

67A.845 Purchase of development rights program.

- (1) Within one hundred eighty (180) days following the passage of a purchase of development rights proposal by referendum as provided for in KRS 67A.843, 67A.847, and 67A.849, an urban-county government shall establish a purchase of development rights program which, in addition to the matters approved by referendum, shall include:
 - (a) A statement of the purpose of the program;
 - (b) A detailed map showing the locations of the properties from which development rights may be purchased;
 - (c) The restrictions upon the use and development of the properties from which development rights have been purchased, and the duration of those restrictions which may be perpetual as the equivalent of covenants running with the land;
 - (d) The mechanism, if any, for removing the restrictions;
 - (e) The procedure for valuation and transfer of the development rights. The instrument of transfer shall be an instrument drawn, executed, and recorded in accordance with KRS Chapter 382, which shall set forth the terms of the restrictions with specificity;
 - (f) The entity authorized by the urban-county government to operate the program; and
 - (g) Any other provisions the urban-county government deems necessary or appropriate.
- (2) The program may provide for the purchase of conservation easements or other comparable interests in real estate in addition to or in lieu of the purchase of development rights.
- (3) The provisions of the program, except those elements adopted by referendum, may be amended from time to time by the urban-county government.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 372, sec. 4, effective July 15, 1998.