

Staff Report Meridian Canine Rescue Special Use Permit for a Kennel SUP-24-006

Hearing Date: June 10, 2024

Development Services Department

Applicant:

Meridian Canine Rescue

Property Owner:

Meridian Canine Rescue

Representative:

Same

Planner:

Jennifer Kharrl

Parcel Number:

RP06N03W033905

Parcel Address:

3710 Little Rock Road

Lot Size/Project Area:

15 acres

Impact Area:

N/A

Current Zone:

"A-2" (Rural Transitional Agriculture)

Comprehensive Plan:

2023 Comprehensive Plan

Future Land Use: Rural

Current Uses:

Single Family Dwelling and

Outbuildings

Applicable Zoning Land Use

Regulations: GCC 11-7

Notification:

5/16/24-Agency

5/16/24-Mailing

5/22/24-Publication

5/20/24-Posting

Exhibits:

1. SUP Application

Brief Summary of Request

The applicant, Meridian Canine Rescue, on property they own, is requesting approval of a Special Use Permit (SUP) to allow the operation of a kennel to train dogs with behavioral issues. The use is proposed at 3710 Little Rock Road on property that is zoned A-2, Rural Transitional Agriculture. The property lies within the "Rural" land designation of the Future Land Use Map.



Description of Character of Surrounding Area

The immediate vicinity includes a combination of rural residential and irrigated pasture land.

	COMP PLAN	ZONING	LAND USE
North	Rural	A-3	Rural residential, irrigated pasture land
South	Rural	A-3	Rural residential, irrigated pasture land
East	Rural	A-3	Rural residential, irrigated pasture land
West	Rural	A-3	Rural residential, irrigated pasture land

COMPREHENSIVE PLAN POLICIES & GOALS [Staff comments and analysis are shown in italics.]

The Comprehensive Plan defines the "Rural" category as follows:

"This category includes a mix of low-density residential and agricultural development. Uses in this category may include large-lot residential, clustered residential developments, and conservation easements. Other uses such as agriculture, ranching, open space, ranchettes may also be appropriate for Rural designated lands. The minimum lot size is 5 acres"

This property is located in an A-2 zone and within the Rural designation of the Future Land Use Map.

ZONING ORDINANCE [Staff comments and analysis are shown in italics.]

- A. Schedule of Zoning Regulations: Gem County Code 11-5-5 permits a kennel within the A-2 zone with a special use permit.
- B. Purpose Statement of Zone: Zone Purpose: Gem County Code 11-4-2.A. lists the purpose of the A-2, Rural Transitional Agricultural, zone as follows: "Lands lying within those unincorporated portions of Gem County that are likely to undergo a more intensive urban development. The regulations governing this zone are designed to protect agricultural pursuits and provide guidelines for conversion to suburban development."

The Commission must find that the proposed use is consistent with the purpose of the zone.

REQUIRED FINDINGS & STAFF ANALYSIS [Staff comments and analysis are shown in italics.]

- A. Will in fact, constitute a special use as established on the Official Schedule of District Regulations for the zoning district involved;
 - Staff finds that the subject property lies within the A-2, Rural Transitional Agriculture zone. Gem County Code 11-5-5, Zoning Matrix allows kennels within the A-2 zone with a Special Use Permit and is, therefore, found to constitute a special use as established on the Official Schedule of District Regulations.
- **B.** 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;
 - Staff finds that the proposed use, if operated according to the proposed conditions of approval, will be in accordance with the objectives and policies of the "Rural" designation on the Future Land Use Map of the Comprehensive Plan, as outlined above.
- C. 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;
 - Staff finds the <u>existing</u> character of the area is rural and agricultural, with scattered single-family residential and hobby farm uses in the vicinity. The <u>intended</u> character of the area (as defined by the Comprehensive Plan) is to remain rural in nature. The operation of a kennel shouldn't change the character of the area if operated in accordance with county regulations and the proposed conditions of approval.
 - Staff finds that determining what is "harmonious" in a particular neighborhood relies strongly on the residents of that neighborhood. As such, the Commission should review this finding after hearing from both existing residents and the applicant and their plans to address any compatibility concerns.
- **D.** Will not be hazardous or disturbing to existing or future neighboring uses;
 - Staff finds that the proposed use will not be disturbing to neighboring uses with the allowance of a kennel if operated in accordance with county regulations and the proposed conditions of approval.

The Commission should review this finding in relationship to the proposed conditions and other evidence presented at the hearing.

E. 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;

Staff finds that the proposed use could be adequately served by the Gem County Sheriff's Department, Mosquito Abatement District, Emmett Sanitation and Gem Rural Fire District #1. The Commission should also refer to any comments submitted from impact agencies during the course of the open public hearing.

F. 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;

Staff finds that the proposed use will not significantly increase demands on public facilities or services, assuming all conditions of approval are met. No public service providers raised this as a concern during the public comment period. The applicant is responsible for paying all improvement and other costs associated with ensuring the operation complies with public requirements. There are no anticipated negative impacts on the public facilities and services. If operated in accordance with county regulations, it should not be detrimental to the economic welfare.

G. 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;

Staff finds that the use will not be detrimental to persons or property if operated in accordance with Gem County laws and the conditions below.

Staff finds that determining what is "detriment" in a particular neighborhood relies strongly on the residents of that neighborhood. As such, the Commission should review this finding after hearing from existing residents and the applicant and their plans to address any such concerns.

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

The Road and Bridge Department didn't have any comments or concerns for the access so the approach shouldn't create an interference with traffic and public thoroughfares.

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

Staff finds that the application would not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Comments

Public Comments

Public hearing notices were mailed to eight (8) parcels in the immediate vicinity. At the time of this report staff had not received any letters of support or concern regarding the proposed Special Use Permit.

County Agency Comments

Staff informed applicable agencies of the proposed development and the responses are attached as exhibits.

Decision Options

- The Commission may **approve** the SUP; or
- The Commission may approve with modified conditions of approval; or
- The Commission may deny the SUP.

Staff Recommendation

The Commission must consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application. Should the Commission make positive findings of fact and vote to approve this application, staff recommends that the approval be subject to the Site-Specific Conditions of Approval attached in Exhibit A.

STAFF REPORT EXHIBIT

Exhibit A – Site Specific Conditions of Approval

EXHIBIT A

PRELIMINARY SITE-SPECIFIC CONDITIONS OF APPROVAL MERIDIAN CANINE RESCUE FILE #SUP-24-006

- 1. This permit is subject to an annual review by the Development Services Department.
- 2. The permit is non-transferable to another property and is only valid at 3710 Little Rock Road.
- 3. No more than 10 dogs, six (6) months or older (in addition to those owned by the property owner), that are raised, kept, housed, trained or boarded, are permitted on the property at any given time.
- 4. Uses associated with the kennel shall not generate a noise level to cause a disturbance to surrounding residents. Any persistent noise nuisance may be cause for reducing the maximum number of allowed dogs or revoking the permit. Bark collars or other barking or noise restraints shall be utilized and kept in good working order to comply with this condition during the training sessions.
- 5. No off-premise signs are allowed for the purpose of advertising the kennel.
- 6. The owner shall have a continuing obligation to maintain adequate housekeeping and sanitation practices and remain in compliance with all current public health guidelines designed to prevent the creation of a public nuisance and to reduce to a minimum the factors of noise and odor.

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.								
							,	
		1						
		·						
		¥						
		ž						



MASTER PUBLIC HEARING APPLICATION BY: 52.

KECEIVED

GEM COUNTY DEVELOPMENT SERVICES

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

TYPE OF APPLICATION: (PLEASE CHECK ALL T	HAT APPLY.)
☐ COMPREHENSIVE PLAN TEXT AMENDMENT ☐ REI ☐ COMPREHENSIVE PLAN MAP AMENDMENT ☐ SPI ☐ DESIGN REVIEW ☐ SPI ☐ DEVELOPMENT AGREEMENT ☐ SU	NNED COMMUNITY CONE CIAL USE PERMIT CIAL USE PERMIT (MINERAL EXTRACTION) DIVISION, PRELIMINARY BDIVISION, MODIFICATION
PROJECT NAME: Meridian Conine	Rescue
SITE INFORMATION:	
·	ssessor's property information assessment sheet.)
Quarter: NW Section: 03	Township.06N Range:03W Total Acres:15.00
Subdivision Name (if applicable):	
Site Address: 3710 Little Rock	Road Lot: Block:
Tax Parcel Number(s): 0072	Current Zoning: A2 rural Current Land Use: Equestrium cent transitional agricultural Farm and rand
PROPERTY OWNER: Mericlian Canine Reso	APPLICANT: 11
Name: Mericlian Canine Resc	UL APPLICANT: Meridian Canina ROSCUL
Address: 3710 Little ROCK Rd	_ Address: 3710 Little Rock Rd.
City: Emmett State: ID Zip: 836	17 City: Emmatt State: ID Zip: 88617
Telephone: (208) 995-0033 Email: Jessica@ Heridian rescue.org	Telephone: (708)995-6033 Email: Tessica @ Heridianrescue.org
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.
Signature: (Owner) 2/24/2	Date Signature: (Applicant) Date
	ICE USE ONLY
File No.: Date:	2-27-24 Feet 250 Receipt No:



February 29, 2024

Gem County Development Services 109 South McKinley Emmett Idaho 83617

Dear Commissioners,

We are submitting this application for a Special Use Permit requesting that we be allowed to operate a kennel at 3710 Little Rock Road in Emmett. Our organization's mission is to help dogs with behavioral issues and their owners. By providing training and education resources we are supporting families in Gem County and surrounding areas as we keep dogs in homes and out of shelters. According to Animal Shelter Manager, 9,677 dogs were surrendered to Idaho shelters in 2023, and 635 of them ended up being euthanized. The welfare of owned dogs and dogs in our care is always our top priority, and our programs and services are designed to provide much-needed support to families who do not have access to current behavioral training strategies. We will provide several benefits to local individuals and families, including but not limited to volunteer opportunities, low cost classes and consultations, free resources (e.g. care supplies, references, handouts, training plans), and business partnerships.

Our proposed use will prioritize health and safety for all humans and animals. Additionally, we will have strategies in place to lessen our footprint on the environment and prevent any damage to property or the surrounding land. The dogs in our care are under direct supervision and will be kept indoors unless they are actively working with a handler while they are outside. We have protocols to minimize their stress and excitement levels, e.g. music and white noise, meal and sensory enrichment on a daily basis, remote training devices, and two layers of protected contact. Central to our operational model are noise reduction, waste disposal, contagious disease management, safety and emergency handling protocols and strategies. We ensure that all employees and volunteers are up to date on the latest best practices for safe, secure rescue.

Our future plans include building natural habitats for plants and animals in the area using native plants which will contribute to the ecological sustainability of the county. Dogs will be kept on a leash, and will not allow them to harass wildlife. We have training protocols as part of our standard curriculum that mitigate any prey drive behaviors. We provide ample opportunities for the dogs to exercise and explore their environment without damaging plant life, and all handlers are instructed to leave no trace while working with a dog. We have a waste pick-up protocol for our volunteers and employees: handlers carry bags and all waste must be disposed of immediately. We also plan to reinforce the existing perimeter fence to better reinforce the safety of our property.

Our operation is small, and we will move in with seven dogs. At most, we will house 10 dogs of varying ages and breeds. The operating hours of the rescue are from 7:30 am to 9:30 pm. After that, dogs go inside the house and are asleep. We plan to house farm animals on the property as well which the public will be able to interact with to practice training protocols and for other volunteer opportunities.

We appreciate your consideration for this permit.

Jessica Ewing, Director

PENI COUNT "

RP06N03W033905



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.