



Public Hearing Item 3: Conditional Use Permit

Planning & Zoning Committee • May 6, 2025

Proposed Use: Sales, service or repair of machinery and equipment used in agriculture

Applicable Section(s): 12.105.02; Table 12.105.02(1); 12.125.08

Zoning District(s): A-1 Agriculture

Property Owner(s): Hayes, Austyn; Hayes, Abby M

Applicant(s): Hayes, Austyn; Hayes, Abby M

Property Location: Located in the Northwest Quarter of the Southeast Quarter of Section 24, Town 11 North, Range 12 East

Town: Fountain Prairie

Parcel(s) Affected: 485

Site Address: W231 County Highway D

Background:

Austyn and Abby M Hayes, owners, request the Planning and Zoning Committee review and approve a Conditional Use Permit for service or repair of machinery and equipment used in agriculture on the aforementioned property. Sales, service or repair of machinery and equipment used in agriculture is a conditional use within the A-1 Agriculture zoning district. Parcel 485 is 38.25 acres in size and fronts on County Highway D. The property owners' home is located on the south side of County Highway D, and several agricultural structures are present on the north side of County Highway D. The septic system on the property serves the existing residence and is current on maintenance requirements. The property is zoned A-1 Agriculture and is planned for continued Agricultural or Open Space land use on the Columbia County Future Land Use map. Wetlands are present on the property, both north and south of County Highway D. All existing structures are located well outside of this area and meet the minimum required setback of 35'. There are no steep slopes or floodplain on the property. No floodplain or wetlands are present. Land use and zoning of adjacent properties is below.

Adjacent Land Uses and Zoning

Direction	General Land Use	Zoning
North	Agriculture and Wetland	A-1 Agriculture and A-1 Agriculture with A-4 Agricultural Overlay
East	Agriculture and Open Space	A-1 Agriculture
South	Agriculture	A-1 Agriculture
West	Agriculture and Single-Family Residence	A-1 Agriculture

Analysis:

The property owner is proposing to operate a service/repair facility for agricultural machinery/equipment out of the existing 50'x90' accessory building on the north side of County Highway D. Operations would run between 8:00 am and 5:00 pm, Monday through Friday. There is a 46'x90' gravel area reserved for parking for this use. No minimum parking requirements are noted for this use in Section 12.140.05. The owner is proposing to be the sole employee at this time, and they anticipate that there will be no more than 10 items on site under repair at any given time. This machinery/equipment will be stored in the 50'x90' building, or in the 46'x90' parking area, as

outlined on the site plan. The owner has one service truck for off-site repairs which is parked in the 50'x90' shop. This use is subject to Section 12.125.08, Various Agricultural Related Uses, of the Columbia County Zoning Ordinance.

Town Board Action:

The Fountain Prairie Town Board met on February 19, 2025 and recommended approval of the Conditional Use Permit with conditions.

Standards for Review:

The proposed use complies with the General Criteria of Section 12.150.07(4) of the Columbia County Zoning Ordinance. See Attachment A for more details.

Recommendation:

Staff recommends approval of the Conditional Use Permit for service or repair of machinery or equipment used in agriculture, subject to the adoption of the following recommended Findings, Conclusions, and Conditions.

Recommended Findings of Fact:

1. Upon review of the guidelines in Section 12.150.07(4) of the Columbia County Zoning Ordinance, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:
 - a. Austyn and Abby M Hayes are the owners of the subject property.
 - b. Austyn and Abby M Hayes are the applicants for a Conditional Use Permit.
 - c. Austyn and Abby M Hayes are requesting a Conditional Use Permit to conduct service or repair of machinery or equipment used in agriculture within the A-1 Agriculture zoning district.
 - d. The property is already developed with a single-family residence and several agricultural structures on site.
 - e. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
 - f. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.
 - g. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
 - h. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
 - i. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
 - j. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.

Recommended Conclusions of Law:

1. The subject property is located in the Town of Fountain Prairie and is zoned A-1 Agriculture.
2. Sales, service or repair of machinery and equipment used in agriculture is a conditional use within the A-1 Agriculture zoning district.
3. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Ordinance.
4. Austyn and Abby M Hayes are the petitioners for a Conditional Use Permit. The petition followed the procedures of Section 12.150.07(3) of the Columbia County Zoning Ordinance.
5. The petitioners are proposing to use an existing agricultural accessory structure for service or repair of machinery or equipment used in agriculture, which is allowed as a Conditional Use under Table 12.105.02(1).
6. The Fountain Prairie Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 12.150.07 of the Columbia County Zoning Ordinance.
7. The Columbia County Planning and Zoning Committee has the authority under Sections 12.150.03(2)(b) and 12.150.07 of the Columbia County Zoning Ordinance to conduct public hearings, review, and decide on requests for Conditional Use Permits.

8. The standards of 12.125.08, Various Agricultural Related Uses, of the Columbia County Zoning Ordinance as noted below are applicable:
 - (8) Within the A-1 district, such uses shall also:
 - (a) Be conducted by the owner or operator of the farm.
 - (b) Employ not more than four persons total.
 - (c) Not impair the current or future agricultural use of the farm or of other farmland that is within the A-1 district, legally protected from nonagricultural development, or both.

Recommended Conditions for the Decision:

1. An Emergency Response Number shall be issued for the driveway north of County Highway D within 6 months of the date of this Conditional Use Permit.
2. Hours of operation shall be 8:00 am to 5:00 pm, Monday through Friday.
3. Service and repair offering shall be for agricultural-related equipment and machinery only.
4. There shall be no more than 10 agricultural-related equipment/machinery undergoing service/repair at any given time. Said equipment/machinery undergoing service and/or repairs shall be stored within the 50'x90' shop or within the 46'x90' gravel parking area.
5. There shall be no more than 4 persons employed.
6. The site shall be developed in accordance with the approved site plan, dated 10/29/24. Any changes to the approved site plan shall be filed with the Planning and Zoning Department, with any significant changes, as determined by the Department, shall be referred to the Town for review and the Committee for action.
7. Signage shall comply with Section 12.145 of the Columbia County Zoning Code.
8. All lighting for the facility shall be oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
9. The owner and operator shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
10. Hazardous materials shall be stored and disposed properly, and on a regular basis.
11. Installation of running water within the 50'x90' shop shall require installation of the appropriate sanitary facilities.
12. The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.
13. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.150.07(4) of the Columbia County Zoning Ordinance, or the conditions stipulated in the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the Conditional Use Permit.
14. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Fountain Prairie and Austyn and Abby M Hayes are hereby incorporated as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, for which the County has not assumed direct enforcement authority, upon written request by the Town, the County reserves the right to review the Conditional Use Permit.

Section 12.150.07(4): Criteria for review of all Conditional Uses

Re: Public Hearing Item 3: Hayes CUP

**Staff comments are italicized after each review item.*

Review Criteria. In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making a decision.

- (1) The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands. *The operation of the proposed agricultural equipment service shop will take place within an existing building. The operation will directly support the surrounding farming community.*
- (2) The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area. *There will be no change to the physical character of the area and the proposed use will not substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.*
- (3) The erosion potential of site based on topography, drainage, slope, soil type, and vegetative cover. *The development is existing; therefore, the potential for erosion is limited.*
- (4) The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands. *The site is already developed. There is no mapped floodplain near the proposed use. Wetlands are located on the property, approximately 150' north of the proposed operation. The CUP requires all hazardous materials to be stored and disposed of properly and limits the storage location and quantity of equipment/machinery in repair.*
- (5) The site has adequate utilities, including if necessary acceptable disposal systems. *This is not currently necessary for the proposed use; however, if it becomes needed, an acceptable private system can be installed on site.*
- (6) Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow. *Ingress and egress to the site is from an existing driveway on County Highway D. The level of activity from the proposed use is minimal and will not create congestion or affect traffic flow.*
- (7) The Conditional Use shall conform with the standards of the applicable district(s) in which it is located. *The proposed temporary use must comply with the conditions of approval as well as the standards set forth within the Columbia County Zoning Code.*



Google Maps

North
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Land Owner:
Austyn Hayes

10/29/24