



**STAFF REPORT**  
**CANYON CREEK RANCH PLANNED UNIT DEVELOPMENT**

**1. PLAT VACATION APPLICATION- PHASE I**  
**2. MASTER PLAN AMENDMENT APPLICATION:**  
**SIGNIFICANT CHANGES, DECREASED SCALE OR IMPACT**

Prepared May 30 for the June 11, 2013  
Planning & Zoning Commission Public Hearing

**This serves as an updated supplement to the previous staff report prepared for the May PZC public hearing. Details of the application can be found in that report.**

**OWNER:** Idaho Ranch Subdivision, LLC      **APPLICANT:** Herb Heimerl

**REQUESTS:** Idaho Ranch Subdivision, LLC is requesting a significant plat amendment that would decrease the scale or impact of the project. The applicant is also applying to vacate the previously-platted Phase I.

**CODES:** Teton County Subdivision Ordinance Section 9-7-1 Vacations of Plats, Easements, Rights-of-Way; Lot Consolidations and Amendments to Recorded Subdivision Documents.

**LEGAL DESCRIPTION:** Part of Sections 21, 28, 33, and 34, Township 6N, Range 43 East, BM.

**LOCATION:** The project is located on the western boundary of Teton County, adjacent to Madison County, approximately three and a half miles south of HWY 33.

**PROPERTY SIZE:** 1,760- acres. The portion of the project in Madison County is no longer under consideration.

**ZONING:** Canyon Creek Ranch was approved as a Planned Unit Development which sets unique zoning and development standards within the development.

**PLANNING STAFF RECOMMENDATIONS:**

Staff recommends that the Planning and Zoning Commission recommends approval of the proposed amendment. The proposed amendment significantly reduces the number of lots in a very remote part of the County and decreases the potential impact to County services.

## VICINITY MAP

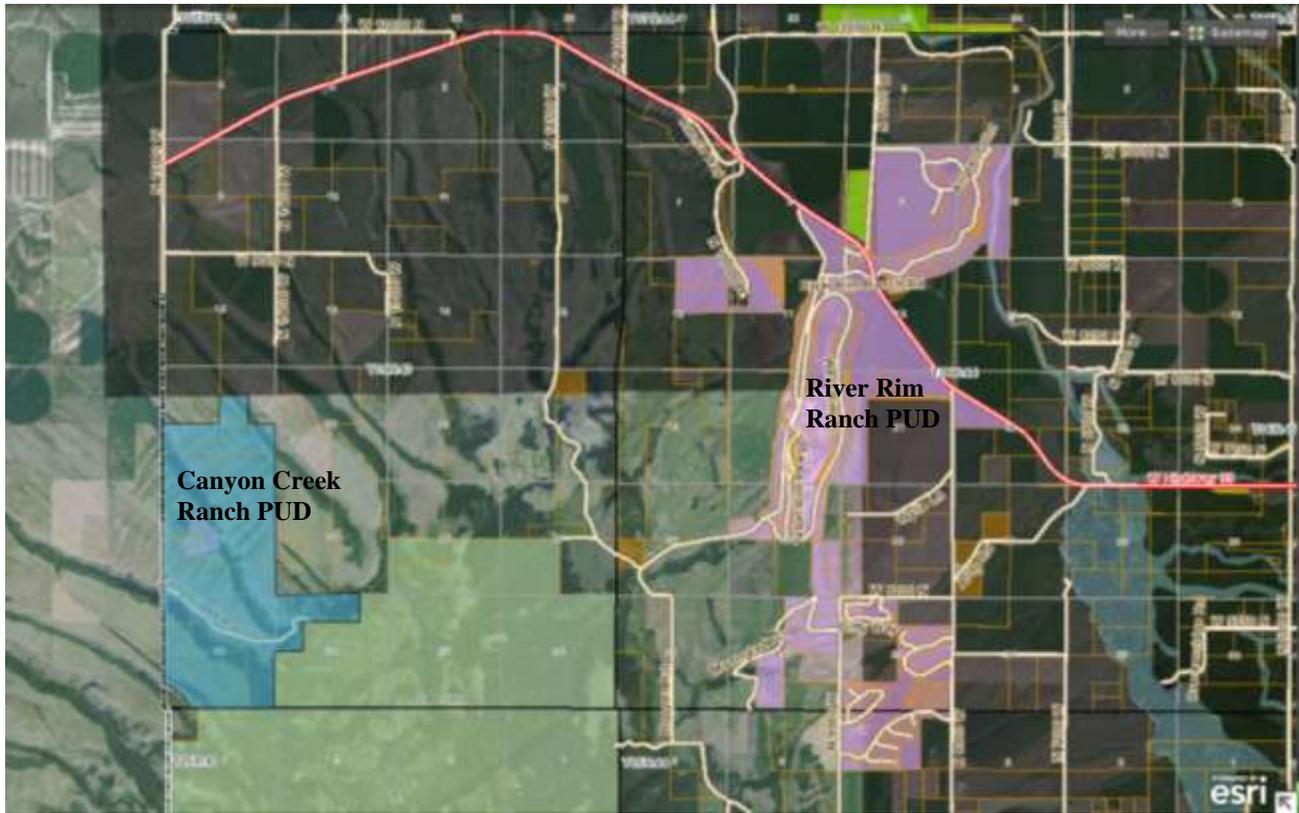


Figure 1: Vicinity Map of Canyon Creek Ranch PUD

### **STAFF ANALYSIS**

At the May PZC public hearing, the Commission heard the details of the proposal which involves amending the master plan of Canyon Creek Ranch PUD from a small-lot, clustered planned unit development to a large-acreage subdivision. It seemed the PZC was generally supportive of the proposal but that some details about access and road right of ways and some Fish and Game comments needed to be addressed.

See the attached email with the applicant's response to your concerns from the last meeting. After consulting with the prosecutor and the engineer, it will be best to get the Pony Creek road and pathway easement, as shown on the proposed master plan, finalized during the platting of Phase I. The applicant has added language to the CC&Rs that no part of the Access and Natural Resource Management Areas may be changed without consent of the Teton County BOCC (pg. 3).

The Idaho Department of Fish and Game recommends grazing restrictions within the ANRMA and clear guidelines about enforcement of ANRMA and NRMA restrictions.

It is staff's analysis that this application reduces the impacts to the County by eliminating a large number of potential dwelling units in a remote area of the County. Language was added to the CC&Rs that the wildlife management easements may not be changed without the consent of the County.

### **AGENCY & DEPARTMENTAL TECHNICAL COMMENTS**

1. The Pony Creek road and pathway easement should be recorded with the final plat of Phase I of the subdivision.

2. Improvement plans for Pony Creek Road may be required during the final plat application. A determination will be made at that time.
3. The Idaho Fish and Game recommends clear enforcement guidelines for the restrictions placed on the ANRMA and ANRMA as well as restricted grazing in the ANRMA.

---

**PROPOSED MOTION:**

1. Having found that the proposed vacation application for Phase I of the Canyon Creek Ranch PUD is consistent with the Teton County Comprehensive Plan, related development ordinances, and state statute, and that the application has been noticed appropriately per state statute 67-6509, I move to recommend approval of the vacation as presented in the application materials to the Board of County Commissioners [with the following changes].

AND

2. Having found that the proposed amendments to the Canyon Creek Ranch PUD Master Plan are consistent with the Teton County Comprehensive Plan, related development ordinances, and state statute, and that the application has been noticed appropriately per state statute 67-6509, I move to recommend approval of the amendments as presented in the application materials to the Board of County Commissioners [with the following changes] with the following conditions of approval:
  1. The Pony Creek road and pathway easement should be recorded with the final plat of Phase I of the subdivision.
  2. All comments [list specific issues] shall be addressed before a meeting with the BOCC is *scheduled*.

---

**Attachments:**

Development Agreement  
CC&Rs  
Applicant's email  
Additional agency comments