



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **June 23, 2015**

Zoning Amendment:
Conditional Use Permit

Acres: 1.5
Survey Req. No

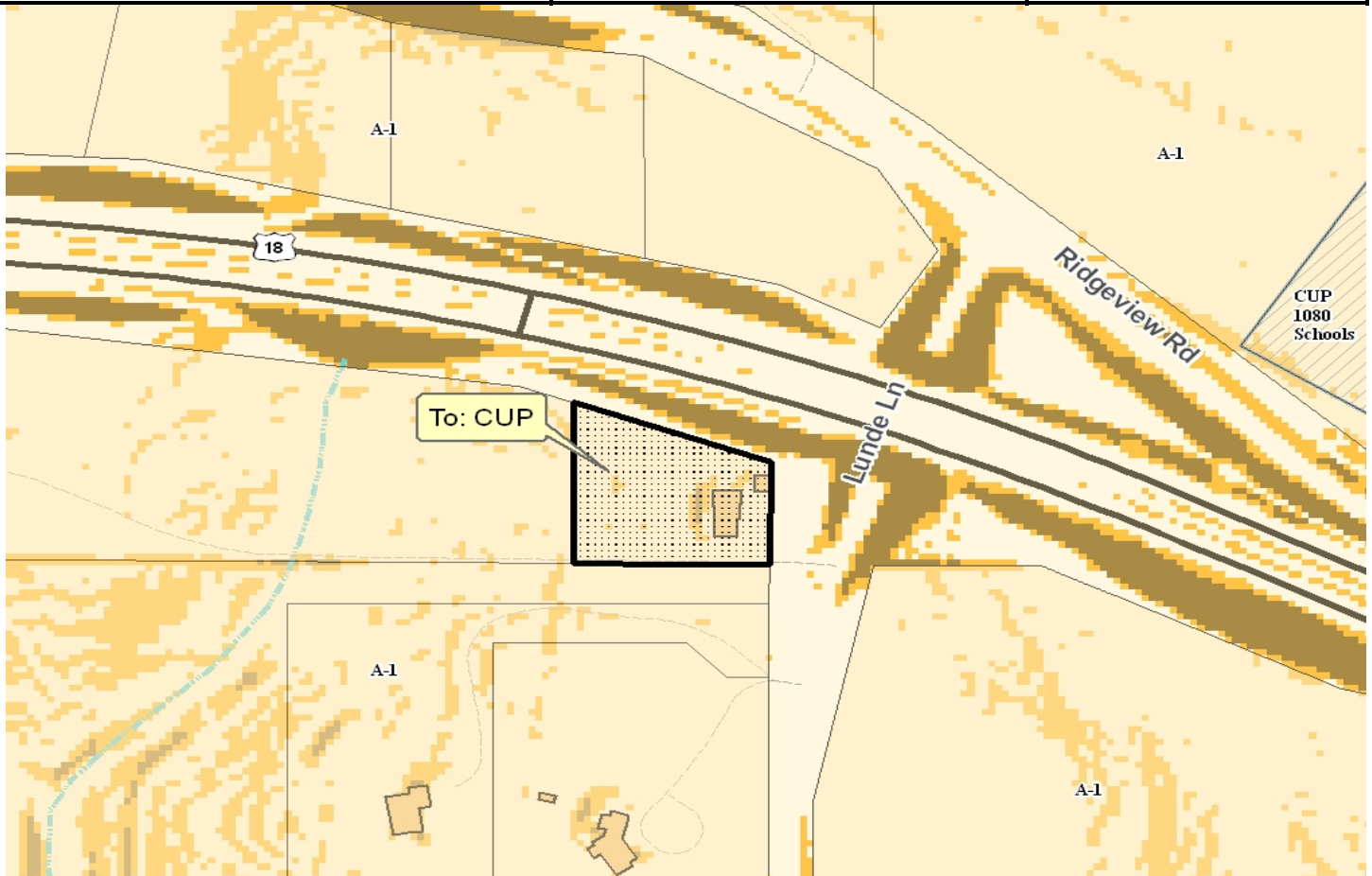
Reason:
Photography studio – limited family business

Petition: **CUP 2313**

Town/sect:
Springdale Section 8

Applicant
Rosie Acres LLC

Location:
2701 Lunde Lane



DESCRIPTION: Applicant requests approval of a conditional use permit for operation of a limited family business (photography studio) out of the existing residence on the 9-acre property. Hours of operation would be by appointment only.

OBSERVATIONS: An existing cell phone tower is located at the far western edge of the property. No significant environmental features observed. No new development proposed.

TOWN PLAN: The property is located in the town's "residential" planning area. Town plan policies provide for limited commercial uses that do not negatively impact the rural character of the town.

RESOURCE PROTECTION: No resource protection corridors located on the property.

STAFF: As indicated in the application materials, the studio would have 1-2 employees, and anticipate up to 5 customers / day. There would be no outdoor lighting or loudspeakers, and outdoor activities limited would be limited to photography. A small mailbox sign is proposed. Based on the description of the proposed conditional use, the proposal appears reasonably consistent with town plan policies. Staff has recommended several conditions of approval (see attached).

TOWN: Approved with 9 conditions.

Proposed Conditional Use Permit # 2313

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. The business activity is limited to a photo studio in the existing accessory building.
2. Hours of operation shall be limited to 8 a.m. - 8 p.m. daily, by appointment only.
3. Number of employees: The CUP shall conform to the limited family business requirement by which all employees, except one or one full-time equivalent, shall be a member of the family residing on the premises.
4. Number of customers shall be limited to non more than 40 individuals a week. (Because the business may involve a photo shoot for a family of 10 individuals, this would be one (1) 'order' but involve 10 individuals.)
5. Outside storage shall not be permitted.
6. Outdoor lighting shall be dark-sky compliant.
7. Outside loudspeakers shall not be permitted.
8. Signage at the roadside shall be limited to a banner by the mailbox.
9. Sanitary fixtures shall not be permitted in the photo studio/existing accessory building.