

CHAPTER NINE

INTRODUCTION

In developing this Comprehensive Plan, goals and objectives for land use were established. These goals and objectives 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. The comprehensive plan is required to be readopted every five years. A thorough evaluation should be conducted prior to re-adoption to determine if the plan or components of it need to be updated for the next planning period.

The existence of this plan 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 as long as the public review and approval process set out in KRS Chapter 100 is followed. A number of means are available to assist in the implementation of the plan.

LOCAL LEADERSHIP

The public officials of the City of London and Laurel County bear the primary responsibility for its implementation. 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 London City Council, Laurel County Fiscal Court and the London-Laurel County Planning Commission have the powers necessary to adopt policies that help fulfill the goals and objectives. These bodies should maintain a close relationship with the regional planning council (Cumberland Valley Area Development District) and the planning commissions of surrounding cities and counties so that the planning pro-

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cess is properly coordinated. Because of their statutory 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 community. 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.

In addition, other local agencies contribute to implementation of the comprehensive plan through the development and implementation of their own plans. For example, it is recommended that a comprehensive parks and recreation guide and master plan be developed for Laurel County with input from local recreation providers such as the City of London, Laurel County and local schools.

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 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 installed, a development pattern is permanently established and unlikely to be changed. For generations to come, 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 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 wastewater treatment, 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. Particular areas of concern are requirements for storm water retention facilities and requirements for developments to connect to the sanitary sewer system. In addition, it is important that the planning commission uniformly and regularly enforce these regulations. 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.

Other areas that should be reviewed are the implementation of access management techniques, landscaping, buffering, tree planting and protection requirements to ensure that all new developments are aesthetically pleasing. Minimum standards for the creation of open space, greenway corridors and the inclusion of bike paths, walking trails and sidewalks in developments should also be considered.

ZONING ORDINANCES

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 the protection of property values by preventing incompatible uses from locating next to one another.

Alternate approaches to strict use separation are also available. Performance standards may be developed to regulate permissible impacts of

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Implementation

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 approach 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, it is recommended that the City of London's zoning ordinance and zoning map be updated. The current city development regulation includes subdivision regulations in addition to zoning. The subdivision regulations should be removed from the ordinance as, in accordance with KRS 100, they are established by the planning commission and should not be city ordinance. The City of London Zoning Ordinance needs a comprehensive review as portions are outdated and modifications are needed to implement the comprehensive plan. Specific areas to consider are zoning designations for big box retailers which include design standards, landscaping requirements, regulations for public/semi-public uses and review for consistency with recent changes to KRS 100 such as compatibility standards for manufactured homes (KRS 100.348).

The City of London official zoning map located in the building inspector's office is outdated and inaccessible. Recent annexations and zone changes over the last ten years are not reflected on the map. Figure 9-1 is an unofficial zoning map of the City of London compiled as a planning tool for the comprehensive plan. It is not the city's official zoning map. The London Building Inspector should be contacted for official zoning information. It is recommended that a new zoning map be developed using Geographic

Information Systems (GIS) so that zoning information can be established and maintained on each parcel of land.

It is recommended that zoning regulations be established for the unincorporated areas of Laurel County. Establishing zoning regulations in an area that has not had them in the past can be take time as it is necessary to educate both local officials and the general public about planning and zoning as part of the process. It is important to take time to develop regulations which are specific to the needs of the community. It is recommended that in addition to the planning commission, members of the public and the fiscal court be directly involved in the process of developing regulations for the county to insure support for the regulations which must be adopted by ordinance of the fiscal court.

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

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of both new buildings and the alteration of existing structures. A property maintenance code requires existing dwellings to 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 onsite septic installations. In order for these codes to be effective an inspection system must be maintained with qualified inspectors enforcing the regulations in the code. Inspectors may be local employees or may serve several communities in a region on a contractual basis.

For the City of London, it is recommended that improvements to the building inspection program be made. A database of permit and inspection information should be developed and maintained by the building inspector. Such a system would include the type of permit issued (single family, duplex, commercial etc.), the number and size of units, estimated construction costs, date permit was issued, inspection dates and date certificate of occupancy was issued. A permit tracking system does not have to be expensive or complex. A spreadsheet can be used to track building permit information.

It is recommended that a residential building inspection program be established for the unincorporated areas of Laurel County. A building inspection program insures that the structures being built in the county are in compliance with Kentucky Residential Code and that residents are getting homes which are safe, structurally sound and energy efficient. It is also recommended that a code enforcement ordinance and solid waste management ordinance be adopted and enforced by the county to address unsafe dilapidated structures, junk vehicles, littering and other conditions causing blighted conditions in the county.

ROAD MANAGEMENT PLAN

The implementation of many of the recommended highway improvements in Laurel 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 and agencies must actively support highway improvements in their area. 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. It is recommended that a pedestrian and bikeway plan be developed for all of Laurel County as the Transportation Cabinet does not generally provide such facilities unless they are part of a local plan.

Roads not maintained by the Kentucky Department of Highways are maintained by the fiscal court or the city. 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. It is recommended that the city and county conduct and maintain an inventory of the structural condition of streets and roads and develop a specific long term maintenance and improvement plan. 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.

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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, neighborhood 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, web sites, newsletters, open houses 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 public 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 community goals.

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 improvement 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. Examples of current grant funding programs are Community Development Block Grants (CDBG), HOME Investment Partnership Program (HOME), TEA-21, Area Development Funds, Land and Water Conservation Funds, etc.

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