How Kentucky’s Hardin County Deals With Rural Growth

Here’s how one of Kentucky’s fastest growing counties handles its growth-related problems without resorting to “zoning.” It’s a first-ever approach that has been hailed as an “outstanding planning project-program.”

Before the establishment of the Fort Knox Military Reservation in the mid-1940’s, Hardin County, Ky., was primarily agricultural. Tobacco and corn were (and still are) the main crops. Just 45 miles southwest of Louisville (the State’s largest metropolitan area), the county was slow to accept economic and social change. But the placement of several major highway junctions in the late 1950’s and early 1960’s at Elizabethtown, the county seat, made Hardin County the informal “hub” of Kentucky. Growth and development followed close behind.

In September 1973, Hardin County and five cities in the county—Elizabethtown, Radcliff, Vine Grove, Upton, and West Point—formed a joint city-county planning commission to develop a comprehensive plan. Controversy accompanied the effort almost from the start. Several of the cities withdrew from the commission in early 1976 because of the controversy. The county withdrew several months later, even though some elected officials still supported the effort. Said one: “The days of Daniel Boone are over. When we see the smoke of our neighbor’s chimneys, we cannot move on. We must live with it.” Yet when funding ran out 3 months later, the commission was, in effect, dissolved.

More than a year after the dissolution of the joint planning commission, planning became the major campaign issue in the county’s 1977 general election. The close race for county judge, who serves as the county’s chief executive, pitted the outspoken incumbent R. R. Thomas, who had strongly supported planning, against a candidate whose campaign was funded largely by local development interests. Despite the continuing negative feelings toward planning and zoning, Thomas, running on a pro-planning platform, narrowly defeated his opponent.

Soon after Thomas took office, the fiscal court (the county’s legislative body) voted to establish a new county planning commission. This time, the three cities that had established their own planning departments decided not to join. By early 1979, five planning commissioners had been appointed and a staff hired. We immediately began work on subdivision regulations and an official roadway system framework. With the fiscal court’s quick adoption of both, the commission’s public credibility began to increase. In 1980, the commission decided to propose a new comprehensive plan.

Better Luck the Second Time Around

The proposed plan was termed a “development guide,” both to stay away from what had gone before, and to reflect more accurately the guide’s policy planning approach. The proposal consisted of 11 planning elements, each about 35-40 pages long. This approach allowed the more controversial segments to be reviewed in detail by citizen groups and public bodies, while other elements were being adopted. To date, the fiscal court has adopted the four elements the commission has prepared: planning philosophy, transportation, community facilities, and land use. None stirred the emotions of county residents like the previous effort.

In January 1984, after considerable study, numerous public surveys, and hearings organized by the planning commission, the fiscal court adopted a land use ordinance called the Development Guidance System (DGS). The DGS is a hybrid of a land use compatibility program developed in several Colorado cities and the Land Evaluation Site Analysis (LESA) program devised by USDA’s Soil Conservation Service.

The DGS provides the protection of standard zoning but is more flexible than zoning, a major factor in the fiscal court’s unanimous adoption of the ordinance. That fact also contributed greatly to the public’s acceptance of the regulations.

Hardin County’s DGS is a distinct departure from zoning’s emphasis on urban issues and values. Gone are the rigid use

Dennis Gordon, AICP, is director of the Hardin County Planning and Development Commission. For more information about the Commission’s efforts, contact Gordon at the Commission’s office, Hardin County Court House, Elizabethtown, Kentucky 42701-1436, or call (502) 769-5479.

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Photo by Dennis A. Gordon.
Over 3 years of research went into formulating the DGS. The guiding philosophy was that, to be successful, rural land use regulations had to be guided by rural issues and values, not urban values and solutions. This belief, as well as the citizen participation opportunities it created, was central to the planning commission’s efforts.

The DGS views the county as one cohesive area, not as a jigsaw puzzle of numerous use zones. Zoning classifications and districts are not used. There are few uses-by-right and even fewer prohibited uses. (Uses-by-right are considered compatible by nature and not subject to approval by way of the process.) All other development, not specifically prohibited, must obtain a conditional use permit for a specific project.

The DGS combines all planning concerns into a single policy framework. This eliminates the possibility of a developer’s being shuffled back and forth between different regulations. With one application, one fee, and one process, the developer complies with all the county’s development requirements.

**Only Three Steps for Approval**

To be approved, a development proposal must pass three steps: the Growth Guidance Assessment, the Compatibility Assessment, and the Plan Assessment. Development on undeveloped sites is subject to all three steps. Changes of use are subject only to steps two and three.

Fees covering the cost of all three steps are collected when the application is filed. If the proposal is halted at any point in the review process the unused fees are refunded to the developer according to a formula included in the ordinance. Developers whose sites are denied in the Growth Guidance Assessment, for example, are refunded all but $30 of their initial payment. Developers, thus, pay only for the staff time and expenses incurred.

Site approval on undeveloped sites follows a complete review of the site’s unique amenities and characteristics including its soils, its access to roadways, its levels of public services, and the surrounding level of development. By recognizing these aspects of each site, the DGS’s Growth Guidance Assessment achieves the county’s overall goal of guiding development into areas best suited for it. It also accomplishes two equally important goals: reinforcing the capital investments already made by local government agencies, and protecting the county’s prime agricultural land.

The Growth Guidance Assessment uses a point scale in judging each site’s development suitability. A development proposal must receive 150 out of 315 total possible points to receive automatic approval. Those proposals earning less than 150 points are afforded a commission review. All computations are completed on rating sheets, which are filed along with supporting data for later justification of the planning commission’s action.

In the soils assessment, the planning staff computes the value of an average acre of soil on the proposed site. Soils are classified on the basis of the USDA Soil Conservation Service maps and evaluations of soil productivity. The richer the site’s soil, the lower the point total for its development. The soils assessment can count for as much as 115 points.

Development proposals are also evaluated and assigned points based on 13 site amenities and characteristics, including the amount of development in the area, the quality of access roads, and the availability of schools, water lines, sewers, and fire protection. A site close to existing development and public services is awarded more points because further development there, where the county has already improved roads and extended services, will save county tax dollars. The amenities assessment can count for as much as 200 points.

Proposals earning less than 150 points on these two assessments are reviewed by the commission against the goals of the comprehensive plan and approved or denied accordingly. The owner’s name and the exact location of the proposed project are unknown to the commission at the time of voting. Decisions are based solely on the merits of the site as detailed in the soils and amenities assessments. All persons and proposals are thus treated in a fair and justifiable manner.

Criteria used in this Growth Guidance Assessment were tailored to the needs of Hardin County. Soils are rated from specific local data supplied by the local Soil Conservation Service office. Likewise, all criteria in the amenities assessment, as well as their weighting factors, are based on the goals of the county.
These criteria can be modified or replaced easily to meet the needs of a changing population or a changing situation.

Since the DGS does not segregate land uses, the Compatibility Assessment, the second step of the process, requires an informal meeting of the developer and neighboring property owners to discuss the proposal's compatibility. This is done early in the process, before large sums of money are spent developing a proposal to submit to the planning commission. At this point, the developer tends to be much more cooperative, having not yet made a sizeable investment in the development. Affected property owners tend to be more agreeable at this point too. They are not pressed into opposition by impressive drawings which, many believe, will make it hard for the commission to side with affected property owners.

All persons owning property within 1,200 feet of the proposed site are notified by mail of this informal meeting and urged to attend. A sign is also posted on the site to alert others that a meeting is scheduled; date, time, and location are provided. The developer is required to attend the meeting and to present a sketch plan of the proposal. During the course of the meeting, the developer must explain his or her ideas and plans. The planning staff presides at the meeting, but planning commission members do not attend. Topics discussed include possible negative impacts of the proposal, such as increased traffic problems, creation of unsightly views or noise nuisances, lighting problems, loss of privacy, and any increased need for public service.

Any agreement reached between the developer and nearby property owners at this informal compatibility meeting is accepted by the planning commission during its next meeting. The terms agreed to are then entered on the conditional use permit for enforcement purposes. Developers have 6 months to meet these terms; the planning staff checks the development's progress periodically during this time. When all conditions have been met, the file is closed.

If neighbors raise compatibility issues and a compromise cannot be reached during the informal meeting, the planning commission holds a public hearing and mediates the dispute. If a compromise still cannot be reached, the commission makes a binding decision of what will be necessary to make the proposed project compatible. The developer must then decide whether to follow the planning commission's mandate and procedures or to withdraw the proposal and select another site.

After the development proposal passes the first two steps, the developer prepares a detailed development plan for the Plan Assessment. All nonresidential proposals are submitted in plot plan form, while residential subdivisions are submitted in preliminary and record plat form. Once these plot plans or plats meet county specifications and are signed by all affected agencies, the planning commission approves the project and issues conditional use permits. Construction can begin after the developer files the permits and the plans with the county clerk.

The county's previous development standards, including most of the provisions of the county's 1979 subdivision regulations, were streamlined for inclusion in the DGS. Where there were once two classifications and sets of specifications for subdivision streets, there are now five classifications and accompanying specifications. Rights-of-way and street widths, along with the need for sidewalks, curbs, and gutters, are determined using a sliding scale of average frontage per lot and street type. Street type is determined by the number of lots to use the street. Also included are options to these standards. Developers who will voluntarily plant new trees (minimum standards are included) or construct curbs and gutters are permitted to reduce the required right-of-way widths. This allows the developer to put a greater number of lots or larger lots on a given parcel. More or larger lots will, in turn, reap bigger profits, offsetting the cost of the additional amenities.

All decisions made by the planning commission within the Development Guidance System process are final. The commission's decision can, however, be appealed to the fiscal court. Criteria for fiscal court deliberations are included within the ordinance.

Procedures and activities mandated by the DGS have been placed under strict time limits within the ordinance. Feeling it only fair to limit the timing of its own activities while limiting the activities of developers, the planning com-
mission committed itself to making decisions in the shortest amount of time. Depending on how quickly the developer responds, proposals can work their way through the entire process in as little as 6 weeks.

What Others Think

Implementation of the DGS has gone surprisingly well, given that the ordinance is the first of its kind. The biggest problem so far has been making the public aware of the existence of regulations.

A second problem has been to erase “zoning” ideas from the public’s mind. This, it must be admitted, was completely unanticipated. Hardin County never had a zoning ordinance; county residents had never been subjected to classifications or zoning issues. In informal compatibility meetings, however, discussions have periodically centered on zoning-related topics. This is now being handled through a better participant-education program and appears to be producing better results.

The Development Guidance System has gained considerable national attention. In July 1984, the commission received an achievement award from the National Association of Counties for “improving the efficient delivery of county government services.” In October 1984, Kentucky’s chapter of the American Planning Association cited the planning commission for an “outstanding planning project-program,” and the American Farmland Trust gave the Development Guidance System one of its five achievement awards for noteworthy “public policy development” aimed at farmland protection. Agriculture Secretary John Block presented this citation in Washington during an awards ceremony in December 1984.

Last spring, the commission and its DGS received their highest honor—one of only three national planning awards presented in Montreal by the American Planning Association for “outstanding planning.” The Louisville Courier-Journal called the DGS “an encouraging step forward in an area badly in need of imaginative approaches. . . . The result should be watched with keen interest wherever urban problems are impinging on the countryside.”

E. Evan Brown, H. Max Miller, M. Julian Duttera, and Gerald R. Hummel

New Physicians Setting Up A Rural Practice: It Isn’t Easy

New physicians encounter more problems in setting up a rural practice than an urban one, according to a recent study of Georgia physicians. The problems for rural doctors range from inadequate hospital facilities to a sense of isolation from colleagues to unmet needs of other family members. Some of the problems can be mitigated by physician groups and community groups working together.

In small towns and rural areas encountered many more problems than new physicians in large cities. Seventy-two percent of the rural physicians reported their problems to be at least as great as those in their internship year.

Physicians in communities of less than 10,000 cited an average of 5.5 problem areas during the first 2 years of practice. This number was more than three times higher than the average number of problem areas reported by the physicians in communities of over 100,000.

Rural doctors listed seven problem areas more than three times as often as urban physicians did: (1) Adequacy of hospital facilities; (2) availability of professional colleagues and associates; (3) opportunities for professional education; (4) isolation; (5) emergency room coverage; (6) personalities and practice styles of physicians in the local community; and (7) art and cultural activities. Other problem areas are shown in table 1.

What Can Be Done?

Two types of problems dominate among physicians just entering practice—problems related to the community and problems independent of it. Those related to the community include:

• inadequate hospital facilities, isolation, and distance to the nearest hospital,
• unmet family needs, and
• general problems.

Inadequate hospital facilities and need and demand for services can perhaps be dealt with over time, but solutions should not be expected immediately. The problem of isolation expressed by 36 percent of the rural doctors probably refers to professional isolation, not geographic isolation. Two out of five rural physicians cited the availability of professional colleagues and medical associates as a problem. There are no active programs in Georgia (nor in many other States) to remedy the sense of isolation from professional colleagues. A partial solution may be for local medical associations to hold regular meetings with other nearby medical associations. Another method to relieve the sense of isolation might be to have regularly scheduled weekend retreats for formal and informal meetings among physicians from a group of communities.

Family-related community problems include meeting educational needs of physicians’ children, needs of their spouses, and child care needs. Physicians should consider these factors when investigating where to locate their practice. A physician who knows what to expect in a community will probably be less likely to leave it. A community task force to deal with transitional problems of new physicians and their families may be able to help them adjust to their new practice.

Evan Brown is professor of agricultural economics, University of Georgia; Max Miller is associate professor of agricultural economics and rural sociology, University of Georgia; Julian Duttera, M.D., is chairman of the Medical Association of Georgia, Committee on Access to Health Care; and Gerald Hummel is director of the Southeastern Institute for Community Health Inc., La Grange, Georgia.