

ON THURSDAY, OCTOBER 8, 2009, THE VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION HELD A WORKSESSION AT 5:30 P.M. TO DISCUSS THE COMPREHENSIVE PLAN UPDATE.

Mr. Boggs questioned if anyone had anything from the last meeting that they needed to go over? If not, they will begin on the Goals and Objectives. Mr. Boggs questioned if there are any comments regarding what needs to be done?

Mr. Hume stated that maybe they need to name some subjects that seem to be the most problematic.

Mr. Boggs stated that from the first day the theme has seemed to be making Woodford County more attractive to businesses that are not a detriment to the County. Mr. Boggs was uncertain if the Zoning Ordinance had the Comprehensive Plan objectives in mind when it was written. It seems that they need to work on industrial and commercial first. There seems to already be enough residential but Transportation is an important issue.

Mr. Hume stated that the Comprehensive Plan is an overview of how we would like to be and the Zoning Ordinance deals with specifics and use of property. They do go hand in hand, but the Zoning Ordinance is specific. The Comprehensive Plan is a broad overview of how we would like to get there.

Mr. Boggs questioned if they should just leave it as it is? Mr. Hume stated that last month the EDA indicated that they have some concrete ideas on what they think should be changed. Mr. Hume stated that they ask them to give some specifics so the Planning Commission can look at them and make some adjustments. After they do that, then perhaps they can look at the Comprehensive Plan as a whole. All their woes do not just lie with the Planning Commission. Mr. Boggs questioned if anyone from the EDA wants to speak?

Mr. Endicott stated that they have had a lot of discussions and they understand that the Planning Commission is now concentrating first on the Goals and Objectives. The entire book is difficult and it should be looked at as a guide and the decision needs to be made if it is guiding you the way you want to be guided. He questioned if the Planning Commission is attempting to achieve the goals that are written in the plan? Mr. Endicott stated that the first goal says to understand and accommodate the various levels of commercial needs of the cities and the county. With so many jobs being lost, it would seem that the Planning Commission should be trying to figure out a way to get those jobs back.

Mr. Boggs questioned if the EDA objects to the Comprehensive Plan or the zone change process itself? Mr. Boggs stated that he would agree that the Comprehensive Plan is too wordy. Is it that or all the hoops that the Zoning Ordinance requires? Mr. Endicott stated that was mentioned, but right now they are dealing with the Comprehensive Plan. Mr. Endicott felt that the Comprehensive Plan needs to be more friendly towards economic development. There is already a lot of residential in the county and there have been times that he has pushed for that. But now, with the loss of so many jobs, the Planning Commission should make it a part of their task to help out. The second goal says to accommodate industrial development. So the Planning Commission should be doing that. Mr. Endicott did not know if the Planning Commission is trying to use this or not. Mr. Boggs stated that the Planning Commission wants to get this right and the reason for being here is to discuss the goals and objectives. It seems that the EDA has more input than any of the Planning Commission members.

Mr. Hume stated if they are looking at commercial properties they need to determine how much commercial property is available? What type of commercial properties are being looked at? Are they mom and pop shops, or manufacturing space, or medical facilities, etc. Property can be zoned, but how is the Planning Commission responsible for getting someone to locate here? Mrs. Wilson stated that she

can calculate all that very specifically through GIS. Mrs. Wilson stated that it would take Ms. Lefever just a few minutes to come up with that evaluation.

Mr. Endicott stated that eventually that is where we are heading, but for now they need to look at the Comprehensive Plan and the goals and objectives and guidelines. Many of these can be interpreted in such a way as to shut down whatever project is brought to Woodford County. The Planning Commission needs to look at all the language and get rid of those that discourage rather than encourage. The Comprehensive Plan is full of policies and guidelines and many off the street opinions.

Mr. Duckworth stated that he agrees with Mr. Endicott and tried to paint that picture at the last meeting. If you look at the last ten years of where we have been and what we have tried to accomplish, nothing has been accomplished but a lot of arguing and debates and lawsuits. Until the community comes together and resolves those things which are blended into the book, how will the community ever succeed? Mr. Duckworth stated that they met with a gentleman in charge of business development in Kentucky and as far as the general economic development you need to have the Planning Commission and the government entities prepared to have land given to potential users. One example they heard about was the Harley Davidson Factory that located in Shelbyville. The Woodford County EDA sent a packet also, but Shelby County gave them the land to locate on. It is hard for a lot of developers to get a grasp on the Comprehensive Plan. As for home building, the PUD was put in to try and save land. That was supposed to be a land saving mechanism. We have the infrastructure put in for some projects here in town and only one house has sold. There have been several built, but only one sold. There was a gentleman that wants to build more but he has to have permissions to put in a single individual window. He wanted to buy windows in bulk but could not. It would take 2000 years to sell all the zoned lots we have at this rate. We have commercial property sitting idle and the owners will not build on it because of all the debate.

Mr. Boggs stated that the Planning Commission was assigned tonight to go through the goals and objectives. This vague discussion could go on and on and we would never get past this.

Mr. Parrott stated if the assignment is to review the first 36 pages tonight they are going to fail. There is no way they can do that in such a short time. Mr. Boggs stated that they don't have to do it all in one night. Mr. Parrott stated that he does think that they need this type of discussion so that they can decide how they are going to go forward. Mr. Parrott stated that the thing that is so apparent right now is that the economy has changed so much. Mr. Cable had a family business in Versailles that everyone grew up with and he died in his 80's and was still in business. That is not going to happen in these economic times. Everything has to be dynamic. You cannot move forward and become dynamic when you cannot move to exercise your best ideas. When people come to our town and want to invest a lot of money, they should not be faced with a bureaucratic nightmare and be held hostage by anyone who is going to use the Comprehensive Plan as a means of blackmailing to get what they want. We have to create the situation where there is as little ambiguity as possible. Until we do something like that we are just spinning our wheels. Referring to his career as a registered nurse, Mr. Parrott stated that their procedure is to identify a problem, find a solution and implement a plan. In the second phase you decide if what you did worked or not and decide if you need to change anything. Mr. Parrott stated that they need to do an assessment and see what has or has not worked. This is going to take a long time. Mr. Parrott stated that he got on this board to learn what all this means and try to implement it appropriately. Mr. Boggs agreed.

Mr. Bruce Southworth stated that he has been assigned to look through and study this plan. Mr. Southworth stated that the first section is the Goals and Objectives that were approved by the three governing bodies. Then in the first of every chapter it refers you to Preserving Town and Country which is nowhere in the goals and objectives. There was an addendum that is on a disc that is in the back of the book. That is contradictory to what is in the front. It is confusing as to what you should use.

Mr. Parrott asked Mrs. Wilson to explain the Preserving Town and Country. Mrs. Wilson stated Mr. Southworth is correct that it is an addendum to the Comprehensive Plan. Mr. Bennett who was the contractor who put the plan together implemented those at the request of the Comprehensive Plan committee that Mr. Duckworth and Mr. Wolf were both on as well as numerous other people. Some of the amendments were concepts that came out of the Preserving Town and Country and incorporated into this plan. That committee was trying to take the work that the Task Force did who came up with the New Urban Code and Preserving Town and Country and incorporate that into the Comprehensive Plan because that is what they heard that the community said they wanted. There were lots of work sessions and they had flip charts and there were lists and lists of goals and objectives. Originally they were almost 75 pages long and they got pared down considerably. There was a meeting when the Planning Commission sat here and voted on every one of the goals and objectives individually. There were ties on the majority of them and it was overwhelming. The idea was to try and take that Task Force stuff and incorporate it so that people would have a choice on how to do development. All the old stuff was kept so that there would be a choice if someone wanted to do mixed use developments. At first the Task Force wanted to throw out all the old stuff, but that was not what the community wanted to do. They wanted there to be a choice. Mrs. Wilson stated that she goes over the choices all the time with people. Mrs. Wilson stated that she is the one who has to use the book all the time and it is not an easy book to use. She showed them all the colored tabs that she has to mark where things are in the book as reminders. The decision needs to be made whether they want to leave that in or do away with it and let it go back to neighborhoods being built the way they always were. The economy has had a huge impact on all developments.

Mr. Boggs stated that this is the third meeting and they have not accomplished anything. Mr. McClees stated that they are getting a lot of things out in the open that needed to be. Mr. Boggs stated that as long as everyone feels that is making progress then he has no problem with it.

Mr. Parrott stated that on Page #3 the goal for housing says to “provide for desirable residential development”... Mr. Parrott read from Madison County’s goal for housing and it says, “to provide a range of housing opportunities to make affordable housing available to all citizens of Madison County.” Mr. Parrott stated that their Comprehensive Plan seems to address housing for all of their citizens and he did not feel that Woodford County’s Comprehensive Plan does that. Who should decide what is or is not desirable? If you want to have a working economy in this County with viable businesses you need to have a cross section of the population. You cannot just have the “desirable”. There needs to be room for everyone. If you only allow rural development to occur where you only sacrifice a little bit of land for a development, all you end up with is big houses on big lots and that is only affordable to a few. We need to have some new rules that say you can develop small houses on small lots in this County. That does not seem to be permissible at this time.

Mr. Boggs stated that this was done in the late 1980’s. The members need to take the time and see the documentary that was done and shown nationwide on “Land and how it got That Way”. It was a documentary on how Woodford County came about with the Rural Residential Ordinance in the first place. Before the Rural Residential it was five acres with 150 foot of road frontage and it was called postage stamp development and no one wanted that. Because there were two extremes, those who wanted development and those who did not, it took a long time to reach a compromise and that is where they came up with what they have now. It is flawed and needs to be changed. Mr. Boggs stated that he believes it needs to be thrown out completely and rewritten. There are other ordinances in place in other counties that work, but our magistrates would not listen to those ideas then and they will not listen to them now. Mr. Boggs stated that for right now he does not believe that they could do much about changing this because there is a large, organized, powerful group that would block it. Mr. Parrott stated that he is not charged to worry about that. Mr. Boggs stated that he understands that, but there are a lot of other things that they probably can do. Mr. Parrott stated that his point is that they should encourage

rather than discourage affordable housing. He gave an example that if there were a war in Woodford County tomorrow there would be no young people to send to fight it because they can't afford to live here. Mr. Boggs stated that he completely agrees with that.

Mrs. Wilson stated that right now the way the Comprehensive Plan and the Zoning Ordinance are written if someone wanted to come in and do smaller lots they could. There is nothing there to stop it. The developers are choosing to build medium or upscale. It is not that we don't allow it. Mrs. Wilson stated that she is referring to what is inside the Urban Service Boundary. She referred to a development, Arbor Place Townhomes, that is a nice neighborhood and it was not problematic and it is affordable housing. Outside the Urban Service Boundary where there are no sewers available you also have septic issues that have to be handled. Mrs. Wilson stated that she did not believe that the City wants to start putting treatment plants out in the County and part of the lot size issue is a function of meeting the septic system requirements. That is where the one acre minimum comes into play and it makes the lots more expensive. Some of those are Health Department issues, not Planning Commission issues.

Mr. Boggs stated that he is not putting Madison County down at all but with the history of the two counties, it is understandable that they would have a looser rural development ordinance than us. From the late 1980's on Woodford County has been copied by many other counties all over. They may have tweaked it to meet their own needs in good ways. Lori Garkovich was asked to come to almost every county in the State to explain our Rural Residential Ordinance. Many counties have taken our ordinance as their basis, but made it fit their County as they should. Mr. Boggs stated that perhaps Woodford County has been stoic for too long and we have fallen behind the times because we do not look like a prosperous county.

Mr. McClees stated that he knows people are scared to come to Woodford County because of the rules and regulations. Mr. McClees stated that he was in Ashland and spoke to some people and they have had to come to their knees and give away property in order to get business there. Woodford County may need to come to their knees as well. Mr. Boggs stated that as far as he is concerned that is the goal to figure out how to do it. Mr. Boggs stated that Mr. Evans stated that you cannot just approach people to give their land away. It has to be owned by the County. Mr. McClees stated that the EDA needs to come in there too.

Mr. Wells stated that although he does not agree with this approach, in Alabaster, Alabama they actually condemned some land in order for Wal-mart to locate there. Mr. Wells stated that he does not agree with condemning land in order to have a higher tax base for the governmental entities. Mr. Wells stated that he agrees that they need to do everything they can with the economy the way it is to encourage industries to come here to create jobs. We have lost some industry and will probably lose some more. Mr. Wells stated that he is not on the committee, but he felt that perhaps they should start with just commercial and industrial goals and objectives and since there is such limited time during the meeting they could be prepared with some ideas. At this point he had no suggestions, but he felt as a road map, if they just limited the next work session to industrial and commercial development and talk about some specific suggestions and perhaps some eliminations of some of them, it might be a better way to proceed. Mr. Wells stated that it is discouraging to see these opportunities go to other communities. It appeared that Lowes was fought and it is uncertain if it was economic times that stopped their coming or not but we need to do whatever we can to encourage jobs here. Maybe it could be limited to industrial development at the next meeting. Mr. Wells questioned if the EDA had any thoughts? Mr. Duckworth stated that he believes all the regulations should be thrown out and they should just have to abide by State rules. Mr. Wells questioned if he is talking about both industrial and commercial? Mr. Duckworth stated that he is. Mr. Duckworth stated that he cannot believe all that Mr. Anderson has had to do at the county level, the State level and the numerous other agencies in order to get to this point. Mr. Duckworth stated that if he had not sit and watched it for over three years he would not have believed it. Mr. Duckworth stated that if

he had a plant with 1200 employees, he is uncertain if he would want to come to Woodford County. Mr. Duckworth stated that the EDA has walked hand in hand with Mr. Anderson.

Mr. Boggs questioned if he is saying it is more than just the Planning Commission? Mr. Duckworth stated that it is but the Planning Commission does have their process and then there are other processes. There is always the threat of a lawsuit and that goes beyond what this body does.

Mr. Endicott stated that they would be happy to come to the meeting next month ready to discuss more specifics.

Mr. Wells stated that if they limit the next work session to just industrial development and isolate it that might be the best way to go. Perhaps they can just talk about the objectives and then go from there. Mr. Wells stated that there is a factory in Berea and we just need more of those opportunities here. Mr. Boggs stated that Richmond is putting in a shopping mall that is very large. Mr. Boggs stressed again that he was not putting Madison County down in any way.

Mr. Endicott stated that if you look at Page 11, Policy #6, it talks about protective areas. It is trying to say there that you should not be developing in any of these protected areas such as floodways, floodplains, karst areas, steep slopes, blue line streams, etc. All that sounds good, but a crafty attorney and a good civil engineer could stop development practically anywhere in this County. The words are fine, but there needs to be more explanation. All of Woodford County is over karst features.

Mr. Boggs stated that he would like to see the committee go through the county and find the viable watersheds that need to be protected and protect them to 30 acres period. Mr. Boggs stated that he has a way that the land owner can come out on top as well. In lieu of being able to do that, he would be opposed to changing this. There is only one clean creek in the County.

Mr. Endicott stated that he understands, but that can be twisted and changed to mean whatever someone wants it to mean. Mr. Boggs stated that he would just want it to be defined. Mr. Endicott stated that he would not want to take it out, but there needs to be more specific explanations.

Mr. Boggs questioned if they want to do industrial and commercial as one or split them up between two? Mr. Parrott stated that he does not think they have any way of knowing how long it is going to take them to get through this. Are they willing to do what Mr. Duckworth suggested and throw out what is in the Comprehensive Plan and change it to the State regulations? Mr. Boggs stated that he believes that they are. Mr. Boggs questioned if they want to do industrial and commercial together or separate? Mr. Hume felt that they should look at them both together. Mr. Boggs polled the members and they all agreed.

Mr. Duckworth stated that they have started working on it so they can have something. Mr. Boggs suggested that they have something in writing for the members ahead of time so that the staff can get it to them and they will have time to study it. Mr. Boggs stated that Marjorie Evans would like to speak to them about downtown at some point, but he did not think it was a good idea to have it all in one night.

Mr. Hume stated that Mr. Duckworth mentioned that there was a developer that was upset regarding a window; however, when a developer comes in and wants to do a PUD development he knows upfront what is required. Mr. Hume did not think that the Planning Commission should be criticized because he wants to change a window when he knew what was required. The Planning Commission did not put him in that position. Mr. Duckworth stated that building materials change as does the cost of them. Mr. Hume stated that he understands that but they know what they are getting into when they decide to go that route. Mr. Duckworth stated that he believes that the Task Force wanted general concepts followed. When the book came out it was very specific beyond anyone's imagination. Mr. Hume stated that he

understands that and personally cannot stand a PUD development, but if someone elects to do that they should follow the rules and not complain that they want to put in a cheaper window. Mr. Duckworth questioned what if it is a better window? Mr. Hume felt that he does not mind adjusting the PUD requirements to be more flexible, but not just allow someone to run in and want to change something anytime they want to.

Mr. Duckworth was uncertain what happened exactly. Mrs. Wilson stated that this is not the place to go into that. Mr. Butler stated that he does not have a concern with the wisdom of what the Planning Commission does, only the legalities. There is a process they have to go through and anyone here should not pre-judge it if they are going to have to make an application. It could be a legal problem. Mrs. Wilson stated that it was agreed to follow architectural guidelines based on their zoning application and now if they want to change that they would have to come back and ask to do that. Mr. Butler stated that it is a condition of zoning that they have to go through the zoning process to change.

Mr. Hume suggested that as the Planning Commission members read through the Comprehensive Plan on the industrial and commercial, they should also read the Zoning Ordinance to see how they work together. Mrs. Wilson stated that she would be willing to meet with anyone one on one if anyone wants to do that.