

ARTICLE XII  
AMENDMENTS

**Section 12.01. APPLICATION FOR AMENDMENT**

A proposal for amendment to the Zoning Ordinance may originate with the Planning Commission, Legislative Body, any other government body, the owner of the subject property or by a person having written authorization from the owner of the subject property. Regardless of the origin of the proposed amendment, an

application must be filed with the Planning Commission at least twenty-one days prior to the first Tuesday of the following month requesting the proposed amendment, accompanied by such information as required by this Zoning Ordinance and in such form as established by the Planning Commission. The Planning Commission may require the submission of further information subsequent to the filing of an application, a non-returnable filing fee shall be paid according to the schedule of fees as established herein. Upon the filing of an application for a Zoning Map amendment by a governmental body, the Planning Commission shall promptly notify the owner of the subject property by registered mail. Regardless of the origin of a proposed Zoning Map amendment, the owners of all property adjoining the subject property shall be notified by registered mail.

**Section 12.02. COMMISSION PROCEDURE**

Upon the filing of an application for an amendment to this Zoning Ordinance, the Planning Commission shall study and review the application as provided in this Zoning Ordinance and the By-laws of the Planning Commission.

**Section 12.03. NOTICE OF PUBLIC HEARING**

Before voting upon any proposed amendment, notice of the time, place and reason for holding a public hearing shall be given as required by KRS 100.424.

**Section 12.04. PUBLIC HEARING ON APPLICATION**

After notice of the public hearing as provided hereinabove, the Planning Commission shall hold a public hearing on the proposed amendment.

**Section 12.05. RECOMMENDATION OF THE PLANNING COMMISSION ON ZONING AMENDMENT**

The Planning Commission shall make its recommendation to the City Council of Central City within sixty (60) days of the advertised public hearing. Before recommending to the City Council that an application for the amendment to the Zoning Ordinance be granted, the Planning Commission shall find that the map amendment is in agreement with the Comprehensive Plan or in the absence of such a finding that: (1) the original zoning classification given to the property was inappropriate or improper, or (2) that there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the Comprehensive Plan, and which have substantially altered the basic character of such area. The findings of fact made by the Planning Commission shall be recorded in the minutes and records of the Planning Commission. After voting to recommend that an application

for amendment to the Zoning Ordinance be granted or denied, the Planning Commission shall forward its findings of fact and recommendation in writing to the City Council. Once the Planning Commission has made a determination of fact and recommendation to the City Council concerning the disposition of zoning on an individual tract of land, said tract of land, or any portion thereof, shall not be reconsidered for reclassification to the same zone by the Planning Commission for a period of at least six (6) months.

**Section 12.06. ACTION BY THE LEGISLATIVE BODY ON ZONING ORDINANCE AMENDMENT**

The City Council shall not act upon a proposed amendment to the Zoning Ordinance until it shall have received written findings of fact and recommendation thereon from the Planning Commission. Before an amendment to the Zoning Ordinance is granted the City Council must find that the map amendment is in agreement with the Comprehensive Plan or, in the absence of such a finding that:

(a) The original zoning classification given to the property was inappropriate or improper; or

(b) There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the Comprehensive Plan which have substantially altered the basic character of such area.

(c) Any other finding which, under the law of Kentucky, would support a change in zoning.

It shall take a majority of the entire City Council to override the recommendation of the Planning Commission.

**Section 12.07. SCHEDULE OF FEES, CHARGES, AND EXPENSES**

The City Council shall establish a schedule of fees, charges, and expenses and a collection procedure for building permits, zoning certificates, appeals, applications for amendment, approval of special plans, conditional uses, and other matters pertaining to this Ordinance. The schedule of fees shall be posted in the office of the enforcement officer and may be altered or amended only by the City Council.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

This is an emergency ordinance, the emergency consisting of an immediate need for the City of Central City to put in place a revamped zoning ordinance and revamped zoning map so as to foster,

as rapidly as possible, economic growth in the City of Central City, which is currently experiencing a severely depressed economy. Because of the emergency nature hereof, and this Ordinance having passed by at least a two-third (2/3) majority vote of the City Council of the City of Central City, the requirement of a second reading is dispensed with.

**Severability:**

This ordinance shall be deemed severable, and if any portion hereof shall be declared invalid, the remainder hereof shall be declared invalid, the remainder hereof shall remain in full force and effect.

This ordinance shall take effect upon its recommendation by the Muhlenberg County Joint Planning and Zoning Commission, its approval by the City Council of the City of Central City, Kentucky, and publication, all as required by Kentucky Revised Statutes 100.207.

Recommended by the Joint City-County Planning Commission on April 24, 1986.

Passed and approved by the City Council of the City of Central City, Kentucky, on May 21, 1986.

Effective: 05/21/86 (#1986-8)  
Amended: 04/11/90 (#1990-7)  
12/09/92 (#1992-9A & #92-10A)  
09/11/96 (#1996-08)  
1/26/99 (#1998-10)  
11/13/02 (#2002-10)  
11/13/02 (#2002-11)  
03/11/04 (#2004-02)  
06/08/05 (#2005-03)  
02/13/13 (#2013-01)  
12/13/17 (#2017-10)  
04/10/19 (#2019-04)  
07/17/19 (#2019-09)  
03/10/21 (#2021-02)  
12/11/24 (#2024-06)