

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

September 22, 2022

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The minutes of the August 25, 2022 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, September 1, 2022, at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Headley Bell, Anthony de Movellen and Judy Worth. Committee member in attendance: Vaughn Adkins, Division of Engineering and Steve Parker, Division of Traffic Engineering. Staff members in attendance: Traci Wade, Autumn Goderwis, Tom Martin, Hal Baillie, Cheryl Gallt, Paula Schumacher, 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)
 - (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, September 1, 2022, 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 Forrester, Bruce Nicol, and Robin Michler. Staff members in attendance were: Traci Wade, Autumn

Goderwis, Hal Baillie, Daniel Crum, Samantha Castro, Bill Sheehy, 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.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **PLN-ZOTA-22-00002: AMENDMENT TO ARTICLE 23A-9 TO PERMIT HOTELS/MOTELS IN THE COMMUNITY CENTER (CC) ZONE**– petition for a Zoning Ordinance text amendment to permit hotels and motels in the Community Center (CC) Zone.

INITIATED BY: Jason L. Justice

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Approval**.

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

1. The proposed text amendment to allow hotels and motels within the Community Center (CC) zone will complement the commercial aspects of the zone and will conform with the size requirements for the CC zone.
2. The proposed use will provide tourists, temporary business workers and other visitors a place to stay in areas with abundant community facilities, retail, and commerce opportunities (Theme C, Goal #1.d), which will support the established commercial uses.
3. Hotels and motels shall not constitute any portion of the required residential requirement of forty percent (40%) of the aggregated floor area of buildings within a development in a CC zone.

2. **PLN-ZOTA-22-00008: AMENDMENT TO ARTICLE 23A-10 TO ALLOW STADIUMS IN THE ECONOMIC DEVELOPMENT (ED) ZONE**– a petition for a Zoning Ordinance text amendment to allow stadiums as a principal permitted use in the Economic Development (ED) zone, and to modify the special provisions section to allow stadiums to operate in an open building (not a completely enclosed structure) and to operate with the use of loudspeakers.

INITIATED BY: Anderson Communities, Inc.

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Approval of a Zoning Committee Alternative.**

The Staff Recommends: **Approval of the Staff Alternative text** for the following reasons.

1. The inclusion of sports complexes as a use in the Zoning Ordinance can lead to the growth of sports tourism in Lexington, which can have both direct and indirect impacts to the local, regional and state economies.
2. The inclusion of sports complexes as a conditional use in the Economic Development (ED) zone is in agreement with the 2018 Comprehensive Plan and the Parks and Recreation Master Plan which promote the creation of a large regional athletic field complex for economic development and to enhance Lexington's existing facilities (Theme C, Livability Policy #3).
3. The Expansion Area Master Plan (EAMP) calls for Economic Development land use in Expansion Areas 2a and 3 to be located along the interstate corridor. The Plan further outlines the necessary infrastructure to support high intensity land uses in these locations, substantially similar to those that may be related to a sports complex, or its components.

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.

LONG RANGE PLANNING ACTIVITY REPORT

August 2022

Planning Commission Work Session

July Planning Commission work session took place on August 18, 2022. The meeting included a Parking ZOTA Update, a presentation on Trust for Public Land's Lexington Park and Greenspace Equity Accelerator, a presentation on Imagine Nicholasville Rd, and a Goal 4 Work Group update.

Goal 4 Work Group

The Goal 4 group continued to meet and gather information on what would be necessary considerations to make decisions on Goal 4.

Imagine Lexington

Staff continued to implement items of the 2018 comp. plan, and updated the Imagine Lexington Website to reflect these implementations.

Social Media

Staff also continued to maintain the Imagine Lexington Facebook, Twitter, and Instagram social media accounts.

Parking ZOTA

The Planning commission reviewed the proposed Parking regulation amendments and recommended approval.

Open Space ZOTA

Text amendments for the Open Space ordinance began to be finalized for presentation to the planning commission.

ZONING COMPLIANCE PLANNING ACTIVITY REPORT

Zoning Enforcement/Compliance

Board of Adjustment

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

Five (5) applications were considered by the Board of Adjustment at their regular meeting on August 8, 2022. Four (4) of the applications were requests for variances; one (1) of which was withdrawn by the applicant; two (2) applications were approved by the Board and one (1) was continued to the September meeting. There was one (1) application for a conditional use permit; of which it was granted.

TRANSPORTATION PLANNING / MPO ACTIVITY REPORT

The MPO outlines an annual scope of work for transportation planning activities in the Unified Planning Work Program which contains the follow six work elements. Progress over the last month is reported by work element.

1.0 Transportation System Data & Monitoring

- Worked with Populus, a third party data-management company platform, to process and evaluate multiple shared mobility companies' data.
- Continued to review and collect relevant regional freight study data. Reviewed Freight Data Guide for Improved Transportation Planning published by the Strategic Highway Research Program (SHRP2) Solutions.
- Reviewed Freight Resilience Planning in the Face of Climate-Related Disruption report published by FHWA and National Freight Strategic Plan published by USDOT.
- Continued update of GIS layers for traffic counts, truck volumes, bridge condition, traffic crashes and severity.
- Attended NPMRDS Users Quarterly Technical Assistance Webinar.
- Continued work constructing and formatting GIS Story Map to show transportation projects.

2.0 Identify & Prioritize Projects

- Worked on a formal process for conducting a call for projects and prioritizing projects for MPO sub-allocated funding.
- Reviewed previous Congestion Mitigation Air Quality (CMAQ) projects' applications and ranking process materials to prepare for CMAQ project application and ranking process.
- Issued a call for CMAQ project applications to MPO contacts.
- Attended a meeting and provided input on the Statewide Bicycle & Pedestrian Master Plan that is being developed by KYTC.
- Attended a Fayette County Safety Action Plan meeting with KYTC, LFUCG and consulting team.
- Met with President of RJ Corman Railroad.
- Participated in a Community Leadership Advisory Committee Meeting for the Lexington / Bluegrass Airport Master Plan

3.0 Program & Project Implementation

- Attended a meeting and provided input on the KYTC Complete Streets Design Manual that is being developed by KYTC.
- Evaluated the potential to use CMAQ Emissions Calculator Toolkit and Cost-Effectiveness Analysis Tables to assist in CMAQA project applications and ranking process.
- Evaluated Shared Mobility Vehicle permits for compliance with the ordinance, managed current licensees and associated data, and completed daily enforcement activities regarding the rebalancing requirement.
- Reviewed paving lists for bicycle facility improvement opportunities during upcoming resurfacing projects.
- Attended 4 weekly paving coordination meetings.
- Continued work on a MPO-Level Complete Streets Policy.
- Continued work on a Lexington Complete Streets Policy.
- Processed TIP Amendment 3: Richmond Road RCUTs and Shared Use Trail
- Processed TIP Modification #20: Armstrong Mill Bike/Ped Improvements
- Processed TIP Modification #21: Lextran: FTA- 5339(c) Grant for CNG Buses and CNG Facility Upgrades
- Processed TIP Modification #22: West Main & Buchanan Safety Improvements

4.0 Land Use & Transportation Impact

- Reviewed and submitted comments in Accela for bike/pedestrian circulation requirements associated with development plans.
- Corresponded on development plans approved by the Planning Commission for compliance with conditional signoff requirements.
- Responded to various inquiries and conducted meeting with development groups to work through requirements for multi-modal compliance with the subdivision regulations.
- Attended three LFUCG pre-application meetings to provide transportation planning input on future land-use applications.
- Attended regular LFUCG Subdivision and Zoning Committee meetings.

- Attended LFUCG Board of Adjustment new case review meeting.
- Participated in monthly ZOTA work group meeting.
- Participated in feedback session for LFUCG Open Space Zoning Ordinance Text Amendment.
- Held one project team meeting for the Imagine New Circle Plan to discuss transportation-related opportunities and constraints.

5.0 Participation & Outreach

- Held several meetings with the Division of Environmental Quality to develop outreach plan and budget for FY23.
- Continued work on multi-modal outreach and encouragement through youth education, Bike Month 2023 and Cycle September 2023 event, challenge and safety planning.
- Continued work on the Lexington Bicycle Map.
- Began work to update the MPO's Participation Plan.
- Social media:
 - Promoted public input opportunity for TPC's consideration of MTP and TIP amendment for the Richmond Rd RCUT Project.
 - Shared info about what is TPC and regular bi-monthly meeting on 8/24
 - Provided updates on road projects and traffic safety improvements
 - Promoted August BPAC meeting
- MPO website had 557 users (93% new users) and 1,245 page views in August.
- MPO Facebook has 3,644 followers (-1 followers); 5 posts; reached 1,023 users; and had 12 engagements in August.
- MPO Twitter reached 1,942; had 11 tweets with 38 engagements; and 635 profile visits in August.
- LexBikeWalk Facebook page had 4,599 followers (+4 followers); 5 posts; reached 1,766 users; and had 9 engagements in August.
 - Impressions up by almost 14%
- LexBikeWalk Instagram page had 446 followers (+40 followers); 7 posts; reached 1,580 users; and had 164 engagements in August.
 - Instagram content reached 48.9% more accounts compared to July.
 - IG impressions were up 95.1% and engagements were up 86.4%.

6.0 Program Administration

- Conducted regularly scheduled meetings and prepared meeting packets and minutes for the Bicycle Pedestrian Advisory Committee, Congestion Management Air Quality Committee, Transportation Technical Coordinating Committee, and Transportation Policy Committee.
 - Attended Lextran board meeting.
 - Conducted weekly MPO Staff Meetings.
 - Coordinated with FTSB Director to oversee financial matters.
 - Attended Corridors Commission meeting.
 - Participated in an AMPO meeting regarding Greenhouse Gas requirements in IIJA.
 - Attended a general membership meeting of the Association of MPOs
 - Attended a joint meeting of the Association of MPOs Policy and Technical Committees
 - Participated in an MPO Director Leadership Forum of the Association of MPOs
 - Met with representatives of Bird Rides Inc. to discuss renewal of SMV license
 - Attended the following Webinars / Workshops:
 - Q3 AMPO General Membership Webinar
 - AMPO Emerging Technologies Workgroup - Transportation Systems Mgmt. and Operations (TSMO)
 - Regional Planning with ArcGIS Urban
- FHWA / Florida DOT MPO Peer Exchange regarding safety performance targets

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 OCTOBER 2022

Subdivision Committee, Thursday, 8:30 a.m., in 3rd Floor Conf Room, Phoenix Building October 6, 2022
 Zoning Committee, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building October 6, 2022

Subdivision Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov't Center **October 13, 2022**

Work Session, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building October 20, 2022

Technical Committee, Wednesday, 8:30 a.m., in 3rd Floor Conf Room, Phoenix Building..... October 26, 2022

Zoning Items Public Hearing, Thursday, 1:30 p.m, in Council Chambers, 2nd Floor, Gov't Center ... **October 27, 2022**

X. ADJOURNMENT

TLW/HB//RS