

100.183 Comprehensive plan required.

The planning commission of each unit shall prepare a comprehensive plan, which shall serve as a guide for public and private actions and decisions to assure the development of public and private property in the most appropriate relationships. The elements of the plan may be expressed in words, graphics, or other appropriate forms. They shall be interrelated, and each element shall describe how it relates to each of the other elements.

Effective: July 15, 1986

History: Amended 1986 Ky. Acts ch. 141, sec. 10, effective July 15, 1986. -- Created 1966 Ky. Acts ch. 172, sec. 24.

100.187 Contents of comprehensive plan.

The comprehensive plan shall contain, as a minimum, the following elements:

- (1) A statement of goals and objectives, which shall serve as a guide for the physical development and economic and social well-being of the planning unit;
- (2) A land use plan element, which shall show proposals for the most appropriate, economic, desirable, and feasible patterns for the general location, character, extent, and interrelationship of the manner in which the community should use its public and private land at specified times as far into the future as is reasonable to foresee. Such land uses may cover, without being limited to, public and private, residential, commercial, industrial, agricultural, and recreational land uses;
- (3) A transportation plan element, which shall show proposals for the most desirable, appropriate, economic, and feasible pattern for the general location, character, and extent of the channels, routes, and terminals for transportation facilities for the circulation of persons and goods for specified times as far into the future as is reasonable to foresee. The channels, routes, and terminals may include, without being limited to, all classes of highways or streets, railways, airways, waterways; routings for mass transit trucks, etc.; and terminals for people, goods, or vehicles related to highways, airways, waterways, and railways;
- (4) A community facilities plan element which shall show proposals for the most desirable, appropriate, economic, and feasible pattern for the general location, character, and the extent of public and semipublic buildings, land, and facilities for specified times as far into the future as is reasonable to foresee. The facilities may include, without being limited to, parks and recreation, schools and other educational or cultural facilities, libraries, churches, hospitals, social welfare and medical facilities, utilities, fire stations, police stations, jails, or other public office or administrative facilities;
- (5)
 - (a) Provisions for the accommodation of all military installations greater than or equal in area to three hundred (300) acres that are:
 1. Contained wholly or partially within the planning unit's boundaries;
 2. Abutting the planning unit's boundaries; or
 3. Contained within or abutting any county that contains a planning unit.
 - (b) The goal of providing for the accommodation of these military installations shall be to minimize conflicts between the relevant military installations and the planning unit's residential population. These provisions shall be made after consultation with the relevant installation's command authorities to determine the needs of the relevant military installation. These consultations shall include but not be limited to questions of installation expansion, environmental impact, issues of installation safety, and issues relating to air space usage, to include noise pollution, air pollution, and air safety concerns; and
- (6) The comprehensive plan may include any additional elements such as, without being limited to, community renewal, housing, flood control, pollution, conservation, natural resources, regional impact, historic preservation, and other

programs which in the judgment of the planning commission will further serve the purposes of the comprehensive plan.

Effective: June 24, 2003

History: Amended 2003 Ky. Acts ch. 167, sec. 10, effective June 24, 2003. -- Amended 1990 Ky. Acts ch. 362, sec. 1, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 141, sec. 11, effective July 15, 1986. -- Created 1966 Ky. Acts ch. 172, sec. 25.

100.191 Research requirements for comprehensive plan.

All elements of the comprehensive plan shall be based upon but not limited to, the following research, analysis, and projections:

- (1) An analysis of the general distribution and characteristics of past and present population and a forecast of the extent and character of future population as far into the future as is reasonable to foresee;
- (2) An economic survey and analysis of the major existing public and private business activities, and a forecast of future economic levels, including a forecast of anticipated necessary actions by the community to increase the quality of life of its current and future population through the encouragement of economic development as far into the future as is reasonable to foresee;
- (3) Research and analysis as to the nature, extent, adequacy, and the needs of the community for the existing land and building use, transportation, and community facilities in terms of their general location, character and extent, including, the identification and mapping of agricultural lands of statewide importance and analysis of the impacts of community land use needs on these lands; and
- (4) Additional background information for the elements of the comprehensive plan may include any other research analysis, and projections which, in the judgment of the planning commission, will further serve the purposes of the comprehensive plan.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 390, sec. 31, effective July 15, 1994. -- Amended 1986 Ky. Acts ch. 141, sec. 12, effective July 15, 1986. -- Created 1966 Ky. Acts ch. 172, sec. 26.

100.193 Statement of goals and objectives -- Action on statement by legislative bodies and fiscal courts -- Notice -- Hearing.

- (1) The planning commission of each planning unit shall prepare and adopt the statement of goals and objectives to act as a guide for the preparation of the remaining elements and the aids to implementing the plans. The statement shall be presented for consideration, amendment, and adoption by each legislative body and fiscal court in the planning unit. The legislative bodies and fiscal courts shall take action upon the proposed statement of goals and objectives within ninety (90) days of the date upon which the legislative body or fiscal court receives the planning commission's final action upon such proposal. If no action is taken within the ninety (90) day period, the statement of goals and objectives shall be deemed to have been approved by operation of law.
- (2) Each legislative body and fiscal court in the planning unit may develop goals and objectives for the area within its jurisdiction which the planning commission shall consider when preparing or amending the comprehensive plan. During its preparation and that of the other plan elements, it shall be the duty of the planning commission to consult with public officials and agencies, boards of health, school boards, public and private utility companies, civic, educational, professional, and other organizations, and with citizens.
- (3) During the preparation of the statement of goals and objectives, and at least fourteen (14) days prior to any public hearing on the adoption, amendment, or readoption of any element of the comprehensive plan, the planning commission shall give notice of the preparation of the statement or the hearing to the following public officials in each city and county adjacent to the planning unit:
 - (a) If the adjacent city or county is part of a planning unit, the notice shall be sent to the planning commission of that unit; or
 - (b) If the adjacent city or county is not part of a planning unit, the notice shall be sent to the chief executive officer of that city or county government.
- (4) The notice required in subsection (3) of this section, and a copy of the proposed comprehensive plan element, shall also be given to the regional planning council for the area in which the planning unit is located. The council shall coordinate the review and comments of local governments and planning commissions serving planning units affected by the proposal and make recommendations designed to promote coordinated land use in the regional planning council's area of jurisdiction.
- (5) Any planning commission which is adopting, amending, or readopting any element of the comprehensive plan may conduct a hearing to receive testimony from adjacent planning units, city or county governments, or the regional planning council of the affected area.

Effective: July 15, 2008

History: Amended 2008 Ky. Acts ch. 167, sec. 1, effective July 15, 2008. -- Amended 1992 Ky. Acts ch. 268, sec. 2, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 362, sec. 2, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 141, sec. 13, effective July 15, 1986. -- Created 1966 Ky. Acts ch. 172, sec. 27.

100.197 Adoption of plan elements -- Periodic amendment or readoption.

- (1) All elements of the comprehensive plan shall be prepared with a view towards carrying out the statement of goals and objectives. The various elements may be adopted as they are completed, or as a whole when all have been completed. The planning commission shall hold a public hearing and adopt the elements. The comprehensive plan elements, and their research basis, shall be reviewed from time to time in light of social, economic, technical, and physical advancements or changes. At least once every five (5) years, the commission shall amend or readopt the plan elements. It shall not be necessary to conduct a comprehensive review of the research done at the time of the original adoption pursuant to KRS 100.191, when the commission finds that the original research is still valid. The amendment or readoption shall occur only after a public hearing before the planning commission.
- (2) The elements of the comprehensive plan shall be reviewed by the planning commission at least once every five (5) years and amended if necessary. If the goals and objectives statement is proposed to be amended then the proposed amendments shall be submitted to the legislative bodies and fiscal courts in the planning unit for consideration, amendment, and adoption. The legislative bodies and fiscal courts shall take action upon the proposed statement of goals and objectives within ninety (90) days of the date upon which the legislative body or fiscal court receives the planning commission's final action upon such proposal. If no action is taken within the ninety (90) day period, the proposed amendments to the statement of goals and objectives shall be deemed to have been approved by operation of law. If the goals and objectives statement is not proposed to be amended, it shall not be necessary to submit it to the legislative bodies and fiscal courts for action. If the review is not performed, any property owner in the planning unit may file suit in the Circuit Court. If the Circuit Court finds that the review has not been performed, it shall order the planning commission, or the legislative body in the case of the statement of goals and objectives element, to perform the review, and it may set a schedule or deadline of not less than nine (9) months for the completion of the review. No comprehensive plan shall be declared invalid by the Circuit Court unless the planning commission fails to perform the review according to the court's schedule or deadline. The procedure set forth in this section shall be the exclusive remedy for failure to perform the review.
- (3) Within thirty (30) days after its adoption, amendment, or readoption by the planning commission, a copy of each element of the comprehensive plan shall be sent to public officials in adjacent cities, counties, and planning units, following the procedures provided in subsection (3) of KRS 100.193.

Effective: July 15, 2008

History: Amended 2008 Ky. Acts ch. 167, sec. 2, effective July 15, 2008. -- Amended 1990 Ky. Acts ch. 362, sec. 3, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 141, sec. 14, effective July 15, 1986. -- Created 1966 Ky. Acts ch. 172, sec. 28.