

BLAINE COUNTY PLANNING & ZONING COMMISSION
Public Hearing Date: October 25, 2018

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| REGARDING THE APPLICATION OF: Richmond Properties LLC to modify an existing Conditional Use Permit, to allow exterior RV storage at Arrow R Storage. | Findings of Fact, Conclusions of Law, and Decision |
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Requested Action: Public hearing and consideration of an application by Richmond Properties LLC to modify an existing Conditional Use Permit (CUP), to allow exterior Recreational Vehicle (RV) storage at Arrow R Storage. The application would bring into compliance an existing use on the property. The project is proposed at 11815 State Highway 75, within Sec 4, T4N, R18E, B.M., Blaine County. The property is zoned Light Industrial District (LI).

Representative(s): Galena Engineering

Applicable Regulations: Blaine County Zoning Ordinance Chapters 2, 15, 25, and Comprehensive Plan.

Background: The subject property is the site of Arrow R Storage since 2006, under an approved Conditional Use Permit. Exterior RV storage has occurred in the same location for many years. The RV storage area is located on the eastern/northern portion of this "L"-shaped lot. Approximately 27 spaces are available on the east side and 13 spaces on the west side of Arrow Road. The applicants are not proposing to expand the area of RV storage. Rather, the application is to bring into compliance an existing use on the property. Until a zoning code change in July 2018, exterior storage of RVs was not listed in any district as a permitted, accessory or conditional use. When a use is not listed, it is considered prohibited. Earlier this year, a text amendment was approved and became effective in July that allows as an accessory use, "Recreational vehicle storage – covered or uncovered storage for recreational vehicles, boats and personal recreational craft when a conditionally permitted self-storage use is located on the same premises."

I. Application, Notice, Exhibits & General Facts

1. Application: A Conditional Use Permit application was received by the Administrator on September 4, 2018. After reviewing the application, the Administrator certified the applications as being generally complete upon submittal.

2. Notice: Public notice for this application was as follows:

- A. Legal notice was published in the Idaho Mountain Express on October 10, 2018.
- B. Notice was emailed and mailed to City of Hailey pursuant to Area of City Impact Ordinance on September 25, 2018.
- C. Notice was mailed on October 9, 2018, to all Blaine County political subdivisions.
- D. Notice was mailed on October 9, 2018, to surrounding landowners within 300' of the exterior boundaries of the property.
- E. An on-site notice was posted by October 18, 2018, at least 7 days prior to the hearing. Affidavit of posting was received on October 22, 2018.

► **Motion:** Upon motion by Commissioner Pynn, second by Commissioner Fosbury, and by a vote of 7 to 0, the Commission finds notice to be in compliance with applicable regulations §9-25-4 of the Zoning Ordinance.

3. Disclosures: None

4. Exhibits: The following Exhibits are incorporated by reference. All application documents were received at the Blaine County Planning office on September 4, 2018, unless otherwise noted.

“A” Exhibits- Application:

- A-1: Completed Conditional Use Permit application
- A-2: Responses to Standards of Evaluation, revised, received September 26, 2018
- A-3: Responses to Comprehensive Plan standard, revised, received September 26, 2018
- A-4: Deed-proof of ownership
- A-5: Site plan-aerial photograph, revised, received September 26, 2018
- A-6: Vicinity map-300’ adjoiners map, revised, received September 26, 2018
- A-7: Adjoiners mailing list
- A-8: Site photographs
- A-9: Approved sewage permit application - SCDH

“B” Exhibits- Agency Comments: None requested

“C” Exhibits- Blaine County supplements: None

“D” Exhibits- Public Comment: No written comment received.

5. Property and project descriptions:

- The underlying zoning district is LI.
- The lot is 2.64 acres in size.
- The existing structures on the lot include multiple self-storage units in one large building, and two other storage buildings.

II. 9-25-3: Conditional Use Permit Standards for Evaluation

► **The applicant’s responses to the Standards for Evaluation are found in Exhibit A-2.**

A. Review: The commission or the board (or hearing examiner) 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;

► **Finding:** Complies. The proposed RV storage was recently added as an Accessory Use in the LI District, section 9-15-3 (C), "Recreational vehicle storage – covered or uncovered storage for recreational vehicles, boats and personal recreational craft when a conditionally permitted self-storage use is located on the same premises." The subject property is the site of Arrow R Storage. A conditional use permit was approved for this self-storage facility in 2005, pursuant to 9-15-4 (H).

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;

► **Finding:** Complies. No conflict with the Comprehensive Plan is noted and the use is foreseen to be generally positive related to several objectives of the plan, particularly Recreation and Transportation.

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. All outdoor lighting shall comply with chapter 29A of this title;

► **Finding:** Conditionally complies. The RV storage on the subject property is proposed in the same location since 2006, and is not proposed to be expanded. Other LI uses exist to the north and west, and partially to the east. Residential uses exist to the east and south; however, the property directly to the south is also zoned Light Industrial.

The existing outdoor lighting on the site does not comply with Chapter 29A. One old light on the older storage building in the northeast corner of the property is also non-compliant. The applicant stated that this light is non-functional and will be removed. The fixtures on the self-storage buildings are not full cutoff and the lamp is visible. The lighting on the self-storage buildings shall be brought into compliance within two years as a condition of approval.

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

► **Finding:** Complies. Currently, members of the Richmond family own the properties to the east and south. There is considerable landscape screening to the east, between the subject property and the residence on that lot (441 West Meadow Dr.). The properties to the south, north and partially to the east are zoned Light Industrial. As the use is located on the east side of the subject property, properties across the highway (west) are not likely to be impacted other than by traffic. Traffic is not expected to change since the use has been in place for several years and the area of RV storage is not proposed to expand.

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;

► **Finding:** Complies. The property is located directly off SH75 and in proximity to public services. Arrow R Storage is served by a well and septic system.

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;

► **Finding:** Complies. No additional requirements at public cost are foreseen with the continuation of the RV storage use.

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);

► **Finding:** Conditionally complies. Storage uses are generally low impact. Traffic related to the storage of RVs involves only periodic dropping off and picking up the RV's. The property is located within the wellhead protection area of public wells for the city of Hailey. The applicant has described mitigation measures: vehicles must be operable and no vehicle maintenance is allowed on site, and there are specially designed drywells that trap pollutants such as oil. These measures are to remain in place as a condition of approval.

8. Will have vehicular approaches to the property which shall be designed as not to create an interference with traffic on surrounding public thoroughfares;

► **Finding:** Complies. The primary vehicular approach is directly from SH 75. A second entrance is off Bartholomew Road on the northern boundary. SH 75 has a center turn lane in both these locations.

9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance; and

► **Finding:** Not applicable – none on the site.

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, . . .

► **Finding:** Not applicable.

III. Decision and Conditions

► **Decision:** Having considered the evidence in the record, upon motion by Commissioner Pynn, second by Commissioner Murphy, and by vote of 7 to 0, the Commission hereby approves this an application by Richmond Properties LLC to modify an existing CUP to allow exterior RV storage at Arrow R Storage, finding the application complies with the applicable criteria of Title 9, Zoning Regulations, subject to the following conditions:

Conditions of Approval:

1. Any modifications to the plans or approved uses shall require further zoning review, and may be subject to additional regulations pursuant to the Blaine County Zoning Ordinance.
2. All mitigation measures to protect groundwater shall continue to be in force. (Vehicles must be operable and no vehicle maintenance is allowed on site. Specially designed drywells that trap pollutants such as oil shall remain functional.)
3. Exterior lighting shall be brought into compliance within two years of the date of this approval.

Idaho Code §67-6535(c) Notice: The owner of the property subject to this application and decision may request a regulatory taking analysis pursuant to I.C. 67-8003.

IT IS SO ORDERED.

DATED this 1st day of November, 2018

BLAINE COUNTY PLANNING AND ZONING COMMISSION

By: 
Rachel Martin, Chair

CERTIFICATE OF MAILING

The undersigned person hereby certifies that on the 7th day of Nov, 2018, she served a true and correct copy of the foregoing document by depositing the same in the U.S. Mail addressed as follows or by service otherwise as noted:

Sean Flynn
Galena Engineering
sflynn@galena-engineering.com

Richmond Properties, LLC
Tommy Richmond
tkrichmond@cox.net


Land Use Services Staff