

82.660 Creation of overlay districts -- Contents of ordinance -- Effect of establishment of district.

- (1) A city legislative body, except for urban-county governments, may by ordinance create one (1) or more overlay districts pursuant to this section to provide additional regulations for design standards and development within any area of the city determined to be:
 - (a) An area that has historical, architectural, natural, or cultural significance that is suitable for preservation or conservation; or
 - (b) An area that is located near a river or other body of water, or along an established commercial corridor that has a special character related to the location that is suitable for conservation.
- (2) Upon the establishment of an overlay district, development within the area shall conform to all zoning regulations applicable to the area and shall also conform to all overlay district regulations.
- (3) An ordinance establishing an overlay district shall, at a minimum, include the following provisions:
 - (a) An accurate description of the boundaries of the district;
 - (b) A description of the historical, architectural, cultural, aesthetic, natural, or other distinctive characteristics of the district that are to be preserved or conserved;
 - (c) A delegation of responsibility for the administration of overlay regulations to an appropriate entity of city government pursuant to KRS 82.670;
 - (d) The standards, guidelines, or criteria that shall govern development within the district to preserve, conserve, or protect the historical, architectural, cultural, aesthetic, or other distinctive characteristics of the district. These standards, guidelines, or criteria may be set out descriptively in the ordinance or by illustration, and may incorporate by reference established architectural standards or guidelines; and
- (4) Any city participating in the Certified Local Government Historic Preservation Program shall comply with the regulations of the Kentucky Heritage Commission.
- (5) Upon the effective date of the establishment of an overlay district, no person shall begin any major structural change or any ordinary repairs to any building or structure or change or create any surface parking lot, or clear a parcel or lot of trees or other major vegetation, or change the appearance to signage within an overlay district until the city has issued a permit, without cost, certifying that the person has complied with the provisions of the overlay district regulations governing the district. This prohibition shall not apply to emergency repairs that need to be made to a building or structure within an overlay district.

Effective: July 13, 1990

History: Created 1990 Ky. Acts ch. 479, sec. 2, effective July 13, 1990.