



City of Grand Island

Tuesday, May 23, 2006

Council Session

Item E3

Public Hearing on Changes to Chapter 36 of the Grand Island City Code TA-Transitional Agriculture Zone, in Reference to Landscaping Contactor Business with Onsite Retail

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: May 23, 2006

Subject: Amendment to Chapter 36 Regarding Landscaping in the TA Zone

Item #'s: E-3 & F-4

Presenter(s): Chad Nabity, AICP

Background

The changes proposed here were requested by Jason Harb of Harb's Landscaping of Grand Island, Nebraska. All areas with changes are highlighted. Additions are *Italicized and underlined* and deletions are in ~~strike out~~.

§36-60. (TA) Transitional Agriculture Zone

Intent: To provide for a transition from rural to urban uses, and is generally located on the fringe of the urban area. This zoning district permits both farm and non-farm dwellings at a maximum density of two dwelling units per acre, as well as other open space and recreational activities. The intent of the zoning district also would allow the raising of livestock to a limit and within certain density requirements.

(C) Permitted Accessory Uses:

- (1) Guest building
- (2) Customary home occupations
- (3) Buildings, corrals, stables or pens in conjunction with the permitted uses
- (4) Buildings for the display and sale of products grown or raised on the premises, provided, the floor area does not exceed 500 square feet
- (5) Offices incidental to and necessary for a permitted use
- (6) Other buildings and uses accessory to the permitted principal uses
- (7) Landscaping Contractor Business with limited retail sales when the following conditions are met
 - (a) The business accessory to a farm, and located on a farm size parcel (20 acres or more), and
 - (b) A sod farm, greenhouse and/or tree farm operation is located on the site, and
 - (c) Total retail floor area within a building on the site does not exceed 1000 square feet, and

- (d) Total outdoor retail storage area for items not grown on site does not exceed 20,000 square feet, and
- (e) Signage for the business shall be regulated by the Grand Island sign code for signs in a residential district, and
- (f) Offstreet parking spaces shall be provided on site in a manner and number consistent with the requirements of the Parking and Loading Standards included in this chapter for retail establishments.

Discussion

The TA zone is specifically designed to provide a buffer between the urban and rural uses. Because of that function this zone takes on some of the aspects of both the urban and rural zoning districts. In general, this usually means that more restrictions are placed on the property limiting its use for agriculture while preventing development of the property for urban uses.

A landscaping contractors business including limited on site retail, under the conditions proposed, would permit an additional economically viable use for property in the TA zone. This use under these conditions will also preserve a parcel that is large enough to allow for the future redevelopment of the site at some point in the future.

It would appear that these proposed changes fall within the intent of the TA zone as it is defined in the Grand Island Zoning Ordinance.

The Regional Planning Commission held a public hearing at their meeting on May 10, 2006 to take testimony on the proposed changes.

No other members of the public spoke at the public hearing. Jason Harb, the applicant for this change, was at the meeting to answer Planning Commission questions.

Planning Commissioners discussed the proposed changes and asked if the proposed uses would include a sod farm as well as green houses and nurseries. Nabyty stated that sod farms are permitted in the TA district and that this use was not included in the original language but could be added. Commissioners also asked about parking requirements. Nabyty stated that the retail uses would require paved parking at 1 space per 200 feet of retail floor area in the building. That would be a maximum of five spaces. Planning Commission members thought this should be spelled out in the requirements for the use. Nabyty said that it could be added.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve

2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

A motion was made by Niemann and seconded by Monter to approve and recommend that the Grand Island City Council approve the proposed changes to Chapter 36 with the addition of sod farm to requirement (b) and the parking requirements (g).

A roll call vote was taken and the motion passed with 9 members present (Reynolds, O'Neill, Miller, Ruge, Snodgrass, Monter, Hayes, Brown, Niemann) voting in favor and no members voting against.

Sample Motion

Motion to approve the changes to Chapter 36 as presented.