



## **PRESENTATION**

**Marion County Planning & Zoning Commission Public Hearing**

**Monday, June 1, 2020**

**Busy Shires Byerly, Director of Conservation Strategies**

### **Horse Farm Forever Requests Denial of the Double Gate ATV Recreation Special Use Permit, Zoning Change, Comprehensive Plan Amendment, and Rural Activity Area Expansion**

The focus of Horse Farms Forever is the conservation of Marion County's horse farms and the Farmland Preservation Area to ensure this sense of place is protected for future generations. The horse industry contributes over \$2.6 Billion to Marion County's economy every year and employs about 20,000 people.

I am here tonight to RAISE A RED FLAG. At a motorcycle race - a red flag means STOP! And we are asking you to DENY the Special Use Permit, Comprehensive Plan Amendment, Zoning change, and R on 240 acres for the proposed ATV racetrack, ATV sales and service station, 40 RV parking spaces, and the ability to hold other events such as weddings and paintball games.

Based on the incompatibility with the Farmland Preservation Area and Comprehensive Plan, I am submitting a letter from Bernie Little, President of Horse Farms Forever and a five-page letter from our land use attorney, Matthew Brockway that outlines our concerns with the application.

To summarize, this letter includes our concerns about Six Major Issues:

1) Incompatible with the Farmland Preservation Area, Secondary Springs Protection Zone and the Rural Activity Center designation; 2) Inconsistent with numerous Comprehensive Plan policies; 3) Lack of analysis to address noise and water pollution; 4) Impacts to FEMA Flood Zones and wetlands are not addressed; 5) No market demand is demonstrated; and 6) Incomplete and deficient application.

**First and foremost** – the ATV racetrack is INCOMPATIBLE with the Farmland Preservation Area. Comprehensive Plan Policy 3.3 states that this area “is intended to encourage preservation of agriculture... and to protect the rural character of the area.” These uses would DESTROY the rural character and there is NO AMOUNT of buffering, screening or regulatory conditions that would “make it compatible.”

We are not against having fun and “riding” motorcycles, but this intensive use does not belong in a rural residential and agricultural area. The ATV racetrack CAN BE OPERATED on property that is CURRENTLY ZONED for this use - the M-2 Heavy Industrial Zoning District – And No Special Use Permit is required.

**Secondly**, the application is Incompatible with the Rural Activity Center Designation and there is no Demonstrated Need or Market Demand. About 5 acres of the property already allows for limited commercial use as part of an existing Rural Activity Center, but less than one acre is currently in use. The applicant wants to INCREASE the Rural Activity Center land use designation by 13 Acres.

The RAC designation is intended to reduce the need for car trips to the urban area and to meet the “daily needs” of people living in the area. This application does not meet the designation of meeting resident’s daily needs.

The surrounding properties have a Rural Land use and A-1 zoning designation, and are located within the Farmland Preservation Area. These proposed activities are incompatible with the surrounding area.

**In addition**, the property is located in the Secondary Springs Protection Zone. The objective is to “provide an additional level of Water Quality protection for Springs and Groundwater by reducing and managing potential groundwater contamination.” The Site Plan includes a “dump tank” and “fueling location” with no additional information about how spills will be addressed. This application fails to address the location of the project within the Springs Protection Zone and include the analysis required by Comp Plan Policy 7.4.4 to protect water quality.

**In conclusion**, the county’s Farmland Preservation Area must be protected from incompatible uses. Since this project is located in the Farmland Preservation Area, it must meet a significantly higher standard in order to be considered for approval. This application has failed to meet these standards.

Horse Farms Forever requests that you deny the Special Use Permit, Zoning Change and Comp Plan Amendment for the noisy and inappropriate ATV racetrack in the heart of the Flemington community and Farmland Preservation Area.