

**65.7055 Amendment, change, or revision to development plan or development area
-- Adoption -- Hearing and notice -- Ordinance.**

Any amendment, change, or revision to a development plan adopted as part of a development area established pursuant to KRS 65.7049, 65.7051, and 65.7053, including the addition of a project, use of new or different redevelopment assistance within the development area, or amendment of the development area boundaries shall be made as follows, provided that any amendment adopted shall not extend the existence of development area beyond the termination date:

- (1) An amendment to the development plan shall be adopted by the city or county. The proposed development plan amendment shall include the following:
 - (a) Identification of the development area to which the amendment applies;
 - (b) A copy of the development plan as revised by the amendment;
 - (c) A narrative description of the proposed changes to the original development area plan and how those changes will impact the original development plan;
 - (d) If the amendment changes the boundaries, or in any way amends maps filed with the original development plan, a revised map, a revised legal description of the development area, and revised geographic reference points, and identification of new improvements, or projects proposed in the amendment;
 - (e) A description of the redevelopment assistance proposed to be employed, including the manner and location of such assistance relating to the proposed amendment;
 - (f) A financial plan relating to the proposed amendment, including the proposed cost of providing any redevelopment assistance and proposed projects to be funded, the sources of funding to meet those costs, projected incremental revenues, and the projected time period during which financial obligations will be incurred;
 - (g) Proposed changes of any zoning ordinance, comprehensive plan, master plan, map, building code, or ordinance required to implement the proposed amendment; and
 - (h) If the city or county is a member of a planning unit, certification of review by the planning commission for compliance with the comprehensive plan of the planning unit pursuant to KRS Chapter 100 after any necessary changes identified in paragraph (g) of this subsection are made.
- (2) Prior to the adoption of an amendment to a development plan, the city or county shall comply with the hearing and notice provisions set forth in KRS 65.7051(2) and (3). The notice provided in relation to an amendment to the development plan shall include a summary of how the amendment changes the development plan and shall identify new redevelopment assistance and projects proposed by the amendment.
- (3) The city or county shall adopt any amendment to the development plan and any amendment to the development area by ordinance. The ordinance shall include the following provisions:

- (a) A provision adopting the amendment to the development plan required by subsection (1) of this section;
- (b) Approval of any local participation agreements or other agreements relating to the amendment;
- (c) The identification of any new or different state or local tax revenues pledged by any taxing district to support the provision of redevelopment assistance or projects identified in the amendment;
- (d) A finding that the amendment does not increase the aggregate value of taxable real property included in all the redevelopment areas and the local development areas within the jurisdiction of the city or county to more than twenty percent (20%) of the total value of taxable real property within its jurisdiction. For the purpose of determining whether the twenty percent (20%) threshold has been met, the assessed value of taxable real property within all of the local development areas and development areas shall be valued as of the establishment date; and
- (e) Any other provisions, findings, limitations, rules, or procedures regarding the amendment deemed necessary by the city or county.

Effective: July 15, 2008

History: Amended 2008 Ky. Acts ch. 178, sec. 6, effective July 15, 2008. -- Created 2007 Ky. Acts ch. 95, sec. 8, effective March 23, 2007.