

Note: This will be a working group that will be asked to complete tasks during the update process. The goal is to complete the update before substantial work begins on the Comprehensive Plan update, which will be in about a year. Once complete, the updated RLMP will be presented to the Planning Commission for adoption.

Staff Comments – Mr. Duncan said that the staff had sent the Commission a notice regarding the Commission's appointment of one or two members from the Planning Commission to serve on an advisory committee to update the Rural Land Management Plan. He then said that two other bodies have weighed in with their membership, and the staff would like the Planning Commission to be part of that Committee. He added that staff has been identified and would be working on this plan for the next year or so, and we would be looking for members of the Committee who would be willing to do homework and bring tasks back to follow-up meetings. This Committee would be a worthwhile endeavor; and once the Rural Land Management Plan is completed, it would be presented to the full Commission for adoption.

Planning Commission Comments – The Chair said that Mr. Penn had indicated an interest in this Committee, which Mr. Penn confirmed. The Chair asked if any other member would like to be appointed, to which there was no response. The Chair indicated that since there was no response, he would volunteer to be the second person.

Mr. Penn asked who is initiating this Committee. Mr. Duncan explained that this was identified by the 2013 Comprehensive Plan, and the Rural Land Management Board is a part of this; but this is as much a Planning Committee project, as well. Mr. Penn indicated that he serves on both Boards, and he doesn't want to get crossways here. He asked if it is safe to say that the Planning Commission is initiating this request. Mr. Duncan replied affirmatively and said that is fine.

- B. WORK SESSION – Mr. Duncan reminded the Commission members of the upcoming work session that is scheduled for March 17, 2016 in the Phoenix Building, 1:30 p.m., 3<sup>rd</sup> floor conference room. He said that they are expecting a presentation from Commerce Lexington, which was postponed from the last meeting, as we continue to discuss the potential changes to the ED zone. The staff will also have additional items for the Commission at that time.

VII. STAFF ITEMS – The Chair will announce that any item a Staff member would like to present will be heard at this time.

- A. SUBDIVISION REGULATIONS TEXT AMENDMENT INITIATION – The staff would request that the Planning Commission initiate a text amendment to the Land Subdivision Regulations in order to modify the limitations for Non-Building Minor Subdivision Plats. The proposed change will enable more properties to qualify for this type of plat, by reducing the acreage requirement and allowing Development Plans to substitute for Subdivision Plans in allowing permits for such properties. If initiated by the Commission, the staff would hope to schedule the requisite public hearing on the change in April.

Staff Presentation – Mr. Sallee distributed a draft copy of the proposed amendment to Articles 2 and 3 of the Land Subdivision Regulations, and said that the last work session, the staff had discussed the possibility of expanding what is allowable as a Non-Building Minor Subdivision plat. The reason the staff is presenting this to the Commission is due to the relatively large increase in waiver requests for properties that wish to go forward without completing the required infrastructure. He then said that for many years, there has been a section in the Subdivision Regulations for a minor plat allowance for large properties, for that purpose. The common term for that type of plan is a "take-down plat." He said that the developer could take a piece of a larger property or all of a property to allow for transfer of ownership, knowing that that property would later be developed, at which time the normal infrastructure procedures would occur -much like the previous plan the Commission had reviewed earlier today and approved such a waiver.

Mr. Sallee said that the staff is suggesting two possible changes with the text amendment. One is to reduce the acreage requirement for that plat. In most cases, currently there is a 10-acre minimum, and the staff would suggest taking the acreage size to as low as 1 acre, except in the case of where the zone requires a much larger minimum lot size than 1 acre. That change would impact three or four zones, and it would make no sense, from the staff's perspective, to allow a parcel smaller than the minimum lot size allowed in those particular zones. He said that rather than a 10-acre requirement, the staff would suggest a 1-acre requirement or the minimum lot size allowed in those zones, whichever is greater.

Mr. Sallee then said that the second change is to allow a development plan to substitute for a record plat, in terms of allowing development to proceed on such property. He said that these days that is a more common occurrence for the Commission than receiving a follow up Final Record Plat. Again, this was designed in the era of large farms being developed into subdivisions; and now we are seeing much more of a focus on infill and redevelopment and those properties being developed. He said that the development plan procedure is common, if not more common, than the subdivision procedure is now for that. He then said that there is a corollary change required in Article 3 of the Land Subdivision Regulations - just to alter the common note that goes on this type of plan. He explained that that note will hopefully state that no building permits can be issued off of this type of minor plat, unless and until the Planning Commission later approves a subdivision plan or a development plan for that property; and that is the vehicle by which permits can be issued.

Mr. Sallee said that if the Commission was inclined to initiate this SRA today, there would be a full staff report for the next Committee meetings at the beginning of April, and then the staff would proceed to schedule the required public hearing in the future, with the Committee's approval.

Mr. Sallee said that he could answer any questions regarding this text amendment.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request. There was no response.

Action - A motion was made by Mr. Cravens, seconded by Ms. Plumlee and carried 8-0 (Brewer, Mundy and Smith absent) to initiate the text amendment to Article(s) 2 & 3 of the Land Subdivision Regulations in order to modify the limitations for Non-Building Minor Subdivision Plats.

VI. **COMMISSION ITEMS** (cont.)

C. **REQUEST FOR CLOSED SESSION** – The Chair said that at this time, the staff of the Law Department had requested that the Commission enter into closed session to discuss a matter of pending litigation.

Action - A motion was made by Mr. Wilson, seconded by Ms. Richardson, and carried 8-0 (Brewer, Mundy and Smith absent) to enter into closed session at 2:31 p.m.

Note: The meeting reconvened in open session at 2:53 p.m.

Action - A motion was made by Mr. Penn, seconded by Ms. Richardson, to instruct the Law Department not to move forward with the matter of litigation with Skyway Towers, LLC.

The Chair confirmed that the motion on the floor is to not further the appeal.

The motion carried 8-0 (Brewer, Mundy and Smith absent).

VIII. **AUDIENCE ITEMS** – There were none.

IX. **NEXT MEETING DATES**

Work Session, Thursday, 1:30 p.m., 2 <sup>nd</sup> Floor Council Chambers.....	March 17, 2016
<b>Zoning Items Public Hearing</b> , Thursday, 1:30 p.m., 2 <sup>nd</sup> Floor Council Chambers.....	<b>March 24, 2016</b>
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building).....	March 30, 2016
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building).....	April 7, 2016
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	April 7, 2016
<b>Subdivision Items Public Meeting</b> , Thursday, 1:30 p.m., 2 <sup>nd</sup> Floor Council Chambers.....	<b>April 14, 2016</b>

X. **ADJOURNMENT** - There being no further business, the Chair adjourned the meeting at 2:55 PM.

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Mike Owens, Chair

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Will Berkley, Secretary

\* - Denotes date by which Commission must either approve or disapprove request.