Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Docket

Tuesday, March 10, 2026

1:00 PM

Council Chamber

General Government & Planning (GGP) Committee

Committee Agenda

0097-26 Approval of February 10, 2026 Committee Summary

Attachments: 2.10.26 GGP Summary

0212-26 Solar Working Group - Solar Energy Systems

Attachments: Solar Working Group - Solar Energy Systems
Amendments to Article 31 Solar Energy Systems

0047-25 Efficiencies in our Development Process

Attachments: Efficiencies in Our Development Process

0211-26 Planning & Development Study: Recommendations 8 & 10

Attachments: Planning & Development Study: Recommendations 8 & 10

0103-26 Items Referred to Committee

Attachments: March Referral List

Adjournment

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Master

File Number: 0097-26

File ID:	0097-26	**Type:**	Committee Item	**Status:**	Agenda Ready
Version:	1	**Contract #:**		**In Control:**	General Government & Planning (GGP) Committee
				File Created:	02/01/2026
File Name:	January 2026 GGP Summary			**Final Action:**	
Title:	Approval of January 20, 2026 Committee Summary				
Notes:					
Sponsors:				**Enactment Date:**	
Attachments:	2.10.26 GGP Summary			**Enactment Number:**	
Deed #:				**Hearing Date:**	
Drafter:				**Effective Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 0097-26

Title

Approval of January 20, 2026 Committee Summary

General Government & Planning (GGP) Committee

February 10, 2026

Summary and Motions

Committee members Liz Sheehan (Chair), Shayla Lynch, J.D. (Vice Chair), Dan Wu, James Brown, Chuck Ellinger II, Emma Curtis, Whitney Elliott Baxter, Dave Sevigny, Jennifer Reynolds, and Hil Boone were present. Council members Tyler Morton, Joseph Hale, and Amy Beasley were present as non-voting members. Chair Sheehan called the meeting to order at 1:00 p.m.

I. APPROVAL OF JANUARY 10, 2026 COMMITTEE SUMMARY (Sheehan)

A motion by Ellinger to approve the January 10, 2026 Committee Summary was seconded by Curtis and approved unanimously.

II. BLUE SKY SMALL AREA PLAN (Boone & Hale/Miller)

The Committee received an update from Senior Planner Eve Miller with the Division of Planning on the Blue Sky Small Area Plan (SAP). The Blue Sky Activity Center encompasses approximately 301 acres and supports roughly 150 businesses and over 1,000 jobs, many paying at least $20 per hour. Work completed to date includes an existing conditions assessment, market analysis, and extensive public engagement with businesses and nearby neighborhoods. Miller highlighted key site characteristics, including its strategic location near I-64 and I-75, long-standing industrial use, steep topography, limited rear access, and infrastructure constraints. While water and sewer are available, concerns remain regarding electrical reliability, internet capacity, lack of street lighting, and safety at the I-75 interchange.

Committee discussion focused on infrastructure modernization, potential tax district transitions following inclusion in the Urban Service Boundary, business interest in cost-sharing for improvements, and the need to modernize industrial zoning regulations (B-4, I-1, and I-2) to reflect contemporary uses while avoiding unintended burdens on existing businesses.

Miller reported that draft frameworks and regulatory recommendations will be finalized with the advisory committee and presented to the Planning Commission for consideration as a component of the 2045 Comprehensive Plan.

III. REVIEW & ANALYSIS OF LFUCG-OPERATED COMMUNITY CENTERS (Beasley & Morton/Postel)

Beasley introduced the next item regarding a year-long review of LFUCG-operated community and neighborhood centers, conducted in collaboration with community partners. The review included visits to multiple centers operated by three departments. Christian Postel, CEO of Lexington Leadership Foundation, provided the presentation on behalf of the working group. Postel emphasized the role of community centers as critical civic infrastructure, particularly in neighborhoods facing economic and social challenges. Findings indicated strong staff commitment and positive outcomes at several centers, including Dunbar and Black & Williams. However, inconsistencies were identified across sites in staffing levels, operating hours, programming depth, capital investment, communication strategies, partner access, and safety readiness. These variations were described as contributing to inequities in service delivery.

The working group presented several recommendations, including:

- Adoption of a "Community and Neighborhood Center Promise" establishing minimum standards for operations, safety, programming transparency, and community engagement.
- Development of a shared performance measurement system and public dashboard to link funding inputs to outputs and outcomes.
- Long-term alignment of staffing models with service expectations (no new staffing requests proposed for the upcoming budget).
- Streamlining nonprofit partnership and onboarding processes.
- Continued investment in programming and capital improvements.
- Strengthening communication strategies and school partnerships.
- Formalizing consistent crisis response protocols across centers.

Committee discussion addressed implementation logistics, advisory board involvement, the importance of neighborhood voice and feedback, staffing considerations, and coordination across multiple divisions. Administration representatives outlined existing safety procedures, including CPR-certified staff, staffing ratios, and coordination with public safety partners. Interest was expressed in continued collaboration with the Administration to refine next steps.

IV. ITEMS REFERRED TO COMMITTEE (Sheehan)

No action was taken on this item.

Chair Sheehan adjourned the meeting at 2:12 p.m.

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

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File Number: 0212-26

File ID:	0212-26	**Type:**	Committee Item	**Status:**	Agenda Ready
Version:	1	**Contract #:**		**In Control:**	General Government & Planning (GGP) Committee
				File Created:	03/05/2026
File Name:	Solar Working Group - Solar Energy Systems			**Final Action:**	

Title: Solar Working Group - Solar Energy Systems

Notes:

Sponsors:		**Enactment Date:**	
Attachments:	Solar Working Group - Solar Energy Systems, Amendments to Article 31 Solar Energy Systems	**Enactment Number:**	
Deed #:		**Hearing Date:**	
Drafter:		**Effective Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 0212-26

Title

Solar Working Group - Solar Energy Systems

SOLAR WORKING GROUP
SOLAR ENERGY SYSTEMS (ZOTA-24-00003)

General Government & Planning (GGP) Committee

Sylvia Cassidy, 5th District Legislative Aide

March 10, 2026

LEXINGTON

Membership & Focus

Membership: Councilmember Liz Sheehan, Councilmember Dave Sevigny, Councilmember Tyler Morton, Councilmember Hil Boone, Traci Wade, Daniel Crum

Staff: Alicia Larmour, Sylvia Cassidy, Alyssa McKenzie, Olivia Lasheen Grigsby

Working Group Scope:

- Soil preservation and protection
- Regulatory burdens on solar energy systems
- Agrivoltaics and dual-use opportunities
- Decommissioning processes
- Community Benefit Agreement
- Opportunities for solar energy systems on floodplains, landfills, and brownfields
- Distribution of generated power
- Job and economic impact

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Working Group Timeline

September 2025
Solar Working Group holds first meeting, receives update on Haley Pike development

October 2025
Solar energy, power distribution, & the electrical grid

November 2025
Public Services Commission, soil preservation

December 2025
Lexington's carbon emissions & reduction measures

January 2026
Economic/job impacts, dual use considerations, water quality impacts

February 2026
Community benefits agreement, drafting amendments

Stakeholder Engagement

KU

Kentucky Resources Council

LiUNA! Feel the Power

American Farmland Trust
SAVING THE LAND THAT SUSTAINS US

Kentucky SHEEP & WOOL PRODUCERS ASSOCIATION

FAYETTE COUNTY CONSERVATION DISTRICT

Ohio River Valley Institute

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Findings: Power Generation & The Grid

- The ultimate consumer of energy generated by a solar energy system is determined by:
  - Electrical demand
  - Proximity to transmission and distribution lines
  - Proximity to homes or businesses with electrical demand

- Solar energy benefits to local residents:
  - Physical flow - power injected into the grid
  - Contractual flow - economic benefits created by Power Purchase Agreements and Renewable Energy Credits
  - Local operational impacts - decreased congestion and more energy where needed
  - Community benefits plans - pathway for direct support for local communities

Findings: Environmental Findings

- Integrating a higher share of renewable energy sources such as solar, wind, hydro, and geothermal into the energy resource mix plays a crucial role in reducing GHG emissions (LFUCG Race to Net Zero, p. 40).

- Significant runoff and soil degradation are preventable, backstops like dual-use, panel slope rules, and other requirements can promote soil health.

- Strong stormwater site plans are the most effective tool for water quality management.

Findings: Economy & Jobs

- The largest share of jobs created from solar energy projects are in the construction industry.
  - Large-scale projects could require 200 to 400 laborers, plus electricians.
  - On average, take about 2 years to complete

- Dual-use offers agricultural opportunities:
  - Agrivoltaics
    - Crops
    - Livestock
  - Multiple streams of income for one landowner and increased profits

Current Ordinance: Rooftop, Integrated, Small Scale, Intermediate Scale

- **Rooftop** and **integrated solar energy systems** allowed in *all zones*

- **Small scale**, **ground mounted**
  - Up to 2500 square feet
  - Allowed in *residential zones* with a conditional use permit
  - Allowed in *business/industrial* and in *agricultural zones* as principal or accessory use

- **Intermediate scale**, **ground mounted**
  - Up to 5 acres
  - Permitted in *business/industrial zones*
  - Requires conditional use permit in *agricultural zones*

Current Ordinance: Large Scale

- Current ordinance allows **large scale solar energy systems** (over 5 acres) in **B-4, I-1, I-2, ED** *zones* with conditional use permit

- Large scale in *agricultural zones*
  - Provisions included to show local preference to Public Services Commission
  - Cannot exceed 1% (1827 acres) of the total acreage of Fayette County (182,762.32 acres)
  - Should include 85% vegetative cover
  - Submit land management plan to LFUCG

Amendment Recommendation Overview

- New provisions for co-located battery storage

- Additional definitions:
  - Farmlands of Statewide Importance
  - Prime Farmland
  - Brownfield Property

- * Large Scale requirements:
  - Stormwater Manual
  - Continuous Ag Production with annual inspection as defined by our PDR ordinance for A-R/A-U, Conditional Use Permit required
  - Land conservation plan and/or Water Quality Plan

- Community Benefits Plan:
  - Move to Sec 31-6 General Requirements
  - Recognizing specific, desirable benefits for Fayette County

- Decommissioning:
  - Timeline
  - Removal of ALL structures, equipment, and foundations

- Brownfield Exception:
  - Allowed use in any zone
  - No Conditional use permit required

* Members of the working group were not in unanimous agreement for this recommendation.

Next Steps

- Permission from GGP Committee to send the suggested language for feedback to:
  - Planning Commission (with a public hearing) - as a ZOTA, 60 days to review and return
  - Rural Land Management Board
  - Environmental Commission
  - Engage Lexington for general community feedback

- Additional recommendation: Form a group to examine other Brownfield sites listed in our Race to Net Zero Plan (from EPA's Re-Powering America's Land Initiative)
  - Eliminate any sites that have already been redeveloped for other purposes
  - Open a dialog with existing property owners to encourage solar at these locations
  - Include any updates to the list in the Empower Lexington/Race to Net Zero Plans

Questions?

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ORDINANCE NO. 069-2025

AN ORDINANCE AMENDING THE LEXINGTON-FAYETTE COUNTY ZONING ORDINANCE ARTICLE 31: SOLAR ENERGY SYSTEMS, IN ORDER TO PROVIDE GUIDANCE IN FACILITATING THE SITING, DEVELOPMENT, CONSTRUCTION, INSTALLATION, AND DECOMMISSIONING OF SOLAR ENERGY SYSTEMS. (URBAN COUNTY COUNCIL).

ARTICLE 31: SOLAR ENERGY SYSTEMS

Sec. 31-1. Intent

The intent of this Article is to facilitate the siting, development, construction, installation, and decommissioning of solar energy systems in a predictable manner that promotes and protects the safety, health, and welfare of the community. This Article encourages the appropriate siting of solar energy systems to bolster local economic development and job creation, diversify the state's energy portfolio, strengthen energy and grid security, and reduce other environmental impacts. The appropriate siting of solar energy systems considers, avoids to the extent possible, and mitigates any adverse impacts to wildlife, productive and nationally important agricultural lands, forests, endangered species habitat, and historic, natural, and other sensitive lands. The appropriate siting of solar energy systems also establishes standards and requirements to assure that the use and enjoyment of lands located adjacent to and in the proximity of solar energy systems are fully protected.

Sec. 31-2. Definitions

a) *Solar Energy System (SES)* means a device, including its components and subsystems that collects solar energy for electricity generation, consumption, or transmission, or for thermal applications. SESs are categorized as three types depending on how the system is incorporated into the existing land use:

1) *Integrated Solar Energy System* means an SES where the solar materials are incorporated into the building materials, such that the building and solar system are reasonably indistinguishable, or where the solar materials are used in place of traditional building components, such that the SES is structurally an integral part of the house, building, or other structure. An Integrated SES may be incorporated into, among other things, a building façade, skylight, shingles, canopy, light, or parking meter.

2) *Rooftop Solar Energy System* means an SES that is structurally mounted to the roof of a house, building, or other structure and does not qualify as an Integrated SES.

3) *Ground Mounted Solar Energy System* means an SES that is structurally mounted to the ground and does not qualify as an integrated SES. Ground Mounted SESs are subcategorized as follows:

(a) *Small Scale Ground Mounted Energy System (Small Scale SES)* which is a Ground Mounted SES with a footprint of less than two thousand five hundred (2,500) square feet.

(b) Intermediate Scale Ground Mounted Energy System (Intermediate Scale SES) which is a Ground Mounted SES with a footprint of

between two thousand five hundred one (2,501) square feet and five (5) acres.

(c) *Large Scale Ground Mounted Solar Energy System (Large Scale SES)* means a Ground Mounted SES with a footprint of more than five (5) acres.

b) *Exempt Solar Energy System (Exempt SES)* means a SES that is a facility of a municipally owned electric system or public utility regulated by the Kentucky Public Service Commission or Federal Energy Regulatory Commission, which is exempt from planning and zoning requirements under KRS 100 and otherwise in conformance with then-existing law or regulation.

c) *Footprint* of the SES is calculated by drawing a perimeter around the outermost SES panels and any equipment necessary for the equipment to function, such as transformers, ~~and~~ inverters, and co-located battery storage. The footprint does not include perimeter fencing or visual buffers, nor transmission lines or portions thereof that are required to connect the SES to a utility or customer outside the SES perimeter.

d) *Siting Board Regulated SES* means a SES that constitutes a "merchant electric siting facility" under KRS 278, the construction and siting of which is subject to review and approval of the Kentucky State Board on Electric Generation and Transmission Siting. A merchant electric siting facility is an electricity generating facility or facilities that, together with all associated structures and facilities are capable of operating at an aggregate capacity of ten megawatts (10 MW) or more and sell the electricity produced in the wholesale market, at rates and charges not regulated by the Kentucky Public Service Commission.

e) *Farmland of Statewide Importance* means a map unit identified by the Natural Resources Conservation Service as including soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods.

f) *Prime Farmland* means a map unit identified by the Natural Resources Conservation Service of the United States Department of Agriculture as having the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available to these uses.

g) *Brownfield Property* is real property, the expansion, redevelopment, or reuse of which may be complicated by the presence of a potentially hazardous material, substance, or contaminant including but not limited to potentially contaminated lands, landfills, and mine sites.

Sec. 31-3. Applicability

a) This Article applies to the siting, construction, installation, and decommissioning of any new SES within the jurisdiction of the Lexington-Fayette Urban County Government after the effective date.

b) An SES in operation, or which has begun physical construction prior to adoption of this Article, shall be considered to have legal nonconforming status in accordance with KRS 100 and Article Four.

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c) Any Exempt SES shall provide the Lexington-Fayette Urban County Planning Commission ("Planning Commission", Lexington-Fayette Urban County Board of Adjustment ("Board of Adjustment"), or other Lexington-Fayette Urban County authority having jurisdiction, with information concerning service facilities which have been located on and relocated on private property in accordance with KRS 100.

Sec. 31-4. Permitted Uses, Accessory Uses, and Conditional Uses

P: Principal Use. The SES is a use that is permitted as a principal use in a specified zone, subject to the requirements contained herein.

CUP: Conditional Use Permit required. The SES is permitted as a conditional use in a specified zone subject to the review of the Board of Adjustment and the requirements contained herein.

A: Accessory Use. Within the urban zones, Ground Mounted SES may only qualify as accessory if the total area of the system is less than fifty (50) percent of the floor area of the principal structures on the lot. Within the agricultural zones, accessory Ground Mounted SES shall only be allowed if the total area of the system is less than fifty (50%) percent of the area of the property.

X: Prohibited

With the exception of sites utilizing the Brownfield exemption outlined in Section 31-8, the following table outlines the allowance of Solar Energy System uses by zone.

ZONES	**R-1A, R-1B, R1-C, R-1D, R-1E, R-1T, R-2, R-3, EAR-1, EAR-2, EAR-3, EAR-3, M-1P**	**B-1, B-2, B-2A, B-2B, B-3, B-5P, B-6P, P-1, CC**	**B-4, I-1, I-2, ED**	**A-B, A-N**	**A-R, A-U**
Integrated SES	A	A	A	A	A
Rooftop	A	A	A	A	A
GROUND MOUNTED SES					
Small Scale	CUP	A	P	A	A
Intermediate Scale	X	A	P	CUP	CUP
Large Scale	X	X	CUP	X	CUP

Sec. 31-5. General Requirements Applicable to Integrated and Rooftop Solar Energy Systems

a) *Height Restrictions.* A rooftop SES shall be subject to the following regulations:

1) No solar energy system shall be mounted or affixed to any freestanding wall or fence.

2) A rooftop solar energy system shall not extend beyond the edge of a roof.
3) Solar panels installed on a building with a sloped roof shall not project vertically more than four feet above the roof surface, ridge line, or highest point of the roof.
4) Solar panels installed on a building with a flat roof shall not extend more than ten (10) feet above the highest point of the roofline.

b) *Lighting.* Integrated and Rooftop SESs shall not be illuminated.

Sec. 31-6. General Requirements Applicable to Ground Mounted SESs

a) *Lot Coverage*. Solar Energy Systems shall not be included within calculations of minimum lot coverage, or floor area ratio. Solar energy systems utilizing vegetative ground cover shall not be included in calculations of maximum lot coverage.

b) *Height Requirements* for Ground Mounted SES. A Ground Mounted SES shall not exceed twenty (20) feet in height as measured from the highest natural grade below each solar panel. The height restriction excludes utility poles, storage batteries, substation structures, and antennas constructed for the project.

c) *Siting Restrictions for Ground Mounted SES*.

1) An Intermediate or Large Scale Ground Mounted SES, measured from the closer of the outer edge of the nearest panel or perimeter fencing, shall be located at least fifty (50) feet from the property line of any property located within an agricultural or residential zone, at least thirty (30) feet from the property line of any property zoned for commercial, business, industrial, office, or mixed use, and at least fifty (50) feet from the centerline of any public road.

2) An Intermediate or Large Scale Ground Mounted SES, measured from the closer of the outer edge of the nearest panel or perimeter fencing, shall be located no closer than one hundred (100) feet from a residence located on a property other than that on which the Ground Mounted SES is to be installed

3) These setback provisions above can be waived in writing by the adjacent property owner to whom the property line or residence setback is applicable.

d) *Screening*. Ground Mounted SESs approved as a conditional use or those utilizing the brownfield exemption in Section 31-8 below shall be screened as per Article 18-3(a)(1)(6). For SES approved as a conditional use, the Board of Adjustment may modify the required screening as needed in order to ensure a reasonable visual buffer is provided.

e) *Signage*. A Ground Mounted SES may include such signage as is required by law.

f) *Ground Cover within the Agricultural Zones:* Ground Mounted Solar Energy Systems within the Agricultural Zones shall utilize vegetative ground cover underneath the panels, and the project area must contain a minimum of eighty-five percent (85%) vegetative coverage.

g) No more than one percent (1%) of the land in Fayette County can be used for Large Scale Ground Mounted Solar Energy Systems, in the Agricultural zones.

h) For any *Large Scale SES located in an A-R or A-U zone*,

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1) There shall be a vegetative cover requirement, and applicant shall provide to the Directors of the Division of Planning, Building Inspection, and Environmental Services, and the authorized Lexington-Fayette Urban County Government, a Land Management Plan which shall be reviewed and updated, if appropriate, every five (5) years at the same time as the review of the Decommissioning Plan.

   A Land Management Plan shall include: baseline soil conditions, periodic evaluation of soil conditions, pasture and other ground cover composition, fertilization, pest control, livestock utilization, soil compaction, minimization for staging areas, the decompaction and restoration of all temporary roads and installation staging areas, fencing, and access control.

   The Land Management Plan shall also include a description of the measures that will be taken to minimize erosion and sedimentation, and to promptly stabilize and revegetate any disturbed areas with native vegetation.

2) The provisions of the LFUCG Stormwater Manual shall apply. Construction of SES within the Royal Spring Aquifer basin should be consistent with the objectives contained in the Cane Run and Royal Spring Watershed Based Plan - 2013 and incorporate, when appropriate, project review comments / recommendations received from the Royal Spring wellhead protection committee.

3) The property owners, or their lessee, must maintain agricultural production on the subject site, as defined in the Rural Land Management Code of Ordinances, Section 26-1. A full description of the agricultural production carried out on the property including type and quality of crops, number of livestock, and acreage of land leased or used from others for agricultural production shall be submitted for review by the Rural Land staff or their designee. An agreement must be in place to allow Rural Land Staff or their designee to inspect the land and structures at least once annually in order to ascertain whether there is compliance with this condition, similar to the inspection process outlined in Code of Ordinances Section 26-17 for conservation easements.

4) A land conservation plan and/or water quality plan shall be approved by the local soil conservation district and shall be implemented according to the approved schedule.

i) *Community Benefits Plan.* The applicant may enter into a Community Benefits Plan with the LFUCG or one or more community-based organizations within Lexington Fayette-County.

   1) The community benefits plan shall prioritize alleviating energy costs to low-income households.

   2) The suggested community benefits plan amount should align with fair-market investment standards and be provided for no-less than twenty (20) years, unless the total investment is provided upfront. The suggested minimum contribution is $750/MWdc *of solar array capacity*.

   3) *Form and Content of a Community Benefits Plan.* Should the applicant elect to execute one or more Community Benefits Plans within Lexington-

Fayette County for the purpose of demonstrating the community benefits promoted by the proposal and elicit the support of community-based organizations for the proposal, such plan(s) may address, but shall not be limited to the following recognized community benefits:

(a) Workforce Development: The plan(s) may describe how the proposal promotes workforce development in the community, including the creation of jobs, collaboration with local workforce partners, and shall give priority in any workforce development initiatives to residents of Lexington-Fayette County.

(b) Developer Community Fund: Appropriate Community Fund purposes may include, but are not limited to, providing relief from high energy costs to low-income households; supporting environmental restoration and climate resiliency efforts; funding local agricultural programs; providing community education opportunities; and promoting health, welfare, well-being, and economic livelihood of local communities.

4) The community benefits plan must be in compliance with all local, state, and federal codes, statutes, and regulations.

j) ~~i)~~ *Decommissioning*. Whenever an application for an intermediate or large scale ground mounted SES is submitted for review, such application shall include a decommissioning plan that shall describe how the use will be decommissioned and dismantled following the discontinuance of the use. A SES shall be considered discontinued after ~~one year~~ six months of no energy production. Such a plan shall be reviewed and updated every five (5) years and contain the following:

1) The anticipated life of the project and defined conditions upon which decommissioning will be initiated;

2) The estimated decommissioning cost, including removal of the SES and related foundations, pads, underground collector lines, and roads, and the salvage value of any equipment in current dollars, and the calculations supporting the decommissioning estimate. The estimated salvage value of the material using current, publicly available material indices and/or firm quotes from a decommissioning or recycling company experienced in the decommissioning of SES, shall be provided. The Board of Adjustment or other authority having jurisdiction shall consider the salvage value identified in computing the amount, if any, of financial assurance required under subsection 5 below.

3) ~~The manner in which the project will be decommissioned, including provision and timetable for the removal of all structures, equipment, and foundations up to a depth of 36 inches, and for the revegetation and restoration of the property to its original condition.~~ For all Ground Mounted SES, all structures and facilities, including foundations and conduit, associated with the SES shall be removed within six (6) months of the beginning of decommissioning. All materials shall be recycled or otherwise reused to the extent reasonably practicable and the disturbed areas shall be reclaimed, revegetated, and restored consistent with the zoning classification of the property.

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4) The party responsible for decommissioning;

5) A performance bond, letter of credit, or other financial assurance sufficient to cover the net costs identified in ~~subsection F.2~~ section (j)(2) and to assure that decommissioning of the site can be achieved by a third party in the event that a permittee defaults in that obligation, which financial assurance shall be provided prior to commencement of construction. The amount of the proposed bond or similar security shall be determined by an independent, licensed engineer. The proposed amount of the bond or similar security shall be the net present value of the total estimated cost of completing the decommissioning plan, less the current net salvage value of the SES's components.

Sec. 31-7. Conditional Use Permit Application Requirements

a) Applications for an SES requiring a conditional use permit shall include the following information:

1) Name, address, telephone number, and email address (if available) of the applicant, the project owner, and the project operator.

2) The address of the property on which the SES will be located and the property owner's name, address, telephone number, and email address if available.

3) Documentation, such as a deed, lease, or other agreement with the landowner, demonstrating the applicant's right to use and control the property.

4) A topographic map that depicts vegetative cover, watersheds, floodplains, and other geographic information about the property and surrounding area.

5) A conceptual description of the project, including the maximum number of modules, mounting type (fixed-tilt or tracking), system height, system capacity, installation method, total land area covered by the system, and information about all associated structures or facilities such as transformers, substations, feeder lines, and battery storage.

6) A conceptual site plan including property lines, zoning classification of the property and all adjacent properties, existing buildings and proposed structures, the proposed location of the solar equipment, transmission lines, any associated structures and facilities, and substations. The conceptual site plan shall also identify proposed roads, drives, and parking, fencing, or other methods to ensure public safety

7) A screening plan demonstrating how the use is proposed to be visually buffered. The plan shall include renderings of the proposal from all adjoining rights-of-way, as well as any adjoining residential uses. Additional buffering may be required by the Board of Adjustment to ensure the development does not negatively impact adjoining uses

8) A map from the Natural Resources Conservation Service identifying prime farmland and farmland of statewide importance (if in a district

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zoned as agricultural), documentation from the U.S. Fish and Wildlife Service regarding the presence of any identified critical habitat for rare or endangered federal or state species. The application shall also contain a Federal Emergency Management Agency map delineating floodplains, shall include evidence of any water quality or stormwater permit needed for the project, 1 and shall contain a letter from the State Historic Preservation Office regarding known archaeological or cultural resources listed or eligible for listing on the National Register

9) Proof of adequate casualty and liability insurance covering installation and operation of the SES;

10) For Conditional Use Permits for SES within an Agricultural zone, the Board shall consider the impact of the proposal on the existing soils and topography as well as the compatibility of the proposed SEs with agricultural use of the land. Developments should work with the existing topography, with grading, compaction, and tree removal minimized to the extent possible. When grading is approved, topsoil shall be retained on-site and re-established as a part of the decommissioning plan.

11) Where the applicant for a Conditional Use Permit is also seeking a construction certification pursuant to KRS 278.700 - 278.716, the applicant may submit a copy of a complete state siting board application and site assessment report meeting the requirements of KRS 278.706 and 278.7008 in lieu of the above requirements of Section 7(a) 1-7.

12) ~~For Conditional Use Permits for large-scale SES, the Board of Adjustment shall acknowledge the impact of the proposal and the benefits it may have on the community, including any Community Benefit Plan (CBP) in place.~~

~~(i) The applicant may enter into a Community Benefits Plan with the city or one or more community-based organizations Lexington-Fayette Urban County.~~

~~(ii) The amount suggested for the CBP is $750/megawatt sold, annually, for 15 years.~~

(iii) ~~The Community Benefits Plan shall prioritize alleviating energy costs to low-income households.~~

For conditional use permits for Large Scale SES, applicants may provide the Board of Adjustment with information pertaining to any Community Benefits Plans (CBP) or other binding agreements that they have entered into related to their proposal.

13) For conditional use permits for large scale SES within an Agricultural Zone, a written report for Rural Land Staff or their designee shall be included assessing agricultural production on the site, along with an agreement for Rural Land Staff to inspect land and structures as outlined above in Section 31-6(h)(3). The report shall include, but is not limited to: quality of soils, farm activity, agricultural improvements, environmentally sensitive areas, natural protected areas, and historical/cultural resources as defined in the Rural Land Management Code of Ordinance, Section

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26-10. It may also include proximity to nearby property protected with conservation easements or with solar/utility uses.

14) If the SES will include a battery storage system (BESS), the application shall include a hazard assessment regarding the potential risks associated with the proposed battery storage. The assessment shall include a clarification that the BESS conforms to NFPA 1: Fire Code, NFPA 70: National Electric Code, NFPA 855: Standard for the Installation of Stationary Energy Storage Systems.

b) All dimensional standards, height restrictions, lighting, farmland conservation, and setbacks, and other requirements for siting, construction, operation, and decommission of Small, Intermediate, or Large Scale Ground-Mounted SES required to obtain a Conditional Use Permit pursuant to this ordinance, shall be applicable to any battery energy storage (BESS) proposed to be sited and located in conjunction with the ground mounted system.

Sec. 31-8. Exception for Brownfield properties

a. Ground Mounted Solar Energy Systems shall be permitted within any zone if the project is located entirely within the boundaries of an identified Brownfield, including but not limited to potentially contaminated land, landfills, and mine sites.

b. Applicants seeking a Brownfield Exception must provide one of the following:

   i. An Environmental Site Assessment conducted by a Qualified Environmental Professional (QEP) to determine if the site meets the criteria for a brownfield property.

   ii. Formal state or federal certification confirming the property's status as a brownfield.

DRAFT

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Master

File Number: 0047-25

File ID:	0047-25	**Type:**	Committee Item	**Status:**	Agenda Ready
Version:	2	**Contract #:**		**In Control:**	General Government & Planning (GGP) Committee
				File Created:	01/09/2025
File Name:	House Bill 443			**Final Action:**	

Title: Efficiencies in our Development Process

Notes: No action was taken on this item.

Sponsors:		**Enactment Date:**	
Attachments:	Efficiencies in Our Development Process	**Enactment Number:**	
Deed #:		**Hearing Date:**	
Drafter:		**Effective Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 0047-25

Title

Efficiencies in our Development Process

REVIEW OF RECOMMENDATIONS FROM THE PLANNING & DEVELOPMENT APPROVAL PROCESS STUDY

General Government & Planning (GGP) Committee

Keith Horn, Commissioner, Department of Planning & Preservation

March 10, 2026

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June 2023 Planning Process Study

- Evaluate the efficiency of the planning process.
- Examine whether the process serves applicants and the public.
- Consider developer concerns that approval requirements are too stringent, unclear, time-consuming, and costly.
- Consider citizen and interest group concerns that approval requirements should be more stringent.
- Review all aspects of the process - across divisions.
- Provide recommendations.

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Action Taken Post-Study

- Urban Growth Management ZOTA
- Comprehensive ZOTA to address KRS 100.275/HB 443
- Implementation of HB 443 ZOTA
- New Senior Planner position to help implement HB 443

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Urban Growth Management ZOTA (Comprehensive Plan)

- Improved the process by opening more options for development
  - Encourages and expands mixed-use and mixed-housing development
  - Reduce and eliminate need to apply for a variance (R-2 and R-4)
  - Increase opportunities for by-right residential development in B-1, B-3, and R-2 zones

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HB 443

- The House Bill reduced uncertainty in the development process by requiring ministerial review of development and subdivision plans using objective standards.
- Since implementation, approvals generally occur within 30 days, shortening the process.
- Plans that comply with the regulations can move quicky through the approval and certification process.
- Where items are not fully compliant with the regulations, there may be delays in certification.

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Planning Data (# of Days to Approval)

Pre HB 443

Final Record Plat	41
Major Development Plan	59

Post HB 443

Final Record Plat	27
Major Development Plan	32
Preliminary Subdivision Plan (Major)	76
Waivers	21

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Planning Data (# of Days to Certification)

2018-2023

Final Record Plat	219
Major Development Plan	154
Minor Development Plan	57
Minor Subdivision Plat	50
Preliminary Subdivision Plan (Major)	304
Zone Change - (Map Amendment Request)	248

2024-2025

Final Record Plat	183
Major Development Plan	150
Minor Development Plan	54
Minor Subdivision Plat	34
Preliminary Subdivision Plan (Major)	228
Zone Change - (Map Amendment Request)	129

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Outlier Impact

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Outlier Impact

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Planning Data (# of Days) Since HB 443

Major Development Plan (certification)	104
Waivers (approval)	21

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Outlier Impact

10 Recommendations from the Study

- Section 5 of the report included recommendations related to the approval process for land use and development in Lexington.

- The recommendations highlighted the following strengths: the Comprehensive Plan, use of sound planning philosophies, quality regulations (i.e. Multi-Family Design Standards), and a robust public engagement process.

- Recommendations were based upon examination of the existing approval process, input from stakeholders, and research into “peer communities.”

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#1 Return Future Land Use Map to Comprehensive Plan
#2 Limit Placebuilder Use

- Eliminating the Future Land Use Map allows infill flexibility and speeds redevelopment and expanding options generally for development.
- The Urban Growth Master Plan provides clarity and sets expectations for both land use and policy in Urban Growth Areas.
- Placebuilder is used for zone changes only.
- We have expanded the use of small area plans:
  - Blue Sky Small Area Plan
  - Downtown Area Master Plan
  - Winchester Road Corridor Study

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3 Streamline Process for Infill
4 Reduce Workload of PC Committees
8 Tighten Certification to lock in Requirements

- HB 443 addressed these recommendations by:
  - Removing subjectivity
  - Introducing objective standards
  - Reducing Planning Commission Subdivision Committee review to only waivers
- All final sign-offs are now quantifiable and specific.
- If applicant complies with the regulations, TRC approves the Plan, new issues cannot be raised by staff, and all regulations are objective.

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Note on Certification

- Once a plan is approved, it enters the certification phase.
- In this phase, applicants must resolve any outstanding issues so that they comply with appropriate manuals and objective standards. Examples include:
  - Width of dumpster enclosures
  - Open Space requirements
  - Public Safety access management
  - Utilities
- Delays may occur at this stage when outstanding items not meeting requirements are not quickly resolved by the applicant.

#5 Videoconference and Record Meetings
#6 Change Time for Planning Commission Meetings

- All Planning Commission and Technical Review Committee meetings are now available on LexTV.
- There are various challenges related to changing the time for Planning Commission meetings:
  - Limited physical space
  - Staffing
  - Meeting frequency

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#7 Accela Effectiveness

- Planning Staff generates a weekly report showing all applications and their status (BOA and Planning Commission).
- The Accela team has expanded email notification for the Technical Review Committee.
- Additional notification possibilities are being examined.
- The effectiveness of Accela should continue to be examined for usefulness to all users.

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9 Ex-Parte Communication

- The Law Department has long advised that decision makers should not have communication with involved parties outside of the public hearing.

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#10 Establish a Development Liaison Position

- The report recommends this position be located outside of the Department of Planning and Preservation.
- Proposed duties include:
  - Education about the development process
  - Assist applicants in the application process
  - Shepherd applications through the process
    - Monitoring the status of each project in the process
  - Keep the development community informed on changes to regulations

Questions?

LEXINGTON

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Master

File Number: 0211-26

File ID:	0211-26	**Type:**	Committee Item	**Status:**	Agenda Ready
Version:	1	**Contract #:**		**In Control:**	General Government & Planning (GGP) Committee
				File Created:	03/05/2026
File Name:	Planning & Development Study: Recommendations 8 & 10			**Final Action:**	

Title: Planning & Development Study: Recommendations 8 & 10

Notes:

Sponsors:		**Enactment Date:**	
Attachments:	Planning & Development Study: Recommendations 8 & 10	**Enactment Number:**	
Deed #:		**Hearing Date:**	
Drafter:		**Effective Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 0211-26

Title

Planning & Development Study: Recommendations 8 & 10

PLANNING & DEVELOPMENT STUDY: RECOMMENDATIONS 8 & 10

General Government & Planning (GGP) Committee

Alicia Larmour, Council Research Analyst

March 10, 2026

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Working Group

- Jennifer Reynolds, Councilmember, District 11
- Andi Johnson, Chief Policy Officer & Director of Regional Engagement, Commerce Lexington
- Todd Johnson, Executive Vice President, Building Industry Association of Central KY
- Carla Blanton, Owner, Carla Blanton Consulting
- Branden Gross, Partner, Dentons
- Nick Nicholson, Member, Stoll Keenon Ogden PLLC
- Al Gross, P.E., P.L.S, Managing Partner, EA Partners, PLC

- LFUCG Staff:
  - Keith Horn, Commissioner, Department of Planning and Preservation
  - Shaun Denney, Administrative Officer Sr., Department of Planning and Preservation
  - Alicia Larmour, Research Analyst, Council Staff
  - Isabelle Ballard, Legislative Aide, District 11

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Purpose and Scope of Work

- Recognize and commend the Planning Department for the significant progress made in streamlining the development review process, while continuing to advance measurable improvements that further strengthen predictability, coordination, and efficiency.
- Support the timely production of affordable and workforce housing by reducing avoidable delays and increasing certainty for income-restricted and infill projects, recognizing Lexington's ongoing housing shortage.
- Implement key recommendations from the 2023 Planning and Development Approval Process Study, including tightening certification to "lock-in" approved requirements (***Recommendation 8***) and establishing a Development Liaison position (***Recommendation 10***).

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Process Challenges

- The working group focused on reviewing and addressing the following challenges mentioned in the Approval Process Study:
  - Projects getting stuck in certification much longer than expected.
  - Things that were already approved sometimes get questioned again.
  - Small changes causing big delays.
  - Various departments are interpreting the rules differently.
  - Uncertainty of when a project is truly finalized and ready to move forward.

Effects of Our Inefficiencies

- Increased development costs due to extended timelines and uncertainty.
- Higher housing prices and rents, as carrying costs and financing risk are passed through to projects.
- Reduced feasibility for affordable and workforce housing, which depend on tight financing schedules and fixed funding deadlines.
- Delayed economic activity, including job creation and commercial investment.
- Competitive disadvantage compared to peer communities with clearer, more predictable approval processes.

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Review of Peer Cities

City	Coordination Model	Centralized Intake?	Assigned Project Coordinator?	Published Review Timelines?	Customer Satisfaction Survey?	Notable Strength
Chattanooga, TN	Development Resource Center (DRC)	**Yes**	**Yes** (case coordination)	Yes	Limited public data	Centralized “front door” model
Madison, WI	Development Assistance Team (DAT)	**Yes**	**Yes** (project coordinators)	Yes	Yes (periodic surveys)	Strong early pre-application coordination
Knoxville, TN	Plans Review & Inspections Coordination	**Yes**	Partial (large projects)	Yes	Limited	Structured review accountability
Cary, NC	Project Facilitator	**Yes**	**Yes** (major developments)	Yes	Limited	Proactive infrastructure coordination
Greenville, SC	Development Services Facilitation Team	**Yes**	**Yes** (complex cases)	Yes	Yes	Business-facing development navigation

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Proposed Next Steps

1. Create a Development Liaison position within the Chief Administrative Office to serve as the designated cross-departmental coordinator for land development, permitting, infrastructure review, and final sign-off processes within the Lexington-Fayette Urban County Government.
2. In addition to operational coordination, the Liaison will help advance certification reform by identifying recurring post-approval issues, recommending policy clarifications, and strengthening the City's ability to "lock-in" approved requirements to improve predictability, accountability, and housing feasibility.

*Certification *"Lock-In"* means that once a development plan is approved, staff cannot add new requirements or increase standards during final sign-off unless something new has changed. Certification becomes a compliance check—not a reopening of negotiated conditions.

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Essential Functions of a Development Liaison

- Executive-Level Cross-Department Coordination
  - Operate independently of any single reviewing division to ensure lifecycle oversight from intake through certification.
  - Convene and coordinate cross-functional meetings to resolve procedural conflicts and eliminate bottlenecks.
- Certification Lock-In & Final Sign-Off Oversight
  - Implement and monitor Certification Lock-In principles to ensure that development requirements are finalized at approval and not materially increased during final sign-off unless legally required or triggered by applicant revision.
- Process Improvement & Administrative Reform
- Infrastructure & Capital Alignment
  - Identify systemic infrastructure constraints affecting housing and commercial development.

Essential Functions (continued)

- Housing Supply & Strategic Development Support
  - Identify administrative barriers that impact housing feasibility and recommend process adjustments.
  - Monitor regional and local housing trends and identify gaps in housing supply.
- Vacant & Underutilized Land Strategy
  - Conduct and coordinate periodic assessments of vacant and underutilized land, including publicly and privately owned parcels.
  - Analyze development feasibility and collaborate with stakeholders to identify incentives, partnerships, and policy adjustments that advance infill and redevelopment opportunities.
- Developer Recruitment & Economic Alignment
- Stakeholder Engagement & Transparency

Essential Functions (continued)

- Data Analysis & Performance Monitoring
  - Develop dashboard reporting.
- Reporting & Accountability
  - Provide regular progress reporting to the Chief Administrative Officer and Council on:
    - Development timelines
    - Certification compliance
    - Regulatory efficiency
    - Housing production metrics
    - Administrative reform outcomes
  - Recommend data-driven policy adjustments to improve efficiency and housing outcomes.

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Suggested Qualifications

- Background in city planning with a minimum of a Planning Degree and several years of relevant experience.
- Strong knowledge of zoning, subdivision, land development, and development review processes.
- Experience coordinating cross-departmental projects and managing complex, multi-stage reviews.
- Working knowledge of affordable housing tools, funding mechanisms, and redevelopment strategies.
- Advanced project management, facilitation, and conflict-resolution skills.
- Excellent written and verbal communication skills, with the ability to explain complex regulatory processes clearly and neutrally.
- Demonstrated professionalism, neutrality, and ability to build consensus among staff, the development community, and residents.

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Anticipated Outcomes

- Certification Predictability & Timeline
  - Reduce average time from Planning Commission approval to certification and post-approval re-review incidents.
  - Establish a defined certification review benchmark for standard projects and an expedited certification benchmark for qualifying affordable housing projects.
- Cross-Department Coordination
  - Achieve concurrent review for a majority of development plan applications.
  - Reduce resubmittal cycles during certification.
  - Require a cross-department alignment meeting prior to certification for complex projects.
- Accountability & Transparency
  - Quarterly public reporting on:
    - Average certification time of projects exceeding benchmark
    - Reasons for certification delay
    - Escalation protocol triggered when certification exceeds the defined timeframe

Anticipated Outcomes (continued)

- Affordable & Workforce Housing Impact
  - Reduce average time from approval to building permit for income-restricted housing by 25–40%.
  - Increase annual affordable housing unit production by 10–20%, driven by improved feasibility.
  - Increase the percentage of affordable projects meeting financing deadlines to ≥ 90%.
  - Reduce costly delays for affordable housing projects.
- Economic Competitiveness
  - Reduce overall development plan approval cycle time for standard projects.
  - Improve applicant satisfaction survey ratings.
  - Reduce project withdrawals due to process uncertainty.

Questions?

LEXINGTON

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Master

File Number: 0103-26

File ID:	0103-26	**Type:**	Committee Item	**Status:**	Agenda Ready
Version:	4	**Contract #:**		**In Control:**	General Government & Planning (GGP) Committee
				File Created:	02/03/2026
File Name:	Items Referred to Committee			**Final Action:**	

Title: Items Referred to Committee

Notes:

Sponsors:		**Enactment Date:**	
Attachments:	March Referral List	**Enactment Number:**	
Deed #:		**Hearing Date:**	
Drafter:		**Effective Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 0103-26

Title

Items Referred to Committee

2026 GENERAL GOVERNMENT & PLANNING (GGP) COMMITTEE REFERRAL LIST

Updated 3.10.26 AML

ITEMS REFERRED	SPONSOR(S)	REFERRED	LAST HEARD	AGENDA	FILE ID
A SENSE OF PLACE	BROWN	2022-04-26	2025-02-04	SUMMER 2026	0902-24
CHARTER REVIEW	WU	2022-11-01	2025-07-03	APRIL	0675-25
PLANNING & DEVELOPMENT STUDY: REC. #8 TIGHTEN CERTIFICATION	REYNOLDS	2023-06-27		**MARCH**	0211-26
PLANNING & DEVELOPMENT STUDY: REC. #10 DEVELOPMENT LIAISON POSITION	REYNOLDS	2023-06-27		**MARCH**	0211-26
CONTINUING EDUCATION ON THEME A OF THE 2023 COMPREHENSIVE PLAN	WU	2024-02-16		2027	
BRING BACK THE BLUEGRASS	MORTON	2024-01-16	2024-09-10	FALL 2026	0903-24
ABSENTEE LANDLORDS	CURTIS	2024-08-20		FALL 2026	
SOLAR WORKING GROUP - SOLAR ENERGY SYSTEMS (ZOTA-24-00003)	SHEEHAN/SEVIGNY	2024-10-22	2025-07-01	**MARCH**	0212-26
RURAL SETTLEMENT STUDY	LYNCH	2024-10-19	2026-01-20	LATE 2026	0062-26
EFFICIENCIES IN OUR DEVELOPMENT PROCESS AND COMPLIANCE WITH HB 443	BROWN	2024-12-03	2025-05-06	**MARCH**	0047-25
REGULATION OF DIGITAL BILLBOARDS (ZOTA-24-00008)	BAXTER	2025-01-14	2025-03-04		0030-25
REVITALIZING LFUCG YOUTH PROGRAMMING	MORTON	2025-01-28		TBD	
NEIGHBORHOOD VOICES PROJECT (ANTI-DISPLACEMENT & VULNERABLE NEIGHBORHOOD PRESERVATION)	MORTON	2025-02-04		SPRING 2026	
BLUE SKY SMALL AREA PLAN	BOONE/HALE	2025-02-11	2026-02-10		0128-25
DOWNTOWN AREA MASTER PLAN	BROWN	2025-02-11	2026-01-20		0228-25
REVIEW & ANALYSIS OF ALL LFUCG-OPERATED COMMUNITY CENTERS	BEASLEY/MORTON	2025-02-25	2026-02-10		0096-26
REVIEW OF THE ZONE CHANGE PUBLIC ENGAGEMENT PROCESS	BAXTER	2025-03-04			
PLANNING EDUCATION ACADEMY	WU	2025-03-04		FALL 2026	
DRIVE-THRU FACILITIES & DRIVE-UP WINDOWS (ZOTA-25-00001 SEC.16-9)	BAXTER	2025-05-13		FALL 2026	
REVIEW OF THE ARTIFICIAL INTELLIGENCE POLICY	CURTIS	2025-05-27		JUNE	
DATA CENTERS	SHEEHAN	2025-11-18			
AFFORDABLE HOUSING SOLUTIONS	REYNOLDS/LYNCH	2025-11-18		SUMMER 2026	
EFFICIENT LAND USE & ZONING POLICIES	BOONE	2026-01-20			
SUSTAINABILITY STANDARDS FOR LFUCG BUILDINGS	SHEEHAN	2026-03-03			
COMPREHENSIVE OPPORTUNITY ASSESSMENT	LYNCH	2026-03-03			

ANNUAL/PERIODIC ITEMS	SPONSOR(S)	REFERRED	LAST HEARD	AGENDA	FILE ID
PURCHASE OF DEVELOPMENT RIGHTS (PDR) REVIEW	SHEEHAN	N/A	2025-12-02	NOVEMBER	0402-24
SHORT-TERM RENTALS	BROWN	2019-06-11	2025-03-04	JULY	0864-24
LANDLORD & TENANT ADVISORY GROUPS	LYNCH	2024-06-11	2024-10-15	APRIL	1044-24
RACIAL JUSTICE & EQUITY COMMISSION	LYNCH	2026-03-03			

	CHAIR(S)	CREATED	LAST MET	NEXT MTG.	FILE ID
BOARDS & COMMISSIONS (B&C) SUBCOMMITTEE	LYNCH/WU	2025-08-12	2026-01-29	2026-03-12	0234-25