

1 AN ACT relating to accessory dwelling units.

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, "accessory dwelling unit" means a self-contained living
6 unit on the same parcel as a single-family home that:

7 (a) Includes its own cooking, sleeping, and sanitation facilities;
8 (b) Meets all applicable state or local codes or regulations for dwelling units,
9 including building, fire, and sanitation codes; and

10 (c) Has:

11 1. Less square footage than the single-family home, if it is internal to the
12 single-family home; or

13 2. Seventy-five percent (75%) or less square footage than the single-
14 family home, if it is attached to or detached from the single-family
15 home.

16 (2) Accessory dwelling units shall be considered a permitted use in all residential
17 zones and shall not be subject to permitting or review under this chapter.

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

19 (a) Prohibits a property owner from having one (1) accessory dwelling unit on
20 the owner's property;

21 (b) Imposes requirements on accessory dwelling units that are more restrictive
22 than those placed on single-family homes, including but not limited to:

23 1. Parking requirements;

24 2. Architectural or design standards;

25 3. Lot size, building height, or setback requirements; or

26 4. Any requirement that an owner occupy the single-family home or the
27 accessory dwelling unit, or have any specific relationship to a person

occupying the single-family home or accessory dwelling unit; or

(c) Assesses any fees in addition to those required for single-family homes, other than the fee set out in subsection (4) of this section.

4 (4) A planning unit may adopt or enforce a regulation or ordinance that:

5 (a) Requires the owner of an accessory dwelling unit to notify the planning unit
6 prior to the construction or creation of a new accessory dwelling unit;

7 (b) Assesses a one (1) time fee of not more than two hundred fifty dollars
8 (\$250) at the time the accessory dwelling unit is constructed or created;

11 (d) Prohibits a property owner from having more than one (1) accessory
12 dwelling unit on a property.

13 (5) This section shall not be construed to prohibit a planning unit from adopting or
14 enforcing ordinances or regulations that are generally applicable to all dwelling
15 units.