

- J. **Brown, Chair**
- P. Worley, Vice-Chair
- W. Baxter
- C. Ellinger
- J. McCurn
- S. Lamb
- D. Kloiber
- A. Bledsoe
- J. Reynolds
- K. Plomin



**AGENDA**  
**Planning and Public Safety Committee**  
**June 21, 2022**  
**1:00 P.M.**

- |             |                                                         |                |
|-------------|---------------------------------------------------------|----------------|
| <b>I.</b>   | <b>Approval of April 19, 2022 Committee Summary</b>     | <b>(1-4)</b>   |
| <b>II.</b>  | <b>Sustainable Growth Study Update</b> (J. Brown/Bencz) | <b>(5-27)</b>  |
| <b>III.</b> | <b>Review of Enhancements to PDR Program</b> (Kloiber)  | <b>(28-40)</b> |
| <b>IV.</b>  | <b>Items Referred to Committee</b>                      | <b>(41)</b>    |

“Planning and Public Safety Committee, to which shall be referred matters relating to the department of planning, preservation and development and its divisions, the department of public safety and its divisions, any related partner agencies, and matters relating to capital improvement projects.- Council Rules & Procedures, Section 2.102 (1) as adopted by Urban County Council November 1, 2018

**2022 Meeting Schedule**

|             |            |
|-------------|------------|
| January 18  | June 21    |
| February 15 | August 23  |
| April 19    | October 18 |
| May 24      | December 6 |



## Planning and Public Safety Committee Meeting

April 19, 2022

### Summary and Motions

Chair J. Brown called the meeting to order at 1:01 p.m. Committee Members Ellinger, McCurn, Lamb, Kloiber, Worley, Baxter, Bledsoe, and Plomin were in attendance. Committee Member Reynolds was absent. Council Members Moloney, LeGris, Sheehan, and F. Brown, and Vice Mayor Kay were also present as non-voting members.

#### I. Approval of February 15, 2022 Committee Summary

Motion by Baxter to approve the February 15, 2022 Committee Summary. Seconded by Plomin. Motion passed without dissent.

#### II. Residential Parking Permit Program

LeGris provided a brief introduction of the two Residential Parking Permit Program amendments. One amendment is for the South Hill Residential Parking Permit Program and the other is for the Bullock Place Residential Parking Permit Program.

Motion by Bledsoe to approve the amendment to the Residential Parking Permit Program for South Hill. Seconded by McCurn. Motion passed without dissent.

Motion by Bledsoe to approve the amendment to the Residential Parking Permit Program for Bullock Place. Seconded by McCurn. Motion passed without dissent.

[Note: these motions were reported out at Work Session on May 24, 2022]

#### III. Infill & Redevelopment Steering Committee Update

Sally Lambert-Warfield, Legislative Aide for the 3<sup>rd</sup> District Council Office, provided a report from the Infill & Redevelopment Steering Committee on the *Imagine Nicholasville Road Study*. After over a year of study, data collection, and public input, a plan has come forward that focuses on safety and efficiency for people travelling by car, bus, bike, or on foot. The committee decided that the best course of action would be looking at ways to support housing and mixed use opportunities in the Nicholasville Road area utilizing current available land use tools. One of these tools is Council Sponsored rezoning which offers three ways to begin a zone change process: developer led zone changes, Planning Commission led zone changes, or Council initiated zone changes. Following today's meeting, notification will be sent to the property owners explaining the proposed action and inviting them to discuss this issue with the Infill & Redevelopment Steering Committee. If the reaction from property owners is positive, the committee will schedule meetings to discuss the proposed action with nearby neighborhood associations and affected renters in the study area. Warfield noted that there are multiple "pause" points built in so the process can stop at any time should negative input be received.

Bledsoe asked if this would mean higher density housing and Warfield explained that this will also include mixed use development. She added that, with almost everything in that area being in the R2 zone, it

wouldn't be difficult to get higher density than that. Bledsoe and Warfield confirmed the notification would be sent to property owners following today's meeting.

Baxter and Warfield clarified that if there is no opposition and we move forward with re-zoning, an area of similar zoning could be redeveloped into higher density housing or mixed use development. Warfield added that this would be the owner/developer's decision, but this provides an opportunity to do something different. Baxter and Warfield discussed the timeline and Warfield said the meeting with property owners would be around the first week of May. They anticipate the community meeting would be that same week of May, considering there is no opposition from the property owners. Baxter and Warfield confirmed that this item is not scheduled to report back to the committee at this time. J. Brown added that the Infill & Redevelopment Steering Committee wanted to have this proposal publicly announced prior to sending the notification.

Ellinger and Warfield confirmed that property owners have had no previous contact and are just hearing about this. Ellinger expressed concern that property owners who might be impacted are just learning about this. Kay explained that the intent was not to blindside anyone, but they wanted to give Council a heads up before informing property owners. Ellinger and Kay confirmed that there are no parameters in place to determine the number of property owners that are for or against this as a deciding factor for whether it moves forward or not. Kay added that the important thing to consider is that this is permissive and it gives the property owner an opportunity to increase density and property values.

LeGris thinks of this as a case study where in the past there have been a number of zone changes that were developer driven and this is floating the idea for a council driven zone change. She added that dramatic action doesn't need to be taken as this is only providing an option for a different process. Considering this moves forward, LeGris asked if we could set conditions in a zone change such as height requirement, no drive-through, etc. Warfield explained that they have had these conversations, but wanted to get feedback before setting limitations.

Lamb confirmed that the meeting dates are May 9 and 10 (the second meeting was later changed to May 12). This is an attempt to assist people and it has the potential to make their community better. She wants to make sure the message taken to the property owners and development community highlights inclusiveness and not displacement. She stressed that we want to work together to gather input and ideas.

McCurn asked if letters to property owners would also go to renters because he is interested in seeing the input from tenants. Warfield explained that renters would be included in the letters sent to neighborhood associations. Warfield added that the area in question does not have a neighborhood association so letters will be sent to renters.

Plomin asked how University of Kentucky (UK) has been involved in this process. Warfield said they reached out to UK to ensure the area in question was not within their acquisition boundary. UK has also been brought into several discussions and they have been broadly supportive.

Bledsoe mentioned that conversations with property owners need to include property taxes because zone changes cause property values to increase and the property owners will be responsible.

J. Brown and Warfield confirmed the area being considered is located in District 3. J. Brown asked the Division of Planning for additional comments and Director Duncan said they are favorable of this moving forward and working with UK, property owners, and tenants.

#### IV. Sustainable Growth Study Update

Craig Bencz, Administrative Officer Senior with the Chief Development Office, provided an update on Lexington's Sustainable Growth Study. He reviewed the goals of the study which creates objectives but it does not identify specific areas for preservation or expansion. He mentioned the *Existing Conditions and Growth Trends Report* which is available online. He reviewed 3 buildout scenarios and said all are consistent with the Comprehensive Plan and intended to be re-evaluated annually. He mentioned the projected growth demand for each of the three scenarios. He said the study questions whether we are growing in a way that is consistent with Comprehensive Plan and if each scenario is meeting certain requirements. He closed with a review of a proposed resolution requesting Council to adopt the study and reaffirm next steps. He highlighted some potential future steps and timing involved with those.

At this time, Chair Brown opened the floor for public comment. Several members of the public provided comments and Bencz took the time respond to those concerns.

Kay plans to announce that a multi-stakeholder workgroup will be established to formulate recommendations to the Planning Commission and Council on completion of the second half of the work envisioned in Theme E, Goal 4. Their charge will be to evaluate land in the rural area with potential for future development and establish a procedure for evaluating the data. He stressed that the most important thing is that we establish this baseline set of data to have a starting point which will provide the opportunity for us to see what is actually happening on an annual basis. He pointed out that this is a 20-year plan, but it is updated annually to account for unforeseen issues. He stressed that the committee's job today is to agree to move this forward to the full Council.

Bledsoe said the Task Force put in a lot of work and did a great job, but the process is not finished. She pointed out the difference in vacant and available land. When looking at vacant land in the report, you also have to consider whether the land is available to be developed (floodplain, FEMA protected, deed restricted, etc.). Before adopting this, we need to have disclosures about the availability of vacant land in order to make this credible or we won't have buy-in.

Kloiber asked what it actually means to adopt this study as a baseline. Mark Butler, Project Manager with Stantec, said the metrics used in the study were intended to be easily sourced and easily updated and would not be expensive to update on an annual basis. This is why the data consists of census data or real estate inventory data. As that data becomes available annually, they can show how trend lines have changed from year to year. Butler claims that any given scenario will produce, by zoning, a certain number of residential housing units. These are simple things the Planning staff can do and that is why it is the baseline. Kloiber requested additional information on what is being adopted with this resolution.

F. Brown expressed concern that there is a recommendation to adopt Lexington's Sustainable Growth Study when the study is not complete. He said expansion of the Urban Service Boundary (USB) should have been reviewed during the previous Comprehensive Plan. F. Brown and Bencz confirmed that exaction fees were not part of this and Bencz mentioned that there will be a different mechanism for future expansion areas as they are proposed.

Moloney suggested having a public hearing in the committee to hear the concerns before it goes to the full council.

Lamb stated that the resolution intends for the study to identify land for preservation and identification of land for potential future urban development and to be used in the preparation of future updates to the Comprehensive Plan, pointing out that the study shall not be used for findings necessary for proposed map amendments. She agrees that it is important to pass this resolution so we can move forward to the next step.

Kay and Bencz discussed the two resolutions included in the packet and Bencz explained the first resolution was adopted by the Planning Commission where they endorsed this process. The second resolution is for this committee and Council's consideration which will adopt the Sustainable Growth Study Framework for this to continue moving forward so the next steps can be completed. Kay shares concerns that have been expressed about other factors that can be considered at a later point should the data suggest it is time to consider the question of whether we are ready to look at expansion. He said the main thing this provides is a minimal amount of data that can be updated regularly so we can track where we are and how far we have come which will begin to answer the question of whether land that is vacant can actually be developed.

Kloiber agrees with the importance of getting data and moving data forward, but he feels the resolution does more than agree with a set of data that will be used as a baseline. He referenced section (2) which says we will request the Division of Planning to utilize this study in developing Comprehensive Plan Goals and Objectives which he feels also applies to methodology used for the evaluation. While he is in favor of adopting a collective data set, he has concerns with how useful or effective these methods of evaluation are. His concern is that this pushes forward more than just accepting data.

Worley said we are in a situation where we need to move things forward quickly, but agrees with doing this in tandem with the workgroup that will be established. He expressed concern with moving the resolution forward today because, while the data is helpful, some of it could be better explained and some could be updated. He feels that some of the scenarios of improvement are scenarios that we already encourage and, because we do not do this well, he has trouble accepting that methodology.

Lamb and Bencz confirmed that the data would be reviewed and updated on an annual basis. Bencz added that the intent is that, if the study moves forward, the framework and methodology would be adopted. Lamb said this is moving forward with the understanding that it will be updated each year and we need to move it forward so the data can be updated and analyzed.

Ellinger asked if the data is 2020 data as opposed to 2022 and if that makes a difference. Bencz confirmed it is 2020 data and he explained the intent is to update the data in July, but they want to make sure there is agreement to move forward before updating the data. He does not want to create the appearance that there is a rush to this, but noted that by adopting the framework in the existing conditions report, the data can be updated which will help inform next steps.

Due to time constraints, this item was continued to the May 24 Planning & Public Safety Committee meeting (update: there was a scheduling conflict and this was continued to June 21, 2022).

## **V. Items Referred to Committee**

No comment or action was taken on this item.

Motion by Bledsoe to adjourn at 2:50 p.m. Seconded by Baxter. Motion passed without dissent.

# LEXINGTON SUSTAINABLE GROWTH STUDY

*Planning & Public Safety Committee*

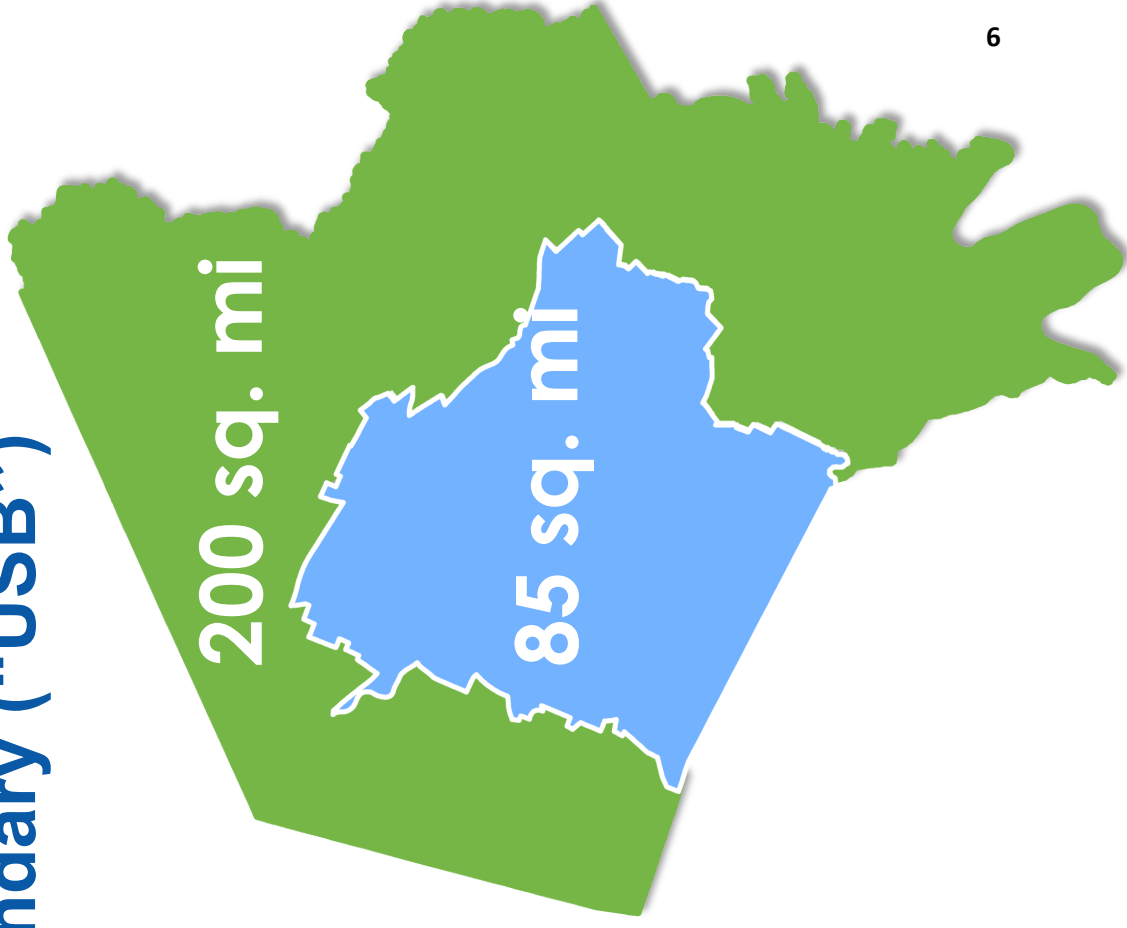
*June 21, 2022*



**LEXINGTON**

## The Urban Service Boundary (“USB”)

- Established in 1958 – first in the nation
- Purpose: Manage infrastructure and development in a fiscally responsible manner, & preserve agricultural assets
- Last expansion (5,330 acres) was in 1996 and resulted in Expansion Area Master Plan



# The Sustainable Growth Study

## ■ *Imagine Lexington:* Theme E, Urban & Rural Balance

- Goal 3: Maintains the current boundaries of the Urban Service Area until this Goal is superseded by Goal 4.
- Goal 4: Calls for the creation of a **new process for determining long-term land use decisions involving the Urban Service Boundary & Rural Activity Centers**

**GOAL 4: PROTECT LEXINGTON'S INVALUABLE RURAL RESOURCES & INFORM LONG-RANGE PLANNING FOR INFRASTRUCTURE, COMMUNITY FACILITIES & ECONOMIC DEVELOPMENT THROUGH THE CREATION OF A NEW PROCESS FOR DETERMINING LONG-TERM LAND USE DECISIONS INVOLVING THE URBAN SERVICE BOUNDARY & RURAL ACTIVITY CENTERS.**

**Objectives:**

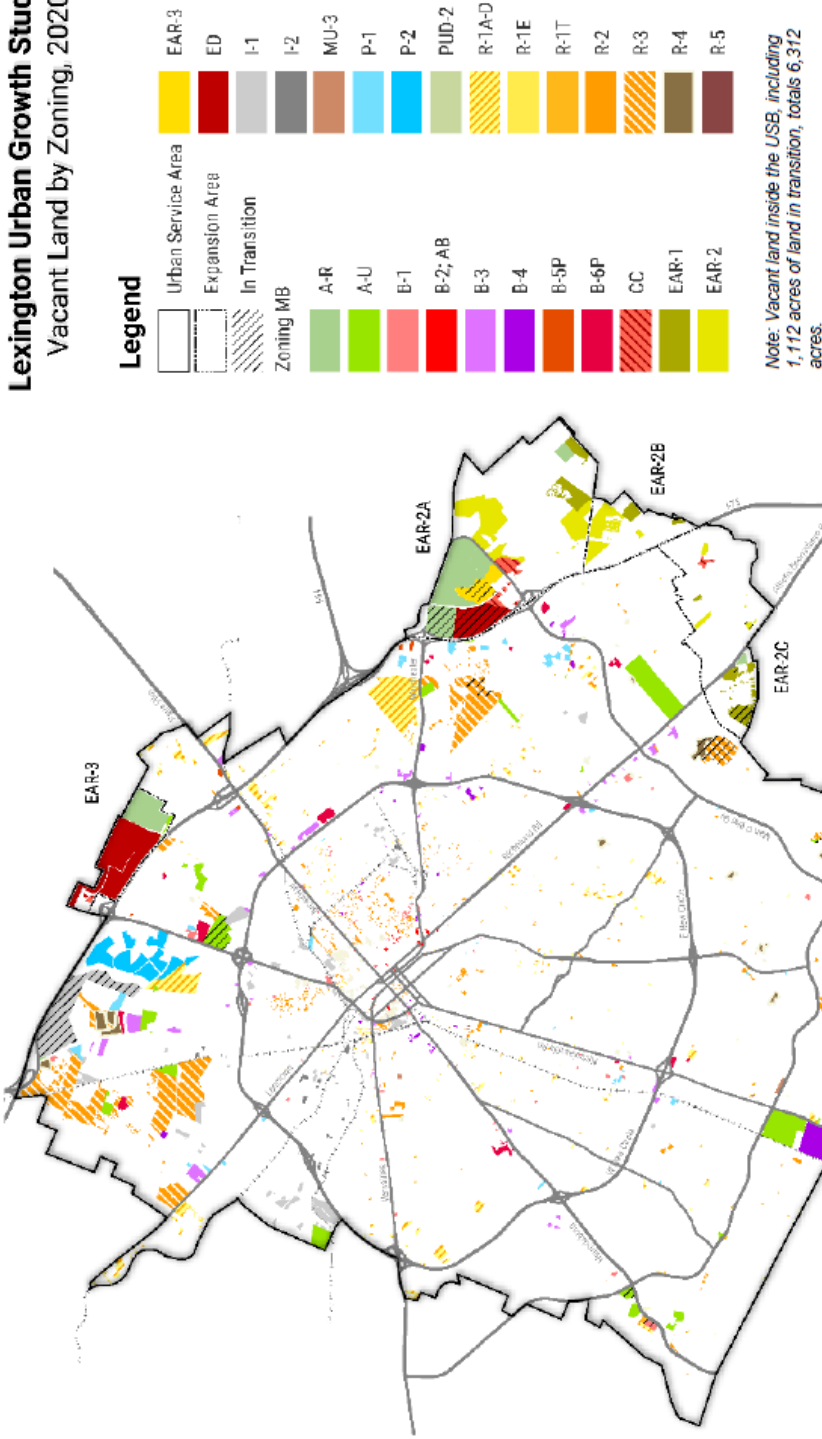
- a. Establish the process via a study, involving diverse stakeholders and constituents, that meets the projected needs of the agricultural and development communities, by preserving key agricultural resources from development pressures and identifying land for future urban development.
- b. Ensure the study designates rural land for long-term preservation, identifies land for potential future urban development and specifies triggers, thresholds and timing for the addition of the identified urban land into the Urban Service Boundary, keeping infill and land use efficiency as the continued primary objectives.
- c. Complete the study with the assistance of a consultant by July 1, 2020.
- d. Implement the process resulting from the study as an amendment to the Comprehensive Plan, superseding Theme E, Goal 3 at time of adoption by the Planning Commission.

## Goals of the Sustainable Growth Study

- The Study creates an *objective, data-driven* methodology to help guide decisions regarding the alignment of the Urban Service Boundary
  - Supports Council in setting the goals and objectives for the Comprehensive Plan
  - Supports the Planning Commission in decisions regarding the alignment of the USB and future expansion areas
- The Study does not:
  - Identify specific areas appropriate for preservation or future expansion
  - Make recommendations or assumptions regarding the future alignment of the USB

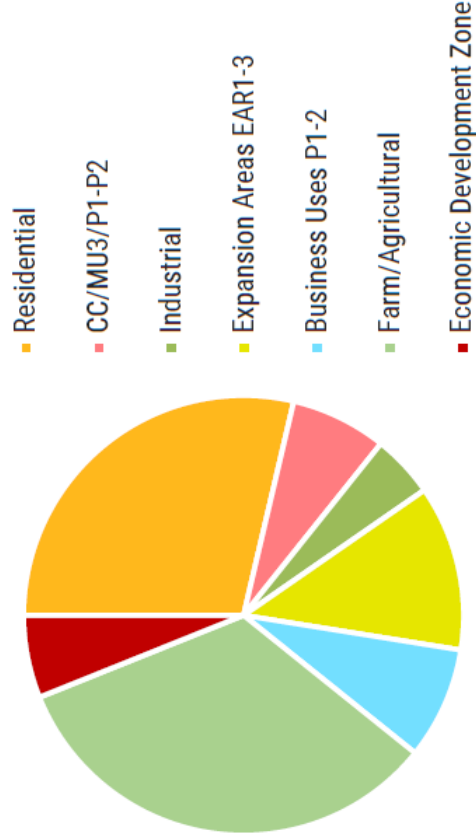
# Vacant Land

## Lexington Urban Growth Study Vacant Land by Zoning, 2020



This analysis was conducted using PVA data and input from the LFUCG Division of Planning for parcel zoning classifications. All agricultural and farmlands inside the USB are presumed to ultimately transition to developed land. Discrepancies between data fields were resolved via professional judgement of the attributes available in the PVA and LFUCG data as well as Google Earth Pro aerial imagery.

# Vacant Land



| Zoning                    | Acreage | % of Total |
|---------------------------|---------|------------|
| Residential               | 1,491   | 29%        |
| CC/MU3/P1-P2              | 367     | 7%         |
| Industrial                | 240     | 5%         |
| Expansion Areas EAR1-3    | 633     | 12%        |
| Business Uses P1-2        | 429     | 8%         |
| Farm/Agricultural         | 1,723   | 33%        |
| Economic Development Zone | 316     | 6%         |
|                           | 5,200   | 100%       |

Figure 4.9 Vacant Land by Zoning Classification

## **Vacant Land Database Revisions: May 2022**

- At the request of Commerce Lexington, the Study Team reviewed the vacant land database and made the following corrections.

## Vacant Land Database Revisions: May 2022

- Removed University of Transylvania Soccer Field
  - 6.6 acres zoned as light industrial
  - Reduced potential Industrial space capacity by 25,000 -50,000 sq.ft. (depending on scenario)

## Vacant Land Database Revisions: May 2022

- Removed 67 parcels located within Greenways
  - Total 128 acres
  - 47 parcels were plotted single family lots
  - Reduces potential Residential capacity by 600 to 1,000 Dwelling Units (depending on scenario)

## Vacant Land Database Revisions: May 2022

- Removed 44 parcels owned by and adjacent to churches
  - Total 6 acres
  - Reduces potential Residential capacity by 25 to 50 Dwelling Units (depending on scenario)

## **Vacant Land Database Revisions: May 2022**

- The vacant land database is intended to be updated and corrected consistently as changes occur and new information becomes available.

# Meet Demand: Residential Units 2040

## Does the scenario

- 1 supply enough residential units to meet the conservative growth projected demand in 20 years?
- 2 supply enough residential units to meet 75% of the full growth projected demand in 20 years?

| 2040 Residential Demand (Dwelling Units) |        |         |                       |                       |
|------------------------------------------|--------|---------|-----------------------|-----------------------|
| Capacity                                 |        | Demand: | Conservative<br>(ACS) | Full<br>(KSDC)        |
|                                          |        |         | 28,500                | 41,200                |
|                                          |        |         |                       | 75% of Full<br>Demand |
| Scenario 1                               | 26,000 |         | NO                    | NO                    |
| Scenario 2                               | 36,300 |         | YES                   | YES                   |
| Scenario 3                               | 44,800 |         | YES                   | YES                   |

# Meet Demand: Office SF 2040

## Does the scenario

- 3 supply enough office SF to meet the conservative growth projected demand in 20 years?
- 4 supply enough office SF to meet 75% of the full growth projected demand in 20 years?

| 2040 Office Demand (Sq. Ft.) |           |                             |                     |             |
|------------------------------|-----------|-----------------------------|---------------------|-------------|
|                              |           | Conservative<br>(2010-2020) | Full<br>(2000-2020) | 75% of Full |
| Capacity                     |           | Demand:                     |                     |             |
| Scenario 1                   | 7,350,000 | YES                         |                     | YES         |
| Scenario 2                   | 6,925,000 |                             |                     | YES         |
| Scenario 3                   | 9,325,000 |                             |                     | YES         |

# Meet Demand: Retail SF 2040

## Does the scenario

- 5 supply enough retail SF and units to meet the conservative growth projected demand in 20 years?
- 6 supply enough retail SF and units to meet 75% of the full growth projected demand in 20 years?

| 2040 Retail Demand (Sq. Ft.) |           |                             |                     |             |                     |
|------------------------------|-----------|-----------------------------|---------------------|-------------|---------------------|
|                              |           | Conservative<br>(2010-2020) | Full<br>(2000-2020) | 75% of Full |                     |
| Capacity                     |           | Demand:                     |                     | 2,200,000   | 5,000,000 3,750,000 |
| Scenario 1                   | 5,100,000 | YES                         | YES                 | YES         | YES                 |
| Scenario 2                   | 5,000,000 |                             |                     |             | YES                 |
| Scenario 3                   | 6,550,000 |                             |                     |             | YES                 |

# Meet Demand: Industrial SF 2040

## Does the scenario

- 7 supply enough industrial SF to meet the conservative growth projected demand in 20 years?
- 8 supply enough industrial SF to meet 75% of the full growth projected demand in 20 years?

| 2040 Industrial Demand (Sq. Ft.) |           |                             |                     |             |
|----------------------------------|-----------|-----------------------------|---------------------|-------------|
|                                  |           | Conservative<br>(2010-2020) | Full<br>(2000-2020) | 75% of Full |
| Capacity                         |           | Demand:                     |                     |             |
| Scenario 1                       | 3,525,000 | YES                         | YES                 | NO          |
|                                  | 3,375,000 |                             |                     | NO          |
|                                  | 5,425,000 |                             |                     | YES         |

## Where Do We Go From Here?

- Planning Commission has passed a Resolution recommending Council Adoption of the Study
- Proposed Council Resolution adopts the Study and reaffirms next steps
- The Study will be updated on an annual basis to serve as a resource for growth management decisions and to track vacant land and growth trends.
- Future Steps, led by Division of Planning and Planning Commission:
  - Planning Commission to Identify rural land for **long-term preservation**
  - Planning Commission to Identify land for **potential future urban development**
  - Develop policies for expansion
  - Council to define and adopt Comprehensive Plan Goals & Objectives
- Timing for Future Steps:
  - Implementation tasks subsequent to adoption of updates to the 2023 Comprehensive Plan

# Questions?



A RESOLUTION RECOMMENDING ADOPTION OF THE LEXINGTON SUSTAINABLE GROWTH STUDY IN FURTHERANCE OF THE GOALS AND OBJECTIVES OF IMAGINE LEXINGTON, THE 2018 COMPREHENSIVE PLAN, AS PERMITTED IN KRS 100.187.

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WHEREAS, KRS 100.193 and KRS 100.197 set forth the procedures for periodic review, update, amendment and adoption of the Comprehensive Plan Goals and Objectives, elements and their research basis; and

WHEREAS, the Comprehensive Plan Statement of Goals and Objectives was adopted by the Planning Commission on September 7, 2017, and subsequently adopted by the Urban County Council on November 16, 2017 as required by KRS 100.193; and

WHEREAS, the Statement of Goals and Objectives acts as a guide for the preparation of the elements to aid in implementing the Comprehensive Plan; and

WHEREAS, this Planning Commission and the Urban County Council having adopted the Statement of Goals and Objectives, pursuant to KRS Chapter 100; and

WHEREAS, to achieve that end, the Mayor's Sustainable Growth Task Force and consultant team conducted considerable research upon which to base the "Lexington Sustainable Growth Study" (hereafter "Study"), have used the Statement of Goals and Objectives as a guide, and, in compliance with KRS Chapter 100, have conducted duly advertised public hearings and public meetings in order to receive input from all interested persons, including a hearing held on October 28, 2021 and continued on December 9, 2021; and

WHEREAS, the Study as referenced herein includes both the Evaluations Framework and Existing Conditions Report documents; and

WHEREAS, the Study provides a useful evaluation tool for future land use decisions

involving the Urban Service Area, and creates a foundation for additional components of the process identified in Theme E, Goal 4.

NOW, THEREFORE, BE IT RESOLVED BY THE LEXINGTON-FAYETTE URBAN COUNTY PLANNING COMMISSION:

Section 1 – That this Planning Commission hereby recommends adoption of the Study, as permitted in KRS 100.187, in furtherance of the Goals and Objectives of “Imagine Lexington” the 2018 Comprehensive Plan for Lexington-Fayette Urban County.

Section 2 – It is the intent of this Planning Commission that all previously adopted elements of “Imagine Lexington” remain in full force and effect unless and until duly amended by the Planning Commission.

Section 3 – It is the intent of this Planning Commission that the Zoning Ordinance, Land Subdivision Regulations, and the Zoning Map currently in effect on the date of passage of this Resolution shall remain in full force and effect unless and until duly amended by the Lexington-Fayette Urban County Council after receipt of a recommendation by this Planning Commission.

Section 4 – It is the intent of this Planning Commission that the Study should be used in the preparation of future updates to the Comprehensive Plan, and should not be used for findings necessary for proposed map amendments as described in KRS 100.213.

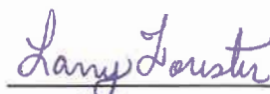
Section 5 – The recommended adoption of the Study in furtherance of the Goals and Objectives of “Imagine Lexington” creates a foundation for future completion of the process identified in the Statement of Goals and Objectives Theme E, Goal 4, Objective d.,

while not fully implementing the process at this time.

Section 6 – The Director of the Division of Planning is directed to forward this Resolution and the documents mentioned herein to the Lexington-Fayette Urban County Council for its consideration, and for Council adoption for use in furtherance of the Goals and Objectives of Imagine Lexington, 2018 Comprehensive Plan.

Section 7 - That this Resolution shall become effective on the date of its passage.

PASSED: December 9, 2021



CHAIRMAN



SECRETARY

A RESOLUTION RECOMMENDING ADOPTION OF THE LEXINGTON SUSTAINABLE GROWTH STUDY ("STUDY") FRAMEWORK IN FURTHERANCE OF THE GOALS AND OBJECTIVES OF IMAGINE LEXINGTON, THE 2018 COMPREHENSIVE PLAN, AND REQUESTING THAT THE DIVISION OF PLANNING UTILIZE THE STUDY DATA WHEN DEVELOPING RECOMMENDATIONS FOR THE GOALS AND OBJECTIVES FOR THE 2023 COMPREHENSIVE PLAN.

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WHEREAS, KRS 100.193 and KRS 100.197 set forth the procedures for periodic review, update, amendment and adoption of the Comprehensive Plan Goals and Objectives, elements and their research basis; and

WHEREAS, the Comprehensive Plan Statement of Goals and Objectives was adopted by the Planning Commission on September 7, 2017, and subsequently adopted by the Urban County Council on November 16, 2017 as required by KRS 100.193; and

WHEREAS, the Statement of Goals and Objectives acts as a guide for the preparation of the elements to aid in implementing the Comprehensive Plan; and

WHEREAS, this Planning Commission and the Urban County Council having adopted the Statement of Goals and Objectives for the 2018 Comprehensive Plan, pursuant to KRS Chapter 100; and

WHEREAS, to achieve that end, the Mayor's Sustainable Growth Task Force and consultant team conducted considerable research upon which to base the "Lexington Sustainable Growth Study" ("Study"), have used the Statement of Goals and Objectives as a guide, and, in compliance with KRS Chapter 100, have conducted duly advertised public hearings and public meetings in order to receive input from all interested persons; and

WHEREAS, the Study as referenced herein includes both the Evaluations Framework and Existing Conditions Report documents; and

WHEREAS, the Study provides a useful evaluation tool for future land use decisions and creates a foundation for additional components of the process identified in Theme E, Goal 4 of the Goals and Objectives of the 2018 Comprehensive Plan. The additional components of the process are identification of land for preservation and identification of land for potential future urban development.

NOW, THEREFORE, BE IT RESOLVED BY THE LEXINGTON-FAYETTE URBAN COUNTY COUNCIL:

Section 1 – That this Urban County Council hereby adopts of the Study, as permitted in KRS 100, in furtherance of the process identified in Theme E, Goal 4 of the Goals and Objectives of “Imagine Lexington” the 2018 Comprehensive Plan for Lexington-Fayette Urban County.

Section 2 – That this Urban County Council hereby requests that the Division of Planning utilize the Study data when developing the recommendations for the 2023 Comprehensive Plan Goals and Objectives.

Section 3 - It is the intent of this Urban County Council that all previously adopted elements of “Imagine Lexington” remain in full force and effect.

Section 4 – That the Zoning Ordinance, Land Subdivision Regulations, and the Zoning Map currently in effect on the date of passage of this Resolution shall remain in full force and effect unless and until duly amended by the Lexington-Fayette Urban County Council after receipt of a recommendation by the Planning Commission.

Section 5 – It is the intent of this Urban County Council that the Study should be part of the later completed process which includes identification of land for preservation and

identification of land for potential future urban development, in Theme E, Goal 4, and to be used in the preparation of future updates to the Comprehensive Plan. The Study should not be used alone for findings necessary for proposed map amendments as described in KRS 100.213.

Section 6 – The adoption of the Study in furtherance of the Goals and Objectives of “Imagine Lexington” creates a foundation for future completion of the process identified in the Statement of Goals and Objectives Theme E, Goal 4, Objective d., which includes identification of land for preservation and identification of land for potential future urban development, while not fully implementing the process at this time.

Section 6 – That this Resolution shall become effective on the date of its passage.

PASSED BY URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

# PDR and Public Benefits

*Planning and Public Safety*

*June 21, 2022*

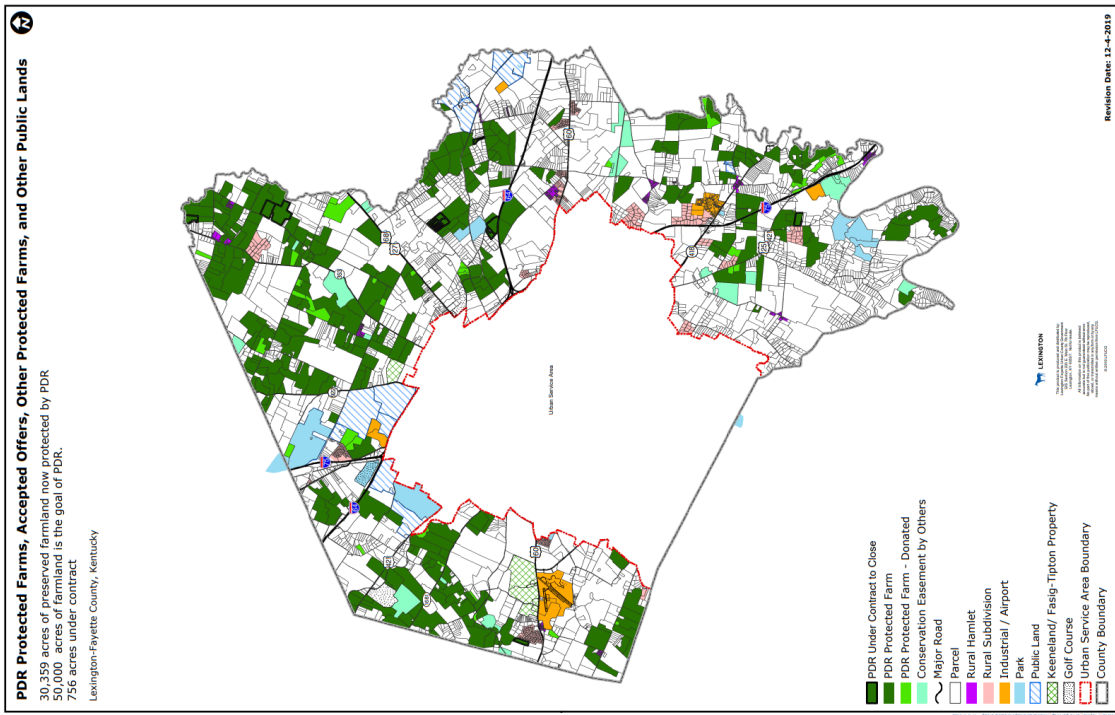


**LEXINGTON**

# PDR

## *Overview of program*

- Preserving valuable agricultural land.
- Tax payers pay local and federal tax dollars towards program.
- Prevents development on that land in perpetuity.



- 30,000 acres
- Running since 2001
- Over 77 million dollars invested in protecting this land

## History of PDR

- Rural zoning allowed for one house per 10 acre lots.
- Farm owners lobbied to increase this to 40 to prevent aggressive subdivisions on farms.
- Farm owners then lobbied for compensation for the lost privileges of subdivisions.

## History of PDR cont.

*Where did PDR come from?*

- The PDR program was brought into existence in 2000.
- When it began, almost no federal matching was used in the program.
- It was decided that the PDR program would not tie these dollars to any specific use. (Agricultural, Business or Conservation)

# What are we protected from? Zone change and development

## *The process*

- Application
- Planning commission
- Council/public hearing
- Zone change for development

# Other considerations for zoning

- Urban service boundary – development of agricultural land outside of the boundary is highly restricted and regulated
- Neighborhood input/public hearings

## Alternative ways we protect land

### *Historic Districting*

We make buildings historic which preserves and protects them. We do not compensate people for this protection.

### *Environmental Conservancy Trust*

Allows landowners to place land in trust for protection granting some tax benefits to the owner – similar to PDR but utilizing tax incentives as opposed to city funds.

## Cost and effectiveness of each method

- Planning commission: appointed for 4 years
- City council: elected every 2 or 4 years
- Altering urban service boundary: requires vote/change to comprehensive plan
- PDR: 30,000 acres, 77 million (\$2,520 per acre), indefinite protection
- Land conservation trust: owners prerogative

# Affordable Housing VS PDR

|                                                | LOCAL          | STATE & FEDERAL | TOTAL FUNDING  |
|------------------------------------------------|----------------|-----------------|----------------|
| PDR FUNDING SINCE ITS INCEPTION                | \$62.3 MILLION | \$48.7 MILLION  | \$110 MILLION  |
| AFFORDABLE HOUSING FUNDING SINCE ITS INCEPTION | \$18 MILLION   | \$14.2 MILLION  | \$32.2 MILLION |

## **Vast protections to preserve Ag land at no cost to tax payers**

*What additional benefits can the PDR program bring?*

- Public access: camping, hunting, horseback riding, farm tours, walking trails, etc.
- Green city initiatives: Sustainable farming, Co-ops, Research opportunities

## Recommendations

- Preserving our horse farms and heritage is a top priority for the community.
- However, with so many protections available at no cost, the PDR program needs to provide additional benefits to the city's residents for the expenditure of tax dollars.
- Recommend keeping this item in committee to further reach out to the community for sustainable enhancements to the program that add real benefit.
- During this process, we recommend pausing funding to the program until enhancements with public support can be identified.

# Questions?



## ITEMS REFERRED TO COMMITTEE

## Planning &amp; Public Safety Committee

| Referral Item                                                                                                                      | Presenter   | Sponsor/Referred by | Date Referred      | Last Heard         | Status             | File ID |
|------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------|--------------------|--------------------|--------------------|---------|
| 1 Crime Reduction Technology                                                                                                       | W. Baxter   |                     | September 21, 2021 |                    |                    |         |
| 2 Review of Short Term Rentals                                                                                                     | J. Brown    | J. Brown            | June 11, 2019      |                    |                    | 0231-20 |
| 3 Sustainable Growth Study - Report                                                                                                |             | J. Brown            | September 22, 2020 | April 19, 2022     | June 21, 2022      | 0383-22 |
| 4 Review and determine a funding source for the Affordable Housing Fund                                                            |             | J. Brown            | May 5, 2022        |                    |                    |         |
| 5 Recommendations for Ensuring the Continuous Operations for Shared Use Paths, Sidewalks, and Bike Lanes                           | C. Ellinger |                     | August 10, 2021    | January 18, 2022   |                    | 0074-22 |
| 6 Amend Council Rules to add a Section on Police Discipline Presented to Council                                                   | S. Kay      | S. Kay              | October 22, 2020   | November 17, 2020  |                    | 1147-20 |
| 7 Report From Infill & Redevelopment Committee Regarding Issues Related to Language of Context Sensivity in the Comprehensive Plan | S. Kay      | S. Kay              | June 8, 2021       | August 10, 2021    |                    | 0781-21 |
| 8 Review of Enhancements to PDR program that will allow for public access to farmland                                              | D. Kloiber  |                     | March 8, 2022      |                    | June 21, 2022      |         |
| 9 Improve Enforcement of Traffic Laws (speeding, stop signs, etc.)                                                                 | H. LeGris   |                     | October 23, 2018   | May 7, 2019        |                    | 0508-16 |
| 10 Quiet Zone Feasibility Study                                                                                                    | J. McCurn   | J. McCurn           | March 13, 2018     | March 5, 2019      |                    |         |
| 11 Review of Outdated Civil Defense Ordinance                                                                                      | J. McCurn   |                     | May 31, 2022       |                    |                    |         |
| 12 Review of Community Corrections Process for Working with (ICE) U.S. Immigration and Customs Enforcement                         | J. Reynolds |                     | October 8, 2019    | February 2, 2021   |                    | 0134-21 |
| 13 Police Discipline After Action Review Commission                                                                                | J. Reynolds |                     | September 25, 2020 | October 20, 2020   |                    | 0121-20 |
| 14 Consideration of an Approach to Address Gun Violence / Youth Gun Violence                                                       | J. Reynolds |                     | February 8, 2022   |                    | WS 04/26 and 05/03 |         |
| 15 Look at Minimizing the over-concentration of Social Services in neighborhoods                                                   | J. Reynolds |                     | June 14, 2022      |                    |                    |         |
| 16 Assessment of Lexington's African American Hamlets and the Historic Preservation of Their Heritage                              | K. Plomin   |                     | April 26,2022      |                    |                    |         |
| Annual/Periodic Updates                                                                                                            |             |                     |                    |                    |                    |         |
| 17 Annual Update on Recruitment, Retirement, and Retention for Department of Public Safety                                         | A. Bledsoe  |                     | September 22, 2020 | May 4, 2021        |                    | 0450-21 |
| 18 Annual PDR Review (Required by Ordinance)                                                                                       | J. Brown    |                     |                    | October 27, 2020   |                    | 0299-20 |
| 19 Annual Division/Program Evaluations (from BFED committee)                                                                       | J. Brown    |                     | November 30, 2021  |                    |                    |         |
| 20 Expanded Public Hearing Notification (Pilot Program)                                                                            | F. Brown    |                     | September 28, 2021 | January 18, 2022   | Feb. 2023          | 0073-22 |
| 21 Follow-up from Infill & Redevelopment Committee Regarding Council sponsored re-zoning (Resolution)                              | S. Kay      |                     | March 2, 2022      | April 19, 2022     |                    | 0382-22 |
| 22 Annual Community Paramedicine Program Update                                                                                    | J. Reynolds |                     | July 6, 2021       | September 21, 2021 |                    |         |
| 23 Annual Review of Code Enforcement                                                                                               | J. Reynolds |                     | July 6, 2021       |                    |                    |         |
| 24 Annual ONE Lexington Programs: Safety Net, Hospital Based Violence Intervention, and New Vista                                  | J. Reynolds |                     | September 25, 2020 | November 17, 2020  |                    | 1145-20 |
| Subcommittees                                                                                                                      |             |                     |                    |                    |                    |         |
| 25 Electronic Billboards Subcommittee                                                                                              | K. Plomin   |                     | June 1, 2018       | August 18, 2020    |                    | 0778-20 |