

1 AN ACT relating to planning and zoning.

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

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

5 *(1) As used in this section:*

6 *(a) "Mixed-use development" means a development consisting of residential*
7 *and nonresidential uses in which the nonresidential uses are less than fifty*
8 *percent (50%) of the total square footage of the development, and are*
9 *limited to the first floor of buildings that are two (2) or more stories; and*

10 *(b) "Multi-unit dwelling" means a structure with more than two (2) separate*
11 *dwelling units each with its own entrance.*

12 *(2) Multi-unit dwellings and mixed-use developments shall be considered a permitted*
13 *use in all commercial zones.*

14 *(3) A planning unit shall not adopt or enforce any regulation or ordinance that:*

15 *(a) Prohibits multi-unit dwellings or mixed-use developments in commercial*
16 *zones;*

17 *(b) Imposes requirements on multi-unit dwellings or mixed-use developments*
18 *that are more restrictive than those placed on other uses within a zone; or*

19 *(c) Requires multi-unit dwellings or mixed-use developments to have on the*
20 *property or share via a parking agreement more than one (1) off-street*
21 *parking space for each unit in addition to accessible parking spaces as*
22 *required by the Americans with Disabilities Act of 1990.*