

# *Map Amendments*

Lexington County Council may amend the Zoning Maps which are part of the Zoning Ordinance in three situations:

1. Where it is alleged that there was an error in the original Zoning Ordinance,
2. Where conditions have changed so as to warrant a change in zoning,
3. Where in the opinion of Lexington County Council such change shall serve to promote public health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of Lexington County.

## *Procedure for Map Amendments*

Map Amendments may be proposed by the Lexington County Council or the Lexington County Planning Commission. Property owners may request map amendments, but only for a change in the district classification of their property or for a change in the classification of the street that directly accesses their property. If another person or entity is representing the property owner(s) in the amendment request, a letter of agency must be submitted with the application.

1. File an application with the Zoning Administrator and pay the fee of \$321 per every 10 acres of contiguous parcels (or portion).
2. **First Reading:** At first reading County Council may choose to deny the request or to proceed to a public hearing which would be scheduled for a later date.
3. **Public Hearing:** County Council will hold a public hearing on proposed amendments not denied at first reading. Notices will be handled by the following means:
  - Newspaper notice specifying location, current zoning, and proposed zoning of the property 15 days prior to the public hearing
  - At least 1 sign will be posted (not less than 4' by 4') on the property in question. The sign will show the requested change and the time, date, and place of the public hearing.
  - All adjacent property owners will be notified in writing by the Zoning Administrator of the proposed amendment and the time, date, and place of the public hearing.
4. **Planning Commission:** The Planning Commission then reviews the Map Amendment Request and will make a recommendation to County Council within 30 days of their receipt of the application. If the Planning Commission has not made a recommendation within the 30 day window, then County Council may proceed as it deems proper. (Note: While the Planning Commission meetings are open to the public for attendance and interested parties are encouraged to attend, this is not a public hearing open to public comment. The opportunity for open public feedback is at the public hearing held before County Council.)
5. **Second Reading:** Following the public hearing and Planning Commission recommendation, there is a second reading of the map amendment voted on by County Council. A Map Amendment can be denied at the second reading or may proceed to the third reading.
6. **Third Reading:** A Map Amendment, if not denied at second reading, may proceed for third reading where it may be approved or denied.

### **Important Items to Remember:**

- County Council may grant a more restrictive zoning amendment, but not a less restrictive zoning amendment than formally requested by the applicant.
- Once a Map Amendment is approved by County Council, the new amendment immediately becomes part of the official zoning maps and will be placed on the zoning maps as quickly as possible.
- A map amendment request, which has been previously denied for the same property or substantially the same property, shall not be resubmitted within 12 months in the same form as previously submitted. The 12 months shall be measured from the date of the application. This shall not prohibit resubmittal if new facts are uncovered.