

1 AN ACT relating to planning and zoning.

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

3 ➔Section 1. KRS 100.275 is amended to read as follows:

- 4 (1) Except as provided in subsection (2) of this section, the ordinances, rules, and
5 regulations adopted pursuant to this chapter governing subdivision plats and
6 development plans shall be in the form of objective standards that shall be applied
7 ministerially.
- 8 (2) Ordinances, rules, and regulations governing development plans may allow for
9 discretion to be applied by the approving authority in circumstances where:
- 10 (a) An applicant seeks a deviation from the established objective standards; or
11 (b) The approving authority determines, based on substantial evidence, that a
12 strict ministerial application of the established objective standards would pose
13 a specific threat to public health, safety, or welfare in the affected area.
- 14 **(3) This section shall not be construed to prevent a planning unit or a commission or**
15 **board of a planning unit from holding public hearings or accepting public**
16 **comments concerning approval of subdivision plats and development plans.**