an as-needed basis, to advise them on zoning and subdivision matters.

## **SITE PLAN REVIEW**

An important element of any zoning or development regulation ordinance is site plan review. While zoning specifies permitted uses of land, site plan review is the means by which the quality of new development is protected through evaluation of the proposed layout and design. It is also the means by which potentially negative impacts on neighboring uses are controlled. Where more intense uses abut less intense uses, for example a neighborhood shopping center next to a residential area, site plan review is the appropriate tool to evaluate potential noise and traffic impacts. The importance of a professional review of site plans should therefore not be underestimated. It is recommended that the Planning Commission review their current site plan review procedures to determine if additional coordination with other agencies is warranted.

## **CODE ENFORCEMENT**

Codes are governmental requirements placed on private uses of land to protect the occupants from the hazards of living and working in unsound, unhealthy, or otherwise dangerous structures or conditions. Building, plumbing, electrical and fire codes provide minimum standards for the construction of both new buildings and the alteration of existing structures. The housing code provides that existing dwellings must be maintained in a safe and sanitary manner. Structures that are considered unfit for human habitation may be condemned and removed. Other regulations, such as health department regulations, provide minimum standards for on site septic installations.

These codes apply to the community as a whole and are uniform in nature. In some cases the local government may establish its own standards, or the state may dictate a uniform or minimum set of standards for the commonwealth. In order for these codes to be useful an inspection system must be maintained with qualified inspectors enforcing the regulations in the code. Inspectors may be employed by the state to staff district offices or may be locally hired to enforce local codes. At the present time, code enforcement for new construction seems less than adequate. While new commercial structures are inspected, new residential dwellings are not. During the preparation of the

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land use chapter of the plan, a general visual survey of residential construction in progress revealed that many new homes are not being built to code. It is recommended that the planning commission encourage and/or assist the city in the implementation of a building inspection program for residential dwellings. In addition, the city council may want to consider the adoption of a property maintenance code.

## **ROAD MANAGEMENT PLAN**

The development of many of the recommended highway improvements in Adair County is dependent primarily on the Kentucky Transportation Cabinet, Department of Highways. However, much responsibility rests on the local units of government. Local agencies must work among themselves and with the Department of Highways to resolve differences with respect to location and features of particular road improvements. Local groups must actively support highway improvements in their areas. They must also be prepared, when required, to provide rights-of-way, for example. Local groups also have the responsibility of helping to maintain the traffic-carrying capacity of major streets and roads by developing good local land use planning practices, subdivision regulations, and zoning ordinances.

Roads not maintained by the State Department of Highways are maintained by the fiscal court or the cities. The responsibility for making improvements to these roads also rests with local agencies. It is important that a systematic method of inventorying conditions on these roads and scheduling needed maintenance and improvements be established in the form of county and city road management plans. Scheduling should be based on established criteria, such as volume of traffic, severity of need, and the like. In addition, the plan should be integrated into a multi-year capital improvements program for the county and cities. At the present time, no systematic road management plan is in effect in Columbia. It is recommended that the City conduct and maintain an inventory of all roads and their structural conditions and develop a specific long term maintenance and improvement plan. The City should also work with Adair County to address county streets immediately adjacent to the city which are undersized, unpaved and in very poor condition. Scheduled road improvements should also be coordinated with needed utility improvements in order to maximize efficiency and lower infrastructure improvement costs.

## **PUBLIC IMPROVEMENTS PROGRAM AND CAPITAL BUDGET**

A capital improvements budget is the method used by governmental units for scheduling the financing of a public improvements program which can be realized during a definite period of time, normally five to six years, on a systematic basis. This budget contains detailed improvement proposals including cost estimates. It should also be carefully coordinated with the financial resources and debt service structures of the community.

The first year of a capital budget should be adopted by the governing body as a part of its annual budget. The capital budget should be reviewed annually and extended for one year with the nearest year being adopted as the current annual budget.

## **PUBLIC PARTICIPATION**

Community acceptance and cooperation is essential to the success of public programs, policies and implementation of the comprehensive plan. The ideas and support of local civic clubs, neighborhoods groups and community clubs, private citizens, business and industrial leaders should be utilized in the development of plans, policies and programs. A large part of achieving successful citizen participation is through a public education program designed to permit a two way flow of information between the citizens and the planning commission, county, and city. Methods for increasing public education on various issues include newspaper articles, a city newsletter and the ample provision of public forums on important issues. Experience has shown that such a public information program provides a valuable sounding board from which valid suggestions and criticisms usually result.

Another method of increasing public participation, is to appoint advisory committees to consider various city projects. However, in order to be effective, such committees should represent a wide range of citizens and variety community interests. Diverse committees often produce innovative ideas, approaches and methods to achieve city goals.

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## **LAND ACQUISITION**

One means of implementing a comprehensive plan is the acquisition of land rights. This may involve advance acquisition or options on land for use in the future, or acquisition of easements for use of certain features of land. Advance acquisition and options are presently most commonly used for industrial sites, but may also be used for future roads, school sites, parks and prime farmlands. Easements are commonly used for utilities and roads, but can also be used to preserve scenic features, prevent use of floodways, and other purposes.

## **STATE AND FEDERAL ASSISTANCE**

State and federal grants and loans can be important sources of financing for public improvements projects, which can be difficult for a small town or county to undertake financially. A number of funding sources exist, although the trend is toward assembly of a financing package from multiple sources, including evidence of a substantial local commitment. It is important to be aware of possible funding sources and conditions of funding.

For these reasons, the City of Columbia should apply for the Renaissance on Main Program in order to continue receiving priority funding in certain program areas such as CDBG, HOME, LIHTC, TEA-21, ARC Downtown Planning Grants, and financial assistance from the Kentucky Heritage Council.