



In re: to Planning & Zoning in Winchester-Clark County

October 3rd, 2024

To our fellow citizens,

We are writing this letter on behalf of Clark Coalition, a nonprofit organization dedicated to advancing smart growth, sustainable economic development, and government transparency in Winchester-Clark County.

Clark Coalition was founded in 2020 to advocate for responsible land-use policies that result in good growth, good jobs and good government for all of Clark County's citizens. Today, we are calling your attention to a dangerous proposal that would diminish the character of our community and the quality of life and economic opportunities that our citizens enjoy.

At the September 3rd meeting of the Winchester-Clark County Planning Commission, **Magistrate Chris Davis delivered remarks in which he called for changes to the zoning ordinance and the potential elimination of Planning & Zoning in our community altogether.**

Without authorization of the Fiscal Court, he asked the Planning Commission to empanel a committee to review the zoning ordinance and send recommendations to the Fiscal Court for **“modernizing, changing, maybe doing away with completely”¹** the zoning ordinance.

Throughout his time in office, Magistrate Davis has demonstrated an opposition to Planning & Zoning. This was apparent most recently in December 2023, when he led the Fiscal Court to fundamentally alter the Comprehensive Plan's Goals & Objectives.

In doing so, the Fiscal Court, by a narrow 4-3 vote, rejected the recommendation of the Planning Commission and the citizen-led Comprehensive Plan Advisory Committee; the vast majority of the public comment; the principles of sound land-use planning; and more than five decades of precedent in Clark County.

Magistrate Davis's proposal to diminish or eliminate planning & zoning is not supported by evidence or research. Although he claims his proposal is intended to lower the cost of housing, he ignores the complex factors that drive housing prices, the reality of Clark County's current housing inventory and the vast opportunity to add housing in areas already designated for development.

¹ Davis, C. (2024, September 3). *Public Comments, Winchester-Clark County Planning Commission Meeting*. [Speech audio recording]. https://soundcloud.com/info-83293371/chris-davis-public-comments?si=0fd21a0b32ee47c7aa9647812e07ac0a&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing

At best, his proposal is ignorant of the facts. At worst, it must be questioned whether he is representing special interests over those of the citizens of Clark County. Regardless, his proposal must be opposed in the strongest terms.

Data versus Rhetoric

Housing prices are affected by *many* factors including interest rates, economic conditions (such as GDP growth, employment rate and inflation), mortgage availability, material and labor costs, supply and demand, and demographic trends (including population growth, age distribution, and migration patterns) among others.

Mr. Davis argues that our community needs more affordable housing – which is true – but his proposed remedy is based on the assumption that an increase in housing prices is due to a lack of developable land in Clark County – which is objectively false.

A 2022 study by Lord Aeck Sargent, a leading urban design firm, revealed **over 14,000 acres of under-utilized and vacant land inside our current Urban Planning Boundary (UPB)**. Of this total, 2,295 acres are inside the city limits, and 12,050 acres are adjacent to the city limit within the UPB and already designated for future development¹.

In addition to the huge amount of land already designated for development, Mr. Davis ignores the recent development approvals by the Planning Commission, and the construction that is taking place in the community.

Over the last four years, the Winchester-Clark County Planning Commission **has approved development plans for 823 single-family homes in our community. An additional 356 units of multi-family housing, primarily townhomes and duplexes, have also been approved. Together, these figures represent a 7.3% increase in the local housing stock.**²

Data from an open records request filed by Clark Coalition shows that, since November 2019, at least 407 new residential building permits, representing 512 housing units, have been issued. Notably, this figure does not include residential remodels – such as the rehabilitation of previously vacant housing units – that would push the total even higher.

In light of the data, Mr. Davis's implication that the zoning ordinance is somehow preventing the development of housing in our community is wrong.

Why We Have Planning & Zoning

Planning & zoning provides a wide range of benefits for a community. It offers predictability for both existing and prospective property owners; as well as for developers seeking to build. It promotes economic development by identifying the kinds of businesses and industries a community needs and wants. It protects farmland, the natural environment and our community's cultural resources.

² US Census Bureau (2020). Housing Units, Clark County KY, 2020 Decennial Census. Retrieved from https://data.census.gov/profile/Clark_County,_Kentucky?g=050XX00US21049#housing

Planning and zoning protects private property rights by prohibiting incompatible uses and nuisances. It provides a process for public engagement and makes government more responsive to its citizens. And it promotes efficient and responsible use of local tax dollars.

This last objective – the efficient and responsible use of local tax dollars – is perhaps the most serious considering the dire state of Clark County’s finances.

Over the last year, county officials have been faced with a financial crisis as increasing costs and flat line revenue have strained the county’s budget. Eliminating planning & zoning, and permitting sprawl development, would exacerbate this crisis. The resulting burden would ultimately fall on local taxpayers.

Because residential development costs more for local government to service than it generates in revenue, policy decisions about where to permit housing have a major impact on the taxes citizens pay and the quality of services that we all receive. A Cost of Community Services Study conducted by the University of Kentucky reveals that residential development **costs Clark County taxpayers \$1.28 for every \$1 it generates in tax revenue.**³

One of the fundamental principles of planning & zoning is that new development should take place *next to* existing development. Importantly, this minimizes the cost to taxpayers of constructing and maintaining infrastructure – notably sewers and roads.

Opportunities for Infill, Redevelopment, and Contiguous Development

Infill development is defined as “the process of building on unused or underutilized land within existing urban areas.” Contrary to Magistrate Davis’s claim that infill is difficult and expensive, it is, in fact, that most efficient use of existing infrastructure, and consequently, of taxpayer dollars.

Promoting infill development – such as multi-family housing, townhomes, duplexes and cottage courts – in or near the urban core makes use of existing infrastructure, and achieves the desired goal of increasing affordable housing. It also results in a lower cost of living for those residents, as it reduces the necessity of having a car to complete everyday tasks.

Fortunately, progress is being made to promote infill and redevelopment. Among the new developments cited previously, is a 90-unit townhome complex on Lexington Avenue across from Legacy Grove Park. Others include a 68-unit single family home development contiguous to the existing city limit near Strodes Station Elementary School, and a 132-unit multi-family housing development near the Bypass.

Furthermore in March 2024, the City of Winchester passed an ordinance to address blighted and abandoned properties. This policy decision will incentivize redevelopment and result in a further increase in housing inventory.

³ Balazs S. & A. Davis (2022). Clark County Cost of Community Services. Community & Economic Development Initiative of Kentucky, University of Kentucky College of Agriculture, Food & Environment.
https://assets.website-files.com/600f9bfb44a08a3d4fc751cd/633b8bf18193487354260360_Cost%20of%20Community%20Services%20Study.pdf

Upholding Planning & Zoning

The citizens of Winchester and Clark County made the decision to adopt planning & zoning over 50 years ago. It is a critical tool for promoting growth and quality of life in our community.

The elimination of Planning & Zoning would greatly undermine the vitality and the economic prospects of Winchester-Clark County. It would make our community less attractive for businesses and residents. It would make our local government less accountable and less fiscally sound. And it would make the investments made by Clark County's citizens less secure.

It is very concerning that some of our elected officials, such as Magistrate Davis, fail to understand the benefits that we all gain by having planning and zoning. Moreover, the lack of justification for the proposal to change or eliminate planning & zoning should immediately disqualify any serious attempt to consider it.

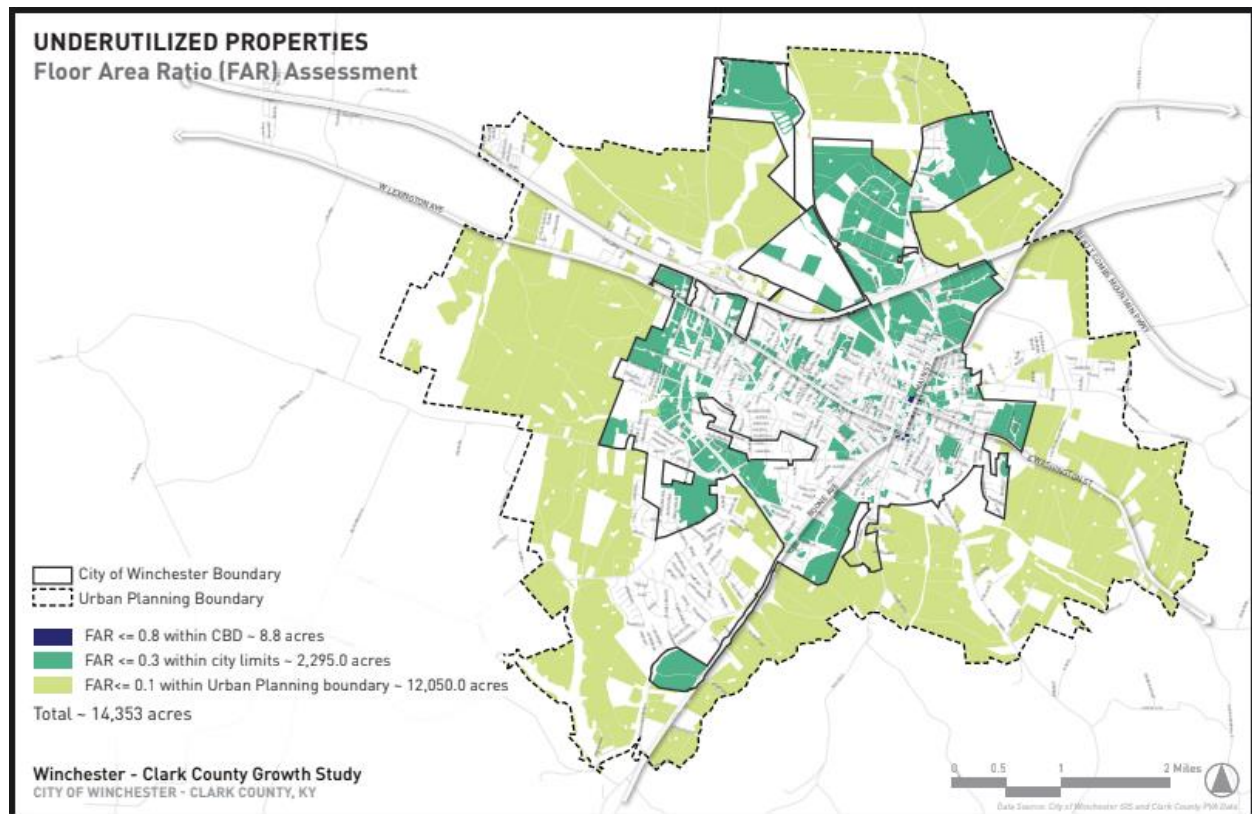
The citizens of Clark County deserve to know if their elected officials are acting in the public's interest, or if they are acting on behalf of special interests.

Clark Coalition will continue to advocate for responsible, data-driven policy for the benefit of all citizens of Winchester-Clark County. We encourage all citizens to stand up in opposition to this short-sighted and dangerous proposal to weaken or eliminate Planning & Zoning in our community.

Respectfully Submitted,

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Chairman, Clark Coalition

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Executive Director, Clark Coalition



ⁱ Harvey, S. (2022). Winchester-Clark County Growth Study. Lord Aeck Sargent.
<https://drive.google.com/file/d/1vrPr9cWd1tMvZoliKzX83LqoDAnUPPLJ/view>