

MINUTES
URBAN COUNTY PLANNING COMMISSION
SPECIAL MEETING – COMPREHENSIVE PLAN PUBLIC HEARING
November 30, 2023

- I. **CALL TO ORDER** – Chair Larry Forester called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.

Planning Commission members present: Mike Owens, William Wilson, Zach Davis, Judy Worth, Janice Meyer, Robin Michler, Graham Pohl, Ivy Barksdale, Bruce Nicol, and Chair Larry Forester.

Planning staff members present: Jim Duncan, Director; Chris Taylor, Traci Wade, Hal Baillie, Autumn Goderwis, Boyd Sewe, Daniel Crum, James Mills, SB Stroh, Bill Sheehy, Paula Shumacher and Rachael Lay.

Other LFUCG staff present: Keith Horn, Commissioner of Planning and Preservation; Shaun Denney, Planning and Preservation; Tracy Jones, Department of Law; Brittany Smith, Department of Law; and Christopher Edwards, Video Production.

- II. **Imagine Lexington 2045 Comprehensive Plan Public Hearing** – The Planning Commission will take public comment on the *Imagine Lexington 2045* Comprehensive Plan.

- a. Staff Presentation – Long Range Planning Manager, Chris Taylor provided a PowerPoint presentation on behalf of the staff. Within Mr. Taylor's presentation, he had emphasis on the public input events that Planning hosted that focused on the *Imagine Lexington 2045* Comprehensive Plan. Within his presentation, Mr. Taylor discussed each theme's key concepts and action items as they were displayed on the projection screen. Mr. Taylor then explained the Placebuilder element of the Comprehensive Plan. He concluded his presentation by expressing his gratitude to the parties involved that helped create the *Imagine Lexington 2045* Comprehensive Plan. The Staff is seeking the Commission's approval of the resolution (exhibit A) to adopt the *Imagine Lexington 2045* Comprehensive Plan.
- b. Public Comment – Chair Larry Forester opened the floor for public comments and granted each person who wished to speak a three-minute time limit.

Scott Baesler stated that he was there to support the *Imagine Lexington 2045* Comprehensive Plan.

Dean Pulsifer stated that although he may not agree with everything in the Comprehensive Plan, that it is a great tool for Lexington. Mr. Pulsifer stated that his biggest concern with the Comprehensive Plan is not about its contents, but more about how it will be used and enforced. He stated that it will only be effective if the intent and goals of the Comprehensive Plan are accepted and acted upon.

Aaron Mikle, Fayette Alliance, shared Fayette Alliance's gratitude for the work that was put into the *Imagine Lexington 2045* Comprehensive Plan. He stated that aside from the mandated expansion of the Urban Service Area, they believe that the Comprehensive Plan is the most inclusive and forward-thinking Comprehensive Plan in the City's history. Mr. Mikle then expressed his concerns that expanding the Urban Service Area would make the policies within the plan harder to achieve. He stated that it is unclear if the city can afford to update the infrastructure and maintain public services while building and serving new neighborhoods. He then mentioned that *On the Table* showed that infill and redevelopment is the preferred growth strategy for the community. He then stated that it was their recommendation that work on a new process to guide future growth decisions occurs immediately, and not wait until the year 2025. He concluded his time by stating that Fayette Alliance's full position statement can be found on their website.

Nathan Billings, Billings Law Firm, was in attendance to speak on his beliefs, and on the behalf of his client, Dell Ridge Farms. Mr. Billings introduced the following items in to the record: all of the Urban Growth Management Advisory Committee's work; including meeting summaries, recordings, and submissions that were prepared (exhibit F), the Stantec sewerability study (exhibit G), the Goal 4 Work Group report (exhibit H), the city's Sustainable Growth Study (exhibit I), and Kentucky's 2022-2028 Enacted Highway Plan (exhibit J) and the resolution and map that was adopted by the Planning Commission on October 26, 2023 (exhibit E). Mr. Billings asked the Commission to adopt these items as appendices to the Comprehensive Plan if it is adopted at this meeting. Mr. Billings stated that at the meeting that took place on October 26, 2023, the

Commission made a decision without public input and without data regarding the expansion area map. Mr. Billings stated that as a result of adopting the map, the Commission violated the Goals and Objectives that the Urban County Council adopted in June. He then stated while the resolution appears to state it will not be effective until the time of an amendment to the Comprehensive Plan in November 2024, the Planning Commission has undertaken the work and acted on it. The adoption of a Comprehensive Plan is therefore inconsistent with the Goals and Objectives, which would violate KRS 100. Mr. Billings asked the Commission not to adopt the *Imagine Lexington 2045* Comprehensive Plan. He stated that it was not because he did not support the vast majority of the plan, but due to the inconsistencies that he had witnessed. He asked the Commission that if the Comprehensive Plan is adopted, to accept the documents that he introduced into the record as appendices to show that the decision that was made in October was not consistent with KRS 100 or the Urban County Council's directive. Mr. Billings then stated to consider adding the Highway Service Business (B-3) zone in to the Placebuilder element.

Planning Commission Comments – Ms. Worth asked for Staff's response to Mr. Billings comments. Attorney Senior Tracy Jones stated that the Planning Commission fulfilled what they were tasked to do when they hosted their public hearing and reviewed the recommendations of the Urban Growth Management Advisory Committee. She then stated that the resolution passed by the Planning Commission was to accept a map for the purposes of master planning. Ms. Jones then stated that the Commission is not expanding the Urban Service Area currently. The goal is to adopt the elements of the Comprehensive Plan, which includes references to the master planning, but the master planning does not need to be completed until December 1, 2024, per the Goals and Objectives. She then stated that she respectfully disagrees with Mr. Billings' statement, and that the Commission could adopt the Comprehensive Plan and move forward with the master planning process phase, based on the consultants and the Commissions input.

Mr. Owens stated that this is the third Comprehensive Plan that he has voted on and agrees that this is the most in-depth plan that he has seen. He expressed his pleasure with the *Imagine Lexington 2045* Comprehensive Plan and stated that it is his belief that the expansion decision should be separate from the current decision of adopting the *Imagine Lexington 2045* Comprehensive Plan.

Ms. Meyer moved to approve the resolution of the *Imagine Lexington 2045* Comprehensive Plan, and read a resolution adopting the elements, as required in KRS 100.87, of "Imagine Lexington 2045" the 2023 Comprehensive Plan, (exhibit A). The motion was seconded by Mr. Pohl and passed unanimously (10-0 with one seat on the Planning Commission vacant).

Staff comments – Director Duncan reminded the Commission of the upcoming meetings of the Commission. On December 7, 2023 the committee meetings will be hosted. On December 14, 2023, there will be a combined meeting/hearing of subdivision and zoning items.

III. Other Business – None.

IV. Adjourn – The meeting was adjourned at 2:00 pm.

Larry Forester

Janice Meyer