

Subdivision Information

The table at right refers to the application materials required for submission, unless otherwise noted. The number of copies to submit is also noted. Please submit application forms only if required by the table at right or by the forms themselves.

Approval Procedure PLEASE CHECK ONE

Major/Minor

Water mains or fire hydrants are the ONLY public improvements required, bypassing preliminary plat stage. Submit plat and required materials on a Thursday for review and approval by the OMPC Director by the following Thursday.

Major

Preliminary plat previously approved. Submit plat and required materials, including surety on a Thursday for review and approval by the OMPC Director by the following Thursday, unless issues warrant consideration by planning commission. If planning commission approval required, submit plat and materials at least 7 days prior to a regularly scheduled OMPC meeting.

Date received by Planning Office

Subdivision

Subdivision Name

Unit Number

Total Number of Lots in Unit

Date Preliminary Plat Approved

Acreage

Zoning: Existing _____ Proposed _____

O'boro City Limits? Inside Outside Plan to Annex

Previous approval date, if revised

Developer / Subdivider / Owner

Name, Address

Day Telephone

Engineer / Surveyor

Name, Address

Day Telephone

Posted Surety Totals

Total amount of surety posted to cover **PUBLIC IMPROVEMENTS** \$

from Form **P1**

Total amount of surety posted to cover **PERIMETER LANDSCAPING** \$

from Form **L2**

Application Materials to Submit

ITEMS	COPIES	FORM
Subdivision Information		
Posted Surety Totals	1 completed form	133 p. 1
Filing Fee		
Final Plat Drawing, with Review Certifications signed before submittal to OMPC	4 copies for Review Cycle +	Information from 132 pp. 2, 3
Final Plat must be substantially similar to the preliminary plat; otherwise a revised preliminary may be required.		
Public Improvements Surety	1 completed form	P1
Below at left, note the total amount of surety posted to cover public improvements, as submitted with Form P1.		
<i>APPLICABLE Review Sheets:</i>		
Streets and Sidewalks	1 completed form	P2
Storm Sewers and Drainage	form for	P3
Sanitary Sewers	each, as applicable	P4
Water Mains		P5
Fire Hydrants		P6
<i>IF relevant:</i>		
Landscaping easements	On plat drawing	Information from L1, T1
Street Access Limits		
If property perimeter landscaping easements are required to be shown on plat, obtain Form L2 Landscaping Surety from the OMPC office and submit a completed copy along with surety. Below at left, note the amount of surety posted to cover required perimeter landscaping.		
<i>IF deed restrictions are proposed for Major/Minor plat:</i>		
Proposed Deed Restrictions	Attach 1 copy	
+ Review Cycle: Copies initially submitted; copies reviewed, marked up and returned to preparer, who then revises drawings and resubmits copies. Cycle may repeat. When in final order, preparer is notified to submit 10 additional copies of Plat, at least two with signed Surveyor and Professional Engineer certifications, along with the Original Plat Drawing.		

PLEASE TYPE OR PRINT

Filing Fee PLEASE CHECK PROPOSED ZONE

		Maj/Min	Major	Major
<input type="checkbox"/>	A-R Rural Agriculture			
<input type="checkbox"/>	A-U Urban Agriculture			
<input type="checkbox"/>	MHP Manufactured Housing Park			
<input type="checkbox"/>	R-1A Single-Family Residential	\$120+	\$220+	Minor Amend
<input type="checkbox"/>	R-1B Single-Family Residential	\$3/lot	\$3/lot	\$220
<input type="checkbox"/>	R-1C Single-Family Residential			
<input type="checkbox"/>	R-1T Townhouse			
<input type="checkbox"/>	R-2MF Multi-Family Residential	\$170+	\$325+	Minor Amend
<input type="checkbox"/>	R-3MF Multi-Family Residential	\$5/lot	\$5/lot	\$325
<input type="checkbox"/>	R-4DT Inner-City Residential			
<input type="checkbox"/>	P-1 Professional/Service Center			
<input type="checkbox"/>	B-1 Neighborhood Business Center			
<input type="checkbox"/>	B-2 Central Business	\$220+	\$435+	Minor Amend
<input type="checkbox"/>	B-3 Highway Business Center	\$10/lot	\$10/lot	\$435
<input type="checkbox"/>	B-4 General Business			
<input type="checkbox"/>	I-1 Light Industrial			
<input type="checkbox"/>	I-2 Heavy Industrial			
NUMBER OF LOTS PROPOSED		#		
TOTAL FILING FEE		\$		

Final Subdivision Plat Drawing

Scale: 100 feet or less to the inch

For number of copies to submit and when to submit original drawing, see "Application Materials to Submit" on page 1. Keep in mind that the Daviess County Clerk's plat books accommodate a maximum drawing size of 24" X 36".

Contents of Drawing

The plat drawing must show all applicable items that follow below and on the next page:

- ❑ **North Arrow.**
- ❑ **Title Block** including the name of the subdivision, section or unit number, date, **written and graphic scales**, names and addresses of the subdivider and land surveyors.
- ❑ **Vicinity Map** relating the property to a sufficient number of streets and other landmarks to enable one to quickly recognize its location in Daviess County.
- ❑ **Boundary Lines** of the tract being subdivided, together with accurate distances and angles, and the exact location of all existing and recorded streets intersecting the boundary of the tract.
- ❑ **Angles** or true bearings and distances to the nearest established street line or existing official monuments, which shall be accurately described on the plat.
- ❑ **One Corner** (at least) of the land being subdivided must be referenced to a corner of any parent tract, or durable physical object, or a control network -- such as state plane coordinates -- where such corner, durable physical object or geodetic station of a control network is reasonably accessible.
- ❑ **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.
- ❑ **Monuments and Lot Markers**, their locations, type material and size, and a notation as to whether found or set.
- ❑ **Street and Alley Rights-of-Way**, their names, bearings, angles of intersections, and width including the widths along the line of any obliquely intersecting street. Indicate by graphic depiction or by written notation the planned improvement width of streets (back-of-curb to back-of-curb) and the planned location of sidewalks.
- ❑ **Arcs**, their lengths, radii, central angles, internal angles, points of curvature and tangency, and the length of all tangents.
- ❑ **Easements, Lands for Joint Use of Property Owners, or Other Rights-of-Way**, their locations, widths, and the printed words "PUBLIC EASEMENT," or other designation as appropriate.
- ❑ **Water Distribution System.** Show water main locations, pipe sizes, and the location of valves and fire hydrants.
- ❑ **Sanitary Sewers and Storm Drainage System.** Graphically depict pipe locations and sizes, manhole locations, location and widths of surface drainage channels and paved-bottom segments, and location of retention basins.
- ❑ **Property Perimeter Landscape Easements**, if required by Article 17 of the Zoning Ordinance, showing location, dimensions, and materials to be used. *See Form L1, attached.*
- ❑ **Lot Lines**, their dimensions in feet and hundredths, and bearings and angles to minutes if other than right angles to street or alley lines.
- ❑ **Lot Numbers** for deed reference.
- ❑ **Street Address Numbers.** Include any existing addresses on the plat for initial submission. After submission, during staff review, OMPC staff will assign new addresses as necessary. Prior to approval, all addresses must be included on original plat drawing.
- ❑ **Building Setback Lines** along all streets, except alleys.
- ❑ **Parking/Landscaping Setback Lines (Roadway Buffers)** for existing and planned arterial and major collector streets.
- ❑ **Street Access Point Notes, Easements, etc.,** clearly depicting and/or stating any limitations on the location, number, function, or size of future vehicular access to lots fronting on arterial or major collector streets. *See Form T1, attached.*
- ❑ **Public and Non-Public Sites.** Show accurate outlines of all property that 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.
- ❑ **Flood Hazard Areas.** If property is located in an official flood hazard area or flood plain district, indicate flood hazard boundaries and base flood elevation data on the plat and give reference to community-panel number of Flood Insurance Rate Map (FIRM). If property is not located in an official flood hazard area or flood plain district, indicate by note that "PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA" and the FIRM community-panel number.
- ❑ **Certifications for SIGNATURES ON DRAWING**
See page 3

Please do not submit this page.

Certifications for SIGNATURES ON DRAWING:

REVIEW CERTIFICATIONS <i>signed before initial submittal</i>	
OWNER'S CERTIFICATION We, the undersigned owners of the real estate shown 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.	
_____	_____
Owner's Signature	Date
_____	_____
Witnessed by	Date
WATER SUPPLY CERTIFICATION by Professional Engineer I hereby certify that the water supply system and all fire hydrants shown on this plat can provide a minimum fire flow of 250 gal/min (946 L/min) [500 gal/min (1893 L/min), for commercial and high-density residential development], and can support this flow for a period of not less than two (2) hours plus consumption at the maximum daily rate.	
_____	_____
Professional Engineer's Signature	Date

Registration Number	
ELECTRICAL EASEMENTS APPROVAL	
_____	_____
OMU / Kenergy Representative	Date
TELEPHONE EASEMENTS APPROVAL	
_____	_____
BellSouth Representative	Date
NATURAL GAS EASEMENTS APPROVAL	
_____	_____
Atmos Energy Representative	Date
FINAL CERTIFICATIONS <i>signed when drawing in order</i>	
SURVEYOR CERTIFICATION A statement as to the method used to perform the survey; the unadjusted mathematical error-of-closure ratio of the survey traverse; a statement as to whether or not the directions and distances as shown on the plat have been adjusted for closure; a statement as to the basis of the reference meridian used to determine the directions of survey lines; and the signature and registration number of the surveyor responsible for the survey.	

OMPC CERTIFICATION

USE ONLY ONE (1) of the following two (2) formats, as appropriate, on the plat drawing:

1 MAJOR/MINOR & MAJOR PLAT WITHOUT SEWERS

OWENSBORO METROPOLITAN PLANNING COMMISSION
THIS APPROVAL DOES NOT CONSTITUTE OR PRESUME THE HEALTH DEPARTMENT'S APPROVAL OF ONSITE SEWAGE DISPOSAL SYSTEMS.

APPROVED _____
DIRECTOR

DATE _____

2 MAJOR/MINOR & MAJOR PLAT WITH SEWERS

OWENSBORO METROPOLITAN PLANNING COMMISSION

APPROVED _____
DIRECTOR

DATE _____

Development Information

This form is used to summarize the various separate surety documents that may be provided to cover the cost of installation of public improvements that are not yet properly installed at the time of Major Subdivision Final Plat approval, or when otherwise required.

Date received by Planning Office

Subdivision / Development Information

Name of Subdivision or Development
Unit Number
Number of Lots
Acres

Person / Company Posting Surety

Company Name
Contact Person
Address
Day Telephone

Surety & Improvements

In addition to this completed page, post surety for the completion of the appropriate improvements from sheets P2 through P6, as signed by the respective agency representatives. **The amount and quality of surety must be satisfactory to cover the cost of installation of the specified improvements.**

Summary of Posted Surety Documents

Below, summarize the dollar amount, type of surety, and improvements covered for each separate surety document.

FOR EACH DOCUMENT:	CHECK SURETY TYPE:				CHECK TYPE OF IMPROVEMENTS COVERED:					
\$ AMOUNT	CHECK	CD	LTR. of CREDIT	PERF. BOND	Streets	Side-walks	Storm Sewer	Sanitary Sewer	Water Mains	Fire Hyds.

Surety Materials to Submit

ITEMS	FORM
Development Information	P1
Summary of Posted Surety Documents	P1
TYPE OF SURETY:	
<input type="checkbox"/> Certified Check OR	P1cc or
<input type="checkbox"/> Certificate of Deposit OR	P1cd or
<input type="checkbox"/> Letter of Credit OR	P1Lc or
<input type="checkbox"/> Performance Bond	P1PB
TYPE OF IMPROVEMENTS (all that apply):	
<input type="checkbox"/> Streets and Sidewalks	P2
<input type="checkbox"/> Storm Sewers and Drainage	P3
<input type="checkbox"/> Sanitary Sewers	P4
<input type="checkbox"/> Water Mains	P5
<input type="checkbox"/> Fire Hydrants	P6

Types of Surety

Surety may be provided in any of the following forms:

CERTIFIED CHECK, drawn on an approved bank and available to the OMPC. **Submit Form P1cc.**

CERTIFICATE OF DEPOSIT, or savings certificate in the name of the **Owensboro Metropolitan Planning Commission** and the developer or other person(s) placing the certificate, issued by a federally insured commercial or savings bank., endorsed and payable to the Owensboro Metropolitan Planning Commission by the person(s) whose name(s) it also bears with executed Control Agreement, reviewed by OMPC attorney. **Submit Form P1cd.**

IRREVOCABLE LETTER OF CREDIT, issued ONLY by a bank with staffed branch office(s) in Owensboro, duly executed and completed, certified by the OMPC Attorney as valid and enforceable by the OMPC. **Submit Form P1Lc.**

PERFORMANCE BOND, duly executed, completed, and valid and enforceable by the OMPC, reviewed by OMPC attorney. **Submit Form P1PB .**

OMPC attorney must receive surety and forms at least 72 hours prior to submittal deadline in order to review and certify.

Date received by Planning Office

To the Owensboro Metropolitan Planning Commission:

Subdivision / Development Information

Name of Subdivision or Development

Unit Number

Number of Lots

Acres

I am this day (noted at left by planning staff upon submission) posting surety in the amount as shown in the table below to cover cost of installation of improvements in the subdivision and unit number noted at left, as per applicable itemized engineering cost estimates attached hereto.

The improvements as outlined in the itemized cost estimates will be completed within the time periods noted below, in accordance with the Owensboro Metropolitan Subdivision Regulations. I fully realize that failure to fulfill this commitment within the time periods that I have specified below may have a negative effect on my bonding status with the OMPC for future projects and can result in forfeiture of my surety. Negotiation of the posted certified check by the OMPC or its assigns does not relieve me of my obligation to complete said improvements, and said obligation shall continue until such improvements are completed. If the City of Owensboro, Daviess County or the City of Whitesville (the "Government"), at their discretion, should complete said improvements, then I shall reimburse the Government for all expenses to the extent said expenses are over and above the amount of the posted certified check.

Person / Company Posting Surety

Name

Address

Day Telephone

Typed or Printed Name & Signature of Person Posting Surety

ITEMS	6 MONTHS	2 YEARS	3 YEARS
P2 Streets	N/A		N/A
P2 Sidewalks	N/A		
P3 Storm Sewers	N/A		N/A
P4 Sanitary Sewers	N/A		N/A
P5 Water Mains		N/A	N/A
P6 Fire Hydrants		N/A	N/A
GRAND TOTAL			

FINAL OMPC ACTION. Only one of the following apply, as checked:

SURETY COMPLETELY RELEASED BY OMPC DIRECTOR. The purposes of the above endorsement have been fulfilled and the instrument referred to has been completely released to the Owner(s). A check for any remaining amount of Surety held by the OMPC will be issued to the Owner(s).

SURETY TRANSFERRED BY OMPC DIRECTOR. Improvements have not been installed in a satisfactory manner within the time limits as set forth in Section 3.33 of the Subdivision Regulations, and the OMPC Director has transferred any remaining amount of this Surety to the Legislative Body for disposition as per Sections 3.34 of the Subdivision Regulations.

OWENSBORO METROPOLITAN PLANNING COMMISSION

By _____ Date _____

IF TRANSFERRED TO LEGISLATIVE BODY. Any remaining amount of posted Surety, which was transferred by the OMPC director as indicated above, has been duly RELEASED by the Legislative Body indicated below.

Name of Legislative Body _____

By _____ Date _____

Date received by Planning Office

Subdivision / Development Information

Name of Subdivision or Development

Unit Number

Number of Lots

Acres

Person / Company Posting Surety

Name

Address

Day Telephone

To the Owensboro Metropolitan Planning Commission:

I am this day (noted at left by planning staff upon submission) posting surety in the amount as shown in the table below to cover cost of installation of improvements in the subdivision and unit number noted at left, as per applicable itemized engineering cost estimates attached hereto.

The improvements as outlined in the itemized cost estimates will be completed within the time periods noted below, in accordance with the Owensboro Metropolitan Subdivision Regulations. I fully realize that failure to fulfill this commitment within the time periods that I have specified below may have a negative effect on my bonding status with the OMPC for future projects and can result in forfeiture of my surety. I agree to execute a Control Agreement and any other documents to ensure OMPC's ability to liquidate the certificate of deposit in the event of my default. Liquidation of the posted certificate of deposit by the OMPC or its assigns does not relieve me of my obligation to complete said improvements, and said obligation shall continue until such improvements are completed. If the City of Owensboro, Daviess County or the City of Whitesville (the "Government"), at their discretion, should complete said improvements, then I shall reimburse the Government for all expenses to the extent said expenses are over and above the amount of the posted certificate of deposit.

Typed or Printed Name & Signature of Person Posting Surety

ITEMS	6 MONTHS	2 YEARS	3 YEARS
P2 Streets	N/A		N/A
P2 Sidewalks	N/A		
P3 Storm Sewers	N/A		N/A
P4 Sanitary Sewers	N/A		N/A
P5 Water Mains		N/A	N/A
P6 Fire Hydrants		N/A	N/A
GRAND TOTAL			

IDENTIFICATION OF CERTIFICATE OF DEPOSIT OR SAVINGS CERTIFICATE

Savings Institution

Address

Date

Certificate Number

Owner(s) **Owensboro Metropolitan Planning Commission** and

Face Amount

Notice of Acknowledgment on page 2

CONTROL AGREEMENT

Come now _____ (“Bank”), _____ (“Account Holder”), and Owensboro Metropolitan Planning Commission (“Secured Party”), and all parties having reached an agreement concerning the control of Bank issued Certificate of Deposit bearing Account No. _____, (“Deposit Account”) and wishing to express said agreement in writing, do hereby agree as follows:

WHEREAS, Account Holder has pledged to Secured Party the Deposit Account and all proceeds thereof currently held by Bank as surety for its guarantee to complete certain public improvements as identified on the (Public Improvements or Landscaping) surety form dated _____, in the amount of \$ _____ (the surety); and

WHEREAS, Account Holder herein consents to Bank entering into this Agreement and to Secured Party obtaining control of the Deposit Account; and

WHEREAS, Secured Party warrants to Bank that said control is lawful and authorized by agreement between Account Holder and Secured Party; and

WHEREAS, Bank warrants that it possesses the authority to enter into this Control Agreement with respect to the Deposit Account held by Account Holder described above and Bank further warrants that said account and all proceeds thereof are currently in the name of Bank or an entity other than Account Holder and acknowledges that Secured Party is acting in reliance on these representations and warranties.

NOW, THEREFORE, all parties agree that Bank will comply with instructions originated by the Secured Party directing disposition of the funds held in the Deposit Account without further consent of Account Holder and that said Deposit Account is now under the exclusive control of Secured Party. As such, Bank shall not allow any withdrawals of the subject Deposit Account nor shall Account Holder be allowed to redeem the Deposit Account without the express written consent of Secured Party.

In the event that, during the term of this agreement, any interest accrues on the funds held in the Deposit Account said interest shall remain in said Deposit Account and the entirety of said Deposit Account shall be subject to the terms of this agreement and be controlled exclusively by the Secured Party in the same manner as

the funds in the Deposit Account originally subject to this agreement. Furthermore, upon renewal of the Deposit Account, Secured Party's security interest and control of said Deposit Account shall continue and any and all funds held in said Deposit Account shall remain under the exclusive control of Secured Party.

All parties also agree that, upon default by the Account Holder under the surety agreement, or any other agreement by and between Account Holder and Secured Party, Secured Party shall be entitled to liquidate the above described Deposit Account to apply same to the completion of the public improvement secured thereby. Secured Party shall also have any other remedy, at law or in equity as regards said Securities Account, and failure of Secured Party to liquidate same upon a default shall not constitute a waiver of said Secured Party's right to liquidate same or to pursue any other remedy available to Secured Party at law or in equity.

The Bank warrants that it does not claim and will not claim any security interest in the Securities Account of the Account Holder for any debt or other obligation between Account Holder and Bank.

All future instructions relative to the Deposit Account described above shall be given solely by the undersigned Secured Party unless further evidence of authority in writing is provided to Bank by Secured Party.

BANK:

BANK

By: _____
Title: _____

ACCOUNT HOLDER:

SECURED PARTY:

OWENSBORO METROPOLITAN
PLANNING COMMISSIONBy: _____
Title: _____

See page 1 for Full Identification of Certificate of Deposit or Savings Certificate and for Public Improvement Costs

NOTICE OF ACKNOWLEDGMENT

Certificate Number	Face Amount
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ENDORSEMENT BY OWNER(S). This is to advise that the Certificate of Deposit or Savings Certificate above, fully identified on page 1, has been endorsed to the Owensboro Metropolitan Planning Commission for the purpose of fulfilling the requirements of Chapters 3 and 4 of the Owensboro Metropolitan Subdivision Regulations.

Signature(s) of Owner(s)
Signature(s) of Owner(s)

ACKNOWLEDGMENT BY SAVINGS INSTITUTION. The instrument above, fully identified on page 1, represents a valid obligation of this savings institution and our records have been marked to reflect this information.

By	Title	Date
SUBSCRIBED AND SWORN TO , before me, by		
on this the	day of	, .
My commission expires		
Notary Public		
REVIEWED:		

OMPC Attorney

FINAL OMPC ACTION. Only <u>one</u> of the following apply, as checked:	
<input type="checkbox"/> SURETY COMPLETELY RELEASED BY OMPC DIRECTOR. The purposes of the above endorsement have been fulfilled and the instrument referred to has been completely released to the Owner(s). The Owner(s) should notify the Savings Institution of this release.	
<input type="checkbox"/> SURETY TRANSFERRED BY OMPC DIRECTOR. Improvements have not been installed in a satisfactory manner within the time limits as set forth in Section 3.33 of the Subdivision Regulations, and the OMPC Director has transferred any remaining amount of this Surety to the Legislative Body for disposition as per Sections 3.34 of the Subdivision Regulations.	
OWENSBORO METROPOLITAN PLANNING COMMISSION	
By	Date
IF TRANSFERRED TO LEGISLATIVE BODY. Any remaining amount of posted Surety, which was transferred by the OMPC Director as indicated above, has been duly RELEASED by the Legislative Body indicated below.	
Name of Legislative Body	
By	Date

Date received by Planning Office

Subdivision / Development Information

Name of Subdivision or Development

Unit Number

Number of Lots

Acres

Person / Company Posting Surety

Name

Address

Day Telephone

To the Owensboro Metropolitan Planning Commission:

I am this day (noted at left by planning staff upon submission) posting surety in the amount as shown in the table below to cover cost of installation of improvements in the subdivision and unit number noted at left, as per applicable itemized engineering cost estimates attached hereto.

The improvements as outlined in the itemized cost estimates will be completed within the time periods noted below, in accordance with the Owensboro Metropolitan Subdivision Regulations. I fully realize that failure to fulfill this commitment within the time periods that I have specified below may have a negative effect on my bonding status with the OMPC for future projects and can result in forfeiture of my surety. A draft on the posted Letter of Credit by the OMPC or its assigns does not relieve me of my obligation to complete said improvements, and said obligation shall continue until such improvements are completed. If the City of Owensboro, Daviess County or the City of Whitesville (the "Government"), at their discretion, should complete said improvements, then I shall reimburse the Government for all expenses to the extent said expenses are over and above the amount of the posted Letter of Credit.

Typed or Printed Name & Signature of Person Posting Surety

ITEMS	6 MONTHS	2 YEARS	3 YEARS
P2 Streets	N/A		N/A
P2 Sidewalks	N/A		
P3 Storm Sewers	N/A		N/A
P4 Sanitary Sewers	N/A		N/A
P5 Water Mains		N/A	N/A
P6 Fire Hydrants		N/A	N/A
GRAND TOTAL			

Irrevocable Letter of Credit #

KNOW ALL PERSONS BY THESE PRESENTS:

That we, _____, as Principal, hereinafter called the **Owner and Developer**

of _____ Subdivision, hereinafter called the **Subdivision**,

and the _____ Financial Institution, as Surety, hereinafter called the **Surety**,

of (address) _____,

are held and firmly bound unto the Owensboro Metropolitan Planning Commission, of Owensboro, Whitesville, and Daviess County, Kentucky, as Oblige, to perform the following conditions whereof the **Owner and Developer** and **Surety** bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents:

Continued on page 2

Continued from page 1

WHEREAS, the **Owner and Developer** of the **Subdivision** located in Daviess County, Kentucky, as identified on page 1, will arrange for completion of public improvements as per the Public Improvement Cost Estimate, hereinafter called

the Estimate, dated _____,

on record in the Office of the Owensboro Metropolitan Planning Commission, said Estimate covering the items noted in the table on page 1.

WHEREAS, the **Surety**, as identified on page 1, guarantees that if the **Owner and Developer** do not faithfully perform and complete the work listed in the Estimate in the time specified, then in that event, the **Surety** agrees to honor drafts upon the Irrevocable Letter of Credit, attached hereto, by the OMPC or its authorized transferee, under the terms stipulated on Surety's letterhead,

up to, but not to exceed \$ _____

to cover the cost of work listed in the Estimate.

NOW, THEREFORE, the **Owner and Developer** agrees that it shall faithfully perform and complete the work listed in the Estimate, and have same duly approved by the proper city or county authorities, within the time periods specified in the Estimate, starting from the date hereon.

WITNESS our signatures this	_____ day of _____,	
Owner and Developer		
By _____		
Surety		
By _____		

Refer to Page 3 for format of Letter of Credit

REDUCTION OF SURETY AMOUNT. The surety amount has been reduced by the OMPC Director as noted below.	
Date of Reduction	Surety Amount Reduced to
FINAL OMPC ACTION. Only <u>one</u> of the following apply, as checked:	
<input type="checkbox"/> SURETY COMPLETELY RELEASED BY OMPC DIRECTOR. The purposes of the above endorsement have been fulfilled and the instrument referred to has been completely released to the Owner(s). The OMPC, by letter, will notify the Financial Institution and the Owner(s) that the Surety Irrevocable Letter of Credit has been canceled.	
<input type="checkbox"/> SURETY TRANSFERRED BY OMPC DIRECTOR. Improvements have not been installed in a satisfactory manner within the time limits as set forth in Section 3.33 of the Subdivision Regulations, and the OMPC Director has transferred any remaining amount of this Surety to the Legislative Body for disposition as per Sections 3.34 of the Subdivision Regulations.	
OWENSBORO METROPOLITAN PLANNING COMMISSION	
By _____	Date _____
IF TRANSFERRED TO LEGISLATIVE BODY. Any remaining amount of posted Surety, which was transferred by the OMPC Director as indicated above, has been duly RELEASED by the Legislative Body indicated below. The Legislative Body, by letter, will notify the Financial Institution and the Owner(s) that the Surety Irrevocable Letter of Credit has been canceled.	
Name of Legislative Body _____	
By _____	Date _____

(This Irrevocable Letter of Credit shall be issued ONLY by a bank with staffed branch office(s) in Owensboro, on bank letterhead in the following format)

(Date)

IRREVOCABLE LETTER OF CREDIT NO. _____

Owensboro Metropolitan Planning Commission
200 East 3rd Street
Owensboro, KY 42303

We hereby establish our Irrevocable Letter of Credit No. _____ to be drawn on _____ Bank, Owensboro, Kentucky, for the account of _____, up to an aggregate amount of \$ _____. Funds are available by your draft at sight accompanied by:

An affidavit signed by the authorized representative of the Owensboro Metropolitan Planning Commission ("OMPC") stating that "_____, as Principal, under a Public Improvements Surety in the form of an Irrevocable Letter of Credit, dated _____, in favor of Owensboro Metropolitan Planning Commission, or legal assigns, has failed to faithfully perform and complete the work listed in the Public Improvements Cost Estimate for \$ _____, attached hereto as Exhibit "A," despite thirty (30) days prior written notice to said Principal to perform and complete said work."

Your drafts must bear the clause, "Drawn Under _____ Bank Letter of Credit No. _____."

We hereby engage with you that your draft(s) under and in compliance with the terms of this Irrevocable Letter of Credit will be duly honored if presented to us on or before _____ (insert completion date per Cost Estimate).

It is a condition of this letter that the OMPC Director, upon completion of work stipulated in the Cost Estimate dated _____, notify the Bank by written notice of such completion whereupon this letter shall be cancelled.

This irrevocable Letter of Credit shall terminate (*three years, two years or six months depending upon the improvements covered*) from the Effective Date hereof, but shall renew for additional successive periods of (*three years, two years or six months depending upon the improvements covered*) each unless Bank gives written notice to OMPC at least sixty days prior to the conclusion of the then applicable period that this letter of credit shall not be renewed, whereupon this letter of credit shall then terminate at the end of the period in which such notice is given.

For clarification, this letter of credit shall terminate upon the earlier to occur of a) OMPC notifying Bank of the completion of the work as set forth in the Cost Estimate or b) at the end of the subject period following the nonrenewal of the letter of credit by notification by the Bank as set forth above.

Bank agrees that OMPC has the authority to transfer its rights and obligations described in this letter of credit to the appropriate governmental authority (Daviess County, the City of Owensboro, of the City of Whitesville, as the case may be). In the event of such transfer, Bank must be immediately notified by the OMPC of such transfer. In such notice of transfer, the authorized representative of said governmental authority shall be identified with his/her designated address for purpose of receiving any notices relating to this letter of credit. After such transfer, any notice or other documents otherwise required to be sent to or from OMPC herein shall thereupon be sent to or from such authorized representative of said appropriate governmental authority.

In the event of transfer, the affidavit for drafts on the Letter of Credit and the Letter of Completion Notice shall be at the direction of the governing body of said entity or entities as referred herein, and the procedure for disposition shall be the same as that prescribed for the OMPC. The Bank hereby agrees to pay sight draft drawn under and in compliance with the terms of this letter upon presentation.

_____ BANK

By: _____
(Name, Title)

Authorized to honor sight draft on account _____ under the terms outlined in this letter.

Date received by Planning Office

To the Owensboro Metropolitan Planning Commission:

Subdivision / Development Information

Name of Subdivision or Development

Unit Number

Number of Lots

Acres

I am this day (noted at left by planning staff upon submission) posting surety in the amount as shown in the table below to cover cost of installation of improvements in the subdivision and unit number noted at left, as per applicable itemized engineering cost estimates attached hereto.

The improvements as outlined in the itemized cost estimates will be completed within the time periods noted below, in accordance with the Owensboro Metropolitan Subdivision Regulations. I fully realize that failure to fulfill this commitment within the time periods that I have specified below may have a negative effect on my bonding status with the OMPC for future projects and can result in forfeiture of my surety. Request for payment on the posted performance bond by the OMPC or its assigns does not relieve me of my obligation to complete said improvements, and said obligation shall continue until such improvements are completed. If the City of Owensboro, Daviess County or the City of Whitesville (the "Government"), at their discretion, should complete said improvements, then I shall reimburse the Government for all expenses to the extent said expenses are over and above the amount of the posted performance bond.

Person / Company Posting Surety

Name

Address

Day Telephone

Typed or Printed Name & Signature of Person Posting Surety

ITEMS	6 MONTHS	2 YEARS	3 YEARS
P2 Streets	N/A		N/A
P2 Sidewalks	N/A		
P3 Storm Sewers	N/A		N/A
P4 Sanitary Sewers	N/A		N/A
P5 Water Mains		N/A	N/A
P6 Fire Hydrants		N/A	N/A
GRAND TOTAL			

Performance Bond #

KNOW ALL PERSONS BY THESE PRESENTS:

That we, _____, as Principal, hereinafter called the **Owner and Developer**

of _____ Subdivision, hereinafter called the **Subdivision**,

and the _____ Financial Institution, as Surety, hereinafter called the **Surety**,

of (address) _____,

are held and firmly bound unto the Owensboro Metropolitan Planning Commission, of Owensboro, Whitesville, and Daviess County, Kentucky, as Obligee, to perform the following conditions whereof the **Owner and Developer** and **Surety** bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents:

Continued on page 2

Continued from page 1

WHEREAS, the **Owner and Developer** of the **Subdivision** located in Daviess County, Kentucky, as identified on page 1, will arrange for completion of public improvements as per the Public Improvement Cost Estimate, hereinafter called

the Estimate, dated _____,

on record in the Office of the Owensboro Metropolitan Planning Commission, said Estimate covering the items noted in the table on page 1.

WHEREAS, the **Surety**, as identified on page 1, guarantees that if the **Owner and Developer** do not faithfully perform and complete the work listed in the Estimate, then in that event, the **Surety** agrees to faithfully perform and complete the work listed in the Estimate, or the **Surety** agrees to forfeit the performance bond,

up to, but not to exceed \$ _____

And have same duly approved by the proper city or county authorities.

NOW, THEREFORE, the condition of this obligation is such that, if the **Owner and Developer** shall faithfully perform and complete the work listed in the Estimate, and have same duly approved by the proper city or county authorities, within the time periods specified in the Estimate, starting from the date of this Performance Bond, then this Performance Bond shall be null and void; otherwise it shall remain in full force and effect.

WITNESS our signatures this	_____	day of	_____,
Owner and Developer			
By _____			
Surety			
By _____			
REVIEWED:	_____		

OMPC Attorney

REDUCTION OF SURETY AMOUNT. The surety amount has been reduced by the OMPC Director as noted below.	
Date of Reduction	Surety Amount Reduced to
FINAL OMPC ACTION. Only <u>one</u> of the following apply, as checked:	
<input type="checkbox"/> SURETY COMPLETELY RELEASED BY OMPC DIRECTOR. The purposes of the above endorsement have been fulfilled and the instrument referred to has been completely released to the Owner(s). The Owner(s) should notify the Surety Company that the Surety Performance Bond has been released.	
<input type="checkbox"/> SURETY TRANSFERRED BY OMPC DIRECTOR. Improvements have not been installed in a satisfactory manner within the time limits as set forth in Section 3.33 of the Subdivision Regulations, and the OMPC Director has transferred any remaining amount of this Surety to the Legislative Body for disposition as per Sections 3.34 of the Subdivision Regulations.	
OWENSBORO METROPOLITAN PLANNING COMMISSION	
By _____	Date _____
IF TRANSFERRED TO LEGISLATIVE BODY. Any remaining amount of posted Surety, which was transferred by the OMPC Director as indicated above, has been duly RELEASED by the Legislative Body indicated below.	
Name of Legislative Body _____	
By _____	Date _____

The unit costs specified on this form are used to prepare total costs for public improvement items not completed at the time of final plat submittal to be used in determining amount of surety required to be posted. These unit costs were approved by the Owensboro Metropolitan Planning Commission on June 10, 2004. Annual reviews beginning January 2006 will be conducted and new unit costs approved as necessary.

Storm Sewers & Drainage

ITEM	UNITS	COST/UNIT
8" to 18" pipe (All types)	LF	\$33.00
24" to 30" pipe (All types)	LF	\$55.00
36" to 48" pipe (All types)	LF	\$82.00
Greater than 48" pipe (All types)	LF	Case by case
Single Curb Inlet	Each	\$1,700.00
Double Curb Inlet	Each	\$1,900.00
Bee Hive Inlet	Each	\$1,650.00
Catch Basin	Each	\$1,650.00
Manhole	Each	\$1650.00
NOTE: IF > 6' DEPTH		Add \$100 per vertical foot
8" to 18" pipe SF Headwalls	Each	\$1,100
24" to 30" pipe SF Headwalls	Each	\$1,700.00
36" to 48" pipe SF Headwalls	Each	\$2,200.00
RCBC Headwalls per cell	Each	Case by case
RCBC Culvert per cell	LF	Case by case
Concrete Paved Ditch	SF	\$5.50
Rip/Rap	TON	\$30.00
Seeding/Mulching	SY	\$0.50
Detention Basin Excavation	CY	\$5.00
Detention Basin Maintenance	CY	Case by case

Water Mains and Fire Hydrants

Water mains and fire hydrants are to be calculated on a case by case basis as approved by the appropriate water district and the appropriate fire district.

Sanitary Sewers

ITEM	UNITS	COST/UNIT
8" - 10" Gravity Sewer	LF	\$30.00
12" - 15" Gravity Sewer	LF	\$37.00
18" Gravity Sewer	LF	\$45.00
24" Gravity Sewer	LF	\$55.00
4" - 6" Taps	LF	\$18.00
4" - 6" Force Main	LF	\$10.00
8" - 10" Force Main	LF	\$15.00
Manhole 4' Diameter Standard	Each	\$2,200
NOTE: IF > 6' DEPTH		Add \$175 per vertical foot

Street and Sidewalks

ITEM	UNITS	COST/UNIT
Valley Curb & Gutter	LF	\$9.00
Box Curb & Gutter	LF	\$11.00
8" DGA	SY	\$10.00
6" DGA	SY	\$7.50
2" Bituminous Base	SY	\$9.00
1 1/4" Bituminous Surface	SY	\$5.00
4" Concrete Sidewalk	SF	\$3.75

Storm Water Quality

Size of Site	UNITS	COST/UNIT
<5 acres	CUFT	\$8.50
	-or- CFS	\$5,500
>5 acres	CUFT	\$7.00
	-or- CFS	\$4,500

1/12/2006 -OMPC approved new Surety Unit Costs. The following unit costs were increased:

Valley Curb and Gutter - Increase from \$6.00/ LF to \$6.50/ LF
 Box Curb and Gutter- Increase from \$7.00/LF to \$7.50/LF
 Manhole - Increase from \$1500.00 each to \$1800.00 each

2/8/2007 -OMPC approved new Surety Unit Costs. The following unit costs were revised:

Storm Sewers & Drainage

8" to 18" pipe – Increase from \$18.00 LF to \$25.00 LF
 24" to 30" pipe – Increase from \$30.00 LF to \$38.00 LF
 36" to 48" pipe – Increase from \$50.00 LF to \$58.00 LF
 Single Curb Inlet – Increase from \$1000 ea to \$1100 ea
 Double Curb Inlet – Increase from \$1500 ea to \$1600 ea
 Bee Hive Inlet – Increase from \$1000 ea to \$1100 ea
 Manhole – Added NOTE: IF > 6' DEPTH case by case
 24" to 30" Pipe SF Headwalls – Change from 24" & 48" and decreased cost from \$2000 ea to \$1200 ea
 Added new category 36" to 48" SF Headwalls @ \$2200 ea.

Sanitary Sewers

Changed NOTE form 10' to 8' depth case by case

Streets and Sidewalks

Box curb and gutter – Increased from \$7.50 to \$8.50 LF
 8" DGA – Increased from \$6.32 to \$6.70 SY
 6" DGA – Increased from \$4.70 to \$5.00 SY
 2" Bit Base – Increase from \$4.30 to \$5.70 SY
 1" Bit Base – Increase from \$2.40 to \$3.25 SY
 4" Concrete Sidewalk – Increase from \$9.00 to \$10.00 LF

2/14/2008 - OMPC approved new Surety Unit Costs. The following unit costs were revised:

Storm Sewers & Drainage

24" to 30" pipe - Increase from \$38.00 LF to \$43.00 LF
 36" to 48" pipe – Increase from \$55.00 LF to \$62.00 LF
 8" to 18" pipe SF Headwalls – Increase from \$900.00 each to \$1000.00 each
 Concrete Paved Ditch – Increase from \$4.50 SF to \$5.30 SF
 Detention Basin Excavation – Increase from \$3.00 CY to \$3.50 CY

Streets and Sidewalks

Valley Curb & Gutter – Increase from \$6.50 LF to \$7.00 LF
 Box Curb & Gutter – Increase from \$8.50 LF to \$9.00 LF
 8" DGA – Increase from \$6.70 SY to \$7.60 SY
 6" DGA – Increase from \$5.00 SY to \$5.70 SY
 2" Bituminous Base – Increase from \$5.70 SY to \$6.80 SY
 1" Bituminous Base – Increase from \$3.25 SY to \$3.80 SY
 4" Concrete Sidewalk – Increase from \$10.00 LF to \$11.00 LF

3/12/2009 – OMPC approved new Surety Unit Costs. The following unit costs were revised:

Storm Sewers & Drainage

Single Curb Inlet – Increase from \$1100 ea to \$1500 ea
 Double Curb Inlet - Increase from \$1600 ea to \$1700 ea
 Bee hive inlet - Increase from \$1100 ea to \$1500 ea
 Add detention basin maintenance case by case

Sanitary Sewers

8"-10" gravity sewer – Increase from \$20.00 LF to \$21.00 LF
 12" – 15" gravity sewer – Increase from \$28.00 to \$30.00 LF
 18" gravity sewer – Increase from \$35.00 LF to \$45.00 LF
 24" gravity sewer – increase from \$45.00 LF to \$55.00 LF

Street and Sidewalks

Valley Curb & Gutter – Increase form \$7.00 LF to \$8.00 LF
 Box Curb & Gutter - Increase form \$9.00 LF to \$10.00 LF
 8" DGA – Increase from \$7.60 SY to \$8.20 SY
 6" DGA – Increase from \$5.70 SY to \$6.20 SY
 2" Bituminous Surface – Increase from \$6.80 SY to \$7.50 SY
 1" Bituminous Surface – Increase from \$3.80 SY to \$4.50 SY

1/14/2010 – OMPC approved Surety Unit Costs. The following unit costs were revised:

Storm sewer manholes > 6 feet in depth unit cost was revised from "case by case" to "Add \$100 per vertical foot"

Sanitary sewer manholes > 8 feet in depth was revised to read "> 6 feet" in depth" and the cost was revised from "case by case" to "Add \$100 per vertical foot"

1/13/2011 – OMPC approved Surety Unit Costs. The following costs were revised:

8" to 18" pipe was revised from \$25.00 LF to \$30.00 LF
 24" to 30" pipe was revised from \$43.00 LF to \$48.00 LF
 Detention basin excavation was revised from \$3.50 CY to \$4.00CY
 8" to 10" Gravity Sewer was revised from \$21.00 LF to \$23.00 LF
 4" – 6" Tap was revised from \$15.00 LF to \$18.00 LF
 8" DGA was revised from \$8.20 SY to \$8.90 SY
 6" DGA was revised from \$6.20 SY to \$6.65 SY
 2" Bituminous Base was revised from \$7.50 SY to \$8.00 SY
 4" concrete sidewalk was revised from \$11.00 LF to \$2.75 SF

1/12/2012 – OMPC approved Surety Unit Costs. The following costs were revised:

Rip rap increased from \$22.00 per ton to \$25.00 per ton
 Valley curb and gutter increased from \$8.00 LF to \$8.50 LF
 4" concrete sidewalk increased from \$2.75 SF to \$3.00 SF

1/10/2013 – OMPC approved Surety Unit Costs. The following costs were revised.

24" to 30" pipe SF Headwalls - Increase from \$1,200 each to \$1,500 each
 Rip/Rap - Increase from \$25.00 per ton to \$27.00 per ton
 Detention Basin Excavation - Increase from \$4.00 CY to \$5.00 CY
 Valley Curb & Gutter – Increase from \$8.50 LF to \$9.00 LF
 Box Curb & Gutter – Increase from \$10.00 LF to \$11.00 LF
 8" DGA – Increase from \$8.90 SY to \$9.00 SY
 6" DGA – Increase from \$6.65 SY to \$6.80 SY
 2" Bituminous Base – Increase from \$8.00 SY to \$8.10 SY
 1" Bituminous Surface – Increase from \$4.50 SY to \$4.60 SY
 4" Concrete Sidewalk – Increase from \$3.00 SF to \$3.25 SF

12/12/2013 – OMPC approved Surety Unit Cost changes as follows:

Storm Sewers & Drainage

8"-18" pipe – Increase from \$30.00 to \$33.00
 24"-30" pipe – increase from \$48.00 to \$53.00
 36"-48" pipe – increase from \$62.00 to 68.00
 Single Curb Inlet – increase from \$1500 to \$1700
 Bee Hive Inlet – increase from \$1500 to \$1650
 Catch Basin – increase from \$1500 to \$1650
 Manhole - increase from \$1500 to \$1650
 24:-48" pipe SF Headwalls – increase from \$1500 to \$1700

Sanitary Sewers

8"-10" Gravity Sewer – increase from \$20.00 to \$25.00
 12"-15" Gravity Sewer – increase from \$30.00 to \$32.00
 Manhole – Increased from \$100 to \$125 for each additional foot
 Streets & Sidewalks
 8" DGA – increase from \$9.00 to \$10.00
 6" DGA – increase from \$6.80 to \$7.50
 2" Bituminous Base – increase from \$8.10 to \$9.00
 1" Bituminous Surface – Increase from \$4.60 to \$5.00 and increased from 1" to 1 ¼"

2/9/2014 – OMPC approved Surety Unit Cost changes as follows:

Added Storm Water Quality Bonding category and amounts

1/8/2015 – OMPC approved Surety Unit Cost changes as follows:

4" Concrete Sidewalk – Increase from \$3.25 SF to \$3.50 SF

12/10/2015 – OMPC approved Surety Unit Cost changes as follows:

24" to 30" pipe – Increase from \$53.00 LF to \$55.00 LF
36" to 48" pipe – Increase from \$68.00 LF to \$82.00 LF
8" to 18" pipe SF Headwalls – Increase from \$1,000 to \$1,100
Concrete Paved Ditch – Increase from \$5.30 SF to \$5.50 SF
Rip/Rap – Increase from \$27.00/ton to \$30.00/ton
8" to 10" Gravity Sewer – Increase from \$25.00 LF to \$30.00 LF
12" to 15" Gravity Sewer – Increase from \$32.00 LF to \$37.00 LF
Manhole – Increase from \$1,800 each to \$2,200 each
Manhole Depth – Increase from \$125/vertical foot to \$175/foot
4" Concrete Sidewalk – Increase from \$3.50 SF to \$3.75 SF

Streets and Sidewalks

Name of Subdivision or Development				Unit	
ITEM	UNITS	COST/UNIT	INSTALLED TO DATE	TO BE INSTALLED	
			QUANTITY	QUANTITY	COST
Valley Curb and Gutter	LF				
Box (High) Curb and Gutter	LF				
Roll Curb and Gutter	LF				
8-inch DGA	SY				
6-inch DGA	SY				
2-inch DGA	SY				
2-inch Bituminous Conc. Base	SY				
1 ¼-inch Bituminous Conc. Surface	SY				
6-inch Cement Conc. Surface	SY				
4-foot Sidewalk	SF				

	POST TOTAL	
Comments	City or County Engineer	Approval Date

Storm Sewers and Drainage

Name of Subdivision or Development				Unit	
ITEM	UNITS	COST/UNIT	INSTALLED TO DATE	TO BE INSTALLED	
			QUANTITY	QUANTITY	COST
Concrete Pipe	LF				
Clay Pipe	LF				
Cast Iron Pipe	LF				
Curb Inlets	Item				
Rural Inlets	Item				
Manholes	Item				
Paved Ditches	SF				
Retention Basins	CY				
Spillways	Item				
Grates	Item				
Headwalls	Item				
Tide Gates	Item				
Gabion	Item				
Box Culvert	Item				

			POST TOTAL		
Comments		Storm Sewer and Drainage System Representative		Approval Date	

Water Mains							
Name of Subdivision or Development				Unit			
ITEM	UNITS	COST/UNIT	INSTALLED TO DATE	TO BE INSTALLED			
			QUANTITY	QUANTITY	COST		
Water Mains	LF						
Comments				POST TOTAL			
				Developer's Engineer		Approval Date	
				Water District Superintendent		Approval Date	

*/ Effective April 1, 1998, **WATER MAINS FOR ALL MAJOR SUBDIVISIONS** shall meet the new water supply and fire protection requirements of the Subdivision Regulations and Public Improvement Specifications, as administered by the OMPC and the City or County Fire Chief. Water mains shall be installed within 6 months of the date of posting of surety. A "major subdivision" is any subdivision that creates more than one new lot under 10 acres in size from the same parent tract during any 12-month period.*

Fire Hydrants					
Name of Subdivision or Development				Unit	
ITEM	UNITS	COST/UNIT	INSTALLED TO DATE	TO BE INSTALLED	
			QUANTITY	QUANTITY	COST
Fire Hydrants	Item				
				POST TOTAL	
			City or County Fire Chief		Approval Date
Comments					

*/ Effective April 1, 1998, **FIRE HYDRANTS FOR ALL MAJOR SUBDIVISIONS** shall meet the new water supply and fire protection requirements of the Subdivision Regulations and Public Improvement Specifications, as administered by the OMPC and the City or County Fire Chief. Fire hydrants shall be installed within 6 months of the date of posting of surety. A "major subdivision" is any subdivision that creates more than one new lot under 10 acres in size from the same parent tract during any 12-month period.*

PROPERTY PERIMETER REQUIREMENTS (*Zoning Ordinance Article 17.311 illustrated*)

	A	B	C	D
	WHEN...	ADJOINS...	LANDSCAPE EASEMENT of this average width required, with 3' min. width	CONTAINING this material, to achieve opacity required
1	MHP zoned property	Residential zoned property, including across intervening streets or alleys	10' adjacent to all common boundaries, including street or alley frontage	1 tree per 40' of linear boundary plus continuous 6' high planting, hedge, fence, wall, or earth mound
2	Residential or MHP zoned property	Freeway, expressway, or railroad	10' adjacent to freeway, expressway, or railroad right-of-way	Same as 1D above
3	Business or industrial zoned property, other than items 5, 5a or 6 below	Residential or MHP zoned property, except across intervening streets or alleys and lots in Agricultural zones containing less than 10 acres with an existing residential use	10' adjacent to all common boundaries, except street or alley frontage	Same as 1D above
4	Building in B-2 zone	Street right-of-way, except alleys	3' adjacent to all common boundaries of building and street frontage, except alleys	Any combination of decorative shrubs, trees, flowers; up to 25% of length may be paved for building entrance walks
5	Outdoor storage areas or yards	Residential or MHP zoned property, including across streets or alleys	10' adjacent to all common boundaries, including street or alley frontage	1 tree per 40' of linear boundary plus continuous 6' high solid wall or fence
5a	Outdoor storage areas or yards	Any zone	Not applicable	6' high continuous solid wall or fence
6	Utility substation, junk yard, landfill, sewage plant, or similar use	Any property boundary, including any street or alley right-of-way	10' adjacent to all common boundaries, except only 5' for utility substations measured adjacent to the enclosure	Same as 1D above, except that junk yards, salvage/ scrap iron yards shall require a continuous solid wall or fence 8' high

VEHICULAR USE AREA PERIMETER REQUIREMENTS (*17.312 illustrated*)

	A	B	C	D
	WHEN...	ADJOINS...	LANDSCAPE EASEMENT of this average width required, with 3' min. width	CONTAINING this material, to achieve opacity required
7	Vehicular use area (VUA) on any property	Neighboring property in residential or MHP zone	3', where vehicles do not overhand, and 4' min. to all trees from VUA curbs or wheel stops, adjacent to buildings on neighboring property	1 tree per 40' of VUA boundary, plus continuous 3' high planting, hedge, fence or wall; or 3' high continuous earth mound in minimum 10' wide easement
8	Vehicular use area, except loading/ unloading areas in B-2 zone	Public or private street right-of-way	Same as 7C above	Same as 7D above, except for vehicular sales lots & service stations, continuous 3' high element may be replaced by 1 low shrub per 10' of boundary

Material Specifications

Walls and fences shall have a minimum opacity of 80%, and be no higher than 6' in front yards or 8' in all other yards in all zones except industrial.
Earth mounds shall be constructed with proper slopes and adequate plant material to prevent erosion.
Deciduous trees should be species having an average mature crown spread of at least 15' and a trunk diameter of 1-3/4" on planting. Willows, sycamores, box elders, silver maples and other trees whose roots are known to damage public works shall not be planted within 15' of such public works, unless the root system is completely contained in a barrier.
Evergreen trees shall be at least 5' high, 1-1/2" in trunk diameter and 3' in spread at planting.
Shrubs and hedges shall be at least 2' in average height or spread at planting for VUA perimeter easements, and at least 3' in average height or spread at planting for property perimeter easements. Within 4 years of planting, hedges shall achieve 50% winter opacity between 1' and 3' above grade for VUA boundaries, and between 1' and 6' above grade for property boundaries.

VEHICULAR USE AREA INTERIOR REQUIREMENTS (17.32 illustrated)
(Owensboro, Whitesville, and Urban Service Area)

Vehicular Use Areas containing at least 30,000 SF but less than 50,000 SF shall provide interior landscaping, except in industrial zones. The minimum total area shall be 3% of the area bounded by the perimeter of the paved area, not including access drives from the street. . **Vehicular use areas** containing 50,000 SF or greater shall provide interior landscaping, except in industrial zones. The minimum total area shall be 5% of the area bounded by the perimeter of the paved area, not including access drives from the street. The total may be divided among islands, peninsulas or medians within VUA boundaries, or may be achieved using the qualifying perimeter area (QPA) as defined below.

Qualifying Perimeter Area (QPA) outside of VUA boundaries may be used, but must be within 15' of the VUA boundary to satisfy distribution requirements below. QPA is counted at half value, therefore twice as much area is required to equal the value of islands, peninsulas or medians within the VUA boundary. Required VUA perimeter easements and materials cannot be counted as QPA.

Minimum Size. Each interior landscape area shall be a minimum of 64 SF with 4' minimum dimension to all trees from curbs or wheel stops where vehicle parking spaces overhang.

Distribution Requirements. Number, shape and maximum size of landscape areas is at owner's discretion, however, all portions of the VUA must be within at least 150' of a landscaped island, peninsula, median, or qualifying perimeter area.

Trees and other plant materials. One (1) tree is required for each 250 SF of total required interior landscape area. Remember that qualifying perimeter area has been doubled to equate with islands, peninsulas and medians. Required trees may be scattered among the landscape areas provided. The surface of these areas shall be landscaped with low shrubs, grass or other ground cover plants.

For additional details see text of Article 17.

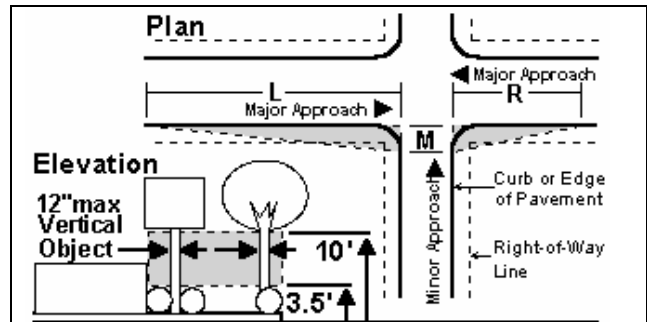
Plan Content

Type of Plan Drawing	Landscaping Information
Subdivision plat	Only property perimeter easements and materials must be illustrated on the plat.
Final development plan	All required landscape easements and materials must be illustrated on the plan.
Combined final development plan/ preliminary plat	
Construction permit landscape plan	
Preliminary development plan	Only required landscape easements must be shown on the plan, not the materials that will be placed in the easements.
<p>Whichever drawing type is applicable, it should be drawn to an easily readable scale, showing and labeling by name and dimensions, all existing and proposed property lines, easements, buildings (not for subdivision plats), VUAs including parking stalls (not for subdivision plats), water outlets, landscape material locations, typical elevations or cross-sections as may be required, title box with pertinent names and addresses, scale, date, north arrow and zoning classifications.</p>	
<p>If building permits will be sought prior to installation of materials, landscape surety must be posted in conformance with OMPC Form L2.</p>	

Sites affected by landscaping regulations. No new site development, building, structure or vehicular use area shall be created and used unless landscaping is provided as required by Article 17 of the Zoning Ordinance. No building, structure or vehicular use area may be altered or expanded unless landscaping is provided for the property to the extent of its alteration or expansion. The OMPC may require landscaping improvements for property when a change of zoning occurs.

Who provides landscape easements? Generally, landscape easements and materials are placed on the property where construction activity or zone change occurs, except for the following situations: 1. Adequate materials already exist on the activity property or adjoining property or street right-of-way that meet some or all requirements. 2. Easements and materials may be placed astride the boundary of adjoining properties having the same or different owners if a written agreement signed by involved parties is filed with the Zoning Administrator as a public record.

Easement conflicts. Whenever a parcel or activity falls under two or more of the categories listed on Page 1 of this form, the more stringent category will apply. Required landscape easements may be combined with utility or other easements as long as all landscape requirements can be fully met; otherwise, landscape easements must be separate from other easements.

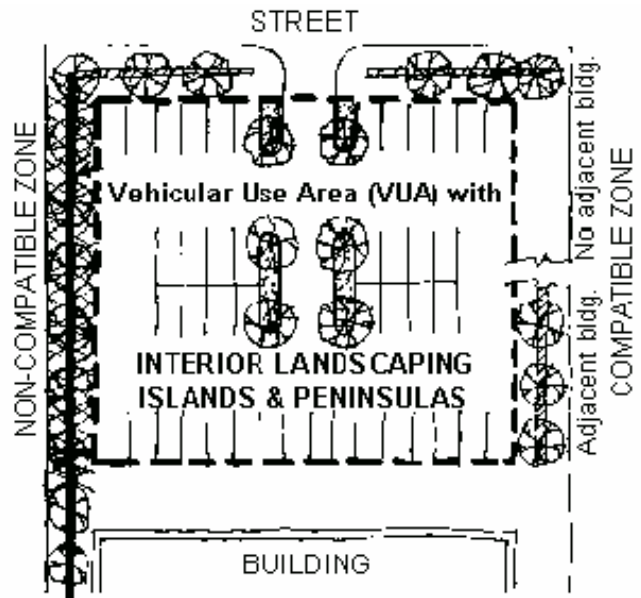
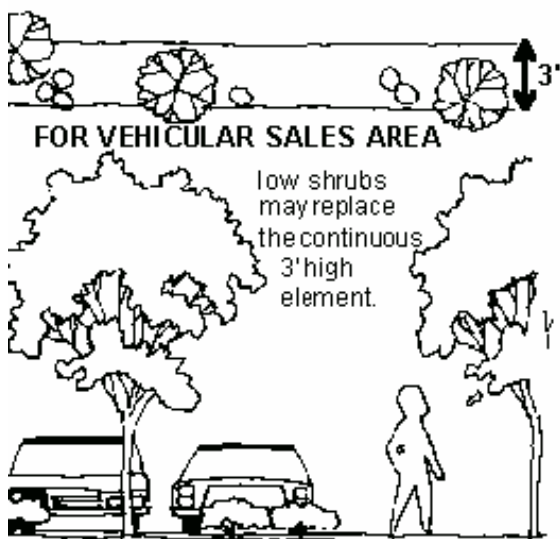
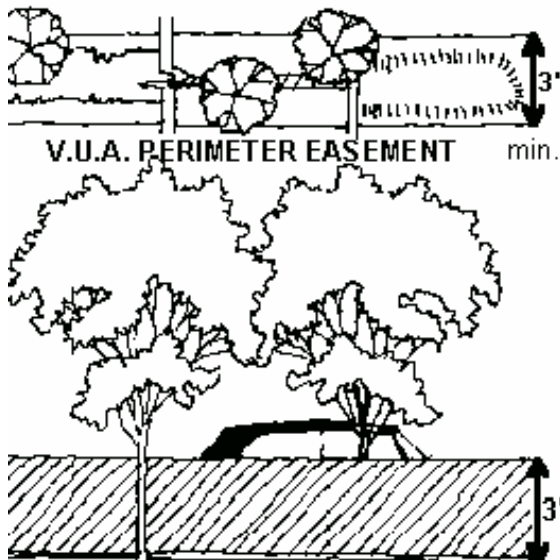
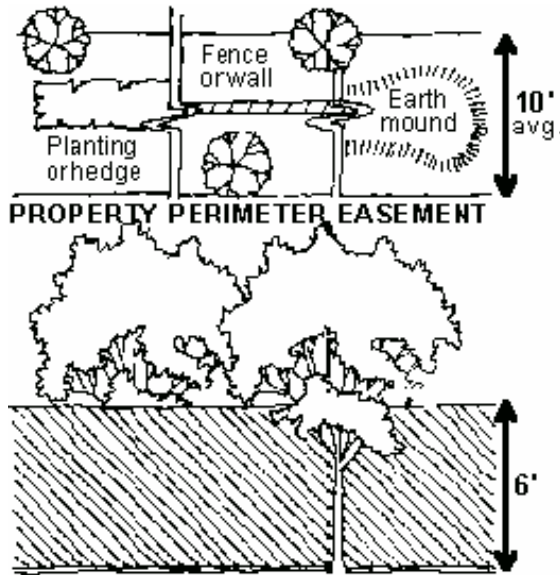


In Sight Triangle: Only vertical objects 12" or less in diameter, from 3.5 to 10 feet above street grade.

Sight Triangles at Intersections

Major Approach >	Arterial Street		Any Other Street	
Minor Approach >	Street, not Alley	Alley or Driveway	Street, not Alley	Alley or Driveway
L =	300'	200'	150'	100'
R =	150'	100'	75'	50'
M =	15'	10'	15'	10'

Exceptions: One-Way Streets - On one-way streets, sight triangles do not apply at corners where traffic does not approach the intersection. On one-way streets, if the major approach traffic comes from the RIGHT, then the LEFT sight triangle dimensions shall be applied to the RIGHT corner. Principal Buildings - Sight triangles do not apply to principal buildings located in conformance with building setback requirements of the Zoning Ordinance. Utility Devices - Authorized utility devices -- poles, control boxes, traffic signs and signals, etc. -- are excepted from strict conformance with sight triangles. However, the location of these devices should adhere to limitations as closely as possible. Source: Article 3 of the Zoning Ordinance



Continuous element is 3' high



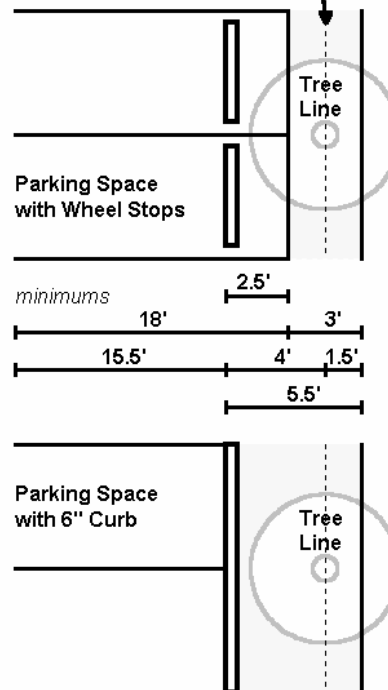
Continuous element is 6' high

Property perimeter easement
No additional V.U.A. easement required



Vehicular Use Area (V.U.A.) Boundary
for calculating interior landscaping

VUA Perimeter Easement or Interior Landscape Area
(Interior, Owensboro & Whitesville only)



This form describes the standards for vehicular access points to public streets and roads in Owensboro-Daviess County, Kentucky. Access points are either driveways or roadway intersections.

Within the Urban Service Area

Vehicular access is subject to the standards listed in the table below. Policies regarding specific application of the standards are included in the *Access Management Manual* and are summarized at right. **See map on page 2.**

Intersection & Driveway Spacing Standards

Spacing standards are measured from center-line to center-line of roadways and driveways. Minimum spacing between access points within different development categories below is the less restrictive standard indicated.

- INT** Roadway intersections
- PBI+** Driveways in professional, business or industrial zones, with traffic volumes of 1,000 vehicles-per-day or greater
- PBI-** Driveways in professional, business or industrial zones, with traffic volumes less than 1,000 vehicles-per-day
- RES** Driveways in residential or agricultural zones

"Existing roadways" means roadways already in existence.

"Existing lots" means individual lots fronting on existing roadways where such lots are not part of a development plan or subdivision plat with specific access limitation.

"New development" means development plans or major subdivision plats that would provide for new building construction or substantial site redevelopment.

"New/reconstructed roadways" means newly constructed roadways where they previously did not exist or major roadway reconstruction within existing alignments.

FUNCTIONAL CLASS Features	SPACING STANDARDS (FEET)			
	INT	PBI+	PBI-	RES
PRINCIPAL ARTERIAL				
Existing roadways				
Existing lots	N/A	500	250	250
New development	1,500	500	500	500
New/reconstr. roadways	1,500	1,500	1,500	1,500
MINOR ARTERIAL				
Existing roadways				
Existing lots	N/A	500	250	250
New development	500	500	500	500
New/reconstr. roadways	1,000	1,000	1,000	1,000
MAJOR COLLECTOR				
Existing roadways				
Existing lots	N/A	250	150	150
New development	250	250	250	250
New/reconstr. roadways	250	250	250	250

OTHER STREETS

- Residential driveways shall be located at least 10 feet from the right-of-way line of an intersecting street. Non-residential driveways along streets or shared drives shall be located at least 50 feet from the right-of-way line of an intersecting street.
- The total width of all driveways shall not exceed 40% of street frontage, measured at the building setback line. Driveway widths shall not exceed the standards in the table at right.
- For uses other than detached single-family and duplex dwellings, vehicles should not back directly onto streets.
- Where lots are narrow, alleys should be used for vehicular access to lots.

Outside the Urban Service Area

Vehicular access is generally subject to the standards for "OTHER STREETS" in the table at lower left. However, on continuing rural roads and highways, no vehicle should be required to back onto the roadway. In addition, to maintain safety on rural highways with traffic volumes exceeding 5,000 vehicles per day, direct access points should be shared or access should be provided via internal or frontage streets.

Application of the Spacing Standards

For major streets in the Urban Service Area, access points must be noted on the plat or plan in compliance with the following:

Sufficient Frontage Available

Whenever new development or redevelopment is proposed for a property or assembled properties, and sufficient frontage is available, **access points will be designated based on the spacing standards table**, according to the following procedures:

- The developer will designate access points to be retained, relocated, added or closed to assure conformance with spacing standards.
- No additional access points will be permitted, regardless of future subdivision, so frontage roads or other forms of marginal access should be provided in areas with an anticipated high level of development.
- Major driveways should be located opposite from each other or opposite a three-leg intersection, where a traffic signal exists or may be warranted.
- Driveway widths will be in accordance with the design standards listed in the table below.

Sufficient Frontage NOT Available

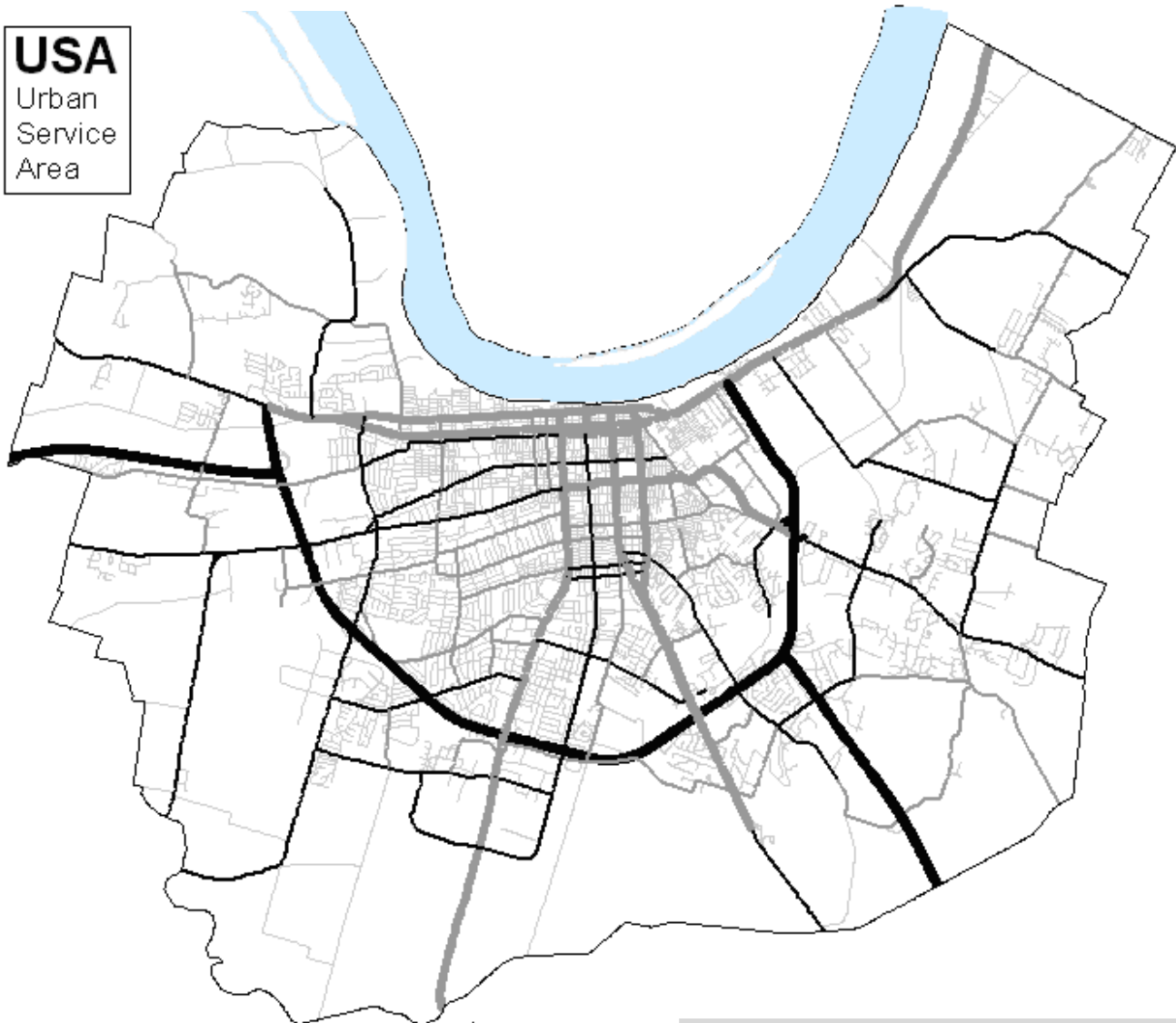
Whenever new development or redevelopment is proposed for a property or assembled properties, and sufficient frontage is NOT available to allow application of the spacing standards in the table at left, **not more than one access point will be permitted**. The following requirements must also be met:

- Existing access points may remain in use, with no alteration or relocation if spacing is sufficient.
- The developer will locate new or relocated access points, maximizing the spacing between adjacent driveways along the street.
- No additional access points will be permitted, regardless of future subdivision, so joint-use driveways that straddle the property line or other connections between adjoining properties are encouraged.
- For corner lots, access will be limited to the intersecting side street with the lower functional classification.
- Driveway widths will be in accordance with the design standards listed in the table below.

Driveway Width Standards along All Streets

TYPE OF DRIVEWAY	Width at the property line	
	MINIMUM	MAXIMUM
Two-way driveway		
Residential	18 ft	30 ft
Non-residential		
Commercial	24 ft	40 ft
Industrial	24 ft	50 ft
With median		60 ft
One-way driveway		
Residential	10 ft	16 ft
Non-residential	12 ft	26 ft

USA
Urban
Service
Area



J R Miller Blvd Access (10/24/1985)

Transportation Policy Committee adopted special access control policies for J. R. Miller Boulevard between 3rd Street and Southtown Boulevard: 1. **DRIVEWAY ACCESS:** No lot of record or newly created lot will be permitted direct access to the boulevard where there was no street improvement in existence in January, 1985; or where marginal access may be provided by a frontage street along the boulevard. 2. **STREET INTERSECTIONS:** A public side street may intersect with the boulevard if the following specifications are met: a. The new street leg must complete an existing three-leg street intersection to create a four-leg intersection; or be at least 500 feet from an existing or planned street intersection. Street intersection spacing is measured from centerline to centerline. b. The new street leg must connect with the public street system serving the adjoining neighborhood.

Martin Luther King Jr. Loop Access (9/9/2002)

The loop's design designates local street access points at 1,000 ft+ spacing. Property driveways shall be prohibited along the loop and shall be restricted to the local streets that intersect the loop.

Map of Major Streets

Functional Classification from Transportation Plan

	<i>Segment Miles</i>
Freeway/Expressway	58.6
Principal Arterial	59.8
Minor Arterial	119.2
Major Collector	587
Local Roads	

Existing/ planned one-way arterial streets:

- 2nd St (west) / 4th St (east)
- 5th St (west – Breckenridge to Walnut)
- Breckenridge St (north) / Triplett, New Hartford (south – to intersection with Breckenridge)
- 24th St (west) / 25th St (east – Frederica to Breckenridge)