

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.