



General Government & Planning (GGP) Committee

May 6, 2025

Summary and Motions

Chair Liz Sheehan called the meeting to order at 1:00 p.m.

Committee members Liz Sheehan, Dan Wu, James Brown, Chuck Ellinger II, Shayla Lynch, Hannah LeGris, Emma Curtis, Whitey Elliott Baxter, Dave Sevigny, and Jennifer Reynolds were present. Council members Tyler Morton, Denise Gray, Joseph Hale, Hil Boone, and Amy Beasley were present as non-voting members.

I. APPROVAL OF MARCH 4, 2025 COMMITTEE SUMMARY (Sheehan)

Elloitt Baxter motioned to approve the March 4, 2025 General Government and Planning Committee Summary. Seconded by Ellinger. The motion passed unanimously.

II. EFFICIENCIES IN OUR DEVELOPMENT PROCESSES AND COMPLIANCE WITH HB 443 (Brown)

Daniel Crum, Planner Principal in the Division of Planning, presented on the item. Crum reminded the committee that the Kentucky Legislature introduced and approved this new section of KRS Chapter 100 during the 2024 legislative session. With an effective date of July 1, 2025, the new section requires that local laws governing subdivision plats and development plans be established by objective standards and applied in a ministerial manner, and to outline conditions for the application of discretion.

Defining key terms and phrases in this legislation is necessary. “Objective standards” are measurable, specific, unbiased, and equitable. “Applied ministerially” means an administrative act carried out in a prescribed manner, not allowing for personal discretion. “Set out conditions for application of discretion” means establishing parameters for when the Planning Commission would utilize discretion, like that of a waiver of the Land Subdivision Regulations.

Preliminary Development Plans with a Zone Change will not see any changes with this legislation. Final Development Plans will not see any changes with the Application, Staff Review, or Technical Review Committee steps. However, the Planning Commission Review would only occur for a waiver or deviation of the standards, or if a requirement would pose a specific threat to public health, safety, or welfare in the affected area.

Crum gave an overview of the proposed changes, which include updating zoning ordinance definitions for clarity, consistency, and to address process changes; removing subjective criteria and processes and replacing them with objective criteria; creating objective standards in the Zoning Ordinance for items that traditionally were part of other Divisions’ sign-off processes (DES, Traffic Engineering, etc.); reducing the number of items that require hearings; and implementing an updated Development Plan process. A mandatory shift to a ministerial process removes discretion, as well as the ability to consider public comment in the review of Final Development Plans/Plats. Review of the plans becomes a staff-

level item, unless the applicant requests waivers or a specific health, safety, or welfare concern is identified. The public is still able to provide feedback at the plan-making stage, the policy-making stage, with Preliminary Development Plans, and during the waiver review process, as well as the review of projects forwarded to the Planning Commission due to a specific Health, Safety, or Welfare concern raised by staff.

Planning Staff met in person with various stakeholder groups, mailed notices to the 280 active neighborhood associations, and received written submissions from community members through email. In response to public feedback, staff eliminated portions of the text that did not have a direct bearing on HB 443 and provisions that were not previously being applied or reviewed during the current sign-off process. They further streamlined the review process by eliminating unnecessary pre-application requirements and editing the text for consistency and clarity.

Crum let the committee know that the Planning Commission held public hearings on March 27, 2025, and on April 10, 2025. During both hearings, most speakers expressed concern with public input opportunities, as well as the portions of the text that codify the sign-off standards. The Planning Commission recommended approval of the Staff Alternative language with only minor revisions. Additionally, the commission issued a strong recommendation for the Council to consider opportunities for public comment and participation.

Committee members raised several questions and concerns, and some plan to make motions to amend. CM Brown said he would like to review at the 6-month and 1-year mark. Discussion of ZOTA-25-00001: Ministerial Review of Development Plans will occur at today's Work Session. Amendments and further discussion will be made at that time.

The committee took no action.

III. LEXINGTON'S PRESERVATION & GROWTH MANAGEMENT PROGRAM (LPGMP) (Wu)

VM Wu, item sponsor, informed the committee and the public that the LPGMP presentation will now be heard on Thursday, May 8, at the Council's Quarterly Committee of the Whole meeting, which will be held in the Council Chamber. An official meeting notice will be sent.

The committee took no action.

IV. SOLAR ENERGY SYSTEMS (ZOTA-23-00004) (Sheehan/Sevigny)

Chair Sheehan informed the committee and the public that the Solar Energy Systems (ZOTA-24-00003) presentation will be first on the meeting agenda for the Tuesday, July 1 committee meeting.

The committee took no action.

V. ITEMS REFERRED TO COMMITTEE (Sheehan)

The committee took no action.

Chair Sheehan adjourned the meeting at 2:48 p.m.