

**CHAPTER 34****( HB 443 )**

AN ACT relating to land use.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 100 IS CREATED TO READ AS FOLLOWS:

- (1) *Except as provided in subsection (2) of this section, the ordinances, rules, and regulations adopted pursuant to this chapter governing subdivision plats and development plans shall be in the form of objective standards that shall be applied ministerially.*
- (2) *Ordinances, rules, and regulations governing development plans may allow for discretion to be applied by the approving authority in circumstances where:*
  - (a) *An applicant seeks a deviation from the established objective standards; or*
  - (b) *The approving authority determines, based on substantial evidence, that a strict ministerial application of the established objective standards would pose a specific threat to public health, safety, or welfare in the affected area.*

➔Section 2. This Act takes effect on July 1, 2025.

**Signed by Governor April 4, 2024.**