

100.2111 Alternative regulation for zoning map amendment.

A legislative body or fiscal court may adopt, in lieu of the provisions of KRS 100.211, a regulation to provide as follows:

- (1) A proposal for a map amendment may originate with the planning commission of the unit, with any fiscal court or legislative body which is a member of the unit, or with the owner of the property in question.
- (2) Regardless of the origin of the proposed amendment, it shall be referred to the planning commission before adoption.
- (3) The planning commission shall then hold at least one (1) public hearing after notice as required by KRS Chapter 424 and this chapter and make recommendations to the various bodies or fiscal courts involved.
- (4) A planning commission recommendation relating to the proposed amendment shall become final and the map amendment shall be automatically implemented subject to the provisions of KRS 100.347, all as set forth in the planning commission recommendations, unless within twenty-one (21) days after the final action by the planning commission:
 - (a) Any aggrieved person files a written request with the planning commission that the final decision shall be made by the appropriate legislative body or fiscal court; or
 - (b) The appropriate legislative body or fiscal court files a notice with the planning commission that the legislative body or fiscal court shall decide the map amendment.
- (5) It shall take a majority of the entire legislative body or fiscal court to override the recommendation of the planning commission.
- (6) All procedures for public notice and publication as well as for adoption shall be the same as for the original enactment of a zoning regulation, and the notice of publication shall include the street address of the property in question, or if one is not available, or if it is not practicable due to the number of addresses involved, a geographic description sufficient to locate and identify the property, and the names of the two (2) streets on either side of the property which intersect the street on which the property is located. If the property is located at the intersection of two (2) streets, the notice shall designate the intersection by name of both streets rather than name the two (2) streets on either side of the property.

Effective: July 15, 1988

History: Created 1988 Ky. Acts ch. 31, sec. 1, effective July 15, 1988.