

URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
August 19, 2025

Mayor Gorton called the meeting to order at 3:00 p.m. Council Members Wu, Brown, Ellinger II, Morton, Lynch, LeGris, Curtis, Sheehan, Hale, Beasley, Baxter, Sevigny, Reynolds, and Boone were present.

Motion by Wu to move item VI. New Business to the top of the agenda. Seconded by Morton. Motion passed without dissent.

- I. Public Comment – Issues on Agenda
- II. Requested Rezoning/Docket Approval

Motion by LeGris to place on the docket for the August 28, 2025 Council Meeting, a resolution establishing the Forest Avenue Residential Parking Permit Program. Seconded by Curtis. Motion passed 13 – 0. Boone recused.

- III. Approval of Summary

Motion by Morton to approve the August 12, 2025 Work Session Summary. Seconded by Curtis. Motion passed without dissent.

- IV. Budget Amendments
- V. Budget Adjustments – For Information Only
- VI. New Business

Motion by Ellinger II to approve New Business. Seconded by Reynolds. Motion passed without dissent.

- VII. Communications from the Mayor- Appointments
- VIII. Communications from the Mayor- Donations
- IX. Communications from the Mayor- Procurements
- X. Continuing Business/Presentations

Motion by Ellinger II to approve Council Capital Projects. Seconded by Curtis. Motion passed without dissent.

Brown, BFED Chair, provided a summary of the June 24, 2025 Budget, Finance, and Economic Development Committee.

Sheehan, GGP Chair, provided a partial summary of the July 1, 2025 General Government and Planning Committee Meeting related to ZOTA-24-00003 Solar Energy Systems (SES).

Motion by Sheehan to place on the August 28, 2025 Council Meeting docket for first reading, an ordinance for Solar Energy Systems (ZOTA-24-00003), as amended at the July 1, 2025 General Government and Planning Committee Meeting. Seconded by Ellinger. Motion passed without dissent.

Motion by Sheehan to amend the ZOTA, Sec. 31-6 to add: (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; and, (g) No more than 2% of land outside the Urban Services area can be used for Conditionally Permitted or Exempt Ground Mounted SES's, as amended. Seconded by Seconded by Curtis. Motion passed 11 – 3 (Yes: Beasley, Brown, Curtis, Baxter, Hale, Lynch, Morton, Reynolds, Sevigny, Sheehan, Wu. No: Boone, Ellinger II, LeGris.).

Motion by Hale to amend the ZOTA, Sec. 31-6 (g) to read: No more than 1% of the total land in Fayette County can be used for Large Scale Ground Mounted Solar Energy Systems in the agricultural areas. Seconded by Sheehan. Motion passed 9 – 5 (Yes: Beasley, Brown, Curtis, Hale, Lynch, Morton, Sevigny, Sheehan, Wu. No: Boone, Ellinger II, Baxter, LeGris, Reynolds.).

Motion by Curtis to amend the ZOTA, Sec. 31-6 (h) to add: For any Large Scale SES located in an A-R or A-U zone, there shall be a vegetative cover requirement and applicant shall provide to the Directors of the Divisions of Planning, Building Inspection, and Environmental Services, and the Directors' authorized agents of the 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. Seconded by Morton. Motion passed 8 – 6 (Yes: Beasley, Curtis, Hale, Lynch, Morton, Sevigny, Sheehan, Wu. No: Boone, Brown, Ellinger II, Baxter, LeGris, Reynolds.).

Motion by Wu to amend the ZOTA, Sec. 31-4, to change both, small scale and intermediate scale, to accessory use in the A-R, A-B, A-N, and A-U zones, as amended. Seconded by Sheehan. Motion passed without dissent.

Motion by Baxter to amend the ZOTA, Sec. 31-4, to change the intermediate scale to conditional use in the A-R, A-B, A-N, and A-U zones. Seconded by Brown. Motion passed 8 – 6 (Yes: Beasley, Boone, Brown, Ellinger II, Baxter, LeGris, Morton, Reynolds. No: Curtis, Hale, Lynch, Sevigny, Sheehan, Wu.)

Motion by Sevigny to amend the ZOTA, Sec. 31-4, to change the language for Ground Mounted Small Scale in Residential Zones, from small scale accessory use to conditional use

permit. Seconded by Curtis. Motion passed 9 – 5 (Yes: Boone, Brown, Ellinger II, Baxter, Hale, LeGris, Morton, Reynolds, Sevigny. No: Beasley, Curtis, Lynch, Sheehan, Wu.).

Motion by Lynch to amend the ZOTA to add Section 31-7. Conditional Use Permit Application Requirements, as presented at the July 1, 2025 General Government and Planning Committee Meeting and as displayed on the screen, as amended. Seconded by Curtis. Motion passed 9 – 5 (Yes: Beasley, Curtis, Baxter, Hale, Lynch, Morton, Sevigny, Sheehan, Wu. No: Boone, Brown, Ellinger II, LeGris, Reynolds.)

Motion by Curtis to amend the ZOTA, Section 31-7(a)(10) to read: 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 extent possible. When grading is approved, topsoil shall be retained on-site and re-established as a part of the decommissioning plan. Seconded by Lynch. Motion passed 8 – 6 (Yes: Beasley, Curtis, Hale, Lynch, Morton, Sevigny, Sheehan, Wu. No: Boone, Brown, Ellinger II, Baxter, LeGris, Reynolds.).

Motion by Morton to amend the ZOTA, Section 31-7(a) to add: (12) For Conditional Use Permits for large scale SES, the Board of Adjustment shall acknowledge the impact of the proposal and benefits it may have on the community, including any Community Benefits Plan (CBP) in place. (i.) The applicant may enter into a Community Benefits Plan with the city or one or more community-based organizations within 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. Seconded by Curtis. Motion passed 8 – 6 (Yes: Beasley, Curtis, Hale, Lynch, Morton, Sevigny, Sheehan, Wu. No: Boone, Brown, Ellinger II, Baxter, LeGris, Reynolds.).

Motion by Sheehan to amend the ZOTA, Sec. 31-4 to read: 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. Seconded by Curtis. Motion passed without dissent.

XI. Council Reports

Motion by Morton to place Community Benefits Agreements in the Budget, Finance, and Economic Development Committee. Seconded by Curtis. Motion passed without dissent.

Motion by Beasley to place Article VI. of the Code of Ordinances related to contractors in the Budget, Finance, and Economic Development Committee for a comprehensive review of all sections, and a report back to Council of any recommendations, amendments, updates, or any other actions deemed necessary. Seconded by Morton. Motion passed without dissent.

XII. Public Comment – Issues Not on Agenda

XIII. Adjournment

Motion by Sevigny to adjourn at 6:43 p.m. Seconded by Curtis. Motion passed without dissent.