



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **November 24, 2015**

Petition: **Rezone 10913
CUP 2331**

Zoning Amendment:
**R-1A Residence District and C-1
Commercial District to LC-1
Limited Commercial District**

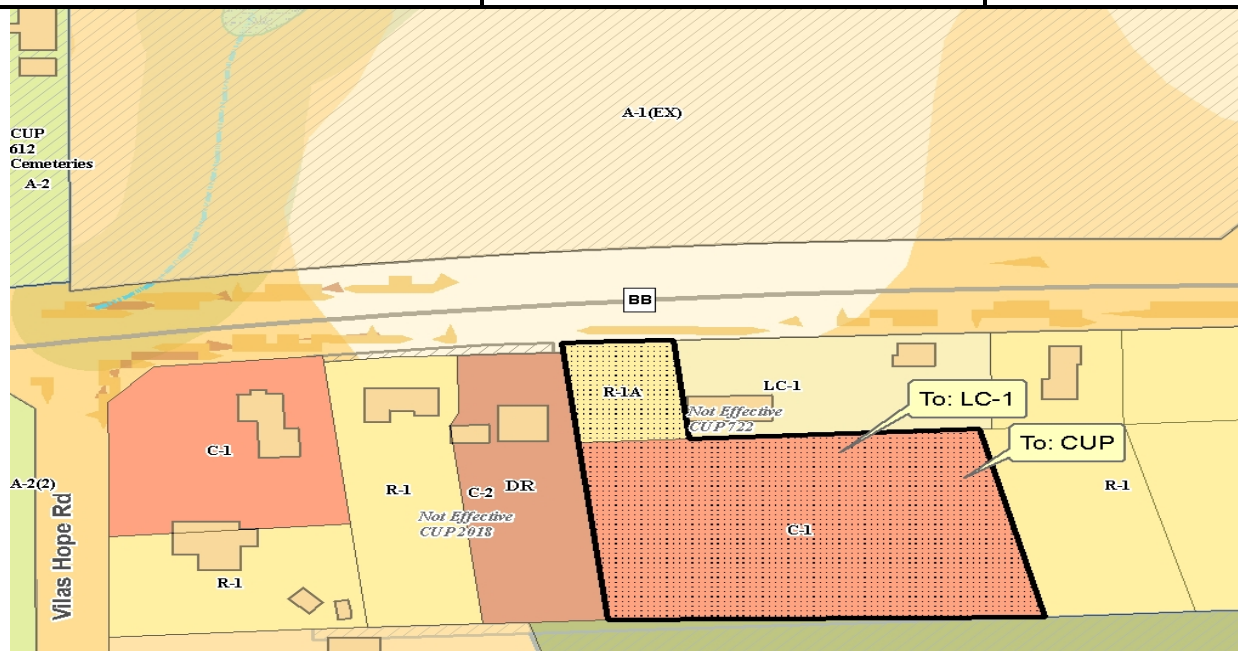
Town/sect:
**Cottage Grove
Section 07**

Acres: 224, 1.959
Survey Req. Yes

Applicant
Don Peckham

Reason:
**Allow for a landscaping and
construction business
CUP description: outside storage
of construction equipment and
materials**

Location:
**East of 3019 County
Highway BB**



DESCRIPTION: The applicant requests LC-1 Limited Commercial zoning with a conditional use permit to allow continued operation of a landscaping, snow removal, and construction contractor business with associated outdoor storage of equipment and materials. The business employs 3 full time and 6-8 part time employees. Hours of operation are 6am-8pm daily, except in winter when hours vary due to snow removal operations.

OBSERVATIONS: No sensitive environmental features observed. Property is adjacent to existing commercial development and rural residential uses.

TOWN PLAN: The property is located in the town's "Agricultural" planning area. Contractor-type businesses are listed as an allowable use in the town plan.

HIGHWAY DEPT: The entrance was permitted in 2009 and reconstructed to accommodate the commercial use

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

STAFF: The proposal appears reasonably consistent with town plan policies. See town conditions of approval, below. Staff has incorporated the town conditions related to outdoor storage in the recommended CUP conditions (see page 2 of staff report). All other town conditions should be implemented as deed restrictions on the LC-1 zoning.

TOWN: Approved with conditions. *CUP Conditions:* Design review and landscaping plans to include: Overhead doors facing south with no windows, screening requirements: continuous evergreen plantings, ultimately reaching 6 wide by 5 high, or a 6-8 fence, Outdoor lighting only at the back doors of the building, and downward facing; total vehicles and equipment on site not to exceed 24, total vehicles and equipment stored outside at any one time not to exceed 18, outdoor material storage size not to exceed 18 yards of any individual item, limited to gravel, sand, boulders and topsoil. *Rezone conditions:* up to 3 full time employees, no additional signage. Hours from 6:00 a.m. to 8:00 p.m., winter excluded from enforcement of these hours due to unpredictable nature of snow removal.

Proposed Conditional Use Permit # 2331

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. Town review and approval of building design and landscaping plans is required.
2. Overhead doors on proposed new building shall face south and have no windows.
3. Screening requirements shall be as follows: continuous evergreen plantings, ultimately reaching 6 wide by 5 high, or a 6-8 fence, to be located in areas of the property as shown on site plan submitted with petition 10913/CUP 2331.
4. Outdoor lighting shall be down shrouded and located only at the back doors of the building.
5. Employees shall be limited to no more than 3.
6. No additional signage shall be added to the property.
7. Hours shall be from 6:00 a.m. to 8:00 p.m., winter excluded from enforcement of these hours due to unpredictable nature of snow removal.
8. Total vehicles and equipment on site not to exceed 24, total vehicles and equipment stored outside at any one time not to exceed 18.
9. Outdoor material storage size not to exceed 18 yards of any individual item, limited to gravel, sand, boulders and topsoil.