

**100.137 Planning commission in county of 300,000 and county with consolidated local government -- Qualifications -- Appointment -- Conflicts of interest -- Legislation regarding plan.**

- (1) Except in a consolidated local government, counties with a population of 300,000 or more inhabitants shall be a planning unit and shall have a planning commission which commission shall be composed of three (3) members, who are nonresidents of the largest city of the county, appointed by the county judge/executive of such county; three (3) members who are residents of the largest city of the county appointed by the mayor of that city; and the mayor of the largest city, or his designee; the county judge/executive, or his designee; the director of works of the largest city in the county; and the county road engineer. The county judge/executive and the mayor together shall ensure that three (3) of the six (6) appointees are citizens who have no direct financial interest in the land development and construction industry. If the commission appoints a citizen member to fill a vacancy, the commission shall ensure that the balance is maintained. All ten (10) members of the planning commission shall be required to disclose any personal or family commercial interest relevant to land use, new development supply, or new development construction. The disclosure shall be a written, signed statement of the general nature of the member's interest. The disclosure shall be filed with the commission's records under KRS 100.167 and shall be available for public inspection during regular business hours. A member shall not vote on an issue in which the member or member's family has an interest. The willful failure of a member to disclose an interest, or a member's voting on an issue in which the member or member's family has a known interest, shall subject the member to removal proceedings under KRS 100.157.
- (2) A county with a consolidated local government created pursuant to KRS Chapter 67C shall be a planning unit and shall have a planning commission which shall include eight (8) members who are residents of the planning unit, approved by the mayor of the consolidated local government pursuant to the provisions of KRS 67C.139. The membership of the planning commission shall also include the mayor of the consolidated local government, or his or her designee, and the director of public works of the consolidated local government, or his or her designee, or the county engineer as determined by the mayor. If the director of public works designates a designee, the designee shall be either a civil or highway engineer licensed under KRS Chapter 322, and shall have at least three (3) years' practical road building, road design, or transportation planning experience. The mayor shall ensure that four (4) of the eight (8) appointees are citizens who have no direct financial interest in the land development and construction industry. If the commission appoints a citizen member to fill a vacancy, the commission shall ensure that the balance is maintained. All ten (10) members of the planning commission shall be required to disclose any personal or family commercial interest relevant to land use, new development supply, or new development construction. The disclosure shall be a written, signed statement of the general nature of the member's interest. The disclosure shall be filed with the commission's records pursuant to KRS 100.167 and shall be available for public inspection during regular

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- (3) In counties containing a consolidated local government, all legislation implementing or amending the plan or amended plan which affects cities with a population equal to or greater than three thousand (3,000) based upon the most recent federal decennial census or any city with a population of less than three thousand (3,000) based upon the most recent federal decennial census that regulated land use under the provisions of this chapter prior to January 1, 2014, shall be enacted by such cities and all other legislation implementing the plan or amended plan shall be enacted by the fiscal court or, in the case of a consolidated local government, by the consolidated local government.
- (4) In all other counties the establishment of a planning unit is optional, but any planning unit established in other counties shall comply with the remaining provisions of this chapter.

**Effective:** January 1, 2015

**History:** Amended 2014 Ky. Acts ch. 92, sec. 191, effective January 1, 2015. -- Amended 2013 Ky. Acts ch. 95, sec. 4, effective June 25, 2013. -- Amended 2002 Ky. Acts ch. 346, sec. 136, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 534, sec. 1, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 100, sec. 1, effective July 13, 1990. -- Created 1966 Ky. Acts ch. 172, sec. 10.