The

APA-KY
Annual Report

Louisville, Kentucky

## **KENTUCKY PLANNE**

A Publication of the Kentucky Chapter of the American Planning Association

American Planning Association **Kentucky Chapter** 

Making Great Communities Happen



# Aletten from the President...



## Brian Davis, AICP

Planning Manager
Planning and Design Services
Department of Develop Louisville

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"We're going through our dark forest.
Fairy tales do no start, nor do they end in the dark forest. That son of a gun always shows up smack-dab in the middle of a story.
But it will all work out.
Now, it may not work out how you think it will or how you hope it does, but believe me, it will all work out."

Any Ted Lasso fans out there? I'd heard of it, but I'm not an Apple TV subscriber. However, after finally getting a new phone for the first time in five years, and after enduring endless badgering from a certain Past President who shall remain nameless that I needed to watch this show, I initiated the free 90-day trial and started watching. And now, as I am about to start my third trip through the series, I'm wondering how I'm going to get by without the show once my 90-day trial ends.

Coach Lasso has a quip, quote, or words of wisdom for about every situation. And while the pessimistic introvert in me should find this extremely annoying, I find it endearing and humorous. I won't spoil anything about the scenario around the quote above, but I feel it is oh so reflective of where we have been, where we are, and where we are going individually, as a society, and as an organization. While not exactly the year we were hoping for, 2021 was certainly an improvement upon the dark forest of 2020. Planners across the state returned to their offices (at least part time), returned to (socially distanced) in-person meetings, and resumed (sometimes virtual) engagement with members of our communities, all in an effort to return to (the new) normal.

The 2021 Fall Conference was our first opportunity to meet in-person in 700 days. Thank you very much to all the attendees, sponsors, presenters, and especially Lindsay Walker, for making this conference successful in so many ways. It was wonderful to see so many familiar faces in person and not just in a box on a screen (except for the Mornings with Planning folks who brought boxes to conference). I really look forward to seeing more of you in September when APA-KY, along with the Ohio and Indiana chapters, host the 2022 OKI Regional Conference in Louisville. It is going to be super!

I am very excited about the formation of the new APA-KY Diversity, Equity & Inclusion Committee, which will hold their inaugural meeting in January. Led by Sharmili Reddy and Tom West, this committee is composed of planners from different backgrounds from around the state who will be tasked with developing goals to help promote, advocate, and

create opportunities for greater equity, diversity and inclusiveness in the planning profession in Kentucky. In the meantime, please go to https://planning.org/equity/commitment/ and read APA's commitment and strategy regarding EDI, and keep your eyes open for new information from our committee as the year progresses.

2022 is going to be a very important year for this organization, and I will be doing everything I can during this last year of my term to set the table for the future leaders of APA-KY, both immediate (Adam King) and not-so-immediate. Who are these not-so-immediate leaders? That is where you come in. APA-KY is in need of new people who are interested in having an impact on how this organization moves forward. People who are interested in shaping the planning profession in Kentucky. People who are interested in moving our organization, our profession, and our state out of the dark forest.

I'll end with another Coach Lasso quote:



Takin' on a challenge is a lot like ridin' a horse. If you're comfortable while you're doin' it, you're probably doin' it wrong.

So...who's ready to saddle up?

Regards,

Brian Davis, AICP APA-KY President

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## 2021 Officers

President	Brian Davis, AICP
Past President	Brian Howard, AICP
Secretary	Emi Randall, AICP
Treasurer	Shawn Dikes, AICP
Professional Development Officer	Amy Williams, AICP
Planning Commission Representative	Lori Heilman
Student Representative	Maymie Owens
Region 1 Representative	Emily Liu, AICP
Region 2 Representative	Hal Baillie, AICP
Region 3 Representative	Melissa Evans, AICP
Region 4 Representative	Rachel Comte, Certified Arborist
Region 5 Representative	Kevin Myatt

### **2021 Committee Chairs**

Professional Development	Amy Williams, AICP
Lending Library	Adam King, AICP
Programs & Special Events	Lindsay Walker, AICP, PE
Membership	Kaaviyaa Nagarajan
Legislative	Kristan Curry, J.D., M.U.E.P. Parker Sherwood, Esquire, M.U.P.
Public Outreach	OPEN
Zoning Administration	Megan Bessey Rob Himes Joe Reverman, AICP
Financial	Shawn Dikes, AICP
Awards	Adam King, AICP
Administration & Elections	Karen Mohammadi, PE, PTOE, AICP

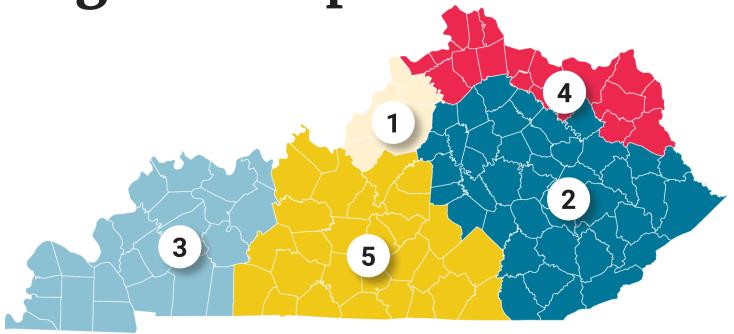
## 2022 Officers

President	Brian Davis, AICP
President Elect	Adam King, AICP
Secretary	Emi Randall, AICP
Treasurer	Shawn Dikes, AICP
Professional Development Officer	Steve Sizemore, AICP
Planning Commission Representative	Vacant
Student Representative	Maymie Owens
Region 1 Representative	Emily Liu, AICP
Region 2 Representative	Hal Baillie, AICP
Region 3 Representative	Melissa Evans, AICP
Region 4 Representative	Andy Videkovich, AICP
Region 5 Representative	Kevin Myatt

## 2022 Committee Chairs

Professional Development	Steve Sizemore, AICP
Lending Library	Adam King, AICP
Programs & Special Events	Lindsay Walker, AICP, PE
Membership	Vacant
Legislative	Kristan Curry, J.D., M.U.E.P.
Public Outreach	Supriya Kelkar, LEED AP ND
Zoning Administration	Megan Bessey Rob Himes Joe Reverman, AICP
Financial	Shawn Dikes, AICP
Awards	Adam King, AICP
Administration & Elections	Karen Mohammadi, PE, PTOE, AICP

**Regional Reports** 



Our Regional Representatives worked diligently over the past year to provide professional development opportunities and to enhance collaborations within the community. The following pages contain their reports on the past year. We want to thank them for their continuing service to APA-KY. If you would like to get involved as a regional representative in the future, please contact our chapter president at president.apaky@gmail.com.



Emily Liu, AICP
Director
Louisville Metro Planning &
Design
emily.liu@louisvilleky.gov

Seven events were hosted for Region 1 planners in 2021 which were all conducted virtually. These events provided opportunities for members to share information and ideas. They also offered CM training on various subjects including fair housing, zoning reform, ethics, and law. Below is a list of these events with more detailed information.

- Chapter Update, by Brian Davis,
   APA-KY President, February 19, 2021
- KIPDA-Connecting Kentuckiana
  2050, by Greg Burress, KIPDA, March
  26, 2021

- Fair Housing Training, by Art Crosby, Lexington Fair Housing Council, April 23, 2021
- Louisville Metro's Land
   Development Code Reform, by Chris
   French, Louisville Metro Planning and
   Design Services, June 25, 2021
- Capstone 2021 Project
   Presentation, by Dr. Kelly Kinahan and Class Representatives, July 23, 2021
- Ethics Training for Planners,
   by Dr. Mellone Long, Center for
   Neighborhoods, October 22, 2021

 Review of Law Session from APA-KY fall conference, November 19, 2021

For Louisville Metro, the Office of Planning and Design Services continued its work on the Land Development Code Reform which was started in the summer of 2020. Phase one text amendments of the Land Development Code reform were approved by Metro Council in the summer of 2021.

These amendments include public notice requirement, urban agriculture,

accessory dwelling units, residential setback requirements, two dwelling units as the base density per lot for multi-family zoned properties, and the elimination of the floor area ratio requirement for residential zoning district.

Louisville Metro continues to experience increased level of development activities in 2021: nearly 8,000 dwelling units and 4.5 million square feet of non-residential developments were approved by Louisville Metro Planning Commission.



Melissa Evans, AICP Senior Planner Owensboro Metropolitan Planning Commission Evansmm@owensboro.org

Hello APA-KY! 2021 continued to be a challenging year for Region 3, Western Kentucky. We have not only had to continue to navigate our operations through COVID but we were recently ravaged by the most devastating tornado outbreak to ever hit our area. In 2022 we hope to rebuild all those areas affected by disastrous effects of those December tornados.

With the COVID-19 Pandemic, we were once again unable to host our annual half-day conference. But do not fret because in 2022 we will host our Regional Conference offering at least 6 hours of continuing education/CM credits!

Be on the lookout for the information regarding this event to be sent out soon! Until then, if you are in need of training hours please reach out; there are many opportunities nationally and regionally for continuing education.

I encourage everyone in Region 3 to reach out and share any new, exciting or interesting happenings in your area; we want to hear about the work you are doing!

If you have any questions, comments, concerns or ideas about APA-KY and Region 3 please do not hesitate to reach out to me. I appreciate the opportunity to serve APA-KY Region 3 and look forward to working with all of you for years to come.



Rachel Comte
Planner, Principal
Urban Canopy Works LLC
rachel@urbancanopyworks.com

As for all of us, 2021 was another challenging year in terms of gathering together. While in person opportunities increased somewhat, we held off on setting up any events or meetings for most of the year. However, we did finally gather again at a holiday party held together with our planning friends from the APA OH Cincinnati chapter.

It was really great to reconnect with each other, and I am looking forward

to more of that in the future months/ years.

In 2022, I will pass the reigns of APA KY Region 4 (NKY) on to Andy Videkovich, AICP, Planning Manager at Planning and Development Services of Kenton County. Andy will do a great job, and we both look forward to "seeing" you all in real life this coming year!



Kevin Myatt
Planning Director
Joint City-County Planning
Commission of Barren County
kmyatt@glasgow-ky.com

The Planners and Professionals representing the Region 5 planning units have made it known that growth, in all facets, has been tremendous. Talking with the Director Ben Peterson, AICP, of the City-County Planning Commission of Warren County, they are still experiencing record growth and construction in Warren County. With it comes all of the challenges of trying to balance the ever growing and wide variety of community interests.

The current comprehensive plan, titled the Focus 2030 Comprehensive Plan, is the community's vision for how we would like to see all areas of Warren County grow and develop through the year 2030. Areas include the cities of Bowling Green, Oakland, Plum Springs, Smiths Grove and Woodburn and all of unincorporated Warren County. It is the product of over five years of work by the community starting in 2008 until adoption in 2012. The plan generally has a 20 year time frame and it has been 10 years. They have started a lengthy process of reviewing the plan contents, updating statistics, analyzing trends, and trying to determine if any

adjustments need to be made. While it is not anticipated that any major changes are needed, it is time to make their halftime adjustments to lead them into the next half. It is anticipated that this process will take about a year and they plan to have 10 meetings / opportunities for public input pending available time, resources and participation. Each month they have a series of presentations and/or videos posted to the internet and follow that with an in-person input, question and answer session. The idea is to have a hybrid online and in-person input opportunity to educate, inform and garner as much citizen participation as possible in a variety of formats. If you want to follow along or learn more, please check out their website: https:// warrenpc.org/compplanupdate/.

As we continue north up I-65 to Hardin County, Director Adam King, AICP, spoke about the exciting year of growth for Hardin County. They have reviewed 88 plats with 191 new lots for the year and processed nearly 500 building permits and 1,172 electrical permits! They have had 138 new single family dwellings with an estimated cost of 34.2 million dollars with the average square footage of 2,837 sq. ft. However, the biggest news of the year was that Ford and SK Innovation will be investing \$5.8 billion on the BlueOvalSK Battery Park at the 1551 acre Glendale Industrial mega Site to build two electric battery plans in what is being called, "the single, largest economic development project in the history of Kentucky". The proposed plants will create an estimated 5,000 jobs with production of batteries at the site estimated to begin in 2025.

The damage assessment maps are available here:

https://warrenpc.org/ webmaps/disastermaps/ Janet Johnston-Crowe, Planning
Director of Nelson County, has said
that Industrial and Residential growth
is expanding, especially with the
Bourbon industry. They are in the
completion phase of constructing a
new Comprehensive Plan for their
County.

The Joint City-County Planning
Commission of Barren County has
seen tremendous Residential and
Commercial growth as well. We
have seen nearly 125 new homes
constructed and several new major
subdivisions with Barren River Lake as
a main draw.

As the calendar year came to a close, Region 5, along with several other regions, saw devastating storms and tornados rip through our communities in December. The City-County Planning Commission of Warren County went above and beyond to provide some help for their community and leaders. The community did not hesitate to spring into action

to assist in so many different ways and the response has been inspiring on many levels. The Staff in their office assisted in search and rescue, recovery, damage assessment and supporting other federal, state, and local government staff. It gave a new meaning to "other duties as assigned". Part of this support included generating damage assessment maps. These maps were originally created for internal use to define the tornado damage path, analyze who and what was in the path, and to track structure damage assessment progress. The Staff quickly realized that the information gathered was also useful for the public, so they made it a point to make it all available.

Currently there are three maps and a dashboard. One focusing on aerial photograph with a slider that show pre and post damage. Another focuses on the on-going progress of damage assessment. There is also a map that shows the primary damage path with the 2020 Census data. The maps are still a work in progress as damage assessment continues and more data becomes available and they continue to find ways to display the information in better formats.

They are available here: https://warrenpc.org/webmaps/disastermaps/.

## Introducing Diversity, Equity, and Inclusion (DET)

## Committee



Sharmili Reddy
Executive Director
PDS of Kenton County
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Tom West

Director of Economic Development
City of Covington
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With APA's strong focus and commitment to DEI nationally, APA KY launched its first ever DEI Committee in January 2022 under the leadership of Chapter president Brian Davis. A call for committee members was made to the entire APA KY membership in October 2021 and received a strong response. A diverse group of individuals representing various parts of the state were intentionally selected to be on the committee. "It was really important for us to assemble a committee of individuals who reflect the diversity we strive to promote. We did not just want to talk the talk and were pleasantly surprised at the number of planners that wanted to support this cause." Said Tom West, Co-Chair of the DEI Committee.

The committee held its organizational meeting in January and had an in-depth discussion about its mission and goals. Members recognized various aspects of DEI that needs to be addressed in Kentucky within the scope of the planning profession and arrived at the below draft language. The mission of the DEI Committee is -

To promote the facilitation, education and practise of more inclusive, diverse, and equitable communities in Kentucky through the planning profession.

The committee recognized that while it may be much more acceptable in some parts of the State, there are other communities where there is minimal to no discussion regarding diversity, equity is misunderstood, and inclusion is sometimes difficult to achieve.

In addition to planners, other practitioners are wondering how we encourage and achieve diversity in a state that lacks it. In the most inclusive sense of the word, diversity encompasses race, age, national origin, sexual orientation, gender identity, cultural identity and more. According to the 2020 census, white alone race constituted 81.3% of the total population with the next closest race being black or African American at 7.9%. Race is one of few factors for which data is available. The Diversity index which is calculated using the proportion of

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To promote the facilitation, education and practice of more inclusive, diverse, and equitable communities in Kentucky through the planning profession

# Team Kentucky

total population belonging to different races and ethnicities increased from 24.8% in 2010 to 32.8% in 2020 for Kentucky<sup>1</sup>.

"As planners we have a responsibility to ensure that all voices in our community are heard as policies are developed and that we give everyone an equal opportunity to work in our organizations based on their talent. The DEI committee is very focused on developing strategies for the upcoming year that will be impactful to the profession in the long run." Said Sharmili Reddy, Co-Chair of the DEI Committee.

To share your thoughts and opinions on this effort, feel free to reach out to any of the committee members or the co-chairs via email <code>sreddy@pdskc.org</code> or <code>twest@covingtonky.org</code>.

Executive Director,
PDS of Kenton County

#### **Tom West (Co-Chair)**

Director of Economic Development, City of Covington

#### **Joshua Sumner**

Senior Planner, City of Paducah

#### **Mellone Long**

**Executive Director,**Center for Neighborhoods, Louisville

#### Samantha Castro

Senior Planner, Lexington-Fayette Urban County Government

#### **Kareem Simpson**

Planning Commissioner, Kenton County Planning Commission

Sharmili Reddy (Co-Chair)

<sup>&</sup>lt;sup>1</sup> https://www.census.gov/library/stories/state-by-state/kentucky-population-change-between-census-decade.html

# Jinancial Committee

Thanks again to the Board and members of APA-KY for allowing me to serve as your Treasurer in 2021. It was yet again another challenging year still in pandemic mode. I want to thank our corporate sponsors for 2021 for their continued support of APA-KY, which allows us to provide education, training and program opportunities for planners, local officials, and citizens across the Commonwealth. Our7 great 2020 Sponsors were: AECOM, The Brick Industry Association, EPR, Fox Pest Control, Gresham Smith, HMB and Lord Aeck Sargent! If you or your firm wants to be a sponsor or continue to be a sponsor in 2022, please contact me.

As of December 22, 2021, we have a positive cash checking balance of \$48,419.17. Couple that with over \$22,000 in our two CDs which act as a "rainy day fund". Given these balances, the Chapter has more \$70,000 cash on

hand which is again in my estimation sound financial footing. Many thanks to the Executive Committee, Committee Chairs, and Region Reps for being judicious with the Chapter's funding and your budgets, while providing virtual AND in-person opportunities for continuing education and fellowship that were highly successful as we still deal with COVID-19. These folks do the hard work of the Chapter, especially the event organizer – Lindsay Walker - so her and thank them a HUGE thanks.

The following table shows the budgeted and actual Revenues and Expenses for Calendar Year (CY) 2021 (January 1 to December 31), as well as the proposed budget for CY 2022.

If you have any questions about this information please contact Shawn Dikes at s\_dikes@hotmail.com

#### **Behind the Numbers**

In 2021 we spent less than anticipated, largely saving budget by only having one conference in the Fall. We fully funded the Scholarship and our revenues from APA National were much like they had been in the past. We also scaled back expenses on several fronts due to on-going struggles with the pandemic, which precluded us from spending on certain events and activities we would normally have.

Looking ahead in 2022, we anticipate sending the Chapter President and the PDO to APA National Planning Conference and doing more events with the Executive Committee and with the membership respectively at the regional level, hence a boost to all those budgets. That's all from the treasurer's seat. If anyone has any questions, please ask. Thanks for the opportunity to serve APA-KY and I'm looking forward to a successful 2022!



Shawn Dikes, AICP
Regional Leader - Jeffersonville Office
Lochmueller Group
SDikes@lochgroup.com

Revenues	CY 2021 Budget	CY 2021 Actual	CY 2022 Budget
APA Rebate	\$8,000	\$8,484	\$8,000
Conferences	\$25,000	\$12,873	\$0
APA-KY Affiliate Dues	\$0	\$350	\$300
Seminars/Workshops	\$0	\$0	\$0
Sponsors	\$5,000	\$3,500	\$5,000
Professional Dev.	\$0	\$0	\$0
Miscellaneous	\$150	\$0	\$150
TOTAL REVENUE	\$38,450	\$24,997	\$13,450
Expenses	CY 2021 Budget	CY 2021 Actual	CY 2022 Budget
Publications/ Newsletter	\$2,500	\$2,239	\$2,500
Program Development/ Conferences/ Seminars/ Workshops	\$33,000	\$13,267	\$14,000
Professional Development	\$1,400	\$0	\$1,500
Executive	\$3,500	\$0	\$7,000
FAICP Nomination	\$3,500	\$95	\$0
Legislative	\$200	\$0	\$200
Community Outreach/ Partner Orgs	\$300	\$0	\$300
Public Relations/ Awards	\$500	\$630	\$750
Insurance/ Administrative	\$1,200	\$949	\$1,200
Scholarship	\$2,000	\$2,000	\$2,000
Postage	\$50	\$0	\$50
Membership	\$1,000	\$0	\$1,000
Miscellaneous	\$300	\$130	\$300
TOTAL EXPENSES	\$49,450	\$19,310	\$30,800

APA KENTUCKY 1:

# Administration Committee

Another year, another election. Except this year was a bit different. You may not have noticed it but for the first time KY-APA members were asked to vote for some candidates for a threeyear period. We previously have had elections one year for two candidates (Secretary and Treasurer) and then the following year we had elections for seven candidates (President-Election, Professional Development Officer and the five regional representatives). The board decided to balance the number of candidates by have three of the regional representatives run in future elections with the Secretary and Treasurer. This past March a bylaw amendment was passed to stagger the representative elections in this way.

The Region 1, 3 and 5 representatives will be serving a three-year term.

The 2021 APA-KY elections took place last summer and the results were provided in early September.

The following candidates were selected, and their terms began on January 1, 2022:

President Elect: Adam King

**Professional Development Officer:** Steve

Sizemore

Region 1 Representative: Emily Liu
Region 2 Representative: Hal Baillie
Region 3 Representative: Melissa Evans
Region 4 Representative: Andy Videkovich
Region 5 Representative: Kevin Myatt



Karen Mohammadi, PE, PTOE, AICP
Department Manager - Planning
Michael Baker International
karen.mohammadi@MBakerIntl.com



## A little about your new officers...



Adam C. King, AICP
President - Elect

Adam C. King, AICP has worked for the Hardin County Planning & Development Commission in Elizabethtown, KY since 2008. He worked as a Planner from 2008 -2013, served as the Assistant Director from 2013 - 2017 and was promoted to the Director & Building Official in 2017.

He serves as the Vice Chairman on the Radcliff-Elizabethtown Metropolitan Planning Organization's Technical Advisory Committee, is a member of the Lincoln Trail Homebuilders Association and a member of the Hardin County Chamber of Commerce.

Prior to his work in Hardin County, he worked in Public History / Historic Preservation with the Historic Landmarks Foundation of Indiana and the Jefferson Memorial Forest.



Steve Sizemore, PHD, AICP

Steve is a Senior Associate with the Louisville office of Kendig Keast Collaborative. Prior to his time with KKC, he spent many years in the public sector as a professional planner advocating the concept that all plans and regulations should foster desirable community character Proffesional Development Officer while also serving to enhance healthy, resilient, and equitable outcomes for all citizens.

> As a Senior Planner for Louisville Metro Government, he was a member

of the neighborhood planning team, led multi-modal aspects of longrange transportation projects, and co-authored Louisville's conservation subdivision regulations, Steve has taught in the University of Louisville's Masters of Urban Planning program, and spoken at national and regional planning conferences on neighborhood planning, active transportation, fair and affordable housing, and conservation subdivisions.



**Emily Liu, AICP** Region 1 Representative

Emily Liu works for Louisville Metro Government as the Director of Planning and Design Services overseeing current planning, transportation review, zoning enforcement, urban design and historic preservation.

Her office maintains and monitors compliance with the Comprehensive Plan, the Zoning Code and Subdivision Regulations for all of Louisville-Jefferson County.

She previously served as an Assistant Director for the Planning Department in Oldham County, Kentucky, a Senior Planner for Lake County, Illinois, and a Planning manager for Rickenbacker Port Authority in Columbus, Ohio.



Hal Baillie, AICP Region 2 Representative

Hal Baillie is a Senior Planner for the Lexington Fayette Urban County, within the Division of Planning. Hal works in Planning Services and focuses on zoning, development and subdivision. As such, he reviews zone change applications, zoning ordinance text amendments, and **Board of Architectural Review** appeals.

He is focused on the development and employment of equitable and sustainable policies that will allow our cities to grow and prosper while enhancing existing neighborhoods, downtowns, and the rural cultural landscape.

Prior to moving to Kentucky, Hal lived in New Orleans where he worked in the private sector at TMG Consulting.



Region 3 Representative

Melissa Evans has been your APA-KY Region 3 (Western Kentucky Region) Representative since 2017. She was born and raised in Owensboro and after attending UK returned to Owensboro where she Mellisa Evans, AICP started working with the Owensboro Metropolitan Planning Commission (OMPC) in 2005.

She completed my bachelor's degree at WKU-Owensboro in 2008 and became AICP certified in 2013. She has worked her way through several positions at the OMPC where she is currently the Associate Director, Planning. She looks forward to continuing to serve the Western Kentucky Region.



Andy Videkovich, **AICP Region 4 Representative** 

Andy is our newest board member. He currently serves as the Planning Manager for Planning and **Development Services of Kenton** County.

As the APA-KY Region 4 Representative, he will work with other regional professional organizations on issues, welcome and recruit new

members in the region, and organize and schedule regional networking and educational activities.

He will also prepare announcements and news stories regarding planning events in the region.

Andy is looking forward to serving as the Region 4 Representative.



Kevin Myatt, AICP Region 5 Representative

Kevin Myatt currently serves as the Region 5 representative. He is a 2002 graduate of Western Kentucky University with a B.S. in Science with an emphasis in Architectural Science and Minor in Geography with an emphasis in City and Regional Planning. He has been the Planning Director for Barren County and the City of Glasgow, Cave City and Park City since 2005. His office maintains all zoning and subdivision

regulations, provides updates to the Comprehensive Plan and analysis, and any various strategic plans necessary.

His office received the Special Merit Award for an Outstanding Plan for a Small Jurisdiction in 2013 from the APA-KY. He completed the GIS certificate through ESRI in 2013.

# Degislative Committee

The 2021 Regular Session of the Kentucky Legislature convened amid national events like the political unrest of January 6th, a socially distant Presidential inauguration, a continuing global pandemic and the drive for vaccine distribution. Despite the unusual circumstances, the legislature met to consider bills on many topics, although several dealt with the powers of the executive branch and the powers of the legislative branch in emergency situations.

As with the 2020 Regular Session, tension between the legislative and executive branch powers remained in the spotlight, demonstrated by the number of bills that passed without the Governor's support.

Forty-three (43) bills became law without the Governor's signature, pursuant to gubernatorial vetoes having been overridden by both chambers or after bills were delivered directly to the Secretary of State. In the 2020 Regular Session, only 10 bills became law in this manner. The 2019 Regular Session saw 14 such examples and the 2018 Regular Session saw 25 become law this way.

So, the sharp divide along party lines between the supermajority in the legislature and the Governor's Office played a big role in creating more drama this year, as did contentious opinions about state response to the pandemic, which led to several lawsuits.

## Following are the 2021 Regular session metrics and Representative bills:

The General Assembly considered **881** bills and passed **202** of those into law, so approximately **23% of all bills filed became law**.

The Legislative Committee reviewed all 881 bills considered by the Kentucky Legislature -- **595 House Bills** and **286 Senate Bills**. Of those, the Legislative Committee followed 117 bills that pertained to issues impacting planning. Of those 117 planning-related bills, 76 were filed in the House and 41 were filed in the Senate.

Thirty bills followed by the Legislative Committee became law -- 15 from each chamber. That is, about 27% of the bills followed as relevant to planning became law.

## Here is a list of some of the planning-related bills that became law this Session:

- **HB 179** An act relating to Regulatory Licensing fees.
- HB 192 An act relating to appropriations
  measures providing funding and establishing
  conditions for the operations, maintenance,
  support, and functioning of the government of
  the Commonwealth of Kentucky.
- HB 207 An act relating to Energy Source Availability.
- HB 328 An act relating to Advertising Devices and declaring an emergency.
- SB 86 An act relating to Solid Waste.
- **SB 105** An act relating to Abandoned and Blighted property.
- **SB 171** An act relating to Local Government and declaring an emergency.
- **SB 274** An act relating to Local Government.

For a full account of the 2021 Regular Session Record, go to: https://apps.legislature.ky.gov/record/21rs/record.html

- Following are few of the Lawsuits stemming from Pandemic Response:
- Thus far during the pandemic, 21 lawsuits have been filed in Kentucky dealing with such issues as separation of powers, free exercise of religion, statutory authority and non-delegation doctrine, free speech and due process, right to travel and due process and freedom of assembly.
- Lawsuits of note include (Source Ballotpedia):
- On Fire Christian Center, Inc. v. Fischer: On April 10, 2020, On Fire Christian Church filed a lawsuit against Louisville Mayor Greg Fischer.
- Roberts v. Neace: On May 4, 2020, Judge
  William Bertelsman, of the United States
  District Court for the Eastern District of
  Kentucky, enjoined the state from enforcing its
  ban on interstate travel.
- Tabernacle Baptist Church, Inc. v. Beshear:
   On May 8, 2020, Judge Gregory Van Tatenhove, of the United States District Court for the Eastern District of Kentucky, temporarily blocked the state from enforcing its ban on mass gatherings as applied to religious groups.
- Beshear v. Acree: On November 12, 2020, the Kentucky Supreme Court upheld Governor Andy Beshear's (D) COVID-19 emergency orders.
- Status of Covid-19 Executive Orders and Legislative Limits just passed
- Most of Governor Beshear's Covid-19 executive orders expired on June 11, 2021. And, while the state's Supreme Court upheld most of the provisions in Governor Beshear's Covid-19 executive orders last year, two cases involving the executive's powers to issue executive orders during an emergency like the Covid-19 pandemic were heard by the Kentucky Supreme Court in June 2021.

- Legislation passed over the Governor's vetoes in the 2021 Regular Session that will require the legislature's approval of future executive orders under some circumstances and will limit the length a future executive order may remain in effect without the legislature's approval. Senate Bill 1 limits emergency orders to 30 days before lawmakers would have to grant an extension, and Senate Bill 2 requires more legislative oversight on emergency regulations. House Bill 1 prevents the governor from enacting stronger restrictions that the CDC recommends.
- At the lower court level, the Franklin Circuit Court judge agreed with the Governor that executive orders are not an unconstitutional violation of separation of powers between government branches. In his appeal, Attorney General Daniel Cameron argued that the legislation passed during the 2021 Session is valid. A decision by the Kentucky Supreme Court will not occur until for several months. Cases may be tracked on the Kentucky Supreme Court web page.
- (For further information, see: this Courier Journal Article, this AP Wire Article and this WHAS News Article .)
- In August 2021, the legislature convened for a very short Special Session on the limited topic of Covid-19. The legislature passed
- Senate Bill 1 (masking in schools) and Senate Bill 2 (visitation and care during the pandemic in long term facilities, etc.) over the Governor's vetoes and three items passed with the Governor's signature: Senate Bill 3 (use of federal emergency Covid-19 funding), Senate Bill 5 (providing emergency funding for economic development in the wake of Covid-19) and House Joint Resolution 1 (extending existing Covid-19 provisions and restrictions for public health protection).

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#### 2022 PRE-FILED BILLS

- As of 11/12/2021, legislators have prefiled 85 bills for the 2022 Regular Session, to begin in January 2022. These early prefiled bills focus on topics like Covid vaccine passports and disclosure, civil rights of and discrimination against transgender individuals, public education and instruction based on race/gender identify/sexual orientation/healthy relationships & consent, term limits for members of the General Assembly and requirement for a safe boating certificate for those operating personal watercraft.
- A bill stating that biological sex should be the standard for participation in KHSAA athletics has also been pre-filed, as well as bills dealing with training, visitation and customer service for long-term care facilities and a bill prohibiting enforcement of federal gun prohibitions and limits was pre-filed. Regarding elections, there is a pre-filed bill calling for the removal of the straight-ticket voting option. Other pre-filed bills touch on the following topics: income assistance funds, unemployment insurance benefits for victims of domestic violence, digital assets/bitcoin and temporary disability status for those exposed to Covid-19 via their occupations.
- For more information, see the Interim Record from September2021: https://apps.legislature.ky.gov/record/interim\_records/Interim\_Sep21.pdf

## **Digital Legislative Summit**

Due to the coronavirus, the APA offered the 2020 Legislative Summit that Kristan Curry attend as an online format. The Summit covered developing policy priorities and legislative strategy, including messaging formats and organizing calls for action among membership with the free digital advocacy service, VoterVoice, offered to state chapters by the American Planning Association.



Kristan W. Curry, J.D.,M.U.E.P., Environmental Planner, Sr. LFUCG | Division of Environmental Services kcurry@lexingtonky.gov



Parker Sherwood
Former Legislative Committee Member

# PDO Report



Steve Sizemore, PHD, AICP Professional Development Officer

When the call for candidates for the APA-KY Professional Development Officer popped up last year, it was with little hesitation that I decided the role was a perfect way for me to give back professionally.

As an APA-KY (don't call it KAPA!) member since 2004 and having worked in the public sector with Louisville Metro Government, private practice with Kendig Keast

## Kentucky Requirements for Continuing Education.

Speaking of continuing education hours, how familiar are you with KRS 147A.027? Did you know there are orientation requirements in addition to the continuing education requirements for planning and zoning officials and staff?

If not, then please go to the following link: http://www.lrc.ky.gov/statutes/statute.aspx?id=1646

## Here is a summary of the amount of continuing education needed every 2 years.

- Planning Commission and Board of Adjustment Members - 8 hours
- Planning Professionals 16 hours
- · AICP Members 32 hours

Congratulations to the new APA-KY AICP 2021 Members!

**Danielle Rohret (May)** and **Max Levy (November)**.

We look forward to seeing you at future APA-KY conferences as you work on those continuing education credits!

Collaborative, and academic field with the University of Louisville, I am very eager and excited to build on my experience to serve you in your professional development journey for the next two years. In this year's report, I'm happy to present key updates to the AICP certification process and Certification Maintenance program and other important ways that you can strengthen your career as a planner.

#### One Path to AICP

Were you aware that the AICP Certification process has been streamlined? Depending on your years of experience and degree achieved, gaining AICP status can take multiple years. However, the good news now is that AICP has created a One Path to AICP process to facilitate the steps to AICP certification. More information on the new steps to certification and requirements can be found at www.planning.org/aicpexam. Please contact me at steve@kendigkeast.com with any questions.

#### **AICP CM Credit Grace Period**

As of January 1, 2022, any member who has not met their CM requirements will automatically be rolled into the grace period ending on May 31, 2022. No action is required for the grace period to be applied.

## Fall 2022 AICP Certification Important Dates and Exam Prep

Registration Window: October 3-28, 2022
Exam Window: November 1-30, 2022
Experience Window: December 5-30, 2022
For more information, visit www.planning.org/certification

#### **Certification Prep**

APA-KY is available to assist in forming local or virtual study groups for the upcoming exam windows (May and November). While we do not have a session established for the Spring exam window at the time of the release of this annual report, a call for interest will be sent via email and on Facebook for a Fall exam prep study. There will be an in-person review session at the 2022 OKI Conference in Louisville which will take place September 28-30. Stay posted for programming information on this opportunity. Please check the APA-KY website for updates and links to exam prep materials and resources.

#### **Certification Maintenance Updates**

Beginning January 1, 2022, the AICP Certification Maintenance program is shifting focus and expanding to reflect the needs of today's planners and communities with whom we work. AICP members will now be required to start logging two new credits in addition to Law and Ethics credits. The first credit hour will be Equity. The second hour will be a targeted topic, which will rotate in response to more immediate evolving issues planners face. This period's targeted topic is Sustainability and Resilience. In the new reporting period, all planners will now be required to earn a minimum of 1 CM credits each towards the topics of ACIP Ethics, Law, Equity, and Sustainability and Resilience.

To learn more about the criteria for CM Mandatory Credits, visit https://www.planning.org/cm/credits/

#### **Code of Ethics Update**

The AICP Code of Ethics and Professional Conduct is the planner's superpower! This Code guides and inspires ethical decision-making, while protecting AICP-certified planners when faced with controversial or difficult choices. The Code was updated in 2021 to reflect the ever-changing issues that planners face. The key updates reflect the following:

- An expansion and reorganization to the Principals to Which We Aspire (Section A) to reflect planner's role in serving the public;
- Reorganize the Rules of Conduct (Section B) into logical groupings to increase clarity for compliance; and
- Reduce the use of frivolous complaints by an aggrieved member of the public against an AICP member by limiting who can file only to AICP members.

For more background and details, visit https://www.planning.org/ethics/update/

#### **Membership Financial Assistance**

AICP members in certain life and career situations, including those related to COVID, may be eligible for an exemption from AICP dues and some or all Certification Maintenance (CM) requirements. To learn more, visit www.planning.org/aicp/assistance

Do you have a job opening for a professional planner? Please email me steve@kendigkeast. com and we will advertise your opening on the APA-KY website at no cost. All we need is a job description or a link to a job description and we'll post it to the website and the APA-KY Facebook page.

Awards

APA - KY's In-Person Conference | A Welcome return to (Somewhat) Normal

The Kentucky Chapter of the American Planning Association conducted their **2021 Annual Conference September 23 and 24, 2021**, exactly 700 days since the chapter was last able to conduct an in-person meeting. Eighty-five planners converged on Lake Barkley State Resort Park ready for some socially-distanced networking and continuing education fun. A total of 15 sessions were offered, with topics ranging from the obligatory Law and Ethics sessions, a review of the state 's newest form-based code in Covington, and a tutorial for measuring and identifying trees 'contributions to climate resilience. Planners from Lexington even conducted an in-person simulation of a zoom meeting!

In all, the conference appears to have been a huge success, and has generated excitement for 2022, when APA-KY will once again partner with the Ohio and Indiana chapters for the OKI Regional Conference in Louisville.



Distinguished Civic
Leadership
Mike Sewell - Gresham Smith
Mike Sewell is Louisville Office Lead for
Gresham Smith and the National Director

Mike Sewell is Louisville Office Lead for Gresham Smith and the National Director of Active Transportation at Gresham Smith. A professional engineer with over 20 years of experience, Mike has spent his career planning, designing, and implementing transportation projects.



APA-KY Student Scholarship

Cidnei Johnson, University of Louisville Cidnei is in her second semester as a graduate student in the Master of Urban Planning program at the University of Louisville. Already Cidnei has made a strong impression by exhibiting academic excellence and a passion for planning in marginalized communities. In addition to pursuing a Master's degree, Cidnei works full-time within the criminal justice system in Louisville and plans to pursue a dual enrollment in the MUP-JD degree program with the Brandeis School of Law (U of L)



Outstanding Comprehensive Plan Elizabethtown, KY

City of Elizabethtown, KY and Taylor Siefker Williams Design Group for the "Envision Elizabethtown 2040"



Public Engagement Lexington, KY

City of Lexington, KY's Division of Planning for its "Mornings with Planning"

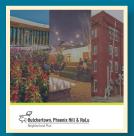


Outstanding Project/
Program/Tool
City of Covington
City of Covington, KY for its Neighborhood
Development Code



Transportation Plan
Gresham Smith
Gresham Smith for its "Eastern Parkway
Transportation Plan"

**Outstanding** 



Outstanding
Neighborhood Plan
MKSK
MKSK for its "Butchertown, Phoenix,

NULU Neighborhood Plan'



Outstanding Corridor
Plan
Lexington-Fayette Urban County
Government & MKSK

Lexington –Fayette Urban County Government and MKSK for the "Imagine Nicholasville Road" plan



Outstanding Comprehensive Plan in a Small Jurisdiction Pikeville, KY City of Pikeville, KY for its "Pikeville

Comprehensive Plan Update"



Outstanding Achievement in a Small Jurisdiction University of Kentucky

University of Kentucky Department of Landscape Architecture, Community and Economic Development Initiative of Kentucky



Outstanding Use of Innovative Technology City of Berea, KY

City of Berea, KY & Taylor Siefker Williams Design Group for the "City of Berea Comprehensive Plan 2020"



Outstanding Student Project

University of Louisville Masters Capstone Project

University of Louisville Master of Urban Planning's Capstone Studio for its project "A Process for the People: Planning for more-equitable neighborhoods in Louisville"



Outstanding Plan
Frankfort, KY
City of Frankfort, KY for its "Frankfort Arts



Diversity, Equity & Inclusion

Louisville Metro Planning & Design Services Louisville Metro Planning and Design Services for its "Confronting Racism in City Planning and Zoning" ESRI Story Map

# Become an APA KY Chapter Member

#### **Mission Statement**

"APA Kentucky shall promote planning throughout the Commonwealth to enhance the quality of life for all Kentuckians."

## What is APA Kentucky?

The Kentucky Chapter of the American Planning Association (APA KY) is a non-profit professional organization that supports the work of planners in the public, private, and non-profit sectors, as well as other organizations and individuals interested in planning.

APA Kentucky represents more than 400 planners, government officials and citizens involved in urban and rural planning issues. Our members are involved on a daily basis in formulating local and state planning policies.

Members receive up-to-date communications regarding professional development events, legislative bill proposals and planning issues.



#### Who are APA Kentucky Members?

Planners - Architects - Engineers - Citizens - Landscape Architects - Land Use Attorneys - Students and Educators - Geographers - Public Agency Professionals - Planning Commissioners

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#### **APA Kentucky Has Its Rewards**

APA Kentucky provides up-to-date information to members via:

Website— apaky.org

Newsletters

Legislative Updates

Email Updates

APA Kentucky provides professional development opportunities, including:

AICP Exam Study Courses

Two Annual Conferences

Regional Events and Conferences

Planning Commissioner Training

Certification Maintenance (CM) Credit-Opportunities

Student Member Program

APA Kentucky members receive:

State Chapter Voting Opportunities Job and RFP/RFQ Announcements

Resume Posting

#### **Becoming a Member**

#### There are two ways to join APA Kentucky

#### **APA Membership**

Kentucky members of the American Planning Association are automatically registered as APA Kentucky Chapter members. As an incentive for students to join APA, APA-KY will pay half of the APA membership dues.

Contact Shawn Dikes for details at: shawn.dikes@hdrinc.com

For dues information and to join, visit: www.planning.org

If you are unfamiliar with APA, consider a chapter-only membership. An APA Kentucky Chapter Only Membership is only \$35/year.



Kentucky Chapter American Planning Association 2332 Royal Drive Fort Mitchell, KY 41017 Non-Profit Organization

**U.S. Postage Paid** 

Louisville, KY Permit #1

Join the conversation on social media!



## 2022 APA-KY Events

- 2022 OKI Regional Conference is set for September 28-30, 2022 in Louisville, KY.
- For more information on future events for 2022, please visit the APA-KY website apaky.org/events

## Have a planning-related story that you would like us to share?

APA-KY is always seeking new and exciting content to share with our network of planners and the broader Kentucky community.

We are interested in collecting your stories and experiences that relate to urban and community planning in the Commonwealth, whether you are a member of the public, a city/municipal planner, or an industry professional in a planning-related field.

Please submit any content ideas via email to:

info@apaky.org.

## Many thanks to members of our public outreach team for their work!

If you have any suggestions for ways to improve the design and accessibility of APA-KY's publications, please feel free to reach out!



Supriya Kelkar Urban Designer, LEED AP ND Lord Aeck Sargent supriya.kelkar@lordaecksargent.com