



# LAND USE PLAN

Comprehensive Plan - Section 440
This sheet summarizes the LAND USE PLAN, Section 440 of the Comprehensive Plan for Owensboro, Whitesville, & Daviess County, Kentucky, adopted by the Owensboro Metropolitan Planning Commission. Only the most vital information is included on this sheet. Please refer to the full text of Section 440 for background or additional information; this symbol **a** indicates where such information has been omitted. The Land Use Plan is made up of three elements: Land Use Plan Map, Land Use Key, and Land

LAND USE PLAN MAP (other side) The most important features of the Land Use Plan Map are the 12 types of Plan Areas it depicts, each shown in a different color. The Land Use Plan Map also summarizes various aspects of the Comprehensive Plan including future highway corridors, planned parks, etc

LAND USE KEY (other side) Includes the colors and titles of the 12 Plan Areas. For each Plan Area, particular land uses are listed to indicate that they may be ap propriate within that Plan Area - in either general, limited, or very limited locations - subject to particular land use criteria. Land uses not listed under a Plan Area in the Land Use Key are not recommended within the Plan Area.

LAND USE CRITERIA (this side) All land uses listed in the Land Use Key are subject to applicable GENERAL LAND USE CRITERIA, which concern the Environment (E), Urban Services (U), and Development Patterns (D). Each land use is further subject to SPECIFIC LAND USE CRITERIA

### **DESCRIPTION OF THE PLAN AREAS**

### **Central Residential Areas** (light brown)

Contain the oldest residential areas of Owensboro, with a wide mixture of dwelling densities, and full urban services. Much existing housing is undergoing rehabilitation, and some is being replaced by new single-family or multi-family housing. However, where dwellings adjoin existing nonresidential uses and front upon arterial streets, some conversion to or replacement by nonresidential uses is anticipated.

### **Urban Residential Areas** (yellow ochre)

Contain large concentrations of stable housing connected to sanitary sewers. They also contain the most appropriate locations for future urban residential development, because of near-term plan proposals for sanitary sewer expansions and availability of other

urban services. Certain types of expanded or new nonresidential centers may be appropriate in limited locations within these areas.

## Future Urban Areas (yellow green)

Contain agricultural uses, rural housing with septic tanks, and a few scattered urban residential subdivisions served by small sewage treatment plants. In the long -term, municipal sewers are proposed for these areas. However, near-term development will

largely be served by septic systems. Certain types of expanded or new nonresidential centers may be appropriate in limited

## locations within these areas. Professional/Service Areas (light blue)

Primarily contain existing professional/service uses.

Contain the existing Central Business Districts of Owensboro and Whitesville.

## **Business Areas** (red)

Contain existing locations and recommended future locations of general, highway or neighborhood business uses or zones.

### **Business/Industrial Areas** (yellow) Contain existing random mixtures of general business and industrial uses and zones.

Central Business Areas (gray)

**Industrial Areas** (light violet)

## Contain existing locations and recommended future locations of light or heavy industrial uses or zones.

Rural Community Areas (pink) Contain historical concentrations of small -lot rural housing, as well as limited nonresidential developed uses serving the Rural Service Area. Generally, there are no sanitary sewers in these areas.

Rural Preference Areas (light green) Primarily contain agricultural uses, with scattered rural housing served by septic tanks, and occasional sites of other uses.

Rural Maintenance Areas (dark green)

Primarily contain agricultural and coal mining uses, with sparse rural housing served by septic tanks, and occasional sites of other

### Water/Floodway Areas (aquamarine) Contain major bodies of water and their floodways.

**SPECIFIC LAND USE CRITERIA** Sixteen separate land use categories are established in the Land Use Plan. Each land use category is referenced by the number found in the Land Use Key, and is subject to both the **GENERAL CRITERIA** in the previous subsection and the following SPECIFIC CRITERIA listed for each use.

## (1) Rural Farm Residential Use

nsists of single-family dwellings located	2 2	
Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Rural Preference	General	(a) & (b)
Rural Maintenance	General	(a) & (b)
) Large tracts with agricultura	l potential Each dwelling s	hould be located on a separate, large tr

that has potential for productive agricultural use. (b) Access to existing public road via private drive Each dwelling/tract should have access to an existing public road; public roads should not be created or extended to provide access. Access should be provided via private drives. No more than two dwelling/tracts should share a single private drive where it connects with a public

# (2) Rural Large-lot Residential Use

consists of single-family dwellings located on large nonagricultural lots in rural areas.

Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Rural Preference	General	(a), (b) & (d)
<b>Rural Maintenance</b>	Limited	(a), (c) & (d)
that fronts on a public road or streenumbers of lots or odd-shaped lots (b) Frontage on existing existing public roads or streets specifications, including curbs and (c) Frontage only on existing public roads or streets upon existing public roads or streets	ret. Lots should be large enough in size as.  roads or on new streets In Rural as, or may front new subdivision streets the gutters.  ting roads or streets In Rural Ma ets. Public roads or streets should not be compared.	hould be located on its own individual lot nd width to avoid the creation of excessive  Preference plan areas, new lots may front hat should be constructed to urban intenance plan areas, new lots should front created or extended to provide for new lots. End of the potential for coal mining activity
in rural areas.	Troopeon to lot o where a should be united	ou or the perentum for each mining uctivity

### (3) Rural Small-lot Residential Use consists of single-family dwellings located in areas without sanitary sewer systems, where development densities

approach urban levels due to concentrations of small lots. This use is typically found in Rural Communities, and in Future Urban areas and remote portions of Urban Residential areas where planned sanitary sewers have not yet been

**Specific Criteria** 

Within Plan Area	Locations	that Apply
<b>Urban Residential</b>	General	(a) & (b)
Future Urban	General	(a) & (b)
Rural Community	General	(a) & (b)
Rural Preference	Very-Limited	(a), (b), (c) & (d)
a) Separate lots fronting on pu		
individual lot that fronts on a public ro	oad or street. New subdivision st	reets should be constructed to urba
specifications, including curbs & gutters.		

(b) Lot sizes adequate for septic tank systems Lots should be large enough in size to assure satisfactory operation of conventional septic tank systems as regulated by state law. (c) Only logical expansions of limited scope In Rural Preference plan areas, completely new locations of Rural Small-lot Residential use should not be established. However, existing areas of this use may be expanded onto contiguous land, but should not significantly increase the extent of such uses in the vicinity, and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. (d) Coal mining advisory In Rural Preference plan areas, prospective lot owners should be advised of the potential for coal mining activity in rural areas.

### (4) Urban Low-density Residential Use consists of dwellings (usually single -family) located in areas with sanitary sewers, at densities generally up to 9

dwelling units per acre. This use exists widely in Central Residential and Urban Residential areas. Also, a few, scattered developments of this use are found in Future Urban areas and Rural Communities, served by small, independent sewage treatment plants. **Manufactured housing parks** are included in this use category.

lependent sewage treatment plants. Manufactured housing parks are included in this use category.  Appropriate Specific Criteria		
Within Plan Area	Locations	that Apply
Central Residential	General	(a)
Urban Residential	Limited	(a) & (b)
Future Urban	Very-Limited	(a), (b) & (c)
Professional/Service	Very-Limited	(a), (b) & (c)
Business	Very-Limited	(a), (b) & (c)
Rural Community	Limited	(a) & (b)
Rural Preference	Very-Limited	(a), (b), (c), (d) & (e)

### (a) Building and lot patterns Building and lot patterns should conform to the criteria for "Urban Residential Development" (D6).

Residential Development" (D6).

(b) Existing, expanded or new sanitary sewers Urban Low-density Residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established. (c) Only logical expansions In Future Urban, Professional/Service, Business, and Rural Preference plan areas, completely new locations of Urban Low-density Residential use should not be established. However, existing

areas of this use may be expanded onto contiguous land. (d) Expansions of limited scope In Rural Preference plan areas, an expansion of Urban Low-density Residential uses should not significantly increase the extent of such uses in the vicinity, and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. (e) Coal mining advisory In Rural Preference plan a reas, prospective lot owners should be advised of the potential for coal mining activity in rural areas.

# (5) Urban Mid-density Residential Use

generally up to 25 dwelling units per acre. This use is commonly found in a variety of locations in Central Residential areas. It also is found in other urban areas, usually near major streets or on the fringes of nonresidential

consists of multi-family dwellings (apartments, condominiums) located in areas with sanitary sewers, at densities

Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Central Residential	General	(a)
<b>Urban Residential</b>	Limited	(a), (b), (c) & (d)
Future Urban	Very-Limited	(a), (b) & (c)
Professional/Service	Limited	(a), (b), (c), (d) & (e)
Business	Limited	(a), (b), (c), (d) & (e)
Rural Community (a) Building and lot patterns	<b>Limited</b> Building and lot patterns sho	(a), (b), (c), (d) ould conform to the criteria for "Urban

(b) Existing, expanded or new sanitary sewers Urban Mid-density Residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established. (c) Logical expansions Existing areas of Urban Mid -density Residential uses may be expanded on to contiguous land. An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

(d) New locations near major streets In Urban Residential, Professional/Service, Business, and Rural Community plan areas, new locations of Urban Mid-density Residential use should be "major-street-oriented" (D2). (e) New locations adjoining nonresidential uses If new locations of Urban Mid-density Residential uses are located in Professional/Service or Business plan areas, they should be sited on the fringes of such areas where they would serve as "buffer-uses" (D1).

### **GENERAL LAND USE CRITERIA**

Where applicable, all land uses should comply with the following criteria concerning the environment (E), urban services (U),

## **(E) ENVIRONMENTAL CRITERIA** (Apply to all land uses)

(E2) Steep Slope

(E1) Floodplains Buildings or structures should not be located in floodway areas, and floodways should not be filled. Buildings and structures may be located in flood-fringe areas, but should be elevated so that their first floors are above the 100-year flood elevation.

# (E3) Historical & Archaeological Sites

Special design and construction techniques should apply in areas of steep slope (greater than 15% grade).

### Appropriate procedures should be followed to avoid excessive soil erosion and airborne dust resulting from farming, site development, construction activities, or coal mining activities.

reserves, whether in rural areas or as portions of developed sites.

should be completely protected from development. Other development sites should be assessed or their archaeological significance prior to development and, where appropriate, construction should be delayed until the site is adequately documented. (E4) Soils

Historical buildings should be assessed for their architectural or other historical significance, and when found significant, should be

maintained and reused through sensitive adaptation. Areas that have been determined to contain significant archaeological sites

## (E5) Plant and Animal Life

Identified wetlands and other special habitats for p lants and animals should be protected through the establishment of natural

## **(U) URBAN SERVICES CRITERIA** (Apply to developed land uses)

## (U1) Roadway Capacity

All development sites/lots should be accessible by vehicle, and traffic flow should be efficient and safe. The scope of any development, and the corresponding traffic it generates, should be commensurate with the capacity of existing and proposed roadways. Obviously, new roadways should be properly designed to provide for anticipated traffic patterns and volumes.

## With Respect to Existing Roadways

Electricity should be available to all development sites.

A proposed development should not be approved if it would overburden the capacities of existing roadways or would create congestion at intersections, unless appropriate road improvements are currently planned or are committed to by the developer. As appropriate, road improvements may involve widening, straightening, reduction of vertical curves, or the addition of through traffic lanes, and deceleration or turn lanes for high-traffic driveways or street intersections.

### (U2) Electricity Supply

(U3) Water Supply

# Water lines of adequate size and fire hydrants with adequate flow should be required for all development sites.

### (U4) Stormwater Disposal Adequate storm water disposal should be provided for all development sites, which may necessitate significant improvements as appropriate. For development sites 10 acres or larger, storm wat er runoff should be detained so that the rate of runoff after development does not exceed the rate prior to development. For smaller sites in flood -sensitive areas, storm water runoff should be detained to the extent possible; such drainage problems may l imit the intensity of development that is appropriate for a particular

# (U5) Sanitary Sewage Disposal

Sanitary sewers should be required for all urban residential uses and all planned Industrial Parks ( D7). For all other developed uses, including rural residential, connection to sanitary sewers should be required if available. If sanitary sewers are not available, appropriate onsite sanitary sewage systems should be required. Where conventional septic systems are used, lot sizes should be

# (D1) Land-Use Intensity, Clusters, Buffers

large enough to assure satisfactory operation of such systems for the types of occupancy intended. (D) DEVELOPMENT PATTERN CRITERIA (Apply to developed land uses)

Land uses of similar intensity should be clustered into 1 arger areas to reduce the occurrence of incompatible boundaries between

different uses. Also, incompatible boundaries may be avoided by orienting land uses of varying intensities so that a transition in

Specific criteria (enumerated later in this section) recommend that particular land uses are appropriate as "buffer-uses." This means that these moderate-intensity uses are considered appropriate when located where they will buffer higher-intensity land uses from lower-intensity land uses

### **Landscape Buffers** Landscape buffers should be located between adjoining land uses that are incompatible with each other. The dimensions and

materials of these landscape buffers should be proportional to the difference in intensity between the adjoining uses.

## (6) Urban High-density Residential Use

intensity occurs gradually from one adjoining use or cluster of uses to the next.

consists of multi-family dwellings (apartments, condominiums) located in areas with sanitary sewers, at densities that may exceed 25 dwelling units per acre. Since 1980, this use has been limited to

ca	tions in Central Residential ar	nd Central Business areas, as a r	redevelopment incentive.	
		Appropriate	Specific Criteria	
	Within Plan Area	Locations	that Apply	
	Central Residential	General	(a)	
	Central Business	Limited	(a) & (b)	
)	Yard dimensions in pro	portion to building height	For buildings over three stories in he	ig

building setbacks should be greater than no rmal for yards adjoining other properties: the taller the building, the (b) Mixed-use buildings In Central Business plan areas, residential uses may be located in the same building containing nonresidential uses. In such cases, residential and nonresidential uses should be located on separate floors. Dwelling-unit walls with windows should be set back from adjoining properties, to provide light and air: the higher

# (7) Professional/Service Uses

the floor, the greater the setback.

include offices, parks, institutional buildings, and other places where people assemble for professional, medical, clerical, recreational, religious, cultural or similar purposes.

Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Central Residential	Limited	(a), (b) & (d)
Urban Residential	Limited	(a), (b) & (d)
Future Urban	Limited	(a), (b) & (d)
Professional/Service	General	(a)
Business(2007 update)	Limited	(a), (b) & (d)
Industrial	Limited	(a), (b), (d) & (e)
Rural Community	Limited	(a), (b) & (d)
Rural Preference	Very-Limited	(a), (b) & (c)
Rural Maintenance	Very-Limited	(a), (b) & (c)

(a) Building and lot patterns Building and lot patterns should conform to the criteria for "Nonresidential (b) Logical expansions Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same street(s). An existing area of general business zone may be used as criteria to support a Professional/Service use as a log ical expansion since the general business zone permits all uses within the Professional Service use category. If the contiguous land is located across an intervening street, the expansion should be at least one (1) acre in size, unless it would serve as a "buffer-use" (D1). An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. (c) Expansions of limited scope In Rural Preference and Rural Maintenance plan areas, an expansion of Professional/Service use should not significantly increase the extent of such uses in the vicinity. (d) New locations New locations of Professional/Service use should be "major-street-oriented" (D2). Also, other than in Rural Community plan areas, a new location should be at least one (1) acre in size unless it would serve as a "buffer-use" (D1). (e) New locations in Industrial areas If new locations of Professional/Service use are established in Industrial plan areas, they should be sited on the fringes of such areas where they would serve as "buffer-uses" (D1).

# (8) Central Business Uses

(Downtown Owensboro and Whitesville) include a broad range of commercial activities, including major governmental, professional, cultural, hotel, restaurant, specialty retail, and entertainment -related uses. These historical business districts, with older types of buildings located close to the street, are more pedestrian-oriented than

New locations may also serve the same buffer function as part of a planned" Industrial Park" (D7).

ewer types of business areas.	č	, 1
Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Central Residential	Very-Limited	(a), (b) & (c)
Central Business	General	(a)
Business	Very-Limited	(a), (b) & (c)
Business/Industrial	Very-Limited	(a), (b) & (c)
Industrial	Very-Limited	(a), (b) & (d)

(a) Building and lot patterns Building and lot patterns should conform to the criteria for "Nonresidential **(b) Only necessary, logical expansions** The Central Business districts of Owensboro and Whitesville

are generally fixed areas, and expansion of their boundaries should be based upon significant findings that a community need exists for these districts to be expanded.

(c)To serve the needs of existing establishments In Central Residential, Business, and Business/ Industrial plan areas, such an expansion should be contiguous to an existing boundary of the Central Business district, and should serve the needs of establishments that are already located within the district. (d) To redevelop the Ohio riverfront east of Downtown In the Industrial Plan area located at the east end of Downtown Owensboro, an expansion of Central Business uses should be encouraged that would enhance Downtown's cultural, entertainment, tourism and residential activities, especially development that would expand public access to the Ohio riverfront. Such expansions should proceed eastward in phases that are contiguous with

### (9) Neighborhood Business Uses include convenience retail and personal service activities that are desirable within newly developing urban residential

previously established Central Business sites.

neighborhoods; these areas may contain compatible professional/service uses. This use category was created in 1980, so that in newly developing areas, neighborhood -oriented businesses would be established and expanded in

Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Urban Residential	Limited	(a), (b) & (c)
Future Urban	Limited	(a), (b), (c) & (d)
Business	General	(a), (b) & (c)

(a) Development plan Neighborhood Business Centers should be initiated and expanded as integral units, according to formal development plans. Once a new center or expansion is proposed, submission of plans and the initiation of construction should occur in a timely manner. Building and lot patterns should conform to the criteria for "Nonresidential Development" (D7), and outdoor storage yards, with "Buffers for Outdoor Storage Yards" (D1). (b) New locations New locations of Neighborhood Business Centers should be "major-street-oriented" (D2), at least five (5) acres in size, and located no closer than three-quarters (3/4) of a mile to any other Neighborhood

(c) Logical expansions Existing centers may be expanded onto contiguous land that abuts the same street(s), but should not grow larger in total area than fifteen (15) acres, not counting street light-of-way. If the contiguous land for expansion is located across an intervening street from the existing center, the expansion should be at least (d) Market demand in the vicinity In Future Urban plan areas, Neighborhood Business Centers should not be established or expanded unless adequate market demand exists within the vicinity to support a viable center.

# (10) Highway Business Uses

adequate market demand exists to support a viable center.

Within Plan Area

include community-wide and regional shopping centers, as well as some professional/service use s, and are typically located on the radial arterial streets in the Owensboro urban area. This use category was created in 1980, so that in newly developing areas, community -wide and regional-oriented businesses would be established and expanded in planned "Highway Business Centers" (D7). Specific Criteria

**Appropriate** 

that Apply

Locations

<b>Urban Residential</b>	Very-Limited	(a), (c) & (d)
Business	General	(a), (b), (c) & (d)
Industrial	Limited	(a), (b), (c) & (d)
(a) Development plan Hig	shway Business Centers should be in	nitiated and expanded as integral units,
2 1 1	1	s proposed, submission of plans and the
initiation of construction should occur	in a timely manner. Build ing and lot	patterns should conform to the criteria for
"Nonresidential Development" (D7)	, and outdoor storage yards, with "But	ffers for Outdoor Storage Yards" (D1).
(b) New locations New location	ons of Highway Business Centers show	ald be sited in Business or Industrial plan
areas, and should be "arterial-stree	et-oriented" (D2) and at least fifted	en (15) acres in size, not counting any
proposed accessory light industrial use	es which may be included as per criteri	a for Light Industrial uses (13).
(c) Logical expansions Exist	ting centers may be expanded onto cor	ntiguous land that abuts the same street(s).
If the contiguous land for expansion	is located across an intervening street	from the existing center, the expansion
should be at least five (5) acres in size	<b>3</b> .	

(d) Adequate market demand Highway Business Centers should not be established or expanded unless

## Landscaping of Vehicular Use Areas

Open areas on which several vehicles are located should be landscaped to improve the community's appearance and to reduce ambient noise, light glare, and air temperature. Perimeter landscaping should be located along streets and adjoining residential properties. Interior landscaping should be scattered about in larger vehicular use areas.

"Buffers for Outdoor Storage Yards" Outdoor storage areas for raw materials, building materials, building supplies, construction vehicles or equipment, materials to be used in manufacturing, manufactured products, or similar items should be screened from major community streets and from nearby non-industrial properties. Junk, salvage or scrap -iron yards should be completely screened from all adjoining streets and

### **Existing Wooded Areas Retained as Buffers**

Existing wooded areas should be retained, especially in urban areas, to buffer incom patible land uses, reduce ambient air

### temperature, and regenerate oxygen. (D2) Land Use vs. Street Function

Particular land uses should be located in close proximity to major streets because of the traffic levels they generate the types of vehicles that frequent them, or their business exposure needs. Close proximity to arterial streets is recommended for high-intensity uses such as highway business, general business, light industrial, and heavy industrial. Close proximity to either arterial streets or

collector streets is recommended for moderate -intensity uses such as urban mid -density residential, professional/service, and **Transition in Land Use Intensity along Streets** 

The lower the functional classification of a street, the less that the intensities of land use should vary along the street. Where landuse intensity does vary along a lower classification street, higher intensity uses should be located closer to intersections with higher classification streets, with a transition to lower intensity uses proceeding away from major streets.

## "Arterial-Street-Oriented Uses"

Specific criteria (enumerated later in this section) recommend that particular land uses be "arterial-street-oriented." This means that new locations of these uses should adjoin an arterial street or should adjoin other existing or new uses of the same or higher intensity that adjoin an arterial street. The location of "arterial-street-oriented uses" in relation to neighboring uses should conform to the principles described above for Transition in Land Use Intensity along Streets. Vehicular access to such uses should conform to Intersection & Driveway Spacing Standards (D3).

"Major-Street-Oriented Uses" Specific criteria (enumerated later in this section) rec ommend that particular land uses be "major-street-oriented." This means that new locations of these uses should adjoin either an arterial street or a major collector street, or should adjoin other existing or new uses of the same or higher intensity that a dioin an arterial or major collector street. If located within a Rural Community (including Whitesville), such uses may also adjoin a minor collector street. The location of "major-street-oriented uses" in relation to neighboring uses should conform to the principles described above for Transition in Land Use Intensity along

# Streets. Vehicular access to such uses should conform to Intersection & Driveway Spacing Standards (D3).

(D3) Intersection & Driveway Spacing Standards Newly developed land should conform to the specifications of the "Intersection & Driveway Spacing Standards" described in Section 510: Highways, Streets & Roads. When previously developed sites or areas are redeveloped, consolidated or expanded, existing nonconforming driveways and d riveway spacing should be altered to conform as closely as possible to the standards.

Existing narrow lots should not be redeveloped individually, if significantly substandard driveway spacing would result.

## (D4) Roadway Buffer Standards

Newly developed land should conform to the specifications of the "Roadway Buffer Standards" described in Section 510: Highways, Streets & Roads. When previously developed sites or areas are redeveloped or expanded, existing nonconforming roadway buffers should be altered to conform to the standards as closely as possible. Existing small lots should not be redeveloped

# individually, if significantly substandard roadway buffers would result.

(D5) Lot Sizes and Proportions The sizes and proportions of lots should be appropriate for the types of development located upon them. In general, lots should not be oddly shaped, such as too narrow, too shallow, or too deep, and should not contain unusable projections. Accordingly,

### minimum subdivision standards for lot sizes and proportions should be established for each zoning classification. (D6) Residential Development

In addition to other general and specific criteria that apply, residential development should conform to the following provisions: "Rural Residential Development" Residential development in rural areas outside of the Rural Communities should be allowed, but only to the extent that it does not significantly impinge on agricultural or natural resource -related activities. Residential lots should be of a large enough size and

### width that excessive numbers of lots or odd -shaped lots are not created. And, potential residents should be advised that coal mining is a generally recommended land use in such rural areas. However, efforts should be taken to minimize the potenti ally

adverse impact of natural resource-related activities on rural residential development. "Urban Residential Development" In general, residential areas should promote a sense of community by providing a variety of housing types suitable to a variety of people. Housing densities should be consistent with the character of streets and urban services in the neighborhood. Buildings should be designed and arranged so they do not become irritants within the neighborhood. When land is proposed for development or redevelopment for urban -density residential uses, such development should be designed as either a "regular subdivision" or a

### Redevelopment of Residential Areas Even if the specific criteria cited by this plan would allow a change in use, established lots in a built -up neighborhood should not

"planned development".

expansions of existing uses are deemed acceptable, the zoning of such expansions should be the same as the zoning of the existing

be rezoned to allow an increase in residential density, unless such change is acceptable to the neighboring residents. Where logical

## (11) General Business Uses

include a wide range of commercial and professional/service activities. These uses exist in many locations throughout Daviess County, but are most concentrated along urban arterial and major collector streets, and within rural communities. In 1980, almost all commercial uses that existed, outside of the Central Busi ness districts of

rensboro and Whitesville, were zoned C	,	ie of the Central Busi — ness C
Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Central Residential	Limited	(a), (b), (c) & (d)
Urban Residential	Very-Limited	(a), (b) & (c)
Future Urban	Very-Limited	(a), (b) & (c)
Professional/Service	Very-Limited	(a), (b) & (c)
Central Business	Very-Limited	(a) & (b)
Business	Limited	(a), (b) & (e)
Business/Industrial	General	(a)
Industrial	Very-Limited	(a) & (b)
<b>Rural Community</b>	Limited	(a), (b) & (f)
Rural Preference	Very-Limited	(a) & (b)
Pural Maintonanco	Vory Limited	(a) 8 (b)

Very-Limited (a) Building and lot patterns; outdoor storage yards Building and lot patterns should conform to the criteria for "Nonresidential Development" (D7), and outdoor storage yards, with "Buffers for Outdoor Storage Yards" (D1)

(b) Logical zoning expansions of proportional scope Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a Gener al Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. (c) Expansions across intervening streets In Central Residential, Urban Residential, Future Urban, and Professional/Service plan areas, the expansion of an existing General Business zone across an intervening street should be at least one-and-one-half (1.5) acres in size, but should not occur if this would significantly increase the extent of the zone in the vicinity. (d) New locations in Central Residential plan areas In Central Residential plan areas, new locations of General Business should be at least one-and-one-half (1.5) acres in size," arterial-street-oriented"

established only in those Business plan areas that are generally bounded by Central Residential plan areas. Such new zones should be sited at corners of intersecting streets if located in close proximity to existing dwellings. In Business plan areas outside the vi cinity of Central Residential plan areas, new locations of business uses should conform to criteria for Neighborhood Business uses (9) or Highway Business uses (10). (f) New locations in Rural Communities In Rural Community plan areas, new locations of G eneral

Business zones should be "major-street-oriented" (D2) and should be sited at corners of intersecting streets if

(e) New locations in Business plan areas New locations of General Business zones should be

# (12) Business/Industrial Uses (2007 update)

(D2), and sited at corners of intersecting streets if located in close proximity to existing dwellings.

include general business uses and light industrial uses, encompassing a range of commercial and professional/service activities and establishments for the assembly, repair, processing or storage of finished or semi-finished materials, and similar uses that may present a moderate nuisance to adjoining properties. This use can only be established within

existing identified Business/Industrial Plan Areas.		
Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Business/Industrial	General	(a)
(a) Building and lot patterns; outdoo	r storage areas	Building and lot patterns should conform to
the criteria for "Nonresidential Development"	(D7), and outdoor	r storage yards, with "Buffers for Outdoor
Storage Vards" (D1)		

located in close proximity to existing dwellings.

(13) Light Industrial Uses include establishments for the assembly, repair, processing or storage of finished or semi -finished materials, and similar uses that may present a moderate nuisance to adjoining properties.

Vithin Plan Area	Appropriate Locations	Specific Criteria that Apply
Central Residential	Very-Limited	(a), (b) & (c)
Jrban Residential	Very-Limited	(a), (b), (c) & (f)
uture Urban	Limited	(a), (b), (c), (f) & (g)
Professional/Service	Very-Limited	(a), (b) & (f)
Central Business	Very-Limited	(a) & (b)
Business	Limited	(a), (b), (d), & (f)
Business/Industrial	General	(a)
ndustrial	General	(a), (b) & (f)
Rural Community	Limited	(a), (b) & (e)
Rural Preference	Limited	(a), (b), (f) & (g)
Rural Maintenance	Limited	(a), (b) & (g)

the criteria for "Nonresidential Development" (D7), and outdoor storage yards, with "Buffers for Outdoor Storage Yards" (D1). (b) Logical expansions outside of Industrial Parks Existing areas of Light Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street(s). Such an expansion should not significantly increase the extent of industrial uses that are located in t he vicinity and outside of Industrial Parks. Also, such an expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

(a) Building and lot patterns; outdoor storage areas Building and lot patterns should conform to

(c) Expansions across streets in residential areas In Central Residential, Urban Residential, and Future Urban plan areas, the expansion of Light Industrial uses that are located outside of Industrial Parks and across an intervening street should be at least one-and-one-half (1.5) acres in size, but should not occur if this would significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks. (d) New locations in Highway Business Centers New locations of Light Industrial use should be established in Business plan areas only as integral components of planned" Highway Business Centers" (D7). Such a light industrial component should be" arterial-street-oriented" (D2) and provide for particular higher-intensity uses that maybe desirable in close proximity to hig hway business uses, such as wholesale -type businesses, selfstorage mini-warehouses, etc. Such a light industrial component should be relatively small in size compared to the

overall size of the business center and should be developed in keeping with the design theme of the larger center.

(e) New locations in Rural Communities In Rural Community plan areas, new locations of Light

Industrial use should be "major-street-oriented" (D2) and should be sited at corners of intersecting streets if located in close proximity to existing dwellings. (f) Industrial Parks In Industrial, Future Urban, and Rural Preference plan areas, new and expanded locations of Light Industrial use should be developed as elements of planned "Industrial Parks" (D7). These provisions also apply where existing Industrial Parks are expanded into adjoining non-industrial plan areas that contain undeveloped land. Such Industrial Parks should be "arterial-street-oriented" (D2) and planned in modules of at least one hundred (100) acres in size, unless an existing Industrial Park is being expanded. Industrial Parks should be established or expanded only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established. Light Industrial uses should be located near the fringes of a park that includes Heavy Industrial

uses, to serve as "buffer-uses"(D1) adjoining incompatible plan areas or land uses. (g) Large Industrial Reserve In Future Urban, Rural Preference, and Rural Maintenance plan areas, new and expanded locations of Light Industrial use may be developed as part of a planned "Large Industrial Reserve" (D7), which may also contain Heavy Industrial uses. Such a reserve should be "major-street-oriented" (D2), at least five hundred (500) acres in size, and be focused around a large industry. Plans for such a reserve should include substantial provisions to assure compatibility with adjoining land uses and the environment, and to assure the

# **DEFINITIONS OF IMPORTANT TERMS**

including the conversion of existing buildings or their demolition and replacement.

set of specific criteria based on the particular type of use and the characteristics of the area involved.

adequacy of necessary transportation and utility facilities.

# "Development"

The terms "development" and "developed uses" include all activities associated with land that is intended for occupancy by buildings and activities associated with all categories of use other than Rural Farm Residential (1), Agriculture/Forestry (14), Coal Mining (15), and Unique Resource (16). The term development includes the subdivision of land, preparation of sites, construction of streets and other public/utility improvements, construction of buildings, and so on. "New development" or "newly developing areas" refers to the initial development of land that has not been previous ly developed or occupied by developed uses.

### "New location of a use" A new location of a use occurs when a particular category of land use is established on land that IS NOT situated contiguous (in

close proximity) to an existing site or area of the same category of use. "Logical expansion of a use" An expansion of a use occurs when a particular category of land use is established on land that IS situated contiguous (in close

"Redevelopment" refers to the development of new uses on land that was previously developed and occupied by developed uses,

## (D7) Nonresidential Development

In addition to other general and specific criteria that apply, nonresidential development should conform to the following provisions:

Development in new nonresidential areas should occur within "nonresidential centers." Each center should be designed to accommodate one or more "similar -use areas" as appropriate to the size of the center and its location wit h respect to adjoining streets and land uses. Each similar-use area should be restricted to uses whose appearances, intensities and impacts are compatible with one another. Four types of nonresidential centers are recognized, as described briefly below. Refer to specific criteria for definitions and other provisions for each center.

# "Neighborhood Business Centers"

# Contain Neighborhood Business uses (9).

"Highway Business Centers" Contain Highway Business uses (10), and may contain accessory Light Industrial uses (13).

### May contain Light Industrial uses (13), Heavy Industrial uses (14), or both. They may also contain some Professional/Service uses (7). Each Industrial Park may accommodate one or more individual development sites.

"Large Industrial Reserves"

Mixed Business/Industrial Areas

Are focused around a large industry, and may contain Light Industrial uses (13), Heavy Industrial uses (14), or both.

Business/Industrial plan areas have been delineated on the Land Use Plan Map, in which existing areas that contain a mixture of

### business and light industrial uses are allowed to continue as mixed -use areas. In newly developing neighborhoods, business areas should be distinct from light industrial areas, even if both types are contiguous parts of a larger nonresidential area or center.

**Expansions of Existing Nonresidential Uses and Areas** Limited expansions of existing nonresidential uses and areas should be accommodated where they reasonably satisfy a set of "logical expansion criter ia." Significant expansions should conform to the criteria for development of defined nonresidential centers. Under the discussion of Redevelopment of Residential Areas (D6), some basic principles address land -use changes in established, residentially developed neighborhoods, and the potential concerns of residents about such changes. Those principles should also apply to expansions and new locations of nonresidential uses on lots that were originally developed for residential purposes. Potential conflict's with neighboring areas can best be avoided by respecting the pattern of lots along existing block fronts. Therefore, where the specific criteria cited by this plan would allow nonresidential land uses to be located or expanded in a

lot patterns in their neighborhoods.

(D8) Building Quality Maintenance and conservation should be encouraged for sound buildings, rehabilitation should be encouraged for those needing upgrading, and renewal should be sought for those beyond the stage of feasible repair.

built-up neighborhood, due consideration should be given to the concerns of neighboring residents with respect to the established

ntersection & Driveway Spacing	<b>Standards</b>				
pacing standards are measured from center-line to center-line of adways and driveways. Minimum spacing between access sints within different development categories below is the less strictive standard indicated.	FUNCTIONAL CLASS Features PRINCIPAL ARTERIAL	SPACI INT	NG STAN PBI+	IDARDS ( PBI-	FEET) RES
T Roadway intersections  BI+ Driveways in professional, business or industrial zones, with traffic volumes of 1,000 vehicles-per-day or greater  Driveways in professional, business or industrial zones, with traffic volumes less than 1,000 vehicles-per-day  Driveways in residential or agricultural zones	Existing roadways Existing lots New development New/reconstr. roadways MINOR ARTERIAL	N/A 1,500 1,500	500 500 1,500	250 500 1,500	250 500 1,500
ixisting roadways" means roadways already in existence. Ixisting lots" means individual lots fronting on existing adways where such lots are not part of a development plan or bdivision plat with specific access limitation.  Iew development" means de velopment plans or major bdivision plats that would provide for new building construction substantial site redevelopment.  Iew/reconstructed roadways" means newly constructed	Existing roadways Existing lots New development New/reconstr. roadways MAJOR COLLECTOR Existing roadways	N/A 500 1,000	500 500 1,000	250 500 1,000	250 500 1,000
adways where they previously did not exist or major roadway	Existing lots	N/A	250	150	150

reconstruction within existing alignments. New development 250 250 250 J R Miller Blvd Access (10/24/1985) New/reconstr. roadways 250 250 250 Transportation Policy Committee adopted special access control OTHER STREETS policies for J. R. Miller Boulevard between 3rd Street and . Residential driveways shall be located at least 10 feet from the Southtown Boulevard: 1. DRIVEWAY ACCESS: No lot of record right-of-way line of an intersecting street. Non -residential or newly created lot will be permitted direct access to the driveways along streets or shared drives shall be located at boulevard where there was no street improvement in existence in least 50 feet from the right-of-way line of an intersecting street January, 1985; or where marginal access may be provided by a The total width of all driveways shall not exceed 40% of street frontage, measured at the building setback line. Driveway frontage street along the boulevard. 2. STREET INTERSECTIONS: A public side street may intersect with the widths shall not exceed the standards in the table at right. boulevard if the following specifications are met: a. The new 3. For uses other than detached single -family and duplex street leg must complete an existing three-leg street intersection dwellings, vehicles should not back directly onto streets. to create a four-leg intersection; or be at least 500 feet from an 4. Where lots are narrow, alleys should be used for vehicular existing or planned street intersection. Street intersection spacing

250

Martin Luther King Jr. Loop Access (9/9/2002) The loop's design designates local street access points at 1,000 ft+ spacing. Property driveways shall be prohibited along the loop and shall be restricted to the local streets that intersect the loop

is measured from centerline to centerline, b. The new street leg

must connect with the public street system serving the adjoining

## (14) Heavy Industrial Uses

include establishments engaged in manufacturing that involves the transformation of a material from its raw form to a finished or semi-finished product, and establishments with a high potential for creating nuisances such as noise, odor,

vibrations, etc.; light industrial uses also may loc  Within Plan Area	ate in areas of heavy industrial use.  Appropriate  Locations	Specific Criteria that Apply
Within	Appropriate	Specific Criteria
Plan Area	Locations	that Apply
Urban Residential	Very-Limited	(a), (b) & (c)
Future Urban	Limited	(a), (b), (c) & (d)
Professional/Service	Very-Limited	(a), (b) & (c)
Business	Very-Limited	(a), (b) & (c)
Business/Industrial	Very-Limited	(a) & (b)
Industrial	Limited	(a), (b) & (c)
Rural Community	Very-Limited	(a) & (b)
Rural Preference	Limited	(a), (b), (c) & (d)
Rural Maintenance (a) Building and lot patterns; outdo the criteria for "Nonresidential Development		

Storage Yards" (D1). Furthermore, any building or outdoor storage, loading or working areas (except for accessory parking areas) should be located at least three-hundred (300) feet from any urban residential area and one-hundred (100) feet from any other area except those containing light industrial or agricultural/forestry uses. (b) Logical expansions outside of Industrial Parks Existing areas of Heavy Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street(s). Such an expansion should not significantly increase the extent of industrial uses in the vicinity and outside of Industrial Parks. Such expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. Also, such an expansion should be of adequate size and shape to provide the separation from incompatible uses cited in criteria (a) above.

(c) Industrial Parks In Industrial, Future Urban, and Rural Preference plan areas, new and expanded locations of Heavy Industrial use should be developed as elements of planned "Industrial Parks" (D7). These provisions also apply where existing Industrial Parks are expanded into adjoining non -industrial plan areas that contain undeveloped land. Such Industrial Parks should be "arterial-street-oriented" (D2) and planned in modules of at least one hundred (100) acres in size, unless an existing Industrial Park is being expanded. Industrial Parks should be established or expanded only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established. Heavy Industrial uses should be located away from any fringes of a park that adjoin incompatible plan areas or land uses. Such incompatible fringes are recommended locations for light industrial, highway business or other appropriate uses that would serve as "buffer-uses" (D1). Otherwise, these incompatible fringes should include adequate space for necessary buffers as cited in criteria (a) above. (d) Large Industrial Reserves In Future Urban, Rural Preference, and Rural Maintenance plan areas, new and expanded locations of Heavy Industrial use may be developed as part of a planned "Large Industrial Reserve"

(D7), which may also contain Light Industrial uses. Such a reserve should be "major-street-oriented" (D2), at least

five hundred (500) acres in size, and be focused around a large indust ry. Plans for such a reserve should include

substantial provisions to assure compatibility with adjoining land uses and the environment, and to assure the

adequacy of necessary transportation and utility facilities.

(15) Agriculture/Forestry Uses include the production of agricultural or horticultural crops, including livestock, poultry, grain, hay, pastures,

soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants.			
Within Plan Area	Appropriate Locations	Specific Criteria that Apply	
Future Urban	General	(a) & (b)	
<b>Rural Community</b>	General	(a) & (b)	
Rural Preference	General	(a) & (b)	
Rural Maintenance	General	(a) & (b)	
Water/Floodway	General	(a) & (b)	

## (a) Conservation of agricultural topsoil Agricultural topsoil should be conserved through appropriate **(b) Sustain forests** Forested areas should be sustained through appropriate forestry practices.

# (16) Coal Mining Use

**Rural Maintenance** 

16) Coal Willing US	е	
onsists of activities directly associate	ed with the extraction of coal de	posits from the earth.
Š	Appropriate	Specific Criteria
Vithin Plan Area	Locations	that Apply
Rural Preference	Limited	(a) & (b)

General

(a) Coal mining standards Coal mining should conform to the following standards:

Community plan areas, in Rural Preference or Rural Maintenance plan areas. Mining activities should not occur in the 100-year floodplain. The particular location, scope and characteristics of mining operations should be subject to 2) Site, Operational, Reclamation Plans and Procedures

Due to potentially adverse environmental impact of coal mining, detailed site, operational and reclamation plan information is required by the state. State mandated procedures must be followed. Necessary permits must be obtained from federal, state and local agencies having jurisdiction over any phase of the operation prior to the beginning of said operation. The planning commission or respective authority may require the posting of sufficient surety for maintenance and repair of those

public facilities which are not otherwise bonded. The planning commission, at its discretion, may require pre-blast

surveys be conducted for buildings on neighboring property, even beyond the requirements of state law. The planning

commission may seek action to halt operations occurring in violation of state law or in violation on of its discretionary

1) Location Guidelines Coal mining activities should be located in the Rural Service Area, outside of Rural

(a) & (b)

3) Soils and Geology USGS Maps, core drills, or other documentation. Should support evidence of the presence of coal. An investigation should be made to determine the agricultural potential of the land. Pr ime agricultural land, as defined by the U.S. Soil Conservation Service, must be protected from normal mining procedures, as required by state law. 4) Activity Buffers Coal mining should not be permitted within a minimum of 100 feet of a public right-of-way or within a minimum of 300 feet of neighboring residential or nonresidential developed property, unless appropriate waivers are granted. These minimums may not be adequate in all cases and may be re -established dependent on circumstances of individual cases.

vehicular access points to public roads and highways. Access po ints should be located to assure adequate sight distances along through roadways and at stop legs of intersections. Such points should be altered, if necessary, to (b) Discretionary limits on coal mining Generally, mining should be permitted wherever coal exists in rural areas. However, where the planning commission finds advisable, limits may be set on the mining process where deemed necessary. The establishment of limits may arise from consideration of such issues as the pattern, density

and predominance of nearby, established development; the zoning of adjoining properties; the impact of past or

**5) Transportation Plan and Access Design** A transportation plan must be prepared, and must be

in hauling coal from the site to ul timate destination in Daviess County. Surety should be provided to assure

maintenance and repair of public roads and bridges. Particular attention should be given to proper and safe design of

approved by the state highway department and the county engineer, as appropriate, showing the route to be followed

# (17) Unique Resource Uses

Water/Floodway

existing mining in the vicinity; and proximity of the mining area to highways.

include activities other than agriculture, forestry, or coal mining, which are functionally dependent on locations in rural areas. Specific Criteria **Appropriate** Within Plan Area Locations that Apply Rural Preference Limited Rural Maintenance Limited

(a) Functionally dependent uses Such uses should be functionally dependent upon a close relationship

to a natural resource where it is found, such as a quarry; or should be related to a special governmental need, such as a solid waste landfill; or should be similarly unique and appropriate in rural areas.

### **ZONING CHANGES VS. THE LAND USE PLAN** The Land Use Plan is based on the concept that more than one type of land use may be appropriate in a particular location,

depending on the characteristics of the use and those of the surrounding area. Under this concept, a set of general criteria and a set of specific criteria are established to denote the recommended characteristics of land use in mo st situations. Zoning change proposals should generally conform to the applicable criteria in order to be found in compliance with the Land Use Plan. Several insignificant, the proposal may be found to be in substantial compliance with the Land Use Plan. proximity) to an existing site or area of the same category of use. Such an expansion is considered to be "logical" if it satisfies a