



## Highway Oriented Commercial Development Criteria

### 7.6 HOC-1 Highway Oriented Commercial District

#### A. Statement of Purpose

The Highway Oriented Commercial District (HOC-1) is intended to provide for the development of high density retail and service businesses which primarily are oriented toward serving the traveling or transient public or which will benefit from immediate access to the regional transportation system.

#### B. Application for Development and Processing

Applications for development within a Highway Oriented Commercial District shall be processed as follows:

1. When a site is proposed to be developed within the Highway Oriented Commercial District, a Development Plan shall be submitted for review by the Planning Commission, subject to waiver or partial waiver by the Zoning Administrator or Planning Commission. In cases of minor construction and structural alterations, the Zoning Administrator or the Planning Commission may waive all or any portion of the Development Plan requirements and review process as they, in their absolute discretion, may deem unnecessary or unnecessarily burdensome given the parameters and circumstances affecting the proposed development. Unless otherwise waived, the Development Plan shall include all elements necessary to allow the evaluation of the development criteria more specifically set forth in subsection F. of this section, to the satisfaction of the Planning Commission, including but not limited to the grading of any land; construction of any streets or other improvements; erosion, sedimentation and storm water control (with such design features to be adequate so as to avoid any adverse effect on other properties and with such adequacy to be certified by a licensed engineer); and, the demolition, erection, physical expansion, or change of use of any structure. The Development Plan shall not include the normal maintenance (i.e. cleaning, painting, and the like) of any structure.
2. The Planning Commission shall hold a hearing on the proposed Development Plan in accordance with the requirements of KRS Chapter 424, and review the Plan with regard to its compliance with the stated purpose of the relevant Highway Oriented Commercial District, and any other applicable requirements of this ordinance. Following such hearing, the Planning Commission shall take one of the following actions: approve



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the Development Plan; approve the Development Plan with conditions; disapprove the Development Plan; or, postpone its decision upon the Development Plan pending revisions, supplemental information, required submittals, review by the City Engineer, and/or similar additional proceedings. Upon such action by the Planning Commission, the applicant shall proceed accordingly.

C. Permitted Uses

See Article 11, SCHEDULE OF USES.

D. Standards:

1. Building Site Area:

There are no site area requirements other than as otherwise required and/or implied by the terms of this ordinance.

2. Lot Width:

There are no lot width requirements other than as otherwise required and/or implied by the terms of this ordinance.

3. Building Site Coverage:

There are no building site coverage limitations other than as otherwise required and/or implied by the terms of this ordinance.

4. Principal Structures:

In the case of this district, more than one principal structure may be permitted on one lot, as may be approved in the Development Plan.

5. Setback Requirements:

Requirements shall be as approved in the Development Plan; but in no event shall the required setback be less than ten (10) feet from any property line.

E. General Requirements



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1. Off-street parking spaces and loading and unloading spaces shall be provided in accordance with Article 8, SUPPLEMENTAL REGULATIONS.
2. There shall be no outdoor storage or display of merchandise or materials and no outdoor processing unless authorized as a conditional use.
3. No outdoor storage of any waste material shall be permitted in this district except within enclosed containers. Such area shall be screened from view.
4. No lighting shall be permitted which would glare from this district onto any street or into any adjacent property.
5. All commercial establishments located on lots adjacent to residential districts shall maintain a minimum setback of fifty (50) feet in the yard adjacent to the residential district, which yard shall contain a buffer area, regulated by Article 8, SUPPLEMENTAL REGULATIONS.
6. An area of at least four (4) feet of grass or landscape vegetation shall separate all parking lots from adjacent road right of ways, with the exception of vehicular accesses.
7. All business activities involving service and repairs of vehicles, appliances, machinery, or equipment shall be conducted within a completely enclosed building.
8. All development shall be subject to the SUPPLEMENTAL REGULATIONS contained in Article 8, unless otherwise specifically exempted.

#### **F. Development Plan Evaluation Criteria**

Evaluation of the proposed Highway Oriented Commercial (HOC-1) District Development Plan shall be based upon the following criteria:

1. Design:
  - (a) The development plan should agree with the various elements of the Comprehensive Plan, and where applicable, any other adopted plan.



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- (b) The development plan should be consistent with the purpose of the District.
- (c) The proposed site should be adequate and appropriate 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 (for example topography, natural features, streets, relationship of adjacent uses, and the like).
- (d) Nature and extent of the proposed uses should be consistent with any unique characteristics of the site.
- (e) The design, scale, building locations, and primary activities of the proposed development should be consistent and compatible with the natural environment and human-made features in the relevant vicinity of the site.

#### 2. Circulation:

- (a) The amount of traffic that may be generated by the proposed development should be considered in light of the ability of the existing street system to adequately control and facilitate such traffic. Where deficiencies exist, proposed traffic improvements purposed to correct such deficiencies may be considered.
- (b) The design of the internal street system should provide for the efficient and safe movement of traffic within and adjacent to the site.
- (c) The circulation system should follow the natural or modified terrain of the site.
- (d) The circulation system should consider the propriety of the continuation of existing streets and for the connection of proposed streets to adjoining properties.
- (e) Vehicular circulation systems and parking areas should be designed so as to consider pedestrian safety.

#### 3. Open Space:



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- (a) Existing trees, streams, natural features, and scenic views should be preserved and maintained to the extent practicable.
- (b) A landscaping plan should complement 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 areas.
- (d) Open spaces should not be isolated from one another by unrelated physical obstructions. Instead, open spaces should be linked together by open space corridors having a reasonable width, where feasible and practical.
- (e) Open spaces and landscaping along the perimeter of the site should be compatible with adjoining uses and zones.

#### **4. Utilities:**

All necessary public utilities and facilities should be available to service the proposed development, including 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:**

Signage in the HOC-1 District shall be subject to the requirements of Article 8, SUPPLEMENTAL REGULATIONS. In addition, all signage must be designed and submitted as a part of the Development Plan, which will be considered in accordance with the following criteria:

- (a) Signage should be designed to protect and enhance the visual amenities of the site.
- (b) A sign package should be developed for the entire development that forms an integral part of the total design of the site.
- (c) All signs should be of a complimentary scale and in proportion in design and in visual relationship to the site and buildings.



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- (d) Proposed signs should define and enhance the architectural elements of a building or site.
- (e) Signage should be consolidated and coordinated with the overall site design.
- (f) Any high-rise sign must be constructed so as to coordinate and visually compliment other high-rise signs, existing and reasonably anticipated, in its visual vicinity. Generally, only one such high-rise sign shall be allowed per development.

#### **G. Amendments to Development Plan**

The City Administrator may approve minor adjustments to an approved Development Plan which in the Administrator's judgment would not materially affect any of the criteria by which the Plan initially was approved by the Planning Commission. All material amendments or adjustments shall be treated as original submittals and shall be subject to a public hearing and evaluation by the Planning Commission for approval.

#### **H. Expiration**

An approved Development Plan shall expire if substantial construction of the development has not been initiated within a period of 12 months from the date of approval by the Planning Commission; provided that an extension may be permitted upon approval of the Planning Commission, if sufficient proof can be demonstrated by the applicant 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 Development Plan obsolete. Substantial construction shall be deemed to mean the construction of footers and foundation.