

**SUBMITTAL INFORMATION  
ZONING MAP AMENDMENT REQUESTS**

1. Completed Application Form signed by the Applicant and Property Owner.
2. Legal Description of the area to be rezoned.
3. The names and mailing addresses of all adjoining property owners.
4. Fee paid in full at the time of application:

**ZONING MAP AMENDMENT AND CONCEPT DEVELOPMENT PLAN REVIEWS  
ARE SUBJECT TO PUBLIC HEARING PROCESS**

Zoning Map Amendments and  
Concept Development Plan Reviews  
(including revisions) in the  
following zones:

A-1, A-2, R, RS, RSE, SR-1, SR-2, SR-3 R1-F & CONS Zones	\$1,300.00 Flat Fee for single-family detached residential developments with less than 20 acres & 50 units \$1,600.00 Flat Fee for all other residential developments with more than 20 acres & 50 units + \$250.00 Legal Ad, Adjoining Property Owners and Sign Posting (Notification) + \$66.00 CLUR + \$15.00 Per Acre of Land Under Review
UR-1, UR-2, UR-3, MHP, PF, RPD UC, UTC, UNO & UTO Zones	\$1,700.00 Flat Fee + \$250.00 Legal Ad, Adjoining Property Owners and Sign Posting (Notification) +\$ 66.00 CLUR +\$ 15.00 Per Acre of Land Under Review
C-1, C-2, C-3, C-4, O-1, O-1A, O-2, FMS, PD, WD & EPD Zones	\$2,000.00 Flat Fee + \$250.00 Legal Ad, Adjoining Property Owners and Sign Posting (Notification) +\$ 66.00 CLUR +\$ 20.00 Per Acre of Land Under Review
I-1 & I-2 Zones	\$2,000.00 Flat Fee + \$250.00 Legal Ad, Adjoining Property Owners and Sign Posting (Notification) +\$ 66.00 CLUR +\$ 20.00 Per Acre of Land Under Review
I-3, I-4 & A Zones	\$3,000.00 flat fee + \$250.00 Legal Ad, Adjoining Property Owners and Sign Posting (Notification) +\$ 66.00 CLUR +\$ 20.00 Per Acre of Land Under Review
Postponement or continuance of a Zoning Map Amendment Request or Concept Development Plan Approval requiring a new Public Hearing (when requested by the applicant and as a result of the applicant's action)	80% of the Above Flat Fee +250.00 Legal Ad, Adjoining Property Owners and Sign Posting (Notification)

(over)

Deferral of Zoning Map Amendment or  
Concept Development Request from  
scheduled Business Meeting or Zone  
Change Committee Meeting (when  
requested by the applicant and as a  
result of the applicant's action)

30% of the Above Flat Fee

5. If all principally permitted, conditional, and accessory uses for the proposed zone requested are not just those shown on the Concept Development Plan, this must be indicated on the Application for Zoning Action form under Description of request.
6. Submittal of a Concept Development Plan as per Section 303 of the Boone County Zoning Regulations.

### **SECTION 303**

#### **Contents of Application for a Zoning Map Amendment**

Applications for amendments to the zoning map adopted as part of this Ordinance by Section 500 or proposing to amend, supplement, change or repeal portions of this Order, other than the zoning map shall be completed in full, signed, supplemented with any additional information found appropriate by the Planning Commission and accompanied by a fee established according to Section 460.

The Planning Commission, as a condition to the approval of a zone change for zoning districts of commercial, multi-family (including apartments, townhouses, and condominiums), industrial, mobile home park development, office, public facility, recreation, highly recommends that a Concept Development Plan be submitted. In accordance with the applicable provisions of Chapter 100 of the Kentucky Revised Statutes, this Concept Development Plan, when submitted and agreed upon, shall be followed and be binding as a requirement of the zone change or map amendment. However, an applicant does have the option of not submitting a Concept Development Plan for the Planning Commission's review and approval, although such zone change application will be reviewed from the perspective of a "worst case scenario" based upon the requirements and permitted uses of the zone in question. A Concept Development Plan must be submitted for applications involving the Planned Development District (PD), Employment Planned Development District (EPD), and Residential Planned Development District (RPD) as specified in Article 15 and Article 16, for all applications requesting the Suburban Residential Three (SR-3) District per Section 957, and for all applications requesting the Industrial Four (I-4) District per Section 1193. A "Development Plan" must also be submitted for applications involving the Industrial Three (I-3) District as specified in Article 11. Excluded from the Concept Development Plan requirement are requests made by municipal legislative bodies, the Boone County Fiscal Court, and the Boone County Planning Commission and organizations or agencies that are sanctioned by any legislative body.

If an applicant submits a Concept Development Plan and as a further condition to the approval of a zone change involving a Concept Development Plan, where substantial construction as determined by the Boone County Planning Commission is not initiated within two years from the date of final approval by the applicable legislative body or Fiscal Court concerning the zone change, such zoning change may revert to its original designation prior to the zone change after a public hearing and following the required procedure for a map amendment.

Where a concept development plan is required under these regulations, and where such zoning change has been approved by the appropriate legislative body or fiscal court, the property owner and any other appropriate person, such as an option holder in the property shall sign a written agreement providing that the concept development plan is a condition to the zoning change and such agreement shall be made of record in the office of the Boone County Clerk in Burlington, Kentucky. The property owner or other applicable person shall be required to furnish the information necessary to make such agreement of record. This written agreement

shall be noted and a Certificate of Land Use Restriction shall be filed with the County Clerk within 30 days of final action, as further specified in Section 280. At the time of filing an application for a zoning map amendment, an applicant may also request a dimensional variance or a conditional use permit for the same development. A development that is subject to a zone change or Concept Development Plan approval shall comply with all applicable requirements of this order unless a written request for a variance(s), or exception(s) pursuant to Article 15 or Article 16, are expressly approved through the procedures of this Article, or pursuant to Article 2, as applicable. If an approved Zoning Map Amendment is subject to a Concept Development Plan and/or conditions pursuant to a written agreement, and/or is approved in conjunction with a variance or conditional use permit, the notation "CD" shall be placed on the Official Zoning Map in combination with the adopted zoning designation.

If an applicant decides to submit a Concept Development Plan, the Plan shall include the following minimum requirements. The list of other requirements are optional only for sites that do not involve the Planned Development District (PD), Employment Planned Development District (EPD), or Residential Planned Development District (RPD). With certain types of developments, it may be beneficial to submit a Concept Development Plan that is more detailed or provides more information to the Planning Commission. The list of other requirements are highly recommended for these types of developments and to provide further support for approval of a Concept Development Plan by the Planning Commission. The minimum Development Plan requirements for applications involving the Industrial Three District (I-3) are listed in Article 11.

Minimum Requirements

1. General Site Characteristics - ownership, topography, soils, drainage, vegetation and other physical characteristics;
2. Transportation Patterns - public and private roads and internal and external circulation patterns;
3. Land Use Characteristics - existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, structures and buildings (general description of size, area, intensities/densities, and height);
4. Utilities and Infrastructure;
5. Relationship of Proposed Zone Change with Comprehensive Plan - how specifically the proposed zone change would conflict, conform, compliment or otherwise affect the Comprehensive Plan as well as any special studies that are designed to further detail the Comprehensive Plan in a specific area." (Utilize the criteria in Section 308);
6. A 8.5" by 11" or 8.5" by 14" reduction of the plan that can be copied on a standard photocopier.
7. A written explanation of any requested variance or conditional use permit.

**\*\*OPTIONAL REQUIREMENTS OF CONCEPT DEVELOPMENT PLAN\*\*** (Mandatory requirements for projects involving the Planned Development District [PD], Employment Planned Development [EPD], or Residential Planned Development [RPD]. If a particular item is not provided in the Concept Development Plan, then the application materials must state why the requirement does not pertain to the specific proposal).

1. Include items 1-7 in the previously mentioned list of minimum requirements.
2. An area map showing adjacent property owners and existing land uses within 200 feet of the parcel.
3. If the site has unusual or unique natural features, demonstrate how proposed development preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural draining patterns. If necessary, geotechnical studies should be submitted to indicate soil types, depth of bedrock and slope stability.

4. The location, description and size (acreage) of land uses.
5. Approximate location and number of residential units (if any) along with approximate square footage, density and height.
6. Approximate location and size (square footage) of non-residential buildings.
7. The location of public and private roads, rights-of-way, easements and parking.
8. Calculation of approximate amount of open space both before and after construction. Indicate areas of expected open space and new landscaping. Include maintenance plans for these areas.
9. Submit a conceptual landscape plan that indicates the locations of landscape and buffering features. For applications involving the EPD, RPD, or PD overlay, design guidelines that include landscaping standards shall be submitted for multi-phased projects.
10. Where portions of the site are subject to flooding, the Concept Development Plan shall indicate extent and frequency.
11. General location of water, sanitary sewer, telephone, electrical and storm water lines. Capacity levels are recommended.
12. General description of the availability of community facilities such as schools, fire protection services and other types of facilities that would serve the development, if any, and how these facilities are affected by this proposal.
13. Approximate location and size of storm water detention and/or retention areas.
14. Information describing proposed signage (types, sizes, materials, and locations on site). For applications involving the EPD, RPD, or PD overlay, design guidelines that include signage standards shall be submitted for multi-phased projects.
15. Indicate the construction schedule of the project. For multi-phased projects, submit a phasing plan that describes the anticipated timing and geographical extent of each phase.
16. Submit a detailed traffic study if the proposed development is large-scaled or if the project would significantly alter existing traffic patterns or volume (See Article 32).
17. Submit a sketch or drawing of the proposed buildings to demonstrate the visual appearance or a type of architecture. For applications involving the EPD, RPD or PD overlay, design guidelines that include architectural standards shall be submitted for multi-phased projects.
18. For applications involving the EPD or RPD, a table of proposed dimensional standards for the proposed land uses or phases including lot sizes and frontages, building heights and intensities, and setbacks. For applications involving the PD overlay zone, a description of any requested exceptions to the requirements of the underlying zone.
19. For applications involving the EPD, RPD, or PD overlay, a written narrative that describes how the applicable requirements and standards in Article 15 or Article 16 have been satisfied shall be submitted.

The Planning Commission and legislative body or Fiscal Court may recommend or approve the proposed district subject to any conditions or qualifications found merited in the Concept Development Plan or other conditions on the site.