

### **177.572 Definitions for KRS 177.571 to 177.576.**

As used in KRS 177.571 to 177.576, unless the context requires otherwise:

- (1) "Advertising device" means as defined in KRS 177.830;
- (2) "Archaeological quality" means those characteristics of the area surrounding a scenic byway or a scenic highway that are physical evidence of historic or prehistoric human life or activity and that are visible and capable of being inventoried and interpreted. The archaeological interest, as identified through ruins, artifacts, structural remains, or other physical evidence shall have scientific significance that educates the viewer and causes the viewer to appreciate the past;
- (3) "Cultural quality" means evidence or expressions of the customs or traditions of a distinct group of people. Cultural features shall include, but not be limited to, crafts, music, dance, rituals, festivals, speech, food, special events, and vernacular architecture, as currently practiced. The cultural qualities of the area surrounding a scenic byway or scenic highway may highlight one (1) or more significant communities or ethnic traditions;
- (4) "Historic quality" means legacies of the past that are distinctly associated with the physical elements of the landscape, whether natural or manmade, and that are of historic significance, educate the viewer, and cause the viewer to appreciate the past. The historic qualities reflect the actions of people and may include buildings, settlement patterns, or other examples of human activity. Historic qualities may be inventoried, mapped, and interpreted, and they possess integrity of location, design, setting, material, workmanship, feeling, and association;
- (5) "Intrinsic quality" means one (1) or more of the following:
  - (a) Archaeological quality;
  - (b) Cultural quality;
  - (c) Historic quality;
  - (d) Natural quality;
  - (e) Recreational quality; or
  - (f) Scenic quality;
- (6) "Natural quality" means those features in the visual environment that are in a relatively undisturbed state. These features shall predate the arrival of human populations and may include geological formations, fossils, landforms, water bodies, vegetation, and wildlife. If there is evidence of human activity, the natural features must reveal minimal disturbances;
- (7) "Outdoor advertising device" means an advertising device that is not located on the premises of the entity being advertised;
- (8) "Recreational quality" means outdoor recreational activities directly associated with and dependent upon the natural and cultural elements of the scenic byway or scenic highway's landscape. The recreational activities shall provide opportunities for active and passive recreational experiences including, but not limited to, downhill skiing, rafting, boating, fishing, hiking, and simple roadway driving. The recreational activities may be seasonal, but the quality and importance of the

activities as seasonal operations shall be well recognized;

- (9) "Scenic byway" means a highway maintained by a local government that has roadsides or view sheds of aesthetic, cultural, historical, or archaeological value worthy of preservation, restoration, protection, or enhancement;
- (10) "Scenic highway" means a state-maintained highway that has roadsides or view sheds of aesthetic, cultural, historical, or archaeological value worthy of preservation, restoration, protection, or enhancement; and
- (11) "Scenic quality" means the heightened visual experience derived from the view of the natural and manmade elements of the scenic byway or scenic highway. The characteristics of the landscape are strikingly distinct and offer a pleasing and memorable visual experience. All elements of the landscape, including landform, water, vegetation, and manmade development, must contribute in harmony to the quality of the scenic byway's or scenic highway's visual environment and share in its intrinsic qualities.

**Effective:** July 15, 1998

**History:** Created 1998 Ky. Acts ch. 566, sec. 2, effective July 15, 1998.