

1 AN ACT relating to land use.

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

3 ➔Section 1. KRS 103.200 is amended to read as follows:

4 As used in KRS 103.200 to 103.285:

5 (1) "Building" or "industrial building" means any land and building or buildings,
6 ~~{(including office space related and subordinate to any of the facilities enumerated~~
7 **in this subsection**~~{below})~~, any facility or other improvement thereon, and all real
8 and personal properties, including operating equipment and machinery deemed
9 necessary in connection therewith, whether or not now in existence, which shall be
10 suitable for the following or any combination thereof:

11 (a) Any activity, business, or industry for the manufacturing, processing or
12 assembling of any commercial product, including agricultural, mining, or
13 manufactured products and solar-generated electricity, together with storage,
14 warehousing, and distribution facilities in respect thereof;

15 (b) Any undertaking involving the construction, reconstruction, and use of
16 airports, mass commuting facilities, ship canals, ports or port facilities, docks
17 or wharf facilities or harbor facilities, off-street parking facilities or of
18 railroads, monorails, or tramways, railway or airline terminals, cable
19 television, mass communication facilities, and related facilities;

20 (c) Any buildings, structures, and facilities, including the site thereof and
21 machinery, equipment, and furnishings suitable for use as health-care or
22 related facilities, including without limitation hospitals, clinics, nursing
23 homes, research facilities, extended or long-term care facilities, including
24 housing for the aged or the infirm and all buildings, structures, and facilities
25 deemed necessary or useful in connection therewith;

26 (d) Any nonprofit educational institution in any manner related to or in
27 furtherance of the educational purposes of such institution, including but not

- 1 limited to classroom, laboratory, housing, administrative, physical
2 educational, and medical research and treatment facilities;
- 3 (e) Any facilities for any recreation or amusement park, public park, or theme
4 park, including specifically facilities for the use of nonprofit entities in
5 making recreational and cultural benefits available to the public;
- 6 (f) Any facilities involving manufacturing and service industries which process
7 raw agricultural products, including timber, provide value-added functions, or
8 supply ingredients used for production of basic agricultural crops and
9 products;
- 10 (g) Any facilities incident to the development of industrial sites, including land
11 costs and the costs of site improvements thereon, such as grading, streets,
12 drainage, storm and sanitary sewers, and other facilities and structures
13 incidental to the use of such site or sites for industrial use;
- 14 (h) Any facilities for the furnishing of water, if available on reasonable demand to
15 members of the general public;
- 16 (i) Any facilities for the extraction, production, grading, separating, washing,
17 drying, preparing, sorting, loading, and distribution of mineral resources,
18 together with related facilities;
- 19 (j) Any convention or trade show facilities, together with all related and
20 subordinate facilities necessary to the development and proper utilization
21 thereof;
- 22 (k) Any facilities designed and constructed to be used as hotels ~~and~~ or motels,
23 together with all related and subordinate facilities necessary to the operation
24 thereof, including site preparation and similar facilities;
- 25 (l) Any activity designed for the preservation of residential neighborhoods,
26 provided that such activity receives approval of the heritage division and
27 insures the preservation of not fewer than four (4) family units;

- 1 (m) Any activity designed for the preservation of commercial or residential
2 buildings which are on the National Register of Historic Places or within an
3 area designated as a national historic district or approved by the heritage
4 division;
- 5 (n) Any activity, including new construction, designed for revitalization or
6 redevelopment of downtown business districts as designated by the issuer;{
7 ~~and~~}
- 8 (o) Any use by an entity recognized by the Internal Revenue Service as an
9 organization described in 26 U.S.C. sec. 501(c)(3) in any manner related to or
10 in the furtherance of that entity's exempt purposes where the use would also
11 qualify for federally tax-exempt financing under the rules applicable to a
12 qualified 501(c)(3) bond as defined in 26 U.S.C. sec. 145; and
- 13 (p) Any activity, including new construction, that would result in an increase of
14 forty-eight (48) units or more to the stock of residential multifamily housing
15 units.
- 16 (2) "Bonds" or "negotiable bonds" means bonds, notes, variable rate bonds, commercial
17 paper bonds, bond anticipation notes, or any other obligations for the payment of
18 money issued by a city, county, or other authority pursuant to KRS 103.210 to
19 103.285.
- 20 (3) "Substantiating documentation" means an independent finding, study, report, or
21 assessment of the economic and financial impact of a project, which shall include a
22 review of customary business practices, terms, and conditions for similar types of
23 projects, both taxable and tax-exempt, in the current market environment.