

BOURBON COUNTY JOINT PLANNING OFFICE

**525 High Street
Paris, KY, 40361
859.987.2150**

DATE: November 6, 2018
TO: Bourbon County Joint Planning Commission
FROM: Andrea S. Pompei Lacy, Planning Administrator
RE: Amendment to Bourbon County Subdivision Regulations

Planning Commissioners,

This memo is in follow-up to discussion at the October 20th Planning Commission meeting. At this meeting, staff and legal counsel were instructed to produce amendment language to the Bourbon County Subdivision Regulations and a process chart that shows the proposed revised process for agricultural land division review.

Notice of this proposed amendment to will be published in the Bourbon County Citizen on November 8th. This memo and all supporting documentation will be posted on the Bourbon County Joint Planning Commission's website.

For your consideration, please find attached the proposed changes to the Bourbon County Subdivision Regulations Agricultural Land Division Review procedures.

Thank you for your consideration!

Sincerely,

Andrea S. Pompei Lacy, AICP
Planning Administrator
alacy@paris.ky.gov
859.987.2150

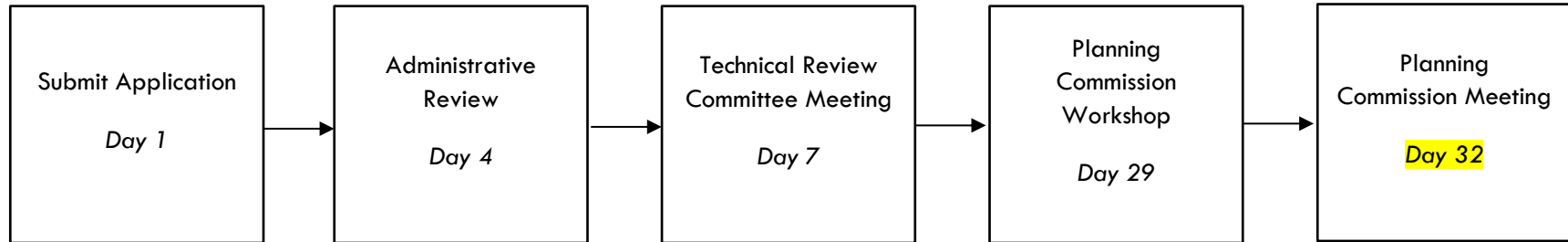
Attachment 1: PROCESS CHARTS

Attachment 2: PROPOSED AMENDMENT

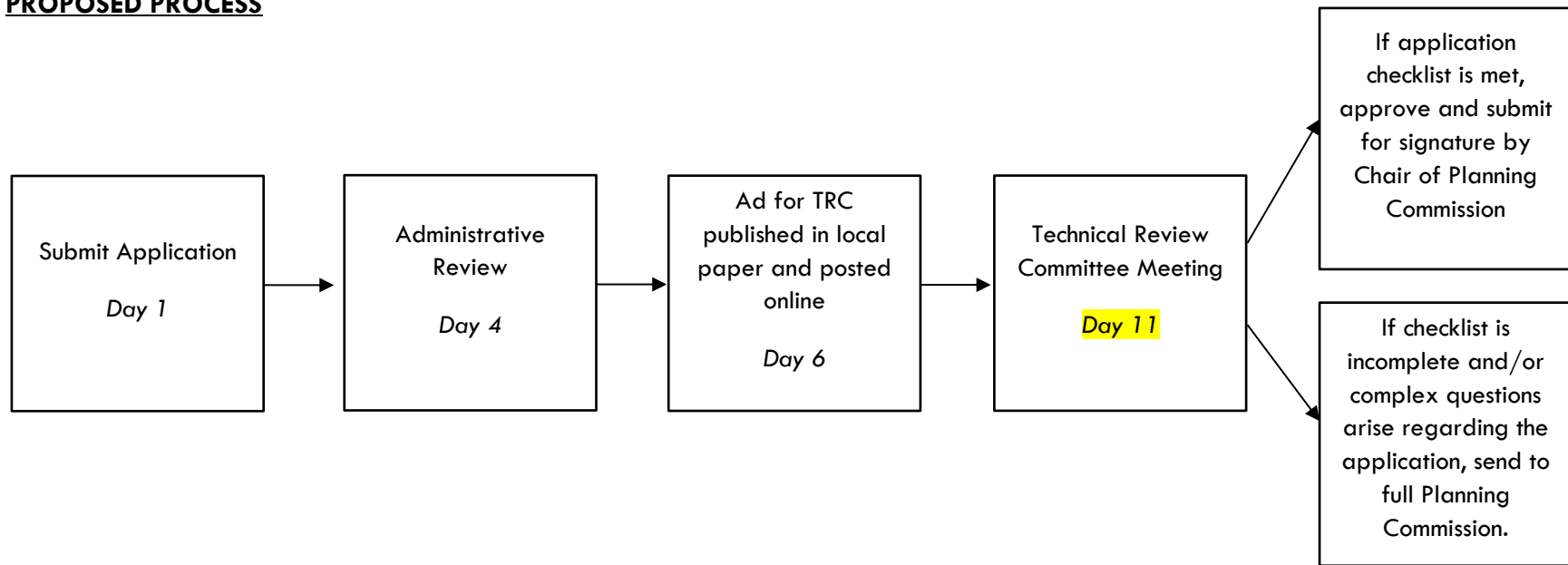
Attachment 3: MEMO PRESENTED AT OCTOBER 20TH PLANNING COMMISSION MEETING

ATTACHMENT 1: PROCESS CHARTS

EXISTING PROCESS



PROPOSED PROCESS



ATTACHMENT 2: PROPOSED AMENDMENT

SUBDIVISION REGULATIONS (BOURBON COUNTY)

SECTION 345: Agricultural Land Division

The Administrative Official, subject to the ~~final approval review~~ of the ~~Planning Commission Technical Review Committee~~, shall have the authority to determine whether or not a division of land is for an agricultural use purposes under Section 202 hereof.¹

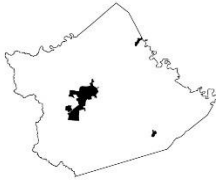
354 (A) Procedures:

The prospective owner/developer(s) shall:

1. Deliver ~~seventeen (17)~~ five (5) copies of a plat of any division of five (5) acres or more and an application to the Administrative Official for his/her examination. The prospective owner shall appear before the Administrative Official to be examined upon application.
2. The Administrative Official shall advertise the application for the Technical Review Committee meeting. If the application meets the requirements of Section 202 and 345 and no objection is raised, the Administrative Official shall recommend approval approve or disapproval of the application to the Commission for final action and forward the plats for signature by the Planning Commission Chair.
3. The Administrative Official shall report all approved applications at the next Planning Commission meeting.

~~All applications shall be advertised according to state law prior to standing for final action by the commission.~~

¹ Section 202: "Agricultural use" means the use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to live stock, livestock products, poultry, poultry products, grain, hay pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers, ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public.



BOURBON COUNTY JOINT PLANNING OFFICE
525 High Street
Paris, KY, 40361
859.987.2150

DATE: October 3, 2018
TO: Bourbon County Joint Planning Commission
FROM: Andrea S. Pompei Lacy, Planning Administrator
RE: Agricultural Land Division Review Procedure

Planning Commissioners:

As you are aware, this month we have one agricultural land division (ALD) application on the Planning Commission agenda. Consequently, this is an opportune time to have an informed discussion about how to improve our review processes and save money for the taxpayers of Bourbon County.

Currently, ALDs are reviewed in three stages: 1) Staff/administrative review, 2) Technical review, and 3) Planning Commission review. From application submittal to approval, a typical application takes 30 days for processing. The cost for processing is (at a minimum) \$1,000 each time a Planning Commission meeting is held. Over the past 2+ years, 7 Planning Commission Meetings were held that reviewed just ALDs costing the Bourbon County taxpayers an additional \$7,500.

In-house, we have strict checklists for plat review. Given the current multi-tiered review structure, I believe that this type of review is redundant and costly. I propose that the Planning Commission explore committing to a new policy. My recommendation is to continue conducting staff-level review, then technical review with a final signature by the Chair of the Planning Commission. If an application involves complexities that do not fit the checklist, it should go to the full Commission for consideration.

The following pages contain supporting documentation to help guide a discussion on October 18th about improving our review processes for this type of application. Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea S. Pompei Lacy".

Andrea S. Pompei Lacy, AICP
Planning Administrator
alacy@paris.ky.gov
859.987.2150

Attachment 1: Procedural Comparisons

COUNTY	PROCEDURE
Scott	Staff-level review. Chair of the Planning Commission signs off on final plat.
Harrison	Staff-level review. Staff signs off on final plat.
Clark	Staff-level review. Staff signs off on final plat.
Jessamine	Staff-level review. Staff signs off on final plat.
Fayette	Full Commission review. Chair of Planning Commission signs final plat.
Woodford	May offer courtesy review. Otherwise, division goes directly to Clerk.

Attachment 2: Generalized Expenditures (2016 – Present)

GENERALIZED EXPENDITURES - AGRICULTURAL LAND DIVISION REVIEW								
Meeting Date	Agenda Item(s)	Legal Notice Average	Member Salary Average	Staff Report Average	Staff Technician Average	Postage, Copies Average	Legal Fees \$120/hr	TOTAL
Oct-18	1 - ALD	63	600	300	100	18	480	1081
Dec-17	1 - ALD	63	600	300	100	18	480	1081
Oct-17	1 - ALD	63	600	300	100	18	480	1081
Sep-17	2 - ALD	63	600	300	100	18	480	1081
Sep-16	1 - ALD	63	600	300	100	18	480	1081
Jul-16	1 - ALD	63	600	300	100	18	480	1081
Feb-16	2 - ALD	63	600	300	100	18	480	1081
		\$ 441.00	\$ 4,200.00	\$ 2,100.00	\$ 700.00	\$ 126.00	\$ 3,360.00	\$ 7,567.00

Attachment 3: Existing Informational Materials and Checklists

AFFIDAVITS	
<input type="checkbox"/> OWNER (<i>signed</i>)	<input type="checkbox"/> NOTARIZED
<input type="checkbox"/> PURCHASER (<i>signed</i>)	<input type="checkbox"/> NOTARIZED
PLATS	
<input type="checkbox"/> Five (5) copies of Plat received with application (<i>preliminary</i>)	
Plat Requirements	
<input type="checkbox"/> SIZE: No larger than 8.5" by 14"	
<input type="checkbox"/> The directional and length of each line, except where the parent tract is too large, then as much of the parent tract shall be platted with dotted lines as possible, with the remaining acreage shown as per the survey. Geometrically curved lines must be identified with sufficient data to define the curve.	
<input type="checkbox"/> The area of the land being surveyed.	
<input type="checkbox"/> A description of all the monuments, including a notation as to whether found or set.	
<input type="checkbox"/> Distance from one corner to nearest road, street intersection, railroad crossing, bridge.	
<input type="checkbox"/> Names of roads and ad-joiners and/or subdivision lot designations and the references	
<input type="checkbox"/> Encroachments discovered in the course of the survey.	
<input type="checkbox"/> A north point or reference meridian	
<input type="checkbox"/> A vicinity map of sufficient detail to show the land being surveyed.	
<input type="checkbox"/> A statement as to the basis of the reference meridian used to determine the directions of survey lines. If a magnetic meridian is used, this meridian should be related to objects not affected by this survey.	
<input type="checkbox"/> Written and graphic scale.	
<input type="checkbox"/> Location, dimensions and purpose of any easements.	
<input type="checkbox"/> Minimum building setback line	
<input type="checkbox"/> Names of record owners of adjoining land	
<input type="checkbox"/> A title block containing the following:	
<input type="checkbox"/> (1) title of the survey	
<input type="checkbox"/> (2) location of the land being surveyed	
<input type="checkbox"/> (3) name and address of the land surveyor or the surveying firm	
<input type="checkbox"/> The date, signature and seal of the land surveyor responsible for the survey.	
<input type="checkbox"/> Owner's Certification block	
<input type="checkbox"/> Signature block for the chair of the planning commission	
<input type="checkbox"/> Bourbon County Road Proposed Entrance Certification Block: certification from an authorized representative of the Bourbon County Road Department as follows: "I hereby certify that the Bourbon County Road Department has inspected the site of the entrance proposed on this plat and found it to meet all current safety standards including the time/site distance standards of Secants 345 (A) 4 (1) in these Bourbon County Subdivision Regulations."	
<input type="checkbox"/> Kentucky State Highway Proposed Entrance: the proposed entrance for which is on a Kentucky State Highway or U.S. Route will require an Encroachment Permit from the Kentucky Department of Highways District Office. Planning Commission requires a copy of the signed permit.	
<input type="checkbox"/> All plats shall bear the following notation: "This plat shall be deemed invalid if not recorded within one year of the Planning Commission Chair's signature being affixed."	