



Henderson City-County Planning Commission

~ 1990 Barret Court, Suite C ~ 270-831-1289

www.hendersonplanning.org

PLANNING COMMISSION ZONING MAP AMENDMENT GUIDELINES
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A request for a zoning map amendment may be initiated by the Planning Commission, the City Commission, Fiscal Court, or the owner of the property in question. All requests must be reviewed by the Planning Commission through a public hearing process. The final authority to approve or disapprove a rezoning rests with the City Commission or Fiscal Court. Before any rezoning is granted, the Commission must find that the rezoning is in accordance with the Comprehensive Plan.

Proposed map amendment may follow the Alternative Zoning regulation subject to the regulations of KRS 100.211. The Planning Commission recommendation relating to the proposed amendment shall become final and 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 final action by the Planning Commission: (1) Any aggrieved party files a written request with the Planning Commission that the final decision shall be made by the appropriate Fiscal Body or Fiscal Court; or, (2) the appropriate legislative body or Fiscal Court files a notice with the Planning Commission that the legislative body or Fiscal Court shall decide the rezoning.

If the Alternative Zoning regulation is not followed, before an amendment to the zoning ordinance is granted, the City Commission or Fiscal Court must find that the map amendment is in agreement with the Comprehensive Plan. In the absence of that finding, the Commission must find that: (1) that the existing zoning classification given to the property was inappropriate or improper; or (2) there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the community's Comprehensive Plan which have substantially altered the basic character of such an area. The applicant should present evidence in support of these findings.

It shall take a majority of the entire City Commission or Fiscal Court to override the recommendation of the Planning Commission. Unless a majority of the entire City Commission or Fiscal Court votes to override the Planning Commission's recommendation, such recommendation shall become final and effective, and if a recommendation of approval was made by the planning commission, the ordinance of the Fiscal Court adopting the zoning shall be deemed to have passed by operation of law. Upon approval the ordinance with development plans including written agreements, if any, will be published and recorded in the same manner as all other county ordinances.



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APPLICATION CONTENTS:

1. All applicants are encouraged to schedule a preliminary conference meeting with staff (270-831-1289).
2. The applicant is to submit a completed [application](#) to the Planning Commission office with the following information:
 - a) Plat showing boundary lines of property in question with total acreage to be rezoned and location of adjoining property owners;
 - b) Current names and mailing addresses of all adjoining property owners, including those located across any road, street or alley. (Obtained from the Henderson County Property Valuation Administrator, Court House);
 - c) Property owner's signature and address on application;
 - d) Development plan may be required for any application for a zoning change.
3. Fees must be submitted with the application as follows:
 - a) \$200.00
 - b) Plus \$50.00 for development plan if one is submitted, plus \$50 to record Land Use Restriction for development plan.

SCHEDULES/PROCEDURES

- Application must be submitted by Wednesday 11:30 a.m., 20 days prior to Planning Commission meeting date. Henderson City-County Planning Commission meets at 6:00 p.m. on the first Tuesday of each month at the Henderson Municipal Center.
- Once completed application is submitted, the property will be posted.
- A notice will be mailed to all applicants prior to the meeting and a legal advertisement will be published in the newspaper.



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- Applicants or representatives must attend the public meeting/hearing.
- At hearing, Planning Commission staff will present the request to the Planning Commission. The Commission will hear comments from the applicant and public in support of the request as well as those opposed to the request. The Planning Commission must weigh the evidence presented in the public hearing in order to make findings to either approve or deny the zoning change.
- The Commission will then act to approve, approve with a development plan, or disapprove the request and forward the recommendation to the Mayor and City Commission or to the Judge and County Magistrates.
- The applicant or his representative should plan to attend this public hearing in order to represent the request and address any questions or concerns.
- The length of time for a rezoning request may vary. Planning Commission recommendations relating to the proposed amendment may be final within twenty-one (21) days after the final action by the Planning Commission. If the rezoning request is to be decided by the appropriate legislative body, the length of time may range between 30-90 days.

ELECTED OFFICIALS

PLANNING COMMISSION

<u>FOR FURTHER INFORMATION CONTACT:</u> BRIAN BISHOP, HCCPC EXECUTIVE DIRECTOR JENNIFER MARKS, HCCPC ASSISTANT DIRECTOR RANDY TASA, COUNTY CODE ADMINISTRATOR, (270) 826-8843 STEVE DAVIS, CITY CODE ADMINISTRATOR (270) 831-1277	BRAD STATON, MAYOR <u>COMMISSIONERS:</u> AUSTIN VOWELS RODNEY THOMAS ROBERT PRUITT NICK WITT	BRAD SCHNEIDER, COUNTY JUDGE STEVE GOLD, COUNTY ATTORNEY <u>MAGISTRATES:</u> KEITH BERRY BUTCH PUTTMAN TAYLOR TOMPKINS TIM SOUTHARD BILL "STEPHENS" STARKS	DAVID DIXON, CHAIRMAN DAVID WILLIAMS, VICE-CHAIR BOBBIE JARRETT, TREASURER MAC ARNOLD DICKIE JOHNSON GARY GIBSON X.R. ROYSTER KEVIN RICHARD STACY DENTON KEVIN HERRON GRAY HODGE DOUG BELL