

Council Communication

Department: Community Development Case #ZT-18-003 Applicant: Johnson Enterprises, LTD d/b/a Dallas Johnson Greenhouses 2802 Twin City Drive Council Bluffs, IA 51501	Ordinance No.	City Council: November 26, 2018 Planning Commission: November 13, 2018
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Subject/Title

CASE #ZT-18-003: Public hearing on the request of Johnson Enterprises, LTD, to amend Section 15.05.030 of the Council Bluffs Municipal Code (Zoning Ordinance) to allow “Greenhouse, Commercial”, as defined in Section 15.03.312, as a conditional use in the A-2/Parks, Estates, and Agricultural District.

Background

The Community Development Department has received a request of Johnson Enterprises, LTD, for a text amendment to Title 15 of the Municipal Code (Zoning Ordinance) for:

- An amendment to §15.05.030, Conditional uses in the A-2/Parks, Estates, and Agricultural District, to add “10. Greenhouse, Commercial”.

The purpose of this text amendment is to bring the Dallas Johnson Greenhouses, located at 2802 Twin City Drive, into conformance with city zoning so that they may expand their greenhouse facility. The Dallas Johnson Greenhouses were established in 1991 when the property was zoned A-2. At that time, a greenhouse was allowed as a principal use in the A-2 District. On August 26, 1996, the Council Bluffs City Council adopted Ordinance #5285 which amended the principal uses in the A-2 Zoning District, and greenhouses were removed as a principal use. Subsequently, the Dallas Johnson Greenhouses became a nonconforming use due to this text amendment. The proposed text amendment will bring the Dallas Johnson Greenhouses into conformance with the Council Bluffs Municipal Code, and will also allow other greenhouse uses to occur in the A-2 District upon issuance of a conditional use permit.

Commercial greenhouses or hoop houses are defined in Section 15.03.312 of the Municipal Code as “an establishment engaged in the propagation and growth of plant material for gardening, landscaping, and/or food production purposes, intended for wholesale or retail sales”. Commercial greenhouses are currently allowed as Principal uses in only the I-1/Light Industrial District and I-2/General Industrial District. Commercial greenhouse are required to adhere to all applicable site development regulations for the zoning district which they are located within. The current zoning ordinance does not have specific off-street parking standards for a commercial greenhouse. Due to the differing operating characteristics of the property, (e.g. manufacturing space, warehousing space, and office space) parking requirements will be set forth using Schedule A of Chapter 15.23 of the Municipal Code, as follows:

- Office or administrative activity: 1 space per 300 square feet
- Indoor sales, display, or service area: 1 space per 500 square feet
- Outdoor sales, display, or service area: 1 space per 2,000 square feet
- Equipment servicing or manufacturing: 1 space per 1,000 square feet
- Indoor or outdoor storage or warehousing: 1 space per 5,000 square feet

The applicant would also have the option to conduct a professional parking study for their site to determine the appropriate parking which could be approved by the Zoning Board of Adjustment as part of the conditional use permit review.

All City departments and utility providers received a copy of the proposed text amendment. The Council Bluffs Public Works Department, Black Hills Energy, Council Bluffs Water Works, and MidAmerican Energy all responded that they have no comments on the request.

No other comments have been received.

Recommendation

The Community Development Department recommends approval of the request for an amendment to §15.05.030, by adding “10. Greenhouse, Commercial” as a Conditional use in the A-2/Parks, Estates and Agricultural District.

Public Hearing

Speakers in favor:

1. Peter Hult, Dallas Johnson Greenhouse, 2802 Twin City Drive, Council Bluffs, IA 51501

Speakers against: None.

Planning Commission Recommendation

The Planning Commission recommends approval of the request for an amendment to §15.05.030, by adding “10. Greenhouse, Commercial” as a Conditional use in the A-2/Parks, Estates and Agricultural District.

VOTE: AYE 9 NAY 0 ABSTAIN 0 ABSENT 0 VACANT 2 Motion: Carried

Attachment

Attachment A: Proposed text amendment

Prepared by: Chris Meeks, Planner

Chapter 15.05

A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT

Sections:

15.05.010	Statement of intent
15.05.020	Principal uses
15.05.030	Conditional uses
15.05.040	Accessory uses
15.05.050	Site development regulations
15.05.060	Additional regulations
15.05.070	Signs

15.05.010 Statement of intent. This district is intended to preserve lands best suited for agricultural, recreational, and large-parcel residential uses. It is also intended to preserve land suited for eventual development, pending proper timing for economical and practical provisions of streets, utilities, schools and other facilities so that reasonably compact development will occur.

15.05.020 Principal uses. The following principal uses shall be permitted outright in an A-2 district:

1. Animal production
2. Cemetery
3. Dwelling, single family detached
4. Family home
5. Government maintenance facility
6. Horticulture and crop production
7. Local utility services
8. Park and recreation services
9. Public campground
10. Public safety services
11. Religious assembly (Ord. #5523, Sec. 1, 10/23/00)
12. Secondary airports and private light plane landing strips, when laid out and operated in accordance with all applicable regulations of the Federal Aviation Administration (FAA) and when situated on a site containing not less than thirty (30) acres. (Ord. 6055, Sec. 1, 3/8/10)

13. Animal shelter (non-profit). (Ord. #6081, Sec. 1, 5/24/10)

15.05.030 Conditional uses. The following conditional uses shall be permitted in an A-2 district in accordance with the requirements set forth in Chapter 15.02: (Ord. 6055, Sec 2, 3/8/10)

1. Agricultural sales and service
2. Commercial recreation (outdoor)
3. Day care services
4. Extraction activity
5. Funeral service in conjunction with a cemetery
6. Outdoor firing range
7. Private campground
8. Sanitary landfill
9. Rubble dump (Ord. #5523, Sec. 2, 10/23/00)

10. Greenhouse, Commercial

15.05.040 Accessory uses. Accessory uses shall include uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded. In an A-2 District only, an accessory structure may exceed the ground floor coverage of the principal structure.

15.05.050 Site development regulations.

Minimum Lot Size

Lot area: 3 acres
Lot width: 150 feet
Lot depth: 200 feet

<u>Minimum Setbacks</u>	<u>Principal Structure</u>	<u>Accessory Structure</u>
Front yard:	50 feet	greater of 50 feet or existing front setback line of principal structure
Street side yard:	20 feet	20 feet
Side yard:	10% of lot width or 10 feet whichever is greater	10% of lot width or 10 feet whichever is greater

Rear yard:	20 feet	20 feet
Maximum height:	35 feet	25 feet

Lot coverage - all structures	10% maximum
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15.05.060 Additional regulations.

1. Reserved

15.05.070 Signs. Signage in this district shall comply with Chapter 15.33 "Signs".
(Ord. 5285, 8/26/96)