

Citizen Comment – Brittany Roethemeier, executive director of Fayette Alliance, said that she was supportive of revisiting agri-tourism uses in the A-R zone, but it should be done comprehensively, with stakeholder input, and any new permitted uses should require an agricultural-nexus requirement between the use and the land it operates on.

Staff Rebuttal – Mr. Crum addressed Mr. Pohl's suggestion about percentages of agricultural coming directly from the farm. Mr. Crum stated that this suggestion is different than how we deal with small farm wineries, because they do not require that with wineries. Additionally, Mr. Crum indicated that those percentages are difficult to enforce and that a lot of the concerns presented by Ms. Roethemeier would be addressed in the conditional use process and would be regulated through permits and agencies at the state and federal level.

Commission Questions – In relation to waste water that Ms. Roethemeier mentioned in her comments, Mr. Nicol asked Mr. Crum if he knew the average drinking water per cow a year. Mr. Crum did not, and Mr. Nicol indicated that according to Michigan State University, it is 30 gallons a day per cow.

Mr. Michler asked when the Bourbon County ordinance with the limit of 1,000 gallons went into effect. Mr. Baillie stated that it was last amended in 2016, but its initial establishment was in 2013.

Ms. Worth commented that she wished that the applicant was doing this through a waiver, because she would have no issue with it then. Ms. Worth said that she is worried about what looks to her like planning in the A-R zone via ZOTAs and mentioned the other ZOTA's relating to the A-R zone. She concluded saying that she would like us to take a thoughtful comprehensive look at what we do in the A-R zone.

Mr. Bell concurred with Ms. Worth's thoughts.

Mr. Michler said he understood the fear from Ms. Worth and Mr. Bell, but that the applicant does not have a choice in this process and that it was a logical step to allow the wineries that we already allow, to make the spirits they want to. He concluded his statement saying what Mr. Carter is asking for is a perfectly reasonable request and he supports this application.

Mr. Pohl concurred with Mr. Michler.

Action – A motion was made by Mr. Michler, seconded by Ms. Barksdale and carried 6-2 (Worth and Bell opposed) (Davis, Meyer, and Penn absent) to approve PLN-ZOTA-22-0000011: AMENDMENT TO ARTICLE 8-1(d) TO ADD SMALL FARM MICRO-DISTILLERIES AS A CONDITIONAL USE IN THE AGRICULTURAL RURAL (A-R) ZONE for the reasons provided by the staff.

3. **PLN-ZOTA-22-00014: AMENDMENT TO ARTICLES 1, 3, 8, 9, 10, 11, 16, 18, 23 AND 28 TO UPDATE PARKING AND VEHICULAR USE AREA LANDSCAPE BUFFERING** – a petition for a Zoning Ordinance text amendment to consolidate all parking regulations to one location (Article 16), incorporate parking design standards, eliminate minimum parking requirements, as well as to increase tree canopy and vehicular use area screening requirements for parking lots.

INITIATED BY: Urban County Planning Commission

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: Approval, for reasons provided by staff.

The Staff Recommends: Approval, for the following reasons.

1. The proposed text amendment supports and implements the 2018 Comprehensive Plan, in the following ways:
 - a. The amendment expands housing choices (Theme A, Goal #1) by allowing more types of residential development to be constructed where they are currently precluded due to inflexible parking requirements (Theme A, Goal #1, Objectives a through d).
 - b. The amendment supports infill and redevelopment throughout the Urban Service Area (Theme A, Goal #2) by providing more flexible parking regulations to facilitate the construction on smaller and more constrained parcels often found in infill and redevelopment locations.
 - c. The amendment promotes the development of green building, sustainable development, and transit-oriented development (Theme B, Goal #2.c) by allowing more pedestrian and transit focused development to occur and by raising the landscaping and tree canopy requirements for vehicular use areas.
 - d. The amendment reduces Lexington-Fayette County's carbon footprint (Theme B, Goal #2) by reducing the requirements for additional unnecessary vehicular use areas that contribute to dangerous heat islands.

Staff Presentation – Mr. Chris Taylor presented and summarized the staff report and recommendations for the text amendment. Mr. Taylor began stating that this text amendment would put Lexington at the forefront of innovative planning by eliminating parking minimums and Lexington would be the 3rd largest city in the east/Midwest to do so.

Mr. Taylor explained that the purpose of this text amendment is to provide greater flexibility for development to provide the parking they need while also allowing more walkable development to naturally occur over time. Additionally Mr. Taylor explained another critical goal of this text amendment is to mitigate the negative impacts of parking lots, including improving vehicular use area landscape buffers against adjacent uses, improve the tree canopy and standards that ensure their survival, and improving the function of parking lots to allow pedestrian safety.

Mr. Taylor discussed the history of parking requirements, mentioning they started in Columbus, Ohio and eventually finding their way to Lexington in 1953. The negative effects were not felt immediately, but over the years the negative effects have compounded into a serious problem. Lexington has the unique problem of being constrained in its growth, while totally dependent on vehicles based on our development patterns over the years.

Mr. Taylor displayed graphs and numbers about how calculating parking minimums over the years has been done, indicating that when you look at the numbers, there is no statistical correlation between square footage and demand for parking. The graph presented by Mr. Taylor showed data points all over the chart where the average did not hit a single data point at all.

Mr. Taylor indicated that these parking requirements helped create huge parking lots that in turn create dangerous heat islands that negatively impact our community. Mr. Taylor stated that the goal of this text amendment overall was to improve conditions for motorists, cyclists, and transit users.

Mr. Taylor also indicated that this text amendment is the culmination of over a year of work, highlighting the various drafts, focus groups, and discussions since last year. Mr. Taylor went in depth with what regulations are changing, where they are proposing the elimination of parking requirements, the consolidation of parking standards, and vehicular use area improvements. Additionally, Mr. Taylor highlighted that these new regulations will have a focus on the environment and will provide greener parking lots that will improve our urban forest, reduce heat islands, and mitigate stormwater.

Mr. Taylor concluded stating that he can answer any questions that the Planning Commission might have.

Commission Questions – Ms. Worth asked if there were any protections in the way that the ordinance is written to deal with people that may use this as an excuse to pave their front yards so they have a place to park. Mr. Taylor answered that places that do not have adequate parking are places that were developed before Lexington at parking requirements and that those are more desirable places to live because they are more walkable. Mr. Taylor continued saying that for new developments, the Planning Commission is able to review the parking provided on every plan and that is the Planning Commission's right to do so.

Public Comment – Nacny Barnett, 1105 Richmond Road, stated that she thinks this a wonderful idea and supports it.

Deborah Gerth, 461 Silver Maple Way, stated she supports the text amendment for all the reasons provided by the planners and thanked them for their work.

Walt Gaffield, 2001 Bamboo Road, stated that he would like some language that would allow the Planning Commission to take a look at parking plan, and he proceeded to give examples of where parking has been difficult around Lexington.

Blake Hall, 36 Richmond Ave, stated that he was in support of the text amendment for the environmental reasons listed by staff.

Clay Turner, 3321 Lyon Drive, said he cared deeply about the tree canopy and water quality in Lexington, and thought that this text amendment would improve both.

Michael Potapov, 1105 Richmond Road, said that he sent a letter of support and that he was most concerned about tree survivability and this will help with that.

Dick Murphy, stated that he is generally supportive of this text amendment, but did mention he thought about objecting to it because it might take some business away from his legal practice.

Amy Clark, 628 Kastle Road, stated that she wanted to thank staff for bring forth this the text amendment. Ms. Clarke presented various ideas to help improve it further.

Nick Nicholson, 300 W. Vine Street, echoed Mr. Murphy's comments and thinks this text amendment is a much needed change and he urged the Commission to adopt it.

Staff Rebuttal – Mr. Taylor addressed Ms. Clark's concerns about the study in Buffalo, New York. Mr. Taylor reiterated that they have looked at the data and various studies, and have tried to structure these new regulations to prevent or mitigate the negative effects.

Public Comment – Amy Clark, 628 Kastle Road, asked to restore article 21-7(a)(5) that was deleted in 2014.

Commission Questions and Comments – Mr. Pohl asked staff to address Ms. Clark’s comment. Mr. Taylor said that he thinks there is an opportunity for every minor amendment to be referred back to the Planning Commission through a referral process, but he does not think that staff sees the need for every parking revision to come to the Planning Commission through a major amendment to a development plan.

Additionally, Mr. Pohl inquired if the comments from Ms. Clark were similar to those of Mr. Gaffield’s. Mr. Baillie responded saying that would be a staff level decision and that the Planning Commission members would probably prefer that, but if it was something of greater concern staff would bring it to the Planning Commission’s purview.

Mr. Michler stated that he was very impressed with how staff has navigated the concerns of so many different stakeholders in the process and have crafted something Lexington really needs. He is comfortable and excited to support the text amendment.

Ms. Worth stated that her problem was with oversight, not minimums and that she thought the staff had done great work.

Action – A motion was made by Mr. Pohl, seconded by Mr. Nicol and carried 8-0 (Davis, Meyer, and Penn absent) to approve PLN-ZOTA-22-00014: AMENDMENT TO ARTICLES 1, 3, 8, 9, 10, 11, 16, 18, 23 AND 28 TO UPDATE PARKING AND VEHICULAR USE AREA LANDSCAPE BUFFERING for reasons provided by staff.

*There was a round of applause for Mr. Chris Taylor, and staff.

4. PLN-ZOTA-22-00015: AMENDMENT TO ARTICLES 8, 10, 11, 22, AND 23 TO THE ZONE INTENT STATEMENTS – a

petition for a Zoning Ordinance text amendment to update the “intent” statement for numerous zoning categories to more clearly align with the adopted Comprehensive Plan. Intent statements are included for each zoning category and are meant to explain the location, criteria and/or purpose of the zone.

INITIATED BY: Urban County Planning Commission

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Approval**, for reasons provided by staff.

The Staff Recommends: **Approval**, for the following reasons.

1. The proposed text changes will provide greater consistency between Lexington’s adopted documents and remove references to defunct future land use categories from past Comprehensive Plan methodologies.
2. The proposed text will also modernize the language of the Zoning Ordinance to reflect current and anticipated land use practices and to strengthen the vital link between the Comprehensive Plan and Zoning Regulations.
3. The proposed text changes will provide greater transparency to the community as to the purpose of zones and can provide a foundation to any future text amendments to zones.
4. The proposed text amendment is in agreement with the 2018 Comprehensive Plan’s Goals, Objectives, and Policies, for the following reasons:
 - a. An accurate and modern Ordinance is imperative to the implementation of the 2018 Comprehensive Plan (Goal 2).
 - b. The proposed language will update the Zoning Ordinance to reflect the direction of the 2018 Comprehensive Plan, proactively planning for the next 20 years of growth (Theme E, Accountability Policy #2).

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

