

# Planning Matters

Volume 4, Issue 1

Winter 2007

## Who Shall Serve?

by C. Gregory Dale, Issue 48, Planning Commissioner's Journal, Fall 2002

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One of the challenges in the long-term health of a planning commission is the appointment of commission members who are best able to serve the public interest. Naturally, the background of potential members is an important factor in the selection process. But to what extent should the past involvement of potential commissioners in "special interest" groups pose a problem?

Consider the following scenario. Your city council is in the process of appointing two new commissioners. The mayor and council have developed a list of potential candidates. Among them, a developer who has been an officer in the local homebuilders association, and an environmentalist who has been active in a local "save open space" organization. Each has appeared before the planning commission in the past.

The mayor and council are soliciting advice as to the most appropriate candidates. You question the wisdom of appointing those who have been active in special interest groups dealing with planning and zoning issues. You are concerned about future conflicts of interest and also troubled by having "special interest advocates" serve on the planning board.

Are there good reasons for your concerns? Should communities avoid appointing individuals who have been involved with special interest groups?

There are several broad issues raised by these questions:

1. Should the planning commission reflect the prevailing values of the community?
2. What is the community, through its governing body, trying to achieve in the way it structures its planning commission?
3. What message is being sent to the public?

Let me deal with these questions one at a time. First, the role of the planning commission is to be a fair, objective, and unbiased decision-maker and advisor to the legislative body. It is the job of the planning commission to consider the long-range consequences of decisions for the community as a whole. The planning commission should be the one body in the community that is above the political fray -- and should be fair and as free of bias as possible. While special interest groups should and will be heard in the planning process, the role of the planning commission is to go beyond special interests and consider the broader public interest.

Of course, each member comes to the planning commission with a certain set of values. In this regard, those who feel strongly about the protection of the environment or the promotion of economic development are really no different than those who feel strongly about residential protection. No one expects planning

commissioners to ignore their values, but we do expect them to rise above biases and consider all issues objectively in light of the long-range community wide perspective. The mere fact that someone has been a member of a special interest group and shares its values does not necessarily create a problem.

Diversity of opinion and even good faith disagreements over issues can be healthy. After all, the community as a whole encompasses many different viewpoints, so why shouldn't the planning commission? In fact, a number of communities require the commission to include members with certain backgrounds (e.g., architects and engineers). However, these provisions are intended to ensure certain expertise, not to benefit special interests.

This leads to the second question: what are we trying to achieve in the way we structure our planning commissions. It makes sense for a community to identify some basic parameters for the selection of new commissioners. For example, a list of desirable characteristics of new commission members might include the following: capable of being objective and fair; knowledgeable about local issues; willing to work hard; above ethical reproach; and able to place long-term community-wide interests above special interests.

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## Who Shall Serve? (continued from page 1)

Obviously, there will be more factors that are important in your community -- and any list might vary from community to community -- but it is important for the appointing body to know what it is trying to accomplish before selecting individuals to serve on the planning commission.

The final issue relates to the message being sent to the public. If a planning commission is perceived as simply being a group of "political cronies" that will do whatever the "politicians" say, then it will be an ineffective community institution. On the other hand, a planning commission perceived as being interested in the long-term health, viability, and livability of the community, can establish itself as a respected voice.

Let me wrap up by making five brief points.

1. There is nothing inherently wrong with appointing planning commission members who have been active in special interest groups. The key question is whether the individual is likely to place the long-term broad public interest above those special interests -- and treat everyone fairly and without bias.
2. The community should exercise some common sense in balancing planning commission appointments. For example, if there is a member with an environmental advocacy background, it may make sense to balance this point-of-view with someone having an economic development background.
3. Consider the practical issue of future conflicts of interest. While involvement in special interest groups may not create actual conflicts of interest (since they usually do not involve personal financial interests), legitimate concerns about bias may arise. For example, if many zoning cases involve environmentally sensitive properties in which either an environmental or a development-oriented group

has a vocal interest, then a commissioner who has been active in either group may have to abstain repeatedly. Frequent abstentions can make it more difficult for a commission to function effectively.

4. The nature and timing of special interest involvement should be considered. Appointing a current officer of a group that is directly interested in planning issues may raise more concerns than appointing a mere member or a former officer who has had a relatively low profile.

5. Be conscious of public perception. If a potential candidate is widely perceived as being a "firebrand" for his or her cause and unlikely to act in an unbiased way, then appointing such a person may not be wise.

Above all, be guided by the need to create a mix of reasonable, fair-minded people with the integrity to act in the long-term public interest of the community as a whole. Strive to create an environment where the planning commission can be the non-political body it is designed to be.

Planning Commission Activity 2006	
Application Type	Number
Administrative Appeals	1
Cell Tower Review	1
Commercial Design Review	
New Projects	27
Revised Projects	2
Conditional Use Permits	
New Permits	29
Renewal Permits	10
BOA Revocation	2
Annual Inspection	31
Enforcement	
Sign Violation	105
Zoning Violation	61
Historic District Review	
Certificates of Appropriateness	58
Sign Permits	
Permanent	108
Temporary	77
Subdivision Review	
Advisory Plat	27
Agricultural Division	15
Amended Plat	83
Minor Plat	34
Major—Preliminary Plat	8
Major—Final Plat	17
Variances	23
Zoning Map Amendments	30

**Zoning Compliance Permits  
January— December 2006**

	City of Bardstown		Nelson County		Total	
	Permits	Est. Cost (\$)	Permits	Est. Cost (\$)	Permits	Est. Cost (\$)
Agricultural Structure Addition	0	\$0	4	\$47,650	4	\$47,650
Agricultural Structures	0	\$0	71	\$1,322,435	71	\$1,322,435
<b><i>Agricultural Subtotal</i></b>	<b>0</b>	<b>\$0</b>	<b>75</b>	<b>\$1,370,085</b>	<b>75</b>	<b>\$1,370,085</b>
Accessory Additions	1	\$25,000	6	\$209,117	7	\$234,117
Accessory Structures	82	\$344,424	248	\$1,700,079	330	\$2,044,503
Demolitions	4	\$0	9	\$0	13	\$0
Duplexes (12 units)	3	\$210,000	3	\$342,000	6	\$552,000
Duplex Alteration	0	\$0	1	\$5,000	1	\$5,000
Manufactured Homes, Double-wide	0	\$0	15	\$1,039,653	15	\$1,039,653
Manufactured Homes, Single-wide	0	\$0	32	\$392,554	32	\$392,554
Modular Homes	0	\$0	4	\$343,995	4	\$343,995
Multi-Family Structures (25 units)	6	\$725,000	2	\$120,000	8	\$845,000
Multi-Family Alterations/Remodeling	3	\$109,000	0	\$0	3	\$109,000
Single-Family Additions	31	\$496,364	70	\$1,385,453	101	\$1,881,817
Single-Family Dwellings	42	\$5,295,125	210	\$29,358,387	252	\$34,653,512
Single-Family Alteration/Remodeling	6	\$213,000	10	\$240,600	16	\$453,600
Townhouses/Condominiums (39 units)	4	\$240,000	12	\$3,380,000	16	\$3,620,000
<b><i>Residential Subtotal</i></b>	<b>182</b>	<b>\$7,657,913</b>	<b>622</b>	<b>\$38,516,838</b>	<b>804</b>	<b>\$46,174,751</b>
Commercial Accessory Structures	4	\$14,000	5	\$7,200	9	\$21,200
Commercial Additions	6	\$564,000	5	\$655,701	11	\$1,219,701
Commercial Alteration/Remodeling	15	\$427,700	5	\$224,000	20	\$651,700
Commercial Demolitions	3	\$0	0	\$0	3	\$0
Commercial Structures	16	\$8,436,576	2	\$304,300	18	\$8,740,876
Commercial Tenant Fit-Ups	27	\$2,170,244	4	\$97,160	31	\$2,267,404
<b><i>Commercial Subtotal</i></b>	<b>71</b>	<b>\$11,612,520</b>	<b>21</b>	<b>\$1,288,361</b>	<b>92</b>	<b>\$12,900,881</b>
Industrial Accessory Structures	0	\$0	0	\$0	0	\$0
Industrial Additions	4	\$2,246,000	3	\$1,347,872	7	\$3,593,872
Industrial Alterations/Remodeling	1	\$10,000	3	\$17,000	4	\$27,000
Industrial Structures	2	\$9,978,390	0	\$0	2	\$9,978,390
<b><i>Industrial Subtotal</i></b>	<b>7</b>	<b>\$12,234,390</b>	<b>6</b>	<b>\$1,364,872</b>	<b>13</b>	<b>\$13,599,262</b>
Cell Tower	0	\$0	1	\$75,000	1	\$75,000
Cell Tower Accessory Structure	1	\$46,900	7	\$138,200	8	\$185,100
Public Accessory Structures	0	\$0	0	\$0	0	\$0
Public Structures	5	\$4,337,000	7	\$1,389,000	12	\$5,726,000
Public Addition	1	\$1,500	1	\$90,000	2	\$91,500
Public Demolitions	1	\$0	0	\$0	1	\$0
Public Alterations/Remodeling	3	\$2,346,000	0	\$0	1	\$2,346,000
<b><i>Public Subtotal</i></b>	<b>11</b>	<b>\$6,731,400</b>	<b>16</b>	<b>\$1,692,200</b>	<b>27</b>	<b>\$8,423,600</b>
<b><i>Total Permits Issued</i></b>	<b>271</b>	<b>\$38,236,223</b>	<b>740</b>	<b>\$44,232,356</b>	<b>1,011</b>	<b>\$82,468,579</b>

## 2006 Zoning Compliance Permit Analysis

Residential Permits Issued Zoning Compliance Permits 2004 - 2006			
Dwelling Unit Type	2004	2005	2006
Duplex	22	22	12
Manufactured, Double-Wide	26	21	15
Manufactured, Single-Wide	27	32	32
Modular Dwelling	0	2	4
Multi-Family Dwelling	4	10	25
Single-Family Dwelling	377	390	252
Townhouse/Condominium	28	61	39
Total Dwelling Units	484	538	379

Conventional Single-Family Dwellings by Subdivision 2006	
Subdivision	# Units
Copperfields	23
Castle Cove	12
Woodlawn Springs	12
Saddlebrook	10
Salem Hills	9
Big Springs	8
Maywood	7
Tullamore	7
Cottage Grove	6
Parkway Village	5
Mill Creek	4
Ryan Estates	4
Valley View	4
Corman's Crossing	3
Creek Chase	3
Farmington	3
Heritage Park	3
Royal Crest	3
Springhill	3
Locust Grove	2
Pembroke	2
Pigeon Pass	2
Poplar Wood	2
Beech Fork	2
Cross Creek	2
Wellington	2
Whispering Oaks	2

Non-Residential Permits Issued Zoning Compliance Permits 2004 - 2006			
Type	2004	2005	2006
Commercial	25	31	18
Industrial	5	9	2
Public	3	4	12

Permits Issued Zoning Compliance Permits 2005 - 2006		
Permit Type	2005	2006
Agricultural	62	75
Residential	946	804
Commercial	79	92
Industrial	15	13
Public	10	27
Total	1,050	1,011

Construction Cost Zoning Compliance Permits 2005 - 2006		
Permit Type	2005	2006
Agricultural	\$479,100	\$1,370,085
Residential	\$63,386,350	\$46,174,751
Commercial	\$17,612,236	\$12,900,881
Industrial	\$7,429,982	\$13,599,262
Public	\$11,457,245	\$8,423,600
Total	\$99,885,813	\$82,468,579

### Conventional Single-Family Dwelling Data 2004—2006

#### Construction Cost

##### Range

2004 \$9,000—\$500,000  
2005 \$10,000—\$700,000  
2006 \$7,500—\$600,000

##### Average

2004 \$113,601  
2005 \$126,752  
2006 \$135,510

##### Median

2004 \$100,000  
2005 \$115,000  
2006 \$115,000

##### Mode

2004 \$100,000  
2005 \$60,000  
2006 \$60,000

#### Size—Living Space

##### Range

2004 640—9,430 sf  
2005 600—7,800 sf  
2006 448—7,080 sf

##### Average

2004 1,671 sf  
2005 1,775 sf  
2006 1,783 sf

##### Median

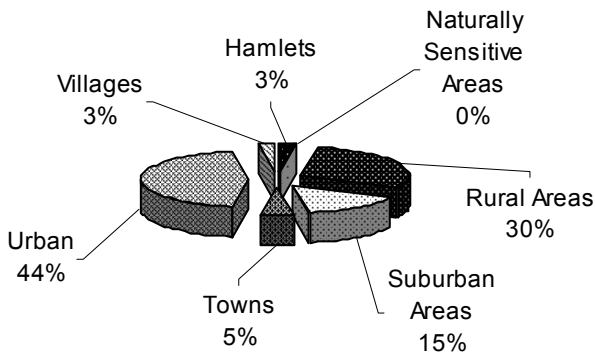
2004 1,440 sf  
2005 1,448 sf  
2006 1,500 sf

##### Mode

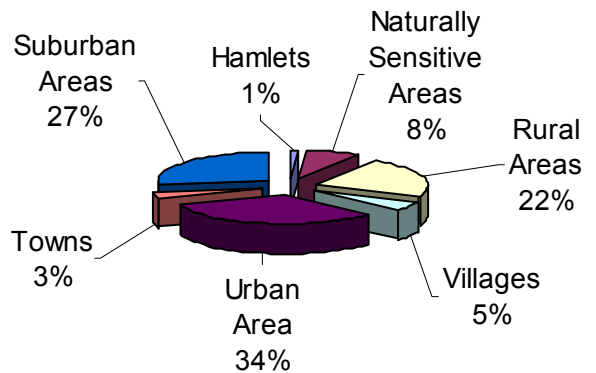
2004 1,350 sf  
2005 1,250 sf  
2006 1,350 sf

**2006 Zoning Compliance Permit Analysis (continued from page 4)**

**Comprehensive Plan Reorientation  
Policy Goals by Community  
Character Area**

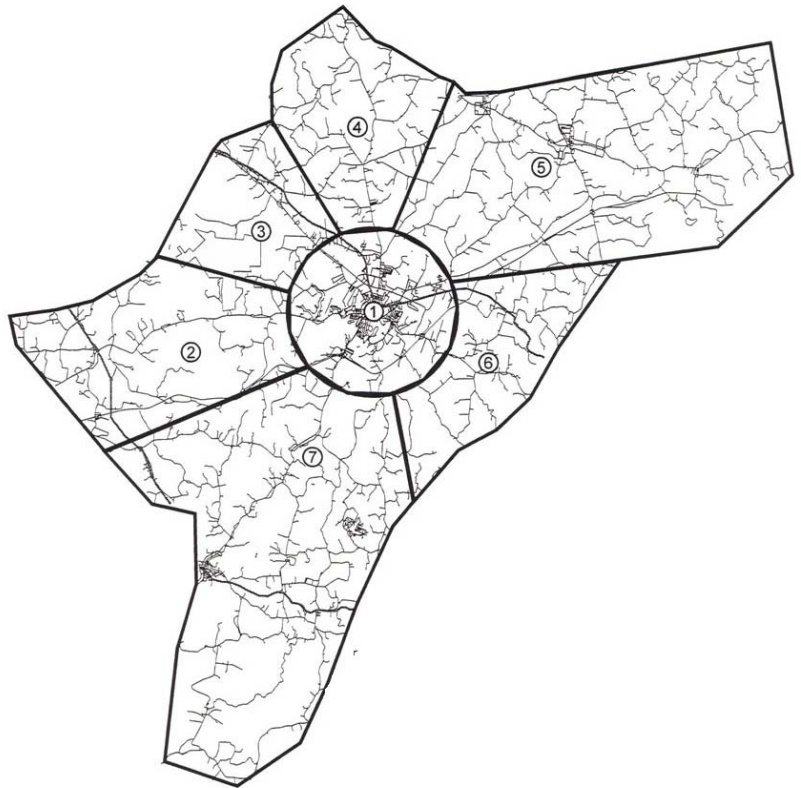


**2006 Total Dwelling Units by  
Community Character Area**



**Total Dwelling Units by Area  
2006**

Area	#	%
Samuels Hamlet (3)	3	0.8%
Botland Hamlet (6)	2	0.5%
Boston NSA (2)	23	6.1%
New Haven NSA (7)	8	2.1%
Bloomfield Rural (5)	38	10.0%
Boston Rural (2)	1	0.3%
Cox's Creek Rural (4)	14	3.7%
New Haven Rural (7)	19	5.0%
Woodlawn Rural (6)	10	2.6%
Bloomfield Suburban (5)	28	7.4%
Boston Suburban (2)	2	0.5%
Cox's Creek Suburban (4)	6	1.6%
KY 245 Suburban (3)	5	1.3%
New Haven Suburban (7)	2	0.5%
Woodlawn Suburban (6)	61	16.1%
Bloomfield Town (5)	12	3.2%
New Haven Town (7)	1	0.3%
Urban Industrial Center (1)	5	1.3%
Outer Urban (1)	69	18.2%
Traditional Urban (1)	52	13.7%
Deatsville Village (1)	17	4.5%
New Hope Village (7)	1	0.3%



**Visit the Planning Commission's website,  
[www.ncpz.com](http://www.ncpz.com),  
for additional information and maps.**

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**Serving the  
Cities of Bardstown,  
Bloomfield, Fairfield,  
& New Haven  
&  
Nelson County**

## Planning Commission

Kenneth Brown, City of Bloomfield  
Theresa Cammack, Nelson County (#3)  
Wayne Colvin, Nelson County (#5)  
Andy Hall, City of New Haven  
Bob Hite (Vice-Chair), City of Bardstown  
Todd Johnson, City of Bardstown  
Shea Koger, Nelson County (#4)  
Mary Ellen Marquess, City of Fairfield  
Mark Mathis (Secretary/Treasurer), Bardstown  
Linda Wells, Nelson County (#2)  
Mike Zoeller (Chair), Nelson County (#1)

# denotes Magisterial District

## Planning Commission Staff

Janet Johnston, AICP, Director  
Cindy Pile, Administrative Assistant  
Joanie Wathen, Receptionist/Clerk  
Phyllis Horne, Receptionist/Clerk  
David Hall, CLG Coordinator  
Mike Coen, Legal Counsel  
Alicia Brown, Court Reporter

## News

**Staff News.** Since early November 2006, **Joanie Wathen** has been on leave with a serious illness. We hope Joanie will be well soon and back in our office. During Joanie's absence, Christy Ritchie of Holland Employment will be filling in at the front desk. In January 2007, Joanie Wathen and Phyllis Horne, both Receptionist/Clerks, celebrate their 3-year anniversary with the Planning Commission.

**Bardstown Board of Adjustment.** **Mark Mathis** and **Martin Carpenter** were reappointed by the Bardstown City Council to serve an additional 4-year term on the Bardstown BOA. Mark was first appointed to the Bardstown BOA in 1989, and Martin was first appointed in 2001.

**Planning Commission.** **Mary Ellen Marquess** was appointed by the City of Fairfield to serve a 4-year term. Mary Ellen is the former Mayor and Commissioner of the City of Fairfield and is manager of the Rogan Mobile Home Court in Bardstown. She indicated that she is "interested in planned growth for Nelson County."