

JUNE 13, 2019

7031 HIGHWAY 2830

ZONE CHANGE

From:	B-4 General Business & MHP Planned Mobile Home Park
To:	I-2 Heavy Industrial
Proposed Use:	Tire Recycling
Acreage:	5.83
Applicant:	Byron Hubert (1906.2090)
Surrounding Zoning Classifications:	
North: MHP, I-2	South: A-R
East: I-2	West: MHP, B-4

Proposed Zone & Land Use Plan

The applicant is seeking an I-2 Heavy Industrial zoning classification. The subject property is located in Rural Community Plan Area, where Heavy Industrial uses are appropriate in very 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" and outdoor storage yards with "Buffers for Outdoor Storage Yards." Furthermore, any building or outdoor storage, loading or working areas (except for accessory parking areas) should be located at least three-hundred (300) feet from any urban residential area and one-hundred (100) feet from any other area except those containing light industrial or agricultural/forestry uses.

(b) Logical expansions outside of Industrial Parks -

Existing areas of Heavy Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street. Such an expansion should not significantly increase the extent of industrial use in the vicinity and outside of Industrial Parks. Such expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. Also, such an expansion should be of adequate size and shape to provide the separation from incompatible uses cited in criteria (a) above

Planning Staff Review**GENERAL LAND USE CRITERIA****Environment**

- It appears that the subject property is partially located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is partially located in a special flood hazard area per FIRM Map 21059C0135D.
- It does not appear that the subject property is designated as prime agricultural 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 subject property. Sanitary sewage disposal will be accomplished by an on-site septic system.

Development Patterns

The subject property, currently predominantly zoned MHP Planned Mobile Home Park excluding a small strip of B-4 General Business zoning along the narrow access drive, adjoins roughly 100 acres of I-2 Heavy Industrial zonings and uses that are located to the northeast of the subject property. An undeveloped 74.77 acre tract of land that is split zoned MHP Planned Mobile Home Park and B-4 General Business is located west of the subject property and a 70.50 acre tract that is zoned A-R Rural Agriculture is located to the south across Highway 2830.

The proposed use, tire recycling, is conditionally permitted within the I-2 Heavy Industrial zoning classification provided that all necessary screening elements and buffers are in compliance with the zoning ordinance requirements. In addition to obtaining a Conditional Use Permit, other aspects of the site must also be brought into compliance with current regulations before such an operation can occur. All vehicular use areas shall be paved and the required three-foot-tall continuous element with one tree every 40 linear feet shall be installed where the vehicular use area adjoins public rights-of-way and residentially zoned properties. Additionally, the tire recycling operation shall be fully enclosed by a continuous eight foot high solid wall or fence with one tree every 40 linear feet.

Prior to any activity on the property the applicant must obtain approval of a site plan or a 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 community's adopted Comprehensive Plan. The limited expansion of the I-2 zone should not significantly increase the extent of industrial uses in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. At 5.83 acres in size the parcel appears to be large enough to conform to the criteria for "nonresidential development" and "buffers for outdoor storage yards."

Planning Staff Recommendations

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

Condition:

Approval of a Site Plan or Final Development Plan.

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 Rural Community Plan Area, where Heavy Industrial uses are appropriate in very limited locations;
3. At 5.83 acres in size, the subject property appears to be large enough for the proposal to conform to the criteria for nonresidential development and buffers for outdoor storage yards;
4. The proposal is a logical expansion of existing I-2 Heavy Industrial zoning to the northeast;
5. The limited expansion of the I-2 zone should not significantly increase the extent of industrial uses in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.