

CHAPTER 32: DEPARTMENTS, BOARDS, AND COMMISSIONS

Architectural Review Board

§ 32.67 ARCHITECTURAL REVIEW BOARD.

(A) Establishment. There is hereby established the Murray Architectural Review Board. The Board shall consist of five members appointed by the Mayor and approved by the Council. The members shall have demonstrated interest in historic preservation, and at least two members shall have training or experience in a preservation-related profession; architecture, history, archaeology, architectural history, planning or related fields. When one or two professional members are not available, the Mayor may appoint other persons interested in historic preservation to serve. When the Board reviews an issue that is normally evaluated by a professional member and that field is not represented on the Board, the Board shall seek expert advice before rendering its decision. Members of the Board shall serve without compensation, but they shall be reimbursed for expenses incurred in the performance of their duties in accordance with the rules adopted by the Board. Each member shall attend at least one educational meeting on historic preservation per year. This meeting shall have been approved by the State Historic Preservation Officer.

(B) Terms of office. The terms of office of the members shall be three years, except the terms of two members of the original Board shall expire after two years and the terms of two members of the original Board shall expire after one year. Each member shall serve until the appointment and qualification of his successor. Vacancies on the Board shall be filled within 60 days, and the person selected shall be appointed for the unexpired portion of the term.

(C) Officers. The Board shall each year elect members to serve as Chairman, Vice Chairman, and Secretary. The Chairman shall preside at the meetings of the Board and shall be spokesperson for the Board. In his absence, the Vice Chairman shall perform these duties. The Secretary shall prepare the minutes of the Board's meetings which shall be available for public inspection.

(D) Conflict of interest. No member of the Board shall vote on any matter that may affect the property, income or business interest of that member.

(Ord. 2003-1334, passed 11-13-03)

Cross-Reference:

Historical Overlay District, see § [156.044](#)

§ 32.68 POWERS AND DUTIES OF THE BOARD.

(A) Specific powers. In addition to the powers and duties stated elsewhere, the Board shall take action necessary and appropriate to accomplish the purpose of this subchapter. These actions may include, but are not limited to the following:

- (1) Conducting a survey of historic buildings and areas and preparing a plan for their preservation;
 - (2) Soliciting public input for the purpose of collecting information to assist in making recommendations to the Planning and Zoning Commission and City Council;
 - (3) Recommending to the City Council and the Planning and Zoning Commission designation of historic districts and individual landmarks;
 - (4) Adopting written Historic Preservation Design Guidelines for making exterior changes to designated property and for undertaking new construction on designated property. The Board may expand or amend the Historic Preservation Design Guidelines, provide it holds a public hearing on the changes and submits the proposed changes to the City Council for their comments and approval;
 - (5) Recommending alterations visible to the public that are proposed for designated property; review and input on demolitions, relocation, and new construction involving designated property;
 - (6) Working with and advising the Federal, State and County governments and other parts of city government;
 - (7) Advising and assisting property owners and other persons and groups including neighborhood organizations who are interested in historic preservation; and
 - (8) Conducting educational programs including the preparation of publications and the placing of historical markers.
- (B) Rehabilitation of buildings. The Board may initiate and encourage plans for the preservation and rehabilitation of individual historic buildings. The Board shall, on a regular basis, give recognition to owners and tenants who maintain or rehabilitate their historic buildings with care and thus contribute to the preservation of the history of Murray.
- (C) Survey of historic buildings. In making its survey of historic buildings and areas, the Board shall conduct this work in accordance with the guidelines of the Kentucky Heritage Council. The Board shall provide that its survey and preservation plan shall be maintained and continued. The Board shall use the preservation plan to assist the city and the Planning and Zoning Commission in their overall planning efforts.
- (D) Meetings of the Board. The Board shall adopt and make public rules for the transaction of its business and shall hold monthly public meetings and special public meetings when necessary. All meetings shall have a previously available agenda and shall comply with the Kentucky Open Meeting Statute, KRS 61.805. A simple majority of the membership shall be required for decisions involving historic districts and landmarks.
- (E) Annual report. The Board shall prepare and keep on file, available for public inspection, a written annual report of its activities, cases, decisions, qualifications of members and other work.
- (F) Recommendations and designations. The Architectural Review Board, Planning Commission the City Council, a property owner, any resident of Murray or any organization may

ask the Board to study a property or an area and then to vote on whether or not to start the process for designating it as historic.

(G) Public hearing and notice. To start the designation process, the Board shall assemble information about the district or property being considered for designation and shall schedule a public hearing on the proposed designation. Notice of such hearings shall be published as required by KRS Ch. 424, including conspicuous posting in the proposed district or on the lot of the proposed landmark or property for fourteen (14) consecutive days immediately prior to the hearing. At least fourteen (14) days prior to the public hearing written notice shall be given by first class mail to the owners of the property under consideration. Records maintained by the Property Valuation Administrator may be relied upon conclusively to determine the identity and address of the owner. Owners and any interested person may present testimony and evidence at the public hearing on the designation. The record on the designation may also include letters received by the Board.

(H) Criteria for designation. A historic district or a landmark or property shall qualify for designation when it meets one or more of the following criteria which shall be noted in the Board report making its recommendation to the Planning Commission;

(1) Its character as an established and geographically definable residential neighborhood, agricultural area, or business district united by culture, architectural styles or physical plan and development;

(2) Its character as a geographically definable area possessing a significant concentration of buildings or structures united by past events or by its plan or physical development;

(3) Its location as a site of a significant local, state or national event;

(4) Its value as a building that is recognized for the quality of its architecture and that retains sufficient elements showing its architectural significance.

(I) Report of the Planning Commission. The Planning Commission shall hold a public hearing, after which it shall report on the relationship between the proposed historic district designation and the existing and future plans for the development of the city. If the Planning Commission recommends the approval of the proposed historic district designation, it shall prepare a proposed overlay for the zoning map showing said historic district. The Planning Commission shall forward its comments and recommendation for the proposed zoning map overlay district to the Council. If the Planning Commission does not approve of the proposed designation it shall forward its comment to the City Council in the form of a recommendation.

(J) Action by the Council. The Council shall hold a public hearing before establishing the overlay district. If approved, the official zoning map shall be amended within sixty (60) days after receiving the recommendation for the proposed overlay from Planning Commission.

(K) Relationship to zoning. Any property or landmark in a historic district shall be subject to the Zoning Ordinance and Subdivision Regulations and other rules of its underlying zoning district. Where there is a conflict between this section and the Zoning Ordinance or Subdivision Regulations, the higher standard shall govern. Upon 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 historic overlay district regulations.

(L) Amendment or Rescission of the Designation. The amendment or rescission of any designation shall be accomplished through the same steps as were followed in the original designation.

(Ord. 2003-1334, passed 11-13-03; Am. Ord. 2008-1460, passed 4-24-08; Am. Ord. 2009-1482, passed 3-12-09)

(J) Appeal of the Board's decision. The applicant shall have a right to appeal a decision by the Board to the City Council on any request to amend the original designated boundaries or an application for a Certificate of Appropriateness, within thirty (30) days of the action of the Board.

(Ord. 2003-1334, passed 11-13-03; Am. Ord. 2008-1460, passed 4-24-08; Am. Ord. 2009-1482, passed 3-12-09)