

Article 13: Amendment Procedures

In order to make any amendment of the Zoning Regulation, either to the text or to the map, the following procedure shall be followed. If any use or density is not permitted in a zoning district by the provisions of the Zoning Regulation, it may not be permitted by any agency unless the Zoning Regulation is amended according to the Amendment procedure.

13.1 Review by Planning Commission:

No amendment shall be made without first being reviewed by the Planning Commission. The Planning Commission may refuse to review proposed amendments which have been proposed and rejected within the past year.

13.2 Public Hearing:

The Planning Commission shall present every proposed amendment to the public at a public hearing. Public hearing on amendments to the Zoning Regulations shall be scheduled at the discretion of the Planning Commission. The Planning Commission shall publish notice once, not less than seven days nor more than twenty days prior to said public hearing, in a newspaper having general circulations throughout the county, indicating the time and place of each public hearing on proposed amendments to the Zoning Regulation. All adjacent property owners to the site of a proposed map amendment shall be notified of said public hearing by first class letter with certification of mailing. The Planning Commission may establish a schedule of reasonable fees to be paid by the applicant for a zoning map or text amendment. The Planning Commission may also issue notification of the public hearings by any additional means that it may determine to be reasonable and effective.

13.3 Special Public Hearing:

The Planning Commission may call a special public hearing at any time to consider a zoning amendment, and shall conform with the notice requirements for such special meetings as set forth in KRS 100.163 and KRS 424.130 (1) (B). A fee covering the cost of adequate advertisement and other costs of the special hearing (see Article 17) shall be paid by the applicant.

13.4 Recommendation to the City Council or Fiscal Court:

The Planning Commission shall submit its recommendations to the appropriate City Council or Fiscal Court within sixty days after the public hearing. The City Council or Fiscal Court may each act independently of the other to amend the Zoning Regulation within its respective area of jurisdiction. The Planning Commission may revise proposed amendments, in which case such amendments shall be presented again at a public hearing according to Kentucky Revised Statutes 100.211. The Planning Commission, as well as the legislative bodies of the city and county, may also initiate proposed amendment.