

Article amendments approved unless noted:	OMPC	Owensboro	Davies Co.	Whitesville
New Article 21 Adopted	10-Sep-2009	20-Oct-2009		
Amended to include Entertainment District	9-May-2013	16-Jul-2013		
Revised Article 21 Adopted	12-Feb-2015	21-April-2015		
Amended Downtown Design Administrator Appointment	10-Mar-2016	3-May-2016		

**21.1 FINDINGS OF FACT.** The following findings of fact are 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. Although this zoning category establishes the general use entitlement for all properties in the B-2 category; Table 21.7 establishes the use standards by different “Overlay Character Districts” with the B-2 Zoning designation within Downtown Owensboro. In addition, all development standards are established by different “Overlay Character Districts” under this Article of the Owensboro Metropolitan Zoning Ordinance.

**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 (5<sup>th</sup> 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 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.

**21.15 Downtown Owensboro Placemaking Initiative Master Plan (2009)** commissioned by the Economic

Development Corporation, prepared by the Gateway Planning Group, and adopted by the Owensboro Metropolitan Planning Commission as an amendment to the Comprehensive Plan. The Plan identifies adjacent development areas outside of the B-2 Central Business District as important for key development elements for a sustainable downtown. The Plan identifies distinct downtown neighborhoods of “Activity Areas”, each with its own development focus and character. The plan identifies key development opportunities in each downtown neighborhood that support the overall revitalization of downtown.

**21.2 PURPOSE AND OBJECTIVES.** The development of specific overlay districts within 2009 Downtown Owensboro Master Plan encompasses the B-2 Central Business, B-4 General Business, I-1 Light Industrial, I-2 Heavy Industrial, P-1 Professional Service, and R-4DT Inner City Residential zones.

**21.21 Establish Specific Standards.** Creation of different character districts within the Downtown Overlay area will enable specific site and locational standards to be enumerated and applied. Such standards will promote the public welfare, will enhance the implementation of specific area studies, will promote walkable mixed use development and will promote the goals and objectives of the Comprehensive Plan. Creation of specific overlay districts for Downtown Owensboro will enable specific development standards that will result in implementing the vision for each Downtown neighborhood identified in the Comprehensive Plan and Downtown Master Plan.

**21.22 Implement the Design Goals of the Downtown Master Plan.** The overlay districts created are intended to facilitate pedestrian oriented, mixed-use urban development, providing shopping, employment, housing, and business and personal services. Downtown is intended to be the center of life in the community. This is achieved by promoting an efficient, compact land use pattern; encouraging pedestrian activity; reducing the reliance on private automobiles; promoting a more functional and attractive community through the use of recognized principles of urban design; and allowing developers flexibility in land use and site design. A high level of

attention to site and building design is required to promote an attractive Downtown.

**21.23 Historic Preservation** is a matter of public policy, while revitalization of the downtown area is a high priority, it must be accomplished in a manner that preserves and perpetuates the history and heritage of this community. It is the city's goal to enhance the attractiveness of the city's inner core to residents, tourists and visitors and serve as a support and stimulus to business and industry. It is further declared as a matter of public policy that government needs to forge a partnership with affected property owners to ensure the health, prosperity, safety and economic well-being of the community as a whole. Federal, state and local governments have passed laws to protect and preserve historic downtown properties through the development of incentives, including the National Historic Preservation Act of 1966 and Chapter 2, Article V, Section 2-355 of the Owensboro Municipal Code. This Article supports the Zuchelli-Hunter Master Plan for the downtown previously adopted by the city and the more recent 2009 Downtown Owensboro Initiative Master Plan, adopts the design guidelines prepared by Downtown Owensboro, Inc. as design standards, reinforces the positive urban design and historic features of the River Park Center Complex, and stabilizes downtown property values.

**21.24 Economic Development.** The Downtown Overlay District and corresponding development standards are created to support economic development, sustainable tax base, and job creation by establishing adjacency predictability of private development that supports and leverages public investment in Downtown Owensboro.

**21.3 ESTABLISHMENT OF THE DOWNTOWN OVERLAY DISTRICT.** Building form, site development, and design standards contained within each overlay district are those activities that will promote or enhance the development of a specific area of Downtown Owensboro in response to the Comprehensive Plan goals and objectives and recommendations of 2009 Downtown Owensboro Illustrative Master Plan and Report.

**21.31 Downtown Overlay District Regulating Plan.** The Downtown Overlay District Regulating Plan shall establish standards in addition to the official zoning map for Downtown Owensboro. It shall establish the development standards for all lots within Downtown Owensboro as identified with the boundary indicated on the plan.

- a. **Overlay Character Districts –** Downtown Owensboro is further distinguished into “Character Districts”. A Character District is intended to create a distinct urban form different from other Character Districts. Each Character District shall establish use and building standards including height, bulk, building and parking location, and functional design of buildings on all lots within that Character District. The Regulating Plan classifies all lots within Downtown Owensboro into one of nine Character Districts. The different Character Districts are based on historic and regional architectural traditions and development intent to create a built environment that is consistent with the vision for Downtown.
- b. **Street Designations –** The Street Designations shall designate special streets within Downtown where specific standards apply.
- c. **Special Requirements –** The Special Requirements shall designate or recommend site specific requirements for some unique sites within Downtown.

**21.32 Downtown Overlay District Ordinance Text.** The *Downtown Overlay District text* (the text portion of this Ordinance) shall enumerate the development standards with text and graphics including Character Districts, Special Frontage, building form, civic space, landscape, architectural, signage, lighting, and all related standards for all public and private development.

**21.33 Development Standards.** The development standards under Article 8.5 and Article 13 of the Owensboro Metropolitan Zoning Ordinance, as amended, shall not apply to properties within the Downtown Overlay District except as specifically referenced herein. Development standards not addressed in this Article shall be governed by the Owensboro Metropolitan Zoning Ordinance to the extent they are not in conflict with the intent of the Downtown Overlay District. Uses within the B-2 zone located in the Downtown Overlay District boundary shall be as permitted by Article 21.7 of this ordinance.

**21.4 REGULATIONS IN OVERLAY DISTRICTS.** The regulations adopted under this chapter relating to each Downtown Overlay District created include the following:

**21.41** Definition of terms used and the specific uses to be principally permitted, or conditionally permitted within the Downtown Overlay District.

**21.42** Schedule of uses permitted principally, conditionally, or accessorially within each Downtown Overlay Character District with the B-2 zoning designation. For uses permitted in all other zoning districts within the Downtown Overlay District boundary, please refer to Article 8.

**21.43** Site, design, and locational standards such as:

- a. Building form standards such as setbacks and height requirements;
- b. Landscape buffer and fencing requirements;
- c. Sign Standards;
- d. Access design requirements and limitations;
- e. Off-street parking requirements;
- f. Landscaping and Private Open Space standards
- g. Street design standards

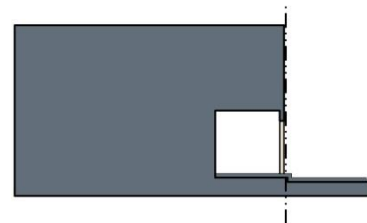
**21.44** Historic Preservation and specific Building Design Standards as may be applicable to each character district.

**21.45 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; and
- c. other operational requirements which are necessary and reasonable to make such activity compatible with neighboring land uses likely to be affected by such activity.

**21.5 DEFINITIONS.** The following definitions shall apply to uses and to other terms used in this Article only. For terms not specifically defined under this subsection, Article 14 Definitions shall apply.

*Arcade:* is a portion of the main façade of the building is at or near the front property line and a colonnade supports the upper floors of the building. Arcades are intended for buildings with ground floor commercial or retail uses and the arcade may be one or two stories.



*Image of an arcade*

*Attics/Mezzanines:* is the interior part of a building contained within a pitched roof structure or a partial story between two main stories of a building.

*Auto-Related Sales and Service Uses:* are establishments that provide retail sales and services related to automobiles including, but not limited to, cars, tires, batteries, gasoline, etc.

*Build-to Line:* the line at which the principal building's front and/or side façades shall be built.

*Build-to Zone:* the area within which the principal building's front and/or side façades are to be built.

*Building Form Standards:* the standards established for each Character District that specifies the height, bulk, orientation, and elements for all new construction and redevelopment.

*Building Frontage:* the percentage of the building's front façade that is required to be located at the front Build-to Line or Zone as a proportion of the lot's width along that public street. Parks, plazas, squares, improved courtyards, and pedestrian breezeway frontages shall be considered as buildings for the calculation of building frontage. A single building will be required only to meet a maximum of two street frontages. Example: If a single building is located on an entire block with 2 or more streets, frontage will only be calculated on 2 streets.

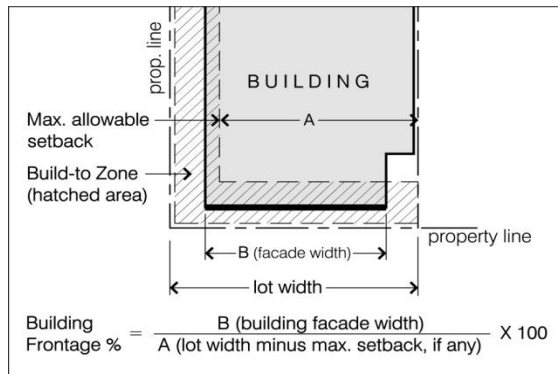


Image showing how a lot's building frontage is calculated.

**Certificate of Appropriateness (COA):** is the official document issued by the Zoning Administrator after recommendation by the Downtown Design Administrator authorizing proposed work to buildings within all the Downtown Overlay District.

**Changeable Copy Sign:** A variable message sign composed of individual letters panel-mounted in or on a track system.

**Civic/Open Space:** means publicly accessible open space in the form of parks, paseos, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned. For all residential uses, privately accessible open spaces such as courtyards, porches, and balconies may also be considered as Civic/Open Space for the purposes of this ordinance.

**Square** means a civic/open space available for unstructured recreation and civic purposes. A square is spatially defined by buildings. Its landscape shall consist of landscaping, hardscaping, water features, pathways, and pedestrian amenities arranged in formal and informal patterns. Squares shall be located at the intersection of important streets.

**Plaza** means a primarily hardscaped civic/open space with formal landscaping, available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings.

**Playground** means a civic/open space designed and equipped for children's recreation. A playground may be fenced and may include an open shelter. Playgrounds may be located within residential areas and may be placed within a block. They may be included in other open spaces.

**Cottage Manufacturing:** includes small scale assembly and light manufacturing of commodities (incl.

electronics) fully enclosed within the building (no greater than 10,000 sq.ft.) without producing any noise, noxious odors, gas, or other pollutants. This category shall include workshops and studios for cottage industries such as pottery, glass-blowing, metal working, screen printing, weaving, etc.

**Design Exception:** shall be any request to amend any standard other than a dimensional standard (height, width, length of structure and size of yards and open space required) within Article 21.

**Downtown Design Administrator (DDA):** shall serve as the person appointed by the OMPC Executive Director to coordinate the review process for applications for compliance with Article 21 of the Owensboro Metropolitan Zoning Ordinance and to make recommendations to the Zoning Administrator on COA approvals.

**Downtown Design Coordination Committee (DDCC):** is a committee composed of key city, county, OMPC, and other public entity staff to provide a coordinated and centralized technical review process to ensure compliance with all applicable regulations for development within the Downtown Overlay District boundary.

**Downtown Overlay District:** is the overlay district designation that applies area specific development and design standards for Downtown Owensboro in addition to zoning in order to implement the Downtown Owensboro Master Plan. It is composed of several "Character Districts" to implement the design goals of the Downtown Owensboro Master Plan.

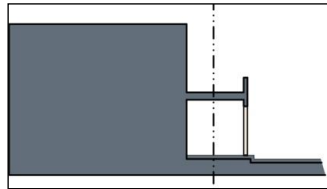
**Downtown Overlay District Regulating Plan (Regulating Plan):** is a regulatory set of maps that is adopted for Downtown Owensboro in addition to the Zoning map and shows the Character Districts, Civic Spaces, location of Special Frontages, Streets, and Special Requirements applicable to the area subject to the standards in this Article.

**Encroachment:** any structural or non-structural element such as a foundation, sign, awning, canopy, terrace, or balcony, that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public R-O-W, or above a height limit.

**Floor to Floor Height:** Measurement from the finished floor to the finished floor of the next higher floor. Note: When a single story structure is built this

*measurement will be from the finished floor to the finished ceiling.*

**Gallery:** is an extension of the main façade of the building that is at or near the front property line and the gallery may overlap the public sidewalk.



*Image of a Gallery*

**Historic Building:** is a building that has been designated as a historic landmark by local, state, or federal government.

**Hotel, full-service:** these establishments shall be defined as buildings with habitable rooms or suites which are reserved for transient guests who rent the rooms or suites on a daily basis, and with:

- (i) a minimum area of 200 square feet in each guestroom;
- (ii) (a) a full service restaurant with full kitchen facilities providing service to the general public; or  
(b) a concessionaire of the management for room service delivery; and
- (iii) on-site staff required seven (7) days a week, twenty-four (24) hours per day.

**Illustrative Master Plan:** is the building scale master plan that provides the guidance for future development and redevelopment of downtown Owensboro. It indicates the general location of buildings, uses, streets, open spaces, and parking within downtown Owensboro.

**Institutional Uses:** are uses that are related to non-profit organizations dedicated to religious or social functions.

**Live-Work Unit:** is a dwelling unit that is also used for work purposes, provided that the 'work' component is restricted to the uses of professional office, artist's workshop, studio, or other similar uses and is located on the street level. The 'live' component may be located on the street level (behind the work component) or any other level of the building. Live/work unit is distinguished from a home occupation otherwise defined by this ordinance in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises and customers may be served on the site.

**Living Fence:** shall be a Street Screen composed of landscaping in the form of vegetation.

**Major Civic Venue:** shall be any large public gathering place including major sports arena, stadia, convention facilities, etc. Typically such facilities occupy more than one downtown block and may incorporate more than one use on the site.

**Mural Walls:** A large picture painted or affixed to an exterior wall and is for artistic presentation only and does not relate to advertisement of any business or tenant.

**Overlay Character District:** each Overlay Character District is intended to create a distinct urban form different from other Character Districts.

**Owensboro Historic Preservation Board (HPB):** is a Citizen Board appointed by the Owensboro Board of Commissioners per Chapter 2, Article V, Section 2-355 of the Owensboro Municipal Code. The HPB will be the final authority on Historic Preservation and Design Standards unless otherwise specified in this Article.

**Paseo:** is a public right-of-way or open space dedicated to pedestrian movement located between buildings or along alleys.



*Image of a typical paseo*

**Recommended:** If the term "recommended" appears in the Design Standards it means that it should be considered favorably, but is not mandatory.

**Roof, Low Pitch:** A roof having a pitch of more than 2:12 and less than 4:12.

**Shall:** If the term "Shall" appears in the Design Standards, compliance is mandatory.

**Should:** If the term "should" appears in a design standard, compliance is strongly encouraged, but is not required.



*Sign, Building Blade:* is a pedestrian-oriented sign that is affixed perpendicular to the corner of a building or along the front façade of a building above the ground floor to provide identification for the whole building.



*Image of a Building Blade Sign*

*Sign, Tenant Blade:* is a smaller pedestrian-oriented sign that is affixed perpendicular to the building façade under a canopy or awning or immediately over a tenant space and provides identification for individual tenants within a building.



*Image of a Tenant Blade Signs*

*Sign, Freestanding:* shall include both permanent and temporary signs placed within a building's front yard. Freestanding signs may be Pole or Monument Signs.

*Sign, Marquee:* is a sign structure placed over the entrance to a theatre or other public gathering venue. It has signage stating either the name of the establishment or, in the case of theatres or other public venues, the name of the event, artist, and other details of the event appearing at that venue. The marquee is often identifiable by a surrounding cache of light bulbs, usually yellow or white, that flash intermittently or as chasing lights. Marquee signs may often be combined with Building Blade signs.



*Image of a Marquee sign with a Building Blade Sign*

*Sign, Monument:* is any sign which is connected to the ground and which has no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. A monument sign may include a sign face and sign structure, and may also include a sign base and sign cap.



*Image of a Monument Sign*

*Sign, Pole:* is any sign which is connected to the ground (with one or many supports), but may have clear space for the full width of the sign between the bottom of the sign and the surface of the ground.



*Image of a pole sign*

*Sign, Sandwich Board:* is a portable sign consisting of two panels of equal size, which are hinged at the top or one panel with a support and placed on the ground or pavement so as to be self-supporting.



*Images of sandwich board signs.*

*Special Frontage Requirements:* are standards applied to certain properties as indicated in the Regulating Plan in order to address specific requirements and transitions based on street frontage and adjacency in addition to or in lieu of the underlying Character District standards.

*Street Screen:* a freestanding wall or living fence built along the frontage line or in line with the building façade along the street. It may mask an internal court, a parking lot or a loading/service area from view or provide privacy to a side yard and/or strengthen the spatial definition of the public realm.



*Image of  
a  
combinati  
on  
masonry  
and living  
street  
screen*

*Street Type:* is a specific designation for streets in the Downtown Overlay District that establish a certain character and cross-sections to improve walkability within downtown.

*Street Wall:* is the existence of a continuous “wall” along a public street with buildings placed immediately adjacent to the street/sidewalk.

**21.6 DOWNTOWN OVERLAY DISTRICT REGULATING PLAN.** The Downtown Overlay District Regulating Plan for Owensboro is hereby adopted. The standards in this Article shall apply mandatorily to all properties within the boundaries of the Downtown Overlay District Regulating Plan.

**21.61 Overlay Character Districts Established.** The following Overlay Character Districts are established. The boundaries of the specific Character Districts are established in the Downtown Overlay District Regulating Plan.

- a. **Historic Core:** The Historic Core District is intended to preserve and enhance the existing National Register Historic District along 2<sup>nd</sup> and 3<sup>rd</sup> Streets. Development standards in this Overlay District discourage demolition of existing historic buildings while requiring new buildings and changes to existing buildings to be consistent with the historic architectural traditions of the area.
- b. **Downtown Core:** The Downtown Core District is intended to encourage redevelopment of the areas immediately west and south of the Historic Core. The development emphasis in this district will be

to reinforce the pedestrian orientation and street walls along 2<sup>nd</sup>, 3<sup>rd</sup>, and Frederica Streets.

- c. **Riverfront Core:** The Riverfront Core District is intended to encourage development of mixed use, pedestrian-oriented development along Veterans Boulevard immediately adjacent to Smothers Park and the Ohio River.
- d. **Riverfront Edge:** The Riverfront Edge District is intended to encourage residential, recreational, and appropriate community uses along the Ohio River immediately east and west of the Riverfront Core District.
- e. **Riverfront Crossing:** The Riverfront Crossing District is intended to encourage development and redevelopment along a pedestrian alley linking the Courthouse Square between Second Street and Veterans Boulevard to the Riverfront.
- f. **Downtown Transition:** The Downtown Transition District is intended to provide for a wide range of appropriate commercial (retail, office, light industrial, and live-work) and residential transitions between the Downtown Core and neighborhoods to the west and east.
- g. **Frederica Boulevard:** The Frederica Boulevard District is intended to support development along Frederica Street as a major transportation corridor with distinct nodes of development at key intersections.
- h. **Downtown Campus:** The Downtown Campus District is intended to support the development of a cohesive Brescia University campus along Frederica Street and provide appropriate transitions to adjoining neighborhoods.
- i. **Neighborhood:** The Neighborhood District is intended to protect existing neighborhoods that are immediately adjacent to Downtown from the higher intensity development within the Downtown Core and Transition Districts.
- j. **Entertainment District:** The following Overlay Character Districts shall comprise a district of special interest in accordance with KRS 100.203(1)(e) to be identified as the Entertainment District.
  1. Historic Core Character District
  2. Downtown Core Historic District
  3. Riverfront Core Historic District
  4. Riverfront Edge Historic District
  5. Riverfront Crossing Historic District

**21.62 Street Designations Established.** The Regulating Plan shall establish the following Street Designations.

- a. Type “A” Streets Established – Type “A” Streets are intended to be the primary pedestrian streets and buildings along Type “A” Streets shall be held to the highest standard of pedestrian-oriented design. The major Type “A” Streets are Veterans Blvd from St. Elizabeth to Daviess Street, Second Street from St. Elizabeth to Clay Street, Third Street from Frederica Street to Daviess Street, and Frederica Street from Veterans Blvd. to 5<sup>th</sup> Street. The north-south streets around the County Courthouse are also designated as Type “A” Streets.
- b. Type “B” Streets Established – Type “B” Streets are intended to balance pedestrian orientation with automobile orientation and buildings along Type “B” Streets may be permitted to accommodate some service and auto-related functions. All streets (except alleys) within the Downtown Overlay that are not designated Type “A” Streets shall be considered as Type B Streets.

**21.63 Special Requirements.** The Regulating Plan shall establish the following Special Requirements.

- a. Designated Access and Views to River – This designation is intended to identify locations where new and existing streets and/or development shall be required to provide access and views to the river.
- b. Recommended Access and Views to River - This designation is intended to identify locations where new and existing streets and/or development are recommended to provide access and views to the river.
- c. Recommended Terminated Vistas – This requirement identifies locations that terminate key streets or view corridors. At these locations, special attention should be given to the design of new buildings and sites to take advantage of the key location.
- d. Designated Civic/Open Space - The Designated Civic/Open Space requirement shall be the location of existing and proposed civic/open spaces (including parks, plazas, paseos, and squares).

- e. Recommended Civic/Open Space - The Recommended Civic/Open Space designation shall indicate the locations of desired civic and open spaces (including parks, plazas, paseos and squares) to implement the Downtown Master Plan.
- f. Designated Civic Building Sites - The Designated Civic Building Sites shall be the location of existing and proposed civic buildings (public and community buildings).
- g. Recommended Civic Building Sites - The Recommended Civic Building Sites designation shall indicate the locations of desired civic buildings (public and community buildings) to implement the Downtown Master Plan.
- h. Recommended Civic Venue Sites – The Recommended Civic Venue Sites designation shall indicate the locations of desired major civic venues.
- i. Recommended Street Network - The Recommended Street Network indicates the streets needed to implement the Downtown Master Plan. Their location shall be guided by Regulating Plan and their design shall be guided by the standards in Appendix A of Article 21.



**CHARACTER DISTRICTS**

Civic Open Space	Historic Core
Designated Civic Building	Neighborhood
Downtown Campus	Recommended Civic Building Site
Downtown Core	Riverfront Core
Downtown Transition	Riverfront Crossing
Federica Boulevard	Riverfront Edge

**TYPE "A" STREET DESIGNATIONS**

Pedestrian Priority Street
Downtown Core Street
Downtown Boulevard

**SPECIAL REQUIREMENTS**

Designated Civic Building	Rec. Civic / Open Site
Recommended Civic Building Site	Rec. Pedestrian Connection
Recommended Civic Venue Site	Rec. Pedestrian / Bike path
Civic / Open Space	Downtown Avenue
Rec. Public access & view to river	Downtown Street
Recommended terminated vistas	

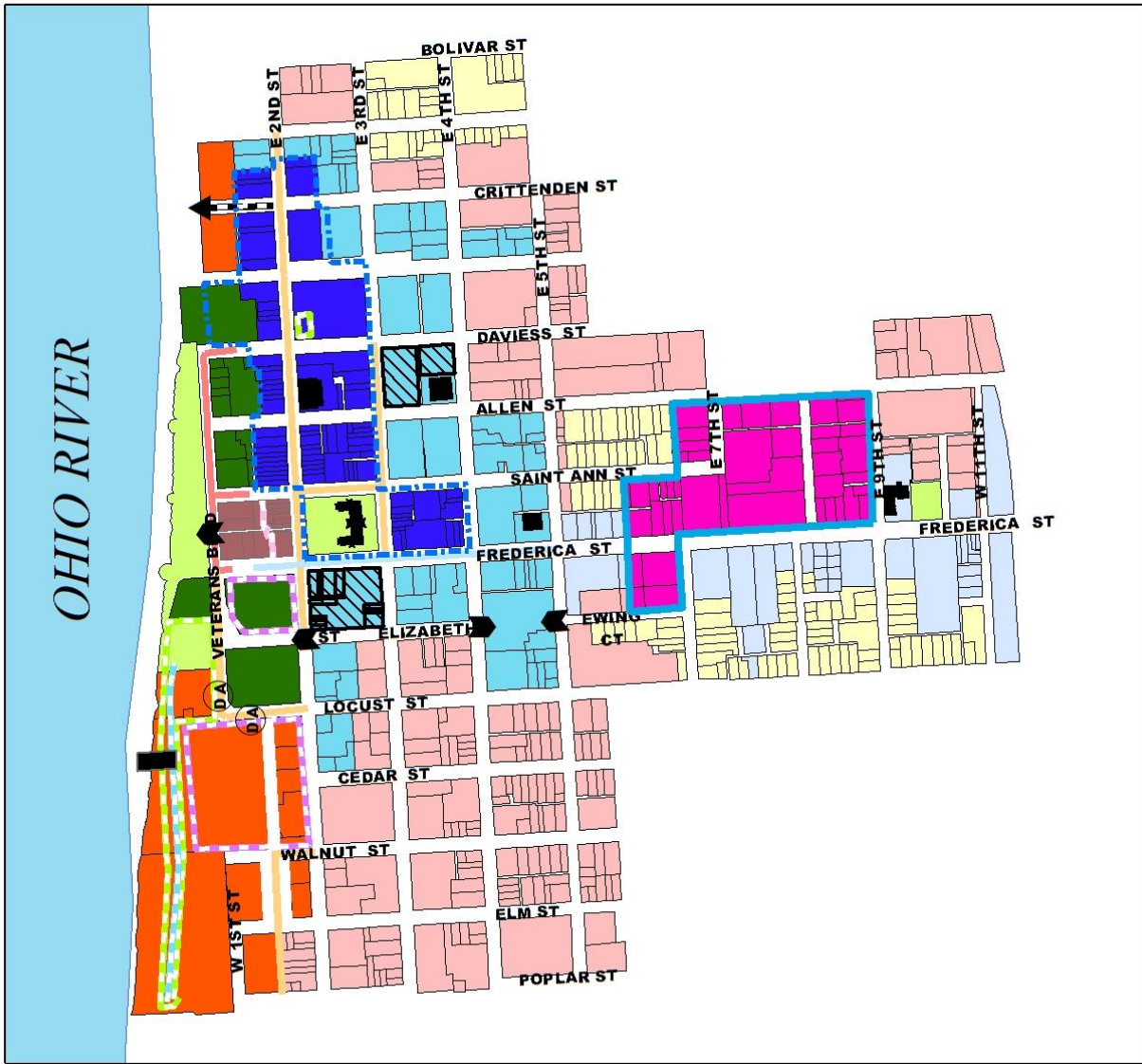
**REFERENCE**

National Register Historic District
Brescia University- approximate boundary

**Downtown Overlay District  
Regulating Plan**



Data Source: OGCIS  
City of Owensboro IS Dept  
270-687-9634  
Map No. 48340 (21-9)



**21.7 SCHEDULE OF USES BY CHARACTER DISTRICT FOR B-2 ZONED PROPERTY**

<b>P =</b>	<b>PRINCIPALLY PERMITTED USES:</b> Uses listed and other uses (not otherwise listed in table) substantially similar to those listed are deemed permitted.	<p><b>NOTE:</b> Only those uses specifically permitted or substantially similar to permitted uses are permitted in each zone; all uses which lack substantial similarity to permitted uses in each zone are deemed <b>prohibited</b> (as per Article 3 of this Zoning Ordinance).</p> <p>Numbers following the "P", "C" or "A" in the table refer to special conditions, additional information, or detailed use listings which follow in numerical order in Article 8.4.</p> <p><b>!! SEE ARTICLE 8 FOR NON B-2 PROPERTY !!</b></p>
<b>C =</b>	<b>CONDITIONALLY PERMITTED USES:</b> Uses which are permitted only with Board of Adjustment approval.	
<b>A =</b>	<b>ACCESSORY USES:</b> Uses and structures permitted which are customarily accessory, clearly incidental and subordinate to permitted uses.	
<b>HC</b>	Historic Core	<b>DT-C</b> Downtown Core
<b>RF-C</b>	Riverfront Core	<b>RF-X</b> Riverfront Crossing
<b>RF-E</b>	Riverfront Edge	<b>DT-T</b> Downtown Transition
<b>FB</b>	Frederica Boulevard	<b>DT-Campus</b> Downtown Campus
<b>N</b>	Neighborhood	

<i>Use</i>	<i>Character District</i>					
	<b>HC/DT-C/ RF-C/RF-X</b>	<b>RF-E</b>	<b>DT-T</b>	<b>FB</b>	<b>DT- Campus</b>	<b>N</b>
<b>A RESIDENTIAL</b>						
<b>1A</b> Bed and breakfast home		P	P			P
<b>1B</b> Boarding or lodging house			C/6a			C/6a
<b>2</b> Dwelling: Accessory		P	P			P
<b>3</b> Dwelling: Multi-family (any floor)		P	P		P	
<b>3A</b> Dwelling: Upper floor multi-family only	P	P	P	P	P	
<b>4</b> Dwelling: Single-family detached		P	P			P
<b>5</b> Dwelling: Townhouse		P	P			P
<b>6</b> Dwelling: Two-family		P	P			P
<b>6A</b> Residential Care Facilities						
<b>7</b> Fraternity or sorority house, dormitory			C/6a	C/6a	C/6a	C/6a
<b>7A</b> Seasonal farm worker housing						
<b>8</b> Guest quarters		A/5	A/5			A/5
<b>9</b> Keeping of roomers or boarders by a resident family		A/6	A/6			A/6
<b>10A</b> Manufactured Home, Class 1 (see Section 14.7521)			P/7			P/7
<b>10B</b> Manufactured Home, Class 2 (see Section 14.7522)			C/7			C/7
<b>10C</b> Manufactured Home, Class 3 (see Section 14.7523)						
<b>11</b> Motel						
<b>11A</b> Full-service hotel	P	P	P	P	P	
<b>12</b> Planned residential development project		P/8	P/8			P/8
<b>13</b> Live-Work unit	P	P	P	P	P	P
<b>B ASSEMBLY</b>						
<b>1</b> Amusements, indoor	P/9	P/9	P/9	P/9	P/9	

<i>Use</i>	<i>Character District</i>					
	<b>HC/DT-C/ RF-C/RF-X</b>	<b>RF-E</b>	<b>DT-T</b>	<b>FB</b>	<b>DT- Campus</b>	<b>N</b>
<b>2</b> Amusements, outdoor		C/10	C/10			
<b>3</b> Child day-care centers, child nurseries, adult day care centers	C	C	C	C	C	C
<b>4</b> Churches, Sunday schools, parish houses	P	C	P	P	P	C
<b>5</b> Circuses and carnivals, temporary	A/11	A/11	A/11	A/11	A/11	A/11
<b>6</b> Civic center, auditorium, exhibition halls, amphitheater	P	P		P	P	
<b>7</b> Community centers, public	P	C	C	P	P	C
<b>8</b> Libraries, museums, art galleries, reading rooms	P	P	P	P	P	C
<b>9</b> Passenger transportation terminals	P			P	P	
<b>10</b> Philanthropic institutions and clubs	P		P	P	P	
<b>11</b> Recreational activities, indoor	P	P	P	P	P	
<b>12</b> Restaurants, cocktail lounges, night clubs	P	P	P	P	P	
<b>13</b> Restaurants, drive-in, drive through windows subject to Articles 21.8 and 21.9.			P	P	P	
<b>14</b> Schools, colleges, studios; academic, technical, vocational or professional, private elementary and secondary schools	P	C	P	P	P	C
<b>15</b> Sidewalk cafe	P	P	P	P	P	C
<b>16</b> Any ASSEMBLY USES above deemed to be adult entertainment establishments ( <i>only Owensboro, Unincorporated Daviess County</i> )	P/47					
<b>17</b> Public auction houses						
<b>C INSTITUTIONAL</b>						
<b>1</b> Hospitals; surgical centers; convalescent and rest homes; orphanages, rehabilitation facilities, assisted living facilities	C		C	C		
<b>2</b> Penal or correctional institution						
<b>D BUSINESS</b>						
<b>1</b> Banks, credit agencies, security and commodity and loan companies and holding and investment companies; without drive-in facilities	P		P	P	P	
<b>1A</b> Banks, credit agencies, security and commodity and loan companies and holding and investment companies; without drive-in facilities; with drive-in facilities subject to Articles 21.8 and 21.9	P		P	P	P	
<b>2</b> Computer and data processing centers	P		P	P	P	
<b>3</b> Hair styling, beauty and barber shops, tanning salons	P	P	P	P	P	
<b>4</b> Home appliance and computer repair	P		P	P	P	
<b>5</b> Home occupation		A	A			A
<b>6</b> Medical and dental offices, clinics and laboratories	P		P	P	P	
<b>7</b> Offices for business, professional, governmental, civic, social, fraternal, political, religious and charitable organizations	P		P	P	P	
<b>8</b> Office projects, professional	P		P	P	P	
<b>9</b> Pawnshops	P		P	P		
<b>10</b> Research, development and testing laboratories or centers	P		P	P	P	
<b>11</b> Shoe repair	P		P	P	P	

<i>Use</i>	<i>Character District</i>					
	<b>HC/DT-C/ RF-C/RF-X</b>	<b>RF-E</b>	<b>DT-T</b>	<b>FB</b>	<b>DT- Campus</b>	<b>N</b>
<b>12</b> Telephone exchanges, radio and television studios	P		P	P	P	
<b>13</b> Ticket and travel agencies	P		P	P	P	
<b>14</b> Quick copy services, not utilizing offset printing methods	P		P	P	P	
<b>15</b> Live-work unit	P	P	P	P	P	P
<b>91</b> Any BUSINESS USES above deemed to be adult entertainment establishments ( <i>only Owensboro, Unincorporated Daviess County</i> )	P/47					
<b>E MERCANTILE</b>						
<b>1</b> Farmers market	P	P				
<b>2</b> Retail sale of food products	P/16	P/16	P/16	P/16		
<b>3</b> Retail sale of merchandise	P/17	P/17	P/17	P/17	P/17	
<b>4</b> Retail sale of plant, nursery or greenhouse products (no outdoor storage)			P/18	P/18		
<b>5</b> Produce stands						
<b>6</b> Sale of feed, grain or other agricultural supplies						
<b>7</b> Wholesale supply establishment						
<b>8</b> Convenience stores without fuel stations	P	P	P	P	P	
<b>8A</b> Convenience stores with fuel stations			P	P	P	
<b>9</b> Home improvement centers with no outdoor storage	P		P	P	P	
<b>10</b> Home improvement centers with outdoor storage						
<b>91</b> Any MERCANTILE USES above deemed to be adult entertainment establishments ( <i>only Owensboro, Unincorporated Daviess County</i> )	P/47					
<b>F AUTOMOBILE AND TRUCK RELATED</b>						
<b>1</b> Automobile or boat rental			P/21	P/21		
<b>2</b> Automobile or other vehicle sales lot, establishment						
<b>3</b> Automobile, motorcycle or other vehicle race tracks						
<b>4</b> Automobile service/fuel stations, with or without convenience stores			P/21	P/21		
<b>5</b> Automobile and truck repair, major						
<b>5A</b> Automobile body shop ( <i>only Unincorp. Daviess Co.</i> )						
<b>6</b> Automobile and truck repair, minor			P	P		
<b>7</b> Car-wash; self-serve or automatic subject to Articles 21.8 and 21.9			P/25	P/25		
<b>8</b> Loading and unloading facilities	A	A	A	A	A	A
<b>9</b> Parking areas, private garages		A	A			A
<b>10</b> Parking areas or structures subject to Articles 21.8 and 21.9	P	P	P	P	P	A
<b>11</b> Parking lots or structures subject to Articles 21.8 and 21.9	P	P	P	P	P	
<b>12</b> Tire re-treading and recapping						
<b>13</b> Truck rental						
<b>14</b> Truck terminals and freight yards						
<b>15</b> Taxi cab or limousine service						

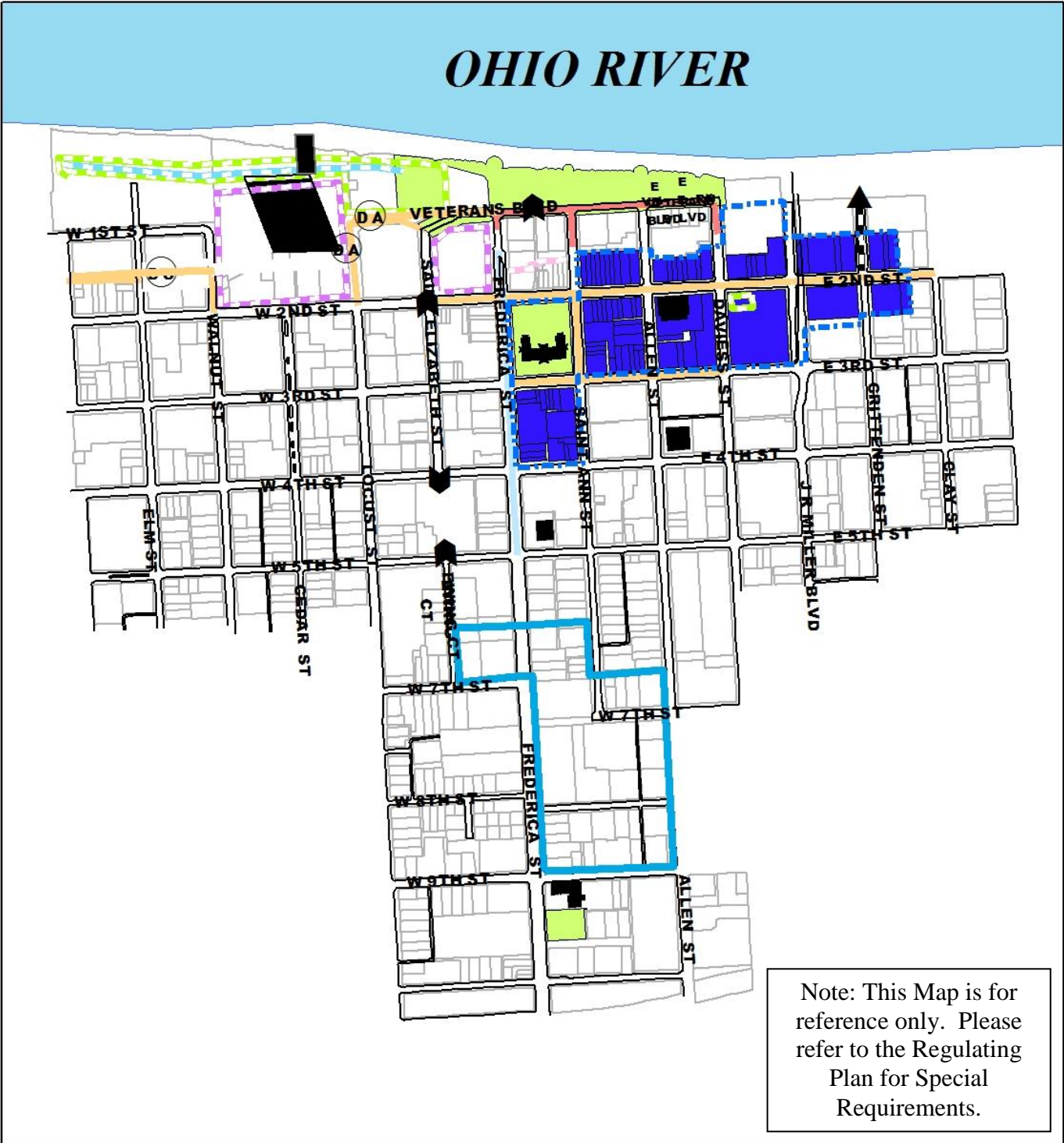
Use	Character District					
	HC/DT-C/ RF-C/RF-X	RF-E	DT-T	FB	DT- Campus	N
16 Automobile auction facilities						
<b>G INDUSTRIAL</b>						
1 Contractor equipment dealer						
2 Dairy or other food product bottling plants						
3 Extraction of crude petroleum, natural gas						
3A Quarrying of sand, gravel, etc.						
4 Heavy industrial uses, conditional						
5 Heavy industrial uses, principal						
6 Ice plant						
7 Machine, welding and other metal work shops (no outdoor equipment or storage)			P			
8 Manufacturing and assembling, light						
9 Manufacturing, compounding, assembling, processing, packaging and certain other industrial uses						
10 Making of articles to be sold at retail on the premises	A		P	A		
11 Printing, publishing, lithographing, blueprinting			P			
12 Sale of manufactured goods			P			
13 Shops of special trade and general contractors (no outdoor storage)			P			
14 Furniture repair and upholstery			P			
15 Furniture restoration and refinishing			P			
16 Cottage Manufacturing			P			
<b>H Agriculture:</b>						
1 Agricultural structures, stables						
2 Dairying and stock-raising						
3 Farming						
4 Farm equipment dealer						
5 Forestry						
6 Grain drying						
7 Horse sales establishment						
8 Landscaping services						
9 Community gardens	P	P	P	P	P	P
<b>I Animal related:</b>						
1 Animal burial grounds						
1A Animal race tracks						
2 Animal hospital or clinic (no kennel facilities)			P			
2A Pet grooming	P		P	P		
2B Pet training			P	P		
3 Hunting, fishing, trapping, game preserves						
3A Taxidermy	P		P	P		
4 Kennel, commercial						
5 Kennel, non-commercial						
6 Veterinarian office			P	P		
<b>J Personal service:</b>						
1 Cemetery, mausoleum, columbarium, crematory						



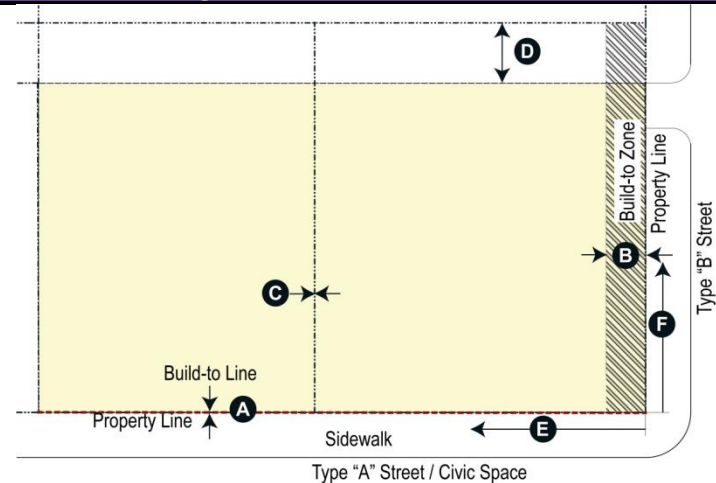
<i>Use</i>	<i>Character District</i>					
	<b>HC/DT-C/ RF-C/RF-X</b>	<b>RF-E</b>	<b>DT-T</b>	<b>FB</b>	<b>DT- Campus</b>	<b>N</b>
<b>2</b> Funeral home			P	P		
<b>3</b> Laundry, clothes cleaning			P	P	P	
<b>3A</b> Dry cleaning or laundry drop off and pick up stations with or without drive-through windows, where no cleaning of garments occurs on site subject to Articles 21.8 and 21.9	P	P	P	P	P	
<b>4</b> Pharmaceuticals and medical supplies, sale of	P		P	P		
<b>5</b> Retail sales or personal services	P	P	P	P	P	
<b>K Public and semi-public:</b>						
<b>1</b> Airport						
<b>2</b> Land fill						
<b>3</b> Municipal, county, state, public school or federal buildings and uses	P		P	P	P	
<b>4</b> Public utility facilities not otherwise permitted within this table and not excepted by Article 3 herein	C	C	C	C	C	C
<b>5</b> Bus terminals	C		C	C		
<b>6</b> Radio or TV transmitting or relay facilities including line of sight relays						
<b>7</b> Recreational uses, major outdoor subject to Article 21.9	P	P	C			
<b>8</b> Recreational uses, accessory outdoor	A/43	A/43	A/43	A/43	A/43	A/43
<b>L Storage:</b>						
<b>1</b> Storage, outdoor						
<b>2</b> Storage (incidental) for retail sales establishment	A	A	A	A	A	
<b>3</b> Storage sheds						A
<b>4</b> Storage for wholesale supply establishment						
<b>5</b> Storage yards for delivery vehicles						
<b>6</b> Warehouse						
<b>6A</b> Warehouse with no outdoor storage, no larger than 10,000 sqft. per building per lot.			P			
<b>7</b> Individual Storage						

21.8 OVERLAY DISTRICT BUILDING FORM & DEVELOPMENT STANDARDS

21.81 (HC) Historic Core Overlay District



### 21.81 (a) Building Placement



#### Legend

----- Property Line	Build-to Zone
----- Build-to Line	Building Area

#### (i) Build-to Line/Zone (BTL/Z)

##### (Distance from property line to edge of the zone)

Front (Type "A" Street / Civic Space) (see #15)	0'	<b>A</b>
Front (Type "B" Street) (see #15)	0' – 6' (see #1)	<b>B</b>

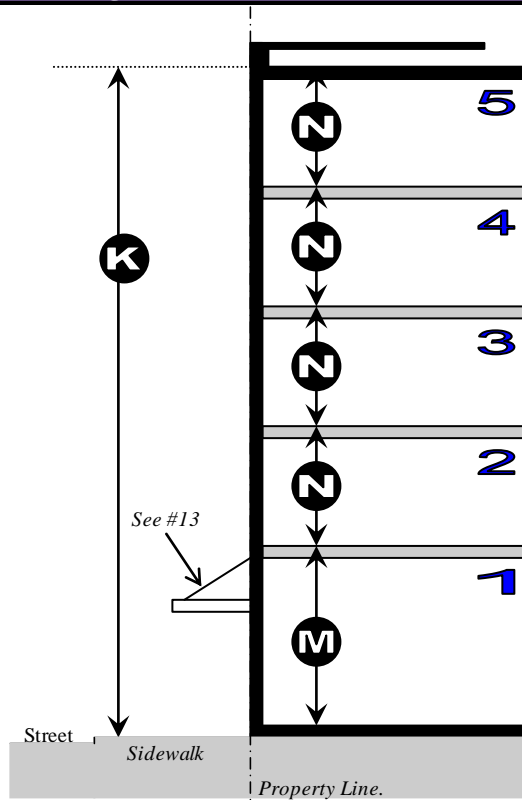
#### (ii) Setback

Front (Type "A" Street / Civic Space) (see #15)	0' (min. and max)	<b>A</b>
Front (Type "B" Street) (see #15)	0' (min.) 6' (max.)	<b>B</b>
Side	0' min.; (see #2)	<b>C</b>
Rear	5' min.	<b>D</b>

#### (iii) Building Form

Building Frontage required along "Type A" street/civic space BTZ	95% (min.) (see #3)	<b>E</b>
Building Frontage required along "Type B" street BTZ	70% (min.) (see #3)	<b>F</b>

### 21.81 (b) Height

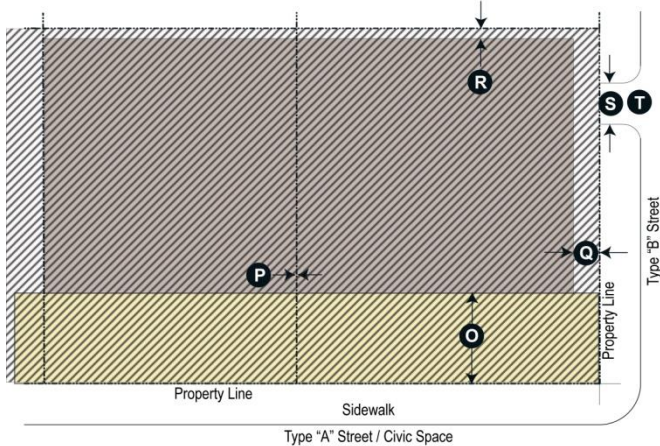


(i) Building minimum	2 stories min.	
(ii) Building maximum	5 stories (see #5 and #6)	<b>K</b>
(iii) First floor, floor to floor height	Match adjoining historic building (if any) or no less than 15' (see #4)	<b>M</b>
(iv) Upper floor(s), floor to floor height	Match adjoining historic building (if any) or no less than 10'	<b>N</b>

### 21.81 (c) Commercial Frontage Requirements

- (i) Ground floor uses, to a minimum depth of 25', along all streets designated as Type "A" in the Historic Core shall be limited to commercial (retail, restaurant, and office), art/dance/music studio, or civic uses only. Residential and lodging uses may be located behind or above the commercial use. Existing institutional uses are exempt from this standard. However, no new institutional uses shall be permitted on the ground floor of Type "A" Streets.

## 21.81 (d) Parking



## Legend

- Property Line
- At/Above Grade Parking Area
- Below Grade Parking Area
- Building Footprint

## (i) Location (distance from property line)

## At &amp; Above Grade Parking

Front setback (Type "A" Street)	Shall be located behind the principal building	O
Side setback	0' min.	P
Type "B" Street setback	Min. of 3' behind the building facade along that street	Q
Rear setback	0' min.	R

## Below Grade Parking

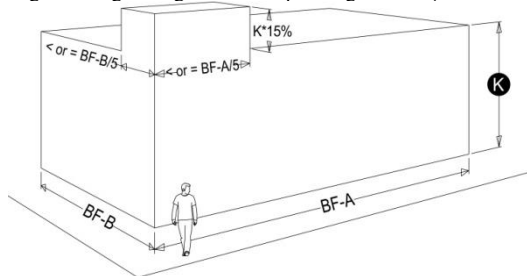
- Allowed up to R-O-W/Property Line
- Allowed below Civic Space if providing public parking

## (ii) Required Parking Spaces

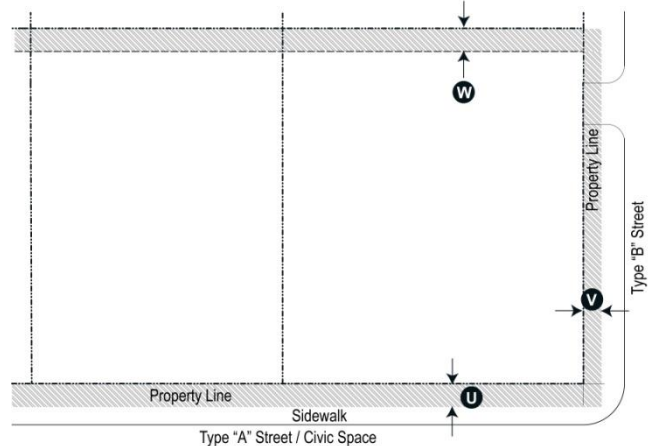
No required parking for all uses

## Notes

- #1 – Area between the building and the edge of the BTZ at the public sidewalk shall be paved to be flush with the sidewalk.
- #2 – Side setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #3 – Corner building street facades must be built to the BTZ for a minimum of 25' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone or build-to line standards.
- #4 – First floor heights shall not apply to parking structures.
- #5 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #6 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



## 21.81 (e) Encroachments (see #13)



## Legend

- Property Line
- Encroachment Area

## (i) Location

Type "A" Street / Civic Space (Front)	50% of the depth of the sidewalk or 6' (whichever is greater)	U
Type "B" street (Side)	6' max	V
Rear	3' max.	W

## 21.81 (f) Applicability

Building Form and Development Standards in this section shall apply to new construction, additions, or substantial modifications.

## Notes

- #7 – All buildings in the Historic Core shall meet the Historic Preservation Standards & Guidelines in Section 21.8(h).
- #8 – Any frontage along a public street (except alleys) not defined by a building at the BTZ shall be defined by a 4' high Street Screen.
- #9 – Parking driveway width 24' max. (at the throat) S
- #10 - Driveways shall not be located on a Type "A" Street unless the property has no feasible access to either a Type "B" Street or a vehicular alley. T
- #11 – Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.
- #12 – Article 13.1 of the Owensboro Metropolitan Zoning Ordinance shall apply for design of off-street parking areas.
- #13 – Canopies, awnings, signs, galleries, and balconies may encroach over the BTZ and setback areas as indicated in the shaded areas as long as the vertical clearance is a minimum of 8' from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over the public R-O-W shall meet standards in Article 21.142(m).
- #14 - Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42", the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.
- #15 – Setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the front of façade with the recessed entry or arcade.
- #16 – Off-street loading and unloading shall be located along Type "B" Streets or alleys only unless the property has no feasible access to either a Type "B" Street or vehicular alley.

## 21.81 (g) Historic Preservation Standards

### (i) Applicability

These standards shall apply to all building demolitions, renovations and reconstruction to the exterior facades of existing buildings within the Historic Core Overlay District. These standards shall also apply to additions to existing buildings and new construction within the Historic Core Overlay District.

Demolitions of existing buildings shall require a Demolition Permit to be obtained from City only after review and approval by the Owensboro Historic Preservation Board (HPB). Appeals to the Demolition review may be made to the Circuit Court of Daviess County.

All renovations and reconstructions of building exteriors within this District shall be required to obtain a Certificate of Appropriateness prior to building permit application or commencing the work. The Certificate of Appropriateness may be approved administratively by the Zoning Administrator after compliance review by the Downtown Design Administrator and appealed to the Historic Preservation Board.

The following activities (regardless of whether they require building permits) shall require a Certificate of Appropriateness:

- i. Additions to existing historic structures; or new buildings or outbuildings on sites containing historic structures.
- ii. Removal and replacement of any architectural detailing.
- iii. Construction of roof top additions or decks.
- iv. Alteration of accessory structures such as garages.
- v. Installation of exterior access stairs.
- vi. Window or door replacement with or without alteration of the openings.
- vii. Installation of antennas and satellite receiving dishes that are visible from adjoining public rights-of-way (except alleys).
- viii. Masonry work; including without exception, spall repair, pointing, sandblasting, chemical cleaning; or surface refinishing.
- ix. Installation or alteration of any new exterior sign, or alteration of any sign contributing to the significance of a structure.
- x. Site features other than vegetation, including without exception fencing, lighting and lighting fixtures, paving and grading.
- xi. Installation of mechanical equipment on the roof and ground, if visible from the street.

The following activities shall not require a Certificate of Appropriateness:

- a. Work which consists solely of ordinary maintenance;
- b. Emergency repairs of a temporary nature to remedy problems determined by an outside agency that threaten life, health or safety; or,
- c. Alteration of interior space and finishes of a historic building (Secretary of the Interior Standards may still apply for interior renovations).

### (ii) Demolitions

Demolitions of existing buildings within the Historic Core Overlay District shall only be permitted after review and approval by the Owensboro Historic Preservation Board after a duly advertised Public Hearing. All applications for demolitions shall be reviewed by the Downtown Design Administrator and recommendations shall be forwarded to the HPB.

If an application for demolition is denied by the HPB, it may be appealed to the Circuit Court of Daviess County. All appeals shall be taken in the Circuit Court within thirty (30) days after the action or decisions of the Historic Preservation Board and all decisions which have not been appealed within thirty (30) days shall become final. After the appeal is taken, the procedure shall be governed by the rules of civil procedure. When an appeal has been filed, the Clerk of the Circuit Court shall issue a summons to all parties and shall cause it to be delivered for service as in any other law action.

A building permit to demolish a building that has been approved for

demolition by the HPB may only be granted after the approval of a building permit for new construction on the same property as the building to be demolished, unless the building has been deemed as a public hazard or attractive nuisance.

In reviewing and considering applications for building demolitions, the Downtown Design Administrator and the HPB shall consider the following:

- a. The public's interest in the preservation of the cultural resource.
- b. Whether the building is locally or nationally designated as a landmark.
- c. The age of the cultural resource, its uniqueness or uncommon design, texture, and/or material and its ability to be reproduced without unreasonable difficulty and/or expense.
- d. The ability of the cultural resource to help preserve and protect a historic place or prehistoric site or area of historic interest in the City.
- e. The ability of the cultural resource to promote the general welfare of the City by:
  - 1) Encouraging the study of American History, architecture and design;
  - 2) Developing an understanding of the importance and value of the American culture and heritage; and
  - 3) Making the City a more attractive and desirable place in which to live.
- f. Whether the building is being demolished for new construction on the same site which is more economically feasible than restoring the existing structure.

An application for demolition may only be approved by the HPB if:

- a. A building or part of a building is structurally unstable or in a stage of advanced deterioration and has been deemed by the City as a hazard to public safety or an attractive nuisance; or
- b. A building or part of a building is structurally unstable or in a stage of advanced deterioration and a technical report has been prepared by an architect or professional engineer experienced in rehabilitation of historic structures detailing the building's structural soundness and suitability for rehabilitation including the nature and extent of the specific problems and reasonable cost estimates to rectify them. In addition the following shall be required:
  - A financial report is submitted with the application detailing the costs of rehabilitation, and evidencing that the existing improvement is incapable of reasonable use or producing an economic return, and
  - Demolition application is submitted with complete plans for the new development proposed on the site, together with a timetable and a budget for both the demolition and the reconstruction, as well as satisfactory evidence that adequate financing is available.

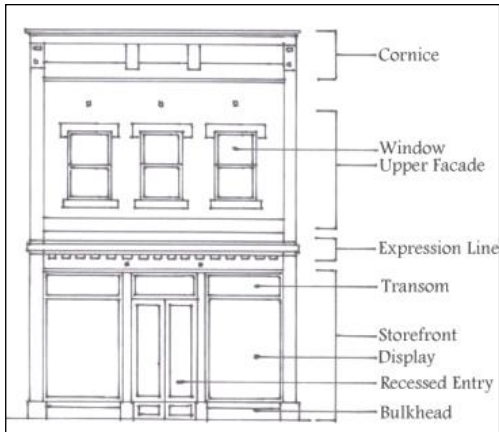
### (iii) Renovation of Existing Buildings

The following standards shall apply in reviewing and approving applications for Certificates of Appropriateness for renovation of existing buildings within the Historic Core Overlay District.

*Photographs used in this section are for illustration purposes only. Specifically, they are intended to show how the standards would apply when buildings are renovated and do not impose any requirements on existing buildings.*



- a. **Historic Façade.** Maintain the original character of the façade of historic building.



- b. **Horizontal Alignment.**

Reinforce the established horizontal lines of facades on the block. Restore or recreate the historic horizontal alignment of architectural features such as cornices, window sills and parapets.



- c. **Storefronts.** Storefront buildings should maintain the original size, shape, and design of the storefront opening. Large ground floor windows shall be maintained and darkly tinted or mirrored glass is not permitted. Doors shall use painted frames. Window and door frames may be metal with anodized or painted finish or varnished or painted wood. Residential type of opaque and paneled doors shall not be permitted. Unfinished aluminum or stainless steel frames are not permitted.



- d. **Recessed Entrances.** Maintain traditional recessed storefront entrances where they exist.



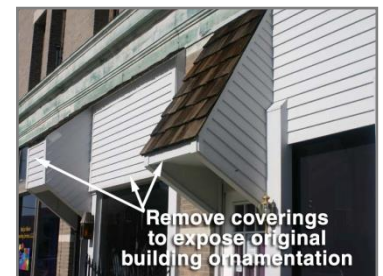
- e. **Storefront Kickplates.** Maintain and/or restore kickplate below storefront windows. Appropriate kickplate materials include painted wood, smooth stone, glazed tile, opaque glass, or painted metal in muted tones.



- f. **Façade Elements.** Preserve primary façade elements and building materials. If the original façade has been concealed, it shall be uncovered. If portions of the original building material must be replaced, duplicate the material used or use a similar material to the original. Use of "barn" wood or other boarded surfaces which are inconsistent with the original building design shall not be permitted. Materials that are similar in texture, pattern, and color to those of the dominant brick work found in historic buildings shall be required.



- g. **Original Ornamentation.** Preserve and restore original ornamentation and details of the façade using photographic and other evidence.



- h. **Upper Story Windows.** Along street facing facades, preserve the size and shape of upper story windows. Reopen any blocked upper story windows. Maintain the original spacing of windows.



- i. **Window Materials.** Unfinished Aluminum tube type windows, unfinished wood or unfinished stainless steel frames shall not be permitted along any street facing facades.

Solid vinyl windows are only permitted as long as the window has a minimum frame depth of 4-1/2", and is fabricated to fit the original window opening size.

Vinyl clad wood windows may be permitted.

- j. **Transom.** Preserve the original transom, if it exists. The transom shall be clear glass or shall be used for a sign or decorative panel.



- k. **Storefront Doors.** Maintain and repair the original door or replace with a door of similar design and materials. Standard aluminum and glass commercial doors and frames are permitted. Replacement doors shall be commercial type doors and shall not be of residential proportions or design.



1. **Building Colors.** Building color scheme shall visually link the building with others in the area. The colors chosen should relate to the established masonry tones within the Historic Core. BE AWARE that if Historic Tax Credits are being sought, that the Secretary of the Interior Standards may limit whether a building can be painted or existing paint removed.

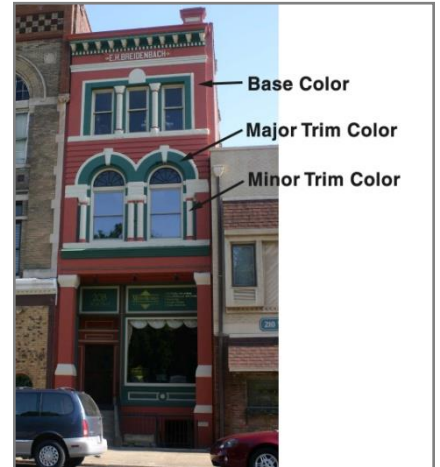
The following shall only be recommendations to follow to develop appropriate building color palettes:

Three colors are sufficient to highlight any façade:

*Base Color* – is that on the upper walls and piers flanking the storefront. This shall be natural masonry or painted to look as natural as possible.

*Major Trim* – is the color that defines the decorative elements of the building, tying together the upper façade trim and the storefront. The trim color should complement the base color. Major trim elements include the building cornice, storefront cornice, window frames, sills and hoods, and storefront frame, columns, and bulkheads (kickplate).

*Minor Trim* – should enhance the color scheme established by the base and major trim. Often a darker shade of the major trim is used to highlight the window sashes, doors, and selective cornice and bulkhead details.



(iv) **New Construction and Additions to Existing Buildings**

Article 21.9 shall apply to the design of new buildings and additions to existing buildings

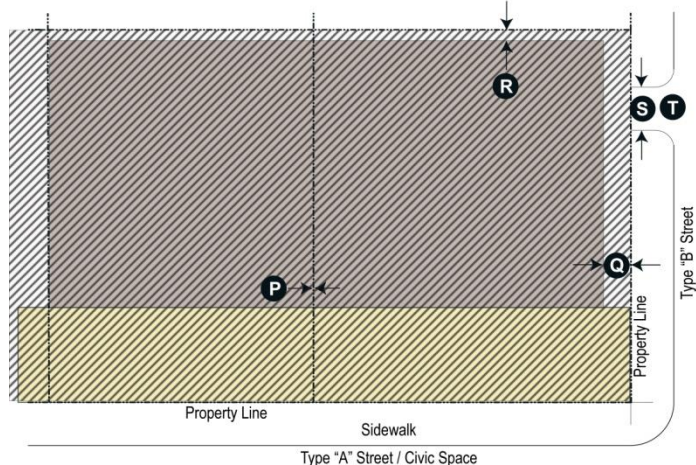


21.82 (DT-C) Downtown Core Overlay District





## 21.82 (d) Parking



## Legend

- Property Line
- Below & Above Grade Parking Area
- At Grade Parking Area

## 1. Location (distance from property line)

## At Grade Parking

Front setback	Shall be located behind the principal structure on the lot	O
Side setback	0' min.	P
Type "B" Street setback	Min. of 3' behind the building facade along that street	Q
Rear setback	0' min.	R

## Below and Above Grade Parking

- Allowed up to R-O-W/Property Line
- Allowed below Civic Space if providing public parking

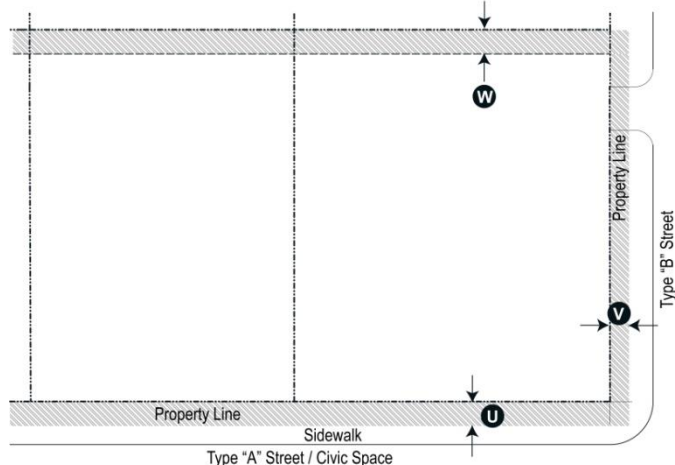
## 2. Required Parking Spaces

- No required parking for all uses

## 21.82 (e) Historic Preservation

Any changes to historic building facades or demolition of or additions to historic buildings in the Downtown Core shall meet the standards established in Article 21.81 (g).

## 21.82 (f) Encroachments (see #11)



## Legend

- Property Line
- Encroachment Area

## (i) Location

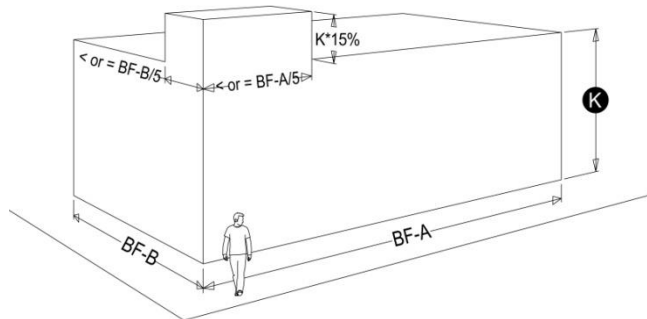
Type "A" Street / Civic Space (Front)	50% of the depth of the sidewalk or 6' (whichever is greater)	U
Type "B" street (Side)	6' max	V
Rear	3' max.	W

## 21.82 (g) Applicability

Building Form and Development Standards in this Article shall apply to new construction, additions, or substantial modifications that exceed the threshold established under Article 21.142 (o) Non-Conforming Buildings and Uses except as specified under Historic Preservation in 21.82 (e).

## Notes

- #1 – Area between the building and the edge of the BTZ at the public sidewalk shall be paved to be flush with the sidewalk.
- #2 – Side setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #3 – Corner building street facades must be built to the BTZ for a minimum of 25' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone requirements.
- #4 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #5 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.





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#6 – Any frontage along a public street (except alleys) not defined by a building at the BTZ shall be defined by a 4’ high Street Screen.

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#7 – Parking driveway width 24’ max.



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#8 - Driveways shall not be located on a Type “A” Street unless the property has no feasible access to either a Type “B” Street or a vehicular alley.

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#9 – Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.

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#10 – Article 13.1 of the Owensboro Metropolitan Zoning Ordinance shall apply for design of off-street parking areas.

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#11 – Canopies, awnings, signs, galleries, and balconies may encroach over the BTZ and setback areas as indicated in the shaded areas as long as the vertical clearance is a minimum of 8’ from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over the public R-O-W shall meet standards in Article 21.142(m).

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#12 – Setbacks and build-to lines on recessed entries, stoops, and arcade buildings shall be measured from the front of the façade with the recessed entry or arcade.

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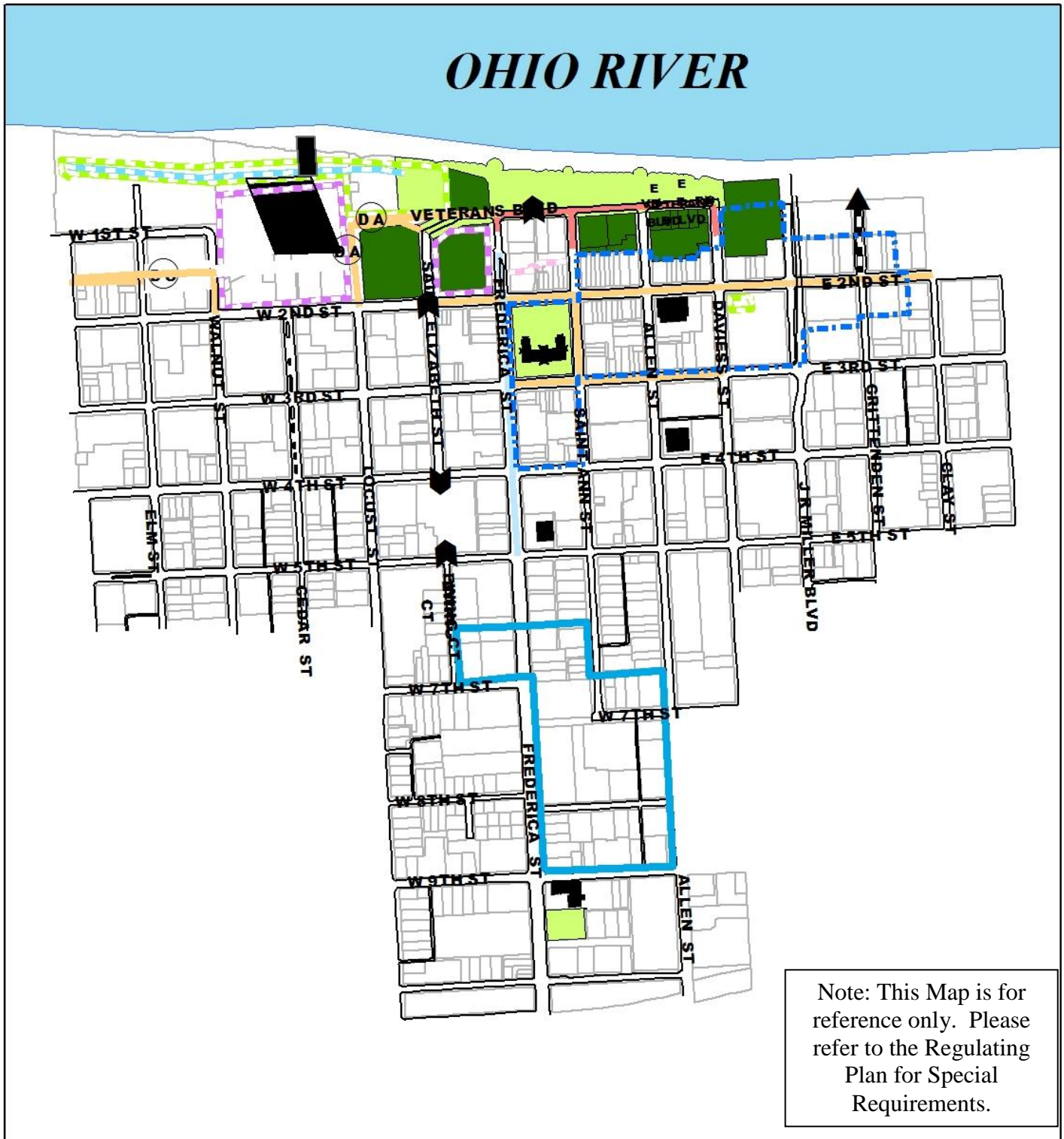
#13 - Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42”, the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

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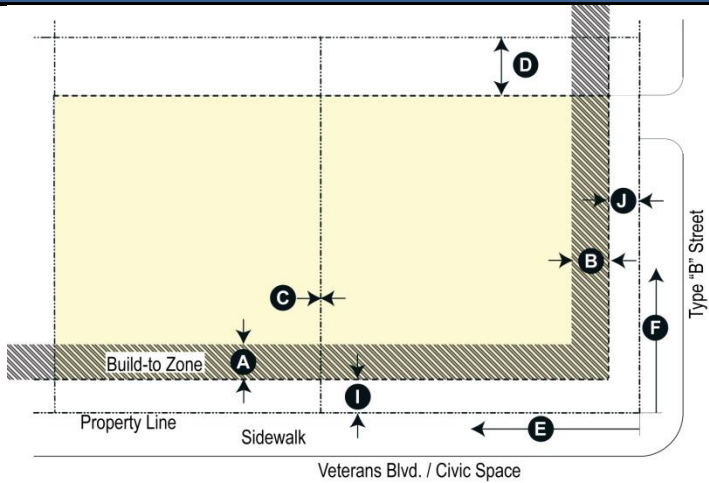
#14 – Off-street loading and unloading shall be located along Type “B” Streets or alleys only unless the property has no feasible access to either a Type “B” Street or vehicular alley.

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21.83 (RF-C) Riverfront Core Overlay District



21.83 (a) Building Placement



Legend

----- Property Line	----- Setback Line
Build-to Zone	Building Area

(i) Build-to Zone (BTZ)

(Distance from property line to edge of the zone)

Front (along Veterans Blvd.)	10' – 15' (see #1)	<b>A</b>
Front (all other streets)	5' – 10' (see #1)	<b>B</b>

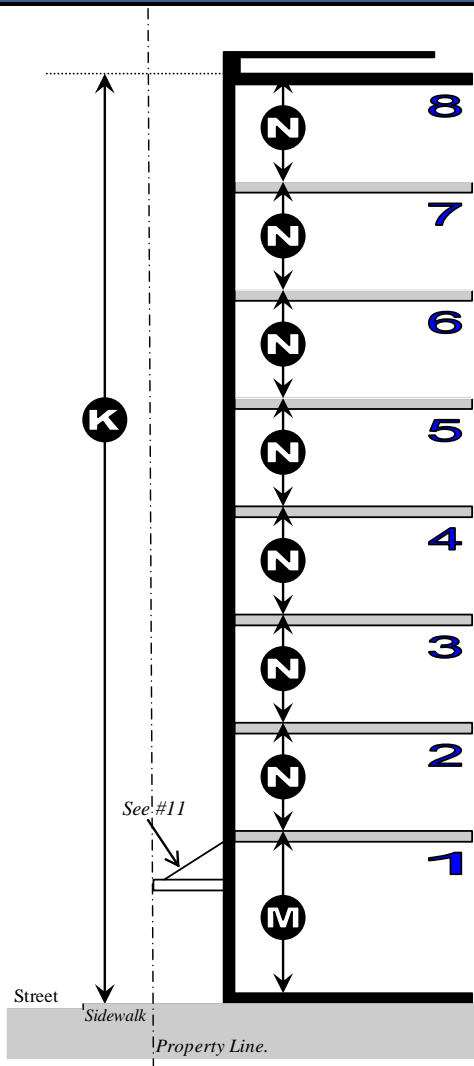
(ii) Setback

Front (Veterans Blvd.)	10' min. (see #1) 15' max (see #1)	<b>I</b>
Front (all other streets)	5' min. (see #1) 10' max. (see #1)	<b>J</b>
Side	0' min. (see #2)	<b>C</b>
Rear	5' min.	<b>D</b>

(iii) Building Form

Building Frontage required along “Type A” street/civic space BTZ	95% (min.) (see #3)	<b>E</b>
Building Frontage required along “Type B” street BTZ	70% (min.) (see #3)	<b>F</b>

21.83 (b) Height

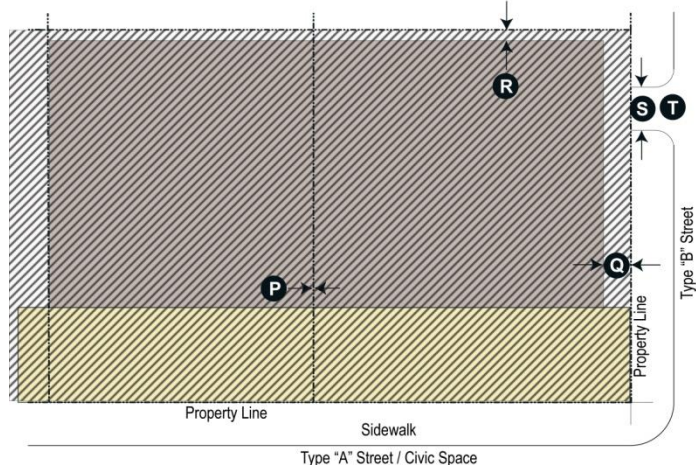


(i) Building minimum	2 stories min.	
(ii) Building maximum	8 stories (see #4 and #6)	<b>K</b>
(iii) First floor, floor to floor height	15' min.	<b>M</b>
(iv) Upper floor(s), floor to floor height	10' min.	<b>N</b>

21.83 (c) Special Requirements

Ground floor uses, to a minimum depth of 25' from the front facade of the building, along Veterans Blvd from Frederica Blvd. to Daviess Street shall be limited to commercial uses (retail, restaurant, or office) or art/dance/music studio uses only. Residential, lodging rooms and institutional uses may be located behind or above the commercial use.

### 21.83 (d) Parking



#### Legend

- Property Line
- Below Grade Parking Area
- At/Above Grade Parking Area
- Building Footprint

#### (i) Location (distance from property line)

##### At and Above Grade Parking

Front setback	Shall be located behind the principal structure on the lot	<b>O</b>
Side setback	0' min.	<b>P</b>
Type "B" Street setback	3' min. behind the building facade along that street	<b>Q</b>
Rear setback	0' min.	<b>R</b>

##### Below Grade Parking

- Allowed up to R-O-W/Property Line
- Allowed below Civic Space if providing public parking

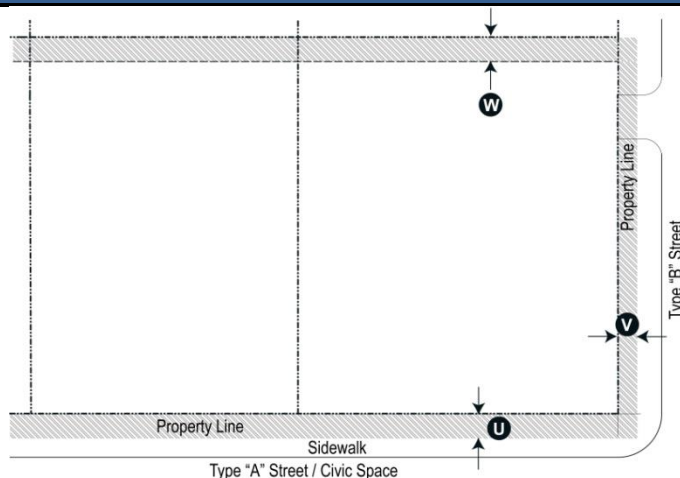
#### (ii) Required Parking Spaces

No required parking for all uses

### 21.83 (e) Historic Preservation

Any changes to historic building facades or demolition of or additions to historic buildings in the Riverfront Core shall meet the standards established in Article 21.81 (g).

### 21.83 (f) Encroachments (see#11)



#### Legend

- Property Line
- Encroachment Area

#### (i) Location

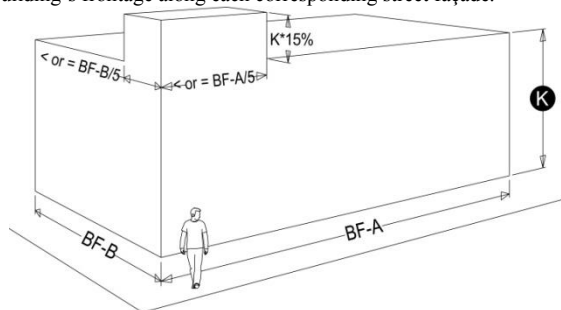
Type "A" Street / Civic Space (Front)	50% of the depth of the sidewalk or 6' (whichever is greater)	<b>U</b>
Type "B" street (Side)	4' max	<b>V</b>
Rear	3' max.	<b>W</b>

### 21.83 (g) Applicability

Building Form and Development Standards in this Article shall apply to new construction, additions, or substantial modifications that exceed the threshold established under Article 21.142 (o) except as specified under Historic Preservation in 21.83 (e).

#### Notes

- #1 – Front setback area shall be paved flush to match the existing sidewalk along Veterans Blvd. Pavement materials shall, at a minimum, match the color of the pavers used on the sidewalk on Veterans Blvd.
- #2 – Side setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #3 – Corner building street facades must be built to the BTZ for a minimum of 25' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone requirements.
- #4 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #5 – Any frontage along a public street (except alleys) not defined by a building at the BTZ shall be defined by a 4' high Street Screen.
- #6 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.

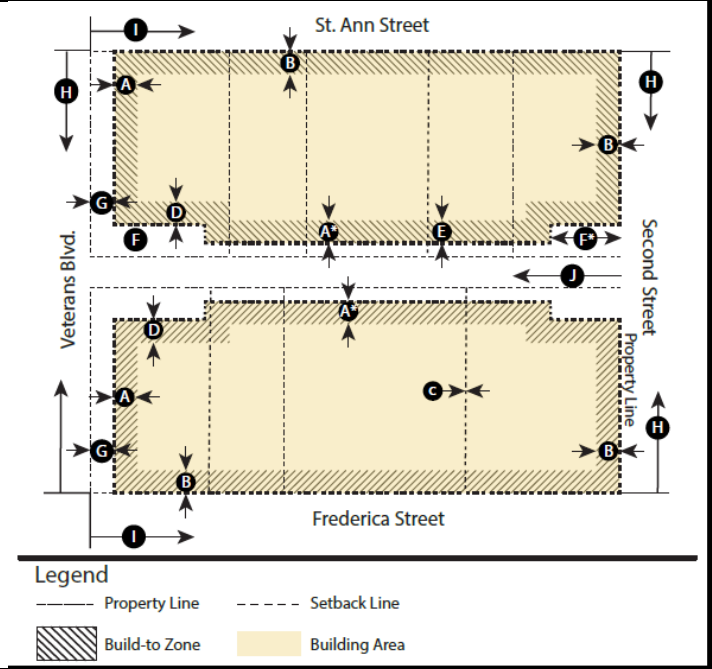


#7 – Parking driveway width	24’ max.	<b>S</b>
#8 - Driveways shall not be located on a Type “A” Street unless the property has no feasible access to either a Type “B” Street or a vehicular alley.		<b>T</b>
#9 – Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.		
#10 – Article 13.1 of the Owensboro Metropolitan Zoning Ordinance shall apply for design of off-street parking areas.		
#11 – Canopies, awnings, signs, galleries, and balconies may encroach over the BTZ and setback areas as indicated in the shaded areas as long as the vertical clearance is a minimum of 8’ from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over the public R-O-W shall meet standards in Article 21.142(m).		
#12 - Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42”, the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.		
#13 – Setbacks and build-to lines on recessed entries, stoops, and arcade buildings shall be measured from the front of the façade with the recessed entry or arcade.		
#14 – Off street loading and unloading shall be located along Type “B” Streets or alleys only unless the property has no feasible access to either a Type “B” Street or vehicular alley.		





### 21.84 (a) Building Placement



#### (i) Build-to Zone (BTZ)

##### (Distance from property line to edge of the zone)

Front (along Veterans Blvd.	10' – 15' (see #1)	<b>A</b>
Any façade along Paseo	0' – 6'	<b>A*</b>
Front (along Second, Frederica, and St. Ann Streets)	0' – 6'	<b>B</b>

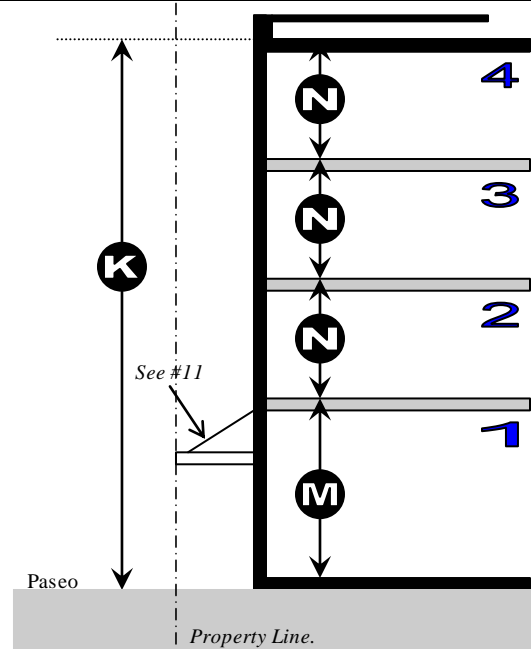
#### (ii) Setback

Front (Veterans Blvd.)	10' min. (see #1) 15' max (see #1)	<b>G</b>
Any façade along Paseo (measured from property line)	0' (min.) 6' (max.)	<b>E</b>
Front (all other streets)	0' min. (see #1) 6' max. (see #1)	<b>B</b>
Side	0' min. (see #2)	<b>C</b>
Corner setback at Veterans Blvd. and Paseo	30' min (from Veterans Blvd.) (see #1) 0' min (see #1)	<b>F</b> <b>D</b>
Corner setback at Second Street and Paseo	10' min (from Second St.) (see #1) 0' min (see #1)	<b>F*</b> <b>D</b>

#### (iii) Building Form

Building Frontage required along Veterans Blvd. and Second Street BTZ	90% (min.) (see #3)	<b>H</b>
Building Frontage required along Frederica and St. Ann Streets BTZ	40% (min.) (see #3)	<b>I</b>
Building Frontage required along Paseo BTZ	40% (min.) (see #3)	<b>J</b>

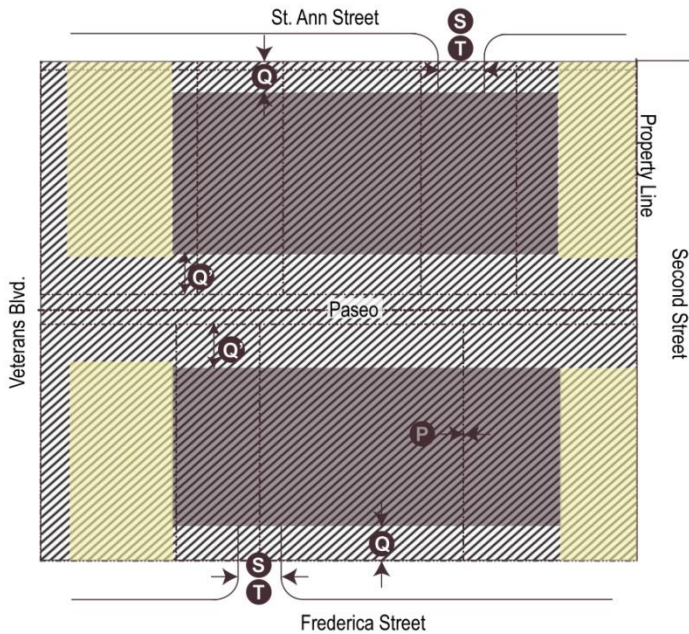
### 21.84 (b) Height



(i) Building minimum	2 stories min. along Veterans Blvd. frontage; 1 story along all other frontages	
(ii) Building maximum	4 stories (see #4 and #6)	<b>K</b>
(iii) First floor, floor to floor height	15' min.	<b>M</b>
(iv) Upper floor(s), floor to floor height	10' min.	<b>N</b>

### 21.84 (c) Special Requirements

Ground floor uses, to a minimum depth of 25' from the front facade of the building, along Veterans Blvd from Frederica Blvd. to Daviess Street shall be limited to commercial uses (retail, restaurant, or office) or art/dance/music studio uses only. Residential, lodging rooms and institutional uses may be located behind or above the commercial use.

**21.84 (d) Parking****Legend**

- Property Line
- Below Grade Parking Area
- At/Above Grade Parking Area
- Building Footprint

**(i) Location (distance from property line)****At and Above Grade Parking**

Front setback	Shall be located behind the principal structure on the lot	<b>O</b>
Side setback	0' min.	<b>P</b>
Setback from Frederica and St. Ann Streets	6' min.	<b>Q</b>
Paseo setback	12' min.	<b>Q'</b>

**Below Grade Parking**

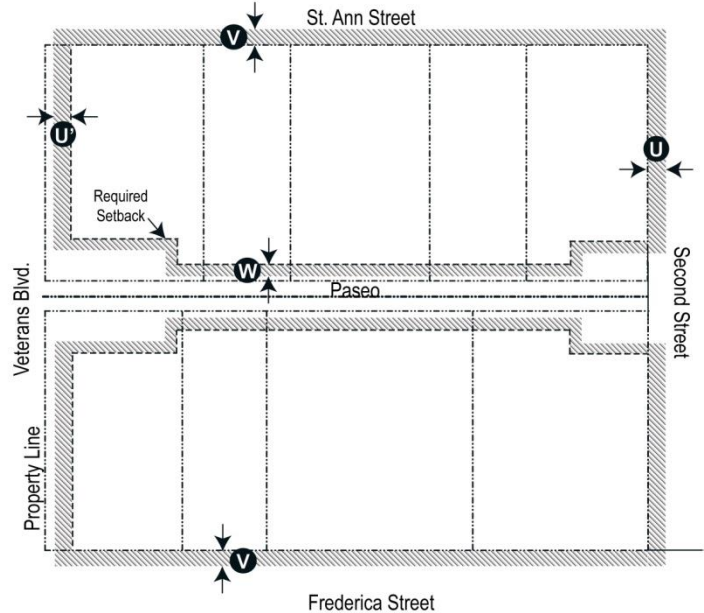
- Allowed up to R-O-W/Property Line
- Allowed below Civic Space if providing public parking

**(ii) Required Parking Spaces**

- No required parking for all uses

**21.84 (e) Historic Preservation**

Any changes to historic building facades or demolition of or additions to historic buildings in the Riverfront Paseo shall meet the standards established in Article 21.81 (g).

**21.84 (f) Encroachments (see #11)****Legend**

- Property Line
- Encroachment Area

**(i) Location**

Veterans Blvd (any facade)	6' max. (over the setback area only)	<b>U'</b>
Second Street (any facade)	50% of the depth of the sidewalk or 6' (whichever is greater)	<b>U</b>
Over Paseo (any facade)	3' max. into the setback area only	<b>W</b>
Over Frederica and St. Ann Streets	50% of the depth of the sidewalk or 6' (whichever is greater)	<b>V</b>

**21.84 (g) Applicability**

Building Form and Development Standards in this Article shall apply to new construction, additions, or substantial modifications that exceed the threshold established under Article 21.142 (o) except as specified under Historic Preservation in 21.84 (e).

**Notes**

#1 - Front setback area shall be paved flush to match the existing sidewalk along Veterans Drive unless providing terraced café seating as defined below. Pavement materials shall, at a minimum, match the color of the pavers used on the sidewalk along Veterans Blvd. In order to accommodate grade changes along the paseo and Frederica St., elevated terraces for the purposes of outdoor café seating may be permitted to encroach a maximum of 6' into the required setback along the Veterans Blvd and Frederica Street frontages. Terraced café seating shall be elevated no more than 42" above the finished sidewalk grade.

#2 - Side setbacks shall be based on minimum fire separation required between buildings, if applicable.

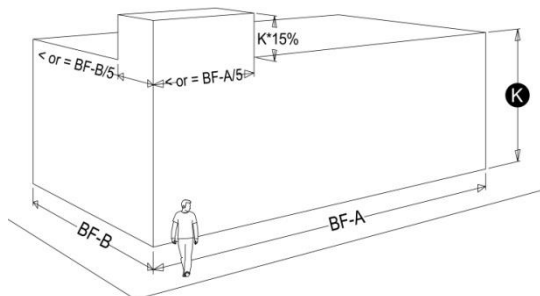
#3 - Corner building street facades must be built to the BTZ for a minimum of 25' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone requirements.

#4 - The maximum building height may only be 4 stories if the 4<sup>th</sup> story is setback from the 3<sup>rd</sup> floor building façade by a minimum of 12' along its paseo frontage. Attics and mezzanines less than 7' (avg.) height

shall not be counted as a story.

#5 – Any frontage along a public street not defined by a building at the BTZ shall be defined by a 4' Street Screen. Any frontage along any paseo not defined by a building at the BTZ shall be defined by a 5' high brick masonry wall.

#6 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



#7 – Parking driveway width 24' max.

#8 – No driveways shall be permitted along Veterans Blvd and Second Street unless the property has no feasible access to either Frederica or St. Ann Streets.

#9 – Shared driveways and cross access easements are encouraged between lots to minimize curb cuts along Frederica and St. Ann Streets.

#10 – Article 13.1 of the Owensboro Metropolitan Zoning Ordinance shall apply for design of off-street parking areas.

#11 – Canopies, awnings, signs, galleries, and balconies may encroach over the BTZ and setback areas as indicated in the shaded areas as long as the vertical clearance is a minimum of 8' from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane. Any elevated terraces for the purposes of outdoor café seating shall not exceed the allowable encroachments along that particular street frontage. All encroachments over the public R-O-W shall meet standards in Article 21.142(m).

#12 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42", the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

#13 – Setbacks and build-to lines on recessed entries, stoops, and arcade buildings shall be measured from the front of the façade with the recessed entry or arcade.

#14 – Off street loading and unloading shall be located along Frederica Street or St. Ann Street frontages only unless the property has no feasible access to either Frederica or St. Ann Streets.

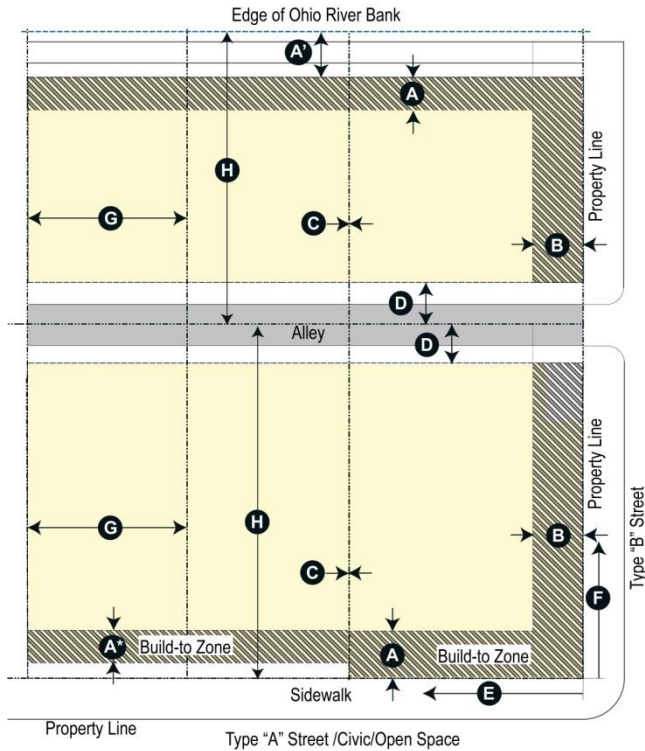
S

T





## 21.85 (a) Building Placement



## Legend

-----	Property Line	-----	Setback Line
▨	Build-to Zone	▨	Building Area

## (i) Build-to Zone (BTZ)

## (Distance from property line to edge of the zone)

## Lots with Public Street Frontage

Front (Type "A" Street or Civic/Open Space) (corner lot)	0' – 15'	A
Front (Type "A" Street or Civic/Open Space) (interior lot)	5' – 15'	A*
Front (Type "B" Street)	0' – 15'	B

## Lots with Ohio River Frontage

Ohio River frontage (measured from the edge of the river bank)	15' – 30'	A*
All street frontages	0' – 15'	B

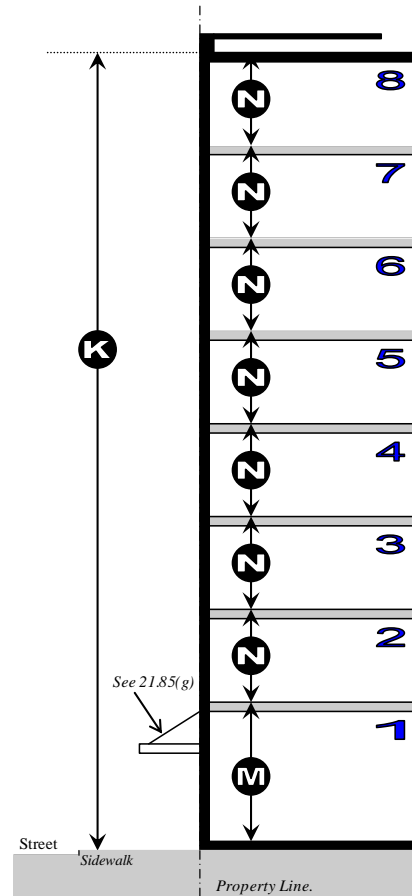
## (ii) Setback

Front (Type "A" Street or Civic/Open Space) (corner lot)	0' (min.) 15' (max.)	A
Front (Type "A" Street or Civic/Open Space) (interior lot)	5' (min.) 15' (max.)	A*
Front (Type "B" Street)	0' (min.) 15' (max.)	B
Side	0' min. (see #1)	C
Rear	5' min.	D

## (iii) Building Form

Building Frontage required along "Type A" street/civic space BTZ	70% (min.) (see #2)	E
Building Frontage required along "Type B" street BTZ	50% (min.) (see #2)	F

## 21.85 (b) Height



(i) Building maximum	8 stories (see #3 and #4)	K
(ii) Building minimum	2 stories	
(iii) Min. ground floor to floor height (residential uses only)	18" min. above sidewalk (for buildings setback 10' or less) None for buildings setback 10' or more	
(iv) First floor, floor to floor height	15' min. for commercial 10' min. for residential	M
(v) Upper floor(s), floor to floor height	9' min.	N

## 21.85 (c) Block and Lot Standards

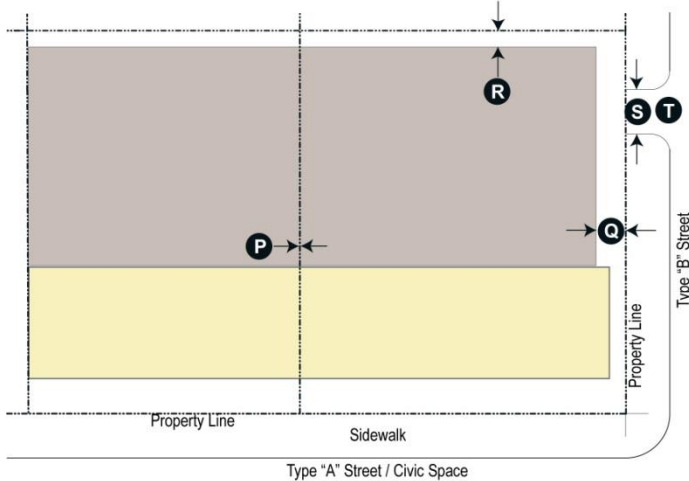
Block face dimensions	400 ft. (maximum)	
Lot Width	300 ft. (max.)	G
Lot Depth	200 ft. (max)	H



**21.85 (d) Special Requirements**

All properties with Street Frontage (excluding alleys) shall provide pedestrian access along the street in the form of a public sidewalk of a minimum width of 6'.

All properties with frontage along the Ohio River shall provide access along the riverfront in the form of a public sidewalk of a minimum width of 12' unless the same is provided within a designated public easement or right-of-way along that lot front.

**21.85 (e) Parking****Legend**

- Property Line
- Building Footprint
- At/Above Grade Parking Area

**(i) Location (distance from property line)****At and Above Grade Parking**

Front setback	Shall be located behind the principal structure on the lot	O
Side setback	0' min.	P
Type "B" Street setback	3' min. behind the building facade along that street	Q
Rear setback	0' min.	R

**Below Grade Parking**

- Allowed up to R-O-W/Property Line
- Allowed below Civic Space if providing public parking

**(ii) Required Parking Spaces**

No required parking for all uses

**21.85 (f) Historic Preservation**

Any changes to historic building facades or demolition of or additions to historic buildings in the Riverfront Edge shall meet the standards established in Article 21.81 (g).

**21.85 (g) Encroachments**

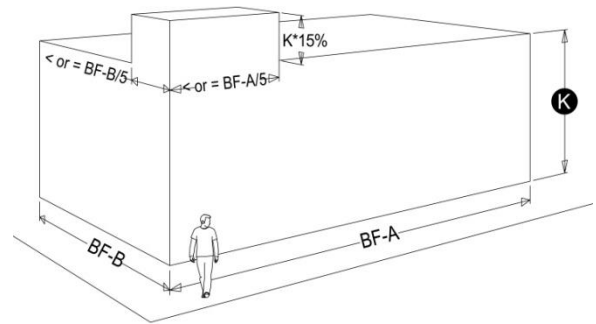
Canopies, signs, awnings, galleries, and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 ft. and the encroachment does not exceed 50% of the required sidewalk width or 6' (whichever is greater). In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over the public R-O-W shall meet standards in Article 21.142(m).

**21.85 (h) Applicability**

Building Form and Development Standards in this Article shall apply to new construction, additions, or substantial modifications that exceed the threshold established under Article 21.142(o) except as specified under Historic Preservation in 21.85 (f).

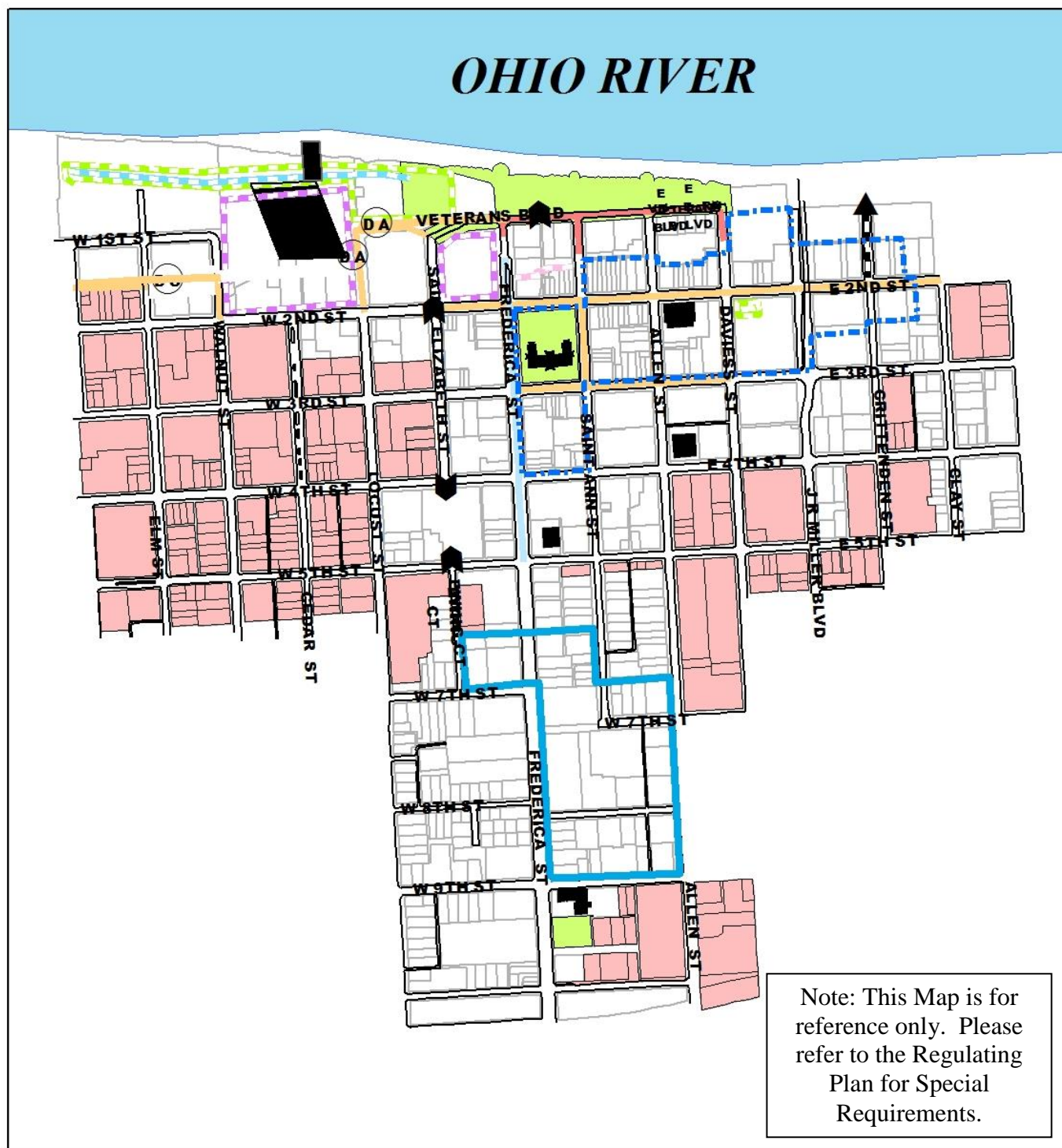
**Notes**

- #1 – Side setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 – Corner building street facades must be built to the BTZ for a minimum of 25' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone requirements.
- #3 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #4 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.

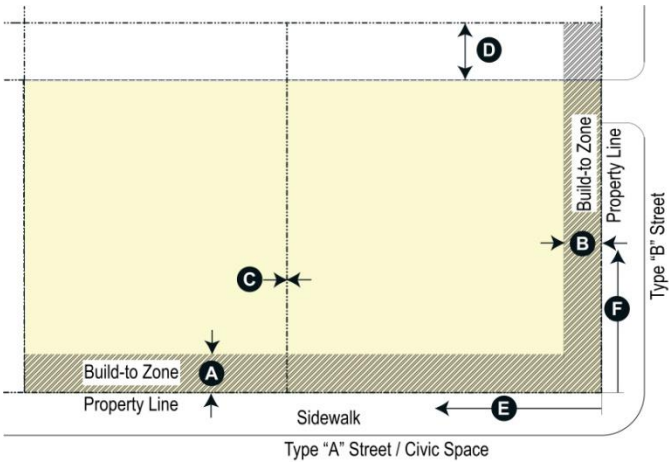


- #5 – Parking driveway width 24' max. O
- #6 – Driveways shall not be located on a Type "A" Street unless the property has no feasible access to either a Type "B" Street or a vehicular alley. T
- #7 – Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.
- #8 – Article 13.1 of the Owensboro Metropolitan Zoning Ordinance shall apply only for design of off-street parking areas.
- #9 – Any frontage along a public street (except alleys) defined by a surface parking lot at the BTZ shall be defined by a 4' high Street Screen.
- #10 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42", the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.
- #11 – Setbacks and build-to lines on recessed entries, stoops, and arcade buildings shall be measured from the front of the façade with the recessed entry or arcade.
- #12 – Off-street loading and unloading shall be located along Type "B" Streets or alleys only unless the property has no feasible access to either a Type "B" Street or vehicular alley.

**21.86 (DT-T) Downtown Transition Overlay District**



21.86 (a) Building Placement



Legend

-----	Property Line	-----	Setback Line
▨	Build-to Zone	■	Building Area

(i) Build-to Zone (BTZ)  
(Distance from property line to edge of the zone)

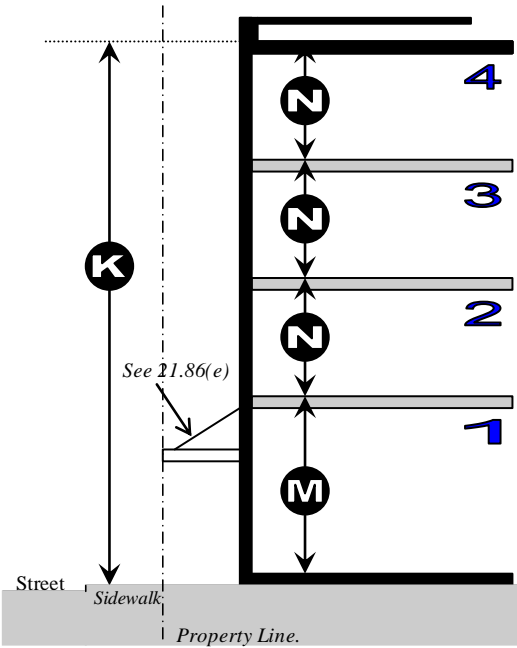
Lots with Public Street Frontage

Front (Type "A" Street or Civic/Open Space)	0' – 15'	A
Front (Type "B" Street)	0' – 15'	B
(ii) Setback		
Front (Type "A" Street or Civic/Open Space)	0' (min.) 15' (max.)	A
Front (Type "B" Street)	0' (min.) 15' (max.)	B
Side	0' min. (see #1)	C
Rear	5' min.	D

(iii) Building Form

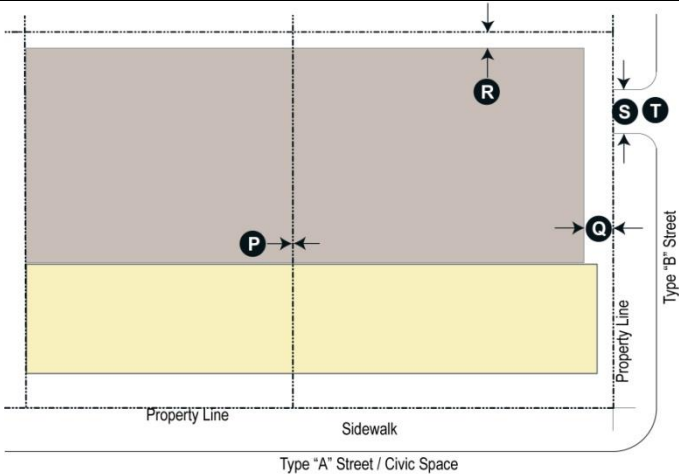
Building Frontage required along "Type A" street/civic space BTZ	70% (min.) (see #2)	E
Building Frontage required along "Type B" street BTZ	50% (min.) (see #2)	F

21.86 (b) Height



(i) Building maximum	4 stories (see # 3 and #4)	K
(ii) Min. ground floor elevation (residential uses only)	18" min. above sidewalk (for buildings setback 10' or less) None for buildings setback 10' or more	
(iii) First floor, floor to floor height	15' min. for commercial (single or multi-story)  10' min. for residential multi-story  *9' min. for residential single story (measured from floor to finished ceiling)	M N
(iv) Upper floor(s), floor to floor height	8' min. for commercial and residential	N

### 21.86 (c) Parking



#### Legend

- Property Line
- Building Footprint
- At/Above Grade Parking Area

#### (i) Location (distance from property line)

##### At and Above Grade Parking

Front setback	Shall be located behind the principal structure on the lot	O
Side setback	0' min.	P
Type "B" Street setback	3' min. behind the building facade along that street	Q
Rear setback	0' min.	R

##### Below Grade Parking

Allowed up to R-O-W/Property Line  
Allowed below Civic Space if providing public parking

#### (ii) Number of Spaces Required

Number of parking spaces required shall either meet the standard below or as required by the underlying zoning district, whichever is the lesser of the two.

All Commercial Uses	1 space per every 300 sqft. of floor area
Residential Uses	1 space per residential unit
Civic or Religious Uses	1 space per 500 sqft. of floor area

### 21.86 (d) Historic Preservation

Any changes to historic building facades or demolition of or additions to historic buildings in the Downtown Transition shall meet the standards established in Article 21.81 (g).

### 21.86 (e) Encroachments

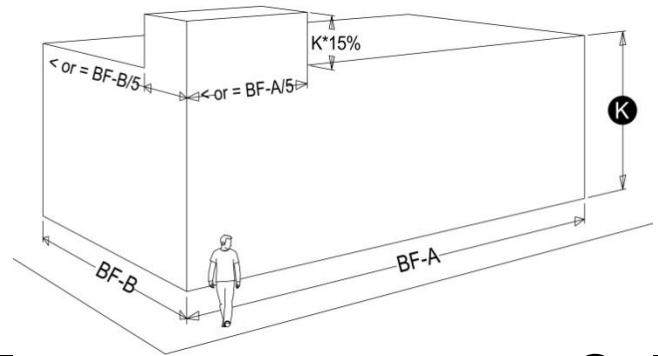
Canopies, signs, awnings, galleries, and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 ft. and the encroachment does not exceed 50% of the required sidewalk width or 6' (whichever is greater). In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over the public R-O-W shall meet standards in Article 21.142(m).

### 21.75 (f) Applicability

Building Form and Development Standards in this Article shall apply to new construction, additions, or substantial modifications that exceed the threshold established under Article 21.142 (o) except as specified under Historic Preservation in 21.86 (d).

#### Notes

- #1 – Side setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 – Corner building street facades must be built to the BTZ for a minimum of 25' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper levels meet the build-to zone requirements.
- #3 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #4 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



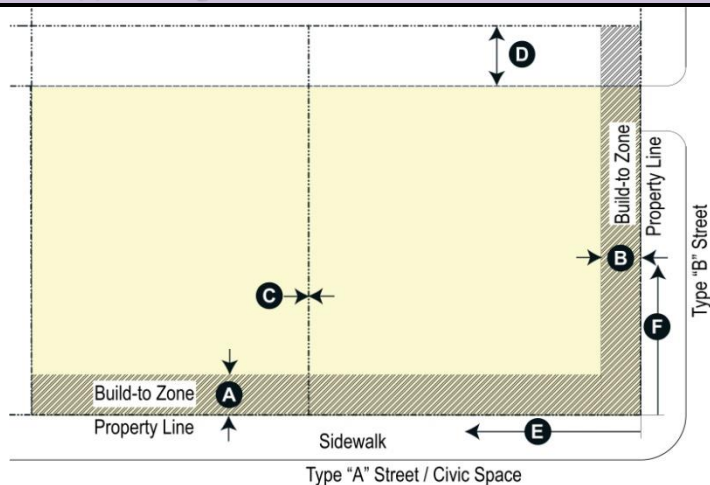
- #5 – Parking driveway width 24' max. S
- #6 – Driveways shall not be located on a Type "A" Street unless the property has no feasible access to either a Type "B" street or vehicular alley. T
- #7 – Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.
- #8 – Parking may be provided off-site within 1,200 feet or based on a shared plan approved by the Downtown Design Administrator.
- #9 – Article 13.1 of the Owensboro Metropolitan Zoning Ordinance shall apply for design of off-street parking areas.
- #10 – Any frontage along a public street (except alleys) defined by a surface parking lot at the BTZ shall be defined by a 4' high Street Screen.
- #11 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42", the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.
- #12 – Setbacks and build-to lines on recessed entries, stoops, and arcade buildings shall be measured from the front of the façade with the recessed entry or arcade.
- #13 – Off-street loading and unloading shall be located along Type "B" Streets or alleys only unless the property has no feasible access to either a Type "B" Street or vehicular alley.







### 21.87 (a) Building Placement



#### Legend



#### (i) Build-to Zone (BTZ)

(Distance from property line to edge of the zone)

Front (Type "A" Street / Civic Space) 0' – 15' (see #1) **A**

Front (Secondary Street) 0' – 15' (see #1) **B**

#### (ii) Setback

Front (Type "A" Street / Civic Space) 0' (min.) **A**  
15' (max.)

Front (Secondary Street) 0' (min.) **B**  
15' (max.)

Side 0' min. (see #2) **C**

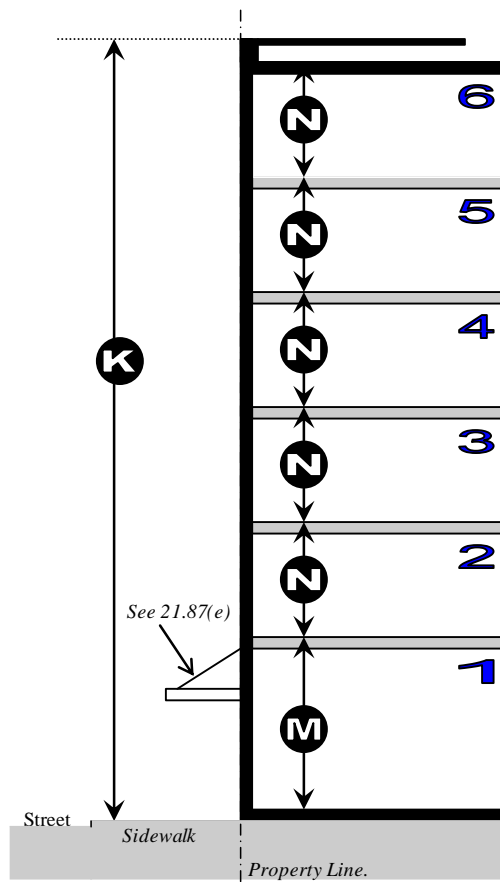
Rear 5' min. **D**

#### (iii) Building Form

Building Frontage required along "Type A" street/civic space BTZ 70% (min.) (see #3) **E**

Building Frontage required along "Type B" street BTZ 50% (min.) (see #3) **F**

### 21.87 (b) Height



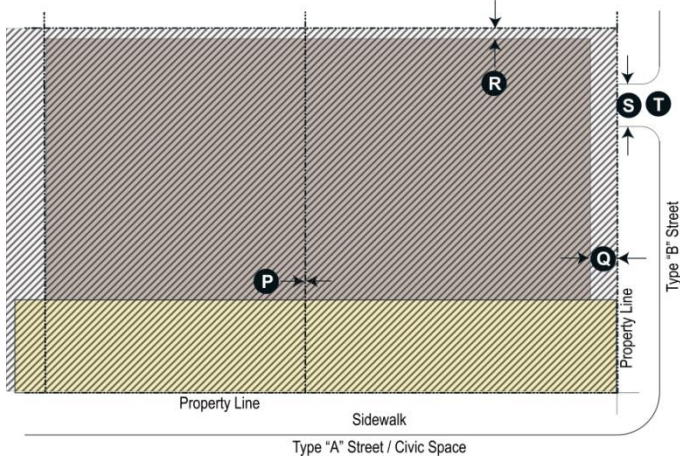
(i) Building maximum 6 stories (see #4 and # 5) **K**

(ii) Min. ground floor elevation (residential uses only) 18" min. above sidewalk (for buildings setback 10' or less)  
None for buildings setback 10' or more

(iii) First floor, floor to floor height 15' min. for commercial 10' min. for residential **M**

(iv) Upper floor, floor to floor height 9' min. **N**

### 21.87 (c) Parking



#### Legend



#### (i) Location (distance from property line)

At Grade Parking		
Front setback	Shall be located behind the principal structure on the lot	O
Side setback	0' min.	P
Type "B" Street setback	3' min. behind the building facade along that street	Q
Rear setback	0' min.	R

#### Below and Above Grade Parking

Allowed up to R-O-W/Property Line  
Allowed below Civic Space if providing public parking

#### (ii) Required Parking Spaces

Number of parking spaces required shall either meet the standard below or as required by the underlying zoning district, whichever is the lesser of the two.

All Commercial Uses	1 space per every 300 sqft. of floor area
Residential Uses	1 space per residential unit
Civic or Religious Uses	1 space per 500 sqft. of floor area

### 21.87 (d) Historic Preservation

Any changes to historic building facades or demolition of or additions to historic buildings in the Frederica Boulevard Character District shall meet the standards established in Article 21.81 (g).

### 21.87 (e) Encroachments

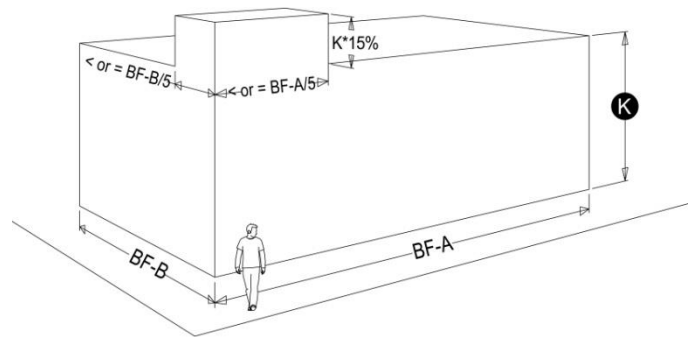
Canopies, signs, awnings, galleries, and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 ft. and the encroachment does not exceed 50% of the required sidewalk width or 6' (whichever is greater). In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over the public R-O-W shall meet standards in Article 21.142 (m).

### 21.87 (f) Applicability

Building Form and Development Standards in this Article shall apply to new construction, additions, or substantial modifications that exceed the threshold established under Article 21.142(o) except as specified under Historic Preservation in 21.87 (d).

#### Notes

- #1 – Area between the building and the edge of the BTZ at the public sidewalk shall be paved to be flush with the sidewalk.
- #2 – Side setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #3 – Corner building street facades must be built to the BTZ for a minimum of 25' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone requirements.
- #4 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #5 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



#6 – Any frontage along a public street (except alleys) defined by a surface parking lot at the BTZ shall be defined by a 4' high Street Screen.

#7 – Parking driveway width 24' max. S

#8 – Driveways shall not be located on a Type "A" Street unless the property has no feasible access to either a Type "B" street or vehicular alley. T

#9 – Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.

#10 – Parking may be provided off-site within 1,200 feet or based on a shared plan approved by the Downtown Design Administrator.

#11 – Article 13.1 of the Owensboro Metropolitan Zoning Ordinance shall apply for design of off-street parking areas.

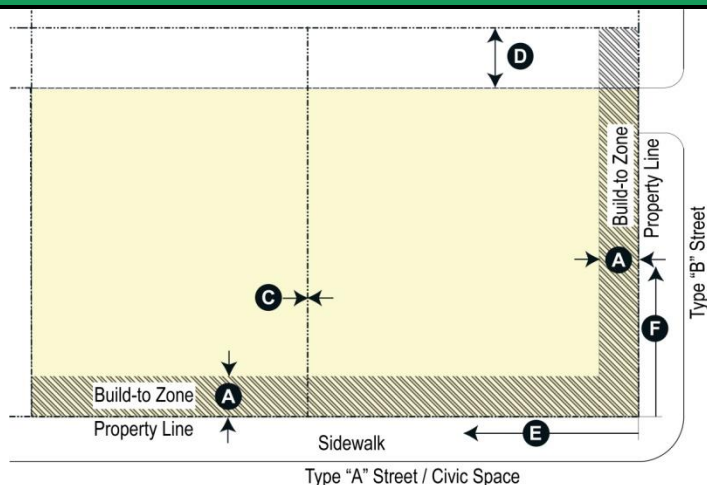
#12 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42", the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

#13 – Off-street loading and unloading shall be located along Type "B" Streets or alleys only unless the property has no feasible access to either a Type "B" Street or vehicular alley.

#14 – Setbacks and build-to lines on recessed entries, stoops, and arcade buildings shall be measured from the front of the façade with the recessed entry or arcade.



### 21.88 (a) Building Placement



#### Legend

	Property Line		Setback Line
	Build-to Zone		Building Area

#### (i) Build-to Zone (BTZ) (Distance from property line to edge of the zone)

Front (Frederica Street)	0' – 30'	<b>A</b>
Front (all other streets)	No BTZ	

#### (ii) Setback

Front (Frederica Street)	0' (min) 30' (max.)	<b>A</b>
Front (all other streets)	0' (min.); no max.	

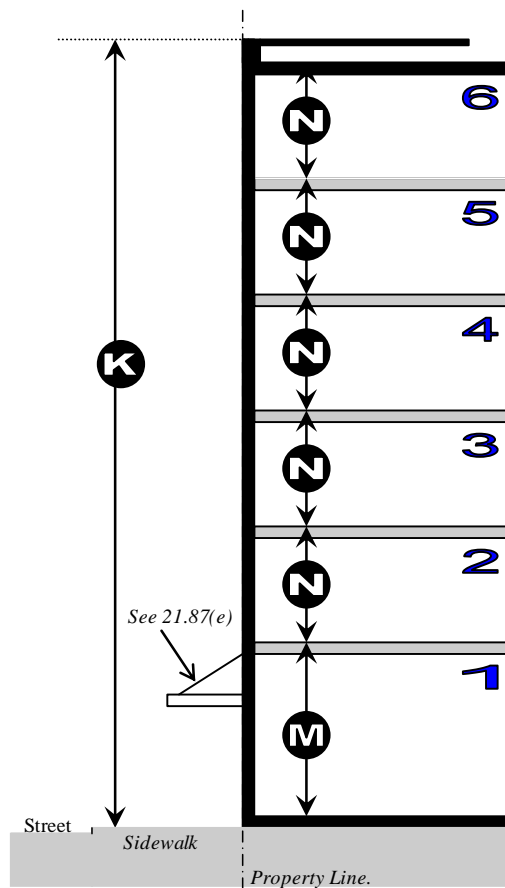
Side	0' min. (see #1)	<b>C</b>
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Rear	0' min.	<b>D</b>
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#### (iii) Building Form

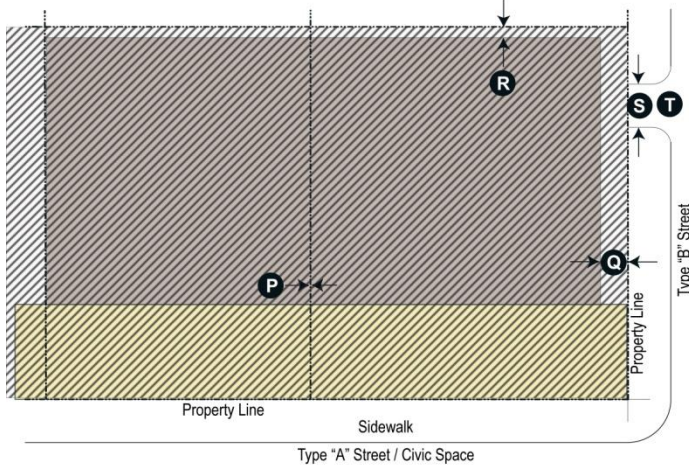
Building Frontage required along "Type A" street/civic space/Campus Walkway BTZ	70% (min.)	<b>E</b>
Building Frontage required along "Type B" street BTZ	50% (min.)	<b>F</b>

### 21.88 (b) Height



(i) Building maximum	6 stories (see #2 and #3)	<b>K</b>
(ii) Min. ground floor elevation (residential uses only)	18" min. above sidewalk (for buildings setback 10' or less) None for buildings setback 10' or more	
(iii) First floor, floor to floor height	15' min. for commercial 10' min. for residential	<b>M</b>
(iv) Upper floor, floor to floor height	9' min.	<b>N</b>



**21.88 (c) Parking****Legend**

- Property Line
- Below & Above Grade Parking Area
- At Grade Parking Area

**(i) Location (distance from property line)****At Grade Parking**

Front setback	Shall be located behind the principal structure on the lot	<b>O</b>
Side setback	0' min.	<b>P</b>
Type "B" Street setback	3' min. behind the building facade along that street	<b>Q</b>
Rear setback	0' min.	<b>R</b>

**Below and Above Grade Parking**

Allowed up to R-O-W/Property Line  
Allowed below Civic Space if providing public parking

**(ii) Required Parking Spaces**

Number of parking spaces required shall either meet the standard below or as required by the underlying zoning district, whichever is the lesser of the two.

All Commercial Uses	1 space per every 300 sqft. of floor area
Residential Uses	0.5 space per residential unit
Campus, Civic or Religious Uses	1 space per 500 sqft. of floor area

**21.88 (d) Historic Preservation**

Any changes to historic building facades or demolition of or additions to historic buildings in the Downtown Campus Character District shall meet the standards established in Article 21.81 (g).

**21.88 (e) Encroachments**

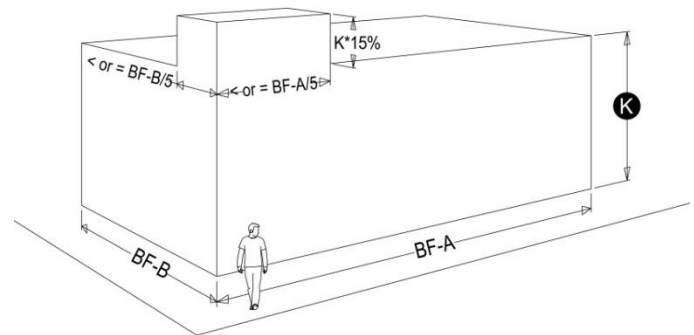
Canopies, signs, awnings, galleries, and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 ft. and the encroachment does not exceed 50% of the required sidewalk width or 6' wide (whichever is greater). In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over the public R-O-W shall meet standards in Article 21.142(m).

**21.88 (f) Applicability**

Building Form and Development Standards in this Article shall apply to new construction, additions, or substantial modifications that exceed the threshold established under Article 21.142(o) except as specified under Historic Preservation in 21.88 (d).

**Notes**

- #1 – Side setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #3 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.

**#4 – HOLD THIS SPACE FOR FUTURE USE**

#5 – Any frontage along a public street (except alleys) defined by a surface parking lot at the BTZ shall be defined by a 4' high Street Screen.

#6 – Parking driveway width 24' max. **S**

#7 - Driveways shall not be located on a Type "A" Street unless the property has no feasible access to either a Type "B" street or vehicular alley. **T**

#8 – Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.

#9 – Parking may be provided off-site within 1,200 feet or based on a shared plan approved by the Downtown Design Administrator.

#10 – Article 13.1 of the Owensboro Metropolitan Zoning Ordinance shall apply for design of off-street parking areas.

#11 - Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42", the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

#12 – Setbacks and build-to lines on recessed entries, stoops, and arcade buildings shall be measured from the front of façade with the recessed entry or arcade.

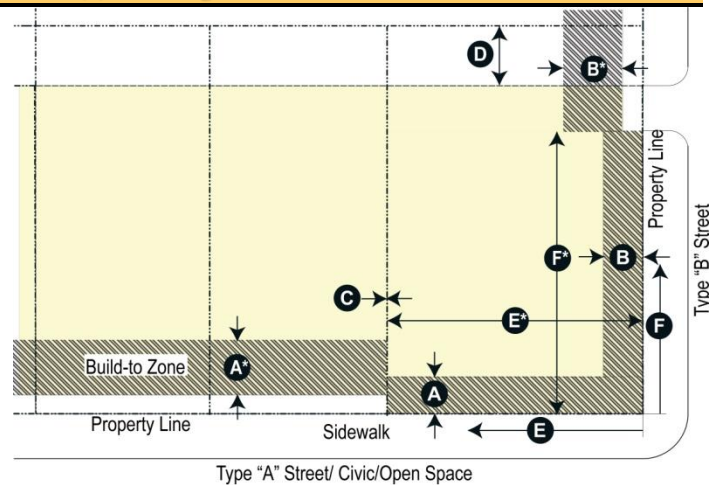
#13 – Off-street loading and unloading shall be located along Type "B" Streets or alleys only unless the property has no feasible access to either a Type "B" Street or vehicular alley.



**21.89 (N) Neighborhood Overlay District**



### 21.89 (a) Building Placement



#### Key

-----	Property Line	-----	Setback Line
▨	Build-to Zone	■	Building Area

#### (i) Build-to Zone (BTZ) (Distance from property line to edge of the zone)

##### Corner Lots:

Front ("Type A" Street/Civic/Open Space)	0' – 10'	<b>A</b>
Front ("Type B" Street)	0' – 10'	<b>B</b>
Width of corner lot build-to zone (both Type A and Type B Streets)	25' (min.) 50' (max.)	<b>E*</b> <b>F*</b>

##### Interior Lots:

Front ("Type A" Street/Open/Civic Space)	5' – 20'	<b>A*</b>
Front ("Type B" Street)	5' – 20'	<b>B*</b>

#### (ii) Setback

##### Corner Lots:

Front ("Type A" Street/Open/Civic Space)	0' (min.) 10' (max.)	<b>A</b>
Front ("Type B" Street)	0' (min.) 10' (max.)	<b>B</b>

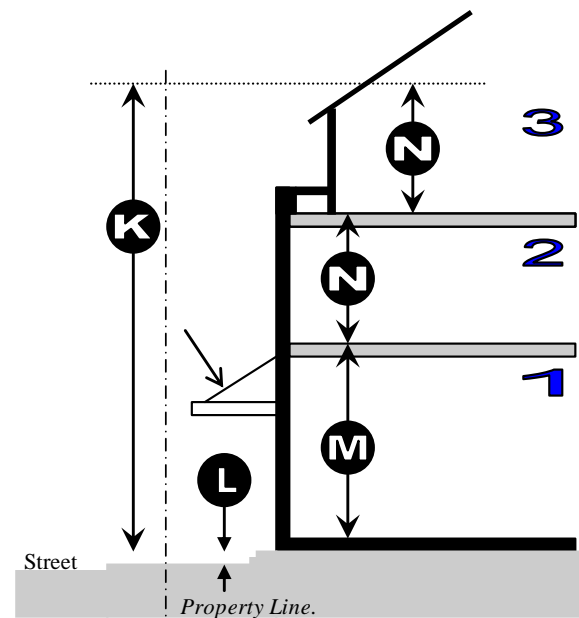
##### Interior Lots:

Front ("Type A" Street/Open/Civic Space)	5' (min.) 20' (max.)	<b>A*</b>
Front ("Type B" Street)	5' (min.) 20' (max.)	<b>B*</b>
Side	5' (see #1)	<b>C</b>
Rear	5'	<b>D</b>

#### (iii) Building Form

Building Frontage required along "Type A" street/civic space/open space	60% (min.) (see #2)	<b>E</b>
Building Frontage required along "Type B" street BTZ	40% (min.) (see #2)	<b>F</b>

### 21.89 (b) Height



(i) Building maximum	3 stories (see #3)	<b>K</b>
(ii) Accessory building max.	2 stories (see #3)	
(iii) Min. ground floor elevation (residential uses only)	18" min. above sidewalk (for buildings setback 10' or less) None for buildings setback 10' or more 15 ft. min. for commercial	<b>L</b>
(iv) First floor, floor to floor height	10 ft. min. for residential multi-story *9' min. for residential single story (measured from floor to finished ceiling)	<b>M</b>
(v) Upper floor, floor to floor height	9' min.	<b>N</b>

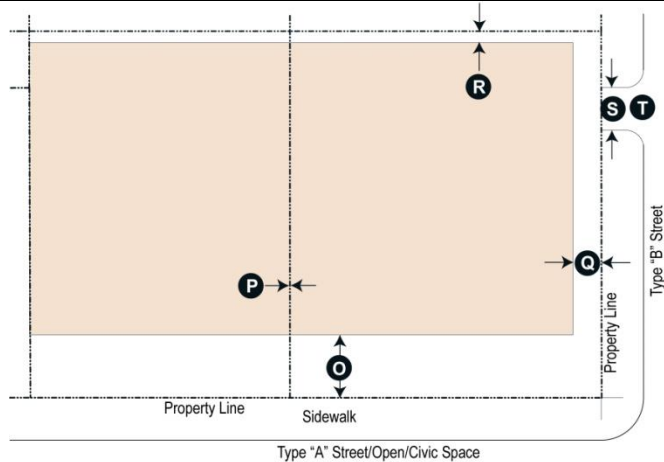
### 21.89 (c) Encroachments

Corner Lots: Canopies, signs, awnings, galleries, and balconies may encroach over the R-O-W/sidewalk as long as the vertical clearance is a minimum of 8 ft. and the encroachment does not exceed 50% of the required sidewalk width. In no case shall an encroachment be located over an on-street parking or travel lane.

Interior lots: Porches, stoops, awnings, signs, galleries, balconies, bay windows and other architectural features may encroach into required yards, provided they do not encroach over the front property line.

All encroachments over the public R-O-W shall meet standards in Article 21.142(m).

### 21.89 (d) Parking



#### Key

- Property Line
- Parking Area

#### (i) Location (distance from property line)

Front setback	25 ft. (min.)	<b>O</b>
Side setback	0 ft. (min.)	<b>P</b>
Secondary street setback	10 ft. (min.)	<b>Q</b>
Rear setback	5 ft. (min.)	<b>R</b>

#### (ii) Required Spaces

Number of parking spaces required shall either meet the standard below or as required by the underlying zoning district, whichever is the lesser of the two.

All uses (except residential uses)	
Uses under 3,000 sqft.	No off-street parking req'd
Uses over 3,000 sqft.	1 space/300 sqft.
Residential uses	
	1 space/unit; 0.5 space/studio

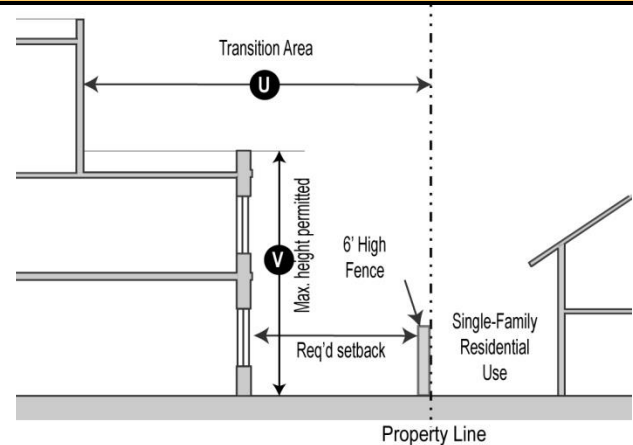
### 21.89 (e) Historic Preservation

Any changes to historic building facades or demolition of or additions to historic buildings in the Neighborhood Character District shall meet the standards established in Article 21.71 (g).

### 21.89 (f) Applicability

Building Form and Development Standards in this Article shall apply to new construction, additions, or substantial modifications that exceed the threshold established under Article 21.142 (o) except as specified under Historic Preservation in 21.89 (e).

### 21.89 (g) Residential Transition Standards



The following applies to all buildings located adjacent to an existing, single-family detached residential use.

Transition Area	15 ft. (min.)	<b>U</b>
Max. Building Height at within Transition Area	2 stories	<b>V</b>

- A 6 ft. high fence shall be installed at the property line adjacent to the existing residential use.

#### Notes

#1 – Side setbacks shall be based on minimum fire separation required between buildings, if applicable

#2 – Corner building street facades must be built to the BTZ for a minimum of 25' from the corner along both streets or the width of the corner lot, whichever is less.

#3 – Attics and mezzanines less than 7 ft. (avg.) height shall not be counted as a story.

#4 – Mansard roofs are not permitted.

#5 – Any frontage along a public street (except alleys) defined by a surface parking lot at the BTZ shall be defined by a 4 ft. Street Screen built within the BTZ.

#6 – Parking driveway width	24 ft. max.	<b>S</b>
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#7 – On corner lots, driveway shall not be located on a Type "A" Street unless the property has no feasible access to either a Type "B" street or vehicular alley.

#8 – Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.

#9 – Article 13.1 of the City of Owensboro Zoning Ordinance shall apply for design of off-street parking areas.

#10 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way or single-family residential uses. In addition to a parapet wall no higher than 42 in., the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a screen that is at least as tall as the equipment itself.

#11 – Building mass shall be stepped down when it is adjacent to any existing single-family detached residential use.

#12 – Off-street loading and unloading shall be located along Type "B" Streets or alleys only unless the property has no feasible access to either a Type "B" Street or vehicular alley.



## 21.9 BUILDING DESIGN STANDARDS

*Photographs used in this section are for illustration and informational purposes only. Specifically, they are intended to show how the standards would apply.*

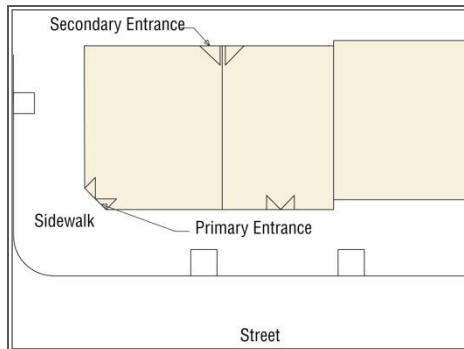
### 21.91 General to all Overlay Character Districts

#### a. Building Orientation

Buildings shall be oriented towards Type "A" Streets, where the lot has frontage along Type "A" Streets. All other buildings shall be oriented towards Type "B" Streets or Civic Spaces.

Primary entrances to buildings shall be located on the street along which the building is oriented. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection.

All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.



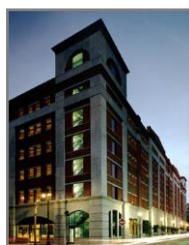
*Figure showing required building orientation and location of primary entrances*

#### b. Design of Parking Structures

All frontages of parking structures located on Type "A" Streets shall be lined by active commercial uses on the ground floor to a minimum depth of 25'.

Parking structure facades on all public streets (except alleys) shall be designed with both vertical (façade rhythm of 20' – 30') and horizontal (aligning with horizontal elements in the block) articulation.

Where above ground structured parking is located at the perimeter of a building; it shall be screened in such a way that cars are not visible from adjacent buildings or the street on all parking levels. Parking garage ramps shall not be visible from any public street. Ideally, ramps should not be located along the perimeter of the parking structure. Architectural screens shall be used to articulate the façade, hide parked vehicles, and shield lighting.



*Images showing appropriate design of Parking Structures*

#### c. Design of Automobile Related Building and Site Elements

Drive-through lanes for commercial uses shall not be located along or visible from any Type "A" Street. Along Type "B" Streets, no more than two drive-through lanes shall be permitted along that lot's street frontage. Drive-through lanes shall be hidden behind a Street Screen along the Type "B" street frontage. There shall be no limit to the number of drive-through lanes located along alleys.

All off-street loading, unloading, and trash pick up areas shall be located along alleys or Type "B" Streets only unless permitted in the specific overlay district building form and development standards in 21.8. Any off-street loading, unloading, or trash pick up areas shall be screened using a 5' (min.) high Street Screen at the BTZ.

#### d. Design of Major Civic Venues

Two major civic venues have been identified in the Downtown Master Plan and locations have been recommended in the Downtown Overlay Regulating Plan. The following standards provide guidance on the design of these large-scale venues to appropriately address transition and impact on Downtown streetscape.

The large-scaled buildings shall be articulated horizontally and vertically with architectural elements to break the mass of the structure down.

All frontages along Type "A" Streets shall be lined by active commercial uses on the ground floor to a minimum depth of 25'.

Major entrances and exits shall be clearly marked and shall front on plazas and wide sidewalks that allow pedestrians safe ingress and egress into the building.

Major entrances and key street intersections, including locations recommended for vista terminations, shall be emphasized with vertical elements that create a unique identity to the venue.

Public street frontages shall not be blank walls. Windows, changing building materials, arcades, building articulation, and other architectural elements shall be used to add interest at the street level.



*Images of appropriately scaled and designed major Civic Venues*

**21.92 Specific to Historic Core (new construction and additions only), Downtown Core, Riverfront Core, Riverfront Crossing, and Frederica Boulevard Overlay Character Districts**

**a. Roof Form**

Buildings shall have flat or low pitched (less than 4:12) roofs with parapets (a minimum of 50% of total roof must have parapets and 100% of portion of roof with public street frontage required to have parapets). Mansard roofs shall be prohibited.



**b. Façade Composition**

Buildings shall maintain the traditionally prevalent façade rhythm of 20' – 30'.

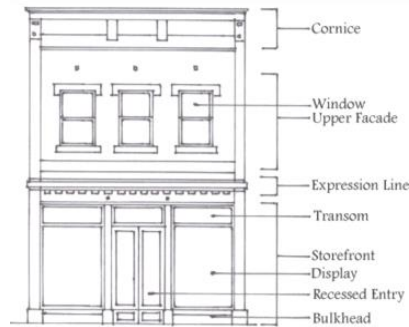
This rhythm may be expressed by changing materials, or color, or by using design elements such as fenestration, columns and pilasters, or by varying the setback of portions of the building façade.



*Image showing appropriate building rhythm.*

Building facades shall be designed with a distinct base, middle, and top.

For retail storefront buildings, a transom, display window area, and bulkhead at the base shall be utilized.



*Required design of Storefront buildings*

Infill buildings shall generally maintain the alignment of horizontal elements along the block.



*Figure showing how horizontal elements should match in the design of infill buildings.*

Corner emphasizing architectural features, pedimented gabled parapets, cornices, awnings, blade signs, arcades, colonnades and balconies should be used along commercial storefronts to add pedestrian interest.



*Buildings with architectural features and storefront elements that add interest along the street.*

**c. Windows and Doors**

Windows and doors on street (except alleys) fronting facades shall be vertically proportioned that are similar in size and shape to those used historically. Residentially sized (e.g., 3'X5') and proportioned windows shall not be permitted.







*Images showing appropriate window designs and proportions for new construction.*

All ground floor front facades for commercial and mixed use buildings along all streets shall have transparent storefront windows covering no less than 65% of the façade area. Each upper floor of the same building façades facing a street or plaza shall contain transparent windows covering at least 35% of the façade area. All other street facing side facades (except alleys), shall have transparent windows covering at least 30% of the façade area for all floors.



*Images showing appropriate storefront display windows with transparency*

First floor store front windows shall NOT be of a residential type (double hung or casement). First floor windows shall NOT be reflective, tinted or mirrored glass (low E glass is acceptable).

#### d. Building Materials

**Historic Core Character District:** At least 75% of each street facing façade (except alleys) of all new buildings (excluding doors and windows) shall be externally finished with the traditionally used material of masonry (brick, stone, marble, granite, etc.). Additions to existing buildings, to the extent possible, shall match the existing external finish materials and corresponding proportions of the same.

All other non-traditional materials will be considered on a case-by-case basis and may only be approved by the HPB. When any other materials are used, they should appear similar in character to those used traditionally. Such alternative materials should also have demonstrated durability.

**Downtown Core, Riverfront Core, and Frederica Boulevard Overlay Districts:** At least 75% of each street facing (except alleys) façade, of all new buildings (excluding doors and windows) shall be finished in one or more of the following materials:

- Masonry (brick, stone, cast stone, rock, marble, granite, or glass block).
- Pre-cast concrete panels made to look like stone.

Additions to existing buildings, to the extent possible, shall match the existing external finish materials and corresponding proportions of the same.

Other materials will be considered as primary building materials on a case-by-case basis and may only be approved by the HPB.

No more than 25% of each street facing facade shall use accent materials such as wood, architect metal panel, split-face concrete block, tile, stucco, or Exterior Insulating Finishing System (EIFS).



*Images showing appropriate building materials within the Downtown Core.*

Side facades and rear facades (that front on alleys and/or no public streets) shall be of a similar finished quality and color that blend with the front of the building. In addition to the primary and accent façade materials listed above, rear facades may be painted EIFS or painted concrete block matching the same color of the rest of the building if the rear façade faces an alley or is not viewable from a public street or right-of-way.



*Images showing the side and rear façades buildings finished to match the color and materials of the front facades*

Roofing materials visible from any public right-of-way: copper, factory finished standing seam metal, slate, synthetic slate, or similar materials.

**21.93 Specific to Riverfront Edge, Downtown Transition, and Downtown Campus Overlay Character District**

**a. Building Orientation**

Garages for Residential Buildings shall be located on alleys at the rear of residential buildings; pull-through garages are allowed if the garage door is set back behind the rear façade of the main structure. If front-loaded garages or carports are utilized on residential uses, the garages and carports shall be no greater than 14 feet wide and set back at least 20 feet measured from the face of the main structure closest to the garage/carport or rotated 90 degrees with windows on the wall facing the street.

All garage doors shall be divided into single bays separated by at least a 16-inch pier or column. Front-loaded garages on residential lots less than 40 feet wide shall not be allowed. Town homes and courtyard apartments shall utilize rear-loaded garages.

**b. Building Massing and Scale**

Commercial and Mixed Use Buildings shall be simple, rectilinear forms with flat or low pitched (less than 4:12) roofs with parapets.

Residential Buildings shall have relatively flat fronts and simple roofs with most building wing articulations set at the rear of the structure. Window projections, stoops, porches, balconies, and similar extensions are exempt from this standard.

Gable roofs, if provided for residential buildings, shall have a minimum pitch of 5/12. When hipped roofs are used, the minimum pitch shall be 5/12. Other roof types shall be appropriate to the architectural style of the building. Porch roofs may be a minimum pitch of 3/12.

Mansard roofs shall be prohibited.



*Images showing appropriate massing and scale for Residential Buildings*

**c. Façade Composition**

Buildings shall maintain the traditionally prevalent façade rhythm of 20' – 30' or multiples thereof.

This rhythm may be expressed by changing materials, or color, or by using design elements such as columns and pilasters, or by varying the setback of portions of the building façade.

Commercial and Mixed use building facades shall be designed with a distinct base, middle, and top and shall maintain the alignment of horizontal elements along the block.

For retail storefronts, a transom, display window area, and bulkhead at the base shall be utilized.

Awnings, blade signs, arcades, colonnades, café seating, and balconies should be used along commercial storefronts to add pedestrian interest.

Porches, stoops, eaves, and balconies should be added along residential facades to add pedestrian interest along the street.

If the residential building is setback less than 10' from the front property line, the grade of the slab or first floor elevation shall be elevated at least 18 inches above the grade of the sidewalk. If the residential structure is setback 10' or more from the front property line and is not elevated above the grade of the sidewalk, a 3' high fence shall be provided at the front property line. Chain link fences shall not be permitted along the front property line in any Overlay District. Plastic vinyl fences shall also not be permitted in the Riverfront Edge and Downtown Campus Overlay Districts.



*Residential buildings with porches, balconies, and stoops to add interest along the street.*



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#### d. Windows and Doors

Windows and doors shall be vertically oriented.

Windows may have jack arch, keystone arch, flat arch, or ornamental arches.



*Images showing appropriate window designs and proportions for new construction.*

All ground floor front building facades for commercial and mixed use buildings along all streets shall have transparent storefront windows covering no less than 65% of the façade area. Each upper floor of the same building façades facing a street or plaza shall contain transparent windows covering at least 35% of the façade area. All other street facing side facades (except alleys), shall have transparent windows covering at least 30% of the façade area for all floors.

All building facades of residential buildings fronting on all streets or civic / open spaces, except alleys, shall have transparent windows covering at least 30% of each façade.

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#### e. Building Materials

*Commercial and Mixed Use Buildings:* The following materials shall NOT be permitted on any façade:

- Use of lap or shingle siding of any material including wood, vinyl, cementitious, or painted or corrugated metal, or roofing materials.

At least 60% of the street facing (except alleys) facades of all new buildings (excluding doors and windows) shall be finished in one or more of the following materials:

- Masonry (brick, stone, terra cotta, cast stone, rock, marble, granite, glass block and/or tile).
- Split face concrete block or pre-cast, or poured in place concrete.
- Cementitious-fiber clapboard (not sheet) with at least a 50-year warranty may only be used on the upper floors.
- Tilt-up concrete panels that have a grid like appearance
- Architectural metal panels

Other materials will be considered as primary building materials on a case-by-case basis and may only be approved by the HPB.

No more than 40% of the street facing facades shall use accent materials such as wood, metal, stucco, or Exterior Insulating Finishing System (EIFS).

Side facades and rear facades (that do not front on any streets) shall be of finished quality and of the same color and materials that blend with the front of the building. Rear facades may be painted EIFS or painted concrete block matching the same color of the rest of the building if the rear façade faces an alley or is not viewable from a public street or right-of-way.



*Images showing the side and rear façades buildings finished to match the color and materials of the front facades*

*Residential Buildings:* The following shall be permitted finishes for all street fronting facades (except alleys) of residential buildings. No more than three different materials shall be used on any single façade:

- Cementitious-fiber clapboard (not sheet) with at least a 50-year warranty;
- Lap-sided wood;
- Masonry (brick; stone; man-made stone, or stucco utilizing a three-step process).
- Vinyl siding (permitted in Downtown Transition Character District only)
- Architectural metal panels

The following may only be allowed up to 40% as an accent material:

- Exterior Insulating Finishing System (EIFS) or similar material over a cementitious base, rock, glass block and tile.

Side and rear facades shall be of finished quality and of the same color and materials that blend with the front of the building.

Roofing materials (visible from any public right-of-way): copper, factory finished painted metal, slate, synthetic slate, terra cotta, and asphalt shingles.

## 21.94 Specific to Neighborhood Overlay Character District

### a. Building Orientation

Garages for Residential Buildings shall be located on alleys at the rear of residential buildings; pull-through garages are allowed if the garage door is set back behind the rear façade of the main structure. If front-loaded garages or carports are utilized on residential uses, the garages and carports shall be no greater than 12 feet wide and set back at least 20 feet measured from the face of the main structure closest to the garage/carport or rotated 90 degrees with windows on the wall facing the street. On corner lots, the garage may be rotated with windows facing the primary street with driveway access from the secondary street.

All garage doors shall be divided into single bays separated by at least a 16-inch pier or column. Front-loaded garages on residential lots less than 40 feet wide shall not be allowed. Town homes and courtyard apartments shall utilize rear-loaded garages.

Residential Buildings shall have relatively flat fronts and simple roofs with most building wing articulations set at the rear of the structure. Window projections, stoops, porches, balconies, and similar extensions are exempt from this standard.

Gable roofs, if provided for residential buildings, shall have a minimum pitch of 5/12. When hipped roofs are used, the minimum pitch shall be 5/12. Other roof types shall be appropriate to the architectural style of the building. Porch roofs may be a minimum pitch of 3/12.

Mansard roofs shall be prohibited.



*Images of appropriately scaled and designed residential buildings*

### b. Façade Composition

On residential buildings, at least one of the following shall be utilized: porches, stoops, bay windows, balconies, masonry clad chimneys, attached pergolas or colonnades. Those architectural elements may encroach beyond the setback line.

If the residential structure is setback less than 10' from the front property line, the grade of the slab or first floor elevation shall be at least 18 inches above the grade of the sidewalk. If the residential structure is setback 10' or more from the front property line and is not elevated above the grade of the sidewalk, a 3' high fence shall be provided at the front property line. Chain link fences shall not be permitted along the front property line.

Architectural embellishments that add visual interest to the roofs, such as dormers and masonry chimneys may be provided.

All new residential buildings shall have windows or doors covering no less than 30% of all street facing façades.

If window shutters are used they shall be approximately half the window width and the same height of the associated opening (including casing for masonry walls; not including casing for siding walls). All shutters shall be louvered, paneled, or constructed of boards as appropriate to the style of the building.

### c. Building Materials

The following shall be permitted finishes for all street fronting façades (except alleys) of residential buildings. No more than three different materials shall be used on any single façade:

- Cementitious-fiber clapboard (not sheet) with at least a 50-year warranty;
- Lap-sided wood;
- Masonry (brick; stone; man-made stone, or stucco utilizing a three-step process).
- Vinyl siding
- Architectural metal panels

The following may only be allowed up to 40% as an accent material:

- Exterior Insulating Finishing System (EIFS) or similar material over a cementitious base, rock, glass block and tile.

Side and rear façades shall be of finished quality and of the same color and materials that blend with the front of the building.

Roofing materials (visible from any public right-of-way): copper, factory finished painted metal, slate, synthetic slate, terra cotta, and asphalt shingles.

## 21.10 STREET STANDARDS

**21.101 Generally:** Streets in Downtown Owensboro need to support the overall goal of a mixed use, compact, pedestrian oriented district. They should balance all forms of mobility while maximizing convenience for residents and visitors. The standards in this section shall apply to new and substantially reconstructed streets within Downtown Owensboro.

In addition to retaining the existing street network, the Regulating Plan designates additional recommended streets within Downtown Owensboro. Appendix A of Article 21 establishes the standards that will guide the design of these streets based on the desired pedestrian-oriented outcomes. Site specific conditions and development intent may require these cross sections to be modified. These standards are meant to address vehicular lane width, parkway widths, R-O-W widths, number of travel lanes, on-street parking, and pedestrian accommodation.

## 21.11 LANDSCAPE STANDARDS (ON PRIVATE PROPERTY)

**21.111 Canopy Trees.** All surface parking lots that accommodate more than 10 cars shall be required to plant one canopy tree and three shrubs per every 1,500 sq. ft. of paved area.

**21.112 Planting Area.** Trees and shrubs shall be planted in landscape islands or peninsulas no smaller than 200 sq. ft. each or along the perimeter of the parking lot. In addition, each tree shall be required a minimum of 36 sq. ft. of planting area. Trees and shrubs shall be selected from available native species and be drought and disease tolerant.

**21.113 Street screen.** All lot frontages along a public street (except alleys and highways) not defined by a building at the Build-to Zone may plant a 4 ft. high (min.) living fence as the required Street Screen. Such a living fence shall be composed of shrubs planted at 2 ft. on center and 2 ft. high when planted. Shrubs shall be selected from available native species and be drought and disease tolerant. The required Street Screen shall be located within the build-to zone along the corresponding street frontage.

**21.114 Maintenance.** Maintenance of all landscape materials shall meet the requirements under Article 17 of the Owensboro Metropolitan Zoning Ordinance.

## 21.12 CIVIC/OPEN SPACE STANDARDS

**21.121 Location.** The location, scale, and design of Civic/Open Spaces in Downtown Owensboro shall be based on the Illustrative Master Plan.

**21.122 Types of Civic Space.** Squares, parks, and greens are appropriate in any Overlay District. Paseos and Plazas may serve as open spaces and shall only be appropriate in the Downtown Core, Riverfront Core, Riverfront Paseo, and Historic Overlay Districts.

**21.123 Private Open Space.** All new development within Downtown Owensboro shall provide usable private Civic/Open Space. Table 21.12a establishes the types of private open spaces permitted in Downtown. Table 21.12b establishes the appropriate Private open space type by Overlay Character District.

## 21.13 SIGNAGE STANDARDS

**21.131 Signage.** Except as specifically listed below, all other signage and sign standards must comply with Article 9 of the Owensboro Metropolitan Zoning Ordinance, as amended.

**21.132 Applicable Standards.** For conforming uses and new signs for non-conforming uses, the standards in Table 21.13 shall apply and sign permits may be approved administratively unless specifically noted in this section.

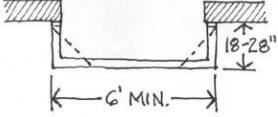
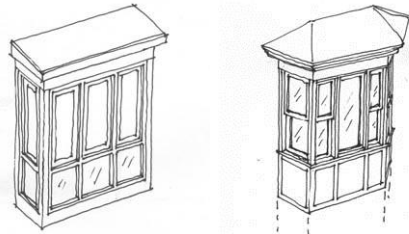


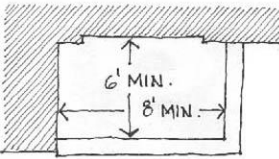
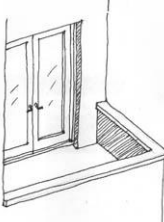
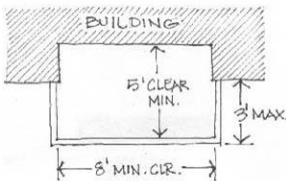
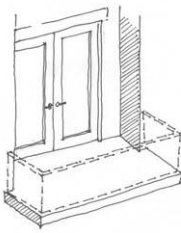
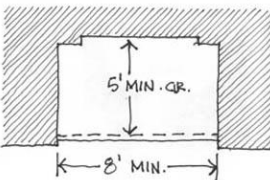
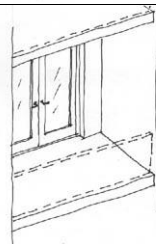
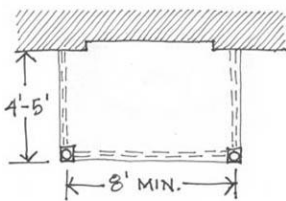
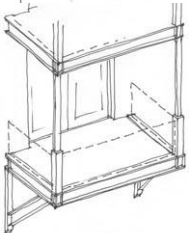
**21.133 Master Sign Plans.** An applicant has the option to establish unique sign standards including size, color, type, design, and location based upon specific performance and development criteria through a Master Sign Plan in lieu of meeting standards in Table 21.13. Such a Master Sign Plan shall be subject to approval of the Owensboro Historic Preservation Board (HPB). Non-conforming signs shall meet Article 21.142 (o) of the Owensboro Metropolitan Zoning Ordinance.

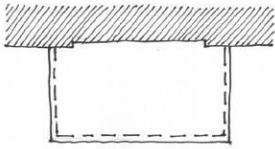
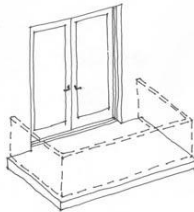
**21.134 Prohibited Signs.** The following types of signs shall be prohibited in Downtown Owensboro:

- a. Animated sign
- b. Temporary Streamer signs
- c. Permanent yard signs (with the exception of Pole and Monument Signs as permitted in Table 21.13)



**Table 21.12a Residential Private Open Space Types**

<b>PRIVATE OPEN SPACE (balconies, bay windows and terraces)</b>			
<b>GROUP 1</b>			
<p><b>Bay Window:</b> Projecting window unit that has windows on three sides.</p>			
<p><b>French Balcony:</b> In-swinging French doors with "flush" mounted guardrail. In-swinging French doors and Guardrail may be mounted to exterior wall or between wall jambs. Railing to be semi-open.</p>			
<p><b>Terrace:</b> Guardrail may be solid parapet wall or semi-open metal design.</p>			
<b>GROUP 2</b>			
<p><b>Semi-recessed balcony:</b> balcony partially recessed into building mass. Railing to be semi-open type.</p>			
<p><b>Recessed balcony:</b> balcony fully recessed into building mass.</p>			
<p><b>Projecting metal balcony:</b> Structural support and guardrails to be painted steel or other materials. Round or square columns (or combination thereof) required at outside corners of balconies. Permitted, but not required at inside corners (next to building wall).</p>			

<b>PRIVATE OPEN SPACE (balconies, bay windows and terraces)</b>		
<b>NOT PERMITTED</b>		
<p>Cantilevered slab balcony: Balconies that protrude from the building without any visible support as shown in illustration shall not be permitted in any district.</p>		
<p>General Notes:</p> <ol style="list-style-type: none"> <li><b>Illustrations are only examples.</b> Exact door, window and transom configurations may be different based on building facade design. Elements may be stacked vertically or grouped side by side as suited to building design and other requirements of these standards.</li> <li><b>Semi-open guardrails</b> refer to railings that incorporate horizontal and vertical bars and balusters, open mesh, or decorative metal designs that allow at least partial viewing through the railing, and comply with the applicable building code.</li> </ol>		

**Table 21.12b Residential Private Open Space Requirement by Character District**

Private Open Space Type	Group 1	Group 2
<b>Downtown Overlay District</b>		
<i>Historic Core</i>	Permitted, not required	Permitted on Type "B" Streets only; not required
<i>Downtown Core</i>	Permitted, not required	Permitted, not required
<i>Riverfront Core/Riverfront Crossing/Riverfront Edge</i>	Required as follows: <ul style="list-style-type: none"> <li>Each dwelling unit up to 900 SF shall have a Private Open Space component from Group 1 or 2.</li> <li>Each dwelling unit over 900 SF shall have a Private Open Space component from Group 2.</li> </ul>	
<i>Transit Boulevard</i>	Permitted, not required	Permitted, not required
<i>Transition</i>	Permitted, not required	Permitted, not required
<i>Neighborhood</i>	Permitted, not required	Permitted, not required
<i>Urban Campus</i>	Permitted, not required	Permitted, not required

**Table 21.13 Sign Standards by Character District**

**Permitted (P) Not Permitted (NP)**

Character District	Historic Core	DT Core RF Core RF Edge RF Crossing	Fred. Corridor/ DT Transition	Neighborhood	DT Campus	Standard
<b>Sign Type</b>						
(1) Building Signs	P	P	P (commercial and institutional uses only)	P (commercial and institutional uses only)	P	<ul style="list-style-type: none"> <li>For all ground floor commercial uses (retail, office, and restaurant): One sign per tenant space; area to be calculated at 1.5 sq. ft. per linear foot of public street frontage for the tenant space with a maximum of 100 sq. ft.</li> <li>Second and upper floor commercial uses may also be permitted one second floor wall sign per tenant space per public street frontage; area to be calculated at 1.5 sq. ft. per linear foot of second or upper floor frontage along that public street with a maximum of 125 sqft.</li> <li>Institutional uses (non-profits and churches): One sign per tenant space; area to be calculated at 1.5 sq. ft. per linear foot of public street frontage with a maximum of 100 sq. ft.</li> <li>Live-Work and Home occupations: One sign limited to an area of 20 sq. ft. max.</li> <li>Building sign may encroach a maximum of 12" on to a sidewalk while maintaining a vertical clearance of 8 ft. from the finished sidewalk.</li> <li>Building signs may be internally or externally lit.</li> <li>In the Neighborhood District, wall signs are only permitted for commercial and institutional uses (including the "work" component of live-work uses).</li> <li>Changeable copy signs shall not be permitted with the following exceptions:               <ul style="list-style-type: none"> <li>Institutional and educational uses, including churches may be permitted to have a nonflashing changeable copy sign subject to the sign area and number limitations above.</li> <li>Marquee signs as permitted below.</li> </ul> </li> </ul>

Character District	Historic Core	DT Core RF Core RF Edge RF Crossing	Fred. Corridor/ DT Transition	Neighborhood	DT Campus	Standard
Sign Type						
(2) Monument Signs	NP	NP	P	NP	P	<p>Frederica Corridor/DT Transition District: One monument sign per lot per street frontage (no more than 2 per lot separated by at least 100 ft.) limited to a maximum of 75 sq. ft. per sign face and 6 ft. max. height.</p> <p>Downtown Campus: Two monument signs per building limited to a maximum of 60 sqft. per sign face and 6 ft. max. height.</p> <ul style="list-style-type: none"> <li>Changeable copy signs shall not be permitted with the following exceptions: <ul style="list-style-type: none"> <li>Institutional and educational uses, including churches may be permitted to have a nonflashing changeable copy sign subject to the sign area and number limitations above.</li> </ul> </li> </ul>
(3) Pole Signs	NP	NP	P (commercial and institutional uses only)	NP	P	<ul style="list-style-type: none"> <li>One pole sign per lot</li> <li>Maximum area = 80 sqft. per sign face</li> <li>Maximum height (measured to the top of the sign) = 15 feet</li> <li>Message boards may be electronic or non-electronic. Electronic message boards shall be non-flashing.</li> </ul>
(4) Building Blade Signs	P	P	P (commercial uses only)	P (commercial uses only)	P (comm. uses only)	<ul style="list-style-type: none"> <li>One per building (commercial and mixed use buildings only)</li> <li>Area = 30 sq. ft. maximum per sign face.</li> <li>May encroach a maximum of 6 ft. over a public sidewalk, but shall not encroach over any parking or travel lane.</li> <li>Building blade signs may be attached to the building at the corners of building or along any street facing façade above the first floor façade.</li> </ul>
(5) Tenant Blade Signs	P	P	P (commercial uses only)	P (commercial uses only)	P (comm. uses only)	<ul style="list-style-type: none"> <li>One per commercial tenant space (retail, office, or restaurant use)</li> <li>Area = 16 sqft. maximum per sign face</li> <li>May encroach a maximum of 3 ft. over a public sidewalk, but shall not encroach over any parking or travel lane.</li> <li>Tenant blade signs shall be oriented perpendicular to the building façade and hung under the soffit of an arcade or under a canopy/awning or attached to the building façade immediately over the ground floor tenant space while maintaining a vertical clearance of 8 ft. from the finished sidewalk.</li> </ul>
(6) Marquee Signs	P	P	NP	NP	P	<ul style="list-style-type: none"> <li>Permitted for theatres, auditoriums, and other public gathering venues of 100 persons or more</li> <li>Marquee signs shall be attached to the building or located above or below a canopy only</li> <li>Area = 100 sqft. maximum</li> <li>Message board may be changeable copy (electronic and non-electronic). Electronic message boards shall be non-flashing.</li> </ul>
(7) Sandwich board signs	P	P	P	P	P	<ul style="list-style-type: none"> <li>Permitted only for retail, service, or restaurant uses</li> <li>Limited to 12 sq. ft. per sign face per storefront;</li> <li>Sign may not exceed 5 ft. in height.</li> <li>A minimum of 6 ft. of sidewalk shall remain clear.</li> <li>Chalkboards may be used for daily changing of messages. Readerboards (electronic and non-electronic) shall be prohibited.</li> <li>Sign shall be removed every day after the business is closed.</li> </ul>

Character District	Historic Core	DT Core RF Core RF Edge RF Crossing	Fred. Corridor/ DT Transition	Neighborhood	DT Campus	Standard
Sign Type						
(8) Light Pole Banners	P	P	P	P	P	<ul style="list-style-type: none"> <li>10 sq. ft. per sign face.</li> <li>Limited to one per light pole</li> <li>All light pole banners shall be approved by the appropriate utility company prior approval by the DDA</li> <li>Light pole banners shall be limited to publicize community-wide events, festivals, holiday celebrations, public art, and other city sponsored events.</li> <li>Vertical clearance 8' above finished sidewalk</li> </ul>
(9) Directory signs	P	P	P	P	P	<ul style="list-style-type: none"> <li>Shall be allowed for all multi-tenant commercial and mixed use buildings only</li> <li>One directory sign per multi-tenant building limited to 12 sq. ft. in area</li> <li>Design of the sign shall be integral to the façade on which the sign is to be affixed.</li> </ul>
(10) Temporary Signage	P	P	P	P	P	<ul style="list-style-type: none"> <li>No Temporary sign shall remain in place for more than 10 working days.</li> <li>See Article 9 (Definitions) of the Zoning Ordinance.</li> <li>Size limited to 40 sqft, no more than two signs the combine for this total.</li> </ul>
(11) Special Events Signage	P	P	P	P	P	<ul style="list-style-type: none"> <li>Only Allowed to be placed by the City of Owensboro Special Events Director.</li> <li>In no case will a sign remain in place for more than 45 days.</li> </ul>
(12) Customer Information & Directional Signage	P	P	P	P	P	<ul style="list-style-type: none"> <li>Directing traffic flow or building entry.</li> <li>Total number of signs shall not exceed 6.</li> <li>Total combined sqft for all signs shall not exceed 15 sqft.</li> </ul>
(13) Parking Lot Information Signage	P	P	P	P	P	<ul style="list-style-type: none"> <li>Pavement markings are not regulated</li> <li>Total number of signs shall not exceed 4.</li> <li>Total sqft per sign face shall not exceed 6 sqft.</li> <li>Total combined sqft for all signs shall not exceed 24 sqft.</li> </ul>

## 21.14 ADMINISTRATION

**21.141. Generally.** This section sets forth the provisions for reviewing and approving development applications within Downtown Owensboro Overlay District. The intent is to ensure that all development and redevelopment is consistent with the provisions of this ordinance and the Downtown Illustrative Master Plan. All sections of this ordinance shall be applied during the review process.

### 21.142 Overview of the Downtown Development Review Process.

- a. Certificate of Appropriateness Required. All applications for development and redevelopment within the Downtown Overlay District shall require a Certificate of Appropriateness prior to issuance of a building permit including:
  - i. Additions to existing structures; or new buildings or outbuildings.
  - ii. Changes to any street facing facades (except alleys).
  - iii. Demolition of any building or portion of any building within the Downtown Overlay District.
  - iv. Construction of roof top additions or decks.
  - v. Alteration of accessory structures such as garages.
  - vi. Installation of exterior access stairs.
  - vii. Installation of antennas and satellite receiving dishes that are visible from adjoining public rights-of-way (except alleys).
  - viii. Installation or alteration of any exterior sign, or alteration of any sign contributing to the significance of a structure.
  - ix. Site features other than vegetation, including without exception fencing, lighting and lighting fixtures, paving and grading.
  - x. Construction of a new parking lot or expansion of an existing parking lot.
- b. Downtown Design Administrator. The Downtown Design Administrator shall be responsible for the following:
  - i. Reviewing all applications for development as required by this Article;
  - ii. Making recommendations on the application and interpretation of regulations, standards, and requirements of this Article;
  - iii. Requiring the applicant to submit any additional information that may be reasonably necessary to review and determine whether the proposed development complies with the requirements of this Article;
  - iv. Review and recommend to the Zoning Administrator for final approval on the issuance of the Certificate of Appropriateness for all applications that comply with Article 21;
  - v. The Downtown Design Administrator and the Zoning Administrator shall not be authorized to waive or vary requirements of this Article or any other Article in the Owensboro Metropolitan Zoning Ordinance;
  - vi. Support the HPB in its efforts;
  - vii. Advise and assist property owners and other persons, including neighborhood or business organizations interested in historic preservation and/or Downtown Development; and
  - viii. Forward any applications to the HPB for design exceptions, additional design direction or appeal of final decision of the Zoning Administrator for any reason.
- c. COA Application Requirements. An application for a Certificate of Appropriateness shall require the following:

The applicant shall prepare a site plan demonstrating compliance with the District's standards and Illustrative Master Plan for administrative review. A site plan application shall include the following:

  - i. Map(s) and/or reports that include the following information (maps drawn to an appropriate scale):
    - 1) Title block containing the name of the site plan, type of application, name and address of the applicant, plan preparer, and owner and a written and graphic scale.
    - 2) Location of the subject property including delineation of underlying zoning, Character Districts, required and recommended streets (if any), and any special frontage requirements (if any).



- 3) When subdivision of land is required, the layout of proposed blocks, lots, streets, easements, alleys, and trails, if any, consistent with this ordinance and other city ordinances and plans.
  - 4) The location of all physical improvements, both existing and proposed, including but not limited to buildings, sidewalks, driveways, parking, landscaping, open space, etc.
  - 5) All proposed uses on the property and/or buildings.
  - 6) Street designation along all public frontages of the property and compliance with the building form and development standards for the specific Character District the property is located in.
  - 7) Screening, landscaping, and private open space provision as required by this Article.
  - 8) Site plans, building plans, architectural elevations and renderings of proposed building(s) including demonstration of compliance with Building Design Standards.
  - 9) Any other information that may be reasonably necessary to review and determine whether the proposed development complies with Article 21.
- d. COA Approvals. All COA applications that meet the standards for development in Article 21 and other applicable development standards may be approved administratively by the Zoning Administrator based on review and recommendation of the Downtown Design Administrator. Approval of the COA does not constitute approval of a building permit for construction. An applicant may submit plans for building permit approval concurrently with the COA application. However, no building permit application may be approved prior to COA approval.
- e. Demolitions. All applications for demolition of buildings or portions of buildings within the Downtown Overlay District (except buildings within the Historic Core or historic buildings within the Downtown Overlay District which shall be governed by Article 21.81(g)) shall require the approval of a Certificate of Appropriateness prior to issuance of a demolition permit by the City. In reviewing a Certificate of Appropriateness for a demolition, the following shall be considered:
- i. The public's interest in the preservation of the cultural resource.
  - ii. Whether the building has the potential to be a historic building.
  - iii. The age of the cultural resource, its uniqueness or uncommon design, texture, and/or material and its ability to be reproduced without unreasonable difficulty and/or expense.
  - iv. The ability of the cultural resource to help preserve and protect a historic place or prehistoric site or area of historic interest in the City.
  - v. The ability of the cultural resource to promote the general welfare of the City by:
    - 4) Encouraging the study of American History, architecture and design;
    - 5) Developing an understanding of the importance and value of the American culture and heritage; and
    - 6) Making the City a more attractive and desirable place in which to live.
  - vi. Whether the building is being demolished for new construction on the same site which is more economically feasible than restoring the existing structure.
- A COA for demolition may only be approved by the appropriate authority on recommendation by the DDA if:
- i. A building or part of a building is deemed as not being historically significant to Owensboro's cultural roots;
  - ii. The building can be replaced more economically by another that better supports the goals of the Downtown Master Plan;
  - iii. A building or part of a building is structurally unstable or in a stage of advanced deterioration and has been deemed by the City as a hazard to public safety or an attractive nuisance;
  - iv. The demolition will not significantly impact adjoining properties or the integrity of Downtown Owensboro; or

- v. The costs of rehabilitation are prohibitive and evidence is presented that the existing improvement is incapable of reasonable use or producing an economic return.

All applications that do not meet the above criteria shall be forwarded to the HPB for a final decision on the demolition application.

- f. Appeals and Design Exceptions. Any decision of the Downtown Design Administrator or requests for Design Exceptions to standards in Article 21 may be appealed to the Owensboro Historic Preservation Board within 30 days of such a decision in writing by the Downtown Design Administrator. All requests for appeals or Design Exceptions shall be heard by the HPB within 30 days of such a request or at the next available regularly scheduled meeting of the HPB, whichever occurs first. Appeals of decisions of the HPB shall be made to Circuit Court of Daviess County. All appeals shall be taken in the Circuit Court within thirty (30) days after the action or decisions of the Owensboro Historic Preservation Board and all decisions which have not been appealed within thirty (30) days shall become final. After the appeal is taken, the procedure shall be governed by the rules of civil procedure. When an appeal has been filed, the Clerk of the Circuit Court shall issue a summons to all parties and shall cause it to be delivered for service as in any other law action.
- g. HPB Review Considerations: In providing design direction and clarification, reviewing major civic venue projects, Design Exception requests or hearing appeals, the Historic Preservation Board shall use the following criteria:
  - i. the goals and intent of Downtown Master Plan;
  - ii. whether the proposal fits the adjoining design context by providing appropriate transitions;
  - iii. extent to which the application provides public benefits such as usable civic and open spaces, livable streets, structured and/or shared parking, and linkages to transit;
  - iv. does not hinder future opportunities for higher intensity downtown development; and

- v. considerations of health and welfare of the general public

- h. Plats. In addition to the requirements of this Article, all requirements for subdivision and plat approval as established in Owensboro Metropolitan Subdivision Regulations shall also apply based on the type of development.
- i. Dimensional Variances. All final decisions on variances shall be made by the Owensboro Metropolitan Board of Adjustment after a recommendation on the requested variance by the HPB.
- j. Encroachments. Before a permit is issued for any encroachment onto a public right-of-way, approval by the City of Owensboro, or its designee, shall be submitted in writing and shall include:
  - i. A statement that allows the Zoning Administrator or designee to issue a permit for encroachment to be placed within the public right-of-way, and
  - ii. A written statement from the landowner holding the legislative body, the Zoning Administrator or designee, the City, and the OMPC harmless from the placement of the encroachment within the right-of-way.
- k. Major Civic Venues. Major civic venues as defined by this Article may only be permitted if the Certificate of Appropriateness is approved after review and approval by the Historic Preservation Board based on a recommendation by the Downtown Design Administrator.
- l. Non-Conforming Buildings, Uses, Parking Lots, premises and Signs:
  - i. Regardless of transfer of ownership, existing Non-Conforming Buildings with a Non-Conforming Use that do not conform to the provisions of this Article may continue in accordance with Article 4 of the Zoning Ordinance.
  - ii. Regardless of transfer of ownership, existing non-conforming buildings that do not conform to the provisions of this Article may change use within the same building, provided the new use is permitted in Table 21.7 in this Article.
  - iii. Regardless of transfer of ownership, existing Non-Conforming Signs that do not conform

to the provisions of this Article may continue and be maintained.

- iv. Any substantial reconstruction or modification of or change to a Type “A” Street façade of a non-conforming building or non-conforming sign shall meet the provisions of this Article unless a Design Exception and/or variance is granted by the HPB or the Board of Adjustment. In granting or denying Design Exceptions and/or Variances for such modifications, the HPB and the Board of Adjustment shall evaluate the extent to which the proposed modifications result in greater or lesser conformance with the specifications of this Article and the extent to which the modifications meet the vision and intent of the Downtown Owensboro Master Plan.

**Appendix A**  
**Street and Streetscape Design**

- a. Generally: Streets in Downtown Owensboro need to support the overall goal of a mixed use, compact, pedestrian oriented district. They should balance all forms of mobility while maximizing convenience for residents and visitors. The standards in this section should apply to new and substantially reconstructed streets within Downtown Owensboro.

In addition to retaining the existing street network, the Regulating Plan designates additional recommended streets within Downtown Owensboro. This section specifies the typical configuration of streets within Downtown. The specifications address vehicular lane width, parkway widths, R-O-W widths, number of travel lanes, on-street parking, and pedestrian accommodation.

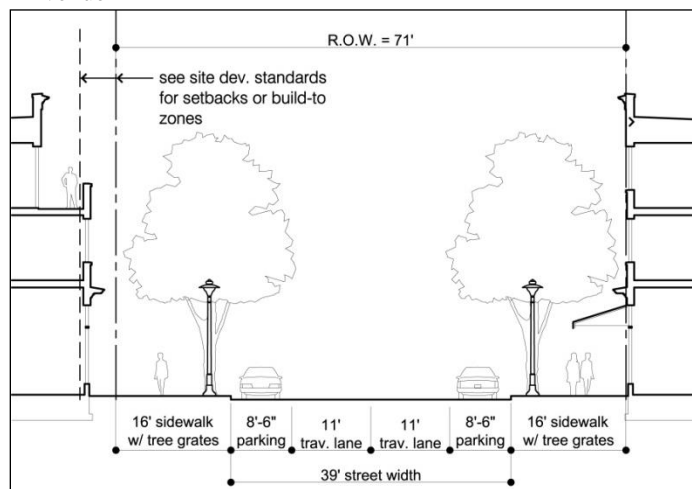
- b. Street Types Established. Table 1 below and associated cross sections establish the cross sections for each street type. The cross sections may be adjusted to fit existing contexts and design goals with the approval of the City Engineer. In addition, the proposed cross sections may be adjusted to meet the needs of the Uniform Fire Code as adopted by the City.

Elements Street Type	R-O-W (Recommended minimum)	Number of Lanes (max.)	Lane Widths	On-Street Parking	Sidewalk Width (min.)	Parkway/ Tree Well
Downtown Avenue	71'	2	11'	Yes, both sides, parallel or angled*	10' clear	Tree wells/grates; (6' X 6')
Downtown Street	Existing or 61' min.	2	10'	Yes, both sides, parallel	6' clear	Tree wells; (6' X 6')
Neighborhood Avenue	Existing or 61' min.	2	11'	Yes, both sides, parallel	6' clear	Parkway; 6' wide
Pedestrian Way	Existing or 61' min.	NA	NA	NA	8' clear	30' wide (max) parkway
Alley	Existing or 20' min. 16' pavement width	NA	16'	No	NA	NA

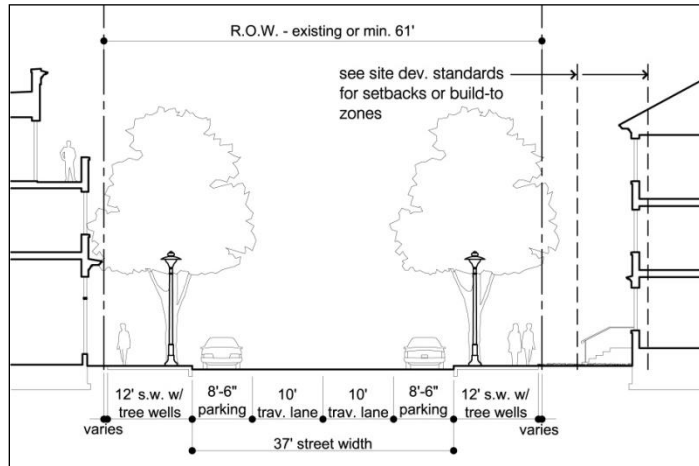
*Width of parallel parking lane is assumed at 8.5'*

- c. Street Cross Sections:

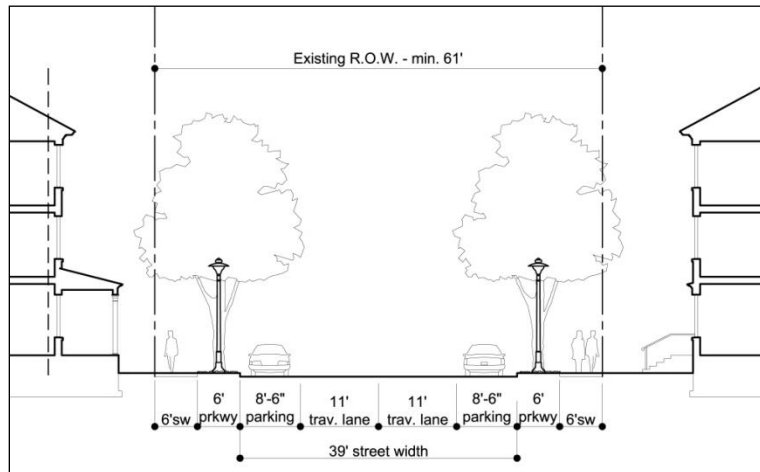
Downtown Avenue



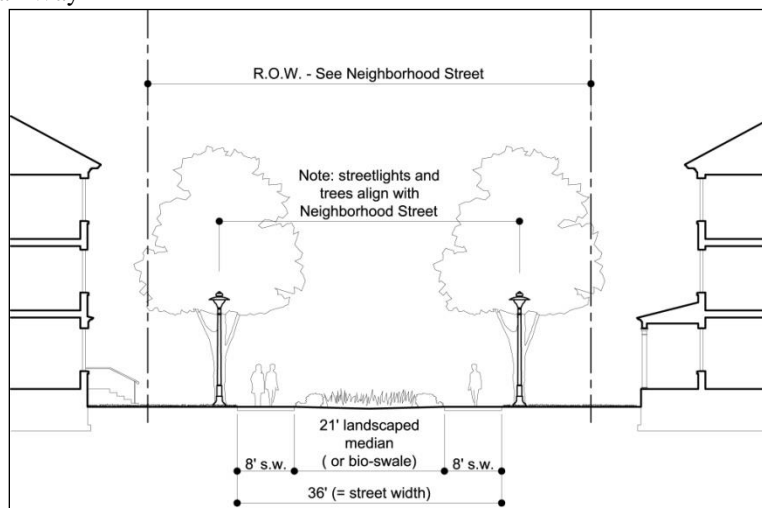
Downtown Street



Neighborhood Avenue

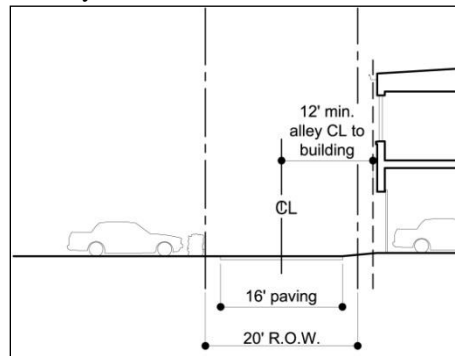


Pedestrian Way



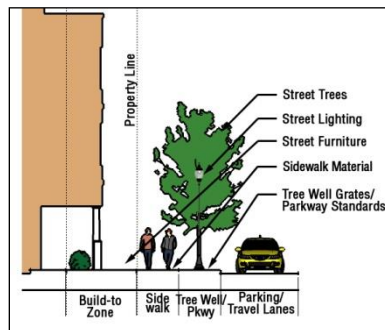


Downtown Alley



d. Streetscape & Landscape Standards

Streetscape standards should guide the design of all new and substantially reconstructed streets within Downtown Owensboro. Streetscape standards address all elements between the building face and edge of the curb. Typical streetscape elements addressed are street trees, lighting, street furniture and pedestrian amenities, and materials.



Typical Streetscape Elements in Downtown Streets

*Street Trees (within public R-O-Ws):*

- i. Street trees should be provided on all streets (except on alleys).
- ii. Street trees should be planted approximately 3 ft. behind the curb line.
- iii. Spacing should be an average of no more than 30 ft. on center (measured per block face).
- iv. The minimum caliper size for each tree should be 3 in. and a minimum of 12 ft. in height at planting. Each tree should be planted in a planting area no less than 36 sq. ft.
- v. Species selected should be native, drought and disease tolerant.

*Street Furniture, Lighting, and Materials:*

- i. Pedestrian scale lighting should be provided along all streets (except on alleys). They should be no taller than 15 ft.
- ii. Street lights should be placed at no more than 50 ft. on center, approximately 3 ft. behind the curb line.
- iii. The light standard selected should be compatible with the design of the street and buildings.
- iv. Trash receptacles and bike racks should be provided along all Type "A" Streets. They should be located at an average of 100 ft. on center (measured per block face).
- v. Street furniture and pedestrian amenities such as benches are recommended along all Type "A" Streets.
- vi. Where provided, all street furniture shall be located in such a manner as to allow a clear sidewalk passageway of a minimum of 6 ft.
- vii. Materials selected for paving and street furniture should be of durable quality and require minimal maintenance.

**Appendix B**  
**Typical Application Process for Projects within the Downtown Overlay District**

**Table 1**

Type of Request	Administrative Review	Administrative Decision (DDA)	HPB Decision	ZBA Decision	P & Z / CC Decision	Applicable Articles/Sections /Comments
1. Ordinary maintenance of existing building (historic and non-historic) (with no changes to the exterior)	NA	NA	NA	NA	NA	<ul style="list-style-type: none"> <li>Interior changes may require building, electrical, and/or other city permits</li> <li>Article 21 Review and Downtown Design Review Approval</li> </ul>
2. Ordinary maintenance of historic buildings (with changes to the exterior)	Yes	Yes	Appeal	NA	NA	<ul style="list-style-type: none"> <li>Article 21.81(h)</li> <li>Certificate of Appropriateness req'd</li> </ul>
3. Ordinary maintenance of non-historic buildings (with changes to the exterior)	NA	NA	NA	NA	NA	<ul style="list-style-type: none"> <li>Interior changes may require building, electrical, and/or other city permits</li> <li>Certificate of Appropriateness req'd</li> </ul>
4. Renovation or alteration of a building interior with no exterior façade changes in all Character Districts	Yes	Yes	Appeal	NA	NA	<ul style="list-style-type: none"> <li>Article 4 shall apply if the structure is non-conforming</li> <li>Interior changes may require building, electrical, and/or other city permits</li> </ul>
5. Renovation, alteration or addition to a building in the Historic Core  6. Construction of a new building within the Historic Core	Yes	Yes	Appeal	Dim Var.		<ul style="list-style-type: none"> <li>Article 21.81 shall apply</li> <li>Certificate of Appropriateness req'd</li> <li>Certificate of Appropriateness may be administratively approved by the Downtown Design Administrator for all requests that meet Article 21.81</li> <li>Any decision on variances to dimensional elements limited to building height and building setbacks shall be made by the Board of Adjustment after a recommendation on the same by the HPB</li> <li>Decision on all other applications that do not meet Article 21 (except dimensional variances) shall be made by the HPB after Administrative Review and recommendation to the HPB</li> <li>Decision of the HPB on such requests shall be final</li> </ul>
7. Demolition of a building within the Historic Core	Yes	Rec. Only	Yes			<ul style="list-style-type: none"> <li>Article 21.81(h) shall apply</li> <li>HPB approval of COA is required prior to application to the City Property Maintenance Department for a building permit for demolition</li> <li>HPB makes a final decision on the request after a duly advertised Public Hearing on the request</li> <li>Appeals to the decision of the HPB shall be made to the Circuit Court of Daviess County</li> </ul>
8. Renovation, alteration, or addition to a building in any Character District other than the Historic Core  9. Construction of a new building within any Character District other than the Historic Core	Yes	Yes	Appeal	Dim. Var.		<ul style="list-style-type: none"> <li>Article 21 shall apply</li> <li>Certificate of Appropriateness req'd</li> <li>Certificate of Appropriateness may be administratively approved for all requests that meet Article 21</li> <li>Any decision on variances to dimensional elements limited to building height and building setbacks shall be made by the Board of Adjustment after a recommendation on the same by the HPB</li> <li>Decision on all other applications that do not meet Article 21 (except dimensional variances) shall be made by the HPB after Administrative Review and recommendation to the HPB</li> <li>Decision of the HPB on such requests shall be final</li> </ul>
10. Demolition of a building within any character district other than the	Yes	Yes	Appeal N/A	NA	NA	<ul style="list-style-type: none"> <li>Article 21.8 shall apply</li> <li>Requires demolition permit from the City.</li> </ul>

Type of Request	Administrative Review	Administrative Decision (DDA)	HPB Decision	ZBA Decision	P & Z / CC Decision	Applicable Articles/Sections /Comments
Historic Core						
11. Construction of a parking garage within any Character District	Yes	Yes	Appeal	Dim. Var.		<ul style="list-style-type: none"> <li>Article 21.8 Overlay District Building Form and Development Standards shall apply</li> <li>Article 21.9 Building Design Standards shall apply</li> <li>Certificate of Appropriateness req'd</li> <li>Certificate of Appropriateness may be administratively approved for all requests that meet Article 21</li> <li>Any decision on variances to dimensional elements limited to building height and building setbacks shall be made by the Board of Adjustment after a recommendation on the same by the HPB</li> <li>Decision on all other applications that do not meet Article 21 (except dimensional variances) shall be made by the HPB after Administrative Review and recommendation to the HPB</li> <li>Decision of the HPB on such requests shall be final and may be appealed to the Circuit Court of Daviess County</li> </ul>
12. Construction of a new surface parking lot or expansion of an existing surface parking lot	Yes	Yes	Appeal	Dim. Var.		<ul style="list-style-type: none"> <li>Article 21.8 Overlay District Building Form and Development Standards shall apply</li> <li>Article 21.9 shall apply</li> <li>Certificate of Appropriateness req'd</li> <li>Certificate of Appropriateness may be administratively approved for all requests that meet Article 21</li> <li>Any decision on variances to dimensional elements limited to building height and building setbacks shall be made by the Board of Adjustment after a recommendation on the same by the HPB</li> <li>Decision on all other applications that do not meet Article 21 (except dimensional variances) shall be made by the HPB after Administrative Review and recommendation to the HPB</li> <li>Decision of the HPB on such requests shall be final and may be appealed to the Circuit Court of Daviess County</li> </ul>
13. Construction of a Major Civic Venue as identified in the Illustrative Master Plan and the Regulating Plan	Yes	No	Yes	Dim. Var.		<ul style="list-style-type: none"> <li>Articles 21.8 and 21.9 shall apply</li> <li>Final decision on Civic Venue applications shall be made by the Historic Preservation Board subject to any dimensional variances that are required to be approved by the Board of Adjustment</li> <li>Certificate of Appropriateness req'd</li> </ul>
14. Change of use within an existing non-conforming building or structure (with no exterior façade changes)	Yes	Yes				<ul style="list-style-type: none"> <li>Article 21.142(o) shall apply</li> </ul>
15. New sign or alter an existing sign within any Character District	Yes	Yes	Appeal	Dim. Var.		<ul style="list-style-type: none"> <li>Article 21.13 and 21.142 shall apply</li> <li>Sign permits shall be required for all new and altered signs within any character district</li> <li>Certificate of Appropriateness req'd</li> </ul>
16. Master Sign Plan approval	Yes	No	Yes	Dim. Var.		<ul style="list-style-type: none"> <li>Sign permits may be approved administratively for all signs that meet Article 21.13</li> <li>Decision on all Design Exceptions to standards in Article 21 (except dimensional variances) shall be made by the HPB after Administrative Review and</li> </ul>

Type of Request	Administrative Review	Administrative Decision (DDA)	HPB Decision	ZBA Decision	P & Z / CC Decision	Applicable Articles/Sections /Comments
						recommendation to the HPB <ul style="list-style-type: none"> <li>Decision of the HPB on such requests shall be final and may be appealed to the Circuit Court of Daviess County</li> </ul>
17. Request to change Overlay Character District	Yes	No	NA	NA	Yes	<ul style="list-style-type: none"> <li>All requests to change the Overlay Character District shall be processed as a text amendment to the Owensboro Metropolitan Zoning Ordinance per Article 6</li> </ul>
18. Request to change zoning to the B-2 District within the boundaries of Downtown Overlay District	Yes	No	NA	NA	Yes	<ul style="list-style-type: none"> <li>All requests to change the underlying zoning shall be processed as Zoning Map Amendment per Article 6</li> </ul>