The Louisville Railroad
Quiet Zones
pg.8
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I hope everyone had a happy holiday season! This marks the end of the first CM reporting period. AICP has been keeping us up to date on our chapter’s progress in completing CM requirements for the 2008-2009 reporting period. As of October 31st, only 50% of Kentucky’s AICP members have logged the required 32 credit hours with 16% of members logging no hours at all! For those of you who still need to complete credit hours, please see Megan’s Professional Development article in this newsletter for details on how to get your hours and log them appropriately. There is a four-month grace period for meeting the CM requirements that will end April 30, 2010. Attending CM-eligible activities and using sign-in sheets does not get your hours logged. Please don’t forget to log your hours online at www.planning.org.

Speaking of certification, AICP is introducing a new voluntary advanced specialty certification (ASC) program. Ultimately, there will be advanced certifications available in seven categories including: Transportation Planning, Environmental Planning, Urban Design, Economic Development, Preservation Planning, Land Use Planning, and Planning Management. The first two exams (Transportation Planning and Environmental Planning) will be unveiled in 2010. More information regarding eligibility requirements for taking the exam and resources for exam preparation will be available in early 2010.

Both APA and chapters across the country are struggling with revenue shortfalls and budget cuts due to reductions in both membership and attendance at conferences. APA-KY is keenly aware that many planners across our Commonwealth are either being laid off or facing furloughs due to the recession. If you are one of those planners or you know a planner in this situation, please visit APA’s website to learn more about unemployed planner’s membership rates and installment payment plans. During 2009, APA-KY offered reduced conference registration rates for unemployed planners and will likely do the same in 2010. In addition, APA is offering another means to reduce costs to its members through more affordable registration options for the 2010 National Conference in New Orleans. The conference will be shortened but will still offer many workshops and sessions.

We have a fabulous slate of candidates for this Fall’s election of representatives at-large and the professional development officer. By the time you receive this newsletter, the election results will most likely be available. Please visit our website at www.kapa.org to find out who won!

Please remember to contact me if you ever have any questions, comments or suggestions you would like to share. Happy 2010!
What’s the deal with exemptions?

Are we as planners comfortable with the fact that a lot of public agencies are exempt from the regulations we rule by? For example, should a government entity wanting to build a new administration building have to adhere to the very regulations it imposes on everyone else? I concede that makes sense to waive the review fee since the money would just be changing hands from one government agency to another. However, I wonder where the logic is that allows an agency them to turn a blind eye towards the zoning standards it put in place? What’s good for the goose should be good for the gander, right?

We even hear of this debate at the national level with Congress periodically exempting itself from the legislation it authors. Back to planning; why would a city NOT want to conform to the zoning code it deems necessary for good development? Setbacks, height restrictions, design review, density, signs, principally permitted uses (or not). These are what are at stake. Many “public” projects such as libraries, administration buildings, airports, public improvements, and schools can be quite imposing on the urban or suburban landscape. In many cases they are being designed by the same engineers and architects who seek approval for private sector projects.

What say you? What are your thoughts on how and why this phenomenon is allowed to occur? Where do you stand on the subject? E-mail me your take and let’s start a dialogue in the next issue.

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From The Editor’s Desk

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Urbane Planning
by Robert A. Jonas, AICP

IN ACTION
Planning during Slow Economic Times

We finally have some time to get to that corridor study before things pick back up again!

INACTION

I guess I won’t bother updating our long range plan. What’s the use when things are so slow?

“In Action” vs “Inaction” - The power of the ‘space’ key.

Jonas@one.net
Happy Holidays to everyone! The end of 2009 means the end of the first two-year certification maintenance (CM) reporting cycle. Anyone who has been a registered member of AICP for at least two years is required to log a minimum of 32 CM hours by December 31, 2009. If you are lacking a few hours, please be aware of APA’s free distance education courses that are approved for CM. For more information, please go to: www.planning.org/cm/free. In addition, KAPA has a lending library of CM-approved DVDs. Please contact Ben Peterson, AICP at bpeterson@ci.paducah.ky.us if you are interested in borrowing any of these DVDs. Also remember that APA allows up to 8 hours in each CM reporting cycle to consist of self-reported study hours. You may now add these self-study hours in your online log.

If after December 31st a member finds that they are still short of their required hours, AICP will grant members a four-month grace period — through April 30, 2010 — to attend and record CM-eligible activities. The grace period is automatic; nothing to fill out. Also, members will not lose their AICP designation during this time. However, not completing the CM requirements by the end of the grace period will cause a member’s AICP credential to lapse retroactively as of January 1, 2010, and will require reinstatement for continued use.

Please note if you are a retired member of AICP, it is important that you complete a Retired Status form for exemption from certification maintenance. If you are retired from planning and have a member type of “retired,” please go to the CM exemptions webpage at http://www.planning.org/cm/pdf/retiredform.pdf and complete the form. By submitting this exemption form, your designation will remain active and CM requirements will be waived. AICP members that are currently paying dues at the life member rate and meet the criteria for “retired” status qualify for the retirement exemption under the Certification Maintenance (CM) program. These members must apply for this exemption by submitting the Verification of life member Status form available on our website at: http://www.planning.org/cm/pdf/lifeform.pdf. More information about the retired status criteria can be found on the website on the exemptions page at: www.planning.org/cm/exemptions.htm

The May 2010 AICP exam application window opens in December. That window is May 10 – 24, 2010. Since the number of those taking the AICP exam in Kentucky continues to increase, the KAPA Executive Board decided to institute a new policy concerning exam fee reimbursement. KAPA will reimburse 100% of the exam fee only if the test-taker is not reimbursed by his/her employer or by other means. The fee will only be reimbursed after the individual has passed the exam. Any individual seeking reimbursement should contact me for a reimbursement application (mdesola@vioxinc.com). The application should be signed by the applicant’s employer indicating that they do not reimburse for the exam. This new policy begins with all those registering for the May 2010 exam. Please contact me if you have any questions regarding this new policy.

As my term as KAPA’s Professional Development Officer comes to an end, I would like to say thank you to everyone on my committee, to those countless individuals who have helped me out with exam prep workshops and continuing education and CM issues, and, finally, to all those on KAPA’s Executive Board. You all rock!!

Thanks,
Megan
**2010 Sponsorship Opportunities**

Firm/Organization Name: ____________________________________________

Contact Person: ____________________________________________________

Address: __________________________________________________________

Phone/Fax: __________________ Website/Email: ________________________

Please select the category that your firm or organization is interested in sponsoring by filling in the cost total in the appropriate category.

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Thank you for your support!
On July 26, 1991, the Federal Railroad Administration (FRA) issued an emergency order to end whistle bans in Florida. Notice of that emergency order (Emergency Order No. 15) was published in the Federal Register at 56 FR 36190. This order preempted State and local laws that permitted the nighttime ban on the use of locomotive horns. Senate Bill 50 passed during the regular session of the 1992 Kentucky General Assembly. This bill prevented Kentucky communities from banning train horns. In 1994, the statute was amended to incorporate the provisions of the FRA’s Emergency Order number 15. This change to Kentucky law allowed communities to ban the sounding of train horn in a community if specific safety improvements were made at every public at-grade crossing, the length of which had to be at least _ of a mile long. The zone where the train horns do not sound are referred to as Quiet Zones.

To date, there is only one truly FRA established Quiet Zone in Louisville Metro. The Germantown/Shelby Park Quiet Zone which runs from Shelby Street to Kentucky Street began under the rule of “Emergency Order number 15”. We also have two Pre-Rule Quiet Zones and a new Quiet Zone slated for completion in December 2009. One Pre-Rule Quiet Zone runs from the Frankfort Avenue crossing to Fenley Avenue. The other Pre-Rule picks up from Fenley Avenue and starts at the next public at-grade crossing, which is Chenoweth Ln. That Quiet Zone ends at Thierman Ln. The Chenoweth to Thierman zone is within the 4th class city of St. Matthews. Our new Quiet Zone is in the eastern part of Louisville Metro and includes the railroad crossings of Chamberlain Lane, Westport Road and Altawood Ct.

Louisville’s Germantown/Shelby Park Quiet Zone project began in 1994. It was the first major Quiet Zone in the nation. It was major because it was the first urban quiet zone with multiple crossings for _ mile to go silent. The neighborhoods approached their Alderman with questions on how to stop the train whistles from blowing on the CSX Transportation operated railroad track. By federal law, trains must blow their horn two long a short and a long for every public at-grade crossing. Considering there were 12 crossings in _ mile, that was a whole lot of whistle blowing. We had primary collector level streets running through this zone of 12 crossings in _ of a mile, 3 of which were alleys. We permanently closed the 3 alleys in the zone and 4 streets. To our advantage we had one way streets in which we simply needed to add another gate as there was only a gate for the right lane. We installed median barriers at both of the two way streets in the zone. The railroad company at the time would not allow a four quadrant gate system because of the liability of having a vehicle trapped within the gates on the tracks. Four quadrant gates are two gates on each side of the track. Also at this time the state would not allow us to use Qwick Kurb as a channelization device. Qwick Kurb provides plastic delineators installed in the road, which are about a foot in width. The state considers Qwick Kurb a temporary delineator and would not accept it as a permanent installation. We had parking issues on one side of the tracks where there was a well known antique mall on Goss Ave. The Antique mall on the southside of Goss Avenue at the tracks did not want to have parking restricted in front of their building because of a 2 foot wide concrete median barrier. It was an odd intersection, because as vehicles crossed the tracks westbound on Goss Avenue, it made a “Y” and vehicles were forced to veer right at which time it became one way northbound. This set up worked to our advantage. It allowed us to set up a 3 gate system with a median barrier on the “Y” section. We expected the median barrier would improve accident history because it defined the lane assignments better since it went from two way to one way at the tracks. There have been fewer accidents since the median barrier has been installed. All physical changes were complete by the summer of 2000 and it officially went quiet on September 12, 2000. There was a ribbon cutting on the tracks and it was quite a success story.

On August 17, 2006 the US Department of Transportation released Part IV of the Federal Railroad Administration 49 CFR Parts 222 and 229 Use of Locomotive Horns at Highway-Rail Grade Crossings; Final Rule. The document can be viewed at:
The Germantown/Shelby Park Quiet Zone was all squared away, however Louisville had three Pre-Rule Quiet Zones. These Pre-Rule Quiet Zones had no safety improvements made to them when they went Quiet 30+ years ago. There are two railroad companies operating on this track, CSX Transportation and RJ Corman.

The FRA’s website at [http://www.fra.dot.gov/us/content/1318](http://www.fra.dot.gov/us/content/1318) has what is called the Quiet Zone Calculator. Each railroad crossing has a risk number assigned to it. Listing every public at-grade crossing in the calculator within the zone, making sure the inventory sheet listed for that crossing is correct, then running the calculator with current count data, yields each crossing’s risk factor number and the total risk for the zone.

The Germantown/Shelby Park Quiet Zone was an intermediate and we had to submit crossing inventories for each crossing, recent traffic count information, any train collision reports and run the calculator to see if the risk factor fell under the NSRT. It did and so once all the paper work was submitted to the Federal Railroad Administration in June 2006 it was considered a new Quiet Zone.

Continued on page 10.
There are so many things to learn about establishing a quiet zone. The NSRT changes every year and as of September 1, 2009, is 18,775. State inventory sheets may not be up to date. Establishing new Quiet Zone in Kentucky requires you will need to conduct a traffic count at each crossing and submit the data to the Frankfort KYTC Railroad safety office. There are two types of safety improvements for a crossing: a “Supplemental Safety Measure (SSM)” and an “Alternate Safety Measure (ASM)”. The online Quiet Zone calculator will only calculate risk for an SSM. Because ASM’s are non-standard, consultants will be needed to help calculate the final the risk value to prove it is lower than the NSRT. Streets and commercial drives within the gate line are not counted, however any commercial drive with 60’ back from the gate arm does count and makes that crossing have an Alternative Safety Measure. Residential driveways are accepted with 60’ of the gate arm as long as there are no more than two. You must submit a “Notice of Intent” and “Notice of Establishment” to all operating railroads in the Quiet zone as well as KYTC. Safety funds will not pay for gates specifically for the purpose of creating a Quiet Zone, however Safety funds can be used to pay for gates on the state’s priority list. Railroads will not pay for Quiet Zones and neither will the FRA. Some physical improvements can be implemented through Public Works, if they can do it in house and have the funding. Funding can come from the Council Members though it has not been consistent in Louisville Metro. It varies per Council District.

It is not necessary to be a Transportation Planner or Traffic Engineer to see if a zone could qualify. The Quiet Zone number primarily takes into account: train accidents with vehicles within the last 5 years, average daily traffic, the amount of trains coming through and their speed. It’s a number the FRA assigns. Most railroad crossing as they are will be over the NSRT. That means safety improvements must be made. Pre-Rule Quiet Zones get privileges. Unlike a brand new Quiet Zone, not every crossing has to be gated. Also, not every crossing must be equipped with the extra safety features of Power off indicators and Constant warning time. The risk factor was high, for all three of our Pre-Rule Quiet Zones. We had to make some drastic changes.

Continued from page 9.

We had an even more unusual intersection to deal with, than the Goss Avenue one. This one was the Frankfort Avenue, New Main/Weikel intersection. The track here was skewed and two streets (New Main and Weikel) came into the crossing within the gate line. No one had a clue what we could do here. This crossing started out as a stand alone Pre-Rule Quiet Zone, however our FRA contact found out just after the required filling of the “Letter of Intent” (to inform the operating railroads and the Kentucky Transportation Cabinet that we will pursue this Quiet Zone under the new Rule), that two Pre-Rule Quiet Zones can be merged into a single zone if directly beside each other. Merging the two saved us from losing the Frankfort Avenue Quiet Zone and the horns would start blowing again. The Frankfort Avenue crossing, through a new Letter of Intent was then merged with fifteen other crossings. We still needed to implement some safety measures to get the NSRT in the acceptable range. We have installed median barriers at the Frankfort Avenue crossing and will soon permanently close two streets at the crossing. For the Pre-Rule in the 4th class city of St. Matthews, they will install median barriers at the Chenoweth Lane and Thierman Lane crossings.

Continued on page 13.
In September over 100 planners attended the 2009 Fall Conference in Bowling Green. Attendees were able to attend exciting sessions and share ideas on current planning topics. The conference included two days of educational sessions that allowed members to earn HB 55 hours, AICP CM credits, and network with others.

A few of the highlights included:
• 14 sessions focused on planning in Kentucky;
• Two mobile workshops that allowed planners to experience Bowling Green’s planning efforts;
• A reception and networking opportunity at the historic Lost River Cave;
• An ice cream break to energize attendees for the afternoon sessions;
• Over 23 hours of HB 55 hours and AICP CM credits plus options for law and ethics credits; and
• A luncheon with updates on KAPA activities.

Mark your calendars for KAPA’s Spring Conference at General Butler State Park Resort from May 26-28, 2010! This conference will offer something for all KAPA members including two days of educational and training sessions as well as two great receptions. The conference committee is currently looking for presentations and session proposals for the spring conference. If you are interested in conducting a session, visit www.kapa.org/KAPA_events.html for details. Proposals are due by March 3, 2010.

For more information on upcoming KAPA conferences, visit the programs and special events page at www.kapa.org or contact Amy Williams at awilliams@hntb.com or Felicia Harper at Felicia_harper@gspnet.com.

Amy Williams & Felicia Harper enjoy the conference

Barbara Michael and Shawn Dykes at the Fall Conference

Spring Conference at a glance: General Butler

• Wednesday, May 26 – Evening Reception
• Thursday, May 27 – Sessions, Conference luncheon / Awards Ceremony, and Evening Reception
• Friday, May 28 – Educational Sessions and Luncheon / Chapter Meeting
Are You Ready To Take the AICP Exam?
By Jennifer Evans-Cowley, PhD, AICP and Chris Steins, M. Pl.

The comprehensive planning examination for acceptance into the American Institute of Certified Planners (AICP) is the only certification exam for practicing urban planners. The exam is given at over 300 testing sites in the U.S. and Canada, and offered twice a year in two testing windows for two weeks in both May and November.

How, When To Register?
Beginning with the 2005 exam cycle, AICP introduced a new application that combines the application and registration steps into one form and one fee. This eliminates the previous two forms and separate fee payments, and makes the process easier for applicants. Education and employment verifications for each degree and job listed in the application will continue to be required in order for your application to be considered complete for review. Fees are $485 for new applicants and $425 for returning applicants.

You can register to take the exam online on the APA’s website: http://www.planning.org/certification/

Do You Qualify?
In order to take the exam, applicants must meet the following requirements:
1. Be a current member of APA
2. Be engaged in professional planning
3. Have completed a requisite number of years of education and professional planning experience (2 years of experience with a graduate degree in planning, 3 years with a bachelor’s degree in planning, but other combinations are possible and are located on the following website: http://www.planning.org/certification/eligible.htm)

Preparing for the Exam
There are a variety of ways to prepare for the exam:

Seminars
There are a variety of possible preparation techniques. Many APA Chapters have professional development officers that provide or arrange for day-long seminars that introduce the exam and some of the topics. Contact your Chapter’s Professional Development Officer for more information.

CPC Study Manual for the AICP Exam
A good place to start is the APA’s Chapter Presidents Council’s CPC Study Manual. The purpose of this self-study manual is to help review basic planning concepts and to practice skills that are necessary for taking a multiple-choice test. More information on the CPC Study Manual: http://myapa.planning.org/certification/studymenu.htm

Online Courses
If you’d like to start your studying early, and interact with students from around the US, consider an online course to guide your studying. The Planetizen AICP Exam Online Preparation Course, for example, is organized into a series of eight topics with a total of about 50 lessons. Each lesson is about 20-30 minutes to complete, enabling you to fit in a little studying whenever you have time -- during a lunch break, before work, or after you put the kids to bed. More than 10 hours of video presentations are also included, offering students a visual way to prepare. The course also provides over 450 sample questions, including a pretest exam and two sample exams. The course also includes five discussion forums to interact with other students and course staff, and ask any questions you might have as you prepare for the exam.

For more information about Planetizen’s AICP Exam Online Preparation Course: http://www.planetizen.com/courses/aicp/

Study Groups
If you live in an urban area, there are likely to be many others who will also be taking the exam. Using your Section’s PDO or individual networking to create a study group of 4-6 people. Take turns preparing sample questions and “study sheets” on specific topics to share with the other members of the group. Study groups can be a great way to keep you motivated and studying for the exam when things get busy at work.

What’s on the Exam?
The AICP Comprehensive Planning Examination consists of 170 multiple choice questions (20 of which are pre-test and do not count toward the final score) in two main areas: Knowledge (40 percent) and Skills (60 percent). In order to pass the exam, candidates must receive a score of 55 or higher. A score of 55 means that you got approximately 75 percent of the questions correct. Your score is in no way related to the percent of questions that you got correct. The exam is weighted as follows:

- History, Theory and Law [15%]
- Plan Making and implementation [30%]
- Functional Areas of Practice [25%]
Once the Pre-Rule Quiet Zones are established, the FRA and Kentucky Transportation Cabinet requires updated inventory sheets, traffic counts, any vehicle/train collision reports and Quiet Zone the calculator ran every 3 years. After the new Quiet Zone in eastern Louisville Metro is complete in December of 2009 and the Pre-Rule Quiet Zone complete in June 2009, we will have one to work on in the west end of town. None of the 8 crossings in the west end zone have gates. In the this zone, the Wilson Ave and Cypress St intersection is more oddly shaped than the Frankfort Ave and New Main/Weikel intersection. Luckily most of the crossings in the west end zone are slated for gates through the safety funds with the railroad matching a small percentage of the total gate installation cost. We had to remember to ask the Railroad Safety office, to work the constant warning time and power off indicators into agreement with the new gate installations.

It takes years for a zone to become quiet especially if the geography of the crossing makes it so that expensive four quad gates are the only option. The railroad will require exit gate timing from a Traffic Engineer before they will draw up a construction agreement and there are only a handful of Traffic Engineers that have any experience doing that. There is so much to know, and in most cases, so little money. The Train Horn Rule can be complicated and there is a lot of time and organization involved. The final outcome is a win/win because establishing a Quiet Zone increases public satisfaction without decreasing public safety. If you are thinking of starting a new quiet zone in your area and can’t find the answer to a question through the FRA website, you may e-mail me at Tammy.Markert@louisvilleky.gov.
Seemingly everyone has a horror story to tell about a utility construction project that cut through brand new street pavement. Virtually everyone wants to see the dollars they pay for utility service and for taxes go further. The LINK-GIS partnership is pursuing both issues with a single solution.

The Northern Kentucky partnership (Campbell and Kenton County Fiscal Courts, the Campbell and Kenton County PVAs, the Northern Kentucky Water District, Sanitation District 1, and the Northern Kentucky Area Planning Commission) implemented an online GIS-based tool recently that will cut down on road-construction-related frustration. It will also help stretch the dollars ratepayers pay for utility service and taxes.

Phase I of the online tool was put into operation for five jurisdictions in September.

“Our initial goal was to get road construction projects for the two fiscal courts, the water and sanitation districts, and the city of Covington into the system,” said Dennis Gordon, FAICP, executive director of the Area Planning Commission and managing partner of LINK-GIS. “Now that those five are uploaded and operational, we’ve moved on to get projects from the Transportation Cabinet and 31 remaining cities entered in the system. Our goal is to have most if not all of them online before the start of the 2010 construction season.”

Gordon says talks are underway to get Duke Energy to join the collaborative effort. Duke provides electric and gas service to most of Campbell and Kenton Counties.

As it is being deployed, the pavement coordination
that all utilities and all their neighboring communities will have access to it.”

The online tool updates all impacted jurisdictions by email any time project information is updated, thus keeping everyone informed easily.

Gordon says that once everyone who is doing construction in public rights of way is aware of what others are planning, they can all be more efficient with their limited resources. This efficiency, he asserts, will pay off with fewer oversights and less cost to rate and tax payers.

This online coordination tool is being funded jointly by Campbell and Kenton County Fiscal Courts, the Campbell and Kenton County PVAs, the Northern Kentucky Water District, and Sanitation District 1. It is being administered by the Northern Kentucky Area Planning Commission, managing partner of LINK-GIS.

Because some utility and road project information is sensitive, the system and all the data it contains are user name and password protected. At some point major road and utility construction projects will be hosted on the partnership’s website, www.linkgis.org.

“One of the most prevalent reasons for new pavement being disturbed is lack of communication,” said Gordon. “The number of jurisdictions we have in these two counties (35) makes communication difficult. Our online tool will get beyond this headache because jurisdictions can upload their construction projects once and know
APA-KY Calendar Of Events

February 5, 2010
Winter Kentucky Planner article submission deadline

April 10-13, 2010
APA National Conference (New Orleans, LA)

May 26-28, 2010
APA-KY Spring Conference (General Butler State Park Resort)

Fall 2010
OKI Regional Planning Conference (hosted by APA-IN)

April 9-13, 2011
APA National Conference (Boston, MA)

May 25-27, 2011
APA-KY Spring Conference (Dale Hallow State Park Resort)