

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

November 19, 2020

I. CALL TO ORDER - The meeting will be called to order at 1:30 p.m. via video teleconference.

Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting is being held via teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.

Please utilize the following information to participate in this public hearing:

<https://zoom.us/join>

Webinar ID: 946 5259 0121

Password: 808805

Call in Number

+1 (929) 436-2866

If participants have items to submit for consideration by the Planning Commission (photos, videos, documents, etc.), please email them to planningmailbox@lexingtonky.gov before 10:00 a.m. on the day of the meeting. Information may also be mailed to the Division of Planning, 101 E. Vine Street, Suite 700, Lexington, KY 40507. Members of the public will have the opportunity to speak during the meeting, but will not have the opportunity to share their screens during the video teleconference. If members of the public wish to speak during the meeting, but are unable to connect or have other technical difficulties, please contact the Division of Planning via email at planningmailbox@lexingtonky.gov, or (859) 258-3160.

If you do not feel comfortable participating in a video teleconference meeting, written comments may be sent to the Division of Planning at the above listed email address, and will be distributed to the Planning Commission members.

The media and public may view the public hearing on LexTV Spectrum channel 185, MetroNet channel 3, Windstream channels 3 and 20, or via live stream at the following link: http://fucg.granicus.com/MediaPlayer.php?publish_id=12

II. APPROVAL OF MINUTES – The minutes of the September 10, 2020 and September 24, 2020 meeting 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, November 5, 2020, at 8:30 a.m. The meeting was attended by Commission members: Ivy Barksdale, Headley Bell, Anthony de Movellan, Jan Meyer, Frank Penn, and Carolyn Plumlee. Committee members in attendance were: Deepika Eyunni, Division of Traffic Engineering and Vaughan Adkins, Division of Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Hal Baillie, Cheryl Galt, Lauren Hedge, Stephanie Cunningham, Captain Greg Lengal, Division of Fire & Emergency Services; and 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, November 5, 2020, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members: Zach Davis, Larry Forester, Bruce Nicol, Graham Pohl, and Bill Wilson. Staff members in attendance were: Traci Wade, Tom Martin, Hal Baillie, Stephanie Cunningham, and Debbie Woods, and Tracy Jones, Department of Law. The Committee members reviewed application 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.

1. JN HARRODSBURG, LLC ZONING MAP AMENDMENT & ETHINGTON & ETHINGTON, TRACT 1 ZONING DEVELOPMENT PLAN

- a. PLN-MAR-20-00013: JN HARRODSBURG, LLC (1/3/21)*- a petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Neighborhood Business (B-1) zone, for 0.241 net (0.759 gross) acre, and from an Agricultural Urban (A-U) zone to a Townhouse Residential (R-1T) zone, for 0.002 net (0.019 gross) acre, for property located at 4235 Harrodsburg Road (a portion of).

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The applicant is seeking a zone change from an Agricultural Urban (A-U) zone to a Neighborhood Business (B-1) zone and Townhouse Residential (R-1T) zone for a portion of the property located at 4235 Harrodsburg Road. The applicant proposes to rezone and incorporate the portions of land that remained following the construction of Madrone Way into the larger commercial development that fronts along Harrodsburg Road. The two zones are proposed to match the existing zoning on the property.

The Zoning Committee Recommended: **Approved** to the full Commission.

The Staff Recommends: **Approval**, for the following reasons:

1. The applicant has not provided sufficient and complete information to demonstrate agreement with the Goals, Objectives, Policies, or Development Criteria of the 2018 Comprehensive Plan. As these portions of land are the uneconomic remnants associated with the construction of Madrone Way and due to the incredibly small size of the Agricultural Rural (A-U) zoned portions of land, staff cannot find that the zone change request is in agreement with the 2018 Comprehensive Plan.
2. The existing Agricultural Urban (A-U) zoning is inappropriate for the subject property, for the following reasons:
 - a. The subject property is too small and oddly shaped for feasible agricultural use, and Madrone Way separates the property from the remaining A-U zoned land in the vicinity.
 - b. For the subject property to be utilized for those uses permitted in the A-U zone, the applicant would need to apply for variances and waivers to allow for any use to occur on site.
 - c. The subject property has available public facilities and services adequate to serve urban uses.
3. The proposed Neighborhood Business (B-1) and Townhouse Residential (R-1T) zones are appropriate for the subject property, for the following reasons:
 - a. The proposed zoning is compatible with the surrounding land uses and zoning at this location.
 - b. The proposed zoning allows for the full utilization of the neighborhood supporting commercial uses.
 - c. The subject property is located within the Urban Service Area and is currently supported by urban services, including the transportation network and sewer services.
4. This recommendation is made subject to approval and certification of PLN-MJDP-20-00066: Ethington and Ethington Tract 1, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

- b. PLN-MJDP-20-00066: ETHINGTON & ETHINGTON, TRACT 1 (1/3/21)* - 4235 HARRODSBURG RD., LEXINGTON, KY.
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise the building sizes, lot layouts and vehicular circulation for Lots 1 – 4, and modify the number of units and layout within the R-1T zone.

The Subdivision Committee Recommended: **Approval**, subject to the following requirements:

1. Provided the Urban County Council rezones the property B-1 and R-1T; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. United States Postal Service Office's approval of kiosk locations or easement.
6. Denote approved setback from BOA variance on Lots 2 - 4.
7. Denote existing and proposed zone lines.

2. EXETER NEWTOWN LAND, LLC ZONING MAP AMENDMENT & LEXMARK INTERNATIONAL CORP ZONING DEVELOPMENT PLAN

- a. PLN-MAR-20-00014: EXETER NEWTOWN LAND, LLC (1/4/21)*- a petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Light Industrial (I-1) zone, for 45.08 net (46.74 gross) acres, for property located at 1180 Newtown Pike (a portion of).

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The applicant is seeking a zone change from the Agricultural Urban (A-U) zone to the Light Industrial (I-1) zone for a portion of the property located at 1180 Newtown Pike. The applicant is seeking to construct a package fulfillment and distribution center with associated employee parking and a large area of fleet storage relating to the delivering of packages.

The Zoning Committee Recommended: **Approval** to the full Commission.

The Staff Recommends: **Approval**, for the following reasons:

1. The requested Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed development will activate a large tract of undeveloped land within the Urban Service Area (Theme E, Goal #1.e) and expand industrial land in Lexington.
 - b. The proposed rezoning will allow for the support and showcasing of local assets to further the creation of a variety of jobs (Theme C, Goal #1).
 - c. The proposed rezoning will enhance the existing mass transit and multi-modal infrastructure to connect residents to their jobs at the proposed fulfillment center and create an effective and comprehensive transportation system (Theme D, Goal #1.).
 - d. The proposed new public road will allow for the connection of the Newtown Springs, Hollow Creek, and Green Acres Neighborhoods to Newtown Pike and the Legacy Trail (Theme A, Goal #3.b and Theme D, Goal #1.b).
 - e. The proposed development meets the goals of connectivity, public infrastructure, and job creation outlined within of the Winburn and Russell Cave Neighborhoods Small Area Plan.
 - f. The proposed project allows access to both the major corridors in Lexington and throughout the broader Bluegrass region due to the location of the proposed development along the preferred freight corridor, the access to the Interstate 75 / Interstate 64, and the proximity New Circle Road interchange.
2. The requested Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed development meets Livability Policy #9, which seeks to promote economic development through the preservation of strategically and appropriately located industrial and production zoned land.
 - b. The proposed development will protect and recover Lexington's urban forest by strategically planting new trees and creating walkable streetscapes (Restoration Policy #1).
 - c. The proposed development will conserve environmentally sensitive areas, including significant natural habitats, wetlands and water bodies (Protection Policy #2), while also creating two new wetlands.

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3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates an industrial development that allows for safe pedestrian mobility and provides connections to residential developments.
 - b. The proposed rezoning includes safe facilities for the potential users of the site by allowing for increase connectivity and prioritizing the inclusion of safe pedestrian facilities. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it limits the impacts on the surrounding environment, adds green infrastructure through the creation of wetlands and adds tree canopy coverage in the form of trees and landscape buffers.
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. Prohibited Uses:
 - i. Self-storage warehousing.
 - ii. Outdoor storage.
 - iii. Advertising Signs (aka Billboard signs).
 - iv. All above ground and underground storage tanks.
 - v. On-site disposal of any hazardous waste materials.
 - vi. Mining of non-metallic minerals and/or radium extraction.
 - b. All lighting within parking lots shall be a maximum of 12 feet in height and shall be shielded and directed away from the residential land uses.
 - c. There shall a 30-foot landscaping buffer along the northern and eastern property boundaries of the subject property where adjacent to R-1D or R-3 zoning and developed with a residential land use.
 - d. All establishments and facilities that store, or transport hazardous materials shall be designed to provide spill containment facilities and shall have emergency response plans approved by the appropriate Hazmat regulator (DEEM, Fire Department, or EPA, as necessary).

These restrictions are appropriate and necessary for the following reasons:

1. To reduce the potential impact of industrial uses on the adjacent neighborhood.
 2. To reduce the potential impact of lighting and sound on the adjacent neighborhood.
 3. The Planning Commission has adopted a Wellhead Protection Plan for the Royal Spring Aquifer, which sets forth a plan to ensure a continual source of potable groundwater from Royal Spring for Georgetown and Scott County, and to preserve the integrity of surface waters. This plan has been adopted by both the Planning Commissions of Fayette and Scott Counties, and has most recently been approved by the Kentucky Division of Water on 8/28/03.
 4. The proposed restrictions within the Wellhead Protection Area will better protect the surface and groundwater in the area by prohibiting some uses and requiring "best management practices" for other uses that could potentially be harmful to the wellhead, thus ensuring greater compliance with the Royal Spring Wellhead Protection Plan.
 5. The proposed restriction will better protect the adjacent Cane Run Creek and associated environmentally sensitive areas from uses that could potentially be harmful to the stream.
5. This recommendation is made subject to approval and certification of PLN-MJDP-20-00068: Lexmark International Corp., prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

- b. PLN-MJDP-20-00068: LEXMARK INTERNATIONAL CORP (1/4/21)* - 1180 NEWTOWN PIKE (A PORTION OF) AND 725 W. NEW CIRCLE RD., LEXINGTON, KY.
Project Contact: EA Partners, PLC

Note: The purpose of this plan is to rezone the property.

The Subdivision Committee Recommended: Postponement. There are questions regarding access and the need for waivers.

1. Provided the Urban County Council rezones the property 1-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Discuss maintenance requirements for delivery fleet.
9. Discuss fleet storage area size (727 parking spaces).
10. Discuss public street access to Newtown Pike and requested waiver.

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11. Discuss right-in/right-out to Newtown Pike and possible waiver.
12. Discuss Silver Springs Drive geometric and possible waiver.
13. Discuss cross access to Newtown Springs commercial area to the north (B-6P zone).
14. Discuss potential utilization of greenway/floodplain as a public/private amenity.
15. Discuss trail connection to Legacy Trail.
16. Discuss Placebuilder criteria.
 - a. D-CO1-1 Rights-of-way and multi-modal facilities should be designed to reflect and promote the desired place-type.
 - b. A-EQ7-2: Community open spaces should be easily accessible and clearly delineated from private open spaces.
 - c. B-PR7-1: Connections to greenways, tree stands, and stream corridors should be provided.
 - d. E-GR3-2: New focal points should emphasize geographic features unique to the site.

VI. **COMMISSION ITEMS** - The Chair will announce that any item a Commission member would like to present will be heard at this time.

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

A. **Long Range Planning Activity Report**

During the month of October, Long Range Planning staff continued to move forward with a number of implementation items related to the 2018 Comprehensive Plan.

Uncommon Commons

LRP staff continued the Uncommon Commons webinar series “Mornings with Planning,” with a discussion titled “Lexington Transportation: How are new trends shaping the future?” which took place on Oct. 7, 2020. Senior Planner Sam Castro participated as a panelist for that discussion; Senior Planner Lauren Well. Weaver served as the moderator.

Planning is underway for future editions of the webinar series, with upcoming topics including public engagement and urban planning trends for 2021 – set to feature panelists from across the nation. Staff also continued work on additional offerings for the Uncommon Commons project, including an Urban Design video series and the Accela Citizen Training Video.

Imagine Lexington Website & Social Media

Staff continued with maintenance and updates to imaginelexington.com in October, with a goal to complete Phases II and III by the end of 2020.

In the month of October, staff specifically worked to develop a set of project pages for the website that would feature information related to the various Zoning Ordinance Text Amendments and Subdivision Regulation Amendments that have been set in motion by the recommendation within *Imagine Lexington*. This section of the site will go live in November.

Staff also continues to maintain the Imagine Lexington Facebook, Twitter, and Instagram social media accounts. In October, staff created posts for all Planning Commission and Board of Adjustment agendas, and post-meeting summaries of the votes taken during the meetings.

Zoning Ordinance Text Amendments (ZOTAs) and Subdivision Regulation Amendments (SRAs)

In April of 2019, the Planning staff began a division-wide effort to draft and initiate a series of text amendments, many related to the 2018 Comprehensive Plan.

Text amendments that are currently in the “planning and research” phase include: open space (Article 20); Multi-Family Design Standards (multiple locations); parking (multiple locations); street patterns and continuity (multiple locations); and revisions to intent statements for multiple articles.

LRP staff has taken on the task of development informational one-pagers for each of the ZOTAs that summarize the proposed amendments to succinctly communicate the proposed changes and provide additional material resources to Planning Commission members, the Urban County Council, and the public.

Development Handbook

Staff continued meeting with the Development Handbook advisory group in October, using the Oct. 28, 2020 meeting to review a selection of draft handbook sections and to discuss the different mediums through which they could be presented to the public (print, web, etc.). Staff also meets bi-weekly to support the advisory group's efforts and prepare for upcoming meetings.

As part of the Development Handbook process, Senior Planner Lauren Well. Weaver has continued working with staff from other sections to develop a series of detailed process workflows for zone change requests, subdivision and development plans, and Board of Adjustment applications.

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Imagine Nicholasville Road

The Imagine Nicholasville project team, including representatives from Long-Range Planning and the Metropolitan Planning Organization (MPO) continued work on this project relative to land use and transportation recommendations for the corridor. The project team, along with consultants, worked with details relating to the study's selected catalyst site. They also conducted a regulatory framework review.

Infill and Redevelopment Steering Committee

Long Range Planning Manager, Chris Woodall, attended the Infill and Redevelopment Steering Committee meeting on Oct. 7, 2020, where he provided an update on the progress of several *Imagine Lexington* implementation items since the last committee meeting.

Council District Infographics

Chris Woodall and Senior Planner Lauren Well. Weaver continued work on a large, ongoing project to provide and classify various data for the city of Lexington, organized as a series of attractive, readable infographics. The completed infographics are now available on the *Imagine Lexington* website. The goal for this project is to provide the infographics to Councilmembers for use in their districts.

Coordination with Outside Agencies

Chris Woodall attended the meeting for the Sustainable Growth Task Force on Oct. 21, 2020, working with the consultants on strategies for data gathering and preliminary work.

Chris Woodall continued his participation on the FCPS Long Range Planning Committee process. He also met with Planners from the City of Tallahassee, Florida to continue coordination for December's planning panel.

Senior Planner Lauren Well. Weaver and Planning Technician Grace Coy continued work with the Communications Committee of the APA Kentucky Chapter, where she aided in the design and development of the association's quarterly newsletter, which will be released later this fall.

Several members of the Long Range Planning team attended the David Pike Training that took place on Oct. 23, 2020. Administrative Officer, Chris Taylor, gave a presentation as part of the training on the topic of "Missing Middle Housing."

Study Group

Several Long Range Planning and Planning Services staff members continued their participation in a self-guided "study group" that meets every other week to discuss planning topics. The group was formed in order to develop and enhance the participants' understanding of different planning process, the Zoning Ordinance and Subdivision Regulations, and existing and upcoming studies and plans.

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. In addition, Chris Woodall and Lauren Well. Weaver have continued work on projects related to Lexington demographics and land use classification.

Staff also continued participation in review of zoning applications and development plans.

B. Transportation Planning / MPO Activity Report August 2020

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

- Attended 4 weekly paving meetings.
- Attended KYTC/LFUCG Maintenance and Operations meeting.
- Attended Statewide Transportation Planning Meeting and MPO's Session.
- Prepared a presentation for the TPC outlining current impacts and transportation trends per the COVID pandemic.

1.2 Staff Development

- Attended Webinar: Planning During Covid-19 Accelerated Trends.
- Attended David Pike's Urban Planning Training.
- Attended ArcGIS Urban Virtual Workshop and Seminar
- Attended webinar: TCRP Synthesis 149: Transit Signal Priority.
- Participated in Mornings with Planning webinar. Coordinated with KYTC to present information on Reduced Conflict U-Turn (RCUT) intersections at the LFUCG Planning Commission training session.

2.1 Congestion Management Process (CMP)

- Prepared Congestion Management (CM) Bottleneck Study project Professional Services Agreement for Council approval.
- Attended CM Bottleneck Study scope of work and congestion travel time Performance Measures/metrics meetings.
- Researched federally-required CM Performance Measures/metrics to support performance metrics analysis, evaluation and selection process.
- Prepared for the October's Congestion Management Committee (CMC) meeting agenda and materials.

2.2 Transportation Plan Update & Implementation

- Continued in-house development of a Freight Plan.
- Promoted Jessamine/Fayette Connectivity study survey and opportunities for public involvement. The project website is <http://www.jessfaystudy.com/>
- Attended meeting with KYTC regarding advancing the US 27 Access Management plan in Jessamine County.
- Attended meeting with KYTC regarding the feasibility of the Hamburg Connector project.

3.1 Transportation - Land Use Impact Analysis

- Conducted nine project team meetings for the Imagine Nicholasville Road Study including work to finalize draft catalyst site concepts, transportation concepts and regulatory framework approach. Continued preparations for the second round of public input for the study.
- Provided assistance and answered inquiries on various traffic related issues.
- Attended two pre-application meetings to provide transportation planning input on future land-use applications.
- Assisted LFUCG planning staff on transportation related issues.
- Continued coordination and presented staff recommendations on a traffic impact study for zone change proposals in Fayette County.
- Attended regular LFUCG Subdivision and Zoning Committee meetings.
- Continued work on the Street Continuity SRA, Parking ZOTA, Greenspace ZOTA, Complete Streets SRA and Curbside Management ZOTA.
- Continued work to update various elements of Traffic Impact Study requirements.
- Started work on an LFUCG Road Classification evaluation project.

3.2 Multimodal/Transportation Enhancement Planning

- Responded to approx. 18 various citizen/agency requests for information on bike and pedestrian issues.
- Reviewed and submitted comments in Accela for bike/pedestrian circulation requirements.
- Corresponded on plans approved by the Planning Commission for compliance with conditional signoff requirements.
- Responded to 27 inquiries with development groups to work through requirements for multi-modal compliance with the subdivision regulations.
- Continued work on the print version of the Lexington Bike Map.
- Conducted multiple meetings with Shared Mobility providers.
- Continued work with Populus, a third party data-management company platform, to process and evaluate multiple shared mobility companies' data.
- Continued data management tasks for various bike counters on local trails.
- Responded to request for clarification on driveway ramps for new developments and ADA compliance as it relates to approved gutter types.
- Presented to the UK Design Studio on Complete Streets and BRT design for bicycles and pedestrians
- Continued work to implement Shared Mobility Vehicle permits, managed current licensees, and associated data and enforcement.
- Continued work on developing conceptual level plans for connections to the Town Branch Commons.
- Reviewed paving lists for inclusion and/or refreshing of on-road bicycle facilities during upcoming resurfacing projects
- Met with Commissioner Albright, Traffic Engineering and CM Brown to review design and estimate for the Loudon Ave and Bryan Ave intersection permanent construction project
- Attended ribbon-cutting ceremony for the completion of the Legacy Trail.

3.3 Transit Planning

- Attended Lextran virtual board meeting.
- Coordinated with FTSB Director to oversee financial matters.
- Held multiple virtual meetings with Lextran staff concerning transit aspects on submitted plans.

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Public Participation & Outreach

- Conducted several meetings with the Division of Environmental Quality to coordinate outreach activities.
- Concluded the 45-day public review period of the draft MPO Participation Plan and received TPC approval.
- Presented at the Citizens Environmental Academy.
- Continued work on a major update of the MPO website including a revamp of the MPO "Projects" page and related digital Story/Projects Map.
- The MPO website had 558 visits from 473 users (88% new users) and 1,021 page views in October.
- The MPO's Twitter site had 2,044 followers in October.
- The MPO's Facebook page had 3,551 followers in October; reached 667 users; and had 67 engaged users.

3.5 Travel Demand Modeling and Project Forecasting

- Coordinated with various consultants working on studies that involved use of the LAMPO model.

4.1 Program Administration

- Packets and meeting minutes were prepared for the Bicycle & Pedestrian Advisory Committee, Congestion Management Committee, Transportation Technical Coordination Committee and Transportation Policy Committee.

4.2 Transportation Improvement Programming (TIP)

- Completed TIP Mod #35 – Rosemont Garden Sidewalks
- Completed TIP Mod #36 – Tree Maintenance on Various State Routes (Note: This was the last modification to the FY 2017-2020 TIP)

Unified Planning Work Program (UPWP)

- Submitted FY20-21 Quarterly report for Q1.

C. Zoning Compliance Planning Activity Report

Enforcement

During the month of October, twenty-five new cases were initiated consisting of the usual mix of illegal business activities, sight triangle issues, signage, occupancy etc. Eight of the new cases involved the operation of businesses in residential zones. An additional six complaints pertained to vehicle repair businesses, also illegal, in a residential zone. Twenty-one complaints were also resolved, meaning that necessary actions were taken by the property owner or occupant to correct a zoning compliance problem.

Annual inspections were completed on twelve properties with conditional uses, and all were determined to be in substantial compliance with conditions imposed by the Board of Adjustment, or conditions have been permanently satisfied, requiring no further inspections.

Board of Adjustment

Nine appeals were considered by the BOA in October 2020. Five of these appeals were requests for variances. Four of those requests were approved by the Board and one was not approved. The remaining four appeals consisted of two requests for conditional uses and two administrative appeals. The board approved all four of those requests.

Permitting & Zoning Compliance

Since January 1, 2012 a Zoning Compliance Permit (ZCP) has 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. Zoning Compliance signoff in the ACCELA permitting system may also suffice for a Zoning Compliance Permit. All commercial building and paving permit applications originating in Building Inspection during the month are forwarded to Zoning Compliance for review and approval. During October, a total of 107 commercial, paving and residential permits were reviewed in ACCELA by Zoning Compliance. Due to the continuing restrictions on public access, no commercial plan review sessions are being scheduled by Building Inspection at this time; all construction plan review is performed online.

During the month of October, a total of 2 Zoning Compliance Permits were issued, which included a BOA approved home-based business, and documentation renewal for an existing early learning center. Technical assistance was also provided to customers and Building Inspection with regard to review of second kitchens within residences, interpretation of Article 15 yard requirements, accessory structures, proposed uses within a zone, and review of plans for residential projects within ND-1 areas. A total of 10 zoning certification letters were requested and provided during October to various law offices and due diligence zoning research firms. State forms required for liquor licenses, auto dealerships, and salons are also being managed at this time via e-mail, and 11 of these application forms were reviewed and approved during October. In addition, a large number of phone calls from design

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professionals, investors, real estate agents, attorneys and the general public were taken, and several persons were assisted with navigating through the on-line Accela application process.

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 DECEMBER 2020**

Subdivision Committee, Thursday, 8:30 a.m., via teleconference.....	December 3, 2020
Zoning Committee, Thursday, 1:30 p.m., via teleconference	December 3, 2020
Subdivision Items Public Meeting , Thursday, 1:30 p.m., via teleconference	December 10, 2020
Zoning Items Public Hearing , Thursday, 1:30 p.m., via teleconference	December 17, 2020
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building).....	December 23, 2020

X. **ADJOURNMENT**

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