

ORDINANCE NO. \_\_\_\_\_-2012

AN ORDINANCE AMENDING ARTICLE 2 OF THE ZONING ORDINANCE TO CHANGE THE ZONING MAP ATLAS FROM THE HISTORICAL SERIES OF EIGHTY-ONE (81) MAPS TO A SYSTEM UTILIZING THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT GEOGRAPHICAL INDEXING SYSTEM (GIS) TO SERVE AS THE OFFICIAL ZONING MAP FOR THE URBAN COUNTY.

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WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Article 2 of the Zoning Ordinance to change the zoning map atlas from the historical series of eighty-one (81) maps to a system utilizing the Lexington-Fayette Urban County Government geographical indexing system (GIS) to serve as the official zoning map for the Urban County; and

WHEREAS, the Planning Commission did hold a public hearing on this proposed text amendment on June 28, 2012; and

WHEREAS, the Planning Commission did recommend APPROVAL of this proposed text amendment by a vote of 10-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated by reference herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Article 2 of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended to read as follows:

ZONING MAP

2-1 ZONING MAP - The Lexington-Fayette Urban County is hereby divided into zones as provided herein and as show on the Zoning Map, which is hereby declared to be a part of this Zoning Ordinance. The Zoning Map shall be the official record of zoning status of all land in the Urban County and shall be kept in spatial databases that are maintained as part of the Urban County's geographical information system (GIS). This depiction of the zoning boundaries, along with additional reference data in the GIS, shall constitute the Official Zoning Map for the Urban County. The Zoning Map shall be kept up to date to reflect the adopted September 1969 mapping date and all of its amendments by the Lexington-Fayette Urban County Government. The Zoning Map may be viewed by the general public at the Division of Planning office. The Division of Planning may certify a paper copy of a portion of the Zoning Map as true and accurate.

- 2-2 ZONING MAP AMENDMENTS – Amendments to the Zoning Map changing the zoning status of an area made by ordinance of the Lexington Fayette Urban County Council, after the effective date of said ordinance or resolution, shall be promptly changed as directed by the Council’s ordinance by the Office of GIS. Each amendment shall be identified within the Map’s data file by a numerical designation referring to the Commission record of the amendment proceeding. The Division of Planning or designee, shall correct errors in the Zoning map as they are discovered. No unauthorized person may alter or modify the Zoning Map.
- 2-3 RULES FOR INTERPRETATION OF ZONE DISTRICT BOUNDARIES – Where uncertainty exists as to the boundaries of zones as shown on the Zoning Map, the following rules shall apply:
- (a) Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.
  - (b) Boundaries indicated as approximately following platted lot lines shall be construed as following such lines.
  - (c) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
  - (d) Boundaries indicated as following shores lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerline.
  - (e) Boundaries indicated as parallel to the features indicated in Sections 2-3(a) through 2-3(d) shall be construed as parallel to such features. Boundaries indicated as an extension of the features indicated in Sections 2-3(a) through 2-3(d) shall be construed as an extension of such features.
  - (f) Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map.
  - (g) Where the zone boundary in question is the result of a map amendment request, the plat and legal descriptions filed in conjunction with the map amendment request, as approved by the Urban County Council, shall be deemed the official boundaries of the zone.
  - (h) Where the above stated rules do not indicate the exact location of the zone boundaries, then said boundaries shall be determined by appeal before the Board of Adjustment as provided by Article 7 herein.
- 2-4 SPLIT-ZONED LOTS – Where a zone boundary line divides a lot which was in a single ownership at the time of passage of this ordinance, the Board of Adjustment may permit, as a conditional use, the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the zone line into the remaining portion of the lot.

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

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Clerk of Urban County Council

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