

## Land Use

### *Land Use Trends*

**B**ecause zoning regulations are the primary tool used to implement a land-use plan, it is useful to establish a close relationship between the way land is used and the way it is zoned. Therefore, we have established categories of land use that are closely associated with the major zoning classifications used in Daviess County since 1980.

### **Existing Land Use Summary**

Daviess County is 476 square miles in area, with almost 15 square miles covered by the Ohio and Green rivers and other major water bodies. Since the completion of the zoning layer on the Geographic Information System, we can identify the amount of each type of zoning classification presently applied to all properties within Daviess County. These categories contain public streets, rails and parks. The distribution of land use by zoning classification in October 2018 is reviewed. Eighty-five percent (85%) of the total land in Daviess County is zoned agricultural, with over ninety one percent (91%) of the rural service area comprised of agriculturally zoned land and forty-five percent (45%) of the urban service area being zoned agricultural. This is the predominant zone in both the rural and urban service areas. Agricultural property in the urban service area is available for future growth and land uses, while it is anticipated that the rural service area will remain mostly agricultural with urban patterns occurring only within the identified rural communities or within the City of Whitesville. Residential zoning accounts for just over five and one half percent (5.5%) of the entire county acreage, but comprises twenty eight percent (28%) of the total urban service areas. Behind agricultural, residential zone is the most prominent zone in the urban service area, followed by industrial at over twelve percent (12%) and then business zones at eight percent (8%). The rural service area is comprised of just above two percent (2%) of residential zoning, one percent (1%) of industrial zoning and only one tenth percent (.1%) of business zoning, but five percent (5%) of the total rural service acres are zoned EX-1 for coal mining, the most predominant zoning classification after agricultural zoning in the rural service area. Following are the zoning designations for the entire county, which also designates urban and rural service area zonings by acres and calculates those percentages relative to each designated area. The patterns are consistent with the goals of the Comprehensive Plan to develop urban uses where services exist and to protect the agricultural nature of the rural service areas, by allowing urban patterns to occur within designated rural communities. It should be noted however, that while residential zoning is low in the rural service areas, single family residential uses are permitted on agriculturally zoned property and have occurred on minimum one acre lots along existing county roads without residential zoning required.

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Exhibit 4-T1: Acres by Zoning Classification in Daviess County, KY

Acres by Zoning Classification in Daviess County						
Zoning Classification	Total	USA	RSA	% of total	% of USA	% of RSA
A-R Rural Agriculture	230,255	10,254	220,001	77.4%	23.9%	86.5%
A-U Urban Agriculture	23,711	10,862	12,849	7.9%	25.3%	5.1%
<b>AG ZONING TOTAL</b>	<b>253,966</b>	<b>21,116</b>	<b>232,850</b>	<b>85.4%</b>	<b>49.2%</b>	<b>91.6%</b>
MHP Manufactured Home Park	270	48	222	0.1%	0.1%	0.1%
R-1A Single Family Residential	8,986	4,218	4,768	3.0%	9.8%	1.9%
R-1B Single Family Residential	1,696	1,558	138	0.5%	3.6%	0.1%
R-1C Single Family Residential	3,377	2,937	440	1.1%	6.8%	0.2%
R-1T Single Family Townhouse	26	26	0	0.0%	0.1%	0.0%
R-2MF Two Family Residential	127	127	0	0.0%	0.3%	0.0%
R-3MF Multi Family Residential	971	964	7	0.3%	2.2%	0.0%
R-4DT Inner City Residential	1,283	1,283	0	0.4%	3.0%	0.0%
<b>RES ZONING TOTAL</b>	<b>16,736</b>	<b>11,161</b>	<b>5,575</b>	<b>5.6%</b>	<b>30%</b>	<b>2.2%</b>
<b>P-1 Professional Service TOTAL</b>	<b>1,917</b>	<b>1,909</b>	<b>8</b>	<b>0.6%</b>	<b>4.4%</b>	<b>0.0%</b>
B-1 Neighborhood Business	42	42	0	0.0%	0.1%	0.0%
B-2 Central Business	188	188	0	0.1%	0.4%	0.0%
B-3 Highway Business	160	160	0	0.1%	0.4%	0.0%
B-4 General Business	3,028	2,705	323	1.0%	6.3%	0.1%
B-5 Business/Industrial	94	94	0	0.0%	0.2%	0.0%
<b>BUS ZONING TOTAL</b>	<b>3,512</b>	<b>3,189</b>	<b>323</b>	<b>1.2%</b>	<b>7.4%</b>	<b>0.1%</b>
I-1 Light Industrial	3,293	2,744	549	1.1%	6.4%	0.2%
I-2 Heavy Industrial	4,820	2,495	2,325	1.6%	5.8%	0.9%
<b>IND ZONING TOTAL</b>	<b>8,113</b>	<b>5,239</b>	<b>2,847</b>	<b>2.7%</b>	<b>12.2%</b>	<b>1.1%</b>
<b>EX-1 Coal Mining TOTAL</b>	<b>12,953</b>	<b>314</b>	<b>12,639</b>	<b>4.4%</b>	<b>0.7%</b>	<b>5.0%</b>
<b>TOTAL ZONED ACRES</b>	<b>297,197</b>	<b>42,928</b>	<b>254,269</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
<i>Acres Calculated from Official Zoning Map in Geographic Information System, May 2023, zoned acres include public rights-of-way and water bodies</i>						

From records of zoning changes since August 2011, when data was reported for the last update of the Comprehensive Plan, to October 2018 when we reviewed the zoning information, we can see continued trends of rising residential zoning, with an additional 307 net acres of land zoned residentially during this period. This increase is less than we experienced from 2005 to 2011, which saw an increase of 318 acres zoned for residential use. Comparisons in acres zoned between the two time periods are shown in the table below.

Exhibit 4 -T2 – Change in Acres Zoned 2011-2018

	URBAN SERVICE AREA		RURAL SERVICE AREA		DAVIESS COUNTY	
	2011-2018 USA Net	2018-2023 USA Net	2011-2018 RSA Net	2018-2023 RSA Net	2011-2018 Total Net	2018-2023 Total Net
<b>To AR, AU</b>	-4,225.95	3,292	4,309.09	-	<b>83.14</b>	<b>1,733</b>
<b>To Bus</b>	321.83	17	16.64	3	<b>338.47</b>	<b>116</b>
<b>To EX</b>	0	-3	-756.74	-	<b>-756.38</b>	<b>21</b>
<b>To Ind</b>	-37.69	242	34.44	-135	<b>-3.25</b>	<b>223</b>
<b>To Res</b>	392.43	639	-85.06	-68	<b>307.40</b>	<b>116</b>
<b>To Prof</b>	-69.69	25	5.74	0	<b>-63.92</b>	<b>25</b>

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Coal mining (EX-1) zoning has continued to decline as previously zoned properties have reverted to their original agricultural zones after mining has ceased. Industrial zoning continues to decline in the Urban Service Area, as properties have zoned from industrial to other classifications. Part of this decline can be attributed to the new B-5 Business/Industrial zoning which is reported in the Business category, with nearly 8 acres of previously industrially zoned properties having rezoned to take advantage of this more flexible zone that allows both general business and light industrial uses when appropriate. Properties zoning to industrial zones in the Rural Service Area have declined by about 50% since 2005. The Urban Service area continues to see an increase in business zoning and professional office zoning. The Rural Service Area also saw an increase in business zoning, mainly within rural communities, but professional service zoning was minimal.

**Urban Service Area (USA).** The Urban Service Area surrounding Owensboro is 71.4 square miles in area, 4.2 of which is covered by the Ohio River and a few other large water bodies. The distribution of land by zoning classification within the Urban Service Area is shown in Exhibit 4T-1.

**Rural Service Area (RSA).** The Rural Service Area is 405 square miles in area, 10.6 of which is covered by large water bodies. The distribution of land by zoning classification within the Rural Service Area is shown in Exhibit 4T-1.

## Residential Use Trends

**Exhibit 4-T3: Residential Subdivision 1990 to 2023**  
**RESIDENTIAL LOTS CREATED & ACRES SUBDIVIDED 1/1/1990 TO 11/26/2023**  
*UNDER 10 ACRES IN SIZE*

Plan Area	Lots	Acres Divided	Acres/Lot
<b>URBAN SERVICE AREA (USA)</b>	<b>9803</b>	<b>5995</b>	<b>0.61</b>
Urban Core (UC)	.105	0	0
Urban Belt (UB)	2186	840	0.38
Urban Growth (UG)	5121	2845	0.56
Urban Future (UF)	1425	1033	0.72
Rural Pref USA(RPu)	322	169	0.52
<b>RURAL SERVICE AREA (RSA)</b>	<b>5128</b>	<b>11771</b>	<b>2.30</b>
Rural Pref RSA(RPr)	1878	3112	1.66
Rural Maint (RM)	3249	8658	2.66
<b>TOTAL (USA and RSA)</b>	<b>14,932</b>	<b>17,021</b>	<b>1.14</b>
<b>AGRICULTURAL DIVISIONS 1/1/2003 TO 11/26/2023</b>			
<i>Over 10 acres in Size</i>	<b>695</b>	<b>23,648</b>	<b>34.03</b>

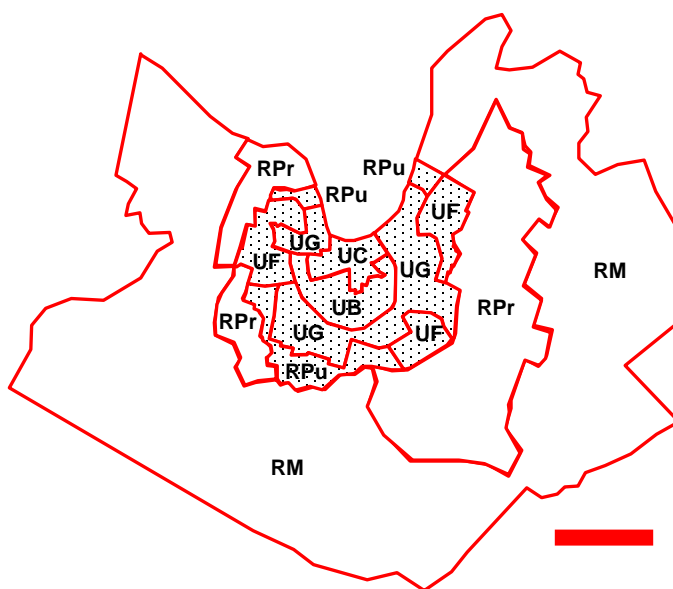
As anticipated based on history, lot size in the Rural Service Area continues to be greater than that in Urban Service Areas. Average lot size for Daviess County is 1.14acres per lot. Total acres divided from 1980 to November 2023 exceed 17,000 acres. Total residential use lots created is nearly 15,000 lots.

Agricultural divisions tracked from 2003 recorded 695 divisions of over 10 acres in size spread over 23,648 acres of land. Many of these divisions accommodate rural residential homes.

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**Exhibit 4-T4: Change in Residential Lots Created by Location**

CHANGE IN RESIDENTIAL LOTS CREATED 8/15/2005 to 11/26/2018								
UNDER 10 ACRES IN SIZE								
Plan Area	2018	2023	% change	2018	2023	% change	2018	2023
				Acres Div				Acres/Lot
<b>URBAN SERVICE AREA (USA)</b>	<b>8549</b>	<b>9803</b>	<b>14.7%</b>	<b>4960</b>	<b>5995</b>	<b>20.8%</b>	<b>0.58</b>	<b>0.61</b>
Urban Core (UC)	-92	-105	-14.15	0		0.00%	0	0
Urban Belt (UB)	1907	2186	14.6%	695	840	20.8%	0.36	0.38
Urban Growth (UG)	4466	5121	14.7%	2354	2845	20.8%	0.53	0.56
Urban Future (UF)	1243	1425	14.6%	855	1033	20.8%	0.69	0.72
Rural Pref USA(RPu)	281	322	14.6%	140	169	20.7%	0.5	0.52
<b>RURAL SERVICE AREA (RSA)</b>	<b>4472</b>	<b>5128</b>	<b>14.7%</b>	<b>11121</b>	<b>11771</b>	<b>5.8%</b>	<b>2.49</b>	<b>2.3</b>
Rural Pref RSA(RPr)	1638	1878	14.7%	2941	3112	5.8%	1.8	1.66
Rural Maint (RM)	2834	3249	14.6%	8180	8658	5.8%	2.89	2.66
<b>TOTAL (USA and RSA)</b>	<b>13021</b>	<b>14932</b>	<b>14.7%</b>	<b>16081</b>	<b>17021</b>	<b>5.8%</b>	<b>1.24</b>	<b>1.14</b>



### Urban vs. Rural Residential Subdivision Trends.

While subdivision of residential lots in rural areas consumes more farmland per lot than in urban areas, the increases from the last six years indicate that lot creation is occurring more rapidly within the Urban Service Area, where urban services are available or easily extended.

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In January 2000, subdivision regulations regarding road frontage requirements and 3 to 1 minimum depth to width ratios began to be enforced, eliminating those flag lot divisions that allowed lots to stack behind one another creating numerous access points along the road. This previous type of subdivision could easily chop up an entire farm into numerous building lots, without any new streets created.

It was hoped that the enforcement of the regulations would result in a decrease in the number of lots and acres being divided for residential use along existing county roads, thereby decreasing the demand for extended services and decreasing points of conflict as accesses were constructed along existing county roads.

Rural farms have continued to be divided as so-called “agricultural divisions,” under a long-standing policy of the commission. This policy allows the division of a farm into tracts a minimum of 10 acres in size, so long as each tract has frontage of at least 50 feet along an existing public road. These plats are deemed to be for “agricultural use” as defined by KRS 100 and, therefore, are not required to comply with subdivision regulations. In January of 2003, the OMPC began tracking the number of agricultural divisions created in Daviess County. The OMPC reviews these divisions as a policy to determine that the division is agriculturally exempt and for recording purposes. While the tracts created meet the criteria for exemption from the subdivision regulations, many of these tracts are divided as residential tracts and are ultimately developed with residential homes. Prior to 2003, the OMPC only tracked divisions that were considered development lots, less than ten (10) acres in size. From January 2003 through March 2023 twenty three thousand six hundred forty eight (23,648) acres were divided into 695 agricultural tracts.

### Non Residential Use Trends

Non-residential zoning has increased by 419 acres from January 2019 to March 2023 as compared to 271 acres zoned for non-residential uses in the previous 5 year period. The majority of the total acres zoned for non-residential use occurred within the urban service area.

**Exhibit 4-T5 – Non-Residential Acres Zoned , 2011-2018, USA, RSA, Total**

	URBAN SERVICE AREA		RURAL SERVICE AREA		DAVIESS COUNTY	
	2011-2018 USA Net	2081-2023 USA Net	2011-2018 RSA Net	2018-2023 RSA Net	2011-2018 Total Net	2018-2023 Total Net
To Bus	321.83	115.94	16.64	11.49	338.47	127.43
To Ind	-37.69	225.58	34.44	8.09	-3.25	233.67
To Prof	.69.69	58.38	5.74	0	-63.92	58.38
TOTAL	353.83	399.9	56.82	19.58	271.30	419.38

Of the acreage zoned to non-residential uses in the past seven years, industrial zoning saw a net gain of approximately 233 acres. The Urban Service Area gained approximately 225 acres of industrially zoned property, while the Rural Service Area gained approximately 8 acres of industrially zoned property. The professional service zoning gained approximately 58, with all of those acres located within the Urban Service Area. Business zoning continued to gain acreage with the majority of the business zoning occurring within the Urban Service Area, 91% of the total acres zoned to business classifications.

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### *Land Use Projections*

The policies and plans we fashion to guide future land development are based not only on past trends in land use, but perhaps more importantly, on the amount of land that will be urbanized over the next twenty years.

This section deals with the total amounts of land in Owensboro-Daviess County that will be converted to urban uses over the next 30 plus years. Projections are made for the various land use components based on population projections and past land use trends to achieve a projection for each category of land use.

The Kentucky State Data Center projects approximately a 15.7% population increase over the next 30 years, showing a population gain up to 119,504 in 2050. The projection assumes a declining rate of population growth over what Daviess County has experienced in the last two decades, about 0.5% per year. Based on the history of the past two decades, there should be adequate land and resources to accommodate urban land uses well. If trends continue with population growing and development occurring within the Urban Service Area, land use for all classifications of development can be accommodated in a sustainable way within areas that are served by infrastructure and urban services or where those services can be easily extended.

The most significant increase in land use in the past six years was for residential and business uses but increases accounted for only slight overall increases in developed land. Average projections for the amount of acreage needed for each land classification are based on the development patterns of growth and continued stable, low population growth. Projections were calculated based on the rate of zoned acreages for the past twelve years. The per year average zoned acreage was multiplied by the number of years projected to calculate anticipated needs until 2050. For categories with negative growth, the projection was based on a base of ten acres with an increase of ½% per year, the rate of the current population growth. If population growth rates slow as predicted in projections by the Kentucky State Data Center, projected future acreage may actually be high. It should be noted that there is a wide range of possibility for future land use projections in Daviess County. In general, projections cannot possibly anticipate the factors comprising the complex matrix of urban development. A single significant event, such as a large industry locating in Daviess County could result in increased industrial, business and residential needs in the future. The projections below are reasonable future acres needed based on the history of zoning changes and development patterns over the last twelve years, and based on the low but consistent population growth supporting actual zoned acreages over the last 20 years.

**Exhibit 4-T6 –Land Use Projections for Daviess County in Acres –  
Additional Acreage needed to accommodate future needs**

	2020	2030	2040	2050
<b>BUSINESS</b>	183	386	589	792
<b>PROF/SERVICE</b>	182	384	586	788
<b>INDUSTRIAL</b>	15	21	43	65
<b>RESIDENTIAL</b>	239	504	769	1,034

*Residential use is projected to have the highest demand followed by Business and Professional Uses based on historical rates of growth projected forward.*

The projections in the previous Comprehensive Plan forecast low and high ranges for the various land uses. In the previous Comprehensive Plan, projections for 2010 for residential use called for an increase of needed acreage of between 592 to 2,210 acres. Actual zoned acreage from the last Comprehensive Plan to August 2011 was 318 acres which was less additional acreage than the low projection forecast for

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additional acreage needed in 2010. The low projection for additional acres needed for industrial use in 2010 was 90 acres, while the zoned acres of industrial property actually decreased by approximately 137 acres from August 2005 to August 2011. This demonstrates that even future projections less than 10 years out are difficult when it comes to land use as a variety of factors in addition to population growth and economy govern land use development. For this reason, a historical development method was used to obtain future land use projections resulting in a number that will be further evaluated in the next five year cycle review.

Daviess County has adequate resources to provide for future sustained growth for all development classifications for many years to come.

### *Land Development Policies*

Land development is constrained by the need to protect the environment, to provide necessary services, and to create compatible relationships between diverse land uses.

#### **Environment**

**Solar Access.** Presently, development that takes advantage of orientation to allow for passive solar energy is not considered of major importance because adequate sites are available to those who wish to use this alternative energy. If community interest increases, techniques could be used to support solar access such as east/west subdivision streets.

**Coal Reserves.** Urban development in close proximity to accessible coal reserves reduces the ability to retrieve the coal. Residential development and coal mining are generally considered mutually intrusive. This has been a controversial issue in the community since the 1980's.

**Soils.** Development outside of flood plains is considered acceptable for all six major soil associations in Daviess County with respect to depths to bedrock and fragipan, soil drainage, shrink-swell, erodibility and slope (with appropriate design) However, all soil types generally present problems for septic tanks due to poor soil permeability and shallow depths to seasonal high water tables. Any development without sewers must be limited to densities that accommodate effective use of onsite sanitary sewage systems.

**Steep Slopes.** Urban development on steep slopes (16% or greater) causes soil erosion, increased flooding and higher development costs. There are relatively few areas of steep slopes in Daviess County and those are generally located in rural area. Alternatives to negative impacts include maintaining such areas in their natural state or construction of housing at very low or very high densities, which can absorb higher development costs.

**Flood Plains.** Because of the amount of flood plain areas in Daviess County, the issue of building in flood plains has been regulated since 1980, under the National Flood Insurance Program. Through this regulation, floodways remain unobstructed and building within flood plains is regulated to reduce the increase of flood elevations. Acceptable land uses in floodways include agricultural, recreation areas, lawns, parking areas and similar open-space uses.

**Prime Agricultural Land.** Urban development of prime farm land forces farmers to move to inferior land or drop out of farming. Effects of urban development and sprawl can harm agricultural land with chemicals from storm runoff, and the rise in the cost of land prices. Daviess County has an extraordinary supply of prime agricultural land that is important to the efficient production of food and fiber.

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**Historic and Archeological Sites .** Historic preservation has gained greater support in our community in recent years with the value to economic development realized with the preservation of unique, irreplaceable architecture. Maintaining our community's unique character, of which historic buildings are a part, helps to draw tourists. Local development policies can provide special recognition and incentives to encourage retention and rehabilitation of links to our past. The City of Owensboro has adopted design standards within the Downtown Overlay District.

**Water Quality.** A significant issue is that urban development produces contaminants affecting water quality. Concentration of urban development allows for more efficient control of pollution sources. New federal and state regulations are more closely regulating water quality by imposing tighter restrictions on storm water run off as well as other pollution sources. The Kentucky Division of Water administers these regulations. New regulations can markedly affect the cost of development in the community.

**Air Quality.** The Kentucky Division of Air Quality administers regulations that constrain the levels of air pollution from a variety of sources. With growing national concern about ambient air quality, pollution controls are likely to be further tightened, especially on coal fired power generation. This could increase power costs and may constrain expansion of energy dependent industries. Tighter air controls in the future could impact our local economy.

**Noise Control.** Heavy industry, airport expansion, high traffic thoroughfares and outdoor arenas present the greatest potential for permanent sources of objectionable noise. Kentucky Environmental Cabinet serves as an advisory group to local governments in preparation of noise control ordinances. This is a relatively minor concern in our community and are typically mitigated with buffers from residential areas.

## Capacity and Availability of Urban Services

An urban environment generates a need for a variety of services from streets to sanitary services. Most are designed to either protect the public welfare and health or to provide relief to the natural environment. The amount of urban development we can accommodate is directly related to the capacity of our urban services. Also, the location of urban development is guided by our ability to deliver necessary services to different areas of the county.

**Highways, Streets and Roads.** These facilities generally accommodate current demand with some exceptions. Particular urban thoroughfares are congested because of too many access points or too few lanes. Safety problems have arisen on rural roads where home construction has increased creating numerous access points and additional traffic volume.

Generally, new streets will be able to provide for future needs because they will be built into any new developments. Highways and major streets in the Urban Service Area will be improved through ongoing transportation planning, implementation of priority projects and development impact roadway requirements. Rural roads may experience more congestion and safety problems to the extent that urban sprawl occurs.

The capacity and availability of roadways constrain appropriate locations for future urban development and the quality of the urban environment. Land use policies and plans must be devised that use our highways, streets and roads efficiently.

**Public Transit.** The Owensboro Transit System is meeting current needs for transit services. Future service is considered dependent on continued federal and local funding. Public transit provides mobility for persons without private means of transportation.



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**Airport.** The airport presently satisfies local demand for air travel, and could be improved to meet projected needs. Inappropriate development, particularly residential, should not occur near the airport.

**Waterways and Riverport.** The Ohio and Green Rivers, the Owensboro Riverport and other river terminals satisfy current demand for shipping commodities by barge. The facilities could be improved for greater capacity. Sites are available for industries needing river access.

**Railways.** Declines in rail service have forced many local industries to switch to other means of shipping.

**Bikeways.** There has been some interest in expanding our bikeway system, particularly in conjunction with the City of Owensboro Greenbelt Park. Bikeways should be considered in new developments and arterial corridors. The staff of the Green River Area Development District is currently working on a new Bicycle & Pedestrian Master Plan that is expected to be completed and adopted by the local Transportation Advisory Committee in early 2018.

**Walkways.** Currently, walkways are deficient along several major thoroughfares. Walkways are an essential design element of urban streets and are generally a consequence of development rather than a constraint on the location of development. Policies should encourage the provision of sidewalks in conjunction with building construction and roadway improvements.

**Public Protection.** Current public protection services are generally adequate. The level of service is lower in rural areas, corresponding with greater travel distances and fewer fire hydrant locations. Scattered development reduces the ability of the governments to provide police and fire protection affordably.

**Educational Facilities.** The community has a wide range of public and private educational facilities, which can be enhanced to meet future needs. Educational facilities are essential to the community, but will not necessarily constrain the location of new development.

**Cultural Facilities.** Our community strongly supports its excellent museums, performing arts, and library services. We consider them important to our quality of life and economic development. All of these services are likely to be enhanced and expanded either at their present city locations or at new locations where demand and opportunities arise. Cultural facilities will not necessarily dictate the location of future urban development.

**Health & Social Services.** Health and social services are generally adequate, but efforts are ongoing to improve these facilities. The need for these services will become more important in the future, as the population ages. However, health and social services will not necessarily dictate the location of future urban development.

**Public Parks & Recreation.** Neighborhood parks are presently needed in several areas of the City of Owensboro, and will be necessary in growth areas to provide convenient recreation. Constraints on new urban development will arise from the necessity of protecting or acquiring land in areas where parkland is needed now or will be needed in the future. Preserving green spaces is a priority for quality of life of our residents and for future generations.

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**Telecommunications.** Telecommunications systems (television, radio, and telephone) generally meet existing needs and should be able to supply additional demand in the foreseeable future.

Telecommunications systems present no significant constraints on the location of future urban development. However, with the expansion of wireless communications, more communications towers will likely be necessary, which may be objectionable when located in close proximity to urban residential areas.

**Utility Supply.** The supply of electricity is currently adequate over most areas of Daviess County, with abundant capacity to meet future needs. Water supply is generally adequate but will need expanded treatment and storage capacity to enable continued growth of industry and other development. If residential development in the remote fringes of Daviess County continues at its recent pace, then waterlines may need to be enlarged to meet fire protection requirements. Natural gas has a limited service area, but is being expanded into urban growth areas when sufficient densities arise. Propane gas is commonly used in rural areas. Adequate electricity and water supply are essential to urban development and their availability will constrain the locations of urban development.

**Sanitary Sewage Disposal.** Since the late 1990s, the Regional Water Resource Agency has incorporated the private sewage system serving the Kentucky 54 development corridor. In 1999 RWRA began an aggressive expansion of trunk sewers and collection systems into the Yellow Creek basin, US 60 E, and US 60 W. These expansions brought into the system the sanitary sewage from several developments whose sewage was previously treated in private package plants or by onsite septic systems. Also, these projects will significantly expand the areas where sanitary sewers are available in the Urban Service Area and adjoining Rural Communities.

RWRA's capacity to treat sanitary sewage is sufficient to handle present flow and has the capacity for additional residential customers. New industrial customers may be accommodated to the extent they pre-treat their wastes. Beyond RWRA's urban area system, the City of Whitesville has a municipal sewage system that should be adequate for its growth needs. The few remaining single-user or small subdivision package treatment systems are not likely to be significantly expanded. Most of these should eventually be closed with sewage incorporated into RWRA's system.

**Sanitary sewers are essential to dense urban development.** Therefore, most new dense development will necessarily locate within the service areas of RWRA or Whitesville. Use of septic tanks and other onsite sanitary sewage disposal systems is an option for growth, but generally requires larger lots, and can create health problems when systems are improperly designed or maintained. Extensive use of onsite disposal could lead to negative impacts on natural aquifers that supply municipal water systems and rural wells.

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**Storm Water Disposal.** Storm water disposal is marginally sufficient at this time. The City of Owensboro's 1999 *Storm Water Master Plan* set priorities for the most needed improvements in the urban area. Some improvements have been implemented, but the major costs involved suggest it will take many years to implement the entire plan. To avoid exacerbating current problems, storm water detention is designed into new developments wherever feasible. New requirements from the Kentucky Division of Water may drive development costs higher as new requirements are implemented.

Storm water disposal is essential to urban development, but will generally not constrain the location of future urban development, except in areas where storm water problems are not yet or cannot be mitigated.

**Solid Waste Disposal.** Solid waste disposal is sufficient at present. The Daviess County Landfill has adequate capacity for the foreseeable future. Expanded or new landfills will be built to stringent standards to protect the environment. Solid waste collection has expanded into rural areas, and is mandated countywide. Recycling may become a part of the solid waste disposal system. Solid waste disposal is essential to urban development, but will generally not constrain the location of future urban development.

## LAND USE COMPATABILITY

Various types of land use must be accommodated in our community. How well these land uses relate to one another will significantly determine the quality of our neighborhoods. One of the main reasons we make land use plans is to promote the development of compatible relationships between land uses. Two features primarily determine the compatibility of adjacent land uses: the "intensity" of land uses and the "buffers" between land uses of different intensities.

In general, the intensity of a land use can be thought of as the level of impact which that land use would have on surrounding land uses. This concept is fairly easy to understand intuitively. Agricultural uses typically have little impact on surrounding uses. Conversely, heavy industrial may have significant impacts on surrounding uses.

**Intensity.** If we arrange active land uses in Daviess County in order from the least intense to greatest, the list would look like this:

1. Agricultural/ forestry/ farm dwellings
2. Rural residential
3. Urban low-density residential (<9du/ac)
4. Urban medium-density residential (9-25du/ac)
5. Urban high-density residential (>25du/ac)
6. Professional/Service
7. Neighborhood Business
8. Central Business
9. Highway Business
10. General Business
11. Light Industrial
12. Heavy Industrial
13. Coal Mining/ Quarrying

## LAND USE

Generally, the farther apart uses are on the list above, the more their intensities differ, and the less compatible they are. The less compatible that adjoining uses are, the more significant the boundary or buffer feature between them must be to protect the less intense use from the impacts of the more intense use.

**Buffers.** In general, the hierarchy of buffer features from strongest to weakest is as follows:

1.     **Large reserves of open space**
2.     **Freeways/expressways**
3.     **Railroads**
4.     **Arterial streets**
5.     **Collector streets**
6.     **Creeks/major ditches**
7.     **Topographic ridgelines**
8.     **Local streets**
9.     **Rear yard property lines**
10.    **Side yard property lines**

The need for buffers between incompatible uses constrains patterns of development, discouraging particular patterns and encouraging others. The most discouraged pattern is the random interspersal of small lots with widely varying intensities. This pattern creates numerous incompatible boundaries that must be buffered. But, buffers for small areas are troublesome. They represent significant costs relative to property investment, impinge on useable area, and must be shifted to new boundaries as uses expand. As a result, buffers tend to be composed of skimpy materials, poorly maintained, and encroached upon by active uses.

**Land Use Clusters.** The problems discussed above can be avoided by encouraging better patterns of development. The most beneficial pattern is to cluster land uses of similar intensity into larger areas, which reduces the occurrence of incompatible boundaries, and thereby reduces the need for extensive buffers. Orienting different uses so that a transition in intensity occurs gradually from one adjoining use or cluster of uses to the next can further preclude elaborate buffers.

**Street Intensity.** Streets are listed above as a form of land use buffer, but a street also has an intensity that is proportional to the amount of traffic it carries. The potential traffic volume of a street is closely associated with its functional classification (refer to Section 510). Freeways/expressways are the most intense. They serve regional and community-wide traffic and are designed to carry large volumes of traffic. At the other end of the functional hierarchy are local streets, which are generally the least intense. They serve small sections of neighborhoods and are designed to access property rather than move traffic.

Under the concept of clustering uses of similar intensity, it follows that the intensity of land uses in a particular area should relate well to the intensity (or functional classification) of streets in that area. Therefore, clusters of higher intensity uses should be oriented toward higher function streets and clusters of lower intensity uses should be oriented toward lower function streets.

In reality, land use intensity will vary widely along higher function streets, because there are not enough high intensity uses in the community to occupy all the property fronting on these major streets. And, application of the clustering pattern discussed above will typically lead to some higher intensity uses being located along portions of lower classification streets.

## LAND USE

**Land Use vs. Street Functional Classification.** As a result of the anomalies discussed above, the best possible relationships between land use intensity and street classification can be stated as follows:

**The lower the functional classification of a street, the less that land use intensity should vary along the street.**

Where land use intensity varies along a lower classification street, higher intensity uses should be located closer to intersections with higher classification streets, with a transition to lower intensity uses proceeding away from the major street.

## PRIORITY OF DEVELOPMENT CONSTRAINTS

Of the development constraints reviewed above, some are deemed more important than others in determining desirable patterns of land use development. Below, we assign each constraint to one of three levels of importance:

### 1. Essentially Determine Development Patterns

The items in this group are considered essential in determining the appropriate locations for any type of land development:

- ◆ Floodways
- ◆ Highways, streets & roads
- ◆ Water supply
- ◆ Electricity supply
- ◆ Land use compatibility

### 2. Conditionally Determine Development Patterns

The locations and/or special characteristics of the items below may determine the type, intensity or technique of land development that is appropriate in a particular location:

- ◆ Coal reserves
- ◆ Soils
- ◆ Steep slopes
- ◆ Plant & animal life
- ◆ Floodway fringes
- ◆ Prime agricultural land
- ◆ Historic & archaeological sites
- ◆ Water quality
- ◆ Air quality
- ◆ Noise control
- ◆ Airport
- ◆ Waterways & Riverport
- ◆ Railways
- ◆ Fire protection
- ◆ Natural gas supply
- ◆ Sanitary sewage disposal
- ◆ Storm water disposal

## LAND USE

### 3. Generally Do Not Determine Development Patterns

The following items generally do not determine the location of land development, but these items may need to be provided, enhanced or expanded as a result of the locations of particular types of land development:

- ◆ Solar access
- ◆ Public transit
- ◆ Bikeways
- ◆ Walkways
- ◆ Police protection
- ◆ Emergency services
- ◆ Educational facilities
- ◆ Cultural facilities
- ◆ Health & social services
- ◆ Public parks & recreation
- ◆ Telecommunications
- ◆ Solid waste disposal

## RURAL RESIDENTIAL POLICY ALTERNATIVES CONSIDERED

**1991 Plan:** Continue to allow the creation of residential development lots down to one acre in size throughout the rural area, regardless of potential demand for more urban services or commercial land uses; and continue to allow minimum one-half acre lots in rural growth areas, even though problems result in the use of septic tanks.

Only where coal is indicated, require larger lot sizes and/or limit the number of new lots.

Limit the number of lots that can be created out of a parent farm anywhere in the rural area, perhaps in proportion to farm acreage.

Prohibit the creation of residential lots (under 10 acres in size) only where coal is indicated, or anywhere outside of rural community growth areas.

**Current Plan:** Consideration of a goal that would remove coal mining as a primary use in the Rural Service Area and elevate residential uses to primary uses in Rural Preference and Rural Maintenance Plan Areas outside of Rural Communities.

Consideration of new objectives under the Rural Service Area to encourage increased buffers from existing residential uses in proximity to coal mining activities and to discourage the location of new residential uses in close proximity to coal reserves.

**FINAL RECOMMENDED POLICY (1991 PLAN).** Where sanitary sewers are not available in rural community growth areas, minimum lot size should be large enough that conventional septic tanks can be used satisfactorily. Throughout the remaining rural area outside of rural community growth areas, minimum lot size should be large enough so as to discourage excessive numbers of lots. And, advise potential buyers that coal extraction is a generally recommended use in the rural area. Also, minimum widths for lots less than ten acres in size should promote good lot form: depth should not exceed three times width.

## LAND USE

FINAL RECOMMENDED POLICY (2001 AND 2007 PLAN) : Same as 1991 policy

**FINAL RECOMMENDED POLICY (CURRENT PLAN):** A new objective has been adopted relative to residential uses in the Rural Service Area is to **encourage the application of increased buffers where heavy industrial and coal mining uses may be located in close proximity to existing rural residences** and **to discourage the location of new rural residential uses in close proximity to existing natural reserves and coal deposits**. Other rural residential policies remain the same as the previous policies.

## COAL MINING POLICY ALTERNATIVES CONSIDERED

**1991 Plan:** Continue to give priority to mineral extraction regardless of the presence of residential lots in the vicinity or concerns of nearby landowners.

Significantly restrict mining, such as limiting new mines to areas within a specified distance of past or existing surface mines, prohibiting the expansion or creation of new mining zones, or completely prohibiting future coal mining in Daviess County.

**Current Plan:** Recognize the impacts that mineral extraction may have on the presence of existing residences in the vicinity and the concerns of nearby landowners.

Significantly reduce the ability of owners to extract minerals when in close proximity to existing rural residential uses.

Encourage greater buffers where residential uses currently exist.

Remove the extraction of natural resources as a primary use in the Rural Service Area and reserve the land in the Rural Service Area primarily for residential and agricultural uses.

FINAL RECOMMENDED POLICY (1991 PLAN). Allow mining to occur generally throughout the rural area outside of growth areas, but have the discretion to set limits on the mining process where necessary to reduce conflicts with neighboring land uses. Such limits might include larger buffers, reduced hours of operation, restrictions on traffic generation, limits on the timing or scope of active mining that is concentrated in one area, etc.

FINAL RECOMMENDED POLICY (2001 AND 2007 PLAN) : Same as 1991 policy

**FINAL RECOMMENDED POLICY (CURRENT PLAN):** Allow mining to remain as a primary use throughout the Rural Service Area outside of Rural Communities, but recognize the impact mining may have on existing rural residences and encourage the application of increased buffers where mining activity may occur near existing residences. Additionally, recognize those areas where coal reserves exist and may be extracted and discourage the location of new residences in these locations.

## SUMMARY OF LAND DEVELOPMENT POLICIES

Most of the community objectives and plan proposals can be reached only if local government is committed to their achievement. This commitment is best expressed by establishing and implementing appropriate **POLICY** statements.

## LAND USE

Below are various policies that should be followed when evaluating any activity that could affect the community. By following these policies, we can bring to reality a built environment compatible with both people and the natural environment.

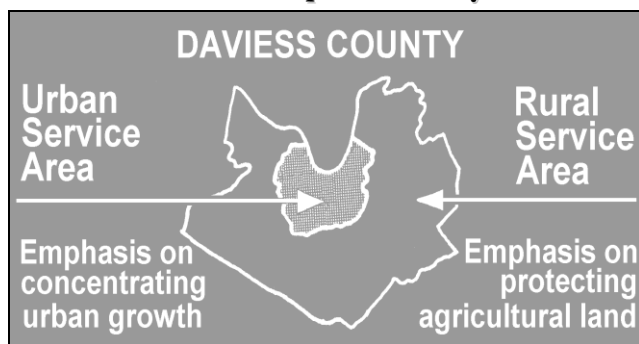
Owensboro, Whitesville, Daviess County, and the Owensboro Metropolitan Planning Commission have historically rejected a no-growth policy, as well as a completely unrestrained and unrestricted growth policy. Rather, **our policy shall be to guide and manage growth and development in a manner that new growth is of an efficient and quality character and that existing urban and natural environments are protected and enhanced.** Thereby, we can achieve a good quality of life for all the citizens of our community, present and future.

### Environmental Policy

Any change in our community, whether related to existing or new development, has an impact of some type on our physical, social, or economic environment. Thus our concern cannot be with the prevention of any impact, but rather those actions that would adversely impact our community so as to seriously deteriorate the environment.

**Our policy then should be that of reviewing proposed changes to determine the nature of their impact and to try to prevent those that would seriously deteriorate our built and natural environments.**

### Urban Growth Development Policy



*A major policy of our community is to encourage urban-type growth to be concentrated in and around the existing urbanized area of Owensboro, within the Urban Service Area (USA). The remainder of Daviess County is designated as the Rural Service Area (RSA), where emphasis is placed on protecting agricultural lands and discouraging urban-type activities beyond areas where they currently exist.*

### Urban Service Area Policies

Within the USA, the following urban development policies are applicable.

**Capacity and Availability of Urban Services.** Areas in which necessary urban services are available and of sufficient capacity, or areas in which such services can be provided at the least public cost, should be the first newly developed areas. Development should be discouraged in other areas until necessary services can be provided efficiently. Development plans should be coordinated with the various public and private entities that are responsible for providing urban services.



## LAND USE

**Land Use and Traffic Compatibility.** Land uses that are not compatible in character and intensity should not be indiscriminately mixed, but rather should be clustered within their own compatible areas and be separated by adequate space and trees, plants, walls and similar visual and noise buffers. The intensity and configuration of land uses should be commensurate with the functional characteristics of adjoining streets, and should avoid heavy through-traffic in residential areas.

**Housing Mix.** Residential areas should promote a sense of community by providing a variety of housing types suitable to a variety of people. Housing densities should be consistent with the character of streets and urban services in the neighborhood. Buildings should be designed and arranged so they do not become irritants within the neighborhood.

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

**Mixed Business/Industrial Areas.** Existing nonresidential areas that contain a mixture of business and light industrial uses should be allowed to continue as mixed-use areas. For newly developing areas, business areas should be distinct from light industrial areas, even if both types are contiguous parts of a larger nonresidential area or center.

**Expansion of Existing Nonresidential Uses and Areas.** Limited expansions to existing nonresidential uses, areas and centers should be accommodated where they reasonably satisfy a set of "logical expansion criteria." Significant expansions should satisfy the same criteria applicable to the establishment of new nonresidential areas.

**Establishment of New Nonresidential Areas.** New nonresidential areas should be established as "nonresidential centers." Each center should be designed to accommodate one or more "similar-use areas" as appropriate to the size of the center and its location with respect to adjoining streets and land uses. Each "similar-use area" should be restricted to uses whose appearances, intensities and impacts are compatible with one another.

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

### **Rural Service Area Policies**

Within the RSA, where emphasis is placed on protecting agricultural land from urban encroachment, the following policies apply.

**Within Designated Rural Communities.** Established rural communities are designated as the areas to provide for any almost all of the small-lot rural housing and other urban-related commercial, industrial or similar activities that may be needed in the Rural Service Area. Lots should be large enough that conventional septic tanks can be used satisfactorily, if sanitary sewers are not available. (Currently, Whitesville is the only rural community with an extensive sewer system.) The development policies for the Urban Service Area, as stated above, should generally apply to urban development within the rural communities.

## LAND USE

**In Rural Areas Outside of Rural Communities.** Urban-type residential subdivision development, small-lot rural housing, and other general urban related commercial, industrial or similar activities, should be discouraged outside of designated rural communities. An exception to the foregoing policy may be considered, when and where adequate urban services are expanded beyond the present USA boundaries.

**Rural Residential.** Rural residences should be allowed, but only to the extent that they do not significantly impinge on agricultural or natural resource-related activities. Residential lots should be of a large enough size and width that excessive numbers of lots or odd-shaped lots are not created in rural areas. And, potential residents should be advised that coal extraction is a generally recommended land use in rural areas.

**Coal Mining.** Generally, mining should be permitted wherever coal exists in rural areas. However, discretion should be retained to set limits on the mining process where necessary, to reduce conflicts with neighboring land uses. Such limits might include larger buffers, reduced hours of operation, restrictions on traffic generation, limits on the timing or scope of active mining that is concentrated in one area, etc.

**Other Activities.** Other nonagricultural activities to be considered should be those of a nature that are bound to a land resource, such as mining; or should be related to special governmental needs, such as a landfill; or should be similarly unique and appropriate situations.

### *Land Use Plan*

The Land Use Plan is the most important element of the *Comprehensive Plan*. It is a guide for how we wish to use our land - public and private - in Daviess County. We devise zoning and subdivision regulations to implement the *Comprehensive Plan* in general and the Land Use Plan in particular. Chapter 100 of the Kentucky Revised Statutes mandates that zoning decisions be made in light of the *Comprehensive Plan*.

### **Description of the Plan Areas**

#### **Central Residential Areas**

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

#### **Urban Residential Areas**

Contain large concentrations of stable housing connected to sanitary sewers. They also contain the most appropriate locations for future urban residential development, because of near-term plan proposals for sanitary sewer expansions and availability of other urban services. Certain types of expanded or new nonresidential centers may be appropriate in limited locations within these areas.

#### **Future Urban Areas**

Contain agricultural uses, rural housing with septic tanks, and a few scattered urban residential subdivisions served by small sewage treatment plants. In the long-term, municipal sewers are proposed for these areas. However, near-term development will largely be served by septic systems. Certain types of expanded or new nonresidential centers may be appropriate in limited locations within these areas.

## LAND USE

### **Professional/Service Areas**

Primarily contain existing professional/service uses.

### **Central Business Areas**

Contain the existing Central Business Districts of Owensboro and Whitesville.

### **Business Areas**

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

### **Business/Industrial Areas**

Contain existing random mixtures of general business and industrial uses and zones.

### **Industrial Areas**

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

### **Rural Community Areas**

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

### **Rural Preference Areas**

Primarily contain agricultural uses, with scattered rural housing served by septic tanks, and occasional sites of other uses.

### **Rural Maintenance Areas**

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

### **Water/Floodway Areas**

Contain major bodies of water and their floodways.

The Land Use Plan is based on the concept that **more than one type of land use may be appropriate in a particular location**, depending on the characteristics of the use and those of the surrounding area. Under this concept, a set of general criteria and a set of specific criteria are established to denote the recommended characteristics of land use in most situations.

Zoning change proposals should generally conform to the applicable criteria in order to be found in **compliance** with the Land Use Plan. Several criteria will typically apply to a particular zoning change proposal. If deviations from the stated criteria are minor and insignificant, the proposal may be found to be in **substantial compliance** with the Land Use Plan.

A large scale land use map is included with this document that identifies the criteria and policies of the land use portion of the plan.

The Land Use Plan is composed of three interconnected elements:

### **Land Use Plan Map**

### **Land Use Key**

## LAND USE

### Land Use Criteria

#### Land Use Plan Map

The first element of the Land Use Plan is the large-format Land Use Plan Map, which summarizes various aspects of the *Comprehensive Plan* including future highway corridors, planned parks, etc.

The most important features of the Land Use Plan Map are the 12 types of Plan Areas it depicts, each shown in a different color.

Each Plan Area can be distinguished from the others by its capacity for the proper physical, social and economic integration of particular types of land uses. Proper integration of new uses in a Plan Area depends on compatibility with the existing pattern of uses and transportation systems, and with the availability and capacity of other urban services. The characteristics of the Plan Areas are described later in this section.

#### Land Use Plan Key

The second element of the Land Use Plan is the Land Use Key, which is displayed on the large-format Land Use Plan Map. The Land Use Key is a table that includes the colors and titles of the 12 Plans Areas. For each Plan Area, particular land uses are listed to indicate that they may be appropriate within that Plan Area, if they satisfy certain criteria. Land uses not listed under a Plan Area are not recommended in that area, and any existing locations of such uses should not be expanded within the area, but should be phased out over time by conversion to uses that *are* appropriate in the area.

Appropriate uses are subject to general criteria and specific criteria. General criteria usually apply to all land uses. Specific criteria apply to each use, and differ depending on the Plan Area in which a use is located. These criteria are described later in this section. A number that follows each listing of a use references the specific criteria for each use in the Key.

In the Land Use Key, each use listed under a Plan Area falls into one of three categories to indicate whether that use is appropriate in general locations, limited locations, or very-limited locations within the Plan Area. These categories of location are described below:

#### Uses Appropriate in General Locations

These land uses are the most common existing land uses within the Plan Area. Locations of these uses are the least limited, and are generally appropriate for any location within the Plan Area.

#### Uses Appropriate in Limited Locations

Generally, each of these land uses should be limited to logical expansions of sites or areas of the same use that already exist amid or on the fringes of the Plan Area. However, subject to specified criteria, each of these land uses may be appropriate in new locations within the Plan Area.

#### Uses Appropriate in Very-Limited Locations

Each of these land uses should be limited to logical expansions of sites or areas of the same use that already exist amid or on the fringes of the Plan Area. Completely new locations of these uses should not be established within the Plan Area.

## LAND USE

### Land Use Criteria

The third element of the Land Use Plan is composed of the Land Use Criteria. All land uses listed in the Land Use Key are subject to **general criteria**, when applicable, which concern the environment, urban services, and development patterns. General criteria are numbered within the text to facilitate referencing.

Each land use is further subject to **specific criteria**. These specific criteria differ from use to use, depending on the particular Plan Area in which a use is located, and the appropriate locations for the use within that Plan Area -- general, limited, or very-limited. The specific criteria address development standards related to site location, size, or other issues, as appropriate.

The Land Use Plan is based on the concept that more than one type of land use may be appropriate in a particular location, depending on the characteristics of the use and those of the surrounding area. Under this concept, a set of general criteria and a set of specific criteria are established to denote the recommended characteristics of land use in most situations.

Zoning change proposals should generally conform to the applicable criteria in order to be found in **compliance** with the Land Use Plan. Several criteria will typically apply to a particular zoning change proposal. If deviations from the stated criteria are minor and insignificant, the proposal may be found to be in **substantial compliance** with the Land Use Plan.

### DEFINITIONS OF IMPORTANT TERMS

The terms **"development"** and **"developed uses"** include all activities associated with land that is intended for occupancy by buildings and activities associated with all categories of use other than Rural Farm Residential (1), Agriculture/Forestry (14), Coal Mining (15), and Unique Resource (16). The term development includes the subdivision of land, preparation of sites, construction of streets and other public/utility improvements, construction of buildings, and so on.

**"New development"** or **"newly developing areas"** refers to the initial development of land that has not been previously developed or occupied by developed uses.

**"Redevelopment"** refers to the development of new uses on land that was previously developed and occupied by developed uses, including the conversion of existing buildings or their demolition and replacement.

A **"new location of a use"** occurs when a particular category of land use is established on land that **IS NOT** situated contiguous (in close proximity) to an existing site or area of the same category of use.

#### **"Logical expansion of a use"**

An expansion of a use occurs when a particular category of land use is established on land that **IS** situated contiguous (in close proximity) to an existing site or area of the same category of use. Such an expansion is considered to be **"logical"** if it satisfies a set of specific criteria based on the particular type of use and the characteristics of the area involved.

### General Land Use Criteria

Where applicable, all land uses should comply with the following criteria concerning the **environment (E)**, **urban services (U)**, and **development patterns (D)**.

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**(E) ENVIRONMENTAL CRITERIA**

*(Apply to all land uses)*

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**(E1) FLOODPLAINS**

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

**(E2) STEEP SLOPE**

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

**(E3) HISTORICAL & ARCHAEOLOGICAL SITES**

Historical buildings should be assessed for their architectural or other historical significance, and when found significant, should be maintained and reused through sensitive adaptation.

Areas that have been determined to contain significant archaeological sites should be completely protected from development. Other development sites should be assessed for their archaeological significance prior to development and, where appropriate, construction should be delayed until the site is adequately documented.

**(E4) SOILS**

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

**(E5) PLANT & ANIMAL LIFE**

Identified wetlands and other special habitats for plants and animals should be protected through the establishment of natural reserves, whether in rural areas or as portions of developed sites.

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**(U) URBAN SERVICES CRITERIA**

*(Apply to developed land uses)*

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**(U1) ROADWAY CAPACITY**

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

**With Respect to Existing Roadways**

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

**(U2) ELECTRICITY SUPPLY**

Electricity should be available to all development sites.

## LAND USE

### (U3) WATER SUPPLY

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

### (U4) STORMWATER DISPOSAL

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

### (U5) SANITARY SEWAGE DISPOSAL

Sanitary sewers should be required for all urban residential uses and all planned Industrial Parks (D7). For all other developed uses, including rural residential, connection to sanitary sewers should be required if available. If sanitary sewers are not available, appropriate onsite sanitary sewage systems should be required. Where conventional septic systems are used, lot sizes should be large enough to assure satisfactory operation of such systems for the types of occupancy intended.

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## (D) DEVELOPMENT PATTERN CRITERIA

*(Apply to developed land uses)*

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### (D1) LAND-USE INTENSITY, CLUSTERS, BUFFERS

Land uses of similar intensity should be clustered into larger areas to reduce the occurrence of incompatible boundaries between different uses. Also, incompatible boundaries may be avoided by orienting land uses of varying intensities so that a transition in intensity occurs gradually from one adjoining use or cluster of uses to the next.

#### "Buffer-Uses"

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

#### Landscape Buffers

Landscape buffers should be located between adjoining land uses that are incompatible with each other. The dimensions and materials of these landscape buffers should be proportional to the difference in intensity between the adjoining uses. Exhibit 446-T1 lists land uses in order of intensity from highest to lowest, and landscape buffers from strongest to weakest.

The greater the difference in intensity between adjoining land uses, the stronger the buffer between them should be.

#### LAND USES by Intensity

##### Highest to Lowest

Coal Mining (Use 16)  
Unique Resource (17)  
Heavy Industrial (14)  
Light Industrial (13)  
Business/Industrial (12)

#### LANDSCAPE BUFFERS from

##### Strongest to Weakest

Large area of open space  
Freeway / expressway  
Railroad  
Arterial street  
Collector street

## LAND USE

General Business (11)	Creek / major ditch
Highway Business (10)	Topographic ridgeline
Neighborhood Business (9)	Local street
Central Business (8)	Landscaped screening along
Professional/Service (7)	rear yard property line
Urban High-density Residential (6)	Landscaped screening along
Urban Mid-density Residential (5)	side yard property line
Urban Low-density Residential (4)	
Rural Small-lot Residential (3)	
Rural Large-lot Residential (2)	
Rural Farm Residential (1)	
Agriculture/Forestry (14)	

### **Landscaping of Vehicular Use Areas**

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

### **"Buffers for Outdoor Storage Yards"**

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

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

Existing wooded areas should be retained, especially in urban areas, to buffer incompatible land uses, reduce ambient air temperature, and regenerate oxygen.

## **(D2) LAND USE VS. STREET FUNCTION**

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

### **Transition in Land Use Intensity along Streets**

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

For example, a local street that serves an area of single-family residences (low-intensity uses) should not be used as a main access route to a major shopping center (a high-intensity use), unless the shopping center abuts the end of the local street that intersects with a major street.

### **"Arterial-Street-Oriented Uses"**



## LAND USE

Specific criteria (enumerated later in this section) recommend that particular land uses be **"arterial-street-oriented."** This means that new locations of these uses should adjoin an arterial street or should adjoin other existing or new uses of the same or higher intensity that adjoin an arterial street.

The location of "arterial-street-oriented uses" in relation to neighboring uses should conform to the principles described above for **Transition in Land Use Intensity along Streets**. Vehicular access to such uses should conform to **Intersection & Driveway Spacing Standards (D3)**.

### **"Major-Street-Oriented Uses"**

Specific criteria (enumerated later in this section) recommend that particular land uses be **"major-street-oriented."** This means that new locations of these uses should adjoin either an arterial street or a major collector street, or should adjoin other existing or new uses of the same or higher intensity that adjoin an arterial or major collector street. If located within a Rural Community (including Whitesville), such uses may also adjoin a minor collector street.

The location of "major-street-oriented uses" in relation to neighboring uses should conform to the principles described above for **Transition in Land Use Intensity along Streets**. Vehicular access to such uses should conform to **Intersection & Driveway Spacing Standards (D3)**.

### **(D3) INTERSECTION & DRIVEWAY SPACING STANDARDS.**

Newly developed land should conform to the specifications of the **"Intersection & Driveway Spacing Standards"** described in Section 510: Highways, Streets & Roads.

When previously developed sites or areas are redeveloped, consolidated or expanded, existing nonconforming driveways and driveway spacing should be altered to conform as closely as possible to the standards. Existing narrow lots should not be redeveloped individually, if significantly substandard driveway spacing would result.

### **(D4) ROADWAY BUFFER STANDARDS**

Newly developed land should conform to the specifications of the "Roadway Buffer Standards" described in Section 510: Highways, Streets & Roads.

When previously developed sites or areas are redeveloped or expanded, existing nonconforming roadway buffers should be altered to conform to the standards as closely as possible. Existing small lots should not be redeveloped individually, if significantly substandard roadway buffers would result.

### **(D5) LOT SIZES AND PROPORTIONS**

The sizes and proportions of lots should be appropriate for the types of development located upon them. In general, lots should not be oddly shaped, such as too narrow, too shallow, or too deep, and should not contain unusable projections. Accordingly, minimum subdivision standards for lot sizes and proportions should be established for each zoning classification.

### **(D6) RESIDENTIAL DEVELOPMENT**

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

#### **"Rural Residential Development"**

Residential development in rural areas outside of the Rural Communities should be allowed, but only to the extent that it does not significantly impinge on agricultural or natural resource-related activities.

## LAND USE

Residential lots should be of a large enough size and width that excessive numbers of lots or odd-shaped lots are not created. And, potential residents should be advised that coal mining is a generally recommended land use in such rural areas. However, efforts should be taken to minimize the potentially adverse impact of natural resource-related activities on rural residential development.

### "Urban Residential Development"

In general, residential areas should promote a sense of community by providing a variety of housing types suitable to a variety of people. Housing densities should be consistent with the character of streets and urban services in the neighborhood. Buildings should be designed and arranged so they do not become irritants within the neighborhood.

When land is proposed for development or redevelopment for urban-density residential uses, such development should be designed as either a "regular subdivision" or a "planned development," which are described below:

**Regular subdivisions** are those that are designed under regulations that apply separately to each lot; each lot is arranged first, then buildings are later designed to fit onto each lot. In such developments, new lots should be oriented so that front lot lines do not directly abut arterial or major collector streets; instead, such new lots should front upon existing or new streets of lower classification.

**Planned developments** are those that are designed under regulations that apply to the development as a whole, with land subdivision as a secondary issue. Typically, buildings are arranged first, and then lots may be drawn around them as desired. Plans for such developments are more detailed than for regular subdivisions, but provide more design flexibility, subject to overall performance standards, and allow for a wide range of dwelling types, lot patterns and ownership regimes within the development.

### Redevelopment of Residential Areas

The density limits of the Urban Low-density Residential category (use 4) include three different and long-established zoning classifications (R-1A, R-1B and R-1C Single-family Residential). The specific criteria for this use category do not distinguish among these zones, because they are considered similar from the standpoint of providing necessary urban services. Similarly, the density limits for the Urban Mid-density Residential category (use 5) include two different zones (R-2MF and R-3MF Multi-family Residential). These two zones are indistinguishable from the standpoint that new Mid-density residential uses should be **"major-street-oriented" (D2)**.

In newly developing areas, the developer generally determines which particular zones to apply, based on market considerations. However, once the pattern of zones is set, and buildings are erected, the lot dimensions and distinct character of the neighborhood become established and agreeable to the residents of the neighborhood.

For this reason, even if the specific criteria cited by this plan would allow a change in use, established lots in a built-up neighborhood should not be rezoned to allow an increase in residential density, unless such change is acceptable to the neighboring residents. Where logical expansions of existing uses are deemed acceptable, the zoning of such expansions should be the same as the zoning of the existing use being expanded.

### (D7) NONRESIDENTIAL DEVELOPMENT

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

## LAND USE

### **Nonresidential Centers**

Development in new nonresidential areas should occur within "nonresidential centers." Each center should be designed to accommodate one or more "similar-use areas" as appropriate to the size of the center and its location with respect to adjoining streets and land uses. Each similar-use area should be restricted to uses whose appearances, intensities and impacts are compatible with one another.

Four types of nonresidential centers are recognized, as described briefly below. Refer to specific criteria for definitions and other provisions for each center.

#### **"Neighborhood Business Centers"**

Contain Neighborhood Business uses (9).

#### **"Highway Business Centers"**

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

#### **"Industrial Parks"**

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

#### **"Industrial Reserves"**

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

### **Mixed Business/Industrial Areas**

Business/Industrial plan areas have been delineated on the Land Use Plan Map, in which existing areas that contain a mixture of business and light industrial uses are allowed to continue as mixed-use areas. In newly developing neighborhoods, business areas should be distinct from light industrial areas, even if both types are contiguous parts of a larger nonresidential area or center.

### **Expansions of Existing Nonresidential Uses and Areas**

Limited expansions of existing nonresidential uses and areas should be accommodated where they reasonably satisfy a set of "logical expansion criteria." Significant expansions should conform to the criteria for development of defined nonresidential centers.

Under the discussion of **Redevelopment of Residential Areas (D6)**, some basic principles address land-use changes in established, residentially developed neighborhoods, and the potential concerns of residents about such changes. Those principles should also apply to expansions and new locations of nonresidential uses on lots that were originally developed for residential purposes.

Such use conversions are most prevalent in Central Residential and Urban Residential plan areas. Potential conflicts with neighboring areas can best be avoided by respecting the pattern of lots along existing block-fronts. Thus, it is not advisable to expand existing nonresidential uses into residential block-fronts in small increments, or into the middle of such block-fronts, or between residences that face a block-front on a parallel street behind the expanded nonresidential use.

There are a variety of situations that may arise due to differences in block shape and lot orientation that the specific criteria cannot anticipate. Therefore, where the specific criteria cited by this plan would allow

## LAND USE

nonresidential land uses to be located or expanded in a built-up neighborhood, due consideration should be given to the concerns of neighboring residents with respect to the established lot patterns in their neighborhoods. The proposal should be modified, if that would alleviate neighborhood concerns. If significant findings are made that such a land-use change would be inappropriate, it should be denied.

### (D8) BUILDING QUALITY

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

### Specific Land Use Criteria

Sixteen separate land use categories are established in the Land Use Plan.

- (1) Rural Farm Residential
- (2) Rural Large-lot Residential
- (3) Rural Small-lot Residential
  
- (4) Urban Low-density Residential
- (5) Urban Mid-density Residential
- (6) Urban High-density Residential
  
- (7) Professional/Service
- (8) Central Business
- (9) Neighborhood Business
- (10) Highway Business
- (11) General Business
  
- (12) Business/Industrial
  
- (13) Light Industrial
- (14) Heavy Industrial
  
- (15) Agriculture/Forestry
- (16) Coal Mining
- (17) Unique Resource

Each land use category is referenced by the number found in the Land Use Key, and is subject to both the **GENERAL CRITERIA** in the previous subsection and the following **SPECIFIC CRITERIA** listed for each use. The following items are included for each land use:

A **DEFINITION** of the land use

A list of the **PLAN AREAS** in which it may be located

Appropriate **LOCATIONS** for the use in each Plan Area: general, limited, very-limited

The **SPECIFIC CRITERIA** that apply in each case

#### (1) Rural Farm Residential Use

Consists of single-family dwellings located on large agricultural tracts in rural areas.

Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Rural Preference	General	(a) & (b)

## LAND USE

<b>Rural Maintenance</b>	<b>General</b>	<b>(a) &amp; (b)</b>
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**(a) Large tracts with agricultural potential**

Each dwelling should be located on a separate, large tract that has potential for productive agricultural use.

**(b) Access to existing public road via private drive**

Each dwelling/tract should have access to an existing public road; public roads should not be created or extended to provide access. Access should be provided via private drives. No more than two dwelling/tracts should share a single private drive where it connects with a public road.

### **(2) Rural Large-lot Residential Use**

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

<b>Within Plan Area</b>	<b>Appropriate Locations</b>	<b>Specific Criteria that Apply</b>
<b>Rural Preference</b>	<b>General</b>	<b>(a), (b) &amp; (d)</b>
<b>Rural Maintenance</b>	<b>Limited</b>	<b>(a), (c) &amp; (d)</b>

**(a) Separate, large, well-proportioned lots**

Each dwelling should be located on its own individual lot that fronts on a public road or street. Lots should be large enough in size and width to avoid the creation of excessive numbers of lots or odd-shaped lots.

**(b) Frontage on existing roads or on new streets**

In Rural Preference plan areas, new lots may front existing public roads or streets, or may front new subdivision streets that should be constructed to urban specifications, including curbs and gutters.

**(c) Frontage only on existing roads or streets**

In Rural Maintenance plan areas, new lots should front upon existing public roads or streets. Public roads or streets should not be created or extended to provide for new lots.

**(d) Coal mining advisory**

Prospective lot owners should be advised of the potential for coal mining activity in rural areas.

### **(3) Rural Small-lot Residential Use**

Consists of single-family dwellings located in areas without sanitary sewer systems, where development densities approach urban levels due to concentrations of small lots. This use is typically found in Rural Communities, and in Future Urban areas and remote portions of Urban Residential areas where planned sanitary sewers have not yet been extended.

<b>Within Plan Area</b>	<b>Appropriate Locations</b>	<b>Specific Criteria that Apply</b>
<b>Urban Residential</b>	<b>General</b>	<b>(a) &amp; (b)</b>
<b>Future Urban</b>	<b>General</b>	<b>(a) &amp; (b)</b>
<b>Rural Community</b>	<b>General</b>	<b>(a) &amp; (b)</b>
<b>Rural Preference</b>	<b>Very-Limited</b>	<b>(a), (b), (c) &amp; (d)</b>

**(a) Separate lots fronting on public roads or streets**

Each dwelling should be located on its own individual lot that fronts on a public road or street. New subdivision streets should be constructed to urban specifications, including curbs & gutters.

## LAND USE

### **(b) Lot sizes adequate for septic tank systems**

Lots should be large enough in size to assure satisfactory operation of conventional septic tank systems as regulated by state law.

### **(c) Only logical expansions of limited scope**

In Rural Preference plan areas, completely new locations of Rural Small-lot Residential use should not be established. However, existing areas of this use may be expanded onto contiguous land, but should not significantly increase the extent of such uses in the vicinity, and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

### **(d) Coal mining advisory**

In Rural Preference plan areas, prospective lot owners should be advised of the potential for coal mining activity in rural areas.

## **(4) Urban Low-density Residential Use**

Consists of dwellings (usually single-family) located in areas with sanitary sewers, at densities generally up to 9 dwelling units per acre. This use exists widely in Central Residential and Urban Residential areas. Also, a few, scattered developments of this use are found in Future Urban areas and Rural Communities, served by small, independent sewage treatment plants. Manufactured housing parks are included in this use category.

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

### **(a) Building and lot patterns**

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

### **(b) Existing, expanded or new sanitary sewers**

Urban Low-density Residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

### **(c) Only logical expansions**

In Future Urban, Professional/Service, Business, and Rural Preference plan areas, completely new locations of Urban Low-density Residential use should not be established. However, existing areas of this use may be expanded onto contiguous land.

### **(d) Expansions of limited scope**

In Rural Preference plan areas, an expansion of Urban Low-density Residential uses should not significantly increase the extent of such uses in the vicinity, and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

### **(e) Coal mining advisory**

## LAND USE

In Rural Preference plan areas, prospective lot owners should be advised of the potential for coal mining activity in rural areas.

### (5) Urban Mid-density Residential Use

Consists of multi-family dwellings (apartments, condominiums) located in areas with sanitary sewers, at densities generally up to 25 dwelling units per acre. This use is commonly found in a variety of locations in Central Residential areas. It also is found in other urban areas, usually near major streets or on the fringes of nonresidential areas.

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

#### (a) Building and lot patterns

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

#### (b) Existing, expanded or new sanitary sewers

Urban Mid-density Residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

#### (c) Logical expansions

Existing areas of Urban Mid-density Residential uses may be expanded onto contiguous land. An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

#### (d) New locations near major streets

In Urban Residential, Professional/Service, Business, and Rural Community plan areas, new locations of Urban Mid-density Residential use should be "major-street-oriented" (D2).

#### (e) New locations adjoining nonresidential uses

If new locations of Urban Mid-density Residential uses are located in Professional/Service or Business plan areas, they should be sited on the fringes of such areas where they would serve as "buffer-uses" (D1).

### (6) Urban High-density Residential Use

Consists of multi-family dwellings (apartments, condominiums) located in areas with sanitary sewers, at densities that may exceed 25 dwelling units per acre. Since 1980, this use has been limited to locations in Central Residential and Central Business areas, as a redevelopment incentive.

Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Central Residential	General	(a)
Central Business	Limited	(a) & (b)

#### (a) Yard dimensions in proportion to building height

## LAND USE

For buildings over three stories in height, building setbacks should be greater than normal for yards adjoining other properties: the taller the building, the greater the setback.

### **(b) Mixed-use buildings**

In Central Business plan areas, residential uses may be located in the same building containing nonresidential uses. In such cases, residential and nonresidential uses should be located on separate floors. Dwelling-unit walls with windows should be set back from adjoining properties, to provide light and air: the higher the floor, the greater the setback.

## **(7) Professional/Service Uses**

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

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

### **(a) Building and lot patterns**

Building and lot patterns should conform to the criteria for **"Nonresidential Development" (D7)**.

### **(b) Logical expansions**

Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same street(s). An existing area of general business zone may be used as criteria to support a Professional/Service use as a logical expansion since the general business zone permits all uses within the Professional Service use category. If the contiguous land is located across an intervening street, the expansion should be at least one (1) acre in size, unless it would serve as a **"buffer-use" (D1)**. An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

### **(c) Expansions of limited scope**

In Rural Preference and Rural Maintenance plan areas, an expansion of Professional/Service use should not significantly increase the extent of such uses in the vicinity.

### **(d) New locations**

New locations of Professional/Service use should be **"major-street-oriented" (D2)**. Also, other than in Rural Community plan areas, a new location should be at least one (1) acre in size unless it would serve as a **"buffer-use" (D1)**.

### **(e) New locations in Industrial areas**



## LAND USE

If new locations of Professional/Service use are established in Industrial plan areas, they should be sited on the fringes of such areas where they would serve as **"buffer-uses" (D1)**. New locations may also serve the same buffer function as part of a planned **"Industrial Park" (D7)**.

### (8) Central Business Uses

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

Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Central Residential	Very-Limited	(a), (b) & (c)
Central Business	General	(a)
Business	Very-Limited	(a), (b) & (c)
Business/Industrial	Very-Limited	(a), (b) & (c)
Industrial	Very-Limited	(a), (b) & (d)

#### (a) Building and lot patterns

Building and lot patterns should conform to the criteria for **"Nonresidential Development" (D7)**.

#### (b) Only necessary, logical expansions

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

#### (c) To serve the needs of existing establishments

In Central Residential, Business, and Business/ Industrial plan areas, such an expansion should be contiguous to an existing boundary of the Central Business district, and should serve the needs of establishments that are already located within the district.

#### (d) To redevelop the Ohio riverfront east of Downtown

In the Industrial plan area located at the east end of Downtown Owensboro, an expansion of Central Business uses should be encouraged that would enhance Downtown's cultural, entertainment, tourism and residential activities, especially development that would expand public access to the Ohio riverfront. Such expansions could proceed eastward or westward in phases that are contiguous with previously established Central Business sites and compatible with the intent of the Owensboro Downtown Place Making Initiative Master Plan 2009.

### (9) Neighborhood Business Uses

Includes convenience retail and personal service activities that are desirable within newly developing urban residential neighborhoods; these areas may contain compatible professional/service uses. This use category was created in 1980, so that in newly developing areas, neighborhood-oriented businesses would be established and expanded in planned **"Neighborhood Business Centers" (D7)**.

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

## LAND USE

Business	General	(a), (b) & (c)
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### (a) Development plan

Neighborhood Business Centers should be initiated and expanded as integral units, according to formal development plans. Once a new center or expansion is proposed, submission of plans and the initiation of construction should occur in a timely manner. Building and lot patterns should conform to the criteria for **"Nonresidential Development" (D7)**, and outdoor storage yards, with **"Buffers for Outdoor Storage Yards" (D1)**.

### (b) New locations

New locations of Neighborhood Business Centers should be **"major-street-oriented" (D2)**, at least five (5) acres in size, and located no closer than three-quarters (3/4) of a mile to any other Neighborhood Business Center.

### (c) Logical expansions

Existing centers may be expanded onto contiguous land that abuts the same street(s), but should not grow larger in total area than fifteen (15) acres, not counting street right-of-way. If the contiguous land for expansion is located across an intervening street from the existing center, the expansion should be at least five (5) acres in size.

### (d) Market demand in the vicinity

In Future Urban plan areas, Neighborhood Business Centers should not be established or expanded unless adequate market demand exists within the vicinity to support a viable center.

## (10) Highway Business Uses

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

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

### (a) Development plan

Highway Business Centers should be initiated and expanded as integral units, according to formal development plans. Once a new center or expansion is proposed, submission of plans and the initiation of construction should occur in a timely manner. Building and lot patterns should conform to the criteria for **"Nonresidential Development" (D7)**, and outdoor storage yards, with **"Buffers for Outdoor Storage Yards" (D1)**.

### (b) New locations

New locations of Highway Business Centers should be sited in Business or Industrial plan areas, and should be **"arterial-street-oriented" (D2)** and at least fifteen (15) acres in size, not counting any proposed accessory light industrial uses which may be included as per criteria for **Light Industrial uses (12)**.

### (c) Logical expansions

## LAND USE

Existing centers may be expanded onto contiguous land that abuts the same street(s). If the contiguous land for expansion is located across an intervening street from the existing center, the expansion should be at least five (5) acres in size.

### **(d) Adequate market demand**

Highway Business Centers should not be established or expanded unless adequate market demand exists to support a viable center.

## **(11) General Business Uses**

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

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

### **(a) Building and lot patterns; outdoor storage yards**

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

### **(b) Logical zoning expansions of proportional scope**

Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

### **(c) Expansions across intervening streets**

In Central Residential, Urban Residential, Future Urban, and Professional/Service plan areas, the expansion of an existing General Business zone across an intervening street should be at least one-and-one-half (1.5) acres in size, but should not occur if this would significantly increase the extent of the zone in the vicinity.

### **(d) New locations in Central Residential plan areas**

In Central Residential plan areas, new locations of General Business should be at least one-and-one-half (1.5) acres in size, "arterial-street-oriented" (D2), and sited at corners of intersecting streets if located in close proximity to existing dwellings.

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### (e) New locations in Business plan areas

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

### (f) New locations in Rural Communities

In Rural Community plan areas, new locations of General Business zones should be "major-street-oriented" (D2) and should be sited at corners of intersecting streets if located in close proximity to existing dwellings.

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

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

Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Business/Industrial	General	(a)

#### (a) Building and lot patterns; outdoor storage areas

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

### (13) Light Industrial Uses

Includes establishments for the assembly, repair, processing or storage of finished or semi-finished materials, and similar uses that may present a moderate nuisance to adjoining properties.

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

#### (a) Building and lot patterns; outdoor storage areas

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

**(b) Logical expansions outside of Industrial Parks**

Existing areas of Light Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street(s). Such an expansion should not significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks. Also, such an expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

**(c) Expansions across streets in residential areas**

In Central Residential, Urban Residential, and Future Urban plan areas, the expansion of Light Industrial uses that are located outside of Industrial Parks and across an intervening street should be at least one-and-one-half (1.5) acres in size, but should not occur if this would significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks.

**(d) New locations in Highway Business Centers**

New locations of Light Industrial use should be established in Business plan areas only as integral components of planned **"Highway Business Centers" (D7)**. Such a light industrial component should be **"arterial-street-oriented" (D2)** and provide for particular higher-intensity uses that may be desirable in close proximity to highway business uses, such as wholesale-type businesses, self-storage mini-warehouses, etc. Such a light industrial component should be relatively small in size compared to the overall size of the business center and should be developed in keeping with the design theme of the larger center.

**(e) New locations in Rural Communities**

In Rural Community plan areas, new locations of Light Industrial use should be **"major-street-oriented" (D2)** and should be sited at corners of intersecting streets if located in close proximity to existing dwellings.

**(f) Industrial Parks**

In Industrial, Future Urban, and Rural Preference plan areas, new and expanded locations of Light Industrial use should be developed as elements of planned **"Industrial Parks" (D7)**. These provisions also apply where existing Industrial Parks are expanded into adjoining non-industrial plan areas that contain undeveloped land. Such Industrial Parks should be **"arterial-street-oriented" (D2)** and planned in modules of at least one hundred (100) acres in size, unless an existing Industrial Park is being expanded. Industrial Parks should be established or expanded only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established. Light Industrial uses should be located near the fringes of a park that includes Heavy Industrial uses, to serve as **"buffer-uses" (D1)** adjoining incompatible plan areas or land uses.

**(g) Industrial Reserve**

In Rural Maintenance plan areas, new and expanded locations of Light Industrial use may be developed as part of a planned **"Industrial Reserve" (D7)**, which may also contain Heavy Industrial uses. Such a reserve should be located along or within one (1) mile of a State Primary or State Secondary Road as determined by Daviess County Fiscal Court or located along a railroad and be at least fifty (50) acres in size. Plans for such a reserve should include substantial provisions to assure compatibility with adjoining land uses and the environment, and to assure the adequacy of necessary transportation and utility facilities.

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### (h) Large Industrial Reserve

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

### (14) Heavy Industrial Uses

Includes establishments engaged in manufacturing that involves the transformation of a material from its raw form to a finished or semi-finished product, and establishments with a high potential for creating nuisances such as noise, odor, vibrations, etc.; light industrial uses also may locate in areas of heavy industrial use.

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

#### (a) Building and lot patterns; outdoor storage areas

Building and lot patterns should conform to the criteria for **"Nonresidential Development" (D7)**, and outdoor storage yards, with **"Buffers for Outdoor Storage Yards" (D1)**. Furthermore, any building or outdoor storage, loading or working areas (except for accessory parking areas) should be located at least three-hundred (300) feet from any urban residential area and one-hundred (100) feet from any other area except those containing light industrial or agricultural/forestry uses.

#### (b) Logical expansions outside of Industrial Parks

Existing areas of Heavy Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street(s). Such an expansion should not significantly increase the extent of industrial uses in the vicinity and outside of Industrial Parks. Such expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. Also, such an expansion should be of adequate size and shape to provide the separation from incompatible uses cited in criteria (a) above.

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

### **(d) Industrial Reserve**

In Rural Maintenance plan areas, new and expanded locations of Light Industrial use may be developed as part of a planned **"Industrial Reserve" (D7)**, which may also contain Heavy Industrial uses. Such a reserve should be located along or within one (1) mile of a State Primary or State Secondary Road as determined by Daviess County Fiscal Court or located along a railroad and be at least fifty (50) acres in size. Plans for such a reserve should include substantial provisions to assure compatibility with adjoining land uses and the environment, and to assure the adequacy of necessary transportation and utility facilities.

### **(e) Large Industrial Reserve**

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

## **(15) Agriculture/Forestry Uses**

Includes the production of agricultural or horticultural crops, including livestock, poultry, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants.

<b>Within Plan Area</b>	<b>Appropriate Locations</b>	<b>Specific Criteria that Apply</b>
<b>Future Urban</b>	<b>General</b>	<b>(a) &amp; (b)</b>
<b>Rural Community</b>	<b>General</b>	<b>(a) &amp; (b)</b>
<b>Rural Preference</b>	<b>General</b>	<b>(a) &amp; (b)</b>
<b>Rural Maintenance</b>	<b>General</b>	<b>(a) &amp; (b)</b>
<b>Water/Floodway</b>	<b>General</b>	<b>(a) &amp; (b)</b>

### **(a) Conservation of agricultural topsoil**

Agricultural topsoil should be conserved through appropriate farming practices.

### **(b) Sustain forests**

Forested areas should be sustained through appropriate forestry practices.

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### (16) Coal Mining Use

Consists of activities directly associated with the extraction of coal deposits from the earth.

Within Plan Area	Appropriate Locations	Specific Criteria that Apply
Rural Preference	Limited	(a) & (b)
Rural Maintenance	General	(a) & (b)

#### (a) Coal mining standards

Coal mining should conform to the following standards:

##### 1) Location Guidelines:

Coal mining activities should be located in the Rural Service Area, outside of Rural Community plan areas, in Rural Preference or Rural Maintenance plan areas. Mining activities should not occur in the 100-year floodplain. The particular location, scope and characteristics of mining operations should be subject to Discretionary Limits on Coal Mining, **(b)** below.

##### 2) Site, Operational, Reclamation Plans and Procedures:

Due to potentially adverse environmental impact of coal mining, detailed site, operational and reclamation plan information is required by the state. State mandated procedures must be followed. Necessary permits must be obtained from federal, state and local agencies having jurisdiction over any phase of the operation prior to the beginning of said operation. The Planning Commission or respective authority may require the posting of sufficient surety for maintenance and repair of those public facilities which are not otherwise bonded. The planning commission, at its discretion, may require pre-blast surveys be conducted for buildings on neighboring property, even beyond the requirements of state law. The planning commission may seek action to halt operations occurring in violation of state law or in violation of its discretionary requirements or limits.

##### 3) Soils and Geology:

USGS Maps, core drills, or other documentation. should support evidence of the presence of coal. An investigation should be made to determine the agricultural potential of the land. Prime agricultural land, as defined by the U.S. Soil Conservation Service, must be protected from normal mining procedures, as required by state law.

##### 4) Activity Buffers:

Coal mining should not be permitted within a minimum of 100 feet of a public right-of-way or within a minimum of 300 feet of neighboring residential or nonresidential developed property, unless appropriate waivers are granted. These minimums may not be adequate in all cases and may be re-established dependent on circumstances of individual cases.

##### 5) Transportation Plan and Access Design:

A transportation plan must be prepared, and must be approved by the state highway department and the county engineer, as appropriate, showing the route to be followed in hauling coal from the site to ultimate destination in Daviess County. Surety should be provided to assure maintenance and repair of public roads and bridges. Particular attention should be given to proper and safe design of vehicular access points to public roads and highways. Access points should be located to assure adequate sight distances along through roadways and at stop legs of intersections. Such points should be altered, if necessary, to satisfy proper and safe design.



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### **(b) Discretionary limits on coal mining**

Generally, mining should be permitted wherever coal exists in rural areas. However, where the Planning Commission finds advisable, limits may be set on the mining process where deemed necessary. The establishment of limits may arise from consideration of such issues as the pattern, density and predominance of nearby, established development; the zoning of adjoining properties; the impact of past or existing mining in the vicinity; and proximity of the mining area to highways.

### **(17) Unique Resource Uses**

Include activities other than agriculture, forestry, or coal mining, which are functionally dependent on locations in rural areas.

<b>Within Plan Area</b>	<b>Appropriate Locations</b>	<b>Specific Criteria that Apply</b>
<b>Rural Preference</b>	<b>Limited</b>	<b>(a)</b>
<b>Rural Maintenance</b>	<b>Limited</b>	<b>(a)</b>
<b>Water/Floodway</b>	<b>Limited</b>	<b>(a)</b>

### **(a) Functionally dependent uses**

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

## ***Small Area Planning and Urban Design***

An on-going process of planning for neighborhoods and special interest districts allows us to define those areas that will provide for community-wide needs, to reserve lands that will accommodate future urban development in new growth areas, to revitalize older built-up areas, and to address appropriate issues relating to urban design.

### **Downtown Plans**

#### **Downtown Owensboro Place Making Initiative – Master Plan 2009**

The “We the People” community event held in November of 2007 was a rallying cry for the Owensboro community to take control of its downtown destiny. The Downtown Owensboro Place Making Initiative was a result of this initiative in a market-based Illustrative Master Plan and Report prepared by Gateway Planning Group, Inc. and commissioned by the Greater Owensboro Economic Development Corporation. This plan includes a comprehensive package of catalyst projects intended to jump-start downtown revitalization.

1. Multi-Purpose Indoor Events Center: This will be a major flexible meeting facility accommodating indoor sporting events with a recommended footprint of 60,000 square feet. Located next to the proposed new hotel and Market Square Public Plaza, it will have direct access to the new Waterfront Park, Veterans Blvd., and 2<sup>nd</sup> Street
2. New Downtown Hotel: A 225-room downtown hotel with integrated parking and retail and restaurant on the ground floor is recommended at the intersection of Frederica Street and Veterans Blvd.
3. Transform Veterans Boulevard: Veterans Boulevard will be reinvented to be a pedestrian priority street with specialty paving, flat curbs, on-street parking, and streetscape amenities. Infill buildings on Veterans Blvd. will be three four-story mixed use buildings with active retail and restaurant uses on the

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ground floor and residential uses above. Veterans Blvd. will be a linear plaza connecting the RiverPark Center to the new hotel and Indoor Events Center.

4. Market Square Public Plaza: A new public plaza that connects 2<sup>nd</sup> St to the Veterans Blvd. and the new Waterfront Park is envisioned. In addition to being the new center of community life in Owensboro, it is recommended that this new plaza would also house the Farmers' Market
5. Reinvent 2<sup>nd</sup> Street: 2<sup>nd</sup> Street will be converted to a vibrant, pedestrian friendly, two-way main street. With curb extensions, renovated historic buildings, and active ground floor uses, this street will once again become the true heart of downtown.
6. New Waterfront Park: The improvements to the Waterfront Park as envisioned in the Riverfront Master Plan will be completed and this park will be a destination park for residents and visitors alike.
7. East Downtown Cultural Arts District: Existing historic buildings along East 2<sup>nd</sup> Street can be the focus of new adaptive reuse for arts and cultural uses. This area will be the ideal location for a new arts Academy, a partnership of local arts groups and educational institutions. A vibrant local arts scene would be complemented by residential lofts, studios, apartments, and townhomes transitioning to adjoining neighborhoods.
8. Frederica Street Redefined: Frederica Street is envisioned to be a true multi-modal boulevard and gateway into downtown. With a possible future streetcar connecting all the major destinations along Frederica, the street will be truly transformed into Owensboro's "Champs-Elysees."

In addition to a building-level Illustrative Master Plan, shown in Exhibit 4-M1, recommendations on implementation tools including financial tools and changes to the regulatory framework are included in the report. Some of the key recommendations were as follows:

- Focus new development, redevelopment, and public investment on the areas that build on existing destinations – the Ohio River, Waterfront Park, 2<sup>nd</sup> Street historic core, and the RiverPark Center.
- Given existing market conditions and focus of first phase of priorities within the Downtown Core around Veterans Blvd., and 2<sup>nd</sup> Street, different development options are explored for West Downtown. These options are intended to provide the community more flexibility in considering redevelopment options of the Executive Inn site and the surrounding uses.
- New civic destinations should focus on linking the cultural arts and educational institutions within the community.
- Street improvements should focus on linking existing and new destinations within downtown (along 2<sup>nd</sup> Street) and outside downtown (along Frederica Street)
- Humanize downtown streets by balancing mobility with place making goals. Specifically, reroute truck traffic away from 2<sup>nd</sup> Street and convert 2<sup>nd</sup> Street back to 2-way traffic. *Since the adoption of the plan, the City of Owensboro has completed a traffic study, which has recommended that the truck traffic be rerouted away from downtown, keeping the street one-way. State routes through downtown have been removed from the state primary system and are now under local control. The cost of converting 2<sup>nd</sup> Street back to 2-way traffic has proved to be cost-prohibitive.*
- Appropriate financial tools are evaluated to implement the recommended package of catalyst projects.
- Downtown Owensboro should be viewed as a series of urban neighborhoods, each with its own character and development focus. The regulatory framework needs to be revised including the expansion of the downtown overlay districts in order to achieve this vision for downtown. *Since the adoption of the plan, a new overlay district with distinct character districts has been adopted with site development and design standards contained in Article 21 of the Owensboro Metropolitan Zoning Ordinance.*
- For successful plan implementation, Downtown Owensboro's management structure needs to address specific areas of functional responsibility identified in Section 8 of the plan.
- 

The plan document contains more detailed discussion of each of the above identified projects and recommendations and should be consulted for more specific information.

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### **Implementation**

There have been numerous studies and plans completed to address the development of the Downtown. Coordination between public entities and ranking of importance of the facilities proposed is essential to accomplish these goals. Much progress has been accomplished toward the recommendations of the *Owensboro Riverfront District Master Plan*, which has been greatly assisted by the infusion of federally allocated money to help fund the vision.

With the support of the most recent *Downtown Owensboro Place Making Initiative Master Plan and Report 2009*, priorities have been set regarding important public projects and infrastructure improvement. Commitment by the City of Owensboro and Daviess County Fiscal Court to create revenue through an increase in the insurance tax to be used to accomplish these projects is an important step in the implementation of downtown revitalization for Owensboro. Commitment by the legislative bodies to undertake the public catalyst projects identified in the plan further emphasizes the public's willingness to invest in the downtown space thereby creating more confidence for private investment to occur.

To date, much has been accomplished toward the vision of this plan. The River Wall has been completed. The Convention Center and a new adjacent hotel have been completed. Riverfront Crossing public improvements are completed and new condos and restaurants are currently under construction. Implementation of intersection improvements have also been completed.

### **Owensboro Riverfront Master Plan Parking Garage Study 2001**

In October of 2001, the team that prepared the *Owensboro Riverfront Master Plan* prepared a separate parking garage study. The need for consolidated parking facilities to serve both the public and private needs had been identified as a result of the Riverfront study. A parcel of land that was then occupied by the county jail and surface parking for the Executive Inn was selected for a consolidated parking structure.

The objective of the parking garage project is to construct a new 588 space parking structure inside a facade of retail liner buildings. The historic county jail, which has since been demolished, was seen as the cornerstone building for the design and character of the new facility. Proposed funding included a combination of state, local government agencies and private developers, with an estimated cost of construction at over \$13 million dollars in 2001.

Since the completion of the parking study, the site selected has been dedicated to the new hotel and its surface parking. GRITS has constructed a smaller parking structure downtown near the hotel. The City of Owensboro will soon begin construction of a new additional parking structure adjacent to the GRITS parking structure.

Exhibit 4-M1 – Downtown Illustrative Master Plan



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### **Bring Back Baseball – Proposed Stadium**

Daviess County Fiscal Court, the City of Owensboro and Bring Back Baseball, a development group promoting a baseball stadium project hired The Leib Group, LLC to prepare a market and financial feasibility study for a proposed baseball stadium to be developed in Owensboro.

***The Market and Financial Feasibility Analysis for the Proposed Baseball Stadium*** was completed in January 2006. A preliminary plan prepared by Bring Back Baseball identified the preferred site as English Park with a stadium capacity of 2,908 fixed seats, additional seating of 4,300 and 8 luxury suites. The permanent tenant would be an independent Frontier league playing 48 home games per year. The stadium would also host community events and concerts.

The proposed stadium's capital cost is estimated at \$10 million in 2006 dollars. This includes the cost of land and team acquisition. The stadium is projected to generate an average operating surplus over the first five years of approximately \$670,000 per year.

### **Proposed Arena**

A new indoor sports and entertainment facility, or arena is being considered as part of the future of downtown. Daviess County Fiscal Court and the City of Owensboro hired the Leib Group, LLC to prepare a market and financial feasibility analysis for a proposed arena in Owensboro.

***The Market and Financial Feasibility Analysis for the Proposed Arena*** was completed in 2006. Although no specific site was identified, it was concluded that given the size of the Owensboro market, the arena should be in the range of 5,000 to 6,000 seats with a limited number of suites and club seats, adequate parking on site or in the area, and other selected amenities.

Several potential capital funding sources have been identified, but there is still a “financing gap” for operational and debt of approximately \$800,000 to \$900,000 per year, without a hockey team in the arena. If professional minor league hockey is attracted to a new arena in Owensboro, net cash flow from operations is projected to average a net operating income of approximately \$11,000 per year over the first ten years.

Since the completion of this study, a new civic center has been recommended for downtown which will be a multi-purpose events center. The existing Sports Center will still be utilized for sporting events.

### **Downtown Action Plan 1986**

The ***Downtown Owensboro Action Plan*** by Zuchelli, Hunter & Associates, Inc. (ZHA), December 1986 summarizes development opportunities and suggests an approach for the continuing growth and revitalization of downtown Owensboro as a governmental, business and cultural center.

### **Neighborhood Plans**

Several neighborhood plans have been prepared by the Community Development Department, adopted and implemented to revitalize and stabilize existing neighborhoods within the City of Owensboro.

The remainder of this section will provide a summary of the various neighborhood plans that have been prepared since the adoption of *Community Direction* in 1978. Many of the neighborhood plan recommendations have been implemented, dropped and/or incorporated into various sections of this Comprehensive Plan. For more complete information and greater detail, the actual neighborhood plan documents should be consulted. **Exhibit 4-M2** illustrates the boundaries of the neighborhood plans.

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### Northwest NRSA Redevelopment Plan 2020

By 2015, the City of Owensboro had successfully completed the BaptistTown Neighborhood Redevelopment (2000-2004), the Old Germantown Neighborhood Redevelopment (2004-2010), the Mechanicsville Neighborhood Redevelopment (2010-2014) and most recently, the Triplett Twist District (2015-2020). City staff began looking for the next area on the northwest side of the City to begin a new revitalization project. After reviewing the potential areas and neighborhoods, the Northwest Neighborhood Revitalization Strategy Area (NRSA) was selected. The Northwest NRSA is generally bounded on the north by the municipal limits, Ohio River, West First Street, Ebach Street and Schroth Street; on the south by the north side of 5th Street; on the east by Walnut Street and on the west by Ewing Road and Texas Avenue. The Northwest NRSA encompasses approximately 367 acres, 1,083 parcels of property and is primarily residential (69%), but it also includes commercial, industrial and other public use properties (31%). The Northwest NRSA includes 25 defined residential neighborhoods:

BAERS  
BAPTIST TOWN ESTATES  
BURDETTE ADDITION  
CHESTERFIELD COURT ADDITION  
DUNPHY'S ADDITION  
EWINGS  
FRAYSTERS ADDITION  
GILMOUR PLACE ADDITION  
GLASS FACTORY  
HERRS  
HOMESTEAD  
LANCASTER & GOFF  
LOCK VIEW  
LUCAS PLACE ADDITION  
MCCALLISTER PLACE / ADDITION  
NELSON PLACE ADDITION  
PARADISE GARDEN  
PHILLIP EDGE  
R MONARCHS ADDITION  
RIVER CREST TOWNHOMES  
ROBER L MILLER  
SHELBY'S ADDITION  
SINNETT ADDITION  
TAYLOR'S ADDITION  
WEST FOURTH STREET

The City of Owensboro understands that the key to rebuilding strong neighborhoods is increasing and maintaining the percentage of single-family homeowners within a defined area. Stable homeownership rates encourage community pride and continued investment and sustainability. Over the past 30 years, older neighborhoods within the northern third of the city have seen the conversion from single-family homeownership properties to rental investment properties. A mix of well-maintained rental investment property and homeownership property can create a vibrant and extremely desirable neighborhood, but when the unit percentage of homeownership starts to drop below 45%, a neighborhood is at risk of losing a cohesive neighborhood feel. This will be the second comprehensive effort to address the redevelopment of residential areas while at the same time redeveloping older commercial areas. The following is the defined mission statement for the Northwest NRSA redevelopment: *This redevelopment plan will be anchored by the reality of the Northwest NRSA's true potential and aggressively implemented with urgency. We will define the gap between what the area is now and what it wants to be in the future. We will direct focused resources and thoughts to make it happen. We will blend technology, planning and partnerships to create a bold plan that will define the direction of new*



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*development, redevelopment and capture the interest and imagination of the Northwest NRSA residents, businesses and beyond.*

### **Triplett Twist District Area Redevelopment Plan 2015**

By 2015, the City had successfully completed the BaptistTown Neighborhood Redevelopment (2000-2004), the Old Germantown District Neighborhood Redevelopment (2004-2010) and the Mechanicsville Neighborhood Redevelopment (2010-2014). City staff began looking for the next area on the east side of the city to begin a new revitalization project. After reviewing the potential areas and neighborhoods, the Triplett Twist District area was selected. The Triplett Twist District Neighborhood Revitalization Strategy Area is generally bounded on the north by East 9 th Street, on the south by East 24th Street, on the east by Breckenridge Street and on the west by JR Miller Blvd., and includes Triplett Street, East Parrish Avenue, East 14th Street, East 15th Street, East 16th Street, East 17th Street, Cumberland Street, East 18th Street, Colonial Court, East 19th Street, East 20th Street, East 21st Street, Old Hartford Road, New Harford Road, Veach Road, Hathaway Street, Center Street, Pearl Street, Virginia Court, Sweeny Street, Moseley Street, Anderson Alley and Guenther Alley. The Triplett Twist District Revitalization Area encompasses approximately 250 acres, 601 parcels of property and is primarily residential (65%), but it also includes commercial, industrial and other public use properties (35%). The Triplett Twist District Revitalization Area includes four (4) defined residential neighborhoods:

*Mery Heights  
Virginia Court  
Old Fairground Heights  
Colonial Heights*

The City of Owensboro has realized the key to rebuilding strong neighborhoods is increasing and maintaining the percentage of single-family homeowners within a defined area. Stable homeownership rates encourage community pride and continued investment and sustainability. Over the past 25 years, older neighborhoods within the northern 1/3 of the city have seen the conversion from single-family homeownership properties to rental investment properties. A mix of well-maintained rental investment property and homeownership property can create a vibrant and extremely desirable neighborhood. But when the unit percentage of homeownership starts to drops below 45%, a neighborhood is at risk of losing a cohesive neighborhood feel. 2 This will be the first comprehensive effort to address the redevelopment of residential areas while at the same time redeveloping older commercial areas. The following is the defined mission statement for the Triplett Twist District Area Redevelopment: *This redevelopment plan will be anchored by the reality of the Triplett Twist District's true potential and aggressively implemented with urgency. We will define the gap between what the area is now and what it wants to be. We will direct focused resources and thoughts to make it happen. We will blend technology, planning and partnerships to create a bold plan that will define the direction of new development, redevelopment and capture the interest and imagination of the Triplett Twist District Area residents, businesses and beyond.*

### **Mechanicsville Development Plan, May 2010**

With the implementation of BaptistTown and the Old Germantown Development Plan, the City of Owensboro began a new revitalization plan in the on the west side of the city in the “Mechanicsville” area. This area has a long history with a distinct neighborhood identity for over 100 years.

The identified area has 359 residential structures containing 551 residential units. The rate of homeownership by structure is 52%. Of the existing structures, 60% are in sound condition. The majority of the unsound structures are rental structures.

The Mechanicsville Neighborhood Redevelopment Team identified the following major challenges within the neighborhood: Neighborhood Identity, Recreation, Beautification, Transportation and Housing.

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Recommended actions include:

- Neighborhood identity signage located at six identified points and install improved outdoor signage for the existing Recreation Center
- Enhance the existing outdoor playground area along West 10<sup>th</sup> Street, including additional landscaping, benches and accessories
- Install better lighting on the park property along West 10<sup>th</sup> Street and Omega Street
- Replace the sidewalks along West 10<sup>th</sup> Street and Omega Street and fill in missing sidewalk linkages as identified in the plan for neighborhood connectivity
- Restrict parking along the south side of West 10<sup>th</sup> Street to no parking or limited two (2) hours parking in order to eliminate or discourage the parking of large trucks and trailers along the neighborhood entry
- Enhance the entryway along Lancaster Avenue from West 10<sup>th</sup> Street by creating physical improvements within the right of way that would restrict illegal parking of junk vehicles. Narrow the eye view into the existing salvage facility. Create homeowner 50/50 matching grant program for front yard landscaping
- Create landlord 60/40 matching grant program for front yard landscaping
- Create a front yard tree planting grant program for identified properties
- Trim trees within the neighborhood that are entangled in power lines
- Create a 50/50 matching demolition grant to encourage swift demo of unsafe properties
- Maintain detailed property maintenance inspections
- Move the existing fence at the City facilities Department lot along Omega Street back 15 feet and install trees and landscaping to soften visual appearance
- Define separation between West 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> Streets and the Lincolnshire Apartments
- Construct Omega Street Extension to McFarland Avenue to align with Washington Avenue, purchase necessary properties, relocate existing tenants and demolish structures
- Relocate Wings of Faith Church parking to the west side of the building with a drive off West 10<sup>th</sup> Street, removing all pavement in existing parking and replacing with green space and landscaping
- Work with the Owensboro Public School system to beautify the exterior of Cravens Elementary School, which plays a major role within the Neighborhood. While the interior has been renovated, improvements to the façade would enhance the aesthetics of the area.(not funded)
- Construct a new park shelter on park property, improve the entrance and general exterior appearance of the existing Recreation Center, improve existing restrooms and concessions near the baseball fields, convert existing tennis court to additional basketball courts and install security cameras within the Dugan Best Park area through working with City's Parks Department(not funded)
- Reconstruct Alpha Street from West 10<sup>th</sup> Street to West 8<sup>th</sup> Street (not funded)
- Reconstruct Westwood Avenue from Omega Street to Western Court (not funded)
- Work with OMU to evaluate existing street lighting and determine where new street lights are needed
- Construct five (5) new single family homes in Parkview Development Phase I and two (2) new single family homes in Parkview Development Phase II
- Construct two (2) new single family homes on West 5<sup>th</sup> Street and Hocker Entry Block Phase I
- Provide Homebuyer Program incentives for private developers and non profits to construct twenty four (24) new high quality homes
- Create a 90/10, 80/20, 70/30, and 50/50 matching existing Homeowner Rehab program for rehabilitation of 32 homes



## LAND USE

- Create a 50/50 matching existing Rental Investment Rehab program for rehabilitation of 6 rental homes
- Create 100% World Changers Volunteer Labor for Homeowner Rehab program with 20 grants to pay for materials for homeowners making less than 50% of median income
- Partner with Low Income Housing tax credit development to construct twelve (12) single family houses on the Omega Street extension
- Work with Audubon Area Community Services to encourage exterior renovation of the Lincolnshire Apartments (not funded)
- Construct West 10<sup>th</sup> Entry Street Development and ten (10) new homes in the West 10<sup>th</sup> Street Entry Development, construct Hocker Street and West 9<sup>th</sup> Street Development Phase I, II, III with nine (9) new single family homes. (not funded)

### **Old Germantown District Development Plan, October 2002**

The goals of the Old Germantown District Redevelopment Plan included building a strong neighborhood and making the neighborhood attractive for private investment. The City of Owensboro has realized that the key to rebuilding strong neighborhoods is to increase the percentage of single-family homeowners.

A survey was conducted of the neighborhood which is bounded on the north by East Fourth Street, on the south by East 9<sup>th</sup> St and includes Crittenden, Bolivar and Clay Streets. The neighborhood consisted of 76.1% low to moderate income households. The current homeownership rate by structure was 37%. Since 1996, fifty-eight (58) units had been purchased by homeowners.

Fifty-one percent (51%) of the structures were in unsound condition and lack of maintenance of the rental investor has had a negative impact on the neighborhood. At the time of the survey, eighteen percent (18%) of the units were vacant.

While residential uses made up eighty-five percent (85%) of the total uses in the neighborhood, there were some commercial and industrial uses located on the edges of the core area, which significantly impacted the aesthetics and character of the area.

The Old Germantown District Redevelopment Team identified key challenges within the neighborhood and developed recommended actions to deal with each of these challenges.

Recommended actions to combat criminal activity related to drugs, lack of landlord responsibility, unsound structures, and overall attractiveness of the area include:

- Create a strong Neighborhood Watch Group
- Create a policing plan that clearly identifies the requested level of enforcement and attention to certain criminal activities
- Hold an annual forum to encourage investors in rental property to meet with residents to discuss important issues
- Hold annual educational trainings for investors in rental property to assist them in managing property
- Require City Property Maintenance to undertake a detailed inspection of the entire neighborhood
- The inspectors should look for structural deficiencies, trash and junk, inoperative and unlicensed vehicles, and tall grass

## LAND USE

- Install decorative light post at four major gateways into the neighborhood
- Install custom designed banners on utility poles within neighborhood
- Install bus stop benches with Old Germantown Neighborhood Signage
- Replace all existing contiguous retaining walls with new uniform walls that will enhance the character of the neighborhood
- Assist property owners via matching grant that would assist owners in constructing off street alley parking
- Implement a Neighborhood Street Tree Plan
- Establish a matching grant program for owners to encourage quality landscaping
- Create a neighborhood park, including a walking trail, gazebo, lighting, trees and parking

Implementation of the plan has resulted in a successful community park and four new owner occupied single family homes. Additionally, street lighting was upgraded, with decorative lights installed in the park. Banners have been placed on utility poles within the neighborhood and bus stop signs have been installed. Retaining wall replacement has been completed. Other redevelopment or new development projects in the area since the implementation of the plan include development of the Carnegie Business Center and various private businesses such as the St. Paul Parish Hall, the Dollar General Store and the Miller House restaurant.

### **BaptistTown Neighborhood Redevelopment Plan, April 1999**

Clearly defining the future land use within the historic BaptistTown area was the principal goal of this plan. Detailed block-by-block and lot-by-lot land use recommendations were made. Decreasing the number of deteriorated and dilapidated structures and increasing the homeownership rate in the area were objectives of the plan. Owner occupied residential units were projected to increase from 69 to 135. Total units were projected to increase from 270 to 334. Federal, state and private funds were utilized.

The plan area was divided into eleven geographic plan elements. A detailed map, a table of existing and future unit condition, and a table of specific future land use by address are provided for each of the eleven geographic areas.

The following results were expected:

- ◆ Increase the rate of home ownership
- ◆ Decrease the rate of unsound housing from 36 to 14%
- ◆ Decrease the number of vacant residential lots from 50 to 6
- ◆ Construct 48 new affordable homes
- ◆ Construct 14 single-family rent-to-own houses on the old sanitation property
- ◆ Rehabilitate 41 existing owner occupied homes through renovation or reconstruction

The following results were accomplished:

- Owner occupied residential units increased from 69 to 152, above the projected 135
- Total units increased from 270 to 353, above the projected 334
- Rate of home ownership by structure increased from 47% to 61%
- Rate of unsound structures decreased from 36% to 7%
- Number of vacant structures decreased from 50 to 7
- 83 new affordable homes were constructed, including 14 single-family rent-to-own homes

## LAND USE

- constructed on the old sanitation property
- 11 existing owner occupied homes were rehabilitated through renovation or reconstruction

It should be noted that the Baptist Town area is a sub-area of the *Scarborough-Riverside & West End Plan* area that was done in 1978 and is summarized later in this section.

### **United Neighborhoods Central Area Plan, March 1982**

At the request of the United Neighborhoods, Inc. (UNI) Board of Directors the planning staff and UNI representatives started work on a neighborhood plan in June of 1981. UNI represents a group of five neighborhood associations south of the central business district and located between the West End and East End study areas.

While this plan is similar to the studies done for the East and West End in terms of plan format and content, the active participation of organized neighborhood associations resulted in several significant differences between this neighborhood planning effort and past plans. These differences can be grouped into three categories:

#### **1. Neighborhood Characteristics**

The following characteristics were found in the UNI area versus the West End and East End. Lots and structures were generally larger; household size was smaller; the residents were older; fewer minorities resided in the area; and public facilities were in need of repair rather than complete reconstruction or initial installation.

#### **2. Study Methodology**

Active participation of neighborhood residents in the UNI study provided verification and increased the reliability of planning office data on building characteristics and land use information. This assisted the staff immensely in identifying neighborhood problems and priorities.

#### **3. Implementation**

While the West End and East End required major reconstruction or initial installation of public facilities (streets, water lines and walks) the UNI improvement program entailed repair of existing curbs, gutters, walks, driveway aprons, and street surfaces (grinding and resurfacing). Additionally, with the support of the UNI Board of Directors, the Planning Commission and City adopted the neighborhood plan as an amendment to the comprehensive plan, and a block by block code enforcement effort was started.

### **Eastside Master Plan, August 1981**

The *Eastside Master Plan* was prepared in 1981 by G. Reynolds Watkins Engineers, Inc. for the Owensboro Metropolitan Planning Commission. The objective of the plan was to further detail the 1978 comprehensive plan (*Community Directions*) by preparing neighborhood plans for the eastside portion of the urban service area. Twenty-six small areas made up the eastside planning area and contained approximately 21 square miles of land. These 26 small areas were organized into 10 neighborhood groups for the purposes of the *Eastside Master Plan*.

For each of the ten neighborhood groups a design population was established that was based on the usability of the land for urbanization. This type of planning provided estimates for the full range of facilities (streets, schools, etc.) that would be needed to service these areas when they are completely urbanized.

## LAND USE

This approach permits the community to be better prepared for any unusually large growth, as well as prevent duplication of facilities and the construction of inadequate facilities that may have to be replaced later. .

A general summary of the recommendations of the plan included the following:

### Urban Service Area

It was recommended that future urban growth in Daviess County will be concentrated, as much as possible, within the Owensboro Urban Service Area or the smaller Whitesville Service Area.

### Land Use Needs

At full development it was estimated that another 96,000 people will be living within the Eastside portion of the Urban Service Area. To accommodate the needs of an additional 96,000 persons, almost 15 square miles of existing farmland or open space would have to be converted into urbanized land uses -- new homes, industry, stores, community facilities, utilities, and transportation.

### Housing Needs

Over 35,000 new homes would have to be built to meet the full development needs of the Eastside. Special programs, as well as federal assistance, would be required to meet the needs of the low-income persons in the County.

### Community Facilities and Utilities

The plan also inventoried and recommended improvements for existing facilities, as well as those needed to accommodate future growth. This includes:

- ◆ Fire protection needs (3 new stations)
- ◆ Public facilities needs: Schools and parks (16)
- ◆ Disposal needs (\$41m)
- ◆ Utility needs (\$47m)

### Transportation

Transportation improvements and proposals included not only streets, and highways, but also walkways, bikeways, airport, mass transit, railways, and waterway needs and facilities.

### Conclusion

The *Eastside Plan* not only provided a detailed study for the ten neighborhood groups but it also included a complete review of the 1978 comprehensive plan. Where appropriate, the 1978 plan was updated; however, most of the 1978 plan was deemed to remain relevant and hence reaffirmed by the Eastside study. The 2010 Census demonstrates that estimates of needs created by the Eastside Master Plan in 1981, thirty years ago, may have been over projected. The plan projected a population in these ten neighborhoods of an additional 96,000 people with a need of 35,000 homes when fully developed. Current population figures show a total population in all of Daviess County of only 96,656 with projections showing low growth in decades to come. The entire housing stock in Daviess County includes only 41,452 housing units in 2010 with 38,619 occupied. The needs projected by this plan far exceed the reality of development from 1981 forward. This demonstrates the need to continually evaluate the projected needs of the community and to update plans accordingly.

## LAND USE

### **East End Plan, April 1979**

A neighborhood plan for Hathaway Hall and Chautauqua Park was prepared in April of 1979 by the planning staff. These two neighborhoods are located in the northeast quadrant of the City of Owensboro, hence the name of study: *The East End Redevelopment Proposal*. The plan's contents and format are very similar to the West End's.

The East End's needs and deficiencies were very much like the problems identified in the West End plan. Similarities included: concentrations of elderly, poverty, and minority households; the age (50 to 100 years) and condition of the housing stock; numerous deficient public facilities -- streets, water lines, sidewalks -- and many examples of indiscriminately mixed land uses and small lot developments. As one would expect, these similarities resulted in plan recommendations and proposals for the East End neighborhoods that in many respects mirrored the proposals for the West End neighborhoods.

The second three-year CDBG capital improvement program was proposed and substantially completed as part of the East End redevelopment effort. Although the area has improved, improvement has not been as dramatic as that found in the West End neighborhoods. The greater frequency of non-residential land uses in predominantly residential areas has served to restrain building improvements in the area.

The unique finding of the East End plan was the need to reduce the excessive amounts of industrial zoning in the neighborhoods. Consequently, when a new zoning ordinance was adopted during the early 1980s, many of the East End plan's recommendations were reflected on the official zoning map.

### **Scarborough-Riverside & West End Plan, February 1978**

In February of 1978 the City of Owensboro adopted the *Scarborough-Riverside and West End Redevelopment Proposal*. This plan was prepared by the Office of Planning and Community Development and represented the first neighborhood planning efforts within the context of the recently completed comprehensive plan *Community Directions*. The intent of the plan was to identify existing problems and deficiencies within the study area and to provide a program that would upgrade these two neighborhoods.

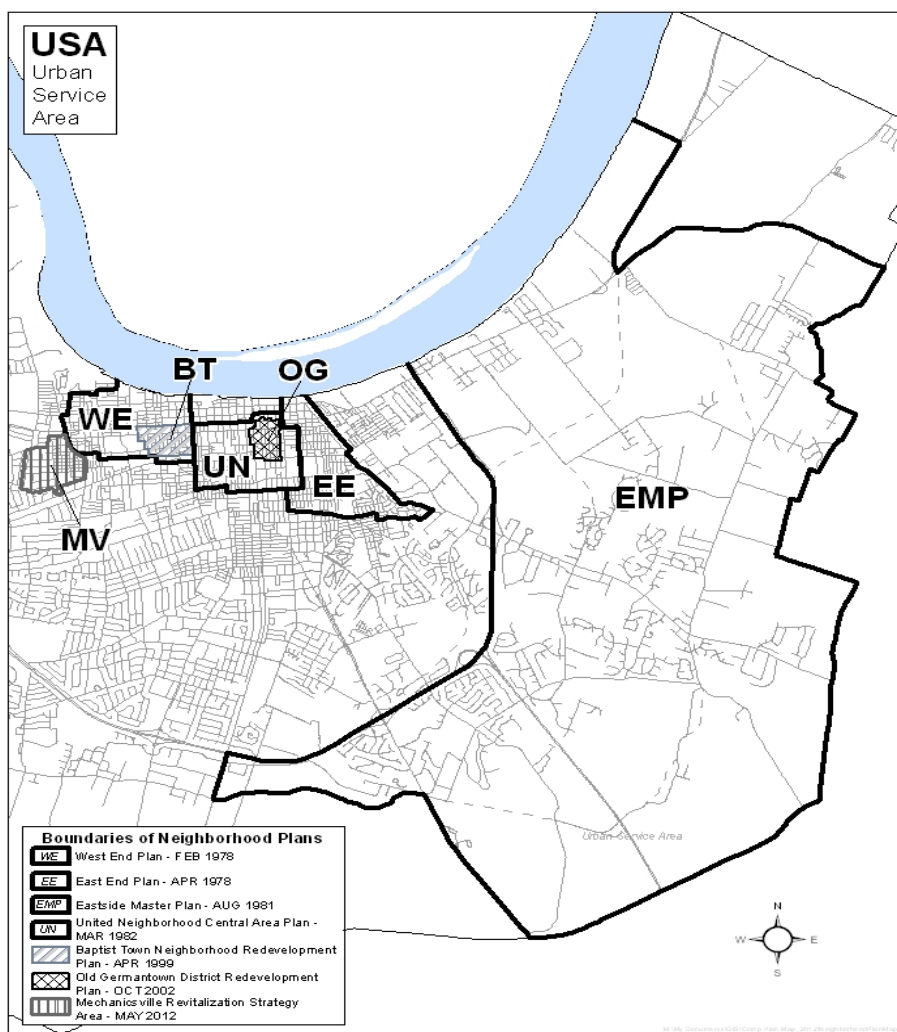
The West End plan was subdivided into three sections. Existing conditions that were surveyed included data on the demographics and economy of the area, as well as existing information for land use, buildings, community services and facilities, transportation systems and any fragile areas within the study area. The second section presented various plan proposals and recommendations for the following areas: housing; land use; transportation; and public facilities and services. The final section provided a detailed three-year public improvement program for the West End. Community Development Block Grant (CDBG) funds were the only funds programmed.

Most of the plan proposals and recommendations have been implemented during the decade of the 1980s. Housing conditions have improved dramatically; all deficient streets and water facilities have been improved; parks were expanded and/or improved; a community center was renovated; and, a day care center was built. The significant contributions of this plan to the community's overall planning efforts were:

1. The preparation and actual implementation of capital improvement programming and budgeting for the first time by the City of Owensboro;
2. The clear evidence the plan presented for a more flexible zoning ordinance;
3. The design of a redevelopment strategy that over time has proven successful and politically acceptable; and
4. The first significant proposal for riverfront redevelopment between English and Smothers parks.

## LAND USE

## Exhibit 4- M2 – Study Boundaries of Neighborhood Plans



## Neighborhood Advisory Boards

Beginning in 1998, the City of Owensboro has undertaken an effort to create twelve neighborhood advisory boards. The mission of these boards is **to foster a partnership among the citizens, City Commission, City staff, and Community Task Force and the creation of an environment in which citizens are given an opportunity to actively participate in City affairs.** These neighborhood boards continue to be active today.

Goals for the neighborhood boards include:

- Identify problems, issues and solutions within the neighborhood
- Represent the views of Owensboro citizens within the neighborhood
- Serve as an informational link between citizens, the City Manager, City Departments and Neighborhood Youth Boards
- Develop an action plan for projects that the Board wishes to accomplish. The Community Task Force and the City of Owensboro shall approve all action plans.

## LAND USE

There are twelve (12) active neighborhood alliances as shown in the following exhibit.

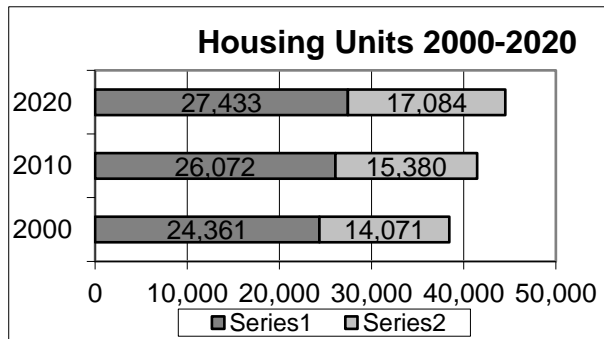
**Exhibit 4- M3 – Neighborhood Advisory Boards**



## Housing

Census information for 2020 indicates there are **44,517** housing units in Daviess County, which included data through March 2020. This is an increase from 2010 census data of -3,065 housing units, or -7.4%. The previous decade between 2000 and 2010 saw an increase in housing of 7.8%.

**Exhibit 4-G3: Number of Housing Units 2000-2020**



*In 1990 65.8% (23,074) of the total housing units in Daviess County were located within the City of Owensboro. In 2000, 63.4% (24,361) as compared to 62.9% (26,072) of all housing units were located within the City of Owensboro in 2010. Exhibit 4-G2 illustrates the number of housing units by area in 1990, 2000 and 2010.*

## LAND USE

From 2000-2010, the increase in housing units in Daviess County was less in the county (1,309 units) than in the City of Owensboro (1,711), with the additional housing units within the City of Owensboro accounting for approximately 57% of the total housing unit increase during that period.. From 2010-2020, additional housing units within the City of Owensboro (1,361) accounted for 44% of the total housing unit increase during that period. This trend parallels the population data in Chapter 2, which shows more population growth within the city limits than in previous decades. Hopefully, this is an indication that planning policies that have been in place for some time are beginning to direct development to where services and infrastructure are existing or easily extended, thereby promoting sustainable development and smart growth. However, the aggressive annexation policies of the City of Owensboro over this time period have likely contributed to the increase within the city limits.

**Exhibit 4-T7: Housing Units by Occupancy**

		<b>OCCUPIED HOUSING UNITS</b>	<b>OWNER OCCUPIED</b>	<b>% OWNER OCCUPIED</b>	<b>RENTER OCCUPIED</b>	<b>% RENTER OCCUPIED</b>
<b>2020</b>	<b>TOTAL</b>	<b>41,111</b>	<b>28,658</b>	<b>69.70%</b>	<b>12,453</b>	<b>30.29%</b>
	Owensboro	25,228	14,398	57.07%	10,830	86.97%
	County Bal	15,883	14,260	89.78%	1,623	10.22%
<b>2010</b>	<b>TOTAL</b>	<b>38,619</b>	<b>26,390</b>	<b>68.21%</b>	<b>12,229</b>	<b>31.67%</b>
	Owensboro	24,215	13,899	57.4%	10,316	84.36%
	County Bal	14,476	12,491	86.29%	1,913	13.21%

Owner occupancy remained relatively stable during the last decade despite the national recession and foreclosures reported across the country. Owner occupancy increased for the entire county from approximately 68% to 70% of all occupied units. Owner occupancy within the city limits of Owensboro remained unchanged from 2010 to 2020 at 57. Those areas outside of the city limits saw a increase of approximately 3.5% from 86% owner occupancy to 89% owner occupancy in 2020.

There were 12,453 renter occupied dwelling units in the community reported in the 2020 census. Of these units, 86% were within the city limits of Owensboro.

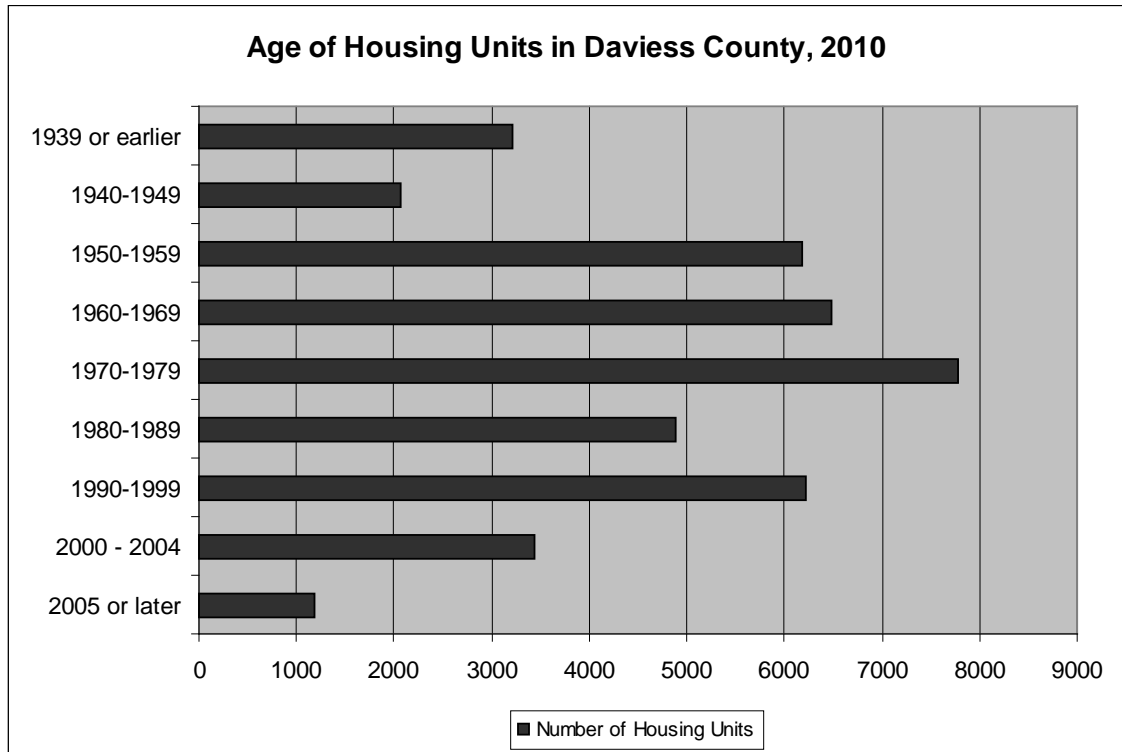
A total of 3,406 vacant dwelling units existed in Daviess County in 2020.

Data on Daviess County housing stock shows the majority of housing units constructed between 1970 and 1979, comprising almost 19%. Almost 8% of the housing stock predates 1939, with only 3% of the housing stock constructed after 2005.



## LAND USE

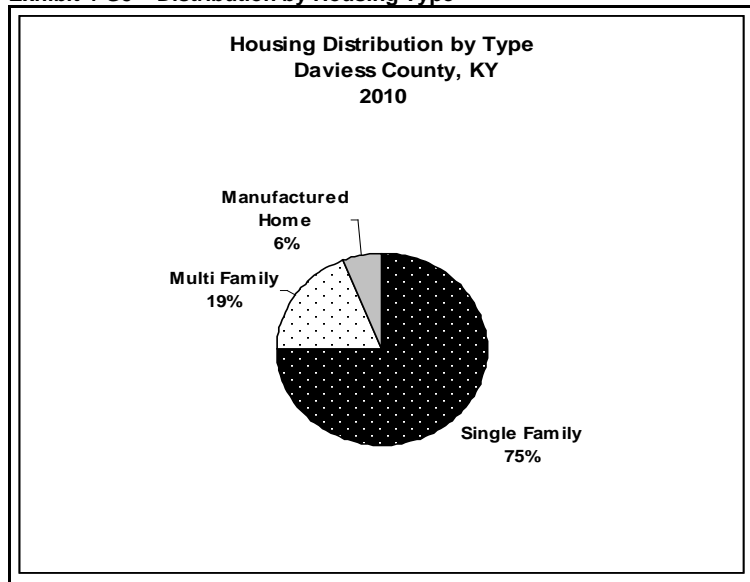
Exhibit 4-G4 – Age of Housing



Of the 39,620 units that were permitted through December 2005 more than **70%** (28,172 units) were **single-family** residences. Multi-family units made up the second largest category with 20% of the total or 8,033 units. Mobile home units accounted for 9% of the total or 3,753 units.

## LAND USE

**Exhibit 4-G5 – Distribution by Housing Type**



*In 2010, the American Community Survey five year estimates of Selected Housing Characteristics estimated 31,040 of all housing was single family detached or attached comprising 75% of the housing stock in Daviess County. This is a slight increase over reported 2000 Census data, which showed about 73.7% single family housing in Daviess County in 2000.*

The median value of a single family home in 2020 was \$143,500 as compared to \$77,353 in 1980, \$62,041 in 1990 and \$81,800 in 2000.

**Mortgage Market.** There are a wide variety of conventional mortgage funds available in the Owensboro area. Government mortgage programs are also available in the community from the federal Housing Administration, the Veterans Administration, the Farmers Home Administration and the Kentucky Housing Corporation. Loan terms are generally between 25 and 30 years. Income restrictions, veteran's status, limits on purchase price, ownership status of the buyer, location standards, as well as other various requirements will determine a person's eligibility to obtain mortgage financing from government mortgage programs. Other costs that are associated with government and conventional mortgage financing include survey fees, title fees, appraisal fees, recording fees and insurance fees.

**Rental Market.** The early 1980s saw a significant expansion in the rental market, resulting in the rental market being overbuilt by the mid-eighties. Rents remained too low to stimulate much new rental construction during the latter part of the decade and through the 1990's. However, during the first ten years of the new century, rental building has increased with new units, many in the form of duplex or four-plex construction being completed and available for rent. Home ownership has become more difficult since the recession began in 2007 and conventional financing has become more restrictive to obtain. Interest has additionally been expressed by developers in several upscale, higher rent multi-family projects and more activity in new rental construction in the next ten years is anticipated. The percentage of renter occupied units from 2000 to 2010 has increased slightly by 1.9% county wide and 2.81% within the City of Owensboro.

The historically short waiting lists for the Public Housing program, and the Section 8 program run by the Housing Authority of Owensboro, in the current (2017) housing market, has increased somewhat since the HAO was last asked to review its numbers in 2012. In 2012 the average wait time across all bedroom sizes is just under 6 months. The longest wait time is for 1 bedroom units, at 9.8 months; the shortest is for 3 bedroom units at 4.2 months. In 2017, the average wait time across all bedrooms sizes remains just under 6 months (5.8 months). The longest wait time

## LAND USE

continues to be in the 1 bedroom units and is increasing. The 1 bedroom wait time is 13.5 months and the shortest wait time of 3.6 months continues to be the 3 bedroom units.

Thirty percent of the public housing waiting list consists of families seeking 2 or 3 bedroom units, and their wait is an average of 4.3 months. In 2012 families seeking two or three bedroom units represented 60% of the waiting list. Due to federal regulation the Housing Authority has increased the flat rent amounts to 80% of market and become non-smoking. These regulations coupled with the increase in new affordable two bedroom apartments in Owensboro, has resulted in a higher turnover of units than has been experienced in the past few years. Two bedroom units turnover at a rate of 4:1 compared to one bedroom units. As to the length of wait, many families are waiting for a specific complex or area of town and therefore will turn down two or three units before accepting.

The one bedroom units represent 58% of the Housing Authority's waitlist and of those 95% are elderly and/or individuals with a disability. There is very little turnover in these units with many residents remaining in the apartment for the remainder of their life or until a nursing environment is required.

The economic recession of the late 2000's may have been one of the reasons for the increased waiting list for assisted rental units. Population growth from 1992 to 2011 has been less than 5,000; this would roughly equal 2,272 families (assuming 2.2 persons per family). There are about 23,901 households and 28%, or 6,740 of the housing units are in multi-family units. The current percentage of families renting units is 28%, so that would indicate a need of about 640 new rental units during the period of 1992-2011. About 58% of the population earns less than \$50,000 per year, and the income limits ranged between \$36700 and \$44600 for 2 and 4 person families. Extrapolating this data would mean that of the 640 new units required, 58%, or 371 would need to be financially assisted. The area in fact, has seen at least 269 new financially assisted units (pure rental, rent to own tax credit type units, etc.) added to the portfolio in Owensboro during this time period. This does not include the 161 units of Section 8 administered by the Kentucky Housing Corporation within the city limits of Owensboro (nor does it include the 31 units administered by KHC at the Regional Recovery Center). KHC also administers about 115 units in Daviess County, outside of the City of Owensboro.

Another reason for the increased waiting list time may be tied to the demand for rental properties in the private market. If there is greater demand for rental properties, then the affordability decreases as rental prices go up.

In recent years the trend has been the development of financially assisted properties for persons who fit a particular "special need;" the special need being defined by the government agency providing the financial carrot (typically tax credits) to the developers. These special needs type developments are not limited to the traditional notion of persons with special needs (i.e., physically or mentally disadvantaged), but persons who have some sort of socio-economic characteristic that somehow sets them apart from the general population. These include children aging out of foster care; one or more parents who attend post-secondary education, but who have children, persons recovering from substance addiction, and perhaps others. Combined with some form of "supportive service," financially assisted housing is made available to these persons, so that they can have a place to live while they eventually graduate out of their special need status. Assuming these programs have actual success, they still have the effect of these persons being provided affordable housing before others who are on the waiting list for assisted housing, many of whom are the working poor.

## LAND USE

A current snapshot (November 2017) of the Section 8 units on the Housing Authority's program ranges of rents and utilities by bedroom size are shown in the table below.

**Exhibit 4-T8 : Section 8 units Rent and Utilities 2017**

<b>Bedroom Size</b>	<b>Apartment Rent Range</b>	<b>House Rent Range</b>	<b>Utility Range</b>
1 Bedroom	\$370-\$410	\$351-\$402	\$100-\$159
2 Bedroom	\$504-\$555	\$486-\$544	\$122-\$191
3 Bedroom	\$653-\$707	\$633-\$694	\$150-\$224
4 Bedroom	\$755-\$828	\$736-\$816	\$173-\$265

The Housing Authority's Executive Director cautions against expansive pronouncements or predictions as to the status of a real estate market, and the development of long term policy in response to transitory events. The market is subject to dramatic changes depending on the economy, and in terms of federal or state financially assisted units (whether the assistance is in the form of the traditional public housing model, the Section 8 model, tax credits, etc.), what commitments are made by the authorizers and appropriators in Washington, D.C. Continued federal financial commitment to housing resources at the level seen historically, should not be expected in the future.

Previously, the Executive Director of the Housing Authority felt that the rental market had been affected by the aggressive marketing of home ownership opportunities to first time buyers by private developers and the historically low interest rates of recent years, and that there might not be a need for additional financially assisted housing units until the geographic area shows sustained population growth. Currently, the Executive Director of the Housing Authority feels that the rental market is being more impacted by the increase in rental units rather than homeownership.

Given the cautionary note on financially assisted rental housing above, the Housing Authority's Executive Director notes that while the HAO's waiting lists have increased recently, this may correlate with the national economic downturn. It may be a permanent situation if the economy is experiencing a permanent "reset;" or it may be temporary; although in either case, the Owensboro area seems to have weathered the "great recession" with less negative impact than other areas. Even with the recent (2010-2012) economic revitalization of the downtown Owensboro area, the long term economic impact of this development in terms of employment will likely see the creation of jobs which are likely to be lower paying service jobs. These will require affordable housing, assuming that as a matter of definition, affordable housing is defined as shelter which does not cost more than 30% of household income. Whether this is a reasonable (i.e., realistic) definition is questionable; even the Section 8 program allows persons to rent properties that on the whole, cost them 40% of their income.

A further change in the housing market, is that home ownership has seen some of its allure fade as some homeowners find themselves upside down with respect to their mortgage and house values; others find it impossible to pay increasing utility bills, increasing insurance, increasing or recurring maintenance costs, and increasing tax bills, even if they have the good fortune to remain employed. Homeownership may no longer be the best option for the lower paid working class; permanently renting may be the most affordable option. A renter may not build equity but a good renter is not likely to face eviction, as the landlord's business is not eviction, but keeping a property occupied.

The Housing Authority has continued to maintain its properties by continual upgrades and improvements. These include installation of security camera equipment, replacement of landscaping, replacement of entry doors and screen doors with energy star rated doors, installation

## LAND USE

of solar rated roof shingles at multiple sites, installation of water saving devices at all sites, and installation of new playground equipment at family sites.

If federal or state financial resources decline, or even if they only do not keep up with normal population growth, how does the locality address the issue? Incentives to developers, changes in taxation of rental units, and changes in zoning/density requirements may be a solution. Development fees charged to developers could be reduced if they included a certain number of rental units in development, and agreed to keep those units as rental units at a total monthly cost to the renter equal to the Fair Market Rent set for Section 8 units, or the Public Housing Authority's "flat" rent. The length of time the property would be kept as a rental could be equal to the low income tax credit rental period. Also, Kentucky Statutes now permit properties to be assessed not only on the basis of FMV, but also on an income approach. This would require cooperation with the local PVA Office to allow rental properties that were placed on the market at an affordable rent, to be taxed on the income approach, reducing the cost of operation to the owner, while providing an affordably priced housing unit to the renter. The zoning ordinance could be changed to provide for density increases, where a development includes affordable rental properties as part of the total development.

There will continue to be a need for affordable rental housing. Financial subsidy to achieve this affordability may be less available from the traditional federal funding sources. Current (2017) political realities include direct promises and threats to shut down the federal component of these services, and to block grant them to Frankfort. The community may need to incentivize the private sector to provide affordable rental housing.