



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: **July 26, 2016**

Zoning Amendment:  
**None**

Acres: 6  
Survey Req. No

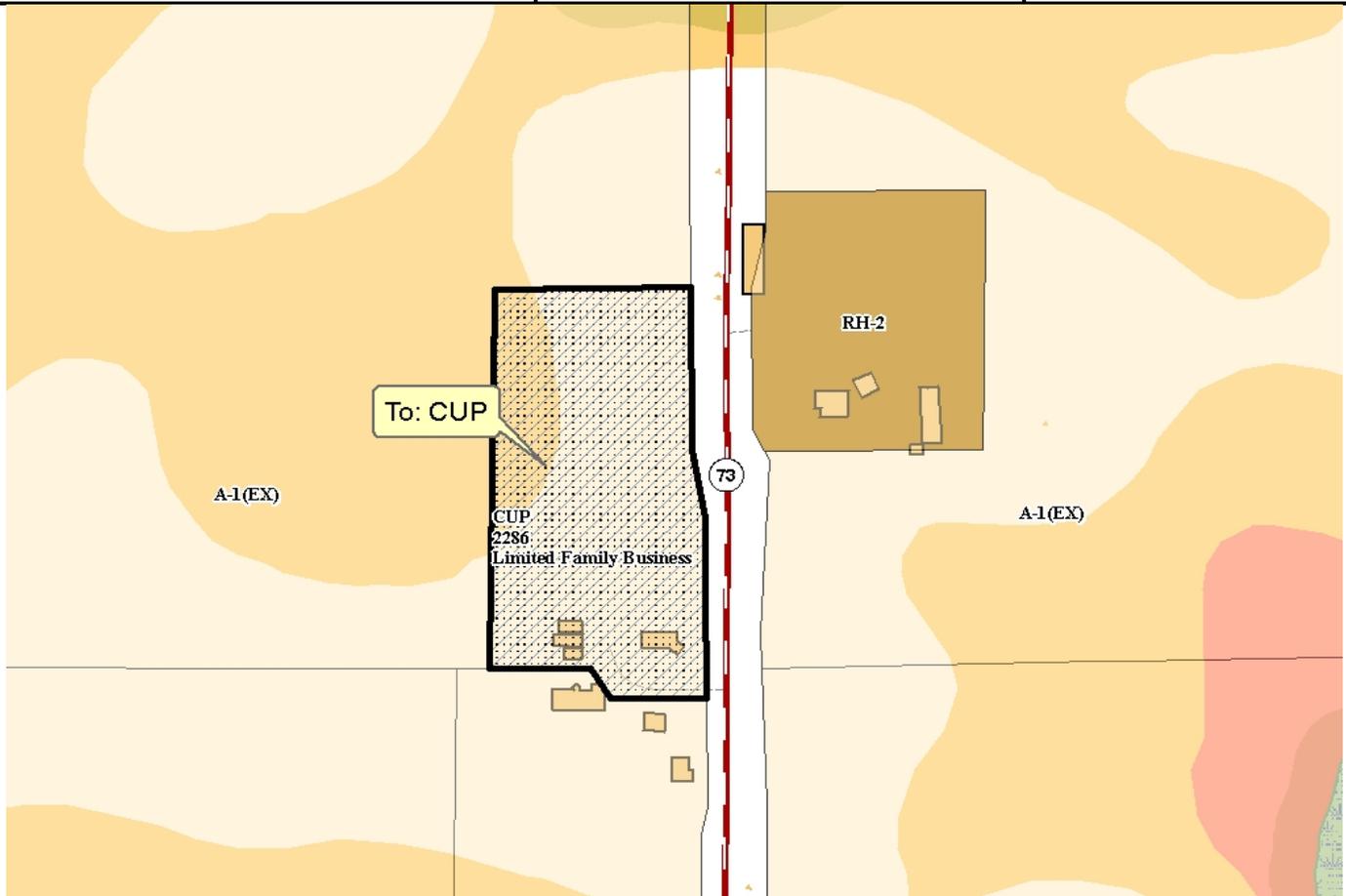
Reason:  
**Limited family business (Pallet Recycling)**

Petition: **CUP 2347**

Town/sect:  
**Christiana  
Section 16**

Applicant  
**Curtie E Anderson**

Location:  
**2587 State Highway 73**



**DESCRIPTION:** Applicant requests approval of a Conditional Use Permit (CUP) to allow a Limited Family Business on the property (pallet recycling business). Note that the proposed business was previously approved in fall of 2014 under CUP 2286 which lapsed due to inactivity within 1 year of approval.

**OBSERVATIONS:** The property consists of 100% Class II soils. The northerly half of the property is actively cropped and will remain in agricultural use. The pallet recycling business would be conducted out of existing accessory buildings located on the southerly half of the property. No sensitive environmental features observed.

**TOWN PLAN:** The property is located in the town's agricultural preservation area.

**RESOURCE PROTECTION:** No resource protection corridors located on the property.

**STAFF:** The proposal appears reasonably consistent with town plan policies. Recommended conditions on the CUP are listed on page two. Note that the conditions include those being required by the town of Christiana.

**TOWN:** Approved with conditions (see page 2).

## **Proposed Conditional Use Permit #2347**

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 processing and fabrication.
2. Hours of operation shall be limited to 7am to 7pm.
3. Outdoor storage shall be limited to stacks of pallets located behind the 3 accessory buildings on the property. All such storage must be screened from visibility from state highway 73.
4. Signage for the business is prohibited.
5. Outdoor lighting shall be limited to 3 dusk to dawn lights.
6. Outside loudspeakers are prohibited.
7. The conditional use permit shall expire upon sale of the property to an unrelated 3<sup>rd</sup> party.
8. The total area for the pallet recycling operation shall not exceed 4,800 square feet and be located in the "area of operation" shown on the site plan.
9. A privacy fence is to be located on the north side of where the pallet operation will be located and shall be installed within 90 days of approval of the Conditional Use Permit.