

Article amendments approved unless noted:	OMPC	Owensboro	Daviess Co.	Whitesville
	13-Jan-2005	15-Feb-2005	3-Mar-2005	
REVOKED	10-Sep-2009	20-Oct-2009		

21.1 FINDINGS OF FACT. The following findings of fact made:

21.11 The B-2 Central Business Zone is a generalized zone, which is intended to accommodate the existing and near-future development of the Central Business District. As detailed study of Downtown Owensboro continues, this interim zone should evolve into several specific districts in order to meet the design objectives in preparation for Downtown.

21.12 The Comprehensive Plan promotes adequate, attractive, and accessible shopping and service facilities for all segments of the community. (Goal 4.5.1) Objectives include revitalization and strengthening of older commercial areas, especially the downtown areas, as business and cultural centers, including the use of economic development incentives; promoting waterfront development to enhance recreation and tourism; developing strategies to promote and develop a convention center/sports complex in the downtown area.

21.13 The “Downtown Owensboro Action Plan” proposes a conceptual organization of the downtown area into four functional/physical districts. Areas in the plan identified as strong opportunity sites include, the southern (5th St) and northern (riverfront) edges of the study area, as well as along the Allen Street. These sites have excellent relationships to views, vistas, and adjacent neighborhoods.

21.14 Downtown Design Guidelines (1990) have been developed to promote good urban and architectural design in rehabilitating historic building and in erecting new infill buildings that are compatible with the historic character of downtown. These guidelines are mandatory in the River Park Center block and currently voluntary in other areas of downtown.

21.15 The “Owensboro Riverfront Master Plan” (2001) prepared for the City of Owensboro promotes the Riverfront area of the Downtown as a major civic area, with active uses, additional entertainment facilities and events, specialty retail and restaurants and provides a market study that identifies riverfront development opportunities.

21.2 PURPOSE AND OBJECTIVES. The development of specific overlay districts within the B-2 Central Business zone is intended to:

21.21 Establish Specific Standards. Creation of specific overlay districts within the Central Business District will enable specific site locational standards to be enumerated and applied. Such standards will promote the public welfare, will enhance the implementation of specific area studies, and will promote the goals and objectives of the Comprehensive Plan.

21.22 Facilitate Implementation of Requirements. By specifically stating the standards to be applied to these overlay districts, enforcement of the standards by the Inspector will be facilitated.

21.23 Increase Implementation of Area Specific Studies. Overlay districts are intended to facilitate the recommendations of specific area studies and to promote the design objectives identified for the Downtown.

21.3 ESTABLISHMENT OF OVERLAY DISTRICTS WITHIN THE B-2 CENTRAL BUSINESS ZONE. Activities placed within an overlay district are those activities that will promote or enhance the development of a specific area of the Central Business District in response to the Comprehensive Plan goals and objectives and recommendations of specific area studies.

21.4 REGULATIONS IN OVERLAY DISTRICTS. The regulations adopted under this chapter relating to each

Overlay District created must include the following if applicable:

21.41 Definition of the specific use to be permitted.

21.42 Site, design and locational standards such as:

- a. Lot, yard and height requirements;
- b. Landscape buffer and fencing requirements;
- c. Sign restrictions;
- d. Access design requirements and limitations;
- e. Regulations relating to surface and subsurface drainage, flood plains and soil erosion; and,
- f. Off-street parking requirements.

21.43 Operational Standards. Performance standards may be established relating to those aspects of the activity which must be controlled to protect the public health, safety, or welfare such as:

- a. noise, air, water and soil pollution on other areas;
- b. stormwater drainage, flood plain or erosion control problems;
- c. and other operational requirements which are necessary and reasonable to make such activity compatible with neighboring land uses likely to be affected by such activity.

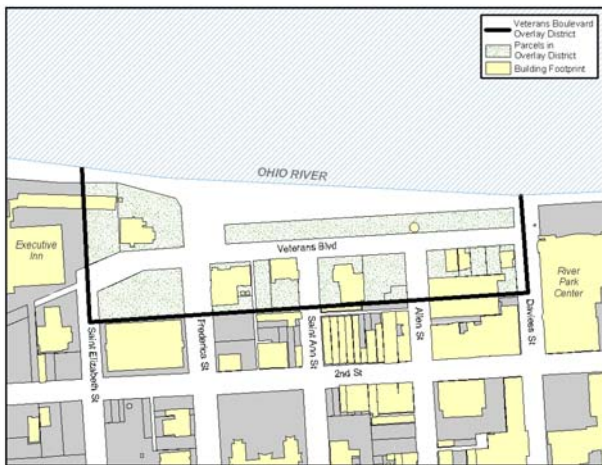
**APPENDIX 21a
VETERANS BOULEVARD OVERLAY DISTRICT**

21a.1 Intent. The intent of the Veterans Boulevard Overlay District is to:

- 1) Enhance implementation of the recommendations of the Owensboro Riverfront District Master Plan (2001).
- 2) Promote waterfront development to enhance recreation and tourism.
- 3) Manage land uses to develop the district as a major civic area that is people-friendly with active uses, additional entertainment facilities and events, specialty retail and restaurants.

The regulations herein shall be established in addition to the zoning classifications shown on the Zoning Map Atlas for the subject area, and the applicable regulations contained in this Zoning Ordinance. The use, dimensions and other requirements for the B-2 Central Business zone, as provided in this ordinance shall apply, unless further restricted hereunder. Where there are conflicts between the regulations hereunder and those contained elsewhere in this ordinance, the more restrictive shall apply.

21a.2 LOCATION OF DISTRICT. The Veterans Boulevard Overlay District is intended for the properties along Veterans Boulevard from Daviess Street to Saint Elizabeth Street on the north side of Veterans Boulevard and on the south side of Veterans Boulevard for a depth of 150 feet from the south right-of way line of Veterans Boulevard toward 2nd Street.



21a.3 PRINCIPAL USES PERMITTED. Those principal uses listed in the underlying B-2 Central

Business zone in Section 8.2 Zones and Uses Table, unless specifically listed as a prohibited use below.

21a.4 ACCESSORY USES PERMITTED. Those accessory uses listed in the underlying B-2 Central Business zone in Section 8.2 Zones and Uses Table, unless specifically listed as a prohibited use below.

21a.5 CONDITIONAL USES. Those conditional uses listed in the underlying B-2 Central Business zone in Section 8.2 Zones and Uses Table, unless specifically listed as a prohibited use below.

21a.6 PROHIBITED USES.

21a.61 The following uses are prohibited in the Veterans Boulevard Overlay District:

- 1) Those uses not principally or conditionally permitted in the underlying B-2 Central Business zone.
- 2) Fraternity, sorority houses and dormitories.
- 3) Child day-care centers, child nurseries, adult day-care centers
- 4) Churches, Sunday schools, parish houses
- 5) Passenger transportation terminals
- 6) Any assembly, business or mercantile uses deemed to be adult entertainment establishments
- 7) Hospitals, surgical centers, convalescent and rest homes, orphanages, rehabilitation facilities, assisted living facilities
- 8) Pawnshops
- 9) Tattoo or body piercing parlors
- 10) Convenience stores with fuel stations
- 11) Automobile or boat rental
- 12) Automobile service stations, with or without fuel centers
- 13) Automobile and truck repair, minor
- 14) Car wash, self-service or automatic
- 15) Loading and unloading facilities
- 16) Funeral home
- 17) Laundry, clothes cleaning
- 18) Public utility facilities not otherwise permitted within this table and not excepted by Article 3 herein
- 19) Bus terminals
- 20) Storage yards for delivery vehicles

21a.62 The following uses are prohibited on the ground floor in the Veterans Boulevard Overlay District. These uses are permitted uses above ground floor level.

- 1) Dwelling: accessory
- 2) Dwelling: Multi-family
- 3) Guest quarters
- 4) Schools, colleges, academic, technical, vocational or professional, private elementary and secondary schools.
- 5) Parking areas or structures, unless located a minimum of 25 feet from the front property line and located behind a principally permitted use. The parking area or structure shall not have direct access from Veterans Boulevard
- 6) Parking lots or structures unless located a minimum of 25 feet from the front property line and located behind a principally permitted use. The parking area or structure shall not have direct access from Veterans Boulevard
- 7) Municipal, county, state, public school or federal uses

21a.6 LOCATIONAL STANDARDS The boundaries, dimensions, and locations of this overlay zone are subject to review and approval by the appropriate legislative body.

In the event a future amendment is proposed to the text of this zoning regulation, notice shall be given by first class mail in advance of any scheduled public hearing to the property owners of land to which the Veterans Boulevard Overlay District has been applied.