

AN ORDINANCE AMENDING ARTICLE 4-4(D)(1) OF THE LAND SUBDIVISION REGULATIONS TO INCREASE THE "LIFE" OF A PRELIMINARY SUBDIVISION PLAN APPROVED BY THE PLANNING COMMISSION FROM THREE (3) YEARS TO FIVE (5) YEARS. (PLANNING COMMISSION).

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WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Article 4-4(D)(1) of the Land Subdivision Regulations to increase the "life" of a Preliminary Subdivision Plan approved by the Planning Commission from Three (3) years to Five (5) years. Planning Commission did recommend APPROVAL of the text by a vote of 10-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated by reference herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Article 4-4(D)(1) of the Land Subdivision Regulations of the Lexington-Fayette Urban County Government is hereby amended as follows:

**4-4 PRELIMINARY PLAN PROCEDURE** - All preliminary subdivision plans shall be processed as follows:

**(1) APPROVAL** - Means the developer is authorized to proceed with the preparation of the required improvement plan. Preliminary plan approval by the Planning Commission automatically grants a developer five (5) years from the date of Commission action within which he shall submit final plans for all property shown on the preliminary plan for Planning Commission consideration. Before expiration, the Commission may extend the approval period in increments not to exceed one year at a time, provided the Commission finds that progress has been made in the physical construction of improvements. In conjunction with such approval extensions, the Commission shall have the right to require changes in the preliminary plan when it finds that time has necessitated such changes for the health, safety and welfare of the residents of the community or when applicable ordinances and regulations have been changed. Upon the expiration of any approval period specified under this section, the plan shall be deemed as disapproved by the Commission.

Section 2 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

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Clerk of Urban County Council

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