

Hardin County, Kentucky  
Amendment Number 3 to  
Ordinance Number 269, Series 2009

An Amendment to the Ordinance relating to the 2009 Development Guidance System  
adopted for the unincorporated areas of Hardin County, Commonwealth of Kentucky:  
Section 3-2 Rural Residential Zone  
Section 17-10 Open Space Subdivision Design

- WHEREAS Hardin County Fiscal Court and the Hardin County Planning and Development Commission have adopted a Comprehensive Plan, Land Use Regulations and Subdivision Regulations; and
- WHEREAS the above- mentioned regulations are designed to protect the public health, safety and welfare of the citizens of Hardin County; and
- WHEREAS the Hardin County Planning and Development Commission adopted a new Comprehensive Plan entitled Comprehensive.Development.Guide?8680 on March 5, 2024, and the Hardin County Fiscal Court adopted the Goals and Objectives contained therein on March 12, 2024; and
- WHEREAS the Hardin County Chamber of Commerce has released an Economic Impact Study in relation to Blue Oval SK, citing an anticipated need for 8,811 new housing units due to an anticipated population surge of 22,380 new residents in Hardin County; and
- WHEREAS the Kentucky Housing Corporation released a Housing Supply Gap Analysis citing the need for an additional 4,578 housing units in Hardin County; and
- WHEREAS on May 21, 2024, pursuant to KRS 100.211 the Hardin County Planning and Development Commission initiated a text amendment to Sections 3-2 and 17-10 of Ordinance number 269, Series 2009 and held a Public Hearing thereon on the same date; and
- WHEREAS following the Public Hearing on May 21, 2024, the Hardin County Planning and Development Commission approved Resolution 2024-012 recommending Hardin County Fiscal Court amend Section 3-2 of the Ordinance to reduce the minimum lot size in the Rural Residential Zone (R-2) from 3 acres to 80,000 square feet and clarify that properties without access to public water shall remain at a 3 acre minimum lot size and which also recommends Hardin County Fiscal Court amend Section 17-10 of the Ordinance to clarify that Open Space Subdivision Design is only for new residential subdivision developments with new streets.

NOW THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF HARDIN COUNTY, KENTUCKY TO AMEND THE TEXT OF THE REVISED DEVELOPMENT GUIDANCE SYSTEM ZONING ORDINANCE NUMBER 269, SERIES 2009 AS FOLLOWS:

### 3-2 RURAL RESIDENTIAL ZONE (R-2)

#### A. INTENT

This Zone is intended for low-density development of single family dwellings, located where private or public water supply is available and individual on-site wastewater treatment is permitted by the Hardin County Health Department.

#### B. USES FOR THE ZONE

The Permitted, Accessory and Conditional Uses for lots and structures are set forth in the Land Use Table (Table 1, Pg. 56).

#### C. DIMENSION AND AREA REGULATIONS

The regulations on the dimensions and area for lots and yards are set forth as follows:

##### 1. Minimum Lot Size;

- 12,000 square feet for property having Sewer or Wastewater Treatment Alternatives;
- Open Space Subdivision Design (Pg. 146)
- ~~3.0 acres~~ 80,000 square feet for property having access to a government maintained roadway with a 16 foot paved surface or greater; or
- 3.0 acres for property having access to a government maintained roadway with a 16 foot paved surface or greater, but without public water available at the site;
- 5.0 acres for property having access to a government maintained roadway with less than 16 foot paved surface.

##### 2. Minimum Lot Frontage - 200';

##### 3. Minimum Width to Length Ratio – 1:3 until 300' of frontage;

##### 4. Minimum Front Yard Setback - 40'; or 70' for property 3.0 acres or greater.

##### 5. Minimum Side Yard Setback - 10'; 100' for Subdivision lots platted after the adoption of this ordinance and adjoining A-1, I-1, I-2 zones

##### 6. Minimum Rear Yard Setback - 15'; 50' for property 3 acres or greater; 100' for Subdivision lots platted after the adoption of this ordinance and adjoining A-1, I-1, I-2 zones.

##### 7. Street Construction – New subdivision streets must intersect with government maintained roads with a minimum of 40 foot dedicated right-of-way and a minimum 18-foot paved road surface. To achieve street connectivity the Commission may approve secondary streets to intersect with other government maintained roads.

AND

## 17-10 OPEN SPACE SUBDIVISION DESIGN

**A Objective** The objective of the open space subdivision provisions is to provide a design alternative to the conventional subdivision. A conventional subdivision generally occupies and utilizes the entire development site with individual lots that are equal to or greater than the required minimum lot size specified in the Zoning Ordinance. An open space subdivision has the same gross density of a conventional subdivision, however; individual lot size and width requirements are less restrictive and the remaining portion of the subdivision may be deemed an Open Space Lot ~~not eligible for a dwelling unit~~. Open Space Subdivision Design is only for the development of new subdivisions with streets.

The development of an open space subdivision is not intended to allow development densities greater than what is allowed in a conventional subdivision or to allow increased densities using land with marginal development potential. The open space subdivision provides flexibility in the development of areas with environmental constraints, rural character, and valuable agricultural resources. Additionally, the open space subdivision reduces the cost of constructing and maintaining public improvements such as streets and utilities.

**B Approval** The review, approval, and construction of an open space subdivision design shall adhere to all applicable Sections of the Zoning Ordinance and Subdivision Regulations and be treated as a subdivision plat.

**C Design Principle** A subdivision of land using open space subdivision design shall adhere to the following design principles:

- 1) Individual lot size and width may be smaller than that required by the zone in which the open space subdivision is located. For lots with onsite septic ~~disposal~~ systems, the minimum lot size shall not be less than 40,000 square feet with 100' minimum road frontage or 60' on a cul-de-sac, and must receive approval of the Hardin County Health Department for onsite septic ~~disposal~~ systems.
- 2) The Open Space Lot area shall meet a minimum lot size of five (5) acres.
- 3) The number of dwelling units shall not exceed the maximum development density of a conventional subdivision located in the same zone.
- 4) Due to the reduction in the individual lot sizes, a single or series of community lateral fields should be considered when the open space subdivision's sewage disposal is provided by on-site septic systems. A community lateral field should take advantage of any localized occurrence of soil types that are more conducive to septic tank lateral fields. All on-site septic systems, whether individual or grouped community systems, are subject to the approval of the Hardin County Health Department. ~~Building setbacks may be smaller than the required building setbacks of the zone in which the open space subdivision is located.~~ Smaller minimum building setback requirements shall be requested through a variance procedure.

FIRST READING on this the 11 day of June, 2024.  
SECOND READING on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.  
EFFECTIVE upon passage this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.



Keith L. Taul  
Hardin County Judge/Executive

Attest:



Brian D. Smith  
Hardin County Clerk

Prepared:



Jennifer B. Oldham  
Hardin County Attorney