

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

July 22, 2021

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

Due to the COVID-19 State of Emergency, this meeting is being held via live video teleconference pursuant to 2020 Senate Bill 150, and in accordance with KRS 61.826.

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

<https://zoom.us/join>

Webinar ID: 915 4396 1729

Password: 374070

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://lfucg.granicus.com/MediaPlayer.php?publish_id=12

II. APPROVAL OF MINUTES – The minutes of the June 24, 2021, meeting will be considered by the Planning Commission 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, July 1, 2021, at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Headley Bell, Anthony de Movellan, Jan Meyer, and Frank Penn. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Jim Duncan; Traci Wade; Tom Martin; Hal Baillie; Cheryl Gallt; Lauren Hedge; Samantha Castro; Scott Thompson; and Stephanie Cunningham; Captain Greg Lengal, Division of Fire and 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.*

A. NO DISCUSSION ITEMS – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) the Subdivision Committee recommendation is for approval, as listed on this agenda, and
(2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
(3) no discussion of the item is desired by the Commission, and
(4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
(5) the matter does not involve a waiver of the Land Subdivision Regulations.

B. DISCUSSION ITEMS – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)

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

- (b) objectors (30 minute maximum OR 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)
- Commission discusses and/or votes on the plan.

V. **ZONING ITEMS** - The Zoning Committee met on Thursday, July 1, 2021, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members: Bruce Nicol, Zach Davis, Larry Forester, and Graham Pohl. Staff members in attendance were: Traci Wade, Hal Baillie, Autumn Goderwis, Sam Castro, and Debbie Woods; and 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.

1. **LATA, LLC (AMD) ZONING MAP AMENDMENT & BRYAN PROPERTY, LOT 2 (AMD) ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-18-00023: LATA, LLC (AMD) (8/22/21)*- a petition for a zone map amendment from a restricted Highway Service Business (B-3) zone to a Planned Neighborhood Residential (R-3) zone, for 4.98 net and gross acres, for property located at 1800 Bryant Road.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The Plan's mission statement notes that 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. In addition, the Plan encourages a mix of uses, housing types and/or residential densities; development in a compatible, compact and contiguous manner; and provision of land for a diverse workforce.

The petitioner proposes rezoning a portion of the parcel to the Planned Residential Neighborhood (R-3) zone to allow for the development of a 100-unit apartment complex with 172 bedrooms, a club house, pool, and associated off-street parking.

The Zoning Committee Recommended: **Disapproval** for the reasons provided by staff.

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

1. The requested rezoning to a Planned Residential Neighborhood (R-3) zone is not in agreement with the 2013 Comprehensive Plan, for the following reasons:

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

- a. The proposed R-3 zone does not provide for or create a well-designed neighborhood or community, but rather creates an "islanding effect," that isolates residents rather than incorporates them into the broader community.
- b. The proposed apartment complex will be physically separated from the surrounding neighborhoods, and situated within an area that is heavily focused on commercial activities.
2. The proposed Planned Neighborhood Residential (R-3) zone is not appropriate for the subject property, for the following reasons:
 - a. The LFUCG Land Subdivision Regulations Article 6-8(q)(3)(a), Land Use Access for Residential Development states that "apartment complexes, condominium developments, as well as all other developments that are accessed through a common private drive or street system, shall be treated as high density residential developments regardless of the actual overall density of the development" and that "high density private driveways should not intersect local streets."
 - b. The high flow of traffic at the intersection of Bryant Road and Pleasant Ridge Drive, and the carrying capacity of Bryant Road creates a safety risk to potential residents.
3. There have been no unanticipated changes of a physical, social or economic nature within the immediate area since the Comprehensive Plan was adopted in 2013 that would justify a shift from the B-3 zone for the subject property.
- b. PLN-MJDP-18-00088: BRYAN PROPERTY, LOT 2 (AMD) (8/2221)* - located at 1800 BRYANT ROAD, LEXINGTON, KY
Project Contact: Vision Engineering

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

1. Provided the Urban County Council rezones the property R-3; 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. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
7. Remove Lot 1 information from site statistics.
8. Dimension parking lot drive aisles and parking spaces.
9. Dimension pool.
10. Discuss retention of conditional zoning restriction for buffering.
11. Discuss Bryant Road improvements.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **PLN-ZOTA-21-00004: AMENDMENT TO ARTICLE 1-11 AND 3-10: HOME-BASED BUSINESSES AND HOME OCCUPATIONS** – petition for a Zoning Ordinance text amendment to Article 1-11 and 3-10 of the Zoning Ordinance to modernize the definition of Home-based businesses and Home occupations to greater comply with the established state regulations.

INITIATED BY: URBAN COUNTY PLANNING COMMISSION

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Approval**.

The Staff Recommends: **Approval of the Staff Text**, for the following reason:

1. The proposed text amendment supports and implements the 2018 Comprehensive Plan, in the following ways:
 - a. The amendment was developed in response to the implementation item calling for an increase in flexibility on types of home occupations allowed (Theme C, Policy #6).
 - b. The proposed changes will maximize context-sensitive employment opportunities within the opportunity zone tracts, providing equitable community development and prioritizing local residents for advancement opportunities (Theme C, Diversity Policy #5).
 - c. The amendment will encourage a diverse economic base to provide a variety of job opportunities, allowing upward mobility for lower income residents of Fayette County (Theme C, Policy #2).
 - d. The amendment will enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expand options for mixed-use and mixed-type housing throughout Lexington-Fayette County (Theme A, Goal #3.a).
 - e. The amendment will strengthen efforts to develop a variety of job opportunities that lead to prosperity for all (Theme C, Goal #1.a).
2. The amendment will modernize the Zoning Ordinance, reconciling its requirements with relevant state laws.

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

2. **PLN-ZOTA-21-00005: AMENDMENT TO ARTICLE 6 AND ARTICLE 7: NOTIFICATION FOR PUBLIC HEARINGS** – petition for a Zoning Ordinance text amendment to Article 6 and Article 7 of the Zoning Ordinance to include the notification of both owners and occupants of properties within the designated notification area for public hearings.

INITIATED BY: URBAN COUNTY PLANNING COMMISSION

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Postponement.**

The Staff Recommends: **Approval of the Staff Text**, for the following reason:

1. The proposed text amendment was developed in response to a policy calling for a continued modernization of the Zoning Ordinance to proactively plan for the Lexington-Fayette County's future growth (Theme E, Accountability Policy #2) of the 2018 Comprehensive Plan.
2. The Public Engagement Toolkit, as an implementation item from the 2018 Comprehensive Plan: *Imagine Lexington*, calls on the Division of Planning to broaden notification to include all owners and occupants within the notification radius, thereby seeking to inform and include a larger portion of the Lexington community in the planning process (Theme F, Goal #1).

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**

Imagine Lexington

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

Uncommon Commons

LRP staff has continued work on the Uncommon Commons webinar series "Mornings with Planning." June's discussion topic, "Equity in Planning," was postponed until July 7, 2021 to better accommodate panelist availability.

Staff resumed work on the "Tech Support Videos" branch of the Uncommon Commons project. The first video will provide members of the public with an overview on how to use the Accela Citizen Portal. The video is currently under review with Planning Services.

Imagine Lexington Website & Social Media

Staff continued with maintenance and updates to imaginelexington.com in June.

Staff has continued to expand the site's project pages that feature information related to the various Zoning Ordinance Text Amendments and Subdivision Regulation Amendments, which have been set in motion by the recommendations within *Imagine Lexington*. This section is housed under the "Implement" section of the site and the overall Imagine Lexington approach.

Staff also continues to maintain the Imagine Lexington Facebook, Twitter, and Instagram social media accounts. In addition, staff has been keeping in touch with our public audience through the use of MailChimp, a tool allowing for the creation and distribution of email campaigns to an audience of subscribers.

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

Over the past two years, the Planning staff has undertaken 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 works include: notification expansion; open space (Article 20); Multi-Family Design Standards (multiple locations); parking (Article 16 and other locations); complete streets (multiple locations); agritourism (multiple locations); and intent statement revisions for multiple articles.

During the June 17 Planning Commission Work Session, Administrative Officer, Chris Taylor, presented an update on the public feedback received so far on Planning staff's proposal for local parking reform. This included input received from public input surveys and focus groups with parking users and providers.

The Lexington Community Parking Map survey, which allows users to pinpoint and comment on a map parking lots of interest in Lexington, will remain open throughout the summer.

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

Senior Planner, Valerie Friedmann, who is the project lead on the Open Space ZOTA, presented the draft text to the Environmental Commission on June 7 and the Board of Directors for Fayette Alliance on June 15. The Street Patterns and Continuity SRA remains an item for discussion on the Urban County Council's Planning and Public Safety Committee.

Development Handbook

Staff continued working with the Development Handbook advisory group throughout June. A draft of the Development Handbook was released for review by group members and staff. A meeting took place on June 30, 2021 during which group members provided feedback on the draft. Staff is continuing to incorporate edits and plans for a release of the final handbook in late summer.

Sustainable Growth Study

Planning staff has continued to work with the Mayor's Sustainable Growth Task Force, attending meetings on June 9, June 16, and June 23. Administrative Specialist, Libbe Jefferson, completed summaries for the majority of these meetings. The Sustainable Growth Study is aimed at developing "an objective, transparent, and reliable framework to inform long-term land use decisions involving the Urban Service Boundary (USB) and its role in protecting the urban and rural balance that makes Lexington unique."

Coordination with Outside Agencies

Long-Range Planning Manager, Chris Woodall, attended the Infill and Redevelopment Steering Committee Meeting on June 2, 2021.

C. Taylor participated in a virtual discussion hosted by AARP and the Senior Services Commission titled, "The ABCs of ADUs." The webinar focused on how Accessory Dwelling Units may support smart growth by encouraging the development of communities that are more livable for people of all ages and incomes.

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.

APA Audio Conferences

For many years, Staff has hosted APA Audio Conferences for continuing-education credits for both LFUCG and AICP. There was one APA Audio Conference hosted during the month of May, whose titles/dates were:

- *Lessons in New Ruralism*, June 11, 2021
- *Local Climate Action in Oregon*, June 18, 2021

B. Transportation Planning / MPO Activity Report August 2020

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

- Attended Commission for People with Disabilities meeting
- Attended Lexington Corridors Commission meeting
- Attended 4 paving resurfacing coordination meetings with Streets and Roads
- Attended a Jessamine County Transportation Task Force meeting
- Developed the MPO's annual Title VI Program Plan. Received TPC approval of the document and submitted to the KY Transportation Cabinet.
- Attended informational sessions with several transportation data suppliers & management companies (Replica, Populus & Streetlight).

1.2 Staff Development

- Attended Webinar: Improving Traffic Signals for Biking and Walking
- Attended Webinar: Diversifying Downtown Retail
- Attended Webinar: Tools for mapping Smart and Walkable locations
- Attended Webinar: What does Resilience look like? Reimagining Resilience
- Attended TRB Webinar: Addressing Justice in Transportation
- Attended TRB Webinar: Achieving Transportation Equity

2.1 Congestion Management Process (CMP) and Air Quality (AQ)

- Attended Congestion Management (CM) Bottleneck Study Steering Committee meetings and held several coordination meetings with the Study consultants.

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

- Reviewed CM bottleneck location data, project maps, project matrix/spreadsheets, and project alternatives to provide comments and suggestions.
- Reviewed Bottleneck Study progress report and processed invoice.
- Worked with LFUCG and KYTC Traffic Engineers to obtain approval of the FY2022 ITS-CMS funding request. It received the Council's second reading on June 24.

2.2 Transportation Plan Update & Implementation

- Attended project team meeting for the Jessamine Fayette Connectivity Study to review the results of the first round of public outreach and initiation project concepts.
- Received TPC approval of a list of MPO "sponsored" projects and submitted to the KY Transportation Cabinet for consideration in the statewide SHIFT prioritization process (used to develop the State Highway Plan).
- Initiated Council approval of funding for the East Lexington Trail Feasibility & Traffic Safety Study.
- Participated in two meetings for the KYTC-LFUCG Road Safety Plan for Fayette County; both meetings focused on wrong way driving incidences.

3.1 Transportation - Land Use Impact Analysis

- Began work on a promotional video for the Imagine Nicholasville Road project.
- 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.
- 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 with LFUCG Traffic Engineering on a Roadway Classification evaluation project.
- Presented the Traffic Impact Study Zoning Ordinance Text Amendment to the Lexington-Fayette Urban County Planning Commission. It was unanimously recommended for approval to the LFUCG Council.
- Coordinated temporary street closures and land development issues with KYTC regarding the Liberty Rd improvement project.
- Initiated Council approval of funding for the Northeast New Circle Road Land Use & Transportation Plan.

3.2 Multimodal/Transportation Enhancement Planning

- Responded to approx. 19 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 16 inquiries with development groups to work through requirements for multi-modal compliance with the subdivision regulations.
- Conducted multiple meetings with Shared Mobility providers.
- Continued work to implement Shared Mobility Vehicle permits, managed current licensees, and associated data and enforcement.
- Continued work with Populus and Remix, 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.
- Continued work on developing curbside management policy and smart city curbside initiatives as part of Council Bike Lane Task Force.
- Continued work on developing traffic calming roadway interventions for intersections and thru-ways.
- Continued work on parking lot design interventions for traffic calming and connectivity.
- 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.
- Continued work on permanent construction project for the Loudon and Bryan Ave pedestrian safety demonstration project.
- Reviewed FHWA Safe Transportation for Every Pedestrian (STEP) Program and counter-measures to improve pedestrian safety.
- Held internal meetings to discuss freight related data sources for freight plan update.

3.3 Transit Planning

- Attended Lextran virtual board meeting.
- Coordinated with FTSB Director to oversee financial matters.
- Held virtual meetings with Lextran staff concerning transit aspects on submitted plans.
- Met with Via Creative to discuss bus stop ridership on Versailles Rd to program funds for a VC project.
- Coordinated the development of Transit Safety Targets with Lextran and received TPC approval at the June 23 meeting.

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

3.4 Public Participation & Outreach

- Continued work on a major update of the MPO website including a revamp of the MPO "Projects" page and related digital Story/Projects Map.
- Began work on 2022 Bike Month events and 2021 fall bike events with EQPW education and event coordinator.
- Completed work on the print version of the Lexington Bike Map.
- Distributed approximately 250 bike/ped activity kits to youth in the Gainesway and Castlewood areas through Partners for Youth and a community benefit concert.
- Conducted a kids bike rodeo and bike safety event in Wilmore with 150 plus participants.
- Handed out Safe Streets kits and tabled about multi-modal safety at Beat of the Heartland, community event with hundreds of attendees and 100+ interactions.
- Handed out 50+ Safe Streets kits at Gainesway Adopt-a-Park event.
- Gave 150 Safe Streets kits to community partner Black Soil to distribute through their audience.
- Ran MPO overview ad, PSA and Envirominute in English on RadioLex and Spanish on Radio Vida for week of 6/14-6/20.
- Ran ways to get involved with the MPO ad, PSA and Envirominute in English on RadioLex and Spanish on Radio Vida for week of 6/21-6/28.
- Launched LexBikeWalk Instagram account.
- Posted Safe Streets ads on social media.
- The MPO website had 594 visits from 455 users (88% new users) and 1,102 page views in June.
- The MPO's Twitter site had 2,008 followers in June.
- The MPO's Facebook page had 3,562 followers in June; reached 736 users; and had 40 engaged users.

3.5 Travel Demand Modeling and Project Forecasting

- Performed LAMPO model maintenance.
- Refined the TAZ data (2025, 2030, & 2045) in the E. Hamburg area along the Winchester Road corridor.

4.1 Program Administration

- Packets and meeting minutes were prepared for the Bicycle & Pedestrian Advisory Committee, Congestion Management Air Quality (CMAQ) Committee, Transportation Technical Coordinating Committee and Transportation Policy Committee Meetings.

4.2 Transportation Improvement Programming (TIP)

- Submitted a draft list of Fayette County projects for CRSSAA funding to the Transportation Policy Committee.
- Completed TIP Modification 5: NE New Circle Rd Corridor Plan, East Fayette Trail Connectivity Study & Town Branch Trail Crossing

4.3 Unified Planning Work Program (UPWP)

- Continued annual FY 21 year-end financial coordination with LFUCG Grants.
- Assisted with contracting, budgeting and Council approval activities for FY 22.

C. Zoning Compliance Planning Activity ReportZoning Enforcement/Compliance

During the month of June 2021, twenty-five (25) new cases were initiated, with the majority of those being reports of illegal businesses operating in residential zones. Twenty-one (21) complaints were resolved, meaning that necessary actions were taken by the property owner or occupant to correct a zoning compliance problem.

Annual inspections were completed on nine (9) properties with conditional uses during June. All were determined to be either under construction, in substantial compliance with conditions imposed by the Board of Adjustment, or conditions have been permanently satisfied, requiring no further inspections.

Board of Adjustment

Six (6) appeals were filed for consideration by the BOA in June 2021. Four (4) of the appeals were for variances. The Board approved three (3) of the appeals and one (1) was postponed to the July 12, 2021 meeting. There was one (1) application for a conditional use, which was also postponed to the July 12, 2021 meeting, and one (1) application for an administrative appeal. This application was disapproved by the Board.

Permitting & Zoning Compliance Section

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 is the equivalent of issuance of a Zoning Compliance Permit. All commercial

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

building and paving permit applications, and some residential applications, originating in Building Inspection during the month are forwarded to Zoning Compliance for review and approval. During June, a total of 121 commercial, paving, residential permits and applications for certificates of occupancy 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. However, Building Inspection has announced that in-person plan review will resume on July 13.

During the month of June, four Zoning Compliance Permits were requested and issued, which related to two child care centers and Family Child Care in the residence of the applicant. Technical assistance was provided to customers and Building Inspection with regard to review of second kitchens within residences, interpretation of Article 15 yard requirements, accessory structures, setback questions, proposed uses within a zone, and review of plans for residential projects within ND-1 areas. A total of 16 zoning certification letters were requested and provided during June to various law offices and due diligence zoning research firms. State forms required for liquor licenses, auto dealerships, and salons are also reviewed and approved by Zoning Compliance, and 6 of these application forms were reviewed and approved during the month. In addition, a number of phone calls from design 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 JULY AND AUGUST 2021

Technical Committee, Wednesday, 8:30 a.m., via teleconference	July 28, 2021
Work Session, Thursday, 1:30 p.m., 3 rd Floor Conference Room, Phoenix Building	July 29, 2021
Subdivision Committee, Thursday, 8:30 a.m., via teleconference	August 5, 2021
Zoning Committee, Thursday, 1:30 p.m., via teleconference	August 5, 2021
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center	August 12, 2021
Work Session, Thursday, 1:30 p.m., 3 rd Floor Conference Room, Phoenix Building	August 19, 2021
Technical Committee, Wednesday, 8:30 a.m., via teleconference	August 25, 2021
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center	August 26, 2021

X. ADJOURNMENT