

**SECTION 10.14 HP-O (HISTORIC PRESERVATION OVERLAY) ZONE**

- A. **PURPOSE:** The HP-O, Historic Preservation Overlay zone is intended to preserve structures, buildings, appurtenances, and places that are of basic and vital importance for the development of the culture, because of their association with history; because of their unique architectural style and scale, including color, proportions, form, and architectural details; or because of their being a part of or related to a square, park or area of cultural, historical, or architectural importance to the city.

This zone is intended to work in conjunction with the other zones and for the purpose of protecting and preserving the exterior of the buildings, structures, appurtenances, and places.

B. **APPLICABILITY**

1. The regulations of this section apply to all development proposed within the boundaries of the HP-O zones, as shown on the official zoning map.
2. Map amendment applications to add an HP-O zone to an area of the city must be filed with the Kenton County Planning Commission. The notification of and public hearing on an application must follow the procedures set forth in KRS 100 for map amendments.
3. Upon approval of an HP Overlay zone, the official zoning map must be amended by adding the suffix HP-O, in parentheses, to the existing zones, i.e., NC (HP-O), within the identified areas.

- C. **PERMITTED USES:** Any permitted uses allowed in the underlying zone and that do not destroy or alter the exterior architectural features of the building or structure in accordance with the purpose of this zone are permitted.

- D. **ACCESSORY USES:** Any accessory uses allowed in the underlying zone and that do not destroy or alter the exterior architectural features of the building, structure, appurtenances, or place in accordance with the purpose of this zone are permitted.

- E. **CONDITIONAL USES:** Any conditional uses allowed in the underlying zone and that do not destroy or alter the exterior architectural features of the building, structure, appurtenances, or place in accordance with the purpose of this zone are permitted.

- F. **OTHER DEVELOPMENT CONTROLS:** In addition to the Other Development Controls contained within the underlying zone, the following shall also apply:

1. No alteration of the exterior appearance of any building, structure, appurtenance, or site is permitted unless the work is determined to be consistent with the Ludlow Historic Design Guidelines.
2. No new construction is permitted unless the work is determined to be consistent with the Ludlow Historic Design Guidelines.
3. No demolition of buildings or structures is permitted unless it is reviewed and approved by the Urban Design Review Board as set forth in Section 20.2.
4. Protective Maintenance Required:
  - a. All buildings and structures in designated Historic Preservation Overlay zones must be properly maintained and repaired at the same level required elsewhere in the city. Should an owner omit essential maintenance and repairs, which would eventually result in the building becoming so run down that it would be constitutionally unreasonable for the city to refuse to allow the owner to demolish the building, the Urban Design Review Board must bring this matter to the attention of the code enforcement official, who must immediately require of the owner or agent protective maintenance and repair to further the economy, health, safety, and general welfare of the city and nothing in this subchapter will be construed to prevent ordinary maintenance or repairs of any structures.
  - b. In any case where a responsible public official determines that there are emergency conditions dangerous to life, health, or property affecting an historic structure, that department may order these conditions remedied without the approval of the UDRB or staff. In all such cases, these actions will be communicated to the UDRB at a public meeting.

#### G. ACTIONS BY THE CITY COUNCIL

1. If the City Council creates a Historic Preservation Overlay zone, its action must include a declaration that the buildings, structures, or sites to be preserved are in fact of historical or architectural significance requiring protection against destruction and encroachment.