

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

May 23, 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, Janice Meyer, Ivy Barksdale, Robin Michler, Mike Owens, Graham Pohl

Planning staff members present: Jim Duncan, Traci Wade, Keith Horn, Chris Taylor Daniel Crum, Boyd Sewe, Shaun Denney, SB Stroh, Rachael Lay, and Bill Sheehy. Other staff members present were Tracy Jones, Department of Law.

- II. **APPROVAL OF MINUTES** – A motion was made by Ms. Meyer, seconded by Ms. Barksdale for the approval of the minutes of the April 25, 2024 public hearing, and carried 6-0 (Owens and Pohl abstain)(Nicol, Worth, and Johnathon Davis absent).

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

1. **PLN-ZOTA-23-00004: AMENDMENT TO ARTICLE 8-1, OUTDOOR RECREATION IN THE AGRICULTURAL RURAL(A-R) ZONE** – a text amendment to the Zoning Ordinance to amend Article 8 to remove baseball diamond from an accessory use to a conditional use.

Staff Comment – Mr. Daniel Crum, stated that the applicant had requested a one month postponement to the May 23, 2024 public hearing.

Commission Comment – Mr. Mike Owens stated that this application has been postponed for a while, and it is willing to move for indefinite postponement until there is more serious movement from the applicant.

Action – A motion was made by Mr. Owens, seconded by Mr. Pohl and carried 8-0 (Nicol, Worth, and Johnathon Davis absent) to indefinitely postpone **PLN- ZOTA-23-00004: AMENDMENT TO ARTICLE 8-1, OUTDOOR RECREATION IN THE AGRICULTURAL RURAL(A-R) ZONE**.

2. **PLN-ZOTA-24-00003: REGULATION OF SOLAR ENERGY SYSTEMS** – a text amendment to create a new article in the Zoning Ordinance to facilitate the siting, development, construction, installation, and decommissioning of solar energy systems.

Staff Comment – Mr. Daniel Crum stated the applicant is requesting a one-month postponement and that there was a letter from Beth Overman with the Rural Land Management Board, affirming Staff's recommendation of Postponement.

Action – A motion was made by Mr. Pohl, seconded by Ms. Meyer and carried 8-0 (Nicol, Worth, and Johnathon Davis absent) to postpone **PLN-ZOTA-24-00003: REGULATION OF SOLAR ENERGY SYSTEMS** to the June 27, 2024 meeting.

- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, May 2, 2024 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Janice Meyer, 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 Galt, James Mills, Paula Schumacher, Greg Lengal and Embry Beaty; Division of Fire and Emergency Services, Stephen Parker: Division of Traffic Engineering, 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 May 2, 2024, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Robin Michler, Zach Davis, William Wilson, and Graham Pohl. Staff members present were Traci Wade, Daniel Crum, James Mills, and Bill Sheehy; as well as Tracy Jones, Department of Law.

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

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

A. Work Session – at the end of today’s public hearing, the Planning Commission held a work session to receive an update on the 2024 Urban Growth Plan and other business.

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

LONG RANGE PLANNING ACTIVITY REPORT

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 June 2024

Subdivision Committee, Thursday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	June 6, 2024
Zoning Committee, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	June 6, 2024
Subdivision Items Public Hearing , Thursday, 1:30 p.m. in Council Chambers, 2 nd Floor, Gov’t Center.....	June 13, 2024
Work Session, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	June 20, 2024
Technical Committee, Wednesday, 8:30 a.m., in Council Chambers	June 26, 2024
Zoning Items Public Hearing , Thursday, 1:30 p.m., in Council Chambers, 2 nd Floor, Gov’t Center.....	June 27, 2024

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Larry Forester, Chair

Janice Meyer, Secretary