

Memo

To: Gem County Zoning Commission
From: Jennifer Kharri, Planning Director
CC: Shyann Harris (owner), Tahja Jensen (Deputy P.A.)
Date: 6/1/22
Re: Amended SUP #12-001 – Babby Farms

Commissioners,

The subject application is on your June 13th agenda. The applicant is requesting a Special Use Permit amendment to SUP #12-001 to increase the allowed months of operation. The request is to change the operating months from May 1st through October 1st to March 1st through November 30th. Since this is a request to amend an existing SUP, the application was noticed in the Messenger Index and we did send hearing notices to neighbors within 300 feet and the property was posted with a sign. No written correspondence was received by Development Services in response to the public notice. The Commission has the same review authority with an amendment as with an original application and new conditions can be added as deemed appropriate.

Because this is a modification to the original SUP, I have listed the 9 findings for an SUP below for you to consider as you deliberate the amendment request. **See the application for the applicant's narrative addressing each finding.**

- 1) will in fact constitute a special use as established on the Official Schedule of District Regulations for the zoning district involved;
- 2) will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or the Zoning Ordinance;
- 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;
- 4) will not be hazardous or disturbing to existing or future neighboring uses;
- 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 establishments of the proposed use shall be able to provide adequately any such services;
- 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;

7) will not involve uses, activities, processes, materials, equipment and conditions or operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;

8) will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and

9) will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Attached is a copy of the original SUP #12-001(**Exhibit A**), issued in 2012 for the petting zoo. Please review so you are familiar with the permit that is being amended. Below is a staff summary with some background to this application and recommended conditions of approval:

Application Summary / Background

- ❑ SUP #12-001 was initially approved on 4/23/12 permitting a petting zoo at 5900 El Paso Road (see attached application for more information).
- ❑ The Zoning Commission decision was appealed to the Board of County Commissioners on July 16, 2012.
- ❑ The Board of County Commissioners upheld the Zoning Commission decision to approve SUP #12-001 for a petting zoo on July 16, 2012.
- ❑ Building permits were issued on all the buildings over 120 square feet and final inspections were performed.
- ❑ The Zoning Commission held a review on February 10, 2014 per SUP #12-001 condition of approval #8 that required a one-time public review by the Gem County Zoning Commission at the end of the first operating season but prior to opening for the second season to review and assess the impacts of the petting zoo on the neighborhood. The Commission unanimously voted to reissue the Special Use Permit in the name "Trace Inc. DBA as Babby Farms" instead of under "Shannon Williams". All conditions of approval remain the same.
- ❑ The Zoning Commission approved an amendment on April 14, 2014 to increase the hours of operation from 12:00 to 7:00pm (7 total hours) to 9:00am to 6:00pm (9 total hours).

Recommended Conditions of Approval (to be added to SUP #12-001): (Proposed conditions are underlined)

1. This permit is non-transferable to another property and is only valid at 5900 El Paso Road, Caldwell, Idaho.

2. No off-premise signs are allowed for the purpose of advertising the petting zoo. One (1) free-standing or wall-mounted sign that is a maximum of thirty-two (32) square feet in size is allowed to be constructed on site. The sign submitted with the application (for "Babby Farms") is hereby approved but cannot be mounted in the public right-of-way or within any clear vision site triangles at the 2 driveways.

3. The applicant shall remain in good standing at all times and maintain an active license with USDA/APHIS for the animals housed on the property.

4. The applicant shall comply with all requirements of the Middleton Rural Fire District as it pertains to operation of a public petting zoo and emergency access to the subject property. Deputy Chief Trosky or his representative shall submit written confirmation to Development

Services that the site complies with fire district standards prior to opening for public access.

5. The applicant shall comply with the requirements of the Gem County Road and Bridge Department, as listed in their comment letter received 4/13/12. In addition, applicant shall keep the 40' x 40' sight triangle at all public road entrances free and clear of any obstructions at all times.

6. The off-street parking area shown on the site plan shall be constructed with a base capable of supporting a loaded school bus and allow for adequate turning radius movement in and out of the parking area. The applicant shall also comply with ADA parking and accessibility per the amended site plan (submitted for the April 9, 2012 meeting).

7. The applicant shall obtain a driveway approach permit from the Road & Bridge Department prior to construction of the new driveway. Said driveway shall be a minimum 50 feet in width at the El Paso Road approach and set back beyond the existing right-of-way at least 50 feet.

8. This permit is subject to a one-time public review by the Gem County Zoning Commission at the end of the first operating season but prior to opening for the second season. The purpose of said review is to assess the impacts of the petting zoo on the neighborhood and, if necessary, amend conditions of approval to ensure compliance.

9. The applicant shall operate and maintain the petting zoo areas in a sanitary fashion and remain in compliance with any applicable public health guidelines of Southwest District Health Department. Prior to opening for business, the applicant shall schedule an on-site visit from Bob Poertner of the Health Department to confirm the septic systems and porta potties will comply with standards of the Health Department.

10. During the first two (2) years of operation, the applicant shall track and report the number of public vehicles that access the petting zoo property each month. This shall include both standard vehicles and bus vehicles. The vehicle report shall be submitted to the Development Services Department by the last working day of every month.

11. The applicant shall comply with Idaho State law regarding the status of Babby Farms as a legal entity.

12. The maximum hours of operation shall be Tuesday through Sunday 9:00 am to 6:00 pm from May March 1st through October 1st November 30th.

13. No more than one (1) special event affiliated with the petting zoo is allowed per month. Any temporary, non-agriculture structure(s) related to a planned special event shall be removed within 24 hours of the end of said event.

14. The applicant shall remain in compliance with all applicable State and Federal rules pertaining to the petting zoo.

15. Any permanent, non-agriculture lighting is prohibited.

16. The petting zoo shall not be open to the public until all conditions of approval are met and a final Special Use Permit certificate is issued. The following time restrictions and time extension standards shall apply:

GCC 11-7-11: LAND USE TIME LIMITATIONS:

(1) Commencement: When a special use permit is granted, the land use or construction of its facility proposed in the application must have commenced within one (1) year of the date of the final decision by the Commission, or the Board or a court of appropriate jurisdiction (if appealed) and completed within two (2) years of the same date. Upon expiration of the use or the approval of that use as provided by this section, the applicant can seek approval of the use only by filing a new initial application for review by the Commission.

(2) Expiration: After the one (1) year period has expired, if any person, including staff or member of the Commission, files a written notice presenting sufficient evidence, as determined by the Administrator, to establish that the land use or construction of its facility provided for in the special use permit, has not commenced, or after the two (2) year period that said use has been abandoned or has ended, the Commission may find that the use has not been implemented or has been abandoned or has ended. If so, the Commission shall set aside the prior approval and order the property to revert to its prior status. An aggrieved person may appeal any Commission decision made under this section to the Board pursuant to Chapter 11-7-9 of this chapter.

GCC 11-7-12: REQUEST FOR EXTENSION:

(1) Request: An applicant may request extension of the time period provided by this section by filing an application for extension with the Administrator. Such application must be filed at least sixty (60) calendar days prior to expiration of the one (1) year period for commencement of the land use or sixty (60) calendar days prior to the expiration of the two (2) year period for completion of the project. The matter shall be heard at a public hearing before the Commission or the Board, whichever made the final decision, in accordance with the notice and hearing procedures of this chapter. If the application is not timely filed, it shall be denied. A renewal extension, if granted, may be limited to three hundred sixty five (365) calendar days, which shall commence at the expiration of either period.

(2) Decision: The Commission or the Board may extend the commencement period or the completion period as provided above upon proof of good cause by the applicant. The burden of proof as to the showing of good cause for the extension shall be on the applicant, and good cause shall be determined at the discretion of the Commission or the Board.



MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 SOUTH MCKINLEY, EMMETT, IDAHO 83617 WWW.GEMCOUNTY.ORG PHONE: (208) 365-5144

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- | | | |
|--|--|---|
| <input type="checkbox"/> APPEAL | <input type="checkbox"/> PLANNED COMMUNITY | <input type="checkbox"/> SUPPLEMENTAL AMENDMENT |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input type="checkbox"/> REZONE | <input type="checkbox"/> VACATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT | <input checked="" type="checkbox"/> SPECIAL USE PERMIT - Amendment | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> SPECIAL USE PERMIT (MINERAL EXTRACTION) | <input type="checkbox"/> ZONING TEXT AMENDMENT |
| <input type="checkbox"/> DEVELOPMENT AGREEMENT | <input type="checkbox"/> SUBDIVISION, PRELIMINARY | |
| <input type="checkbox"/> PLANNED UNIT DEVELOPMENT | <input type="checkbox"/> SUBDIVISION, MODIFICATION | |

PROJECT NAME: Bobby Farms

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

SW^{1/4} of the Quarter: NW 1/4 Section: 22 Township: 6 North Range: 3 West Total Acres: 20

Subdivision Name (if applicable): _____

Site Address: 5900 EL PASO Rd. Caldwell ID 83607 Lot: N/A Block: N/A
City: Caldwell
Tax Parcel Number(s): RP 00393713 Current Zoning: A3 Current Land Use: Petting 700

PROPERTY OWNER:

Name: Turquoise Mountain Holdings LLC

Address: P.O. Box 214 850 S Boulder Hwy

City: Henderson State: NV Zip: 89015

APPLICANT:

Name: TRACE, Inc. DBA Bobby Farms

Address: 3000 N. Lake Harbor Lane

City: Boise State: ID Zip: 83703

Telephone: 208-867-8265
Email: Chieh58@gmail.com

Telephone: 208-939-4350
Email: Traceshyann@gmail.com

I consent to this application and allow Development Services staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

Chieh Shieh 3/30/22
Signature: (Owner) Date

Shyann Shieh 3/30/22
Signature: (Applicant) Date

OFFICE USE ONLY

File No.: SUP# 12001 Received By: SL Date: 3/31/22 Fee: \$150 Receipt No.: 2022-00185



SPECIAL USE PERMIT SUBMITTALS AND CHECKLIST

(Not a business license or building permit)

GEM COUNTY DEVELOPMENT SERVICES

109 SOUTH MCKINLEY, EMMETT, IDAHO 83617 WWW.GEMCOUNTY.ORG

PHONE: (208) 365-5144

DESCRIPTION OF EXISTING USE:

Currently open May 1st - Sept 30th.

DESCRIPTION OF PROPOSED SPECIAL USE: (Attach other sheets if necessary):

Would like to be open Mar 1st - Nov 30th.

Submittal Requirements:

FEE: Category 1: All residential uses (e.g. daycare): \$250.00
Category 2: Commercial and industrial uses (up to 5 acres): \$325.00
Category 3: Commercial and industrial uses (greater than 5 acres): \$450.00

LEGAL DESCRIPTION: A metes and bounds description or lot and block reference of proposed property.

SITE PLAN: A plan of the proposed site for the special use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs and yards.

LANDSCAPE PLAN as per Gem County Zoning Ordinance; Chapter 6; Section 6-6; Subsection C-1-C.
(Please see attached Landscape Plan Checklist)

PROOF OF OWNERSHIP OR VALID OPTION HOLDER: Attach a copy of your property deed, option agreement, quit claim deed, or title report with a complete legal description.

PLAT MAP: show property under consideration and surrounding properties.

AERIAL PHOTO: Show property under consideration and surrounding properties

(THE ABOVE ITEMS WILL BE PROVIDED BY THE DEVELOPMENT SERVICE OFFICE)

LETTER OF INTENT: A narrative statement addressing the following nine standards:

GENERAL STANDARDS APPLICABLE TO ALL SPECIAL USES:

The Commission shall review the particular facts and circumstances of each proposed special use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

March 30, 2022

RE: Letter of intent for special use permit amendment

To whom it may Concern,


This letter is for the intent of extending Babby Farms open season. We get constant requests by customers, and by neighboring schools for field trips. We would like to extend the season for the wellbeing of the animals as well, human and animal interaction is beneficial to both parties. Our open season is currently from May 1st through September 30th of every year. We would now like to extend the season from March 1st through November 30th. We would be able to allow more schools to utilize the property for field trips as we have had to turn them away due to not being open in March, April, October or November. We are only open for 1 month currently while kids are in school and that does not allow us enough time to accommodate all the requests. Our hours/days of operation have not changed and we are not requesting it at this time.

Since 2014, we have not made many structural changes. The few that we have made are the Primate Facility and added restrooms that are located on the other side of the property from the original restrooms (the original restrooms are still there) as a convenience for our customers.

As for traffic, we averaged our ticket sales for the busiest day of our open season, Mother's Day. Every year Mothers Day has been our busiest day so we went by the traffic that comes on and off the property at that time. It averaged to about 25 cars per hour. Most days throughout our season we only generate half the sales of Mothers day so, the traffic is actually less per day on our other business days.

We will be harmonious with all Comprehensive Plan and/or Zoning Ordinance. We will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. We will not be hazardous or disturbing to existing or future neighbors. We will be served adequately by essential public facilities and services. We will not create excessive additional requirements at public cost for public facilities and services. We will not produce additional traffic, noise, smoke, fumes, glare or odors. We will and do have vehicular approaches to the property, which are designed as not to create an interference with traffic on surrounding public thoroughfares. We will not cause the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Shyann Harris". The signature is fluid and cursive, with a large initial "S" and a stylized "H".

Shyann Harris

(VP, Trace Inc.)





EXHIBIT A

BEFORE THE ZONING COMMISSION

GEM COUNTY, IDAHO

**IN RE. PUBLIC PETTING ZOO)
BY SHANNON WILLIAMS)**

**Special Use Permit Application: #SUP-12-001
Decision and Order for Approval**

I.

Summary of Decision

The applicant, Shannon Williams, on property owned by Turquoise Mountain Holdings, LLC, filed with Gem County Development Services an application for a Special Use Permit (SUP) to allow the operation of a public petting zoo. The same property has been used since 2008 as a breeding farm and operating base for a mobile petting zoo by the same operator, Babby Farms. With this SUP application, they are proposing to open the property to the public as a physical petting zoo (in addition to the residential and breeding uses already on the property).

The petting zoo is proposed at 5900 El Paso Road on the east side of the road and is located in the A-3, Rural Agriculture zone. This zone allows for a petting zoo if a SUP is approved. The property is designated as Agriculture/Natural Resources on the Future Land Use Map and consists of approximately 20 +/- acres. The parcel is within Township 06N, Range 03W, Section 22, Parcel 00393713 of Gem County, Idaho.

The Gem County Zoning Commission (Commission) conducted a public hearing on the application on March 12, 2012. After the applicant and staff made their presentations to the Commission, five (5) members of the public testified in opposition. Cheryl Harris provided a rebuttal to the testimony and, after further discussion, the Commission continued the hearing to April 9, 2012. The hearing was continued in order for the applicant to provide additional

1 information to the Commission regarding ISDA/USDA requirements, Southwest District Health
2 requirements, ADA parking requirements, photos of the fenced area, Babby Farm's business plan,
3 501c3 certification, a 2009/2010 Gem County traffic study on El Paso Road and proof of Idaho
4 Business filing of Corporation.

5 The applicant submitted everything requested to the Development Services Department
6 prior to the hearing and, on April 9, 2012, the Commission held the continued public hearing. The
7 other new items submitted into the record for this hearing included seven (7) letters of support
8 from the public and some photos of a fundraiser event that took place on the subject property
9 (submitted by a neighbor in opposition). Five (5) members of the public testified in opposition.
10 Cheryl Harris provided a rebuttal to the testimony and, after further discussion, the Commission
11 continued the public hearing to a Special Meeting on April 23, 2012. The hearing was continued
12 in order to receive additional information regarding the potential traffic impacts and public safety
13 concerns on El Paso Road at the entrance to the proposed petting zoo. Public testimony was
14 limited to these topics.

15 On April 23, 2012, the Commission held the continued public hearing. An updated letter
16 from Neal Capps, Gem County Road and Bridge Director, and a memo from Bradley Clark,
17 Planning Director, were submitted into the record addressing transportation-related public safety
18 concerns. Two (2) members of the public appeared to testify in opposition, although only one was
19 relevant to the transportation/public safety topic. Cheryl Harris provided a rebuttal to the
20 testimony.

21 Proper legal requirements for advertisement of the first public hearing was met by
22 publication in the Messenger Index on February 15, 2012, posting of the property on February 27,
23 2012, and first class mailing to all property owners within 300 feet on February 13, 2012.
24 Subsequent public hearings were set by motion at the meetings to a date certain.

25 Section 11-7-3 of the Gem County Code (Zoning Ordinance related to Special Use
26 Permits) requires that, to grant a special use permit, the Commission shall find adequate evidence
27 showing that the proposed use: 1) will in fact constitute a special use as established on the

1 Official Schedule of District Regulations for the zoning district involved; 2) will be harmonious
2 with and in accordance with the general objectives or with any specific objective of the
3 Comprehensive Plan and/or the Zoning Ordinance; 3) will be designed, constructed, operated and
4 maintained to be harmonious and appropriate in appearance with the existing or intended
5 character of the general vicinity and that such use will not change the essential character of the
6 same area; 4) will not be hazardous or disturbing to existing or future neighboring uses; 5) will
7 be served adequately by essential public facilities and services such as highways, streets police
8 and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the
9 persons or agencies responsible for the establishments of the proposed use shall be able to
10 provide adequately any such services; 6) will not create excessive additional requirements at
11 public cost for public facilities and services and will not be detrimental to the economic welfare
12 of the community; 7) will not involve uses, activities, processes, materials, equipment and
13 conditions or operation that will be detrimental to any persons, property or the general welfare by
14 reason of excessive production of traffic, noise, smoke, fumes, glare or odors; 8) will have
15 vehicular approaches to the property which shall be so designed as not to create an interference
16 with traffic on surrounding public thoroughfares; and 9) will not result in the destruction, loss or
17 damage of a natural, scenic or historic feature of major importance.

18 Upon finding the above standards have been met (as further outlined in **Exhibit B**), the
19 Commission voted to approve the Special Use Permit with conditions. (See **Exhibit A** for a list of
20 the site-specific conditions.)
21

22 **Commission Vote**

23 Motion: Approve with conditions

| | |
|-------------------------------|---------------|
| 24 Commissioner Vickery | <u>Yea</u> |
| 25 Commissioner Barron | <u>Yea</u> |
| 26 Commissioner Darnell | <u>Absent</u> |
| 27 Commissioner Boston | <u>Nay</u> |
| 28 <u>In case of tie vote</u> | |
| 29 Commissioner Perin | <u>N/A</u> |

1
2 **II.**
3 **Order**

4
5 IT IS NOW THEREFORE HEREBY ORDERED that the Special Use Permit requested
6 in SPECIAL USE PERMIT APPLICATION NUMBER SUP-12-001 is APPROVED with
7 conditions (**Exhibit A**), subject to the reasons set forth above.
8

9 **III.**
10 **Option to Appeal**

11 In accordance with Gem County Code, Section 11-13-1.B, any person having an interest in
12 real property adversely affected by the Commission's decision has the right to file an Appeal of
13 the Commission decision to the Board of County Commissioners. You must appeal the written
14 decision within twenty (20) days from its rendering. Said application must follow the procedures
15 outlined in Section B.1 of Gem County Code 11-13-1.
16

17
18 On behalf of the Gem County Zoning Commission:

19 Bradley D. Clark
20 (Bradley D. Clark, Planning Director)
21

22 I hereby certify that on this 1st day of May, 2012, I
23 served a true and correct copy of the foregoing DECISION AND ORDER upon

24 Name Shannon Williams
25 Address 5519 N. Glenwood St
26 Boise ID 83714

27 by depositing a copy thereof in the United States mail, with first class postage prepaid.

28 Jennifer Kharri
29 Jennifer Kharri
30

Exhibit A

**SITE SPECIFIC CONDITIONS OF APPROVAL
SHANNON WILLIAMS
PUBLIC PETTING ZOO
FILE #SUP-12-001**

Section 11-7-5 General Standards in the Special Use Chapter of the Gem County Zoning Ordinance states the following: In granting special use, the commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title. (Ord. 95-04, 5-22-1995)

1. This permit is non-transferable to another property and is only valid at 5900 El Paso Road, Caldwell, Idaho.
2. No off-premise signs are allowed for the purpose of advertising the petting zoo. One (1) free-standing or wall-mounted sign that is a maximum of thirty-two (32) square feet in size is allowed to be constructed on site. The sign submitted with the application (for "Babby Farms") is hereby approved but cannot be mounted in the public right-of-way or within any clear vision site triangles at the 2 driveways.
3. The applicant shall remain in good standing at all times and maintain an active license with USDA/APHIS for the animals housed on the property.
4. The applicant shall comply with all requirements of the Middleton Rural Fire District as it pertains to operation of a public petting zoo and emergency access to the subject property. Deputy Chief Trosky or his representative shall submit written confirmation to Development Services that the site complies with fire district standards prior to opening for public access.
5. The applicant shall comply with the requirements of the Gem County Road and Bridge Department, as listed in their comment letter received 4/13/12. In addition, applicant shall keep the 40' x 40' sight triangle at all public road entrances free and clear of any obstructions at all times.
6. The off-street parking area shown on the site plan shall be constructed with a base capable of supporting a loaded school bus and allow for adequate turning radius movement in and out of the parking area. The applicant shall also comply with ADA parking and accessibility per the amended site plan (submitted for the April 9, 2012 meeting).
7. The applicant shall obtain a driveway approach permit from the Road & Bridge Department prior to construction of the new driveway. Said driveway shall be a minimum 50 feet in width at the El Paso Road approach and set back beyond the existing right-of-way at least 50 feet.
8. This permit is subject to a one-time public review by the Gem County Zoning Commission at the end of the first operating season but prior to opening for the second season. The purpose of said review is to assess the impacts of the petting zoo on the

neighborhood and, if necessary, amend conditions of approval to ensure compliance.

9. The applicant shall operate and maintain the petting zoo areas in a sanitary fashion and remain in compliance with any applicable public health guidelines of Southwest District Health Department. Prior to opening for business, the applicant shall schedule an on-site visit from Bob Poertner of the Health Department to confirm the septic systems and porta potties will comply with standards of the Health Department.
10. During the first two (2) years of operation, the applicant shall track and report the number of public vehicles that access the petting zoo property each month. This shall include both standard vehicles and bus vehicles. The vehicle report shall be submitted to the Development Services Department by the last working day of every month.
11. The applicant shall comply with Idaho State law regarding the status of Babby Farms as a legal entity.
12. The maximum hours of operation shall be Tuesday through Sunday 12:00 pm to 7:00 pm for the public and Tuesday through Friday 9:00 am to 11:30 am for schools only from May 1st through October 1st.
13. No more than one (1) special event affiliated with the petting zoo is allowed per month. Any temporary, non-agriculture structure(s) related to a planned special event shall be removed within 24 hours of the end of said event.
14. The applicant shall remain in compliance with all applicable State and Federal rules pertaining to the petting zoo.
15. Any permanent, non-agriculture lighting is prohibited.
16. The petting zoo shall not be open to the public until all conditions of approval are met and a final Special Use Permit certificate is issued. The following time restrictions and time extension standards shall apply:

GCC 11-7-11: LAND USE TIME LIMITATIONS:

(1) Commencement: When a special use permit is granted, the land use or construction of its facility proposed in the application must have commenced within one (1) year of the date of the final decision by the Commission, or the Board or a court of appropriate jurisdiction (if appealed) and completed within two (2) years of the same date. Upon expiration of the use or the approval of that use as provided by this section, the applicant can seek approval of the use only by filing a new initial application for review by the Commission.

(2) Expiration: After the one (1) year period has expired, if any person, including staff or member of the Commission, files a written notice presenting sufficient evidence, as determined by the Administrator, to establish that the land use or construction of its facility provided for in the special use permit, has not commenced, or after the two (2) year period that said use has been abandoned or has ended, the Commission may find that the use has not been implemented or has been abandoned or has ended. If so, the Commission shall set aside the prior approval and order the property to revert to its prior status. An aggrieved person may appeal any Commission decision made under this section to the Board pursuant to Chapter 11-7-9 of this chapter.

GCC 11-7-12: REQUEST FOR EXTENSION:

(1) Request: An applicant may request extension of the time period provided by this section by filing an application for extension with the Administrator. Such application must be filed at least sixty (60) calendar days prior to expiration of the one (1) year period for commencement of the land use or sixty (60) calendar days prior to the expiration of the two (2) year period for completion of the project. The matter shall be heard at a public hearing before the Commission or the Board, whichever made the final decision, in accordance with the notice and hearing procedures of this chapter. If the application is not timely filed, it shall be denied. A renewal extension, if granted, may be limited to three hundred sixty five (365) calendar days, which shall commence at the expiration of either period.

(2) Decision: The Commission or the Board may extend the commencement period or the completion period as provided above upon proof of good cause by the applicant. The burden of proof as to the showing of good cause for the extension shall be on the applicant, and good cause shall be determined at the discretion of the Commission or the Board.

Property closed to public
This Pond

unused property - closed to public - Skipped by a to. East Chain Link fence

Neighbor property

Animal Pens

Swamp

Pens

Pens

Pens

Walking Path

12 thousand square feet

Barn

First Aid area

Gift shop

Customs

Long phone

Walking Path

Pens high

2 thousand sq ft winter facility
May be open to public outside food

Large - small
Trailer parking lot and company only

Pens

Pens

Pens

Open Road way for emergency vehicles

Pens

on site
House
Protect management
House - not
open to public

private fence around
the house

Driving way

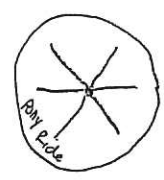
Walking Path

Pens

Pens

entrance to building
to building

Animal Pens



Animal Pen

Main entrance -
Employee only
+ Emergency Vehicles

Employee entrance

Parking (100-150)

will be tiled with gravel

Eating area -

Table

T

T

T

Play area for kids

Portable building to serve food

Bathrooms

Building closed to public

6 ft chain link fence

180