

**AGENDA
URBAN COUNTY PLANNING COMMISSION
ZONING ITEMS PUBLIC HEARING**

January 25, 2018

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** - The minutes of the November 30, 2017, December 14, 2017, and January 11, 2018 meetings will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, January 4, 2018, at 8:30 a.m. The meeting was attended by Commission members: Carolyn Plumlee, Mike Owens, Will Berkley and Headley Bell. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Jim Duncan; Traci Wade; Tom Martin; Cheryl Gallt; Denice Bullock; Captain Greg Legal & Lieutenant Joshua Thiel, Division of Fire & Emergency Services; Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission:

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
 2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*
- V. **ZONING ITEMS** - The Zoning Committee met on Thursday, January 4, 2018 at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members: Mike Cravens, Larry Forester, Carolyn Richardson, and Bill Wilson. Staff members in attendance were: Traci Wade; Tom Martin; Debbie Woods; Tracy Jones, Department of Law. The Committee members reviewed applications and made recommendations as noted.

A. ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS

The staff will call for objectors to determine which petitions are eligible for abbreviated hearings.

Abbreviated public hearings will be held on petitions meeting the following criteria:

- The staff has recommended approval of the zone change petition and related plan(s)
- The petitioner concurs with the staff recommendations
- Petitioner waives oral presentation, but may submit written evidence for the record
- There are no objections to the petition

B. FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS - Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff Reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum) (3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Hearing closed and Commission votes on zone change petition and related plan(s)

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **ZOTA 2017-9: AMENDMENT TO ARTICLE 17-7(q) TO INCREASE SIGNAGE FOR PLACES OF RELIGIOUS ASSEMBLY IN THE EXPANSION AREA ZONES** - petition for a Zoning Ordinance text amendment to Article 17-7(q)(1) of the Zoning Ordinance related to signage for churches in the Expansion Area zones.

REQUESTED BY: Crossroads Community Church, Inc.

PROPOSED TEXT: Copies are available from the staff.

ARTICLE 17: SIGN REGULATIONS

17-7(q) EXPANSION AREA ZONES

- (1) **CONSERVATION DISTRICT (CD), EXPANSION AREA RESIDENTIAL (EAR-1, EAR-2 and EAR-3) and COMMUNITY CENTER (CC) ZONES** - Signage shall be permitted and restricted under Article 17-7(m), as for a PUD zone. Construction screening signs shall be permitted within a CC zone as regulated in the B-1 zone.

(a) One free standing identification sign per street frontage, with a maximum of two (2) signs, for a permitted church that is adjacent to a designated interstate highway, the total surface area shall not exceed one and one-half (1½) square feet per linear foot of street frontage, with a maximum of one hundred and fifty (150) square feet in area, with a maximum height of fifteen (15) feet, with a maximum setback of ten (10) feet; in addition, one wall mounted sign a total maximum area of fifteen percent (15%) of the wall to which it is attached.

- (2) **ECONOMIC DEVELOPMENT (ED) ZONE** - Signage shall be permitted and restricted as in the P-1 zone, except as follows:

- (a) Project entrance identification signs shall be for Professional Office Projects, as specifically regulated under Section 17-7(e)(10). All free-standing identification or business signs shall be monument type.
- (b) Signage for extended-stay hotels may be directly, indirectly or internally illuminated. There shall be no more than one (1) wall-mounted business sign per each extended-stay hotel, not to exceed thirty-two (32) square feet in area; and no more than one (1) free-standing monument type business sign, eight (8) feet in height, with a maximum size of thirty-two (32) square feet.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Approval of the staff alternative text**, for the following reason:

1. The community's signage has been regulated in a tiered approach so that the least intensive zones have the least intensive signage, and the most intensive zones permit a greater number of signs, and ones that may be taller or larger in size. The proposed staff alternative text remains consistent with the existing tiered approach of *Article 17: Sign Regulations* and ensure that modifications to the sign regulations will not result in signage that is out of scale or intrusive in a residential zone.
2. The staff alternative text permits a slight expansion of signage for places of religious assembly in the Expansion Area, above and beyond other group residential uses or conditional uses.

VI. COMMISSION ITEMS

VII. STAFF ITEMS – The staff will report at the meeting.

A. **Long Range Planning Activity Report** (November & December 2017)

Imagine Lexington - Staff continued to meet with Council's Ad Hoc Committee to review the Planning Commission's Recommended 2018 Goals and Objectives. Council's last Ad Hoc Committee meeting to review the text was November 7th, where a motion was made to approve the recommended text at their work session that afternoon. The first and second readings of the Goals and Objectives were November 9th and 16th, and the Goals and Objectives were approved November 16th, 2017.

All of the materials presented to Council's Ad Hoc Committee are made available to the public on *Imagine Lexington's* website, www.imaginelexington.com. Along with these materials, many other resources are available for the public to learn more about the planning process, other plans or studies conducted by the Division of Planning, as well as information on how to contact the Division of Planning with questions, concerns or comments on the planning process.

Staff continued to update information hosted on *Imagine Lexington's* website, www.imaginelexington.com. Studies, plans, data and presentations are all available so the public to access. Staff's desire is to make the website user friendly and attractive so that it serves the public and any interested parties to the best of their ability.

Staff continues to maintain *Imagine Lexington's* three social media sites - Facebook, Twitter and Instagram. Staff will continue to share photos and information as other events and meetings occurs. Staff's intent is to be as transparent as possible and keep the public informed and aware of all in which the Division of Planning is involved.

Rural Land Management Plan Update - Staff presented at the Planning Commission meeting on November 30th, 2017 the 2017 Rural Land Management Plan. The Planning Commission voted to adopt the Plan.

ZOTA 2017-8 - With the adoption of the 2018 Comprehensive Plan's Goals and Objectives, Staff has had to review the Zoning Ordinance for necessary amendments. While much work has been done through the Infill and Redevelopment Steering Committee to update the Zoning Ordinance to accommodate more dense urban development, little has been done to the more suburban sections. At the request of the Division of Planning Staff, the Urban County Planning Commission initiated a text

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amendment to Article 12 of the Zoning Ordinance. What was named the Planned Shopping Center (B-6P) Zone, is now named the Commercial Center (B-6P) Zone. While there are numerous changes proposed with this text amendment, three significant changes are driving ZOTA 2017-8. The first is the elimination of minimum parking requirements. The second is the introduction of multi-family residential as a principally permitted use. The third is an emphasis on providing adequate infrastructure for all modes of transportation. In exchange for much greater flexibility, the Staff believes that there should be an expectation of significant intensification along major corridors to help Lexington achieve its 2018 Comprehensive Plan's Goals and Objectives.

Courthouse Area Design Review Board - Staff presented the CADRB's annual report to the Planning Commission; reporting on reviewed applications.

Coordination with Transportation Planning - Long-Range Planning Staff met with Transportation Planning Staff to coordinate and strategize public input opportunities for *Imagine Lexington* and the *Metropolitan Transportation Plan*.

North Limestone (NoLi) Neighborhood - Staff was invited by Kris Nonn to a walking tour that reviewed existing conditions of the NoLi neighborhood.

Henry Clay High School - Staff was interviewed by a class at Henry Clay High School regarding the Urban Service Area.

APA Audio Conferences - For many years, Staff has hosted APA Audio Conferences for continuing-education credits for both LFUCG and AICP. There were two APA Audio Conference hosted in the months of November and December, whose titles are as follows: *Step by Step: Catalyzing Walkable Redevelopment*, and *Women in Planning: Guiding Emerging Professionals*.

General Work Activities - Using GIS, and Census data, staff created maps and data sets for the Urban County Council, other LFUCG Departments, and agencies and officials outside the government. Staff also attended LFUCG-sponsored trainings and Webinars.

B. Transportation Planning Activity Report

1.1 Inventory/Monitor; Title VI/ADA; Participation; Coordination/Consultation

- Attended Director-Manager meetings at LFUCG Division of Planning.
- Conducted MPO / Transportation Section staff meetings.
- Attended LFUCG Pedestrian Safety Work Group.
- Attended Commission for People with Disabilities.
- Attended LFUCG Corridors Commission.
- Attended University of Kentucky Bicycle Advisory Committee Meeting.
- Submitted bi-monthly Title VI progress report. The MPO website had 624 visits from 454 users and 1,213 page views in December. The MPO's Twitter site had 2,067 followers in December.
- The MPO's Facebook page had 870likes in December. The page had 75 engaged users and reached 1,098 users.

1.2 Staff Development

- Attended Safe Streets Academy Distance Learning Module: Planning and Designing for Active Communities.
- Attended APA Webinar: Walkable Redevelopment.
- Attended FTA webinar: Manual on Pedestrian and Bicycle Connections to Transit

2.1 Congestion Management Process (CMP)

- Worked on spreadsheets, graphs, and maps to document annual congestion trends on selected corridors in the CM network using Blue TOAD system Travel Time Index (TTI) data.
- Worked on spreadsheets to document monthly congestion trends for Winchester Road using Blue TOAD system TTI data.
- Worked with Traffic Engineering staff to evaluate potential data sources to replace Blue TOAD data.
- Worked with KYTC and Traffic Engineering staff on ITS-CMS project coordination.
- Reviewed an article titled Seven (7) Smart City Solutions to Reduce Traffic Congestion with smart city technologies.
- Used live and typical Google Traffic maps to document annual congestion trends at most congested time-of-day in a week and most congested month in a year for recurring congestion, such as bottlenecks and poor signal timing.

2.2 Transportation Plan Update & Implementation

- Began data analysis phase of the Metropolitan Transportation Plan update

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2.3 Air Quality Activities

- No activity to report.

3.1 Transportation - Land Use Impact Analysis

- Provided assistance and answered inquiries on various potential Traffic Impact Studies.
- Provided support concerning transportation and land use issues on various development applications in Fayette County and Jessamine County.
- Provided transportation analysis on two Jessamine County cases (one subdivision item and one BOA case).
- Coordinated with several Fayette County long range planning efforts concerning the coordination of the 2018 Comprehensive Plan and the 2045 MTP.

3.2 Multimodal/Transportation Enhancement Planning

- Responded to approx.14 citizen/agency requests for information on bike and pedestrian issues.
- Worked on various intersection safety design projects and bike facility maintenance projects funded by MAP money for FY 2016.
- Reviewed and submitted comments in Plan Tracker for 10 plans for bike and pedestrian circulation requirements.
- Corresponded on six plans approved by the planning commission for compliance with conditional signoff requirements.
- Met twice with the Safe Streets Academy team to identify a pilot project.
- Completed and adjusted the final draft of the BPMP in response to the initial round of public input on the draft network. Initiated a formal 30 day public review period on the final draft.
- Held 4 calls with the consulting team for the BPMP to discuss plan progress and presentation of the draft networks.
- Gave a presentation to KYTC-D7 office on the BPMP update and the inclusion of multi modal infrastructure into all projects.
- Meeting with Citizens Environmental Committee and Noli CDC to discuss the location and implementation of the Safe Streets Academy Project.
- Reviewed major and minor arterials and collectors for the inclusion of bicycle and pedestrian improvements.
- Organized and developed reports from the Metro Count Data counters on the Arboretum Woods Trail and the Legacy Trail and reported to BPAC, UK and LFUCG Engineering.
- Reviewed existing Freight plan and current freight activities. Attempted to gain access to the NPMRDS national database, awaiting response from FHWA for access credentials.
- Reviewed Performance measures for Freight and Congestion to be adopted by final rule in Jan 2018.

3.3 Transit Planning

- Staff attended Via Creative board meeting as Co-Chair.
- Staff attended FTSB board meeting as Chair.
- Staff attended public announcement session for Gtran public transit service in Georgetown. Service to begin in February.
- Staff attended webinar: Case Studies in the FTA Manual on Pedestrian and Bicycle Connections.

3.4 Mobility Coordination

- Selected a marketing firm in response to the RFP and initiated Council approval.

3.5 Travel Demand Modeling and Project Forecasting

- Continued to review and practice with the TDM for MPO activities.

4.1 Program Administration

- Committee meeting packets were drafted for Transportation Planning/MPO meetings held in the month: Bicycle & Pedestrian Advisory Committee (BPAC), Congestion Management Committee (CMC).

4.2 Transportation Improvement Programming (TIP)

- Submitted the Annual Listing of Obligated Federal Funds to KYTC and posted to the website.

4.3 Unified Planning Work Program (UPWP)

- Utilized 2017 UPWP for program element tasks and reviewed comparison of hours/funding budgeted versus expended to date.
- Completed Quarterly Progress Report and submitted to KYTC

C. Zoning Compliance Planning Activity Report**Enforcement**

Only 14 new case investigations were initiated in December, which is typical for the beginning of the winter season. Twenty cases (some old, some new) were resolved, meaning that necessary actions were taken by a property owner or occupant to fix a zoning compliance problem. Annual inspections were completed on 19 properties with conditional uses, and all were determined to be in substantial compliance.

Permitting

Since January 1, 2012 Zoning Compliance Permits have been required before a building or premises can be occupied for a specific use or a change in use, with some exceptions for agricultural uses and single family or two-family residences. In December, 13 such permits were issued. Technical assistance was also provided to the Division of Building Inspection (at weekly "Review Board" meetings) in review of 3 applications for new commercial or multi-family building construction, and 14 applications for remodel activity, "fit-ups" or change in use requests.

As part of the permitting process, Zoning Ordinance interpretations are often required to provide definitive answers regarding how certain uses are regulated. In response to a number of inquiries regarding "Air BnB" rentals in residential zones, a summary document has been prepared explaining how various provisions in the Zoning Ordinance collectively treat this issue. Bottom line is that Air BnB rentals are generally permitted, but rentals have to be for a minimum of one week.

Board of Adjustment

Four applications for conditional uses were fully considered by the BOA at the December 15 public hearing. A wedding/events venue was approved for the driving range property on Richmond Road near Jacobson Park. A self-service car wash facility on South Broadway was also approved, but some potential design problems were noted which will have to be addressed by the Planning Commission when the development plan is amended.

VIII. AUDIENCE ITEMS – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission's formal action, such as zoning items for early rehearing, map or **text amendments; subdivision or development plans, etc.** These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

IX. MEETING DATES FOR FEBRUARY 2018

Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	February	1, 2018
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (101 East Vine Street).....	February	1, 2018
Subdivision and ND-1 Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	February	8, 2018
Work Session, Thursday, 1:30 p.m., 1:30 p.m., 2nd Floor Council Chambers.....	February	15, 2018
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	February	21, 2018
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	February	22, 2018

X. ADJOURNMENT

TLW/TM/dw

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