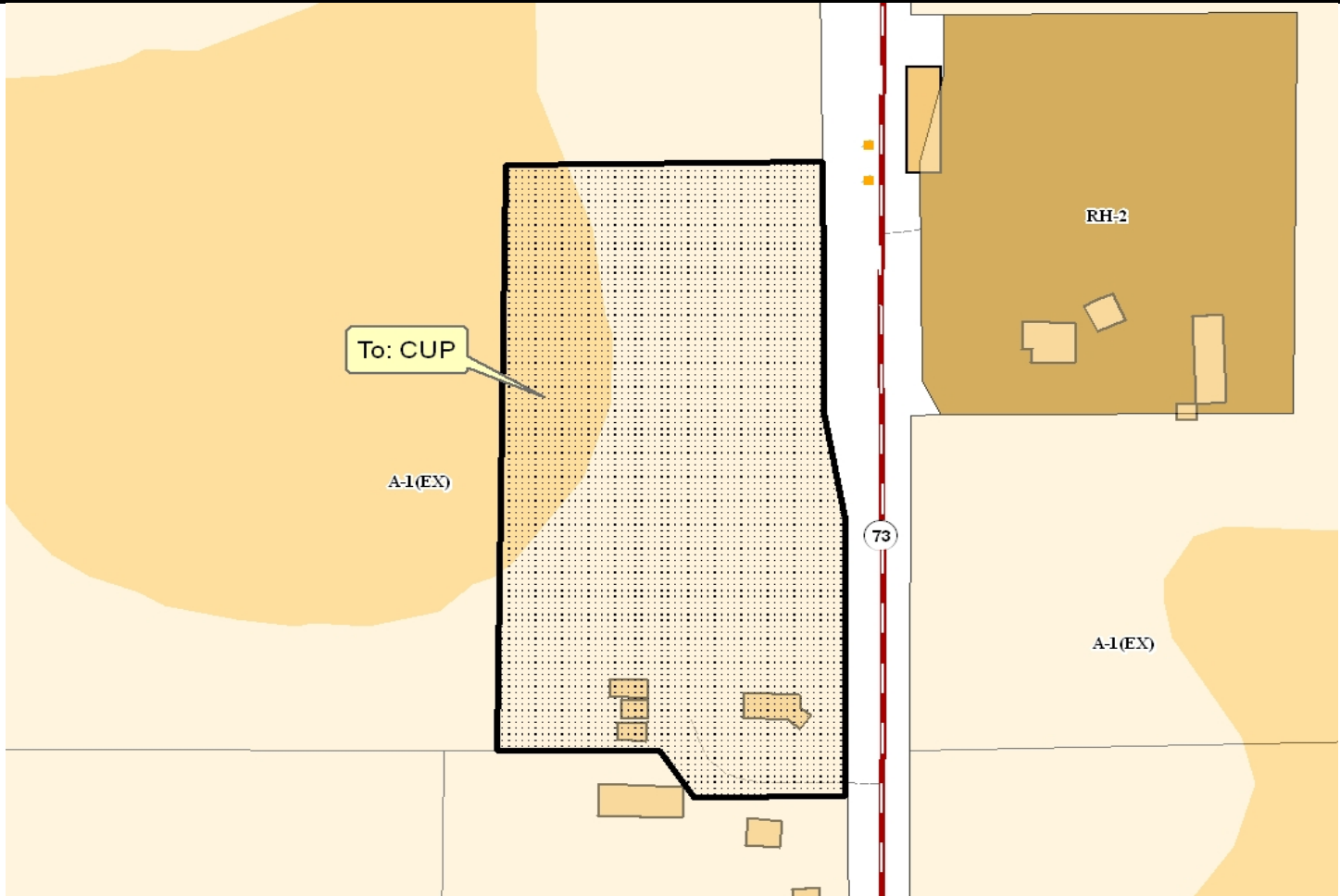




Staff Report

Zoning and Land Regulation Committee

<i>Public Hearing:</i> September 23, 2014	<i>Petition:</i> CUP 2286
<i>Zoning Amendment:</i> None	<i>Town/sect:</i> Christiana Section 16
<i>Acres:</i> 6 <i>Survey Req. No</i>	<i>Applicant</i> Terri Anderson
<i>Reason:</i> Limited Family Business (Pallet Recycling)	<i>Location:</i> 2587 State Highway 73



DESCRIPTION: Applicant is seeking to bring small scale pallet recycling business into compliance by obtaining a Conditional Use Permit for a limited family business.

OBSERVATIONS: The parcel appears to be a legally created, substandard parcel of record. No new development proposed. No sensitive environmental features observed.

TOWN PLAN: The property is located in the town's agricultural preservation area. Town plan policies allow for small scale / home based businesses that are compatible with neighboring rural and agricultural uses.

RESOURCE PROTECTION: No areas of resource protection corridor located on the property.

STAFF: The proposed conditional use permit appears reasonably consistent with town plan policies. Note that CUPs for limited family businesses expire upon the sale of the property to an unrelated 3rd party. Please see recommended conditions on the CUP (below) to ensure compliance with town plan policies.

TOWN: Pending.

Proposed Conditional Use Permit # 2286

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. The business shall be limited to pallet recycling.
2. Hours of operation shall be limited to 7am to 7pm.
3. Outdoor storage shall be limited to the area located behind the 3 accessory buildings on the property and done in such a manner that all such storage is screened from visibility from state highway 73.
4. Signage for the business is prohibited.
5. Outdoor lighting shall be limited to the two existing dusk to dawn lights.
6. Outside loudspeakers are prohibited.
7. The conditional use permit shall expire upon sale of the property to an unrelated 3rd party.