

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
June 27, 2023**

Mayor Gorton called the meeting to order at 3pm. Vice Mayor Wu and Council Members J. Brown, Ellinger, Fogle, Lynch, LeGris, Monarrez, Sheehan, Gray, Worley, Baxter, Sevigny, Reynolds and Plomin were present. Council Member F. Brown was absent.

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

Motion by Ellinger to Approve Requested Rezonings/ Docket Approval. Seconded by Gray. Motion passed without dissent as amended.

Motion by J. Brown to amend the Planning Commission’s Recommended Short Term Rental Zoning Ordinance Text Amendment to change the use of Hosted Short Term Rentals (occupancy greater than 12) from Conditional to Accessory, and the use of Un-Hosted Short Term Rentals from Conditional to Principal, in B-1, P-1, MU-1, MU-2, and MU-3 zones. Seconded by Sheehan. Motion passed without dissent, with one abstention. Ellinger abstained from the vote.

Motion by J. Brown to amend the Planning Commission’s Recommended Short Term Rental Zoning Ordinance Text Amendment to remove the phrase “and principal uses” from Section 3-13(c) and replace with the phrase “uses in residential zones”. Seconded by Sheehan. Motion passed without dissent, with one abstention. Ellinger abstained from the vote.

Motion by J. Brown to remove from table an item relating to proposed changes to the Code of Ordinances of the Lexington-Fayette Urban County Government relating to short term rentals, including but not limited to short term rental license requirements and administrative procedures relating to short term rentals, and to place an ordinance regarding same on the docket for the Council meeting on Thursday, June 29, 2023. Seconded by Wu. Motion passed without dissent, with one abstention. Ellinger abstained from the vote.

Motion by Worley to approve placing the Code of Ordinances Short Term Rental on docket for Thursday, June 29, 2023 (as amended). Seconded by Sheehan. Motion passed without dissent, with one abstention. Ellinger abstained from the vote.

Motion by Sheehan to amend Section 13-77(b)(5) (contained in Section 3 of the Short Term Rental Ordinance) to replace the existing text with the following: “(5) Approval by the Division of Planning that the short term rental is a hosted short term rental or is otherwise a legal nonconforming hosted or un-hosted short term rental under Section 3-13(i) and (j) of the Zoning Ordinance; that the un-hosted short term rental has a conditional use permit issued by the board of Adjustment if applicable; that the hosted short term rental with an occupancy greater than twelve (12) individuals has a conditional

use permit issued by the Board of Adjustment, if applicable; or that the short term rental otherwise complies with Zoning Ordinance”. Seconded by J. Brown. Motion passed without dissent, with one abstention. Ellinger abstained from the vote.

Motion by Sheehan to amend Section 13-77(f) (contained in Section 3 of the Short Term Rental Ordinance) to remove reference to un-hosted short term rentals. Seconded by J. Brown. Motion passed without dissent, with one abstention. Ellinger abstained from the vote.

Motion by Sheehan to amend Section 13-77(h)(5) (contained in Section 3 of the Short Term Rental Ordinance) to remove reference to un-hosted short term rentals. Seconded by J. Brown. Motion passed without dissent, with one abstention. Ellinger abstained from the vote.

Motion by Sheehan to amend Section 13-79(a)(7) (contained in Section 5 of the Short Term Rental Ordinance) to reference the zoning ordinance for the maximum occupancy of short term rentals. Seconded by J. Brown. Motion passed without dissent, with one abstention. Ellinger abstained from the vote.

Motion by Sheehan to amend Section 13-77(b) (contained in Section 3 of the Short Term Rental Ordinance) to add subsection 11 to read: “(11) For short term rentals utilizing septic tanks, evidence indicating that the septic tank is of sufficient size to accommodate the occupancy requested in subsection (6)”. Seconded by J. Brown. Motion passed without dissent, with one abstention. Ellinger abstained from the vote.

Motion by Worley to approve changing the presentation name on the Thursday, June 29, 2023 docket from “Smoking Ban 20th Anniversary” to “Indoor Smoking Ordinance 20th Anniversary”. Seconded by Gray. Motion passed without dissent.

Motion by Fogle to place ordinance #8 (An Ordinance changing the zone from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 0.91 net (1.16 gross) acres, for property located at 763 Newtown Pike) on the docket without a public hearing. Seconded by J. Brown. Motion passed without dissent.

III. Approval of Summary

Motion by Gray to approve the June 13, 2023 Work Session summary. Seconded by Sheehan. Motion passed without dissent.

IV. Budget Amendments

Motion by Plomin to approve budget amendments. Seconded by Sheehan. Motion passed without dissent.

V. Budget Adjustments – For Information Only

VI. New Business

Motion by Baxter to approve new business. Seconded by LeGris. Motion passed without dissent.

VII. Continuing Business/Presentations

J. Brown provided a report-out summary for the March 21, 2023 BFED Committee meeting.

Motion by J. Brown to approve an ordinance repealing and replacing ordinance no. 103-2014 in its entirety, and instead setting a minimum budgetary funding goal of one percent (1%) of the general fund revenue collected from the previous full fiscal year for the affordable housing fund, commencing with the fiscal year 2025 budget, and continuing to designate funding in the amount of at least \$750,000.00 each fiscal year for the innovative and sustainable solutions to homelessness fund. Seconded by Worley. Motion passed without dissent.

There were no additional motions to report from the meeting.

Motion by Reynolds to refer to the General Government and Planning Committee the Recommendations for Planning and Development Approval Process from today's presentation (#8 and 10 in packet). [Tighten Certification to lock in the requirements and establish a Development Liaison position]. Seconded by Sheehan. Motion passed without dissent.

VIII. Mayor's Report

Motion by Ellinger to approve the Mayor's Report. Seconded by Baxter. Motion passed without dissent.

IX. Mayor's Report – Price Contract Bid Recommendations

Motion by Sevigny to approve the Mayor's Report - Price Contract Bid Recommendations. Seconded by Gray. Motion passed without dissent.

X. Council Comments

XI. Public Comment – Issues Not on Agenda

XII. Adjournment

The meeting adjourned at 5:34pm.