

1 AN ACT relating to the sale or transfer of historic places.

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

3 ➔Section 1. KRS 171.382 is amended to read as follows:

4 (1) Prior to deciding whether to nominate a district, site, building, or object to the
5 National Register of Historic Places created by the National Historic Preservation
6 Act of 1966, the Kentucky Historic Preservation Review Board and the Kentucky
7 Heritage ~~Council~~~~Commission~~ shall afford persons desiring to comment on the
8 proposed nomination the opportunity to be heard by the board, in accordance with
9 subsection (2) of this section.

10 (2) The Kentucky Heritage ~~Council~~~~Commission~~ shall give public notice of the
11 proposed nomination of any district, site, building, or object to the National
12 Register of Historic Places before ~~the~~~~such~~ nomination is presented to the
13 Kentucky Historic Preservation Review Board. The notice shall be published in the
14 county in which the district, site, building, or object is located in accordance with
15 KRS Chapter 424, except that the notice shall be published only one (1) time, at
16 least thirty (30) days prior to the review board's consideration of the nomination.
17 The notice shall state the time and place of the meeting at which the nomination is
18 to be considered and shall indicate that any person desiring to be heard by the
19 historic preservation review board shall be afforded the opportunity to comment on
20 the proposed nomination.

21 **(3) *Ninety (90) days prior to the sale or transfer of any state-owned property that has***
22 ***been nominated by the Kentucky Historic Preservation Review Board to be listed***
23 ***on the National Register of Historic Places, the Finance and Administration***
24 ***Cabinet shall:***

25 **(a) *Provide notice to the Kentucky Heritage Council;***

26 **(b) *Engage in consultation with the Kentucky Heritage Council regarding the***
27 ***property's historic, cultural, and archeological resources. If a state agency***

1 *other than the Finance and Administration Cabinet holds title or any*
 2 *interest in the property, the consultation shall include that state agency; and*
 3 *(c) Receive a written recommendation from the Kentucky Heritage Council on*
 4 *whether the historic, cultural, and archeological resources should be*
 5 *preserved by a preservation easement.*

6 *(4) If the Kentucky Heritage Council recommends that a preservation easement be*
 7 *placed on the property, no sale or transfer of the property by the Finance and*
 8 *Administration Cabinet shall be authorized until a preservation easement is listed*
 9 *on the property.*

10 ➔Section 2. KRS 82.660 is amended to read as follows:

11 (1) A city legislative body, except for urban-county governments, may by ordinance
 12 create one (1) or more overlay districts pursuant to this section to provide additional
 13 regulations for design standards and development within any area of the city
 14 determined to be:

15 (a) An area that has historical, architectural, natural, or cultural significance that
 16 is suitable for preservation or conservation; or

17 (b) An area that is located near a river or other body of water, or along an
 18 established commercial corridor that has a special character related to the
 19 location that is suitable for conservation.

20 (2) Upon the establishment of an overlay district, development within the area shall
 21 conform to all zoning regulations applicable to the area and shall also conform to all
 22 overlay district regulations.

23 (3) An ordinance establishing an overlay district shall, at a minimum, include the
 24 following provisions:

25 (a) An accurate description of the boundaries of the district;

26 (b) A description of the historical, architectural, cultural, aesthetic, natural, or
 27 other distinctive characteristics of the district that are to be preserved or

- 1 conserved;
- 2 (c) A delegation of responsibility for the administration of overlay regulations to
- 3 an appropriate entity of city government pursuant to KRS 82.670;
- 4 (d) The standards, guidelines, or criteria that shall govern development within the
- 5 district to preserve, conserve, or protect the historical, architectural, cultural,
- 6 aesthetic, or other distinctive characteristics of the district. These standards,
- 7 guidelines, or criteria may be set out descriptively in the ordinance or by
- 8 illustration, and may incorporate by reference established architectural
- 9 standards or guidelines; and
- 10 (4) Any city participating in the Certified Local Government Historic Preservation
- 11 Program shall comply with the regulations of the Kentucky Heritage
- 12 Council~~Commission~~.
- 13 (5) Upon the effective date of the establishment of an overlay district, no person shall
- 14 begin any major structural change or any ordinary repairs to any building or
- 15 structure or change or create any surface parking lot, or clear a parcel or lot of trees
- 16 or other major vegetation, or change the appearance to signage within an overlay
- 17 district until the city has issued a permit, without cost, certifying that the person has
- 18 complied with the provisions of the overlay district regulations governing the
- 19 district. This prohibition shall not apply to emergency repairs that need to be made
- 20 to a building or structure within an overlay district.