BLAINE COUNTY PLANNING AND ZONING COMMISSION
Public Hearing Date: December 8, 2016

REGARDING THE APPLICATION OF: The Animal Shelter of the Wood River Valley for a new animal shelter facility located at 101 Croy Creek Rd. to supplement the existing animal shelter facility located at 100 Croy Creek Rd.	December 1, 2106 Staff Report Nancy Cooley

Requested Action: A public hearing and consideration of a Conditional Use Permit application for the Animal Shelter of the Wood River Valley (ASWRV) to construct and operate a new 27,000 square feet animal shelter facility located at their newly acquired 20-acre parcel, located at 101 Croy Creek Rd. also known as Lot 1, Croy Canyon Ranch Sub. No. 1. The "animal welfare campus" will supplement the existing animal shelter facility located at 100 Croy Creek Rd. The proposed facility includes kennels, administrative offices, class rooms and a vet clinic. The property is located in the Agricultural/Residential (R-5) zoning district, the floodplain and wetlands overlay districts and Hailey's Area of City Impact.

Applicable Regulations: Blaine County Zoning Ordinance Chapters 1, 2, 3, 7, 25, 28, 29 and 29A; Blaine County Comprehensive Plan.

Representative(s): Jim Garrison

I. Application, Notice, Exhibits & General Facts

1. **Disclosures:** Site Visits? Ex. Parte Communications? Economic Conflicts? Other Conflicts?
   - ▶ **Comment: Site Visits are scheduled to be conducted on Monday Dec. 5, 2016. Commissioners that attend the visit will need to disclose this at the Public Hearing on Dec. 8, 2016**
2. **Application:**
   A conditional use permit application was received by the Administrator on August 31, 2016. Staff determined the application to be generally complete on November 10, 2106.
3. **Notice:** Public notice for this application was as follows:
   a. Pursuant to our Area of City Impact (ACI) agreement, notification was sent via email to the City of Hailey on 11-8-2016.
   b. Legal notice was published in the Idaho Mountain Express on 11-23-2016.
   c. Notice was mailed on 11-22-2016 to surrounding landowners within 300' of the exterior boundary of the property and on November 21, 2016 to all Blaine County political subdivisions.
   d. The Planning and Zoning Commission determined on 8-25-2016 that expanded notice was required. The expanded notice area in addition to the 300' requirement is shown in Exhibit C-7 (2 pages). This expanded notice was mailed on November 22, 2016.
   f. An on-site notice was posted on 11-30-2016, at least 7 days prior to hearing as evidenced by the affidavit in file;
   g. The application materials were posted on the Blaine County website.

Pursuant to Idaho Code §67-*6512 and Blaine County Zoning Code §9-25-3, the Planning and Zoning Commission shall review the above notice procedures and make a finding as to compliance with the requirements of State and County codes.*

- **<u>Motion</u>: Upon motion by Commissioner _____, second by Commissioner _____, and by a vote of ____to _____, the Commission finds notice to be adequate for the 12-8-2016 public hearing and in compliance with State and County code.**

4. **Exhibits:** The following Exhibits are attached hereto and were received at Blaine County Land Use and Building Services on August 31, 2016 unless otherwise noted:

A Exhibits- Applicant Submittals

- A-1: CUP Application & Standards of Evaluation
- A-2: Proof of Ownership (warranty deed)
- A-3: Vicinity Maps
- A-4: Preliminary Design Plans
  - T1.0: Title Sheet
  - C-1: Preliminary Site Plan
  - C-2: Preliminary Grading and Drainage Plan
  - C-3: Preliminary Utility Plan
  - C-4: Preliminary Details
  - L1.0: Revised Preliminary Landscape Plan; rec'd 11-2-2016
  - A1.1: Architectural Floor Plan
  - A1.2: Roof Plan & Views
  - A1.3: Exterior Elevations
  - A1.4: Exterior Elevation; Courtyard
  - E-1: Photometric Site Plan
  - E-2: Lighting Fixture Schedule
- A-5: Geotechnical Report
- A-6: County Engineer Comment Response Letter; rec'd 11-2-2016 (see Co. Eng. comments as Ex. C-1)
- A-7 Croy Creek Road: Preliminary Left Turn Lane Warrant Analysis; rec'd 11-2-2016
- A-8 Preliminary Septic Design worksheet

B Exhibits- Agency and Professional Comments

- B-1 Blaine Co. Engineer response to application; rec'd 11-10-2016
- B-2 ASWRV Croy Canyon Ranch CUP Water Rights; Jim Laski; rec'd 9-19-2016
- B-3 Blaine Co. Road and Bridge; rec'd 9-20-2016
- B-4 Wood River Fire and Rescue; rec'd 9-22-2016
- B-5 So. Central Public Health District; rec'd 11-01-2016
- B-6 Blaine Co. School District; rec'd 11-15-2016
- B-7 Idaho Fish and Game; rec'd 11-28-2016
- B-8 Water Adequacy Study by Brockway Engineering; rec'd 11-29-2016
- B-9 Co. Engineer response to Water Adequacy Study; rec'd 11-30-2016
- Pending Blaine Co. Rec. District and the City of Hailey

C Exhibits- Blaine County Supplements

C-1: Email correspondence regarding pending well analysis; Tom Bergin and Jim Laski; rec'd 9-20-2016

C-2: Croy Canyon Ranch Subdivision I plat; recorded 8-21-2006 as Instrument no. 538769.

C-2a: Croy Canyon Ranch Subdivision II plat; recorded 8-21-2006 as Instrument no. 538770.

C-3: email correspondence regarding speed limits on Croy Creek Rd.; Co. Eng. and Benchmark Assoc.; rec'd 9-1-2016

C-4: zoning map

C-5: wetlands and floodplain overlay map

C-6: two articles about the proposed animal shelter expansion. One from Idaho Mtn. Express and one from Eye on Sun Valley

C-7: Expanded notice map

D Exhibits- Public Comment

D-1: Mary Bachman & William Downing, 701 Weyyakin, Sun Valley; rec'd 11-28-2016

D-2: Priscilla Pittiglio, no address given; rec'd 11-29-2016

D-3: Jill Vogel, Sun Valley; rec'd 11-30-2016

D. Property and Project Descriptions:

- ASWRV proposes to construct and operate a new animal shelter facility on their 20-acre parcel located at 101 Croy Creek Rd. The 27,000-square foot proposed facility includes kennels, administrative offices, class rooms and a vet clinic. The property is in the Agricultural/Residential (R-5) zoning district, the floodplain and wetlands overlay districts and Hailey's Area of City Impact.
- The news articles, Exhibits C-6, give an over-all description of the operations proposed at the new animal shelter.

E. Of Special Note:

- **The County Engineers summary, comments and recommendations are in the B Exhibits.**
- <u>**Water:**</u> See Exhibits C-1: **Email correspondence regarding pending well analysis**; Tom Bergin and Jim Laski; B-8, **Water Adequacy Study by Brockway Engineering** and B-9, **Co. Engineer response to Water Adequacy Study.**
- <u>Sign:</u> The applicant will need to obtain a Sign Permit pursuant to §9-29.
- <u>Parking:</u> See page 8 of this report for parking requirements. Additional parking information is to be provided by the applicant at the 12-8-2016 Public Hearing.
- **The applicant** should review the possible conditions of approval carefully and be prepared to discuss them at the hearing. If there is an issue with any, the initial Public Hearing is the time to discuss it. Changes desired later will likely require another fully noticed public hearing.

II. 9-25-3: CONDTIONAL USE PERMIT STANDARDS FOR EVALUATION:

Italics indicate code citations.

- **This bullet represents a <u>possible</u> condition of approval.**

A. *Review: The commission or the board shall review the particular facts and circumstances of each proposed conditional use in the terms of the following standards and shall find adequate evidence showing that such use at the proposed location:*

1. *Will, in fact, constitute a conditional use as established for the zoning district involved;*

- **<u>Comment</u>: The Animal Shelter is listed as conditional use in the §9-7-5, the Rural Residential zoning district *(R-5).***

§9-2-1 defines an Animal Shelter as: *A facility that is owned, operated, or maintained by a public body or nonprofit organization devoted to the welfare, shelter, protection and humane treatment of animals. An animal shelter facility may also provide: a) shelter for homeless pets and impounded animals; b) services and programs related, but not limited to, the shelter, care, boarding, adoption, health, and medical treatment of animals; and c) community services including, but not limited to, education, spay/neuter services, pet surrender, pet crematory, contract for services with local jurisdictions, and dog license sales and tracking.*

2. *Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title;*
   - **<u>Comment</u>: *8-1-1-14: SECTION 13. PUBLIC SERVICES, FACILITIES, AND UTILITIES* of the comprehensive plan adopted in 1994 states the following. The proposal should reduce the strain on the services and the existing facility of ASWRV.**

<u>SOCIAL AND HUMANE SERVICES. . .</u>

<u>Animal Shelter</u>

This facility is located approximately one mile outside Hailey on Croy Creek Road. It is a nonprofit organization funded by donations and fundraising events, and managed by a Board of Directors. Its staff consists of a manager, assistant manager and one cleaning person. It has been open since 1982. Facilities are barely adequate to house up to twenty (20) dogs and up to fifty (50) cats. Outdoor wire kennels are being constructed to accommodate seven (7) more dogs. Staff fields thirty to forty (30-40) inquiries per day. Funding, which is inadequate for the number of animals, is by volunteer fundraisers and donations. The facility provides dog licenses as well as other services.

The pet animal population grows with the permanent resident population. Local vets encourage spaying and neutering of domestic animals, however the animal population continues to grow, placing additional strain on the services and facilities of the Shelter.

3. *Will be designed, constructed, operated and maintained to be harmonious and 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;*

- **<u>Comment</u>: See the applicant's thoughtful response to this standard in Exhibit A-1.**

Additionally, Croy Canyon Ranch Sub. No. 1 was platted August 21, 2006 as Instrument No. 538769. See Exhibit C-2. Lots 1 and 2 were platted to be used specifically as public facilities. See plat note 3, stated below.

<u>Plat Note 3. Future Use of Lots 1 and 2</u>

a. If Lot 1 is not used as a public facility, i.e. a structure for the use and benefit of the community such as (without limitation and by way of example only) a school, hospital, extended care facility or continuing care retirement community, or cultural or educational center, then development on Lot 1 shall be limited to one (1) residence plus accessory dwelling unit(s) and structures as set forth by code. This condition shall be binding unless the county commissioners agree to a modification of this plat note, pursuant to the plot amendment procedures established in Title 10 of the Blaine County Code.

Originally, the Croy Canyon Ranch Foundation was attempting to put a continuing care retirement facility on this lot. A conditional use was issued to them on May 14, 2009. The facility was never built and the property was transferred to the ASWRV by Croy Canyon Ranch Foundation via Warranty Deed. See Exhibit A-2.

Surrounding lots are zoned entirely R-5 on the south side of Croy Creek Rd., including the four lots within Croy Canyon Ranch Sub. 1. See Exhibit C-4, zoning map. None of the lots in the subdivision are currently developed. Lot 2, east of the subject lot is owned by Blaine Co. School District and also subject to plat note 3 as noted above and on Exhibit C-2, plat notes.

4. *Will not be hazardous or disturbing to existing or future neighboring uses;*

- **<u>Comment</u>: Existing neighboring uses are agricultural, residential and recreational. Much of the land surrounding the proposed shelter is undeveloped (see Exhibit A-3; Vicinity maps). Lot 2, Croy Canyon Ranch Sub. No. 1 is specifically called out to be a public use, just as the subject Lot 1 is. Blaine Co. School District owns Lot 2. See plat note 3 of governing plat, Exhibit C-2.**

The Blaine County recreation district comments are still pending. They currently have Nordic ski trails on the subject property.

In the news articles (Exhibits C-6), it is mentioned that the facility will be designed to reduce the barking noise from the noise level of the existing facility.

5. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;*
   - **<u>Comment</u>: The applicant states: "The Animal Shelter site will have direct access off Croy Creek Road, a public right-of-way that is designed to accommodate police, fire and emergency services. The site circulation is engineered to accommodate fire department vehicles and apparatus. The structure will have a fire sprinkler system. All site drainage will be engineered to be self- contained and infiltrated on site. The Animal Shelter will be served by a private on-site sewage disposal facility approved by South Central District Health and Idaho DEQ. Proposed water service will be provided by a new onsite well. Water quality and quantity from existing well logs and data from the "Feasibility Study Potable Water System: Spring Canyon Ranch" dated August 14, 2007 from Brockway Engineering was used to determine that a proposed well can provide domestic water service for the development. The proposed well will be pump tested to determine actual yield. Irrigation water rights for 1.5 acres will be transferred to the applicant for use on site."**

     Please see the "B" Exhibits for Agency comments. Many with conditions reiterated at the end of this report, the responding agencies do not object to the development.

     - **Condition no. 1 pertains to this standard.**

6. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;*
   - **<u>Comment</u>: No additional requirements for public facilities and services should be required. The proposed new animal shelter will supplement the existing facility, which will be used as a crematorium and storage facility, and will provide a new added benefit to the public.**

7. *Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of* ***traffic,*** **noise,** *smoke, fumes, glare,* **dust**, *odors, vibration, water pollution or safety hazards. Water pollution includes impact to surface and ground water and potable water sources. When the proposed use involves a potential contaminant source or potential contaminant as set forth in appendix A of this title, on file in the county, and is located within a wellhead protection area, the commission shall consider the impact of the project on potable water sources and determine whether there is sufficient information in the record to demonstrate that the project has been designed to mitigate adverse impact to potable water source(s);*
   - **<u>Comment</u>: The applicant has provided a Preliminary Left Turn Lane Warrant Analysis (Exhibit A-7) at the request of the Co. Engineer and he has commented on it (Exhibit B-1). The applicant has indicated that the facility will not generate excess traffic.**

The structure is designed to reduce the noise from the barking dogs as compared to the existing facility. The subject property is not located within a wellhead protection area.

Please see the "B" Exhibits for Agency comments. Some with conditions reiterated at the end of this report, the responding agencies do not object to the development.

- **Conditions no. 3 pertains to this standard.**

8. *Will have vehicular approaches to the property which shall be designed as not to create an interference with traffic on surrounding public thoroughfares;*
   - **<u>Comment</u>: See below and Exhibit B-3, Blaine Co. Road and Bridge.**

     County Engineer from Exhibit B-1: "The proposed two accesses are recommended as acceptable, as opposed to a more desirable single access for a single property, since another access would be expected with the given lot frontage, if the property was subdivided per the R-5 zoning. The County standard minimum approach spacing for R-5 zoning is 400 feet. The project proposes less than 20 feet separation from the access to Simons Property, approximately 60 feet from the existing approach to the existing Animal Shelter facilities, and 362 feet between the two proposed approaches. For consideration as an alternative to this proposed access layout, I suggest combining the "staff parking" access with the adjacent Simons Property approach. This Simons Property access is fixed in that location due to the flag lot configuration, and roughly aligns with the existing access to the Animal Shelter property on the north side of Croy Creek Road. If combining the west project approach with the adjacent Simon property is not possible, or not desired, then I suggest the west access to the project be relocated east to meet the County standard 400 feet access separation requirement for R-5 zoning. The applicant should provide an explanation why the minimum 400 feet separation between the two project site approaches cannot be met, and the proposed AASHTO stopping sight distance is proposed, instead."

     Applicant response to Co. Eng,: A joint access with the Simons Property would be acceptable to the applicant; however, the applicant would request the proposed staff entrance location remain in its current location because there is an existing power pole roughly in the middle of the flag lot frontage, and the access cannot be shifted far enough west to line up with the existing animal shelter driveway on the north side of Croy Creek Road. The applicant would be willing to grant an access easement to the adjacent property owner upon the development of 121 Croy Creek Road.

9. *Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance; and*
   - **<u>Comment</u>: There are wetlands and floodplain on the property but the building envelope is not within them.**

     - **Condition no. 1 pertains to this standard.**

10. *If the applicant or landowner with respect to an application for a conditional use permit under this chapter is the state of Idaho, or any agency, board, department, institution, or district thereof. . .*
    - ▶ **Comment:** Not applicable. The applicant is not the state of Idaho, or any agency, board, department, institution, or district thereof.

III. PARKING

▶ **Comment: Parking area and spaces are shown on Exhibit C-4, sheet C-1.**

9-28-2: OFF STREET PARKING REQUIRED, BY USE TYPE:

A. Off Street Parking Required:

1. Off street parking spaces, each containing at least one hundred eighty (180) square feet, shall be required in all districts for all uses minimally at the rates established in subsection B of this section for each use. Parking requirements for a use not specifically listed shall be the same as for a use specified below which has similar traffic generating characteristics as determined by the county.

▶ **Comment: The applicant did not find a use with similar traffic generating characteristics. They used the IBC in conjunction with the designer's expertise in designing animal shelters. The will provide more information on this at the hearing.**

2. *Minimum parking stall and aisle dimensions are as follows:*

Angle	Width	Length	Aisle Width
90 degrees	9.0 feet	18 feet	24 feet
60 degrees	9.0 feet	21 feet	18 feet
45 degrees	9.0 feet	19.8 feet	15 feet
Parallel	8.0 feet	23 feet	-

▶ **Comment: Spaces are at 90 degrees, 9' wide, 18' in length with aisle widths of 24'. The Building Official will check for ADA compliance at building permit.**

3. All area counted as off street parking space shall be unobstructed and kept clear of snow and free of other uses and snow storage.

4. Unobstructed access to and from a street shall be provided for all off street parking space.

▶ **Comment for 3 and 4 above: These can be covered under the condition no. 1.**

5. All off street parking spaces shall be surfaced with asphalt, concrete, compacted gravel or other dustless material and shall be routinely maintained. Compatibility with surrounding area and uses shall be encouraged.

▶ **<u>Comment:</u> Asphalt is shown on the visitor and staff parking areas and "vegetated parking" is shown on the event parking area.**

6. Off street parking spaces may be provided in areas designed to serve jointly two (2) or more buildings or users provided that the total number of off street parking spaces shall not be less than that required by this section for the total combined number of dwelling units and uses. **N/A**

7. No part of an off street parking space required for any building or use for the purpose of complying with the provisions of this section shall be included as a part of an off street parking space similarly required for another building or use. **N/A**

8. No required off street parking space may be converted for any other use unless an equivalent amount of additional parking space is provided.

▶ **<u>Comment:</u> Covered by condition no. 1.**

9. When the calculation of the required number of spaces called for in this section results in a fractional number, fractions equal to or greater than one-half (1/2) shall be adjusted to the next higher whole number of spaces.

▶ <u>Comment:</u> The applicant will provide more information on this at the hearing.

10. Lighting used to illuminate off street parking areas shall comply with chapter 29A of this title.

▶ **<u>Comment:</u> This is reviewed by zoning at building permit. Lights indicated on C-4, sheet E-2 comply with Chapter 29A.**

B. Parking Spaces Required By Type Of Use:

1. Residential: Additional visitor parking may be required for any of the following uses:
   a. Single-family or two-family dwellings: Two (2).
   b. Apartments or multi-family dwellings: One and one-half ($1^1/_2$) per dwelling unit.
   c. Boarding houses, rooming houses, dormitories: One for each sleeping room.
   d. Mobile/manufactured home park, subdivision, and PUD: One and one-half ($1^1/_2$) per mobile/manufactured home.
   e. Community buildings and facilities in community housing and other planned unit or similarly planned developments: One per one thousand four hundred (1,400) square feet of gross floor area.

2. Commercial:
   a. Service stations and repair garages: One for each two (2) gas pumps and two (2) for each service bay.
   b. Hotels, motels, tourist homes: One per sleeping room, plus one space for each two (2) employees.
   c. Funeral parlors, mortuaries: One for one hundred (100) square feet of parlors or service rooms.

d. Restaurants, taverns, nightclubs: One for each two hundred (200) square feet of floor.
e. Bowling alleys: Four (4) for each lane plus one per two hundred (200) square feet of restaurant/cocktail lounge.
f. Auditoriums, arenas, theaters: One for each four (4) seats.
g. Retail stores: One for each two hundred fifty (250) square feet of floor area.
h. Offices, administration buildings: One for each three hundred (300) square feet of floor area.

3. Public and semipublic uses:
a. Churches: One for each four (4) seats.
b. Hospitals: One for every two (2) beds plus employees' parking.
c. Nursing homes, homes for the aged: One for every four (4) beds plus employees' parking.
d. Medical and dental clinics: One for every two hundred (200) square feet.
e. Elementary and junior high schools: Two (2) for each classroom and a minimum of six (6) per building.

4. Industrial: All types of manufacturing, storage, wholesale and distribution: One for every two (2) employees on the large shift for which the building is designed plus one for every motor vehicle used in the business.

▶ **<u>Comment for §9-28-2(B) above:</u> The applicant will provide more information on this at the hearing.**

9-28-3: ACCESS:

All spaces must have unobstructed access to and from streets and alleys by means of a driveway not less than ten feet (10') wide. Parking areas shall be designed in such a manner that any vehicle leaving or entering the parking area from or onto a public or private street shall be traveling in a forward motion. Access driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street.

▶ **<u>Comment:</u> Covered by condition no.1**

9-28-4: SURFACE AND DRAINAGE:

Off street parking and loading areas shall be surfaced with asphalt, concrete, compacted gravel, crushed rock or other dust free durable material. Drainage of surface water adequate to prevent flows of water onto adjacent properties or walkways shall be provided.

▶ **<u>Comment:</u> Covered by condition no.1**

9-28-5: LIGHTING:

Any lights used to illuminate a parking area shall comply with chapter 29A of this title.

▶ **<u>Comment:</u> Reviewed at building permit.**

9-28-6: DESIGN AND LOCATION:
Whenever a new parking or loading area is located in or adjacent to a residential area, it shall be effectively screened on all sides which adjoin or face any property used for residences by a wall, fence or planting screen not less than four feet (4') in height. The space between such fence, wall or planting screen and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition.

- **Comment: See landscaping plan as Exhibit A-4; sheet L1.0.**

A. No part of any parking area for more than ten (10) vehicles shall be closer than twenty feet (20') to any dwelling unit, school, hospital, or other institution for human care located on an adjoining lot.

- **Comment: Surrounding lots are undeveloped.**

B. Parking spaces for commercial, industrial or institutional uses shall be located not more than four hundred feet (400') from such use. ***N/A***
C. Parking spaces for apartments, dormitories or multi-family dwellings shall be located not more than three hundred feet (300') from such use. ***N/A***

9-28-7: JOINT USE:
When times of use for several buildings do not normally overlap, off street parking may be provided collectively and used jointly, after obtaining approval from the commission. ***N/A***

9-28-8: INTENSITY OF USE INCREASES AND CHANGE OF USE:
A. Increase In Use: When the intensity of any use of any building, structure or premises is increased through the addition of dwelling units, gross floor area, seating capacity or other units of measurement as specified in subsection 9-28-2B of this chapter requiring parking or loading facilities, parking and loading facilities as required herein shall be provided for such increased intensity of use.

B. Change In Use: When the existing use of a building shall be changed to an entirely new use, parking and loading facilities shall be provided as required for such new use. If the building was erected prior to the effective date hereof, additional parking and loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this chapter.

C. Conversion Of Space: No required off street parking space may be converted to any other use unless an equivalent amount of additional parking space is provided.

- **Comment for 9-28-8(A)(B) and (C): Covered by condition no. 1.**

9-28-9: OFF STREET LOADING FACILITIES:
Adequate off street loading spaces for commercial, industrial and institutional uses shall be provided so that loading need not take place from public streets. Off street loading facilities shall not project into the public right of way or setback area. They shall be conveniently accessible from streets and alleys. The required off street loading berths shall not be part of the same area used to satisfy the off street parking requirements.

- **Comment: The proposal complies with this standard.**

IV. Decision and Conditions

▶ **Motion**: Having considered the evidence in the record, upon motion by Commissioner _____, second by Commissioner _____, and by vote of __ to __, the Commission hereby (approves with conditions/or denies) this conditional use permit for the Animal Shelter of the Wood River Valley as discussed at this public hearing subject to the following conditions.

Possible Conditions of Approval

1. The applicants shall apply for and obtain their building permit prior to commencement of any site preparation work or construction, and shall comply with all applicable zoning, building, fire and health district regulations.
2. The applicants shall obtain a building permit within one (1) year of the date of the Findings of Fact, Decision and conditions, or the approvals contained herein shall be null and void.
3. Any modifications to the plans shall require further zoning review, may be subject to additional regulations pursuant to the Blaine County Zoning Ordinance and may require a fully noticed Public Hearing with the Planning and Zoning Commission.
4. A Sign Permit is required and is not part of the conditional use permit approval.

Fish and Game:

▶ **Comment: Some of the "conditions" from Fish and Game are recommended and not required. The P&Z has the authority to require or not the "conditions" set out below as received in Fish and Games comments (Exhibit B-7).**

For example, F&G's recommendation,

- ***"Fences should be built according to wildlife-friendly specifications to facilitate continued wildlife passage through the area. No perimeter fences would be our preferred option. ... " may* be changed, if the P&Z chooses, to read, "No perimeter fences are permitted" or "No perimeter fences are permitted to facilitate continued wildlife passage through the area." , or the recommendation could be omitted entirely.**
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5. Big game and other wildlife depredations on native plant restorations, landscaping plants, and gardens are anticipated if development occurs at this site. All responsibility for controlling wildlife depredation will belong with the property owner. Any actions taken to alleviate depredation will be those prescribed by IDFG.
6. Unsecured garbage has the potential to attract black bears and other animals. We encourage the property owners to use bear-proof garbage containers and dumpsters.
7. Refuse (household garbage, landscaping trimmings, etc.) burning should be strictly prohibited.
8. Pets running at large dramatically increases the negative effects of developments on wildlife. All pets should be kept in-doors, kenneled, or leashed at all times.
9. We recommend all outside pet kennels are completely enclosed, including a roof, to prevent mountain lion and other predator depredation.

10. All pet food should be stored and fed in a manner that does not attract "nuisance" wildlife (e.g., skunks, raccoons, magpies, red fox, etc.). All responsibility for controlling nuisance wildlife will belong with the property owner. Any actions taken to alleviate nuisance wildlife problems will be those prescribed by IDFG.
11. Fences should be built according to wildlife-friendly specifications to facilitate continued wildlife passage through the area. No perimeter fences would be our preferred option. The following link provides good information on wildlife-friendly fence designs: http://fwp.mt.gov/fishAndWildlife/landowners/.
12. All hay and other livestock feed should be stored and fed in a manner that does not attract big game or other wildlife species. Attracting big game from native habitats exacerbates existing winter habitat problems in the Blaine County. Any hay or livestock feed left on the premises during winter months should be made unavailable to big game.
13. We recommend the feeding of game species or predatory wildlife be prohibited. Artificial feeding of wildlife tends to attract and concentrate animals away from native habitat, can facilitate the spread of disease, and has the potential to create conflict between neighboring homeowners due to the likelihood wildlife will use adjacent properties where they may be considered a nuisance.
14. All actions needed for urban interface fire prevention (vegetation removal, fuel breaks, etc.) should be completed within the building envelopes. No vegetation clearing or other actions should occur on naturally vegetated portions of the property. Should this type of work require a larger space than that allotted for building envelopes, we recommend enlarging the building envelopes enough to accommodate these actions.
15. Native plant communities support the most stable and diverse wildlife populations. Removal of native vegetation should be minimized and restricted to what is necessary to construct roadways, buildings, and other infrastructure. Vegetation and soil disturbance by contractors and utilities companies should be limited to roads and building envelopes only. We recommend all disturbed sites are restored using native plant materials.
16. Croy Creek Canyon contains public lands that provide popular access for recreation (i.e., hunting, hiking, wildlife viewing, etc.). All support and administrative staff, and other guests should be notified that these activities on public lands are lawful, and constitutionally protected in the case of hunting, and will continue into the future.

County Engineer

17. The County shall receive copies of the final construction plans, specifications, and schedule, stamped by a professional engineer, and indication of compliance with the NPDES NOI/SWPPP requirements, prior to grading and issuance of building permit.
18. The applicant should submit drywell calculations indicating the proposed size of the drywells are adequate for the area each drywell infiltrates, per the on-site soil infiltration capacity as indicated per the Soils Report soils data, or other on-site soil infiltration capacity data prior to grading and building permit issuance.

19. The final construction plans details shall follow the recommendations of the Soils Report, unless specific deviations from the Soils Report are justified by the responsible professional engineer-in-charge in writing to the Building Official. A pipe trench detail should be included, or referenced, on the final construction plans. Such plans shall be stamped by the professional engineer-in-charge, and provided to the County prior to prior to grading and building permit issuance.
20. The construction site is over one acre, and plans need to include an erosion and sediment control plan (ESCP) to meet NPDES CGP requirements for construction activities. Such an ESCP may be included in a project SWPPP, which development of this SWPPP may be deferred to the construction contractor. The County shall receive copies of the completed ESCP prior to grading and building permit issuance.