

AERIAL IMAGE OF SITE:



PROJECT BACKGROUND AND DESCRIPTION:

Michelle Weaver submitted an application for a Conditional Use Permit on June, 27th 2019, for a Campground and “Veterinary Medicine” land use. The applicants provided more information regarding the request in an email narrative dated June 26, describing the intended uses. These uses include overnight camping facilities for RVs, Horse trailers, and tent camping. They intend to provide six sites for horse trailers and RVs with water and electricity hookups. The narrative and site plan also include four tent sites for a total of 10 cumulative campground units. The narrative states “All sites will have water, bathroom and shower available to them” and indicates that trash containers will be provided and restrictions will be imposed on dogs.

The proposal includes amenities for people travelling with horses or for horses that need veterinary care. There are three pasture areas as well as six 12’x12’ stalls within a horse barn proposed. Two employees are proposed. The narrative discusses a shared oversight and maintenance of Barrel Road Trail road by the applicants and Barrel Roll Ranch subdivision to the south. The application does not include any specific information on plans for wastewater systems. When planning staff met with the applicants it was identified that permits would be required from the East Idaho Public Health district.

The Zoning ordinance includes provisions for a Campground as well as a Veterinary Clinic through conditional use permits in the ARR 2.5 Zone, which the entire property is zoned. The property is not located within any overlay area. The requirements for a CUP do not establish clear thresholds which would trigger studies associated with the overlays, however the process allows the Planning and Zoning Commission or Board to require studies. These studies are typically triggered by the presence of overlay areas or development thresholds associated with a subdivision.

The site design separates the developed area from property to the north with horse pens of 300' in length and the site plan indicates some landscape planting along a portion of the southern property boundary.

Surrounding land uses include a 5 lot subdivision to the south, with established residences; an undeveloped 10-acre property to the east; and residential development to the north and west which also include agricultural or equestrian facilities associated with those residences where they abut they subject property.

INTER-AGENCY AND DEPARTMENTAL REVIEW COMMENTS

The proposal has also been submitted to some other agencies for review and comment.

Eastern Idaho Public Health- The applicant needs to obtain permits from the Health District for septic system to accommodate the proposed bathroom and shower facility.

County Engineer- It appears there are two proposed access points. These need to maintain appropriate separation distances. The condition of Barrel Roll Trail needs to be verified and may require improvements to meet county standards.

Fire Marshal- Planning staff has not received comment from the fire Marshall at this time.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE: Idaho Code, Title 67; Section, 67-6512 Special Use Permits, and Title 8, Section 8-6-1-B.4. of the Teton County Zoning Ordinance. The public hearing for the Planning & Zoning Commission was duly noticed in the Teton Valley News on August 22 & 29, 2019. A notification was sent via mail to surrounding property owners within a 300-foot buffer area and all adjacent subdivision lot owners on August 19 and 22, 2019, and notice was posted on site on August 19, 2019.

COMMENTS FROM NOTIFIED PROPERTY OWNERS & PUBLIC AT LARGE

A number of written comments were received from adjacent landowners and interested public. Many of the comments identify concerns with compatibility with the existing neighborhood.

SECTION 8-6-1-B-7 CRITERIA FOR APPROVAL OF A CONDITIONAL USE

The following findings of fact shall be made if the Conditional Use is recommended for approval. If the application is being recommended for denial, the Commission should likewise specify the reasons for recommending denial based on the items listed below.

1. Location is compatible to other uses in the general neighborhood.

The application narrative does not directly address compatibility with the general neighborhood, however site plan features appear to have considered layout to limit impacts to adjacent development as discussed in the project description above. The Commission can discuss this with the applicant and consider written comment and public comment received at the hearing.

2. Use will not place undue burden on existing public services and facilities in the vicinity.

The application narrative addresses this criterion by discussing road maintenance and snow removal responsibilities. Public facilities are generally limited to the road as the water and

wastewater system would be private systems but will be used by the public as guests of the campground. Planning staff has not received comment from the fire Marshall at this time.

3. Site is large enough to accommodate the proposed use and other features as required by this title.

The application narrative does not directly address this criterion. The majority of the site is depicted as open space on the site plan so it would appear that site can accommodate the scale of the proposed use. It should be clarified whether there are any intended uses or maintenance / weed control plans for the remaining property depicted as open space.

4. Proposed use is in compliance with and supports the goals, policies and objectives of the Comprehensive Plan.

The application narrative does not address this criterion. The Commission can discuss this with the applicant and consider written comment and public comment received at the hearing.

Specific provisions related to the "Campground..." and "Veterinary Clinic" Conditional Uses (CU) and Uses Permitted with Conditions (PC).

Campground, RV Park, Travel Trailer Camp (CU)

CAMPGROUND, RV PARK OR TRAVEL TRAILER CAMP Definition: A parcel of land under single, unified ownership or control, within which spaces are rented or used by the ownership for occupancy by two (2) or more recreational vehicles and may include tent sites, cabin sites, or travel trailer sites for nightly or short-term rental. 8-4-2 Land Use Definitions;

The Campground use defined above is only permitted as a CUP and as such has no specific associated standards in the zoning ordinance.

VETERINARY CLINIC Definition: An establishment for the care and treatment of small or large animals including livestock, horses and household pets under the direction of a licensed veterinarian.

Veterinary Clinic is a conditional use in the ARR-2.5 zone and a use permitted with conditions in the A-20 zone. Therefore, it has specific associated standards when reviewed and approved as a use permitted with conditions. These standards are not requirements in the Conditional Use Permit but may be considered as potential conditions within the CUP review process.

8-6-2-B-38. Veterinary Clinic (A-20)

- a. Animal runs and exercise areas shall not be located in the front yard or within 50 feet of a property boundary;
- b. All applicable local and state operational requirements shall be met;
- c. There shall be a minimum of one (1) parking space for every employee; and
- d. No vehicles shall be parked in any landscaped area on the property or within a road right of way.

The following generic conditions associated with PC uses could be considered as conditions of approval.

8-6-2- USES PERMITTED WITH CONDITIONS:

3. Criteria for Approval: The standard conditions below are applicable to any proposed PC use in the identified zone district.

- a. Buffer: Buffers not less than 20 feet in width from all property lines shall be provided and maintained, unless otherwise specified.
- b. Screening: Screening from adjacent uses or developments, including across a county road from such a use or development, shall be provided and maintained. Screening shall be accomplished by landscaping at least six (6) feet high and should be high altitude, native plant material, trees and shrubs or existing vegetation.
- c. Lighting: Outdoor lighting, current and future, shall comply with the Outdoor Lighting provisions of this Title, Section 8-4-6.
- d. Parking: The parking requirements of Title 8, Table 3 shall be met and the Americans with Disabilities Act (ADA) required handicap parking spaces provided. In lieu of the above, a parking plan prepared by a professional in the field shall be submitted to the planning administrator for consideration.
- e. Hours of Operation: Hours of operation shall be from 6:00 a.m. to 10:00 p.m. Monday through Saturday, unless otherwise specified in Title 8 or in the PC permit.
- f. Signage: Signage shall comply with the Title 8, Chapter 9 sign requirements.
- g. Outside Storage: Where outside storage is permitted, such use shall be located in the rear yard and a sight proof fence or natural screening shall be provided and maintained around the storage area at least one foot higher than the stored material
- h. Building Height: Maximum height is 45 feet in the C-1, C-2, C-3, and M-1 districts, and 30 feet in all other districts, unless specified in Title 8.
- i. Technical Studies: For those uses identified by the planning administrator at the pre-application conference as needing technical studies, said studies shall be provided to the planning administrator along with the application for a Use Permitted with Conditions.
- j. Onsite Inspection: The planning administrator may determine that there is a need for an inspection at any time.

Staff analysis of conditions and restrictions on specific uses.

The proposal is a combination of two land use designations; Veterinary Clinic and a Campground which are both Conditional Use Permits in this zone. As described, the veterinary component appears to be limited to equestrian care and some of the standards for the more generic vet clinic may not apply.

The property does not include overlay areas that would suggest the need for studies. Subdivision applications with more than 10 lots are required to complete traffic impact studies. That level of development would allow for up to 20 full time residential units by comparison. Fiscal impact studies are required for subdivision projects with more than 20 lots. The Commission should

determine if they will require any studies or pass along a recommendation to the Board to require any studies.

RECOMMENDED CONDITIONS OF APPROVAL

- Applicant obtains all necessary permits/approvals from Teton County as well as other regulating agencies including water and wastewater permits from EIPH/IDEQ/IDWR, and as discussed in inter-agency and departmental review comments above.
- a. Buffer: Buffers not less than 20 feet in width from all property lines shall be provided and maintained, unless otherwise specified. (Permanent structures must meet current county setbacks for the zone which are more restrictive.)
- b. Screening: Screening from adjacent uses or developments, including across a county road from such a use or development, shall be provided and maintained. Screening shall be accomplished by landscaping at least six (6) feet high and should be high altitude, native plant material, trees and shrubs or existing vegetation.
- c. Lighting: Outdoor lighting, current and future, shall comply with the Outdoor Lighting provisions of this Title, Section 8-4-6.
- d. Parking: The parking requirements of Title 8, Table 3 shall be met and the Americans with Disabilities Act (ADA) required handicap parking spaces provided. In lieu of the above, a parking plan prepared by a professional in the field shall be submitted to the planning administrator for consideration.
- e. Hours of Operation: Hours of operation shall be determined through this hearing process as well as any seasonal restrictions.
- f. Signage: Signage shall comply with the Title 8, Chapter 9 sign requirements.
- g. Outside Storage: Where outside storage is permitted, such use shall be located in the rear yard and a sight proof fence or natural screening shall be provided and maintained around the storage area at least one foot higher than the stored material
- h. Building Height: Maximum height is 45 feet in the C-1, C-2, C-3, and M-1 districts, and 30 feet in all other districts, unless specified in Title 8.
- i. Technical Studies: The Commission should determine any studies required
- j. Onsite Inspection: The planning administrator may determine that there is a need for an inspection at any time.
- All applicable local and state operational requirements shall be met;
- Other conditions could be discussed by the Commission and considered where relevant and included in a motion to make recommendation to the Board.

PLANNING & ZONING COMMISSION ACTION:

A. Recommend approval of the CUP, with the recommended conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.

B. Recommend approval of the CUP with modifications to the application request, or adding conditions of approval, having provided the reasons and justifications for the approval and for any modifications or conditions.

C. Recommend denial of the CUP application request and provide the reasons and justifications for the denial.

D. Continue to a future PZC Public Hearing with reasons given as to the continuation or need for additional information.

PLANNING STAFF RECOMMENDATION:

Determine if the application meets criteria for approval and consider whether specific conditions should be imposed to mitigate potential impacts or concerns raised by adjacent property owners or the public. Determine whether any studies will be required or recommended or whether additional information is required in order to make a recommendation and findings of fact.

The following motions could be given:

Having reviewed the application materials for the Broke Horse Farm CUP, as well as the additional material provided by staff and other agencies; I hereby move to RECOMMEND APPROVAL to the TETON COUNTY Board of County Commissioners, having found that the application meets the criteria found in 8-6-1 of the Teton County Zoning Regulations with the recommended conditions as well as the following conditions...

Having reviewed the application materials for the Broke Horse Farm CUP, as well as the additional material provided by staff and other agencies; I hereby move to continue the public hearing to a future specific date and time to consider additional information or studies requested from the applicant or agencies.

Having reviewed the application materials for the Broke Horse Farm CUP, as well as the additional material provided by staff and other agencies; I hereby move to RECOMMEND DENIAL to the TETON COUNTY Board of County Commissioners, having found that the application does not meet the criteria found in 8-6-1 of the Teton County Zoning Regulations for the following reasons...

Prepared by Joshua Chase

Attachments

- Application and Narrative (2 pages)
- Site Plan (1 page)
- Map of noticed properties (1 page)
- Public Comments (34 pages)
- Comments from Public Works Director (1 page)

End of Staff Report