

City votes to restrict use of storage/shipping containers

Darbro reports health concerns with unknown content

by Kurt Johnson

The Aurora City Council voted to amend the city's comprehensive plan last week prohibiting the placement of steel structures and/or shipping containers anywhere but on land zoned for industrial use.

Adam Darbro, the city's planning and zoning administrator, explained that there has been a growing trend nationwide to use steel containers for permanent storage and, in some communities, even as small residential dwellings.

"More than anything, this issue was brought to our attention for how sealed storage and shipping containers are being used," Darbro said when

asked by a council member to explain the proposed changes. "There are places in Lincoln where there are neighborhoods that are allowing people to turn these into houses, primary structures or apartments. Most are not associated with primary uses in those zoning districts."

Asked in a later interview for more clarification, Darbro said there are potential health and safety concerns for materials that might be stored inside.

"There are multiple concerns," he said. "These can carry disease and they don't have to be inspected for what they carry so they could be a health hazard. In theory they are inexpensive storage, but they are out of place for residential."

Based on Darbro's research and recommendation, the council voted unanimously to update the permitted uses language in the city's comprehensive plan. Zoning restrictions

now prohibit "the use of steel storage and/or shipping containers, buildings or structures with canvas, plastic, unpainted or galvanized steel, tin or other non-customary residential dwelling building materials used for the roof or walls and accessory building." Accessory buildings shall be permitted, according to the approved changes, only after the erection of the principal structure on the lot. Accessory buildings must be of a color and material comparable to the primary dwelling on the premises and must also meet the necessary setback requirements.

Darbro reported that there are several of these shipping containers currently in use in Aurora, adding that any existing units will be grand-fathered in, therefore they can remain. The new regulations prohibit placing any new containers on land zoned residential, residential ranchette or commercial.



News-Register/Kurt Johnson

Shipping/storage containers like this one, located behind the Aurora fire barn, are now prohibited on land zoned anything other than industrial after the Aurora City Council voted last week to amend its comprehensive plan.

In other action during a brief meeting Aug. 13, the council voted to approve preliminary and final plats for the Ford Addition, which is located north of the Friesen Ford dealership. Jason Friesen, operating as JFW Properties, LLC, owns

land that he wanted to subdivide in order to sell a parcel to Troy Hoffman for a commercial development.

The council voted to waive the three-reading rule, making the change effective immediately.

The council also approved an amendment to the zoning and land use plan involving a small parcel in Lot 1 of the Cole Subdivision south of the Chuck's 2.0 Restaurant. Darbro explained that 14 feet of land owned by Dean Heiser was at some point inaccurately absorbed into zoning of an adjacent commercial property. The error was discovered while zoning maps were being updated recently, thus the recommendation was made to change the zoning on that parcel to residential.

The council also voted to approve the mayor's appointment of Roger Scott and Joe Christofferson to terms on the Aurora Housing Authority board. Scott was reappointed to another five-year term while Christofferson was selected to replace Bonnie Logue, who resigned. Other board members include Mike Powell, Gail Nelson, Wayne Hahn and Terri Hope.

Bish challenges current Hemp Bill

Hemp advocate and manufacturer pursues change

by Jeni Moellenberndt

Andrew Bish of Bish Enterprises has engaged in legal action against the Nebraska Department of Agriculture (NDA) in the hopes of putting pressure on the state to enact the Hemp Bill appropriately when the U.S. Department of Agriculture releases its regulations in August.

LB657, or the Nebraska Hemp Farming Act, amended existing statutes to establish a state hemp program according to the NDA website. The legislation gave the NDA authority to regulate the growing, harvesting and processing of hemp for research purposes in Nebraska under a licensing agreement until further action is taken by the USDA.

"When we introduced this bill originally, the objective was to be able to let farmers grow this year unrestricted and obviously that's not the way that the department thought that they wanted to go," Bish said. "They put in procedures to make it very difficult for farmers to grow this year."

Bish noted that when the USDA releases its regulations this month, he is not convinced that the department is going to do the right thing.

"According to the way that the bill is written, once the USDA releases its regulations, we move over from the 2014 pilot program, which

was all the language that the Department of Agriculture forced into the bill at the final moment, putting us in this weird situation we are in," he explained.

At that point, he continued, the bill he and his brother introduced most of the language for would become effective. That is what they are looking to make sure happens when the USDA releases that information.

"We are looking to make sure that the department does its job and actually enacts the bill that they're supposed to enact and then allows for the application process to open up to all growers," Bish said. "That's our objective, to make sure that the department is going to follow through with its responsibilities."

Andrew Bish

He did add that the department issued a letter asking them to apply again through the regular course of channels once the regulations are in place. That was a good indicator to Bish that the department is going to do what he believes is the right thing and that ag leaders do intend to follow that path.

"That's the only thing I've seen come out of this at this point, but that does give me some hope," he said. "Ultimately, if the department does enact the bill once the USDA releases the regulations here, we intend to throw out our lawsuit against the department."

Bish believes that the bill in its current form is stifling investment from outside of Nebraska and preventing infrastructure from occurring.

"When you limit the amount of licenses, you don't have an incentive program for other people to want to come in and put money into the state of Nebraska," he

explained. "Getting this bill down this year was important because we wanted to get that outside investment to start coming in and processing plants to start to be built, all so the farmers had confidence to put products and seeds into the ground."

The concerns Bish has are that if the bill is not changed, there will be an impact on Nebraska farmers.

"Hemp is not going to save every Nebraska farm, but hemp has the opportunity to help prop up some of these farms," he said. "We're going to see more farms repossessed through their banks, because they didn't have an alternative crop."

Bish encourages farmers to continue to contact the Department of Agriculture as well as Gov. Pete Ricketts and express their interest for another option.

"The louder the voices are, the more voices that get heard and the more the department and this administration is going to recognize that this is something that Nebraska farmers want," Bish concluded.



News-Register/Kurt Johnson

APS Foundation kickoff

The Aurora Public Schools Foundation introduced the new organization to the community with a cookout Aug. 13 at Cole Park, where members of the board answered questions and hosted a fund-raiser, receiving approximately \$800 in donations. Pictured from left, Kimberly Quandt and Sonja Cattau serve up hamburgers to Jana and Wesley Gibson.



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