

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

January 25, 2024

- I. **CALL TO ORDER** - The meeting was called to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.

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

Planning staff members present: Jim Duncan, Traci Wade, Daniel Crum, James Mills, and Bill Sheehy. Other staff members present were: Vaughan Adkins, Division of Engineering; Captain Greg Lengal, Division of Fire and Emergency Services; and Tracy Jones, Department of Law.

- II. **APPROVAL OF MINUTES** – A motion was made by Mr. Owens, seconded by Mr. Pohl for the approval of the minutes of the December 14, 2023 public hearing, and carried 8-0-1(Barksdale and Michler absent)(Z. Davis abstained)

- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.

1. **PLN-MAR-23-00020: BOTTS/CRAVENS HOMEBUILDERS @ PARADISE, LLC** (1/25/24)* – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Townhouse Residential (R-1T) zone, for 2.53 gross and net acres for property located at 766 Paradise Lane.

Staff Comment – Mr. Daniel Crum indicated that the applicant had submitted a written request about an hour prior to the meeting to withdraw this application.

Action – A motion was made by Mr. Zach Davis, seconded by Ms. Worth and carried 9-0 to withdraw **PLN-MAR-23-00020: BOTTS/CRAVENS HOMEBUILDERS @ PARADISE, LLC** as requested by the applicant.

- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, January 4, 2024 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale and Judy Worth. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Autumn Goderwis, Tom Martin, Daniel Crum, Cheryl Gallt, Scott Thompson, Paula Schumacher, Shaun Denney, 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.

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

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 – There was no Zoning Committee meeting on January 4, 2024.

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 AMEMENDMENTS

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

Commission Comment – Mr. William Wilson asked if it was agreeable to the Planning Commission members to have them read a book passed out during committee meetings titled "The Color of Law" because it involves what Planning Commissions did around the country over the past 60 years. Ms. Worth clarified that the book passed out was the follow-up to "The Color of Law" titled "Just Law" and looked to address the policies that were highlighted in "The Color of Law." Mr. Forester and Ms. Worth stated that they supported Mr. Wilson's suggestion and stated they would figure out logistics about when it could be discussed further.

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

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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 February 2024

Subdivision Committee, Thursday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	February 1, 2024
Zoning Committee, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	February 1, 2024
Subdivision Items and ND-1 Overlay Zoning Public Hearing , Thursday, 1:30 p.m. in Council Chambers, 2 nd Floor, Gov't Center	February 8, 2024
Work Session, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	February 15, 2024
Zoning Items Public Hearing , Thursday, 1:30 p.m. in Council Chambers, 2 nd Floor, Gov't Center.....	February 22, 2024
Technical Committee, Wednesday, 8:30 a.m., in Council Chambers	February 28, 2024
Work Session, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	February 29, 2024

X. ADJOURNMENT

Larry Forester, Chair

Janice Meyer, Secretary

TW/TM/DC/RS-1/31/24