

June 2004 Edition

This edition of the Subdivision Regulations replaces previous editions. It includes all text amendments adopted by the Owensboro Metropolitan Planning Commission for Owensboro, Whitesville, and Daviess County, Kentucky, through June 10, 2004. Beyond the formally adopted text, this edition includes a record of amendments at the beginning of each article, explanatory notes on policy, and special illustrations.

PAGE DATES: *The Contents of Articles and Articles 1 – 5 are dated 6/4 at top right of each page. The excerpts from Appendix A: Public Improvement Specifications are dated 8/02.*

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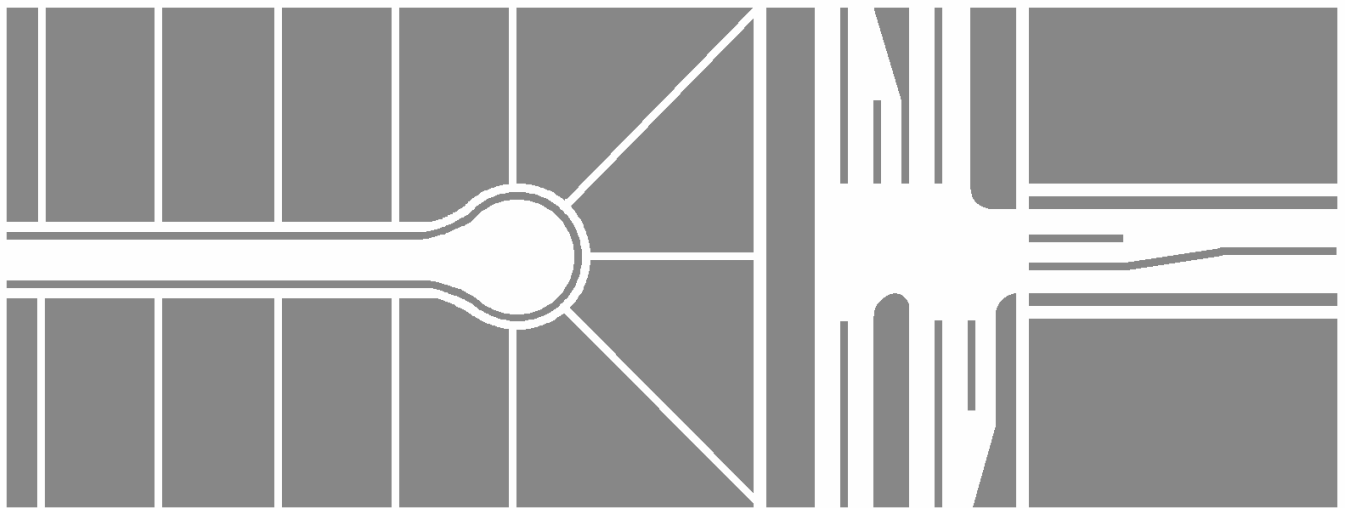
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THE SUBDIVISION REGULATIONS

The Owensboro Metropolitan Subdivision Regulations

As adopted by the Owensboro Metropolitan Planning Commission
For Owensboro, Whitesville, & Daviess County, KY



Appendix A

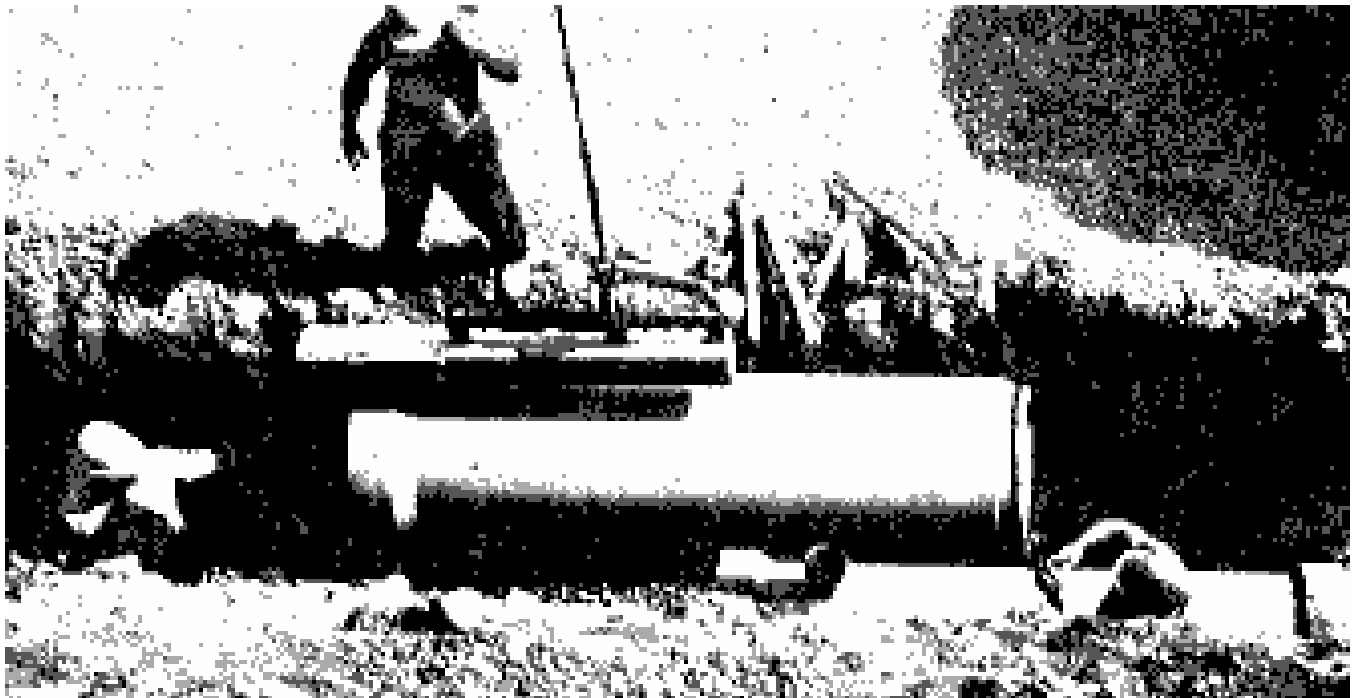
Of The Owensboro Metropolitan Subdivision Regulations

THE PUBLIC IMPROVEMENT SPECIFICATIONS

The Owensboro Metropolitan Public Improvement Specifications

As adopted by the Owensboro Metropolitan Planning Commission

For Owensboro, Whitesville, & Daviess County, KY



Article amendments approved unless noted:	OMPC	Owensboro	Daviess Co.	Whitesville
Re-adoption of Subdivision Regulations	24-Mar-1977	01-Apr-1977	20-Apr-1977	?
Complete revision of Subdivision Regulations	18-Apr-1981	22-May-1981	26-May-1981	06-Jul-1981
Section 1.6 revised to comply with KRS Section 100.277(3), Section 1.8211 added to allow for minor revisions to major subdivisions to be approved by Planning Director	10-June-2004			

1.0 PURPOSE. These subdivision regulations are designed to encourage the development of sound, healthful, and economically stable residential, commercial, industrial, and public areas; to provide for safe, convenient, and efficient traffic circulation; to coordinate land developments in order to insure that our future physical growth will be orderly, efficient, and conducive to the minimum out-lay of public and private expenditures in providing services to new growth areas; to minimize fire hazards; to provide for light and air in habitable structures; and to provide for the overall harmonious development of our entire community.

1.1 SHORT TITLE. The full title of these subdivision regulations shall be "The Owensboro Metropolitan Subdivision Regulations". As a short title, these regulations shall be known, and may be cited, as the "Subdivision Regulations".

1.2 AUTHORITY AND ADMINISTRATIVE AGENCY. These regulations are adopted by the City of Owensboro, the City of Whitesville, and the County of Daviess, Kentucky, under the authority of Chapter 100 of the Kentucky Revised Statutes, and shall be administered by the Owensboro Metropolitan Planning Commission (OMPC).

1.3 AREA OF JURISDICTION. The OMPC, through these Subdivision Regulations, shall have jurisdiction and control over the subdivision of all land in the City of Owensboro, the City of Whitesville, and the County of Daviess, Kentucky, which area shall also be considered as the planning area.

1.4 VARIANCES. These subdivision regulations are adopted only as minimum requirements, and all subdividers should consider developing their subdivisions at higher standards. The OMPC may require standards above the minimum contained herein whenever it feels that public health, safety, or welfare purposes justify such increases.

The OMPC also may reduce or otherwise vary the requirements of these regulations whenever it encounters

the situations described below. In granting such variances, the OMPC may attach and require whatever conditions it feels are necessary to secure the basic objectives of the varied regulations. Any variances granted by the OMPC shall be noted in its official minutes along with the reasons which justified the granting of the variance.

1.41 Exceptional Hardship. Where the OMPC finds that strict compliance with these regulations would create an undue hardship because of exceptional and unique topographic or other physical conditions encountered on the particular land, the OMPC may modify these regulations to the extent necessary to relieve the undue hardship; provided, however, that such resulting variances may be granted only without detriment to the public good, without impairing the intent and purposes of these regulations, and without impairing the desirable general development of the neighborhood and the community as proposed in the Comprehensive Plan.

1.42 Design Innovation and Large Scale Development. These regulations may be modified by the OMPC in the case of plans for complete neighborhoods or other design innovations, which, in the OMPC's opinion, still achieve the basic objectives of these regulations.

1.5 AMENDMENTS AND VIOLATIONS. The City of Owensboro, City of Whitesville, and County of Daviess, Kentucky may, from time to time, revise or modify or amend these regulations by appropriate action after a public hearing has been held, and recommendations made, by the OMPC. Violations of these requirements, and penalties therefore, shall be as cited in Chapter 100 of the Kentucky Revised Statutes.

1.6 SELLING OF LAND BEFORE APPROVAL. No person owning land composing a subdivision, or his agent, shall transfer or sell any lot or parcel of land located within a subdivision by reference to, or by exhibition, or by any other use of a plat of such subdivision, before such plat has received final approval of the OMPC (or approval of the

OMPC Director for minor subdivision plats) and has been recorded by the County Clerk. Any such instrument of transfer or sale shall be void and shall not be subject to be recorded, unless the subdivision subsequently receives final approval of the OMPC (or approval of the OMPC director for minor subdivision plats), but all rights of such purchaser to damages shall be preserved. The description of such lot or parcel by metes and bounds in any instrument of transfer or other document used in the process of selling or transferring same shall not exempt the person attempting to transfer from penalties provided or deprive the purchaser of any rights or remedies he may otherwise have. Provided, however, any person, or his agent, may agree to sell any lot or parcel of land located within a subdivision by reference to an unapproved or unrecorded plat or by reference to a metes and bounds description of such lot and any such executory contract of sale or option to purchase may be recorded and shall be valid and enforceable so long as the subdivision of land contemplated therein is lawful and the subdivision plat subsequently receives final approval of the OMPC (or approval of the OMPC Director for minor subdivision plats).

1.7 LEGAL STATUS.

1.71 Conformance with Zoning and Other Regulations. No final plat of land within the planning area will be approved unless it conforms to the Zoning Ordinance. Wherever there is a discrepancy between the minimum standards set forth in these regulations and those contained in the Zoning Ordinance, building code, or other official regulations, the highest standard shall apply.

1.72 Separability. Should any section, subsection, paragraph, or provision of these regulations be held invalid or unenforceable by a court of competent jurisdiction, such decision shall in no way affect the validity of any other provision of these regulations.

1.73 Previous Regulations. Any previous subdivision regulations adopted for the planning area are hereby repealed.

1.74 Effective Date. These regulations shall be in full force and effect as of the date of their adoption by the City of Owensboro on 22 MAY 1981, the City of Whitesville on 6 JUL 1981, and the County of Daviess on 26 MAY 1981.

1.8 DEFINITION OF WORDS. The following words and phrases, when used in these regulations shall be

defined and interpreted as indicated. Throughout these regulations, all words in the plural number include the singular number and vice-versa, unless the natural construction of the wording indicates otherwise. The word "may" is permissive, the word "should" is suggestive, and the words "shall" and "will" are mandatory.

1.81 Access or Accessibility. A point at which provisions are made for vehicular entrance to, or exit from, a street to, or from, a lot or other street; or the provision of an easement providing vehicular movement between streets and lots not fronting upon streets.

1.81A Agricultural Purposes or Agricultural Uses. Includes the use of land for the preparing and cultivating of the soil, the planting of seeds, the raising and harvesting of crops or of agricultural or horticultural (relating to the growing of fruits, vegetables, flowers or ornamental plants) commodities on such land, the feeding, breeding, raising and managing of poultry and livestock or other domestic animals for food or racing purposes, the managing of a dairy and whatever the land produces (plant and animal life useful to man). "Agricultural purposes or uses" do not include the commercial processing, packing, drying, storing, or canning of such commodities for market, or making cheese or butter or other dairy products for market.

1.82 Block. A surface land area, which is separated, and distinguished from other surface land areas by visible physical boundaries such as streets, railroads, rivers, extremely steep land, or other physical barriers.

1.83 Buildings. Any man-made physical structure, or part thereof, affixed to the land and intended for man's work, residence, or other occupancy.

1.84 Building Setback Line. A line in the interior of a lot, which is generally parallel to, and a specified distance from, the street right-of-way line, or lines. No building shall then be placed in the space between the building setback line and the right-of-way line.

1.85 Comprehensive Plan. Plans showing the OMPC's recommendations for guiding the development of the City of Owensboro, the City of Whitesville, and the County of Daviess, Kentucky, including any amendment, extension or addition to such plans, and any component part of such plans adopted by the OMPC.

1.86 Downtown Core. Generally the central business district of Owensboro, bounded by the Ohio River (N), Crittenden St. (E), 5th St. (S), and Walnut St. (W).

1.87 Downtown Frame. The inner-city area of Owensboro, bounded by the Ohio River and the downtown core (N), Triplett St. (E), 9th St. (S), and Orchard St. (W).

1.88 Easement. The right to use another person(s) property, but only for a limited and specifically named purpose. The owner generally may continue to make restricted use of such land since he has given up only certain, and not all, ownership rights.

1.89 Improvements. Physical changes made to raw land, and structures placed on or under the land surface, in order to make the land more useable for man's activities. Typical improvements in these regulations would be grading, street pavement, curbs, gutters, drainage ditches, storm and sanitary sewers, utility lines of all types, etc.

1.810 Legislative Body. The Owensboro City Commission, the Whitesville City Commission, or the Daviess County Fiscal Court.

1.811 Lot. A portion of a subdivision or other parcel of land intended for transfer of ownership, or for building development. Generally "lots" are the basic unit of a subdivision plan, i.e., the smallest division of a plan designed to be owned by one person.

1.812 Lot Area. The amount of surface land contained within the property lines of a lot, including land within easements on the lot, but excluding any land within street and other rights-of-way.

1.813 Lot, Corner. A lot abutting upon two or more streets at a street intersection, or abutting upon two adjoining and deflected lines of the same street and thereby forming an interior angle of less than one hundred thirty-five (135) degrees.

1.814 Lot Depth. The average horizontal distance between the front and rear property lines of a lot.

1.815 Lot Frontage or Width. Generally, the distance, measured along the building setback line, between the two side property lines of a lot --- although at times the measurement will be along the right-of-way line or back property line.

1.816 Lot, Double Frontage. A lot having two or more of its non-adjoining property lines abutting upon a street or streets.

1.817 Lot, Reverse Frontage. A double frontage lot, which has its vehicular access point limited to the back of the lot, rather than having access on its front as do most lots.

1.817A OMPC. The Owensboro Metropolitan Planning Commission.

1.818 Right-of-way. Land used generally for streets, sidewalks, alleys, or other public uses. Right-of-way also is a land measurement term, meaning the distance between lot property lines, which generally contains not only the street pavement, but also the sidewalks, grass area, and underground and aboveground utilities.

1.819 Street. Any vehicular way --- a general term used to describe right-of-way, which provides a channel for vehicular and pedestrian movement between certain points in the community which may provide for vehicular and pedestrian access to properties adjacent to it, and which may also provide space for the location of under or above ground utilities. Streets are classified by function as follows:

1.8191 Freeways. Hold the first rank in the classification of streets, and are used only for movement of vehicles, providing for no vehicular or pedestrian access to adjoining properties; interchange of traffic between a freeway and any other streets is accomplished by grade separated interchanges with merging deceleration and acceleration lanes, and no at-grade intersections are permitted. Freeways generally carry higher volumes, require greater right-of-way width, and permit higher speed limits than any other class of street, and should be depressed in urban and urbanizing areas. Arterials are the only class of street, which generally should be connected with freeways at, interchange points.

1.8192 Expressways/arterials. Hold the second rank in the classification, and should be used primarily for the movement of vehicles. Expressways should not provide for vehicular access to adjacent properties. Arterials shall provide controlled vehicular access to adjacent properties. Interruption of traffic flow should be permitted only at street intersection, which should contain medians, deceleration lanes, and left turn storage lanes. Expressways and arterials are the link between freeways and collectors, and rank next to freeways in traffic volumes, speed limit, and right-of-way width.

1.8193 Collectors. Hold the third rank in the classification of streets, and are used more for movement of vehicles than for providing access to adjacent properties. Access to adjoining properties should be planned and controlled so that minimum disturbance is made to the traffic moving efficiency of the collector street. Intersections should contain medians, deceleration lanes, and left turn storage lanes. Collectors are the link between arterials and local streets, and generally rank next to arterials in traffic volumes, speed limit, and right-of-way width. For the purposes of these regulations collectors are further subclassified by function as follows:

1.81931 Major Collectors. Those collector streets which continue through neighborhoods for **distances greater than one (1) mile**, serving vehicular destinations both within and beyond the neighborhoods through which they pass. Access to major collectors shall be controlled for all adjacent land uses.

1.81932 Minor Collectors. Those collector streets which do not continue through neighborhoods and are generally **less than one (1) mile** in length. They serve vehicular destinations within particular neighborhoods, and access to them is generally controlled only for certain land uses where higher levels of vehicular turn movement typically occur.

1.8194 Locals. Hold the fourth rank in the classification of streets, and are used primarily for providing access to adjacent properties. Vehicles moving on these streets should have an origin or destination in the immediate vicinity, and all types of through traffic should be eliminated through initial design of its connections with other streets. Local streets are the primary link between trip generation points (homes, offices, stores, work) and collector streets. Locals have the least right-of-way, the lowest speed limit, and the least amount of vehicular traffic. Local streets can be subdivided further into the following seven sub-classes:

1.81941 Continuing Streets. Are local streets having two open ends: each end generally connects with different streets; one or more other streets may intersect it between its two open ends; and property fronts on both sides of the streets.

1.81942 Marginal Access Streets. Are local streets (or service roads) generally having two or more open ends which are sometimes referred to as access

point, but herein are considered to be a full part of the marginal access street; the ends generally connect with the same street, other streets may intersect between the ends and property fronts on only one side of the street (the other street side is parallel, and adjacent, to a higher classification street such as a collector or arterial).

1.81943 Loop Streets. Are local streets having two open ends; each end generally connects with the **same** street; other streets generally intersect between its two ends and property fronts on both sides of the street.

1.81944 Cul-de-sac Streets. Are local streets having only one end providing access to another street; the closed end provides a turnaround circle for vehicles; no other street generally intersects between the two ends and property fronts on both sides of the streets.

1.81945 Dead-end Streets. Are similar to cul-de-sacs except that they provide no turnaround circle at their closed end, and are not permitted as streets, in any proposed subdivision. Stub streets, planned for future continuation, are not considered to be dead-end streets.

1.81946 Alleys. Alleys generally have two open ends, each end connects with different streets; and property generally **backs** onto both sides of the alley. Special permission from the Commission is required whenever alleys are used.

1.81947 Private Street. A means of access within a Planned Development Project which gives access to a public street and is owned and maintained by the project owner(s).

1.820 Subdivider. An individual, partnership, corporation or other legal entity or agent thereof, which undertakes the activities covered by these regulations. Inasmuch as the subdivision plat drawings are merely a necessary means to the end of assuring satisfactory development, the term subdivider includes "developer", "owner", "builder", etc. even though the persons and their precise interests may vary at different project stages.

1.821 Subdivision. The division of a parcel of land into two or more lots or parcels; for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division

of a parcel of land; providing that a division of land for agricultural purposes into lots or parcels of five (5) acres or more and not involving a new street shall not be deemed a subdivision. The term includes re-subdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided. For the purposes of these regulations, two classes of subdivisions shall be established as follows:

1.8211 Major Subdivision. Shall be a subdivision of land, which is of major significance to our community's future development, and shall include all subdivisions which do not conform to the definition established for minor subdivisions. Any subdivision proposing the creation of a new street shall automatically be considered as, and follow the requirements for, a major subdivision.

1.82111 Minor Amendments to Major Subdivisions. Shall be a minor revision to an approved major subdivision preliminary or final plat. All minor amendments to preliminary and final subdivision plats, which fully meet the requirements set forth hereinafter, may be approved and signed by the OMPC Director, or his appointee, without further action by the OMPC. If any question arises as to compliance, however, the Director shall refer the plat to the OMPC for action. Such minor amendments

- (1) shall not increase the number of lots from the originally approved subdivision
- (2) shall not change the location or cross section of any street or the location of street access points on arterial or high-traffic collector streets
- (3) shall not alter drainage ways, detention basins or storm water drainage calculations

1.8212 Minor Subdivision. Shall be a subdivision of land, which is generally of minor planning significance to our community's future development, and includes only those subdivisions as defined hereinafter. All minor plats, which fully meet the requirements set forth hereinafter, may be approved and signed by the OMPC Director, or his appointee, without further action by the OMPC. If any question arises as to compliance, however, the Director shall refer the plat to the OMPC for action. Minor subdivisions may be required to follow major

subdivision requirements whenever the OMPC feels important questions are involved.

1.82121 Consolidation Minor Subdivision. Shall be for the purpose of transferring land between adjoining properties, which share at least one common boundary involved in the transfer; or among several adjoining lots which will result in no more lots than existed prior to the subdivision.

1.82122 Division Minor Subdivision. Shall be a subdivision resulting in no more than two (2) lots or tracts having frontage on an existing public street; or on a private street or drive providing clearly legal and physically adequate access to a public street, where provided for in these regulations. Any redivision of lots involved in a division minor subdivision occurring within twelve (12) months of the original action shall be deemed a major subdivision, and shall follow the requirements for such.

1.822 Zoning Ordinance. The Owensboro Metropolitan Zoning Ordinance.

Article amendments approved unless noted:	OMPC	Owensboro	Daviess Co.	Whitesville
Re-adoption of Subdivision Regulations	24-Mar-1977	01-Apr-1977	20-Apr-1977	?
Complete revision of Subdivision Regulations	18-Apr-1981	22-May-1981	26-May-1981	06-Jul-81
Eliminated Section 2.3 requiring percolation tests prior to plat approval	10-June-2004			

2.0 PURPOSE. The purpose of this article is to establish procedure and content requirements which must be met by minor subdivision plats.

2.1 PROCEDURE FOR MINOR SUBDIVISION PLATS. The subdivider of a minor subdivision shall file a formal application and the minor subdivision plat materials with, and as required by, the OMPC:

2.11. The OMPC Director signs the plat if it conforms to these regulations;

2.12. The plat then must be recorded at the expense of the subdivider, within sixty (60) days of approval, in the office of the Daviess County Clerk. Otherwise, the plat is null and void.

2.2 CONTENT AND FORMAT OF MINOR SUBDIVISION PLATS. Each request for approval of a minor subdivision plat shall include one (1) copy of a completed OMPC application form, the original plat and two (2) copies drawn at a scale of one hundred (100) feet or less to the inch. The plat shall show:

2.21 Title Block. The name of the subdivision; north arrow; date; written and graphic scales; the names and addresses of the subdivider and land surveyor;

2.22 Vicinity Map. Relating the property to a sufficient number of streets and other landmarks to enable one to quickly recognize its Daviess County location;

2.23 Context.

2.231. Angles or true bearings and distances to the nearest established street line or existing official monuments, which shall be accurately described on the plat;

2.232. At least one corner of the land being subdivided must be referenced to a corner of any parent tracts, or durable physical object, or a control network (i.e., state plane coordinates) where such

corner, durable physical object or geodetic station of a control network is reasonably accessible;

2.233. Location, type, material and size of all monuments and lot markers and a notation as to whether found or set;

2.24 Lots, Streets and Easements.

2.241. For street and alley rights-of-way, show the names, bearings, angles of intersections, and width;

2.242. For all arcs, show the length, radii, central angles, internal angles, points of curvature and tangency, and the length of all tangents;

2.243. For all easements, lands for joint use of property owners, or other rights-of-way, show the location, width, and the printed words "public easements", or other designation as appropriate;

2.244. For all lot lines, show dimensions in feet and hundredths, and bearings and angles to minutes;

2.245. For all lots, show lot numbers, building address number(s), building setback lines;

2.25 Certifications. The following certifications along with required signatures;

2.251 Owner's Certification. Shall be as per Section 4.161 herein;

2.252 Surveyor's Certification. Shall include as per Section 4.162 herein;

2.253 OMPC Certification. Shall leave space for signature upon approval:

OWENSBORO METROPOLITAN
PLANNING COMMISSION

APPROVED _____
Director

DATE _____

Article amendments approved unless noted:	OMPC	Owensboro	Daviess Co.	Whitesville
Re-adoption of Subdivision Regulations	24-Mar-1977	01-Apr-1977	20-Apr-1977	?
Complete revision of Subdivision Regulations	18-Apr-1981	22-May-1981	26-May-1981	06-Jul-1981
Bypassing preliminary plat provision for "major/minor" plats {3.02}	08-Aug-1981	?	?	18-Aug-1987?
Surety forfeiture provision {3.35}	10-Jul-1982	09-Nov-1982	19-Oct-1982	?
New water supply & fire protection requirements {3.33}	15-Jan-1998	No action required by legislative bodies		
Section 3.2, 3.41 revised to allow minor revisions to be signed by OMPC director, Sections 3.311,3.32,3.33,3.34 revised for surety times and administrative release and transfer of surety,remove surety forfeiture provision	10-June-2004			

3.0 PURPOSE. The purpose of this article is to establish the step-by-step procedure which shall be followed by the subdivider and the OMPC in preparing, reviewing, and approving all major subdivision plats.

3.01 No Construction Prior to Approval of Preliminary Plat. No grading or construction work upon proposed improvements may begin before the submission and approval by the OMPC of a preliminary plat.

3.02 Bypassing Preliminary Plat. In any major subdivision where public improvement plans are not required, or where the water distribution system (water lines and fire hydrants) is the only public improvement required, the plat content shall be as required for major subdivision final plats (Section 4.3) and the plat approval procedure shall be as for minor subdivision plats (Section 2.1). If, in the opinion of the OMPC Director, important questions arise as to the compliance of such a subdivision with the requirements of these regulations, or other issues arise which the OMPC should review, the subdivision may be required to follow the major subdivision plat approval procedure (Section 3.4).

3.1 PRE-APPLICATIONS. Prior to formal application for a major subdivision approval (preliminary plat), the subdivider or his agent shall have a conference with the OMPC staff to discuss the requirements of the OMPC and of other public agencies, the improvements and uses of the subdivision and any other potential issues involved related to the proposed subdivision. The subdivider shall present for discussion a rough sketch showing generally the boundaries of the proposed subdivision, the proposed location and widths of streets, lot patterns and drainage patterns, plus any other pertinent information then known to the subdivider.

3.2 PRELIMINARY PLAT. Following the pre-application conference, the subdivider shall seek OMPC approval of a preliminary plat in accordance with the following procedure:

3.21 Formal Application and Submission. The subdivider shall file a formal application for preliminary plat approval on a form supplied by the OMPC and shall submit therewith a preliminary plat prepared in conformance with the requirements of Article 4 of these regulations. Preliminary plats will be submitted to the OMPC at least twenty-one (21) days prior to the date of a regular meeting in order to be considered at that meeting. For minor amendments to preliminary subdivision plats, the plat content shall be as required for major subdivision preliminary plats (Section 4.1) and the approval process shall be as for minor subdivision plats (Section 2.1 and 2.11)

3.22 Staff and Other Agency Review. The OMPC staff and the local government engineer shall review the plat for conformance to these regulations, the Public Improvement Specifications, the Owensboro Metropolitan Zoning Ordinance and the Access Management Manual. Utility and other public agencies shall review the plat prior to submittal to the OMPC. The staff shall then notify the subdivider or his agent concerning any recommendations and shall afford him an opportunity to submit an amended plat before the OMPC takes official action.

3.23 OMPC Action. After filing of the application and the preliminary plat materials, the OMPC shall, at either a regular or called meeting hold a hearing on the plat. An opportunity to be heard shall be given to the owner or subdivider of the subdivision in question before the OMPC takes action upon it.

3.231. Within ninety (90) days after the hearing on the preliminary plat, the OMPC shall approve, disapprove, or approve subject to modifications the said plat.

3.232. If the plat is disapproved or approved subject to modifications, the reasons will be stated at the public hearing and recorded in the minutes. If the subdivider or his agent is absent from the meeting in which such action is taken, he shall be notified in

writing as to the reasons for disapproval or conditional approval. If the subdivider does not submit an acceptable amended plat within ninety (90) days of submission of the original plat, the plat shall be deemed to be disapproved by the OMPC.

3.233. The approval by the OMPC of a preliminary plat is valid for one (1) year. Extensions of approval may be granted by the OMPC, and shall be automatic for all subdivisions being developed by sections so long as construction is in progress in any section. At any time after the original one (1) year validity of the preliminary plat, for any sections where final plats have not been approved by the OMPC, the OMPC may revoke approval of the preliminary plat for such sections (where the construction of public improvements in accordance with the original preliminary plat has not started), and may request a revised plat, to coordinate with surrounding development activities which were not anticipated when the original preliminary plat was approved.

3.3 CONSTRUCTION COMPLETED OR SURETY REQUIRED BEFORE FINAL PLAT CONSIDERED FOR APPROVAL. The OMPC will act on approval of a final plat only after monuments have been placed and all public improvements have been installed, or surety is provided for completion of any required improvements not installed, or not acceptably installed, at the time of action on such final plat.

3.31 Type of Surety. Surety for the completion of public improvements may take any of the following forms:

3.311. A duly executed and completed surety performance bond or letter of credit, certified by the OMPC Attorney as valid and enforceable by the OMPC, and in an amount and with surety satisfactory to the OMPC for the construction of such improvements within a period fixed by the OMPC; or

3.312. A certified check drawn on an approved bank and available to the OMPC in an amount adequate for the completion of such improvement; or

3.313. A certificate of deposit or a savings certificate in the name of the subdivider or other person(s) placing the certificate, issued by a federally insured bank or federally insured savings and loan association, endorsed and payable to the Owensboro Metropolitan Planning Commission by the person(s) whose name(s) it bears.

3.32 Release of Surety. If surety has been held by the OMPC to assure the installation of public improvements, its release shall be approved by the OMPC director after a public improvements checklist signed by the City or County Engineer, appropriate agency officials, and/or professional engineer (as applicable) is received certifying that the required public improvements have been satisfactorily completed in conformance with all requirements. The OMPC director may require that the OMPC act on surety releases if any question arises regarding the certification that required public improvements have been satisfactorily completed in conformance with all requirements.

3.33 Timely Completion of Improvements. Required sidewalks should be satisfactorily installed within maximum time limits of three (3) years, required fire hydrants and associated water mains necessary to serve those fire hydrants should be satisfactorily installed within maximum time limits of six (6) months, and all other required public improvements should be satisfactorily installed within a time limit of two (2) years, of final plat approval by the OMPC. The OMPC director may take action to transfer the surety as provided in Section 3.34.

3.34 Transfer of Surety. When improvements have not been installed in a satisfactory manner within the time limits as set forth in Section 3.33, the surety posted with the OMPC shall be transferred to the appropriate legislative body for necessary action in accordance with the policies of that body by the OMPC director or by action of the OMPC as an agenda item as the OMPC director deems necessary. .

3.4 FINAL PLAT. Before transferring title to any portion of a subdivision which is pending before the OMPC, the subdivider shall obtain OMPC approval to be shown on the final plat. Approval may be obtained in accordance with the following procedure:

3.41 Formal Application and Submission. The subdivider shall file formal application for subdivision approval on a form supplied by the OMPC and shall submit therewith a final plat prepared by a land surveyor in conformance with the requirements of Article 4 of these regulations. Final plats will be submitted to the OMPC at least seven (7) days prior to the date of a regular meeting in order to be considered at that meeting. For minor amendments to final subdivision plats, the plat content shall be as required for major subdivision final plats (Section 4.3) and the approval

process shall be as for minor subdivision plats (Section 2.1 and 2.11)

3.42 Staff Review. The OMPC staff shall review the plat and make recommendations to the OMPC. No action shall be taken on plats prior to staff recommendations.

3.43 OMPC Action. After submission of the final plat and the required information concerning improvements, the subdivider or his agent will appear before the OMPC at either a regular or called meeting, at which time the final plat will either be approved or disapproved.

3.431. If the final plat is disapproved, the reasons will be stated at the meeting and recorded in the minutes.

3.432. If the final plat is approved, the approval will be endorsed on the original tracing, which then will be returned to the subdivider.

3.44 Recording. After the approval of the final plat by the OMPC, it shall be recorded at the expense of the subdivider in the office of the Daviess County Clerk. Approval of the final plat by the OMPC shall be null and void if the plat is not recorded as herein above required within sixty (60) days after the date of such approval.

3.5 ACCEPTANCE OF PUBLIC LANDS AND STREETS. The approval of the final plat by the OMPC shall not be deemed acceptance of the dedication of any public lands, streets, etc. Such acceptance will be made by the appropriate legislative body in the manner prescribed by law.

Article amendments approved unless noted:	OMPC	Owensboro	Daviess Co.	Whitesville
Re-adoption of Subdivision Regulations	24-Mar-1977	01-Apr-1977	20-Apr-1977	?
Complete revision of Subdivision Regulations	18-Apr-1981	22-May-1981	26-May-1981	06-Jul-1981
Revised to add utility signature requirement to preliminary and final plats	10-June-2004			

4.0 PURPOSE. The purpose of this article is to describe the content and format of required plat materials before they can be considered as officially filed for OMPC review.

4.1 PRELIMINARY PLAT MATERIALS. Each application package for preliminary plat approval shall include the following:

4.11 Application Form. One (1) copy of a completed OMPC application form;

4.12 Vicinity Map. Four (4) copies of a vicinity map showing the area within one-quarter (1/4) mile in all directions at a scale of no more than six hundred (600) feet to the inch which shall show:

4.121. Existing adjacent subdivisions, including lot and block lines;

4.122. Adjacent streets, platted and/or planned showing street and roadway widths, and the connections, present or proposed, between streets of the proposed subdivision and collector and/or arterial streets serving the entire area;

4.123. Adjacent pedestrian walkways, platted and/or planned showing right-of-way widths, and the connections, present or proposed, between the walkway system of the proposed subdivision and the walkway system of adjacent subdivisions, developments, or public sites;

4.124. Tract boundaries of adjacent unplatted lands together with the names of owners of record;

4.125. Any part of said vicinity map may be made a part of the land subdivision drawing (Section 4.13) so long as the requirements of the regulation are met;

4.13 Land Subdivision Drawing. Four (4) copies of the "preliminary plat" drawn at a scale of one hundred (100) feet or less to the inch, showing:

4.131 Title Block. The proposed name of the subdivision, which should not duplicate nor closely approximate (phonetically or in spelling) the name of any other subdivision in Daviess County, unless the proposed subdivision is a logical extension of an existing subdivision; north arrow; date; written and graphic scales; the names and addresses of the subdividers and of the engineer, surveyor and any other persons directly involved in the transaction;

4.132 Topography. The topography of the land as shown by contour lines plotted at not more than two (2) foot intervals, including reference to sea level datum and the equation with the City of Owensboro datum;

4.133 Context. The names of adjacent subdivisions and/ or the names of recorded owners of adjacent unsplit land; the location of existing permanent buildings, political subdivisions, corporation lines, school district boundaries, etc. within or adjacent to the proposed subdivision;

4.134 Streets, Walks and Railroads. The names, location and widths of all existing platted or planned streets, pedestrian walkways, railroad rights-of-way, or other public ways within or adjacent to the proposed subdivision; the layout, names and widths of proposed streets, mid-block walks and railroad rights-of-way within the proposed subdivision;

4.135 Utilities. Existing utility easements within or adjacent to the proposed subdivision; public utilities coming within five hundred (500) feet of any portion of the proposed subdivision showing:
The location and size of all public water supply lines; the location, size and invert elevation at nearest point of any storm, sanitary or combined sewer; the location, size and pressure of any pipe line for gas or petroleum products; the location, voltage and capacity of any electrical distribution line and/or transformer station;

4.1351. Proposed utility easements within the tract to be subdivided;

4.136 Lots. The bearings and distances of the tract boundaries; the location and approximate dimensions for lot lines; lot numbers; the proposed building address number(s) for each lot; building setback lines;

4.137 Public and Non-public Sites. The name, acreage and use of any parcels to be conveyed or held for public use, or for joint use of property owners, and an explanation of the provisions of reservation and arrangement for maintenance; and the name, acreage and proposed use of any non-public uses (other than single-family dwellings) such as multi-family dwellings, business centers, churches, etc.;

4.138 Landscape Easements. Location, dimensions and materials to be used for property perimeter landscape easements (if required by Article 17 of the Owensboro Metropolitan Zoning Ordinance;

4.139 Site Statistics. The total acreage; gross acreage in each land use and/or zoning classification; residential densities; linear feet of streets, etc.;

4.14 Public Improvement Plans. Four (4) copies of plans for any required public improvements for the proposed subdivision which shall be certified by a registered professional engineer, and shall include:

4.141. A profile of each street showing the existing grade of the land and proposed grade of finished street centerline, walk and curbs;

4.142. Cross-sections showing the type of roadways, sidewalks and curbs, and showing in detail the width and depth of the improved roadways, walks and curbs with specifications for the materials for the construction thereof at a scale, both horizontal and vertical of one (1) inch equals five (5) feet;

4.143. Plans and profiles of proposed sanitary, storm or combined sewers, with grades and pipe sizes indicated and a plan of the proposed water distribution system, showing pipe sizes and the locations of valves and fire hydrants;

4.1431. If no storm sewer system is proposed, a map showing disposition of storm water to a natural waterway or drainage ditch, showing all necessary ground elevations, will accompany the preliminary plat;

4.15 Restrictions on the Land. One (1) copy of all private restrictions upon use or type of construction which the subdivider intends to place on the land.

4.16 Certifications. The preliminary plat land subdivision drawing shall include the following certifications along with required signatures:

4.161 Owner's Certification. Shall be as follows: "We, the undersigned ----- owners of the real estate shown (or authorized agent as recorded in the Daviess County Clerk's office) and described hereon, do hereby certify that we have laid-off, platted and subdivided, and do hereby lay-off, plat and subdivide, said real estate in accordance with the within plat. All streets and alleys (, and other lands intended for public use,) shown, and not heretofore dedicated, are hereby dedicated to the public."

4.162 Surveyor's Certification. Shall include:

4.1621. A statement as to the method used to perform the survey.

4.1622. The unadjusted mathematical error-of-closure ratio of the survey traverse.

4.1623. A statement as to whether or not the directions and distances as shown on the plat have been adjusted for closure.

4.1624. A statement as to the basis of the reference meridian used to determine the directions of survey lines.

4.1625. The signature and registration number of the surveyor responsible for the survey.

4.163 Water Distribution System Certification. Shall include the signature of the City or County Fire Chief and the appropriate Water District Manager certifying their approval of the proposed water distribution system.

4.164 Sanitary Sewer System Approval & Acceptance of Sewage (IF APPLICABLE). Shall include the signature of an authorized representative of the Regional Water Resource Agency certifying the sanitary sewer approval and acceptance of sewage if development is served by sanitary sewer system.

4.165 Electrical Easement Approval. Shall include the signature of an authorized representative of the appropriate electric utility.

4.166 Telephone Easement Approval. Shall include the signature of an authorized representative of the telephone company.

4.167 Natural Gas Easements Approval. Shall include the signature of an authorized representative of the gas company.

4.17 Professional Engineer's Certification. The signature and registration number of the professional engineer responsible for the public improvement plans shall accompany such plans.

4.2 FINAL PLAT MUST BE SUBSTANTIALLY SIMILAR TO PRELIMINARY PLAT. The final plat shall be substantially similar to the approved preliminary plat allowing only the following exceptions:

4.21 Dimensions. Preliminary approximate dimensions will be replaced by accurate surveyed dimensions;

4.22 Changes Suggested by OMPC. Minor changes suggested by the OMPC at the time of approval of the preliminary plat shall be incorporated on the final plat.

4.23 Amended Preliminary Plat. An amended preliminary plat shall be submitted for OMPC approval for any other changes than those above prior to the submission of a final plat for consideration.

4.3 FINAL PLAT MATERIALS. Each application package for final plat approval shall include the following:

4.31 Application Form. One (1) copy of a completed OMPC application form;

4.32 Final Plat. One (1) original translucent tracing and three (3) copies of the final plat consisting of a complete and accurate layout drawn to a scale of one hundred (100) feet or less to the inch which shall show:

4.321 Title Block. The name of the subdivision, section or unit number; north arrow; date; written and graphic scales; the names and addresses of the subdivider and the land surveyor;

4.322 Vicinity Map. Showing in sufficient detail the location of the subdivision, section or unit;

4.323 Context.

4.3231. The boundary lines of the tract subdivided together with accurate distances and angles, and the exact location of all existing and recorded streets intersecting the boundary of the tract;

4.3232. Angles or true bearings and distances to the nearest established street line or existing official monuments, which shall be accurately described on the plat;

4.3233. At least one corner of the land being subdivided must be referenced to a corner of the parent tract, or durable physical object, or a control network (i.e., state plane coordinates) where such corner durable physical object or geodetic station of a control network is reasonably accessible;

4.3234. An accurate metes and bounds description of the tract and its source of title as shown by the records in the office of the Daviess County Clerk;

4.3235. Location, type, material and size of all monuments and lot markers and a notation as to whether found or set;

4.324 Streets, Walks, Easements and Lots.

4.3241. For street and alley rights-of-way, show the names, bearings, angles of intersections, and width including the widths along the line of any obliquely intersecting street;

4.3242. For all arcs, show the length, radii, central angles, internal angles, points of curvature and tangency, and the length of all tangents;

4.3243. For all easements or other rights-of-way, show the location, width, and the printed words "public easement," or other designation as required;

4.3244. For all lot lines, show dimensions in feet and hundredths, and bearings and angles to minutes if other than right angles to the street or alley lines;

4.3245. For all lots, show lot numbers, building address number(s), building setback lines;

4.325 Public and Non-public Sites. The accurate outline of all property which is offered for dedication for public use with the purpose thereof indicated, and all property that may be reserved by deed, covenant or

restriction for the common use of property owners of the subdivision;

4.326 Landscape Easements. Location, dimensions and materials to be used for property perimeter landscape easements, if required;

4.33 Restrictions on the Land. One (1) copy of the restrictions of all types which run with the land (if bypassing the preliminary plat stage).

4.34 Certifications. The final plat drawing shall include the following certifications along with required signatures:

4.341 Owner's Certification. Shall be as per Section 4.161 herein.

4.342 Surveyor's Certification. Shall include as per Section 4.162 herein.

4.343 Water Distribution System Certification. Shall include as per 4.163 herein.

4.344 Electrical Easement Approval. Shall include as per 4.165 herein.

4.345 Telephone Easement Approval. Shall include as per 4.166 herein.

4.346 Natural Gas Easements Approval. Shall include as per 4.167 herein.

4.347 OMPC Certification. Shall leave space for signatures upon approval:

OWENSBORO METROPOLITAN
PLANNING COMMISSION

APPROVED _____
Chairman

APPROVED _____
Secretary

DATE _____

4.35 Public Improvements Checklist. One (1) copy of a completed public improvement checklist, including:

4.351 Certification. A certificate signed by the City or County Engineer, appropriate agency official,

and/or professional engineer (as applicable) shall be required, certifying that all required improvements have been installed in accordance with the provisions of these regulations and in a manner satisfactory to the City or County Engineer or appropriate agency official, or estimating the amount of cost to satisfactorily complete any incomplete or unacceptable improvements for determining the amount of surety to be provided.

4.352 Type of Surety. Surety for the completion of public improvements may take any of the following forms:

4.3521. A duly executed and completed surety performance bond or letter of credit, certified by the OMPC Attorney as valid and enforceable by the OMPC, and in an amount and with surety satisfactory to the OMPC for the construction of such improvements within a period fixed by the OMPC; or

4.3522. A certified check drawn on an approved bank and available to the OMPC in an amount adequate for the completion of such improvements; or

4.3523. A certificate of deposit or a savings certificate in the name of the subdivider or other person(s) placing the certificate issued by a federally insured bank or federally insured savings and loan association endorsed and payable to the Owensboro Metropolitan Planning Commission by the person(s) whose name(s) it bears.

Article amendments approved unless noted:	OMPC	Owensboro	Daviess Co.	Whitesville
Re-adoption of Subdivision Regulations	24-Mar-1977	01-Apr-1977	20-Apr-1977	?
Complete revision of Subdivision Regulations	18-Apr-1981	22-May-1981	26-May-1981	06-Jul-1981
New water supply & fire protection requirements {5.63}	15-Jan-1998	No action required by legislative bodies		
Revised lot depth to width ratio to 3:1, changed minimum lot size on septic system to ¼ acre	10-June-2004			

5.0 PURPOSE. The purpose of this article is to establish the basic and minimum design and improvement standards which will be required for lots, streets, utilities, and other physical elements in the subdivision. Standards exceeding these minimum requirements may be provided by the subdividers, or required by the OMPC. The public improvement specifications which are included herein as appendix A should generally be consulted for **detailed** standards, procedures and requirements, and are specifically cited herein where appropriate.

5.1 GENERAL PROVISIONS.

5.11 Community Assets. In all subdivisions, due regard should be shown for natural features such as large trees and water courses; for sites which have historical significance; and for similar assets which if preserved will add attractiveness and value to the subdivision and to the community.

5.12 Flood Hazards. Land subject to flooding shall not be platted for residential use or for any other use which may increase the danger to health, life, or property or aggravate erosion or flood hazards. Such lands within the subdivision shall be set aside on the plat for such uses as will not be endangered by periodic or occasional inundation or will not result in conditions contrary to the public welfare. To insure that lots will be located only where they will provide flood-free building sites, the OMPC shall require the subdivider to provide flood elevation information for any subdivisions which include official flood hazard areas or flood plain districts. The subdivider shall consult the Owensboro Metropolitan Zoning Ordinance flood plain regulations to assure that proposed lot sizes and/or configurations are adequate to achieve the above-stated purposes.

5.13 Premature Development. Whenever a proposed subdivision is not served by proper community access roads, utilities, or other basic needs of the future residents, as generally provided for other comparable subdivisions in the community, the OMPC may postpone approval of any such subdivision until such needs are properly met.

5.14 Improvements. All improvements shall comply with the best engineering standards, and all construction on, in and under streets which are proposed for dedication, and all work in connection with parks, playgrounds, public building sites and other areas which are proposed for dedication for public use, shall be based on plans approved by the City or County Engineer and construction thereon shall be subject to the inspection and approval of the City or County Engineer.

5.2 STREETS.

5.21 Improvements.

The subdivider shall be fully and solely responsible for the construction (to specifications herein) of **proposed streets** of the following classifications: MINOR COLLECTOR STREETS; LOCAL STREETS; PRIVATE STREETS; AND ALLEYS.

At the discretion of the OMPC, the subdivider may be required to improve **existing streets** of the ABOVE MENTIONED CLASSIFICATIONS which border the subdivision (to meet particular or full specifications herein).

The subdivider shall be responsible for the following in connection with ARTERIAL AND MAJOR COLLECTOR STREETS as **designated by the comprehensive plan**: Dedication of land strips to

achieve appropriate-width half rights-of-way when such alignments abut the proposed subdivisions; dedication of appropriate-width full rights-of-way when such alignments lie within the proposed subdivision.

Generally, the subdivider will not be required to improve **existing** ARTERIAL or MAJOR COLLECTOR STREETS unless the proposed subdivision involves the obvious continuation of improved streets and reverse frontage lots are not proposed.

For **new** ARTERIAL and MAJOR COLLECTOR STREET ALIGNMENTS, the subdivider shall coordinate the layout and engineering of the street improvement with the OMPC and the City or County Engineer. Such street improvements may be constructed in phases, especially in the case of arterial streets. The negotiated, respective responsibilities of the subdivider and the public shall be made a part of the subdivision plat materials. In no case shall the subdivider be responsible for less cost-obligation than would be required for a street of minor collector classification.

5.22 Area System. Because the transportation system is the framework on which our community is built, it is important that streets function well and properly characterize the movement and access needs of the community residents. The street system for a proposed subdivision, therefore, must conform with a classification plan that can accommodate the existing pattern of streets as well as existing and proposed land uses for the entire neighboring area. To achieve these objectives, the following design concerns shall be addressed by the proposed subdivision:

5.221 Arterials and Major Collectors. Provision for the inclusion of alignments with appropriate rights-of-way widths for existing or proposed arterial and major collector streets designated by the transportation element of the community's comprehensive plan (see Section 5.21 herein above), and are shown on the map on page 5-3.

5.222 Minor Collector System. Collection and distribution of local traffic within a neighborhood, as well as access to abutting property, shall be provided by a minor collector street system which interconnects arterials and major collectors with local access streets; minor collectors shall carry traffic from arterials and major collectors into, but not completely through neighborhoods, with a typical continuity of less than one (1) mile. Generally, in industrial or business zones, or in residential areas with densities greater

than two (2) dwelling units per net acre, every lot will be less than 1,600 feet by vehicle, via a local street, from a minor collector, major collector or arterial. (See Section 5.8, page 5-8).

5.223 Subdivision Must Have Access. A proposed subdivision's street system shall integrate and align with existing streets or surety-posted planned streets within its vicinity. The street classifications proposed (and subsequent design characteristics) shall conform with the area system requirements of this section; and shall conform with the specifications described in Section 5.23 herein below.

5.224 Conflicting Traffic or Land Use. When a proposed subdivision contains or is adjacent to existing or proposed railroad rights-of-way, arterial or major collector streets rights-of-way, other significant rights-of-way, or conflicting and detrimental land uses, the OMPC may require marginal access streets, reverse frontage lots (generally required for major residential subdivisions where lots abutting above-mentioned **existing unimproved** streets or **new streets** are under one-half (0.5) acre in area), lots with rear service alleys, lots with additional depth, or other measures which may be necessary for protection of abutting properties and the maintenance or function of major traffic streets.

5.225 Half Streets. New half, or partial, streets shall not be permitted. Existing half streets generally shall be completed to full right-of-way requirements. Phased street improvements for arterial and major collector streets (Section 5.21), which may result in a temporary partial street, are not considered to be half streets.

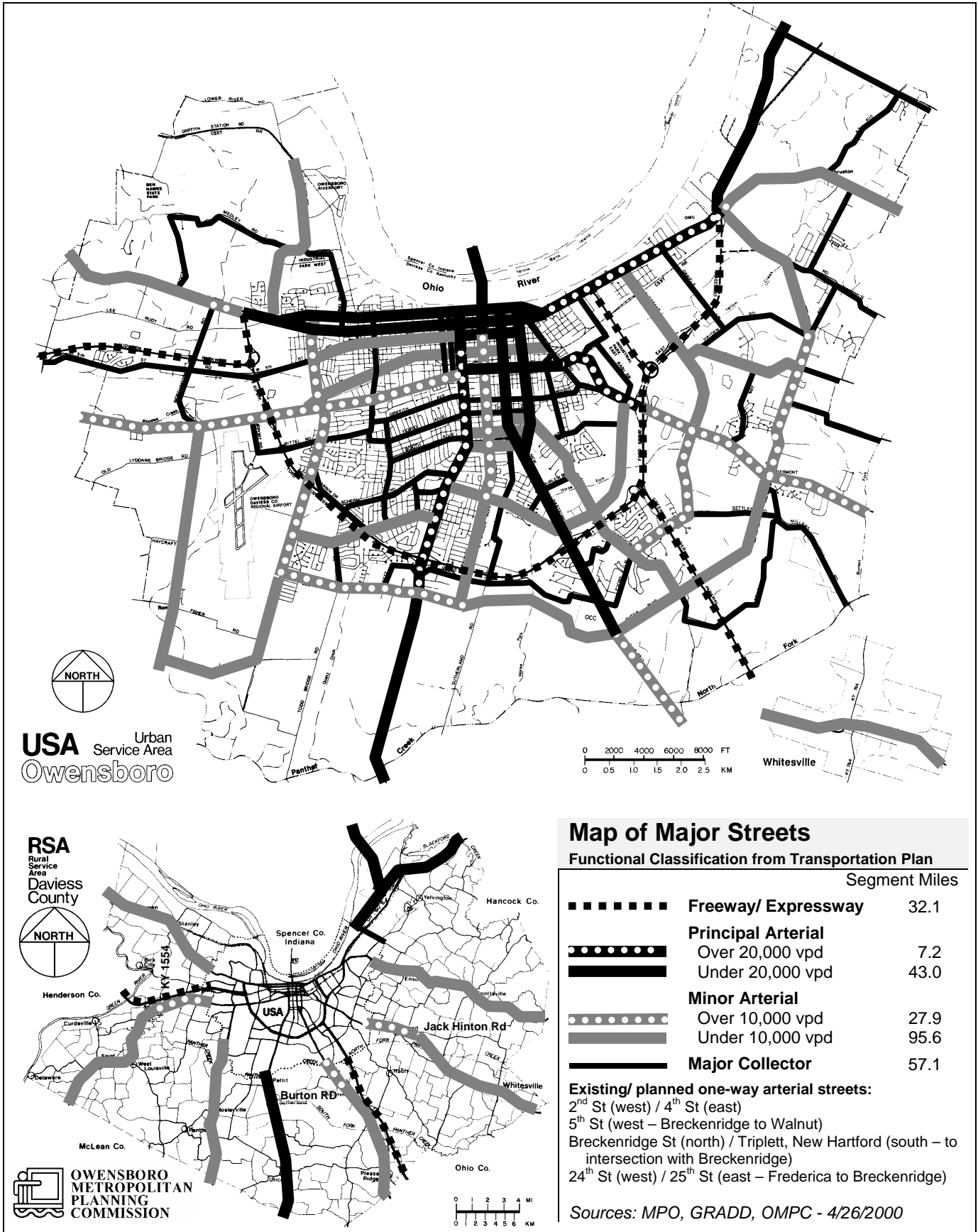
5.23 Specifications.

5.231 Alleys. In general, alleys may be utilized in business and industrial zones.

5.2311. Alleys shall serve as the only vehicular access to lots in the R-1T Townhouse Zone. Except where justified by unusual conditions, alleys will not be permitted in other residential zones.

5.2312. The minimum width of right-of-way for alleys will be twenty (20) feet; the minimum roadway width, eighteen (18) feet.

5.221 Illustration



USA Urban Service Area
Owensboro

RSA Rural Service Area
Davies County

OWENSBORO METROPOLITAN PLANNING COMMISSION

5.232 Private Streets. Private streets in planned residential development projects shall provide a minimum width of twenty-four (24) feet (back-to-back of curbs). Parking-area drives and other accessways in planned business centers and professional office projects shall provide driving lanes a minimum of twelve (12) feet in width for each lane.

5.233 Other Streets. Public streets other than freeways and alleys shall conform to the applicable dimensions, alignments, intersections, and cross-section standards of the public improvement specifications herein. (Appendix A, pp. 3-2, 3-3, 3-4).

5.24 Names. Large subdivisions should use a single significant category; small subdivisions should use the same category as the surrounding or adjacent area to establish locational identity. All street names within a proposed subdivision shall be subject to final approval by the OMPC upon completion of staff review.

5.241 Duplication. A proposed street which will align with an existing or planned street shall bear the same name throughout, even if a change in direction occurs. If it is interrupted by a channel, freeway, railroad, etc., and eventual connection is not probable, the segments shall bear different names. Similar sounding names are considered to be duplication regardless of spelling. Duplication of names shall not be permitted anywhere in Daviess County, and shall not be permitted even with different suffix names.

5.242 Prefix and Suffix Directions. Prefix or suffix directions (north, south, east, west) shall be used when a street intersects the Owensboro Metropolitan Address Grid baseline boundaries, and shall not be used elsewhere.

5.243 Suffix Names. Should reflect the type of street proposed; and should conform with the following list:

5.2431 Cul-de-sacs. Less than 1,000 feet in length. Court, Cove, Landing, Manor, Point, Square, Terrace, or Trace; greater than 1000 feet in length may also use Drive or Place;

5.2432 Curvilinear (Winding) Streets. Lane, Trail or Way;

5.2433 Freeways or Expressways. Bypass, Expressway, Freeway, Highway, Motorway,

Overpass, Parkway, Pike, Skyway, Throughway or Turnpike;

5.2434 Loops or U-shaped Streets. Circle, Crescent or Loop, using the most applicable name to describe the street feature;

5.2435 Arterials, Collector or Other Local Streets. All other appropriate suffix names, although "Boulevard" should be retained for wide streets leading to community focal points;

5.244 Unacceptable Names. Alphabetic letters (A, B, C, etc.); surnames of living persons (except for special, commemorative purposes); complicated or undesirable names; unconventional spelling; compound names for streets less than 1000 feet in length; numbered streets (35th, 36th, etc.).

5.25 Sidewalks. In any subdivision the subdivider shall be responsible for the construction of sidewalks along all streets where public improvements exist or are being installed (curb and gutter), whether the street is a new alignment or an existing alignment being brought up to specification, as per the following table:

STREETS WITH PUBLIC IMPROVEMENTS		SIDEWALKS REQUIRED?
ZONE	LOT SIZE	
Residential, Agricultural	Min. >= 0.5 acre	NO
Residential	Min. < 0.5 acre	YES
Business	Any	*1
Industrial	Any	*2
*1 Generally required, at the discretion of the OMPC. *2 Generally not required, at the discretion of the OMPC.		

Such sidewalks shall be of concrete, with a minimum width of four (4) feet and shall comply with all specifications for walks as described in the Owensboro Metropolitan Public Improvement Specifications (Appendix A, herein). For planned residential development projects the OMPC may waive these requirements for sidewalks, if an acceptable alternative walkway system is proposed that will provide the needs of pedestrian access.

5.3 LOTS AND BLOCKS. The following shall be the minimum standards for lots and blocks:

5.31 Blocks. In general, intersecting streets which determine block length, shall be provided at such intervals as necessary to meet existing street patterns,

topography and requirements for safe and convenient vehicular and pedestrian circulation. Residential blocks generally shall not exceed sixteen hundred (1,600) feet in length, nor be less than five hundred (500) feet in length; with the block width generally being sufficient to allow two tiers of lots of appropriate depth. Nonresidential blocks shall be of such length, width and other design as the OMPC finds necessary for the prospective use, including adequate provision for off-street parking, truck loading and unloading, buffer areas, pedestrian movement, and proper vehicular access to adjacent streets.

5.32 Pedestrian Walkways. In addition to the normal sidewalks paralleling streets, the OMPC may require pedestrian walkways with at least a ten (10) foot right-of-way or easement, at mid-block or other locations to provide better pedestrian access to parks, schools, shopping centers, or other land uses. The subdivider shall construct such walkways which shall be of concrete, with a minimum width of four (4) feet and shall comply with all specifications for walks as described in the Owensboro Metropolitan Public Improvement Specifications (Appendix A, herein).

In general, the OMPC will apply the following standards in determining where pedestrian walkways should be provided:

5.321. Residents of proposed subdivisions and of the neighboring area should not have to walk along traffic thoroughfares with no sidewalks in order to access public facilities and **neighborhood-oriented** business centers abutting the proposed subdivision.

5.322. Within proposed residential subdivisions with lots under one-half (0.5) acre in area, blocks with a circumference of greater than four thousand (4,000) feet should provide a mid-block walkway to create two "pedestrian blocks" of similar size; along the edges of such proposed subdivisions, where incomplete blocks are anticipated to be completed by future residential development, the portion of the "pedestrian block" circumference within the proposed subdivision should be no greater than two thousand (2,000) feet;

5.323. All pedestrian walkways on adjacent land leading to the boundaries of a proposed subdivision shall be continued into such subdivision to at least the nearest proposed street.

5.33 Corner Lots. Corner lots should be of sufficient width and depth to equal non-corner lots in subdivisions **plus** sufficient area to comply with the required minimum building setback line on each street frontage.

5.34 Lot Lines and Building Numbers. Side lot lines should be at right angles to straight street centerlines and radial to curved street centerlines. **Rear lot lines** should consist of straight lines with a minimum number of deflections. Building numbers for each lot shall be assigned by the OMPC to provide a unique street address(es) for each lot.

5.35 Lot Shape. Excessive **depth** in relation to width should be avoided, with a proportion of 3 to 1 normally being considered as a desirable maximum for lot widths of fifty (50) feet or greater. Pointed or very irregular shaped lots shall be avoided where possible. Where the topography makes it advisable, consideration may be given to irregular lot shapes. If remnants of land exist after subdividing, and have no apparent future usability, they shall be incorporated into the lots of the proposed subdivision.

5.36 Double Frontage Lots. Double frontage lots shall be prohibited except where employed to prevent excessive vehicular driveway access to streets (reverse frontage lots), or to separate residential areas from other areas of conflicting land or traffic use.

5.37 Lot Access. Unless the Owensboro Metropolitan Zoning Ordinance specifically permits less frontage, all lots shall abut an approved street for at least fifty (50) feet and such frontage shall provide safe and convenient pedestrian and vehicular access from the lot onto the street.

5.371 Townhouses. Townhouse lots in the R-1T zone shall front upon a public street or upon a public pedestrian walkway with at least a ten (10) foot right-of-way width. Vehicular access to each lot shall be provided only from a public alley abutting the rear or side line of each lot.

5.372 Planned Development Projects. For planned residential development projects, access to all lots shall be provided by private interior streets within the development project. For planned business centers, or for professional office projects, parking area drives or other nonpublic access ways may provide additional, or the only means of, vehicular access to lots; whenever direct access to public streets is prohibited or undesirable for any lots in such developments, an

easement or agreement provision shall accompany the plat to assure the perpetual accessibility of all such lots.

5.373 Vehicular Access Requirements. The following sections establish minimum requirements concerning the provision of vehicular access to lots from traffic thoroughfares of various classes. Whenever these sections below are in conflict, the most restrictive requirements should govern and should be enforced by appropriate local agencies.

5.3731 Discretion. The OMPC may require particular measures to reduce conflicts between traffic and land use, as per Section 5.224 herein.

5.3732 Zoning Ordinance. The Zoning Ordinance limits the location of, and distance between, access points for planned business centers in the B-1 and B-3 Zones; it also limits the width of driveways and the percentage of lot frontage that driveways may cover for all lots in any zone.

5.3733 Manual on Access Control. The Manual on Access Control and Minimum Design Standards, a policy manual adopted by the Owensboro Urbanized Area Transportation Policy Committee and the Technical Advisory Committee on Transportation, limits the location of, and distance between, access points for all properties abutting arterial and major collector streets.

5.38 Lot Area, Width, and Minimum Building Setback Line. Lots for residential or nonresidential use shall meet the site development requirements of the Owensboro Metropolitan Zoning Ordinance. In areas not provided with sanitary sewer facilities, the minimum lot area shall be three-quarter (0.75) . When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical resubdivision.

5.381 R-1T Townhouses. A proposed re-subdivision for R-1T Zone Townhouses shall be permitted **only** within the following redeveloping small areas of Owensboro as described by the community's comprehensive plan: Scarborough/Riverside (0201), West End (0202), Rossboro/Downtown (0301), Brescia (0302), Eastview (0401), Hathaway/Hall (0402), and Fleischmann (1313).

5.4 COMMUNITY FACILITIES. The subdivider shall consider the adequacy of existing or proposed public

facilities which will be needed by the new families to be housed in the proposed subdivision. The subdivider shall give earnest consideration to dedicating or reserving land for parks, schools and other public facilities. Where such facilities are shown on the Comprehensive Plan Land Use Element, the OMPC may require their reservation on a preliminary plat for no longer than a two (2) year period after preliminary subdivision plat approval.

5.5 MONUMENTS. The subdivider shall install the following:

5.51 Monuments. Monuments shall be of concrete or stone with a minimum size of 4 inches by 4 inches by 3 feet and shall be marked on top either with a copper dowel 3/8 inch in diameter, at least 2 1/2 inches in length embedded so that the top of the dowel shall be flush with the surface of the monument at the center thereof, or the top of the monument shall be scored at the center with a cross 2 inches overall to a depth of at least 1/2 inch. Monuments shall be placed:

So that the scored or marked point shall coincide exactly with the intersection of the lot or property line at that point and shall be set so that the top of the monument is level with the surface of the surrounding ground; at the intersection of all angles in the boundary line of the survey; at the intersection of street property lines; at the beginning and ending of all curves where streets and alleys are so laid out; at all points where lot lines intersect such curves, both front and rear; at all angles in property lines of streets and alleys.

5.52 Lot Markers. The corners of all lots not marked by monuments as hereinbefore required shall be marked by galvanized or wrought iron pipe, or iron or steel bars at least 3 feet in length and not less than 1 inch in diameter, the top of the pipe or bar to be set level with the surrounding ground.

5.6 UTILITIES. The following shall be the minimum standards for utilities such as telephone supply, electric supply, gas supply, water supply, storm water disposal, sewage disposal, or other facilities:

5.61 Easements. Where alleys are not provided, easements at least ten (10) feet in width, five (5) feet on either side of rear or side lot lines, shall be provided for utilities wherever necessary. Easements shall be so laid out that a proper continuity may be had for such utilities from block to block. The approval of the preliminary and final plats shall be subject to the approval of the design of the utility easement by the City or County

Engineer, and appropriate utility company. (see Section 5.651 for drainage easements).

5.62 Telephone, Gas and Electric Supply. Every subdivision shall be provided with a proper telephone, electric, and gas (where appropriate) supply system.

5.63 Water Supply. Every subdivision, except minor subdivisions (see definitions) in residential or agricultural zones, shall be provided with a complete water distribution system adequate to serve the area being developed with pipe lines, valves, fire hydrants, and other water facilities.

5.631 Layout. In the layout or design of the water system, the following factors will be considered: piping characteristics; ground elevations; type of building construction; hydraulic capability of adjacent interconnected piping; fire flow requirements and any unusual requirements peculiar to the specific development. In general, the distribution system will be able to supply peak demands and fire flows without reducing pressures below desirable limits. No pipe smaller than 6-inch nominal diameter will be used where water flow is to a fire hydrant. The standards of the applicable state or local fire insurance rating association will be used as a guide in the matter of fire flow requirements and the spacing of fire hydrants. Each residence or business will be provided with a separate service line and meter.

5.632 Specifications. Fire hydrants will be of such construction as will conform to applicable specifications of the American Water Works Association and/or the American Standards Association. The water system shall be designed and constructed of materials which will meet the approval of the Health Department, City or County Fire Departments, professional engineer (as applicable), and OMPC. Engineering plans shall conform with the requirements of the Owensboro Metropolitan Public Improvement Specifications (Appendix A, herein) for water distribution systems requiring fire hydrants.

5.633 Professional Engineer's Certification. The signature and registration number of a professional engineer shall be required, certifying that the water supply system can provide minimum fire flow as per the requirements of the Owensboro Metropolitan Public Improvement Specifications (Appendix A, herein), and can support such flow for a period of not less than two (2) hours plus consumption at the maximum daily rate.

5.64 Sewage Disposal. Every subdivision shall be provided with a sewage disposal system to comply with all requirements of the local Health Department, the state Environmental Protection Agency, and the OMPC.

5.641 Septic Tanks. In any subdivision in which all lots are three-quarter (0.75) or more in area, the subdivider will provide either: a) sanitary sewers as described in Section 5.642 herein below; or b) septic tanks and disposal fields that can properly dispose of all sanitary sewage. Septic tanks shall be properly installed prior to occupancy of any building on each lot in the subdivision.

5.642 Sanitary Sewers. In any subdivision containing lots of less than three-quarter (0.75) in area, the subdivider will provide sanitary sewers, including service stubs to each lot line, and a practical and satisfactory connection to existing sewers or complete sewage treatment plant. Engineering plans shall conform with the requirements of the Owensboro Metropolitan Public Improvement Specifications (Appendix A, herein), and shall also be approved by the City or County Engineer, or professional engineer (as applicable).

5.65 Storm Water Disposal. Every subdivision shall provide satisfactory drainage of storm water. If, in the opinion of the City or County Engineer, natural surface drainage is inadequate, the subdivider may be required to provide any or all of the following: a) underground storm sewers; b) surface drainage-ditch improvements; c) storm-water retention basins. When required, engineering calculations and plans shall conform with the requirements of the Owensboro Metropolitan Public Improvement Specifications (Appendix A, herein).





5.651 Drainage Easements. If a major creek, stream or ditch flows through or adjacent to the proposed subdivision, the OMPC may require the provision of an easement or right-of-way along such drainage way. The easement shall be wide enough to provide for future enlargement and maintenance of the drainage channel as the drainage basin, served by the channel, becomes more highly developed and run-off rates are increased.

5.7 LANDSCAPE AND LAND USE BUFFERS. All subdivision plats shall conform to the requirements of "Article 17: Landscape and Land Use Buffers" of the Owensboro Metropolitan Zoning Ordinance.

5.8 EXAMPLE NEIGHBORHOOD DESIGN.

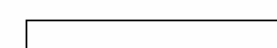
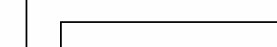




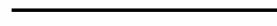

LAND USE

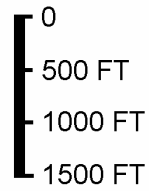
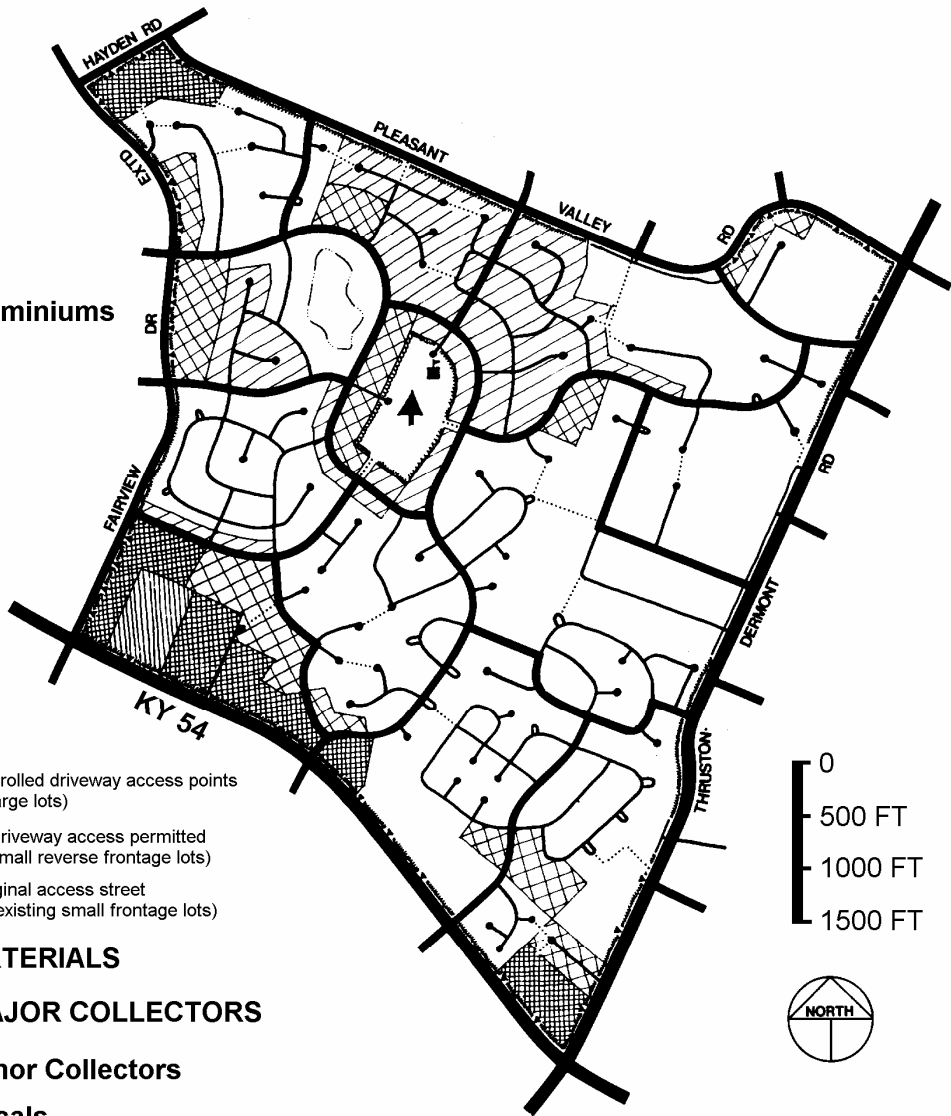
RESIDENTIAL AREAS

-  Single Family
-  Duplexes
-  Apartments / Condominiums
-  Existing Lake
-  Park
-  Elementary School

-  BUSINESS AREAS
-  LIGHT INDUSTRIAL AREAS

STREETS

-  Controlled driveway access points (to large lots)
-  No driveway access permitted (to small reverse frontage lots)
-  Marginal access street (for existing small frontage lots)
-  ARTERIALS
-  MAJOR COLLECTORS
-  Minor Collectors
-  Locals
-  Mid-block Pedestrian Walkways



CREEKSIDE ALTERNATIVES

Type A: Parallel Streets



Maximum homeowner privacy and security.
Passing motorists can enjoy the beauty of open space.
Public has more access to open space if it is a public park.
No backyards or fronting on creeks.
Reduced flood protection maintenance costs.

Type B: Loop Streets



Minimize number of homes exposed directly to creeks.
Liberal access to open space by residents and public.
Staggered loops give more visual open space than cul-de-sacs.
Pedestrian oriented.
Minimum fencing along open space vs. "creek backyards".
Maximum lot yield with curving loops.

Type C: Parallel Streets



Homeowners prefer over other street types.
Pedestrian oriented.
Maximum use of open space by residents.
Allows good physical and visual access to open space.

Chapter amendments approved unless noted:	OMPC	Owensboro	Daviess Co.	Whitesville
Water supply & fire protection requirements established (6)	11-Sep-82	09-Nov-82	19-Oct-82	?
Water supply requirements amended	20-Apr-89	06-Jun-89	31-May-89	18-Sep-91
New water supply & fire protection requirements	15-Jan-98	No action required by legislative bodies		
2002 Revised Public Improvement Specifications	08-Aug-02	No action required by legislative bodies		

6.0 PURPOSE. The purpose of this chapter is to give the minimum standards that shall be required for subdivision water supply systems in order to meet fire protection requirements as determined by adequate design.

6.1 NEW RESIDENTIAL SUBDIVISIONS (INCLUDES MANUFACTURED HOUSING PARK COMPLEXES AND SUBDIVISIONS)

6.1.1 Water Supply

6.1.1.1. Water mains shall not be less than six inches (152mm) in diameter, including fire hydrant branch connections, installed in conformity with the minimum requirements of the local water authorities. Where size and physical characteristics indicate, the developer may be required to install mains of a larger diameter. Water mains shall be used to supply water to all fire hydrants and similar fire protection devices that shall comply with the minimum flow requirements.

6.1.1.1.1. Water mains shall be used to supply water to all lots and shall extend throughout the entire frontage of all lots within the subdivision.

6.1.1.1.2. For new stub streets (streets designed for future extension), water mains shall extend to the end of the street.

6.1.1.1.3. On cul-de-sac streets, water mains shall be connected to all fire hydrants and similar fire protection devices. Service lines that are less than six inches (152mm) in diameter may be used to provide domestic water to those lots that are beyond water mains but are within the minimum required distance from a fire hydrant.

6.1.1.1.4. Six-inch (152mm) diameter mains may be extended from existing four inch (102mm) or larger diameter mains, provided the minimum flow requirements can be met for all fire hydrants or similar fire protection devices. Where mains of

diameters less than four inches (102mm) exist, such mains shall not be extended or used to provide flow to a fire hydrant or similar fire protection device.

6.1.1.2. Water mains shall be so arranged that the distance between intersecting mains does not exceed 800 feet (244m). (Exception may be made if intersecting streets are over 800 feet apart.) All circulating gridironing must meet the approval of the respective Fire Chief and Water District Superintendent.

6.1.1.3. Eight-inch (203mm) mains shall be used where dead-end and poorly circulating gridironing is likely to exist for a considerable period of time, or where the layout of the streets and topographical characteristics are not well adapted to location of valves and a circulating system.

6.1.1.4. Valve type and valve location shall meet water district approval. Wherever meters are installed in conjunction with fire hydrants, said meters shall be of the fire-protection type and match the size of the water main.

6.1.2 Fire Hydrant Installation. In major subdivisions that involve new streets, fire hydrants shall be spaced no further than 600 feet (183m) apart and each lot shall be within 300 feet (91.5m) of a fire hydrant capable of meeting the minimum flow requirements. In major subdivisions on existing county roads, fire hydrants may be placed up to 1,000 feet (305m) apart and each lot shall be within 500 feet (152.5m) of a fire hydrant capable of meeting the minimum flow requirements. All distances are to be measured over all-weather roads. Fire hydrants shall be installed no further than 10 feet (305cm) from a permanent all-weather road.

6.1.3 Fire Hydrant Type

6.1.3.1. Fire hydrants shall meet the minimum specifications and be installed in conformity with the requirements of the local water authorities.

6.1.3.2. Fire hydrants shall deliver a minimum of 250 gallons per minute (946 L/min).

6.1.3.3. Fire hydrants shall be equipped with not less than two 2-1/2 inch (64mm) outlets and one 4-1/2 inch (114mm) pumper outlet if served by county water districts. A 4-inch (102mm) pumper outlet is required if service is provided by OMU.

6.1.3.4. A gate valve shall be installed in the hydrant connection to the street main.

6.2 COMMERCIAL AND HIGH DENSITY RESIDENTIAL DEVELOPMENT

6.2.1 Water Supply

6.2.1.1. Water mains shall not be less than six inches (152mm) in diameter, including fire hydrant branch connections. Water supply and water main sizes will be subject to reasonable, additional requirements relative to the degree of density of development and use. Exceptions may be allowed per special conditions outlined in Section 6.111.

6.2.1.2. Approval of the Fire Chief or the Fire Prevention Bureau of the Daviess County Fire Department shall be obtained prior to the issuance of an occupancy permit.

6.2.1.3. Development requiring sprinkler systems must obtain approval from the Kentucky Housing, Building and Construction Office regarding the required water flows prior to the issuance of a building permit.

6.2.2 Fire Hydrant Installation

6.2.2.1. Fire hydrant spacing shall not be less than that required for residential areas referred to in Section 6.12.

6.2.2.2. No part of the exterior of the buildings, other than dwellings, shall be further than 600 feet (183m) from a hydrant. Distances are to be measured along the shortest feasible exterior route (never measured through buildings) for laying hose.

6.2.2.3. Fire hydrants shall be located at least 15 feet (4.6m) from the exterior wall of any masonry building, and at least 25 feet (7.6m) from any exterior wall of frame or equivalent construction, including brick and

stone veneer. A variance should be granted from this section to accommodate the redevelopment of existing commercial areas that already have fire protection facilities.

6.2.3 Fire Hydrant Type

6.2.3.1. Fire hydrants shall meet the minimum specifications and be installed in conformity with the requirements of the local water authorities.

6.2.3.2. Fire hydrants shall deliver a minimum of 500 gallons per minute (1893 L/min) where 6-inch (152mm) and 8-inch (203mm) mains are required.

6.2.3.3. Fire hydrants shall be equipped with not less than two 2-1/2 inch (64mm) outlets and a large pumper outlet.

6.2.3.4. A gate valve shall be installed in the hydrant connection to the street main.

6.3 ADMINISTRATIVE ENFORCEMENT PROCEDURE.

It is essential that the foregoing minimum requirements be completed prior to the issuance of occupancy permits. The Building Department should not issue building permits for developments referred to in Section 6.2 until such time as a certification of completion of fire hydrant installation is received. The Building Department may issue foundation permits providing no combustible materials to be used above the foundation are brought or used on the construction site. For developments referred to in Section 6.1, surety may be posted in lieu of completion of improvements (see Section 6.31).

A close working relationship should be maintained between the Owensboro Metropolitan Planning Commission, Water Districts, Building Department and Fire Department, particularly in determining the fire protection requirements for high value commercial and high density residential developments.

6.3.1 Surety. To insure proper and timely installation of water mains and fire hydrants, surety may be required in accordance with Section 3.3, and subsections therein, of the Subdivision Regulations.