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**SECTION 10.30 ECP (ECO COMMERCE PARK) ZONE**

- A. **PURPOSE:** The purpose of the Eco Commerce Park (ECP) Zone is to allow for a variety of light industrial uses such as manufacturing, warehousing, professional office, and research within a planned, coordinated development. The zone is appropriate in areas with environmentally sensitive features where development is appropriate if built in harmony with the character of the natural surrounding environment.
- B. **APPLICATION AND PROCESSING:** Applications for development within an Eco Commerce Park (ECP) Zone shall be processed as follows:

**Pre-application meeting:** Prior to filing for development plan review, the developer, petitioner, applicant or property owner shall attend a pre-application meeting with staff to discuss the development review process, the Eco Commerce Park Zone requirements, and the legislative body's zoning ordinance requirements.

The following information will be identified for traffic studies at the pre-application meeting: study area, site trip generation, site trip distribution, build-out study year, future highway projects within the study area, and other concurrent development occurring within the study area.

No person may rely upon any comment concerning a proposed development plan, or any expression of any nature about the proposal made by any participant at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form. This meeting is intended to review the development plan and identify any issues in applying the regulations of the Eco Commerce Park.

**Zoning Map Amendment:** All map amendment requests shall follow the provisions set forth in Section 17.0 of this ordinance.

**Stage II Development Plan Review:** A Stage II Development Plan for the area proposed to be developed, shall be submitted for review in accordance with all sections of this ordinance to the planning commission, or its duly authorized representative.

**Public Comment Period:** After the submission of the Stage II Development Plan:

1. The applicant shall notify all property owners who own property adjacent to the site where development is proposed at least seven days prior to the public comment period.

2. A minimum of five business days shall be set aside for public comment period.

The planning commission, or its duly authorized representative, shall review the submitted Stage II Development Plan with regard to its compliance with the required elements of this ordinance and its conformity with the items discussed at the pre-application meeting.

1. Following review of the submitted Stage II Development Plan, the planning commission, or its duly authorized representative, shall make one of the following recommendations: approval, approval with conditions, or disapproval.
2. Upon approval of the Stage II Development Plan by the planning commission, or its duly authorized representative, the zoning administrator shall grant permits only in accordance with the approved Stage II Development Plan, and other regulations as may be required by this ordinance.

C. PERMITTED USES:

1. Agriculture uses
2. Manufacturing
3. Warehousing excluding self-storage.
4. Police and fire stations
5. Research laboratories, offices, and other facilities for research.

D. PROHIBITED USES:

1. Sanitary landfills, garbage and refuse dumps
2. Slaughterhouses, rendering plants, fat rendering, livestock feed yard, livestock sales yard, commercial riding academy, stockyards, soap manufacturing, glue manufacturing, tannery, paper
3. Manufacture, processing or bulk storage of feed, fertilizer, grain or soil conditioners
4. The manufacturing, wood scouring and cleaning, cotton textile sizing, scouring, bleaching, dyeing and similar uses, varnish manufacturing, creosote and creosote products manufacturing
5. Disposal of offal or dead animals
6. The production of corrosive and noxious chemicals including, but not limited to, acids, acetylene gas, ammonia, chlorine, and bleaching compounds
7. Foundries for the casting of aluminum
8. The production, processing and bulk storage of coal and coal tar, the processing of petroleum and petroleum products, and petroleum refining

9. Manufacture, milling, mixing, processing, or bulk storage of asphalt, brick, cement, gravel, lumber, rock, sand and similar construction materials
10. Blast furnaces & drop forges
11. Distillation or manufacture of bones, wood, tar or their products
12. Fat, grease, lard or tallow manufacturing or processing
13. All mining activities
14. Manufacture, processing, repair, compounding, packaging, assembly, or treatment plants and facilities for explosives related to equipment, materials or products.

E. ACCESSORY USES:

1. Customary accessory structures and uses, including operations required to maintain or support any permitted use in this zone on the same lot as the permitted use.
2. Food and beverage service operations entered from within any permitted use in this zone as a convenience to the occupants thereof, and their customers, provided such accessory uses shall not exceed ten percent of the gross floor area of the permitted uses in the building. No exterior advertising displays shall be visible from outside the building.
3. Tank farms, with a maximum height of 60 feet are permitted provided they are located such that the principal structure is located between the tank farm and the residential zone. These uses shall be screened using earth berms or landscaping.
4. Fences and/or walls, as regulated by Article XIII of this ordinance.
5. Signs, as regulated by Article XIV of this ordinance.

F. AREA AND HEIGHT REGULATIONS:

1. Minimum Tract for Development - 25 acres; however, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site had been a part of the originally approved site plan layout.
2. Minimum Lot Area Within Minimum Tract – five acres.
3. Minimum Lot Width at Building Setback Line - 150 feet.
4. Maximum Building Height – 40 feet.

5. Maximum Impervious Surface Ratio - 70 percent.
6. In the case of this zone, more than one principal structure, as herein defined, may be permitted on one lot.

Pervious pavement and green roofs do not count towards the maximum impervious surface ratio.

G. SETBACK REGULATIONS:

When adjacent to a residential zone, the minimum required setback shall be 100 feet and in all other cases the minimum required setback shall be 50 feet. If these provisions conflict with other requirements of this ordinance, the more restrictive provision will apply.

H. EROSION AND SEDIMENTATION CONTROL: Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.

I. PERFORMANCE STANDARDS FOR BUILDING DESIGN:

1. Variations in building façade using elements such as color, building materials or offset variations in roofline shall be used. No metal buildings shall be permitted except expansion walls.
2. All sides of a building that are visible from the public access areas of neighboring properties or the public right of way shall include a combination of architectural design elements.
3. Within developments of multiple buildings, building heights shall be varied to avoid the appearance of an elongated building mass.
4. Color shades shall be used to facilitate blending into the neighborhood and unifying the development. The color shades of building materials may be drawn from the range of color shades found in earth tones or developments in the immediate area.
5. Mechanical equipment if located on the building roof shall be screened by using elements of the building's roof.

J. TRAFFIC STUDY:

These regulations shall apply to all new developments occurring in the ECP (Eco Commerce Park) Zone.

1. **PURPOSE:** It is the intent of this section to set forth the regulations regarding the completion of traffic studies within the limits of the ECP Zone. A traffic study shall be completed for any new development located within the ECP Zone. The purpose of these regulations is to:
  - a. Ensure that the existing transportation infrastructure is adequate for the proposed development.
  - b. Mitigate any negative traffic impacts to the surrounding transportation network caused by the development.
  - c. Ensure safe and adequate access points to the development.
  - d. Provide a consistent set of requirements and thresholds which can be applied to all developments within the limits of the ECP Zone.
  
2. **GOALS:** The goals of the traffic study shall be:
  - a. Intersections adjacent to the proposed development shall be improved whenever that development will diminish their levels of service based on the following thresholds: minimum Level of Service C when located on an arterial roadway; minimum Level of Service D when located on a collector or local street.
  - b. Intersections within the study area not adjacent to the proposed development shall be evaluated with regard to the need for improvements such as turn lanes, signal modifications, access frontage roads, and site distance clearing to maintain service levels specified above.
  
3. **THRESHOLDS:** Only one of the following study types will be required based on the following conditions:
  - a. **Traffic Assessment Report:** A traffic assessment report will be required for any development generating less than 60 vehicle trips per hour (vph) during the peak hour of the roadway network.
  - b. **Traffic Impact Analysis Report:** A traffic impact analysis report will be required for any development generating 60 or more vehicle trips per hour during the peak hour of the roadway network.

All trip generation data shall be based on the latest edition of the *Trip Generation Manual* published by the Institute of Transportation Engineers.
  
4. **RESPONSIBILITY:** The applicable traffic study is the responsibility of the developer/applicant. The report shall be completed under the direct supervision of a professional engineer licensed within the Commonwealth of Kentucky. Each report shall contain the professional engineer's stamp, along with their signature and date.

5. REQUIREMENTS: Study requirements for each type of traffic study required is based on the threshold requirements set forth in this ordinance.
- a. Traffic Assessment Report Requirements: The contents of a traffic assessment report shall be presented in the form of a letter. The letter shall be a brief and concise presentation of the following information: introduction, existing traffic conditions, build-out traffic conditions (without site traffic), trip generation data, and build-out traffic conditions (with site traffic). An appendix to the report shall be provided that includes all site maps, figures and computer analyses.
  - b. Traffic Impact Analysis Report Requirements: The contents of a traffic impact analysis report shall be presented in report form including the following sections:
    - (1) Executive Summary: summarizes study findings
    - (2) Introduction: provides all background information pertinent to study.
    - (3) Existing Traffic Conditions: provides all information and figures relevant to existing traffic condition analysis.
    - (4) Build-out Traffic Conditions (without site traffic): provides all information and figures relevant to build-out traffic conditions, not including proposed development traffic.
    - (5) Trip Generation: provides all information relevant to the trip generation data used in the analyses.
    - (6) Build-out Traffic Conditions (with site traffic): provides all information and figures relevant to build-out traffic conditions, including proposed development traffic.
    - (7) Signal Warrants Analysis (applicable only if a traffic signal is proposed as part of the development): provides all information relevant to the signal warrant analysis process as outlined in the latest edition of the *Manual of Uniform Traffic Control Devices*.
    - (8) Appendix: include all computer analyses conducted as part of the report.

K. LIGHTING:

1. Plan requirements
  - a. A lighting plan shall be submitted for review that includes details of, but not limited to, the number and location of all fixtures, height of poles, and intensity, lighting patterns and details of lighting fixtures.

2. Outdoor off-street lighting shall meet the following standards:

Maximum permitted illumination at the Property (See Note a.)	Maintained Average Illumination at the site (See Note b.)	Maximum permitted height of Luminaire (See Note c.)
0.5 FC (0.2 when adjoining residential uses and districts and all roadways)	2.0 FC	20 feet

Notes:

- a. The maximum permitted illumination is calculated in foot candles (FC) at the property line at ground level. Lighting levels must be measured in foot candles with a direct reading, portable light meter.
- b. The maintained average illumination is calculated in foot candles on the pavement area of the site. In no case shall the level of illumination be less than 0.2 foot candles in parking and pedestrian areas.
- c. All luminaries utilized shall be full cut-off type fixtures.

L. OTHER DEVELOPMENT CONTROLS:

- 1. Development shall be consistent with all conceptual development plans/studies adopted/approved by the legislative body.
- 2. Off - street parking and loading and/or unloading areas shall be provided in accordance with Articles XI and XII of this ordinance.
- 3. No outdoor storage of any materials, supplies, or products shall be permitted in this zone.
- 4. Screening and landscaping shall be provided, as regulated by Section 9.17 of this ordinance. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.
- 5. All business activities permitted within this zone shall be conducted within a completely enclosed building.
- 6. No outdoor storage of any waste materials shall be permitted in this zone, except within enclosed containers. Such area shall be screened from view.

- M. NATURAL RESOURCE PROTECTION: hillside, viewshed and riparian protection shall be planned and applied in accordance with Section 9.34 of this ordinance.
- N. CRITERIA: Evaluation of the proposed Eco Commerce Park (ECP) Zone and/or development plan shall be based upon the following criteria:
1. Design
    - a. Agreement with the various elements of the most recent Area-Wide Comprehensive Plan and where applicable, any plan officially adopted by the legislative body for the subject area.
    - b. Extent to which the proposed development plan is consistent with the purpose of the Eco Commerce Park (ECP) Zone.
    - c. Adequacy of the proposed site, considering such factors as the sufficiency of the size of the site to comply with the established criteria, the configuration of the site, and the extent to which the site is formed by logical boundaries (e.g., topography, natural features, streets, relationship of adjacent uses, etc.).
    - d. Extent to which the design of the proposed development responds to the natural and man-made features of the site.
    - e. Building locations planned to accomplish a desirable transition with open spaces, pedestrian areas, and off-street parking areas.
    - f. Building and site designs that are visually appealing.
    - g. Structure heights that are compatible with those of existing structures adjacent to the site.
  2. Circulation
    - a. Amount of traffic that would be generated by the proposed development and the ability of the existing street system to adequately handle it. Where deficiencies exist, proposed traffic improvements that would correct such deficiencies may be considered.
    - b. Extent to which the design of the internal street system provides for the efficient and safe movement of traffic within and adjacent to the site.
    - c. Extent to which the circulation system follows the natural terrain of the site.
    - d. Extent to which the circulation system provides for the continuation of existing streets and provides for the connection of proposed streets to adjoining properties.
    - e. Extent to which the separation of pedestrian and vehicular circulation systems is achieved.



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- f. Extent to which pedestrian street crossings provide for safe crossings at locations with good sight distance or at a grade-separated crossing.
    - 3. Landscaping
      - a. Existing trees, streams, natural features, and scenic views should be preserved and maintained where feasible and practicable.
      - b. Extent to which an overall landscaping plan is developed and achieved to compliment the overall project.
      - c. Landscaping should be an integral part in the design of off-street parking areas to soften the impact of hard-surfaced areas on adjacent sites.
    - 4. Utilities
      - a. Extent to which all necessary public utilities and facilities are available to service the proposed development. These include police and fire protection, water and sewer services, and other services normally provided within the area. Where deficiencies exist, improvements that would correct such deficiencies may be considered.
    - 5. Signage
      - a. Extent to which signage is designed to protect and enhance the visual amenities of the site.
      - b. Extent to which signage developed for the entire development forms an integral part of the total design of the site.
      - c. Extent to which signs compliment scale and proportion to the site and buildings.
      - d. Extent to which signs define and enhance the architectural elements of a building or site.
      - e. Extent to which signage is consolidated and coordinated with the overall site design.
  - O. AMENDMENTS: Any amendments to plans shall be made in accordance with the procedure required by Subsection B.
  - P. EXPIRATION: A Stage II Development Plan within the Eco Commerce Park (ECP) Zone shall be determined void if substantial construction has not been initiated within a period of 12 consecutive months from the date of its approval. The planning commission's duly-authorized representative may provide a one-time extension to this requirement for a period not to exceed 12 months if sufficient proof can be demonstrated that the construction was delayed due to

circumstances beyond the applicant's control, and that prevailing conditions have not changed appreciably to render the approved Stage II Development Plan obsolete. Substantial construction shall be deemed to mean the construction of roads.

- Q. UTILITIES: All utilities must be underground when any new development occurs.