

## Plan Maintenance

### Annual Review of the Plan

A relevant, up to date plan is critical to the ongoing planning process. The plan must be current to maintain the confidence of both public and private sectors and evaluate the effectiveness of planning activities. The most important planning process is modifying the plan to fit the needs of the city. City resources can be better utilized with mid-plan corrections. Thus, an annual review may occur where the Comprehensive Plan Steering Committee, Planning Commission, City Council, residents, and staff are able to review the plan and recommend necessary changes.

The annual review process can involve regularly monitoring trends and changes in the local, regional, state and federal landscape. Such trends and changes may include changes in development activity and use, trends in development regulation amendments, and changes in planning and zoning law. At the beginning of each year at the annual review, a report should be prepared by the Comprehensive Plan Steering Committee and/or the Planning Commission that provides information and recommendations on whether the plan is current in respect to population and economic changes and if the recommended policies are still valid for the city and its long-term growth.

The Planning Commission may hold a public hearing on this report to:

- Provide citizens or developers with an opportunity to comment and/or present possible changes to the plan
- Identify any changes in the status of projects or action items called for in the plan
- Bring forth any issues, or identify any changes in conditions, which may impact the validity of the plan

If the Commission finds major policy issues or major changes in basic assumptions or conditions have arisen which could necessitate revisions to the plan, they should recommend changes or further study of those changes. This process may lead to identification of amendments to “*The Lex-Plan 2013*” that would be processed by staff, recommended by the Planning Commission and considered by the Lexington City Council.

### Conditions for Plan Amendment

Comprehensive Plan amendment procedures are necessary to determine what constitutes conformity or non-conformity with the plan. It is impossible to set hard and fast rules for such decisions but consistent criteria should be used when making this determination. The following criteria are recommended:

A plan amendment may be required when there's a request for increases in residential density or non-residential floor area in excess of the guidelines established in the plan, depending upon the degree of increase.

Land use request involving minor differences in boundaries from those shown in the plan should be considered in conformity with the plan unless precedent would be set for more extensive and non-conforming changes in adjacent areas.

Requests for variations or changes in the alignment of designated roadways should be considered in conformity if the continuity of the road-way is maintained, the alignment does not result in traffic safety problems or reductions in needed capacity, does not constrain the proper development of contiguous properties, and does not conflict with or preempt other planned uses or facilities.

Requests to deviate from plan-specified requirements such as open space and traffic reduction measures generally should not be permitted in order to ensure equitable treatment of all property owners and to avoid arbitrary decisions which would undermine the legal foundations of the plan. If changes are to be made, they should be done through a plan amendment process.

The final criteria must always be whether the request, whatever its nature, will set a precedent for cumulative changes which are not consistent with the plan. Therefore, in those instances where the implications of the request are not easily observed or detected, a request for a plan amendment should be required.

### Methods for Evaluating Land Development Proposals

The interpretation of the plan should be comprised of a continuous and related series of analyses, with references to the goals and objectives/policies, the overall land use plan, and specific land use policies. Moreover, when considering specific proposed developments, interpretation of the plan should include a thorough review of all sections of the plan.

If a development proposal is not consistently supported by “*The Lex-Plan 2013*,” serious consideration should be given to making modifications to the proposal, or the following criteria should be used to determine if a comprehensive plan amendment would be justified:

The character of the adjacent neighborhood

The zoning and uses on nearby properties

The suitability of the property for the uses allowed under the current zoning designation

The type and extent of positive or negative impact that may affect adjacent properties, or the city at large, if the request is approved

The impact of the proposal on public utilities and facilities

The length of time that the subject and adjacent properties have been utilized for their current uses

The benefits of the proposal to the public health, safety, and welfare compared to the hardship imposed on the applicant if the request is not approved

Comparison between the existing land use plan and the proposed change regarding the relative conformance to the goals and objectives/policies

Consideration of professional staff recommendations