



General Government and Planning Committee

August 29, 2024

Summary and Motions

Chair Worley called the meeting to order at 3:01 p.m. Vice Mayor Wu and Committee Members J. Brown, Ellinger, Lynch, LeGris, Sheehan, and Reynolds were in attendance. Council members Monarrez, Gray, F. Brown, and Sevigny were present as non-voting members. Council member Plomin was absent.

I. June 11, 2024 General Government and Planning Committee Summary

Motion by Baxter to approve the June 11, 2024, GGP Committee Summary. Seconded by Sheehan. Motion passed without dissent.

II. Digital Billboards

Jennifer Sutton, Council Research Analyst and Traci Wade, Planning Manager, presented on behalf of this item. The topic was originally brought to Council in 2017 and presented to EQPW in 2018. A subcommittee was formed in 2019 and presented to the Planning and Public Safety Committee in August of 2020. The work was paused due to pending litigation. Digital billboards have a screen and are lit internally where static billboards have one message and are lit externally. Digital billboards do not contain video footage, flashing lights or animation. The State of Kentucky's current billboard regulations were updated in 2022 and governs the size, number of faces, angles, sensor requirements, the way messages must be displayed, and the location of billboards. The regulations currently have an exchange policy; 6 billboards for 1 new digital device or 5 devices for 1 conversion of an existing static device.

Currently, the billboard regulations in Lexington do not address digital billboards. Billboards are currently only allowed in B-3, B-4, I-1, and I-2 zones. There are 137 billboard structures in Lexington. Wade shared the proposed ZOTA which covers the location, maximum size, minimum spacing, duration of digital billboard messages, and luminance of digital billboards. It also defines the terms for standard billboard, digital billboard and flashing. The next steps include a Council initiated ZOTA, then it will advance to the Planning Commission where they will have 60 days to conduct their work, for it to then return to Council. There were some concerns regarding distracted driving, energy consumption, light pollution, and impact to quality of life.

A motion by Worley to approve and refer the Digital Billboards ZOTA as presented today to the Planning Commission, seconded by Ellinger, passed 7-2 (Yes: Wu, J. Brown, Ellinger, Lynch, Worley, Baxter, Reynolds. No: LeGris, Sheehan).

III. Short-Term Rentals Policy Review

Evan Thompson with the Division of Law presented on behalf of this item. The Short-Term Rental (STR) ordinance was passed on July 11, 2023. As of last week, the Division of Revenue has approved 686 special fees licenses. Thompson gave an overview of the Code of Ordinance changes. There is a change to the proof of residency required documents. Expiration of STR license and renewals will expire upon a change in use from one form to the other. Section 13-79 lays out certain duties of a licensee and the proposed changes include a change in occupancy limit, which decreases the total possible amount to 10 occupants. An

operator can only have one contract per STR at a time and licensees can't book whole house rentals for hosted rentals. In addition, there are other various clean-up changes.

Thompson explained the ZOTA changes which includes an addition of the Corridor Node Zone and the decrease of total possible occupants. Additional considerations for the Board of Adjustment have also been added. They should also consider whether the property being considered is in a high demand area for STRs and whether the property being considered is within a neighborhood that may be vulnerable to involuntary displacement. There are now spatial limitations for Un-Hosted STRs; no STRs requiring a Conditional Use Permit can be located within 500 feet of another Un-Hosted STR that has already received a Conditional Use Permit or otherwise grandfathered in previously. The number of STRs requiring a Conditional Use Permit cannot exceed 3% of all dwelling units within any given 1000' in residential zones. An operator can apply to the Board of Adjustment for possible relief for the following reasons: it is adjacent to nonresidential zones that allow for Un-Hosted STRs, separation from other Un-Hosted STRs within the buffer area, perimeter of the buffer area and located partially outside the buffer area, or a neighborhood plan encourages and supports Un-Hosted STRs in the subject area.

The areas that are at risk for displacement are determined by the ten census tracts identified in the Neighborhoods in Transition Report. They also examine areas that have tourism designations to determine if it is in area of high demand. The occupancy limit was changed because of conversations with constituents. The Division of Revenue is in the process of implementing their new software.

Next steps include advancing the revised ordinance to Council and to the Planning Commission. Then the ordinance will return to Council for review and adoption.

A motion by J. Brown to approve the proposed Short-Term Rental Ordinances and refer the proposed ZOTA to the Planning Commission, seconded by Sheehan, passed unanimously.

IV. Items Referred to Committee

No action was taken on this item.

V. Adjournment

The Committee adjourned at 4:44 pm.