

Rec'd by _____

Date: _____

RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: PLN-ZOTA-25-00001: MINISTERIAL REVIEW OF DEVELOPMENT PLANS – an amendment to Articles 1, 6, 9, 11, 12, 15, 16, 18, 21, 23, and 28 to update the Development Plan review process, and create objective standards for plan review.

Having considered the above matter on **March 27, 2025, and April 10, 2025**, at a Public Hearing, and having voted **8-2** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL OF THE PLANNING COMMISSION ALTERNATIVE TEXT** of this matter for the following reasons:

1. The proposed text amendment makes the necessary change to existing Zoning Ordinance provisions to allow them to be administered ministerially, in line with the requirements of House Bill 443.
2. The proposed language provides for pathways for review and consideration by the Planning Commission in instances where a development plan cannot meet the objective criteria, or if the proposal would result in a threat to the public health, safety, or welfare.

The Urban County Planning Commission further recommends that the Urban County Council consider alternative public comment opportunities for development plans.

ATTEST: This 25th day of April 2025.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Daniel Crum, Principal Planner, Planning Services.**

OBJECTORS

- Walt Gaffield, 2001 Bamboo Drive
- Branden Gross, attorney
- Dick Murphy, attorney
- Brittany Rothmeyer, Fayette Alliance

OBJECTIONS

- Stated that he thought that the Planning Commission should look at adding more factors than just health and safety into the waiver process.
- Stated that he thought this was five text amendments wrapped into one and that this was done too quickly and took issue with the proposed minimum access at a railroad crossing and updating existing parking lots.
- Stated that he had concerns with the new drive through standards and the new commercial entrance standards and he thought those issues specifically should go through a more strenuous process.
- stated that she appreciated Staff's work in compiling HB 443 and listening to robust feedback from the

community on this. She stated that they would encourage people with concerns with public comment and participation to talk with their legislature about the matter.

- Amy Clark, 628 Kastle Road
 - Nick Nicholson, attorney
 - Patty Draus, 608 Allen Court
 - Rolanda Woolfork
- Stated her concern about how this text amendment would affect the public comment portion of the development plan process and suggested adding testimony to a specific public health or safety issue during the consent agenda process.
 - Stated that this text amendment covered a lot of territory and stated that he thought there was a way to get in compliance with HB 443 while looking at the finer details.
 - Stated that she had concerns about this text amendment and she did not think that ministerially meant to block public comment.
 - Stated her opposition and assertion that she spoke with the legislator that co-sponsored HB 443 and he stated that he did not understand why public comment was taken out of the final development stage. Ms. Woolfork stated that she thought neighborhood's voices were being silenced.

VOTES WERE AS FOLLOWS:

AYES:	(8)	Barksdale, Johnathon Davis, Zach Davis, Molly Davis, Owens, Penn, Wilson, and Worth
NAYS:	(2)	Nicol and Michler
ABSENT:	(0)	
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-ZOTA-25-00001** carried.

Enclosures: Initiation
Staff Report
Planning Commission recommended text
Applicable excerpts of minutes of above meeting