

Draft Future Land Use Element Changes

9/7/2017

Action LU-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). ~~Up to eight (8) dwelling units per acre are possible with a Conservation style development.~~ 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.). ~~Up to eight (8) dwelling units per acre are possible with a Conservation style development.~~ 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 and town homes where each unit is platted on its own individual lot, with gross densities ranging from zero dwelling units per acre to ~~eight~~ four and a half (8.5) dwelling units per acre.). ~~Up to eight (8) dwelling units per acre are possible with a Conservation style development.~~ Higher densities may be possible with a Conservation style development as permitted by the Zoning Ordinance.

- **Moderate Density Residential**

This land use designation ~~consists of~~ 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~~ 15(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, ~~developed at densities exceeding twelve (12)~~ 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.

- **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 multi-family 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 twenty-five percent (25%) of any contiguous area designed Commercial should contain a multi-family use. 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 is residential where complementary commercial and services are provided in a ~~single development~~ 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 used development, Commercial uses should comprise only twenty-five percent (25%) of a single such development, or Stand alone Commercial developments are proposed as 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 high density residential comprising up to fifty (50%) of the designated 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 twenty-five percent (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. Any When proposed as part of a mixed use development, commercial components should comprise no more than ten percent (10%) of any single such development, and Stand alone commercial development should not exceed no more than twenty-five (25%) of any contiguous area designated Rural Village. Limited moderate density multi-family uses may be appropriate in some areas if limited in size and scale. Multi-family should not consist of more than twenty-five percent (25%) of any rural village. Compatibility will be assessed by applying policies in LU-1.1.3 below, in conjunction with a general development plan, and by applying specific policies found in Focal Point Plans, area plans, corridor studies or any other plan created and approved by the Planning Commission.

<u>Future Land Use Category</u>	<u>Residential Density Range</u>	<u>Potentially Compatible Zoning Designations</u>
<u>Agriculture</u>	<u>0-0.2**</u>	<u>AG, RR*, RE*</u>
<u>Rural Density Residential</u>	<u>0-1.0**</u>	<u>RR, RE</u>
<u>Low Density Residential</u>	<u>0-4.5**</u>	<u>RR, RE, RS-1A, RS-1B, PUD</u>
<u>Moderate Density Residential</u>	<u>3.5-13</u>	<u>RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, PUD, MHP</u>
<u>High Density Residential</u>	<u>5.5 or greater</u>	<u>RS-1D, RM-3, RM-4, GB, OP-R, CB, PUD, MHP</u>
<u>Commercial</u>	<u>25% of development / 10% total contiguous area</u>	<u>RM-3, RM-4, GB, HB, OP-C, CB, PUD</u>
<u>Mixed-Use/Residential</u>	<u>75% of development / 90% total contiguous area</u>	<u>RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, NB, GB, OP-R, CB, PUD</u> <u>RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, RM-4, OP-C, CB, GB, HB, LI, PUD</u>
<u>Mixed-Use/Commercial</u>	<u>50% of development contiguous area</u>	<u>PUD</u>
<u>Industrial</u>	<u>Not allowed</u>	<u>OP-C, HB, LI, HI</u>
<u>Institutional / Government</u>	<u>Not allowed</u>	<u>P</u>
<u>Open Space, Parks and Recreation</u>	<u>Not allowed</u>	<u>P</u>
<u>Rural Village</u>	<u>75% of development / 90% total contiguous area</u>	<u>RR, RE, RS-1A, RS-1B, RM-2, RM-3, NB, OP-R, GB, PUD</u>

* Allowed only with Agriculture FLUM exception lots as defined in LU-1.1.4

** Higher A densityies of up to 8 du/ac 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, CF1.4)
 - 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)

- 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).

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