

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  
19 commercial zone; or

20 (c) Requires multi-unit dwellings or mixed-use developments to have on the  
21 property or share via a parking agreement more than one (1) off-street  
22 parking space for each unit in addition to accessible parking spaces as  
23 required by the federal Americans with Disabilities Act, 42 U.S.C. sec.  
24 12101 et seq.