

## ARTICLE 5

### PROVISIONS FOR PENDLETON COUNTY ZONING MAP

**SECTION 5.0 ZONING MAP:** The districts established in Section 5.2 of this Ordinance are shown on the Pendleton County, Kentucky Zoning Map which, together with all explanatory matter thereon, are hereby adopted as part of this Ordinance.

**SECTION 5.1 IDENTIFICATION OF THE ZONING MAP:** The Zoning Map shall be identified by the signature of the Chairman of the Pendleton County Joint Planning Commission and the chief executive or administrative officer of each adopting legislative body accompanied by the most recent date of revision of the map.

**SECTION 5.2 ZONING DISTRICT IDENTIFICATION:** For the purpose of this Ordinance, all land within the jurisdiction of each adopting legislative body is hereby divided into the following categories of zoning districts:

- A. RURAL ZONE
- B. COMMERCE ZONES, including a Business Zone and an Intensive Zone

**SECTION 5.3 INTERPRETATION OF ZONING DISTRICT BOUNDARIES:** Where uncertainty exists with respect to the boundaries of any of the zoning districts defined above as shown on the Zoning Map, the following rules shall apply:

- A. Where district boundaries are indicated as approximately following the center lines of thoroughfares or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries;
- B. Where district boundaries are so indicated that they approximately follow the lot lines or property lines, such lines or property lines shall be construed to be said boundaries;
- C. Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or the centerlines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Zoning Map;

- D. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line;
- E. Where the boundary of a district follows a stream or the shore of a body of water, that stream or shoreline is the boundary of the district;
- F. Where the boundary of a district follows the county or city boundary line, including a concurrent state line, such line shall be deemed to be boundary of the district.
- G. Where the boundaries of a district are based on a legal description or property survey that was submitted in conjunction with a zoning map amendment application, the boundaries provided in said instrument(s) shall be construed as the district boundaries for the property in question, and may be used in determining district boundaries for adjoining properties.

**SECTION 5.4 ACTION BY LEGISLATIVE BODY:** When amendments to the zoning map have been approved by the Fiscal Court or appropriate legislative body, the legislative unit shall inform the Zoning Administrator of the date which such action becomes effective. A log of all approved zoning map amendments shall be kept by the Zoning Administrator and, the official zoning map shall be updated within 30 days of the date upon which final action approving such amendments was taken. Furthermore, the files maintained by the Planning Commission shall constitute the official record of all requests for zoning map amendments, including those, which have not been approved by the appropriate legislative body.

**SECTION 5.5 ZONING DISTRICT DECLARED INVALID:** Should any zoning district be declared by a court of competent jurisdiction to be unconstitutional or invalid, by either the construction of its text within this Ordinance or by its application or amendment to the Pendleton County Zoning Map, the zoning district that applied to the affected properties prior to the unconstitutional or invalid zoning district shall be in force.

**SECTION 5.6 AREAS NOT INCLUDED WITHIN ZONES:** When an area is annexed or proposed to be annexed by the legislative body, the zoning to be applied to the area shall meet the requirements of KRS 100.209 and KRS 81A.420 (1), as amended.