

100.201 Interim and permanent land use regulations authorized -- Designation and regulation of urban residential zones.

- (1) Except as provided in subsection (3) of KRS 100.137, when the planning commission and legislative bodies have adopted the statement of goals and objectives, and the planning commission has additionally adopted at least the land use element for the planning unit, the various legislative bodies and fiscal courts of the cities and counties, which are members of the unit, may enact interim zoning or other kinds of growth management regulations which shall have force and effect within their respective jurisdictions for a period not to exceed twelve (12) months, during which time the planning commission shall complete the remaining elements of the comprehensive plan as prescribed by KRS 100.187. Interim regulations shall become void upon the enactment of permanent regulations as provided in subsection (2) of this section, or after twelve (12) consecutive months from the date such interim regulations are enacted, whichever occurs first.
- (2) When all required elements of the comprehensive plan have been adopted in accordance with the provisions of this chapter, then the legislative bodies and fiscal courts within the planning unit may enact permanent land use regulations, including zoning and other kinds of growth management regulations to promote public health, safety, morals, and general welfare of the planning unit, to facilitate orderly and harmonious development and the visual or historical character of the unit, and to regulate the density of population and intensity of land use in order to provide for adequate light and air. In addition, land use and zoning regulations may be employed to provide for vehicle parking and loading space, as well as to facilitate fire and police protection, and to prevent the overcrowding of land, blight, danger, and congestion in the circulation of people and commodities, and the loss of life, health, or property from fire, flood, or other dangers. Land use and zoning regulations may also be employed to protect airports, highways, and other transportation facilities, public facilities, schools, public grounds, historical districts, central business districts, prime agricultural land, and other natural resources; to regulate the use of sludge from water and wastewater treatment facilities in projects to improve soil quality; and to protect other specific areas of the planning unit which need special protection by the planning unit.
- (3) Land use and zoning regulations may include the designation of specifically defined areas to be known as urban residential zones, in which:
 - (a) The majority of the structures were in use prior to November 22, 1926; and
 - (b)
 1. The entire area embodies the distinctive characteristics of a type, period, or method of construction; or
 2. The entire area represents a significant and distinguishable entity whose components may lack individual distinction.

The usage of structures within an urban residential zone may be regulated on a structure-by-structure basis, permitting a mixture of uses in the zone, including single-family and multifamily residential, retail, and service establishments, which stabilizes and protects the urban residential character of the area. The regulation of the usage of any structure shall be guided by the architecture, size, or traditional use

of the building.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 346, sec. 139, effective July 15, 2002. -- Amended 1996 Ky. Acts ch. 370, sec. 1, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 353, sec. 2, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 28, sec. 1, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 141, sec. 15, effective July 15, 1986. -- Amended 1980 Ky. Acts ch. 188, sec. 96, effective July 15, 1980. -- Created 1966 Ky. Acts ch. 172, sec. 29.