

**COLD SPRING
PLANNING & ZONING AGENDA
February 14, 2024
6:30 PM**

1. PLEDGE TO THE FLAG, ROLL CALL, AND EXIT INSTRUCTIONS
2. APPROVAL OF MINUTES
 - October 11, 2023 P&Z Meeting
3. SUBDIVISION ITEMS
4. PUBLIC FACILITIES
5. PUBLIC HEARING ON SCHEDULED ITEMS
6. UNFINISHED BUSINESS
7. CORRESPONDENCE
8. PLANNING AND STAFF ITEMS
9. COMMISSION ITEMS
 - By-laws amendment – Article IV (Chairman election change proposal)
 - Election of officers
10. COMMENTS / REQUESTS TO THE COMMISSION
11. ADJOURN

Planning & Zoning Minutes

October 11, 2023

The meeting of the Cold Spring Planning & Zoning Commission was called to order by Chairman Foulks at 6:30pm followed by the Pledge of Allegiance.

Roll Call: (00:43)

- Present: Sam Conner, Mike Forge, Mike Foulks, Greg Hizer, Marg Trunick, and City Clerk Robin Morency.
- Not Present: Steve Popovich, Brandon Voelker

Minute Approval: (00:58)

- September 13, 2023 meeting minutes were reviewed by all. Mike Forge made a motion to approve with amendments. Sam Conner seconded the motion. All were in favor. **Motion passed.**

Subdivision Items: None

Public Facilities: None

Public Hearing: None

Unfinished Business: None

Correspondence: None

Planning & Staff Items: None

Commission Items: None

Comments/Requests to the Commission: None

Adjournment:

- Greg Hizer made a motion to adjourn the meeting at 6:32pm. Mike Forge seconded the meeting. All were in favor. **Motion passed.**

Approved:

Chairman:

City Clerk:

To view the meeting agenda, visit: <https://coldspringky.gov/departments/planning-and-zoning/planning-and-zoning-agendas/>

To view the meeting video, visit: <https://coldspringky.gov/planning-and-zoning-meeting-videos/>

**CITY OF COLD SPRING PLANNING & ZONING COMMISSION
BY-LAWS
COMMONWEALTH OF KENTUCKY**

ARTICLE I. NAME:

The name of this organization shall be the "City of Cold Spring Planning & Zoning Commission".

ARTICLE II. AUTHORIZATION AND PURPOSE:

In accordance with KRS Chapter 100, as amended, these By-Laws are enacted for the purpose of carrying out the aforementioned enabling legislation and business of the City of Cold Spring Planning & Zoning Commission.

ARTICLE III. MEMBERSHIP:

APPOINTMENTS - The entire membership of the Planning and Zoning Commission shall consist of seven members, appointed by the Mayor of Cold Spring. The methods of appointing members and filling vacancies, and the terms of office shall be the same as that provided by Chapter 100 of the Kentucky Revised Statutes.

ETHICS - Specifically, no member of the Commission shall knowingly:

- A. Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties;
- B. Engage in or accept private employment or render services for private interest when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties;
- C. Disclose confidential information concerning the property, government, or affairs of the Commission without proper legal authorization, or use such information to advance the financial or other private interest of himself or others;
- D. Accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person, firm or corporation which to his knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Commission; or

- E. Represent private interests in any action or proceeding before the Commission.

DISQUALIFICATION - Any member of the Commission who has any direct or indirect financial interest in the outcome of any question before the body or who by the criteria set forth previously herein has a conflict of interest, shall disclose the nature of such interest and shall disqualify himself from voting on the question prior to any consideration or participation in any public hearing on said matter. He shall not be counted for the purpose of a quorum, and shall absent himself from the meeting room during the discussion of and voting on such matter.

ABSTENTION - Any member of the Commission who for reasons of his/her direct or indirect financial interest, or conflict of interest as more specifically set forth herein, desires not to participate in the decision of any matter before the Commission shall state that they are not participating in the vote, and therefore shall not be considered as acquiescing in the action of the majority of those who vote.

GENERAL DUTIES & RESPONSIBILITIES - Members shall conduct themselves at meetings in a fair, understanding, and gracious manner. They shall seek to be considerate of all individuals, attitudes, and the differences of opinion involved. Each commission member shall have the responsibility to plan for the community as a whole, both with respect to the present and the future.

ARTICLE IV. OFFICERS, DUTIES, AND COMMITTEES:

The Commission shall annually elect, at its first regular meeting in January, a Chairman, a Vice-Chairman, and a Secretary-Treasurer from among its members. All officers shall be citizen members and each shall be eligible for re-election at the expiration of their term. No Chairman shall be allowed to serve more than ~~two (2)~~ four (4) one (1) year consecutive terms. If after serving four (4) consecutive terms as Chairman, and no member wishes to serve as Chairman, the Chairman may continue as Chairman, pending election by the Commission, until the next yearly election. Officers shall take office upon the completion of the election. No officer shall be elected by less than a majority vote of those members present at the election meeting. Vacancies in office shall be filled immediately by regular election procedure.

CHAIRMAN - The Chairman shall preside, unless absent or disqualified, at all meetings of the Commission and shall be responsible for the calling of regular and special meetings. The Chairman or presiding officer is specifically empowered to have removed from any regular or special meeting any person or persons who disturb the orderly conduct of the meeting. The Chairman shall have the authority to appoint hearing examiners or committees as he deems

necessary to the functions and operations of the Commission. The Chairman or any member acting as Chairman shall participate and vote on any matter in the same manner as any other member.

VICE-CHAIRMAN - The Vice-Chairman, unless absent or disqualified, shall preside in the absence of the Chairman and shall have, during such absence, all authority and responsibility of the Chairman.

SECRETARY-TREASURER - The Secretary-Treasurer shall preside in the absence of the Chairman and Vice-Chairman and shall have, during such absence, all authority and responsibility of the Chairman. He shall be responsible for the minutes, records, and finances of the Commission. He may delegate his secretarial responsibilities to an administrative secretary or other duly authorized representative.

CHAIRMAN PRO-TEM - In the absence of all officers, a Chairman Pro-Tem shall be selected, by the commission members present, to serve as Chairman during that meeting.

NOMINATING COMMITTEE - The non-citizen members of the Commission shall constitute the nominating committee. In the event, there are less than three non-citizen members, the Chairman shall appoint sufficient citizen members so that the Nominating Committee shall consist of at least three persons. At the regular meeting in each December, the Chairman shall designate one of the committee as Chairman of the Nominating Committee. The committee shall prepare a slate of officers for the ensuing year and shall make its report at the first regular meeting in January. At the election meeting, nominations may also be made from the floor, providing the member making same can assure the Commission that the nominee has expressed a willingness to serve if elected.

ARTICLE V. COMPENSATION TO COMMISSION MEMBERS:

Planning Commission members shall be compensated by the City Council in any amount established by Ordinance.

ARTICLE VI. ATTORNEY FOR THE COMMISSION:

The Cold Spring City Attorney shall serve as the Commission's legal counsel. Said attorney shall attend all regular Commission meetings and any other meetings at the request of a person or persons conducting work for the Commission to provide legal review, advice, and services, as needed or requested. The attorney shall receive an annual or monthly retainer which shall cover all normal and routine Commission business and in addition thereto, compensation may be provided on an hourly basis for any Commission work involving lawsuits to which the Commission may be a party, as determined by the City Council.

ARTICLE VII. EMPLOYING PLANNERS OR OTHER PERSONS:

The Planning Commission may employ a staff or contract with planners, engineers, or other persons, as it deems necessary to accomplish the duties of the Planning Commission. Individuals or organizations performing the administrative functions of the Cold Spring Planning & Zoning Commission shall be considered as the Planning Commission's duly authorized representative(s)". Payment for these services shall be by the City of Cold Spring City Council.

ARTICLE VIII. MEETING:

REGULAR - The Commission shall hold one regular meeting per month on the Second Wednesday of every month within Cold Spring at a place and time to be determined by the Commission. The Commission may establish regular meetings at another time and place as the Commission may, from time to time, determine. In the event the third Thursday of the month falls upon a holiday; the Commission shall meet on any other day of that month deemed convenient by its members.

SPECIAL - The Commission may hold special meetings as determined by the Chairman, or a majority of the Commission.

TIME LIMITATIONS FOR ALL MEETINGS - Commission meetings generally will be limited to 3 hours. The Chairman will poll the commission approximately 2 and one-half hours into the meeting to determine how much longer the meeting will last. Any agenda items uncompleted will be considered at the next meeting of the Commission.

ARTICLE IX. PARLIAMENTARY PROCEDURE:

Unless otherwise specified in KRS Chapter 100, as amended, regular rules of order shall govern the proceedings at the Commission meetings. The Commission's legal counsel shall serve as parliamentarian to advise the Chairman, who shall make all final rulings on the conduct of Commission business.

ARTICLE X. ORDER OF BUSINESS:

REGULAR MEETING - The order of business at a Regular Meeting shall be in the order in which the items appear on the prepared Agenda. The Commission may, by majority vote, agree to consider an Agenda item out of order. Issues proposed to be withdrawn or tabled shall be addressed as the first order of business following roll call and the approval of the minutes.

AGENDA ORDER -

1. Roll Call
2. Minutes
3. Subdivision Items:

- (a) Consideration of preliminary plats and other plats, and other issues requiring Commission action at a regular meeting;
 - (b) Consideration of actions taken on grading plans, improvement drawings and specifications, final plats, and identification plats by the Commission's duly authorized representative since the Commission's last regular meeting.
 - (c) Consideration of the report of actions taken by the Subdivision/Public Facility Review Committee at a regular meeting prior to, but on the same day, as the regular meeting.
- 4. Public Facilities
 - 5. Public Hearings on Schedule Items
 - 6. Old Business
 - 7. Correspondence
 - 8. Planning and Staff Items
 - 9. Commission Items
 - 10. Comments/Requests to the Commission

1. **Roll Call** - The Administrative Secretary shall take a verbal roll call of the Commission members, record the attendance, and indicate to the Chairman that a quorum is/is not present. A simple majority of the appointed membership shall constitute a quorum.

2. **Minutes** - The Chairman shall call for any corrections to minutes as mailed. If there are no corrections, he shall entertain a motion for approval of the minutes as mailed. If there are corrections, the same procedure shall be followed except a motion for approval shall state "approved as mailed and corrected".

3. **Subdivision Items** -

- (a) Consideration of preliminary plats and other plats, and other issues requiring Commission action at a regular meeting.

The Chairman shall identify the plat and the person representing the developer or subdivider. No plat will be considered for approval unless said plat is sealed and certified, as required by law, by a registered professional engineer, architect, or land surveyor, where applicable, authorized to practice by statute in the state of Kentucky.

The Chairman shall then call upon the Commission's staff to present general information relative to the submitted plat which may include items such as, but not limited to: location, zoning, access, and utilities (water supply and sewerage system availability, storm drainage, etc.). In addition, the Commission's staff may identify other pertinent information relative to the comprehensive plan, zoning ordinance, and/or subdivision

regulations which may have a bearing on the consideration of the submitted plat.

The Chairman shall then call upon the person representing the developer or subdivider to present any information which may have a bearing on the consideration of the submitted plat.

The same procedure set forth in Public Hearings on Scheduled Items under Subsection 5 shall apply for discussion/presentation by the proponents and opponents of the plat.

The Chairman shall then consider comments and questions from the Commission's officers or members, attorney, staff, person representing the developer or subdivider, and others, if any, relative to the submitted plat.

The Chairman shall then call upon the Commission's staff to present its recommendations on the submitted plat, based upon the applicable comprehensive plan recommendations, the applicable zoning ordinance, and subdivision regulations. The Commission's officers or members, attorney, and person representing the developer or subdivider may respond to the recommendations made by its staff.

Following the plat presentation and all other information heard and recommendations made, and there being no further questions, the Chairman shall ask for a motion for action to approve, approve with conditions, or disapprove the plat. Any motion made shall be accompanied by reasons or bases for such a motion. A roll call vote shall then be made. The Commission may table the final decision on any plat by so moving and specifying the conditions which must be satisfied when the final decision will be rendered. The commission can further move that no additional information will be heard.

- (b) Consideration of actions taken on plats or other plans by the Commission's staff since the Commission's last regular meeting.

The Chairman shall identify the plats or other plans listed on a separate handout previously submitted for review and recommended for approval by the Commission's staff.

The Chairman shall then consider comments and questions from the Commission's officers or members, attorney, duly authorized representative, or others present or absent (i.e., through correspondence) regarding plats or other plans for which actions have been taken by the Commission's staff.

Following all questions and comments, the Chairman shall ask for a motion to include the actions of the Commission's staff as a part of the Commission's actions and record a listing of said plats or plans as a part of the Commission's minutes.

(c) In the event the Commission has assigned the consideration subdivision matters to a Subdivision/Public Facility Review Committee (see Article IV [supra]), the procedures set forth in sub-paragraphs (a) and (b) of this Section 3 of Article X shall govern the conduct of business before the Subdivision/Public Facility Review Committee.

4. **Public Facilities** - The procedure for consideration of public facilities as specified in KRS Chapter 100, shall be the same as Subdivision Items under Subsection 3 (a) above. The Commission's recommendation to the legislative body is advisory only. Public facilities shall be reviewed based upon the relationship between the proposed public facility and the recommendations of the Cold Spring Comprehensive Plan. Public facilities, including streets and utilities, determined by the Commission's staff to need detailed review may be reviewed by the Subdivision/Public Facility Review Committee prior to making a recommendation to the full Commission.

5. **Public Hearing on Scheduled Items** - The Chairman shall read the item to be presented to the Commission for its review and subsequent action/recommendation. The Commission's staff shall then present to the Commission the factual information pertaining to the submitted request. Said staff may then be cross examined by interested parties. Following the factual presentation of the issue, the Chairman shall request that all individuals who wish to speak, identify themselves stating if they are for or against the proposed change. Only those individuals who have previously registered to speak shall be allowed to comment.

Following the registration of speakers, the applicant shall have the opportunity to present his request to the Commission. The applicant's presentation shall be limited to thirty (30) minutes, unless additional time is permitted by the Chairman. Following the presentation, additional proponents may address the Commission on the issue. Said proponents are subject to cross examination by interested parties.

The opponents shall then be permitted to present their case. Since opponents often appear in person, without a single representative spokesman, there shall be no specific time limitation in the presentation of the case except that collectively the opponents shall be limited in time as determined at the discretion of the Chairman. The Chairman will rule out of order speakers who present redundant arguments and who are

speaking simply to express a personal antipathy to the proposal. The opponents shall be subject to cross examination by interested parties.

The Chairman will then call on the representative for the proponents for rebuttal (a maximum of five [5] minutes). A representative of the opponents shall also be provided a five (5) minute cross examination time of any rebuttable testimony of the proponents.

All items used in the presentations by either the proponents or opponents

shall be marked as exhibits and left with the Commission. All items submitted with each case shall be included as a part of the permanent record. All witnesses at any public hearing shall be placed under oath.

Following the presentation of arguments, by both the proponents and opponents, the Chairman shall request the staff representative to present the staff recommendation, along with supporting information and comprehensive plan documentation. Members of the Commission and the attorney for the Commission may ask questions of the staff pertaining to the recommendation and any supporting information.

The Chairman shall then call upon the Commission's investigating committee for its report, if any.

After all the evidence is heard, and when there are no further questions from the Commission, the Chairman shall request a motion for a recommendation/action to approve, approve with conditions, or disapprove the request. All motions shall be accompanied by the reason/bases for such recommendation/action. A roll call vote shall be taken of the motion. The Commission may table the final decision on any case, specifying the date that the decision will be rendered. In the event of a tie vote, the application shall be subject to further consideration by the Commission for a period not to exceed thirty (30) days, at the end of which, if the tie is not broken, the application shall be forwarded to the City Council without a recommendation of approval or disapproval. The Commission can further move that no additional evidence will be heard.

Postponement of a public hearing which has been duly advertised and for which letters of notification have been mailed may be granted only by official action of the Commission at the hearing. Any party requesting postponement shall state his reasons therefore; any persons opposed to such postponement shall state their reasons for objection, and the Commission shall then decide whether or not to grant postponement. In any case where an applicant or his representative is not present at the public hearing to present his case or request postponement, the Commission shall decide whether to proceed with the hearing as

scheduled, postpone the matter to another definite date, or postpone it indefinitely.

6. **Old Business** - The Chairman shall refer to the minutes of preceding meetings and announce those matters referred to therein which were deferred to assigned for subsequent discussion, report or decision, and currently open for consideration by the Commission, and appropriate action shall be taken in respect thereto.
7. **Correspondence** - The Secretary-Treasurer or Administrative Secretary shall read all correspondence. Correspondence relating to items on the agenda shall be read as the item it pertains to appear on the agenda.
8. **Planning and Staff Items** - The Commission's staff or consultants shall be noted on the agenda if they wish to present or discuss any items with the Commission. These items may be listed as a staff report or consultant's report or itemized.
9. **Commission Items, If Any** - Any member of the Commission may bring up any matters which he wishes to discuss with the Commission, staff or consultants. If known before preparing the agenda, notation should be made on the agenda indicating a proposed discussion by a Commission member. However, this will not be required.
10. **Comments/Requests to the Commission** - Individuals wishing to address the Planning Commission concerning any issue relative to its function or responsibilities shall be permitted ten (10) minutes to present the issue to the Commission.

ARTICLE XI. **APPLICATIONS TO ADOPT OR AMEND THE COMPREHENSIVE PLAN, LOCAL ZONING ORDINANCES, OR SUBDIVISION REGULATIONS:**

Applications involving the adoption, revision, or amendment to the comprehensive plan, local zoning ordinance, or subdivision regulations, shall be submitted to the Planning Commission staff no later than thirty (30) days prior to the CSP & ZC regularly scheduled meeting. The applicant shall meet with the Commission staff in a pre-hearing conference and submit final application at least twenty-one (21) days prior to the CSP & ZC regularly schedule meeting. The information submitted in conjunction with the application shall contain all information required by the application, ordinance, or regulation proposed for adoption or amendment, including but not limited to, traffic studies, soil studies, etc. unless waived by the Zoning Administrator and Planning Commission staff, subject to being overridden by the Planning Commission at a public hearing. A committee may be appointed by the Chairman who shall have the responsibility to investigate the submitted

request and report the evidence derived, from their investigation, at the public hearing.

TIMING, SUBMISSION, AND PROCESSING OF APPLICATIONS

- A. The Applicant must file two (2) copies of the application and two (2) copies of all information necessary to perform such review. Application forms will be available in the offices of the Planning Commission's staff.
- B. Upon filing of the application and all affiliated information, the Planning Commission staff will determine if all necessary information has been submitted. Such determination will be made as soon as practicable but, in no case, shall it exceed three (3) work days after filing. If it is determined that all necessary information has been submitted, then the submittal shall be stamped "Officially Received and Accepted for Review". A copy of the application will be returned to the applicant to serve as evidence that the application has been "Officially Received and Accepted for Review". The Commission staff will then proceed with review of the application.
- C. If it is determined that all necessary information has not been submitted, the applicant shall be so notified immediately, in writing, by the Planning Commission's staff, and the application shall not be processed further until it has been determined that all Necessary information has been submitted and the application has been "Officially Received and Accepted for Review". The submission of additional information shall not extend the time for submission of applications set forth above.
- D. The Commission will accept for consideration and recommendations two (2) agenda items requiring public hearings per meeting. Applications for the agenda will be prioritized based solely on the order of submission of completed applications and Stage I or side plans as required.

ARTICLE XII. RECORDING OF MINUTES:

In accordance with the carrying out of KRS 100.167 as amended, the Commission shall provide adequate facilities for recording the proceedings of the Commission at the request and expense of the movant.

ARTICLE XIII. DECISION OF COMMISSION:

The decision of the Commission shall be based on the evidence and information presented at the public hearing from whatever source derived, including the recommendation of the staff.

The Cold Spring Planning & Zoning Commission will not review or act upon:

1. Any request for adoption of the comprehensive plan or zoning ordinance or submission of a public facility;
2. Any request for changes in the adopted comprehensive plan or zoning ordinance or subdivision regulations;
3. Any request for approval of an original or revised preliminary or identification plat or other plats or plats requiring Commission action; unless a written recommendation, from the staff has been received prior to or at the scheduled public hearing, describing the action of that body.

Where the issue being reviewed is a matter raised under Article XIII (1) or (2), the written recommendation of the staff shall include, but not be limited to, comprehensive plan documentation and bases for such recommendation. Where the issue being reviewed arises out of the submission of a preliminary or identification plat under Article XIII (3), the written recommendation shall include, but not be limited to, applicable zoning ordinances, subdivision regulation documentation, and bases for such recommendation.

ARTICLE XIV. AGENDA

A copy of the agenda shall be mailed to each member of the Commission the Friday preceding the regular Commission meeting date. All items to be on the agenda must be submitted to the staff as the duly authorized representative, fifteen (15) days prior to the scheduled meeting.

***ARTICLE XV. FEES AND RECORDINGS:**

Shall be determined by separate city ordinance.

MODIFICATION OF FEES:

The Commission may, after proper showing by the applicant and in consideration of the equities of the matter, refund in whole or part fees paid by the applicant.

ARTICLE XVI. RESUBMISSION OF ZONE CHANGE REQUESTS:

The planning commission discourages resubmission of previously denied **identical** map amendment requests. For a period of one (1) year after the city council has denied an identical map amendment request, the planning commission will only consider an identical submission under the following procedure:

- A. A request for reconsideration (of the identical submission) shall be submitted to the commission, setting forth substantial changes in the

attendant circumstances which the applicant believes warrant reconsideration;

- B. The commission's staff shall submit, with review and recommendation, such request to the commission at its next regular meeting. The applicant shall be charged twenty (20%) percent of applicable fee to cover administrative costs incurred by the commission's staff;
- C. The commission shall review the request and determine whether there are bases for the request to be reconsidered;
- D. If the commission's determination is to reconsider the request, it shall conduct a public hearing at its next regular meeting. The applicant shall be required to pay the full applicable fee for the zone change request without credit given for any amount already paid.
- E. If the commission's determination is not to reconsider the request, it shall identify its reasons.

ARTICLE XVII. AMENDMENTS:

These By-Laws may be amended from time-to-time by a vote of the majority of the entire membership of the Commission. A copy of the submitted amendment(s) shall be mailed to the entire Commission fourteen (14) days prior to the regularly scheduled Commission meeting for review. The amendment(s) shall be set forth in the prepared agenda.

ARTICLE XVIII. ADMINISTRATIVE POLICIES

POLICY FOR PROFESSIONALS SERVING AS COMMISSION MEMBERS

Professionals, including but not limited to attorneys, engineers, and realtors shall be permitted to serve as members of the Cold Spring Planning & Zoning Commission even though associated with professional corporations, firms, or brokerages which may from time to time represent clients before this Commission, provided that the commission member shall:

1. Disclose to this Commission that he/she is associated with such corporation, firm or brokerage.
2. Said commission member shall withdraw from hearing and deliberation of any matter coming before this Commission at which the commission member's associate(s) shall appear.

AVAILABILITY OF PUBLIC RECORDS – RULES AND REGULATIONS

Pursuant to KRS 61.876, the following rules and regulations will be applicable to the public records of the Cold Spring Planning & Zoning Commission and their availability for inspection or copying:

1. The principal office of the Cold Spring Planning & Zoning Commission shall be located in the offices of the City of Cold Spring, 5694 E. Alexandria Pike, Cold Spring, Kentucky, and the regular office hours of the commission shall coincide with those of the city, currently 9:00 am to 4:00 pm, Monday through Friday, except holidays.
2. The commission designates the Cold Spring Zoning Administrator, whose address is 5694 E. Alexandria Pike, Cold Spring, Kentucky as the official custodian of records of the commission.
3. Application to inspect or copy records of the commission shall be made upon a form, which will be furnished on request. An applicant may orally request a waiver of the requirement of a written request, which waiver may be granted by the official custodian in his sole discretion.
4. Applicants for the inspection of the public records of the commission shall be advised of the availability of the records requested and shall be notified in writing not later than three (3) working days after receipt of an application of any reason the records requested are not available for inspection. If the record sought is in active use, in storage or otherwise not immediately available, the applicant will be advised of the reason for the delay and the earliest practicable date and time the record will become available for inspection.
5. The official custodian may deny inspection, subject to reversal only by court order, of records described and enumerated in KRS 61.878, in which case the official custodian shall provide the applicant with a written reason for denial citing the specific exception contained in the aforementioned statute.
6. Copies of written material on letter or legal size paper in the public records of the commission shall be furnished to any person requesting them on payment of a reasonable fee; copies of larger documents such as maps, plats or engineering drawings and non-written (photographs, material in computer files, etc.) shall be furnished on request, on payment of a charge equal to the actual cost of producing copies of such records by the most economic process not likely to damage or alter the record. There will be no charge for staff time. All charges shall be provided for in advance together with necessary postage if delivery is requested by mail.
7. A copy of these rules and regulations shall be posted in a prominent location, accessible to the public in the city offices.

ARTICLE XIX. ADMINISTRATIVE POLICIES

A. ORIENTATION AND CONTINUING EDUCATION REQUIREMENTS:

1. PLANNING COMMISSION MEMBERS

- a. Within one (1) year prior to appointment to the planning commission, or within one hundred twenty (120) days of appointment to the planning commission, each planning commission member shall attend a minimum of four (4) hours of orientation training.
- b. Each planning commission member, starting from their date of appointment, shall be required to attend a minimum of eight (8) hours of continuing education within each period of two (2) consecutive calendar years.
- c. Planning commission members failing to complete the required minimum number of orientation training hours or continuing education hours within the time allotted shall be subject to removal from office according to the provisions of KRS 100.

2. PLANNING COMMISSION STAFF: The following regulations apply to planning professionals, zoning administrators, administrative officials, and each planning professional's deputy and assistant, whether employed by or contracted by the planning commission.

- a. Within one (1) year prior to being employed by or contracted by the planning commission, or within one hundred twenty (120) days of being employed by or contracted by the planning commission, each planning professional, zoning administrator, administrative official, and each planning professional's deputies and assistants shall attend a minimum of eight (8) hours of orientation training.
- b. Each planning professional, zoning administrator, administrative official, and each planning professional's deputies and assistants, employed by or contracted by the planning commission, starting from their date of employment or contract, shall be required to attend a minimum of sixteen (16) hours of continuing education within each period of two (2) consecutive years.
- c. The planning commission shall not employ a planning professional, zoning administrator, administrative official, or planning professional's deputy or assistant who fails to complete the required minimum number of orientation training hours or continuing education hours within the time allotted in the capacity of a planning professional, zoning administrator, administrative official, or planning professional's deputy or assistant.

B. CONTINUING EDUCATION RECORDS

1. PURPOSE: The purpose of this administrative policy is to define the procedures necessary to implement the record keeping requirements of KRS 147A.027, which became effective June 21, 2001.

2. APPLICABILITY

a. The following shall provide the Cold Spring Planning and Zoning Commission Secretary with a statement identifying the individual's orientation training. The statement shall be on a form provided by the sponsor of the training or on a uniform certificate prepared by the commission. The statement shall contain the date of each program attended, its subject matter, the location of the training, the sponsor(s) of the program, written documentation signed by a representative of the sponsor acknowledging that the individual attended the program, and the time spent in each program:

(1) Each member of the Cold Spring Planning and Zoning Commission

(2) Cold Spring board of adjustment members

(3) Planning professionals, zoning administrators, administrative officials, and planning professional's deputies and assistants: (1) who are either employed by or contracted by the Cold Spring Planning and Zoning Commission; or (2) employed by the legislative body of Cold Spring.

b. The following shall provide the Cold Spring Planning and Zoning Commission Secretary with a statement identifying the individual's continuing education. The statement shall be on a form provided by the sponsor of the training or on a uniform certificate prepared by the commission. The statement shall contain the date of each program attended, its subject matter, the location of the training, the sponsor(s) of the program, written documentation signed by a representative of the sponsor acknowledging that the individual attended the program, and the time spent in each program. The statement shall be submitted by December 31:

(1) Each member of the Cold Spring Planning and Zoning Commission

(2) Cold Spring board of adjustment members

- (3) Planning professionals, zoning administrators, administrative officials, and planning professional's deputies and assistants: (1) who are either employed by or contracted by the Cold Spring Planning and Zoning Commission; or (2) employed by the legislative body of Cold Spring.

3. APPROVAL PROCEDURE

- a. The Cold Spring Planning and Zoning Commission Chairman may administratively pre-approve/approve orientation training and continuing educational programs/conferences/seminars which cover the following subjects: land use planning; zoning, floodplains; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities; parliamentary procedure; public hearing procedure; administrative law; economic development; housing; public buildings; building construction; land subdivision; and powers and duties of the board of adjustment.
- b. Other topics reasonably related to the duties of planning officials or planning professionals may be pre-approved/approved by a majority vote of the planning commission prior to December 31 of the year for which credit is sought.
- c. Certification shall be submitted to the Cold Spring Planning and Zoning Commission Secretary upon completion of the orientation training or the continuing education activity at any time during the calendar year, but no later than November 1 of the year in which credit is sought.

4. CRITERIA: The following criteria shall be used to determine how the time is accounted:

- a. Unless the number of hours is assigned by the sponsor(s), the number of hours shall be calculated as follows:
 - (1) A participant completing or participating in the course of study of an approved activity will be granted one (1) credit hour for each sixty (60) minutes of actual instructional time. Instructional time shall not include introductory remarks, breaks, or business meetings held in conjunction with an orientation or continuing education activity. For activities involving technologically transmitted programming, actual instructional time will be limited by the total assigned by the Commission. The Commission's assignment of credit hours for such activities will include consideration of the sponsor's estimates of average

completion time, volume of material, opportunities for interaction, duration of program, and other factors as deemed appropriate. No additional credit will be given for completing or participating in duplicative activities at different times or locations. Duplicate completion of, or participation in, any course of study shall not result in duplicate orientation training or continuing education credits awarded.

(2) A participant teaching, or participating as a panelist or seminar leader, in an approved course of study will be granted one (1) credit hour for each sixty (60) minutes of actual instructional time. A participant may be granted preparation credit as follows:

(a) One (1) credit hour for each two (2) hours spent in preparation for teaching or participating as a panelist or seminar leader, up to a maximum of eight (8) hours for professional staff or four (4) hours for non staff members per two (2) year period.

(b) One (1) credit hour for each two (2) hours spent researching, writing, or editing material which is presented by another participant, up to a maximum of eight (8) hours for professional staff or four (4) hours for non-staff members per two (2) year period.

(3) A participant may earn credit hours for publication of qualified writing, up to a maximum of four (4) hours for professional staff or two (2) hours for non-staff members per two (2) year period. One (1) credit hour is granted for each two (2) hours of actual preparation time including research, writing, and editing. Qualified writing shall be determined by a majority vote of the planning commission.

5. APPROVAL OF SPONSOR(S) PROGRAMS: The sponsor(s) of an orientation training or continuing educational program/conference/seminar may have their program/conference/seminar pre-approved. Application for accreditation shall be made to the Commission's Chairman not less than sixty (60) days in advance of the scheduled date of the activity. Approval of the activity shall follow the procedures identified in Subsections B., 3., a. and B., 3., b. of this administrative policy.

6. STANDARDS FOR ACCREDITATION: Orientation training and continuing education activity qualifies for accreditation if the Commission determines that the activity conforms to the following standards:
 - a. The activity is an organized program of learning (including a course of study, workshop, symposium, or lecture) which contributes directly to the competence of the participant.
 - b. The activity deals primarily with issues authorized by KRS 147A.027 (4), as amended, or approved by a majority vote of the planning commission.
 - c. The activity has significant intellectual or practical content which is timely.
 - d. The activity has as its primary objective to increase the participant's competence as a participant.
 - e. The activity must be offered by a sponsor having substantial, recent experience in offering continuing education. Demonstrated ability arises partly from the extent to which individuals with training or educational experience are involved in the planning, instruction, and supervision of the activity.
 - f. The activity itself must be taught and conducted by an individual or group qualified by practical or academic experience. The activity, including the named advertised participants, must be conducted substantially as planned, subject to emergency alterations.
 - g. Thorough, high – quality, readable, timely, useful and carefully prepared written or digital materials should be made available to all participants.
 - h. The activity may be presented live or by technological transmission, including: video tape, audio tape, live broadcast transmission, satellite simulcast, teleconference, video conference, CD-ROM, data conference, computer on-line services, or other appropriate technology as approved by the Commission. If activities are presented by technological transmission, a facilitator should be available for purposes of answering questions and leading discussion.
 - i. In cases of in-house activity, such activities may be approved if all standards set forth herein for accreditation are met.
7. RECORD KEEPING: All records relating to this administrative policy shall be considered public and shall be kept in the Cold Spring Planning and

Zoning Commission's offices for a minimum of three (3) years after the calendar year in which each statement and appurtenant written documentation is filed.

Orientation Training and Continuing Education Form

Sponsor: _____

Title of Program: _____

Location: _____

Date(s): _____

Session	Time	Hours

I certify that I have attended the above identified workshop(s)

Name:

Please Print

Signature:

Please Check One Of The Following:

- ☐ Board of Adjustment
- ☐ Planning Commissioner
- ☐ Professional Staff
- ☐ Other

Representing: _____

Name of City/County/Planning Commission

Please Return To: Cold Spring Planning and Zoning Commission
5694 East Alexandria Pike
Cold Spring, Kentucky 41076

CITY OF COLD SPRING
PLANNING & ZONING COMMISSION

By _____
Michael Foulks, Chairperson

HAVING BEEN ADOPTED on April 12, 2000.

- * Article XVIII added at 8/13/97 P & Z meeting.
- * Article XV amended at 12/1/97 P & Z meeting
- * Resolution 98-0303 added 10/14/98.
- * Amended at 4/12/2000 P & Z meeting
- * Article XIX amended at 2/13/2002 P & Z meeting
- * Article IV amended at 3/14/2007 P & Z meeting
- * Article IV amended at 3/11/2009 P & Z meeting
- * Article VIII amended 3/15/2018