

Article amendments approved unless noted:	OMPC	Owensboro	Daviess Co.	Whitesville
Revised zoning ordinance	08-Sep-1979	14-Mar-1980	27-Dec-1979	07-Apr-1980
OMPC meeting date, from specific to regular monthly	12-Jan-1984	06-Mar-1984	22-Feb-1984	?
2003 Review Committee: No changes	11-Dec-2003	02-Mar-2004	05-Feb-2004	06-Apr-2004
Text amendments to allow for alternate regulation for zoning map amendment	8-Mar-2007	17-April-2007	03-May-2007	03-April-2007

6.1 APPLICATION FOR AMENDMENT. A proposal for amendment to the Zoning Ordinance may originate with the OMPC, a 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 OMPC at least twenty-one (21) days prior to the regular monthly meeting date requesting the proposed amendment, accompanied by such information as required by this Zoning Ordinance and in such form as established by the OMPC. The OMPC may require the submission of further information subsequent to the filing of an application as provided by the Zoning Ordinance. At the time of filing an application, a non-returnable filing fee shall be paid according to the schedule of fees as established by the OMPC. Upon the filing of an application for a Zoning Map amendment by a governmental body, the OMPC 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.

6.2 COMMISSION PROCEDURE. Upon the filing of an application for an amendment to this Zoning Ordinance, the OMPC shall study and review the application as provided in this Zoning Ordinance and the Bylaws of the OMPC.

6.3 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 Chapter 424.

6.4 PUBLIC HEARING ON APPLICATION. After notice of the public hearing as provided in Article 6.3 hereinabove, the OMPC shall hold a public hearing on the proposed amendment.

6.5 RECOMMENDATION OF OMPC ON ZONING ORDINANCE AMENDMENTS. A proposal for a map amendment may originate with the Daviess County Fiscal Court, City of Owensboro or City of Whitesville, or with

the owner of the property in question. Regardless of the origin of the proposed amendment, it shall be referred to the planning commission before adoption. The OMPC shall then hold at least one (1) public hearing after notice as required by KRS Chapters 424 and 100 and make recommendations to the appropriate Legislative Body. The OMPC shall make its recommendation to the Legislative Body the first working day following the Owensboro Metropolitan Planning Commission recommendation. Before recommending to the Legislative Body that an Application for Amendment to the Zoning Ordinance be granted, the OMPC 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) 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 OMPC shall be recorded in the minutes and records of the OMPC. After voting to recommend that an application for amendment to the Zoning Ordinance be granted or denied, the OMPC shall forward its findings of fact and recommendation in writing to the appropriate Legislative Body. Once the OMPC has made a determination of fact and recommendation to the Legislative Body 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 OMPC for a period of at least six (6) months.

6.6 ACTION BY THE LEGISLATIVE BODY ON ZONING ORDINANCE AMENDMENTS. The Owensboro Metropolitan Planning Commission recommendation 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 OMPC 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 OMPC that the final decision shall be made by the appropriate Legislative Body; or,
- b) The appropriate Legislative Body files a notice with the OMPC that the Legislative Body shall decide the map amendment.

Notwithstanding the provisions of items 6.6(a) and (b) above, the Legislative Body shall not act upon a proposed amendment to the Zoning Ordinance until it has received written findings of fact and recommendation(s) thereon from the OMPC. Before an amendment to the Zoning Ordinance is granted under this section, the Legislative Body must find that the map amendment (s) is in agreement with the Comprehensive Plan or, in the absence of such a finding that (1) original 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 Comprehensive Plan, which have substantially altered the basic character of such area. It shall take a majority of the entire appropriate Legislative Body to override the recommendation of the OMPC. Furthermore, 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 as outlined in KRS 100.211 , 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) street 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.