# COUNTY DEPARTMENT AGENDA REQUEST

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| Department: | Planning & Zoning | Presenter(s): | Pete Frisina/Phil Mallon/Tony Parrott |
| Meeting Date: | Thursday, May 28, 2009 | Type of Request: | Public Hearing |

Wording for the Agenda:

Consideration of proposed amendments to the Fayette County Subdivision Regulations.

Background/History/Details:

The primary proposed change to the Subdivision Regulations is for clarification of the approval process for final plats which are eventually filed in the Clerk of Courts' Office. The proposed amendments will clarify that final plats are to be approved by the Planning Commission and not by the Planning Commission's administrative staff. Since the County Subdivision Regulations were originally adopted in 1973, there are other changes proposed throughout the document, generally to make the language more contemporary and in the same style as other codes and ordinance currently in use. Also being added to these regulations is an inclusion of Stormwater Management review. Otherwise, proposed changes are not procedural or substantial in nature.

The proposed changes concerning the approval of final plats can be found in Section 3-2 on page 6 and Section 4-2.5 on page 10.

On April 1, the Board of Commissioners concurred to have the Final Plats approved by the Planning Commission instead of the Board of Commissioners and requested staff to place discussion of these amendments on their May Workshop Agenda. However, the May Workshop was cancelled so this item was then placed on the Board of Commissioners Agenda for April 23 where they instructed staff to advertise the proposed amendments for a public hearing on May 28, 2009.

What action are you seeking from the Board of Commissioners?

The proposed amendments need a vote by the Board of Commissioners.

If this item requires funding, please describe:

Not Applicable

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| Has this issue come before the Commissioners in the past? | Yes | If so, when? | Thursday, April 23, 2009 |
| Do you need audio-visual for the presentation? | No | Back-up Material Submitted? | Yes |

## STAFF USE ONLY

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| Approved by Finance | Yes | Reviewed by Legal | Yes |
| Approved by Purchasing | Yes | Approved by County Clerk | Yes |
| Administrator's Approval | Yes | | |

Staff Notes:

# Minutes

Board of Commissioners
April 23, 2009
7:00 P.M.

D. **Discussion of proposed amendments to the Fayette County Subdivision Regulations. This issue was last discussed at the April 1, 2009 Workshop.**

Community Development Director Pete Frisina reminded the Board that proposed amendments to the Fayette County Subdivision Regulations were discussed at the April 1, 2009 Workshop. He specified that the issue was whether or not the Board wanted to "be in charge of approving final plats", and that during the Workshop meeting the Board expressed its desire for the Planning Commission to make those approvals. Mr. Frisina added that the Board's decision placed the County into compliance with State law.

Mr. Frisina stated that amendments to the Fayette County Subdivision Regulations have been drafted that will establish procedures the Planning Commission will take to approve final plats. He mentioned that staff also took the liberty of adding the Stormwater Management Department in the appropriate areas in the Subdivision Regulations. He then asked for the Board's permission to advertise the proposed amendments and to be heard on May 28, 2009 by the Board of Commissioners. No discussion followed.

The Board's consensus was to authorize staff to advertise the proposed amendments to the Fayette County Subdivision Regulations for the May 28, 2009 Board of Commissioners meeting. A copy of the request, identified as "Attachment 14", follows these minutes and is made an official part hereof.