

**FEBRUARY 9, 2023**

**PORTION OF 6120 HIGHWAY 2830**

**ZONE CHANGE**

<b>From:</b> A-U Urban Agriculture	
<b>To:</b> I-1 Light Industrial	
<b>Proposed Use:</b> Landscaping Company	
<b>Acreage:</b> 7.885	
<b>Applicant:</b> S&S Earthscapes, LLC (2302.2253)	
<b>Surrounding Zoning Classifications:</b>	
<b>North: A-U</b>	<b>South: A-U</b>
<b>East: A-U</b>	<b>West: I-1</b>

**Proposed Zone & Land Use Plan**

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in a Future Urban Plan Area, where light industrial uses are appropriate in limited locations.

**SPECIFIC LAND USE CRITERIA**

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

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

**Planning Staff Review**

**GENERAL LAND USE CRITERIA**

**Environment**

- It appears that the subject property is located in a wetlands area per the US Department of Agriculture Soil Conservation Service map dated March 6, 1990.
- The subject property is partially located in a special flood hazard area per FIRM Maps 21059CO135D and 21059CO141D.
- It appears that the subject property is not designated as prime agriculture farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

**Urban Services**

Electricity, water and gas are available to the subject property. Sanitary sewage disposal is accomplished by an on-site septic system.

**Development Patterns**

The subject property is an existing farm that is located near Highway 2830 and is zoned A-U Urban Agriculture. Most surrounding properties are also zoned A-U and are utilized for agricultural purposes. The adjoining property to the west is an 18-acre tract of land which includes an existing industrial operation. The applicant intends to consolidate 7.885 acres of land from the farm to the adjoining industrial property, zoned I-1 Light Industrial.

Prior to any future changes to the industrial site, the applicant must obtain approval of an amended final development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. The OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The proposal shall conform to the criteria associated with both, nonresidential development as well as buffers for outdoor storage yards. The proposal is a logical expansion of existing I-1 zoning to the west. By consolidating the land into an existing operation, the proposal should not significantly increase the extent of the industrial uses in the vicinity and should not overburden the capacity of roadways and other necessary urban services that area available in the affected area.

**Planning Staff Recommendations**

The planning staff recommends approval subject to the condition and findings of fact that follow:

**Condition:**

1. Obtain approval of a Minor Subdivision Plat consolidating the project area to the industrial zoned property to the west.

**Findings of Fact:**

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in a Future Urban Plan Area, where light industrial uses are appropriate in limited locations;
3. The proposed use, a landscaping company, conforms to the criteria for nonresidential development;
4. With over 25-acres of land, the landscaping company is large enough to assure compliance with the criteria associated with buffers for outdoor storage yards;
5. The proposal is a logical expansion of existing I-1 Light Industrial zoning the west; and,
6. By consolidating with the existing industrial site to the west, the proposal should not significantly increase the extent of industrial uses in the vicinity, nor should the proposal overburden the capacity of roadways and other necessary urban services that are available in the affected area.