PRELIMINARY 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 April 25 for the May 14th, 2013
Planning & Zoning Commission Public Hearing

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.

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 Commission recommend approval of the proposed plat vacation and master plan 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.

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VICINITY MAP

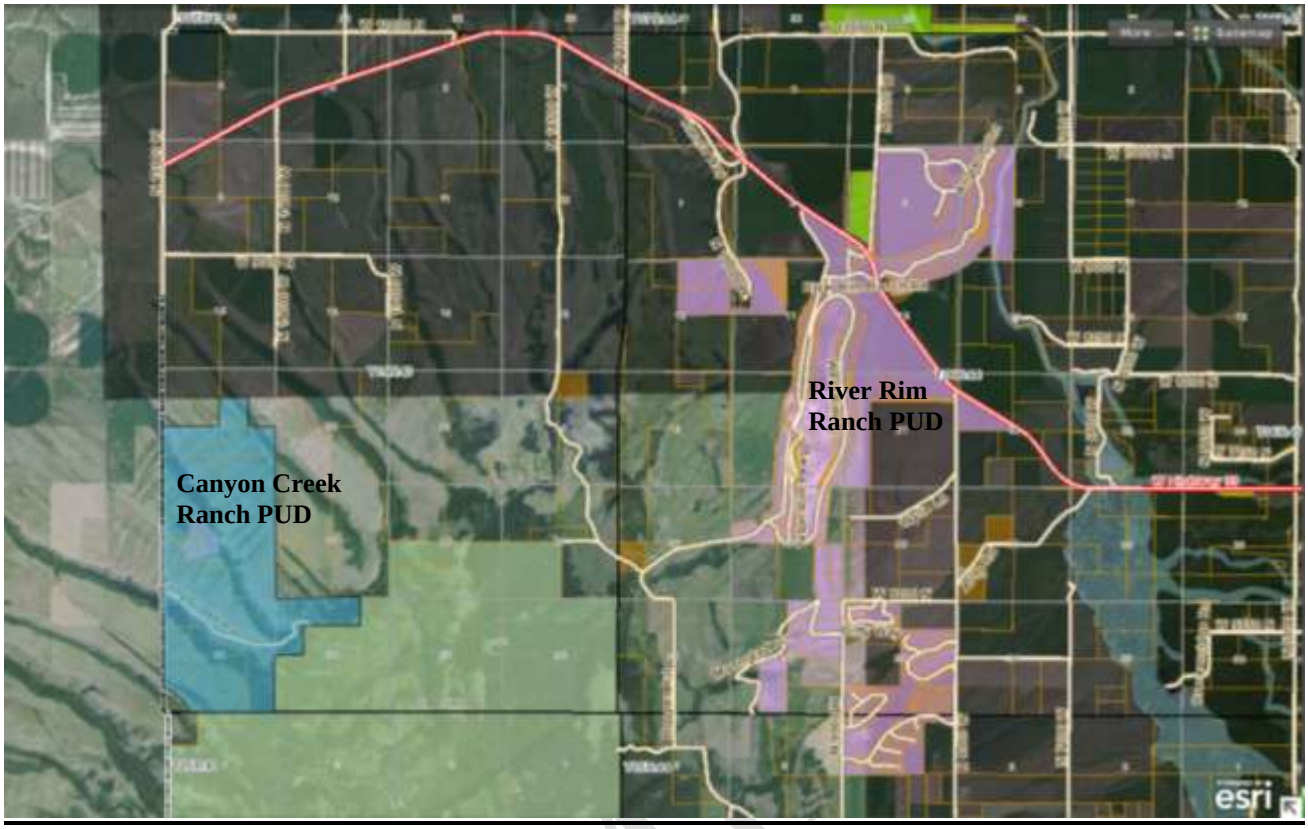

Figure 1: Vicinity Map of Canyon Creek Ranch PUD

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BACKGROUND INFORMATION

Canyon Creek Ranch is a large PUD approved in 2009 on the Teton-Madison County border. Originally approved for 350 lots, the applicant is now proposing 22 lots, ranging in size from 20 acres to 163 acres. The average lot size of the proposed master plan is 78 acres. The applicant proposes five phases: Phase I would have a completion date of December 31, 2019. Phase V would have a completion date of 2023.

HISTORY

In 2009, Canyon Creek Ranch PUD was approved by the Teton County Board of County Commissioners.

July, 2011. The Planning & Zoning Commission deliberated over a replat/extension application for Canyon Creek Ranch PUD. At that hearing, the proposed density reduction was for 70 lots. In exchange for cutting this density of approved units, the Planning & Zoning Commission was being asked to extend the timeframe for commencement of construction for the first phase and all subsequent phases. The proposed new timeframe would have extended the beginning of work by five years. The P&Z Commission did not vote on the replat request and much of their discussion revolved around the theme that this project was located in a highly sensitive environment. With the benefit of a housing bust and in retrospect, the Commission expressed that this much density was no longer considered appropriate here. While a reduction in density was considered to be positive, the Commissioners sought an even larger reduction in acreage impacts to the amount of sensitive environment that had been originally platted. Their general advice seemed to point the applicant to make further reductions in consideration for the five year extension.

August, 2011. Title 9 of the Teton County Ordinance was amended to better facilitate plat amendments and changes to Development Agreements. The process was streamlined for plats that were seeking to reduce density and impacts. A project that proposes a decrease in density now goes to one public hearing with the Planning & Zoning Commission and then directly to the Board of County Commissioners at a public meeting (not a second public hearing).

August 24th, 2011. The applicant submitted a new application that sought a simple one-year extension of the completion date for the Phase 1 construction of six lots.

September 12, 2011. The one year extension request was denied by the Board.

November 14th, 2011. The applicant resubmitted the Canyon Creek Ranch PUD replat. After further discussions with the Planning Staff, the applicant agreed to remove eight more lots on a 60-acre area from the canyon rim that is especially environmentally sensitive. It is the area along one of the three "stringers". This area is a deep, wooded canyon that provides hiding cover for a variety of species. The removal of the eight lots is also good because it is in an area where a grouse lek is situated and this should reduce impacts to the sharp-tailed grouse at that lek location. Many other species utilize the wooded canyon and the removal of homes and potentially dogs from this area would be beneficial for the continued use of the corridor by wildlife.

December 15th, 2011. A BOCC public hearing considered the 23% reduction in dwelling units and a further "reduction in the footprint" of development. This "footprint reduction" included removing all the 58 units of development off a 60-acre area that was particularly valuable wildlife habitat. The Board did not have the benefit of Idaho Department Fish & Games' comments about this replat. Also, the USFS District Ranger presented a letter dated December 15th and the letter requested consideration that two access points become public access across the Canyon Creek property. The Board requested more information be submitted by the applicant that included IDFG comments and more resolution of the Forest Service access issues.

January 23, 2012. The Board denied the request by Idaho Ranch Subdivision, LLC to extend the period of time for commencement of construction of the first platted phase. The Board suggested the applicant redesign the project into a plan that was more tailored to the real estate market and how it has changed since the original project approval.

April 27, 2012. Applicant submits a significantly downsized project that would create 21 large-acreage lots rather a plan that had a build-out of 350 dwelling units over a 20-year span.

April, 2013. The applicant has re-submitted a plat amendment request. The new request would reduce the number of lots to 22. Lots would range in size from 20 acres to 163 acres, with the average size as 78 acres. The main access would be via Pony Creek Road and road improvements would be needed to access the entire subdivision. The project is proposed to be built in five phases with all phases completed by 2023. The new proposal does not include any development or request for entitlements from Madison County. The proposal would keep all structures out of critical natural resource management areas. There would be a 300' building setback requirement from US Forest Service Boundary.

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STAFF ANALYSIS

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. The high density development in this area was approved despite concerns from the Idaho Department of Fish & Game. The impacts of such development might have had implications to big game breeding and migration as well as sharp-tailed grouse lek sites. The decreased impact of the reduced density will likely decrease the potential stress on wildlife that use this area. Additionally, the adjacency to the Forest Service could cause dense development to add stress to wildlife using the National Forest.

Access to the Forest Service ought to be maintained which can be accomplished by requiring an easement agreement across the Teton County portion of the property that ensures winter and summer access to Forest Service property.

CONSISTENCY WITH THE APPLICABLE POLICIES OF THE TETON COUNTY COMPREHENSIVE PLAN

The 2012-2030 Comprehensive Plan enumerated a vision and set of policies for the Valley.

Goal ED 1: Develop a coordinated and collaborative economic development strategy that encourages, promotes and supports locally-owned businesses and creates a hospitable and attractive environment for businesses and tourists. *N/A*

Goal ED 2: Preserve our rural character and heritage and promote local agricultural industries.

This proposed amendment reduces density, and while no acreage will be designated "open space," the area in the access and natural resource management easement will not have structures.

2.1 Encourage development and land use proposals that support prime economic values of rural character and heritage.

This proposal increases the "ruralness" over the previously-approved plan.

2.2 Promote local agricultural industries and businesses.

This policy is not supported.

2.3 Promote smart growth strategies that help preserve rural character by enhancing existing communities and directing development towards them.

This proposal does not support this policy, but is less detrimental to this policy than the previously-approved plan.

2.4 Encourage and attract businesses that are economically and environmentally friendly, and promote stewardship and accountability in business.

This proposal does not affect this policy.

2.5 Encourage development that adheres to environmental standards.

Canyon Creek Ranch, by all evaluations, is located in pristine habitat and has high ecological value, especially considering its proximity to the National Forest. The question before the PZC, however, is whether this proposal improves the situation over what is currently approved or not. The reduced number of lots could decrease the impacts to the environment by reducing potential new homes, traffic, and general activity in the area.

2.6 Encourage policies and resources which enable farms to adapt to changing paradigms.

This policy is not supported.

Goal ED 3: Recognize that tourism and lifestyle are fundamental components of our economy and are dependent on healthy natural resources.

Decreasing the impacts to the environment in the Canyon Creek area will benefit natural resources. Additionally, an access and natural resource management area, that encompasses the most sensitive habitat, will have building restrictions.

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3.1. Encourage economic development through the promotion of recreational opportunities and natural resources.
This policy is not supported.

3.2. Conserve Teton County's natural resources in order to enhance economic development.
As a gateway into Teton County, the lack of high density development and inclusion of critical habitat protection is an improvement over the previously-approved plan.

Goal ED 4: Accommodate additional population by supporting development that is economically responsible to the County and the community.
A decrease in density should decrease the cost of services to the County in the form of emergency response calls, additional children in the school system, and added use of infrastructure.

4.1 Assess the public service requirements of new developments and weigh their off-site impacts against projected changes in revenue before approving new developments.
There is a large cost of services to support a resort community 20 miles from Driggs. However, the proposed amendment would decrease those costs of services by decreasing the number of potential units in this location.

4.2 Support local retail by placing adequate residential density in close proximity to businesses.
This policy is not supported.

4.3 Consider the economic impact of supply and demand in residential development.
The proposed reduction of supply may help address Teton County's over-supply of residential building lots.

4.4 Utilize a variety of regulatory and incentive-based tools to reduce density in sensitive areas and encourage density in areas where services exist.
This proposed amendment is a result of these incentive-based tools.

4.5 Limit commercial retail business to Driggs, Victor and Tetonia.
This policy is not supported.

4.6 Provide a variety of housing types that are accessible to a socially and economically diverse population.
This policy is not supported.

4.7 Encourage creative economic solutions such as live-work opportunities and appropriate home businesses.
This policy may be supported.

4.8 Encourage the development of low-density, high-quality neighborhoods adjacent to existing cities.
This policy is not supported.

4.9 Maintain rural areas that encourage farming and ranching and support low density residential development.
The proposed amendment has lower density than the previously-approved plan, however, will not have an effect of farming or ranching in the area.

Goal ED 5: Support the development of a communications Master Plan. *N/A*

Goal T 1: Provide well-maintained transportation infrastructure including roads, paved pathways and sidewalks.
This policy is not supported.

1.1 Improve the conditions and safety for vehicles, bicycles and pedestrians of existing transportation infrastructure, especially roads important for agriculture.
This policy is not supported.

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1.2 Identify and implement financing mechanisms to pay for needed transportation maintenance and improvements.

The proposed amendment is not applicable to this policy.

1.3 New development will provide adequate transportation facilities to accommodate needed services.

This policy is not supported.

1.4 Adopt a variety of design standards for all transportation infrastructure.

The proposed amendment is not applicable to this policy.

1.5 Provide/promote off-road transportation corridors to and from Public Lands suitable for both motorized and non-motorized vehicles.

An easement agreement which provides public access to the Forest Service should be required as a condition of approval.

1.6 Educate and inform the public regarding transportation goals, costs and benefits; road construction and maintenance; and plowing schedules and policies.

The proposed amendment is not applicable to this policy.

1.7 When key infrastructure (roads, bridges, pathways, etc) is damaged or destroyed by naturally occurring events, including deterioration due to age and use, it should be replaced within as short a timeframe as feasible to avoid disruption of service to the public.

The proposed amendment is not applicable to this policy.

Goal T 2: Create convenient, safe, timely, financially sustainable and efficient options for multi-modal transportation that satisfies a multitude of needs. *N/A*

Goal T 3: Provide a well-connected transportation network within Teton Valley and within the region. *N/A*

Goal T 4: Develop transportation appropriate for a rural community, respectful of the unique character of Teton Valley. *N/A*

Goal T 5: Support continued improvements to the Driggs Memorial Airport to support Teton County's aviation needs. *N/A*

Goal NROR 1: Conserve our public lands, trail systems, and natural resources (air, water, wildlife, fisheries, wetlands, dark skies, viewsheds, soundscape, soils, open space, native vegetation). *N/A*

Goal NROR 2: Enhance and preserve access to public lands and recognize the need to accommodate different user groups in a way that minimizes user conflict and damage to natural resources.

Public access to National Forest would be either via the existing access (Pony Creek Road), or a winter access via an easement adjacent to the road that will not be plowed, but available to be groomed for snow machines.

2.1 Maintain and improve existing public land and river access.

The proposed amendment would maintain public access via the subdivision.

2.2 Support the creation of new public land access when it's consistent with natural resource conservation goals.

The proposed amendment is not applicable to this policy.

2.3 Support the creation of a County motorized and non-motorized summer and winter travel plan which includes access points.

The proposed amendment is not applicable to this policy.

2.4 Consider and accommodate access for different user groups to minimize user conflict and resource damage.

The proposed amendment is not applicable to this policy.

2.5 Seek cooperation of private landowners to improve accessibility to adjacent public lands.

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Winter access, which presumably would include a snow machine path, would be via an easement adjacent to Pony Creek Rd. Summer access would be via Pony Creek Rd. through the subdivision.

2.6 Work with state and federal agencies and private landowners to protect environmentally-sensitive areas from resource degradation.

The proposed amendment reduces the impacts to sensitive resource areas by prohibiting structures in those areas.

Goal NROR 3: Provide and promote exceptional recreational opportunities for all types of users (including but not limited to biking, skiing, fishing, off-highway vehicle use, target practice, hunting, trail users, equestrians, boating, non-motorized flight) as a means for economic development and enhanced quality of life. *N/A*

Goal NROR 4: Balance private property rights and protection of our natural resources.

4.1 Ensure that development regulations balance natural resources protection, viewshed protection and growth, are clear and predictable, and preserve the economic value of the land.

The proposed amendment is no applicable to this policy.

Goal NROR 5: Recognize, respect and/or mitigate natural hazards, including but not limited to flooding, earthquakes, landslides, radon and fires. *N/A, although this amendment removes potential future homes from the wildland-urban interface.*

Goal NROR 6: Promote natural resource protection by a variety of means including financial compensation for willing buyer/willing seller agreements that promote open space acquisition and land and water easements. *N/A*

Goal NROR 7: On public lands and accesses, balance recreation with protection of natural resources. *N/A*

Goal NROR 8: Respect sensitive habitat and migration areas for wildlife.

The proposed amendment sets aside an easement for wildlife habitat area. Structures would be restricted from that area.

8.1 Teton County recognizes that wildlife and wildlife habitats provide economic, recreational, and environmental benefits for the residents and visitors of Teton County. Land development decisions will strongly weigh the needs of wildlife to protect the inherent values that they provide.

The proposed amendment is an improvement over the previously-approved plan for protecting resources and wildlife habitat.

8.2 Work with landowners, the Idaho Department of Fish and Game, other state and federal agencies, non-governmental organizations, and other natural resources professionals to utilize wildlife habitat and species information and other tools (such as Western Governors Association Crucial Habitat Assessment Tool and the Wildlife Overlay Map), including new information as it becomes available, to make land use and site planning decisions.

The proposed amendment is not applicable to this policy.

8.3 Minimize the cumulative impacts of development on wildlife and wildlife habitat.

Presumably, the cumulative impacts will be decreased in this proposal vs. what has been previously-approved.

8.4 Protect and/or improve the diversity of native vegetation.

This policy is not addressed in the application materials. The acreage in CRP is not addressed, but will presumably stay in CRP through the contract period.

8.5 Protect and improve riparian and aquatic habitats.

This policy is not supported.

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8.6 A Wildlife Impact Mitigation Plan shall be developed for any development project which impacts an important habitat or which presents concerns of detrimental human-wildlife interaction. Requirements and performance standards for the mitigation plan shall be clearly established in the Zoning and/or Subdivision Ordinance and shall be the basis for approval of the plan.
The code is unclear about mitigation strategies to reduce wildlife impacts. Reducing the number of lots and increasing the spacing between houses (increasing lot size) ought to reduce impacts to wildlife.

8.7 Provide incentives for voluntary habitat buffers, seasonal use restrictions, and aquatic connectivity along key drainages.
This policy does not apply, although the applicant is restricting development in a prime habitat area.

8.8 Work collaboratively with other jurisdictions to preserve, enhance, restore and maintain undeveloped lands critical for providing ecosystem connections and buffers for joining significant ecosystems.
This policy does not apply.

8.9 Designate and map lands within or buffering Teton River Canyon as an irreplaceable natural area, and work with private landowners and government agencies to protect and conserve the area's ecological resources, including wintering big game and cutthroat trout.
This policy does not apply.

Goal CEF 1: Provide high-quality public and private services and facilities in a coordinated manner for the health, safety, and enjoyment of the community. *N/A*

Goal CEF 2: Encourage the development and support of high-quality education facilities (primary, secondary and post-secondary) and diverse and affordable activities for all ages. *N/A*

Goal CEF 3: Encourage an environment that fosters community involvement. *N/A*

Goal CEF 4: Adequately fund existing and future public services and facilities. *N/A*

Goal ARH 1: Preserve and enhance Teton Valley's small town feel, rural heritage and distinctive identity.

1.1 Ensure that planned growth maintains Teton Valley's rural character.
Dense development in rural areas does not maintain Teton Valley's rural character. The question is whether this amendment improves the situation over what is already approved.

1.2 Encourage vacation of subdivision plats where appropriate and viable.
The existing final plat will need to be vacated in order to proceed with the master plan amendment.

1.3 Ensure that open spaces are managed responsibly.
The large lot configuration of the project will leave land management up to 22 owners instead of one HOA. This could be a positive or a negative, depending on the stewardship of the potential new owners.

1.4 Maintain the County's rural heritage through the scenic corridors.
This policy is not applicable.

1.5 Support the preservation of open space, farmland, natural beauty, and critical environmental areas.
The project improves the situation for critical environmental areas over the previously-approved plan.

1.6 Encourage higher density development in the cities of Driggs, Victor, and Tetonia.
This proposal does not support this policy.

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Goal ARH 2: Balance property rights and rural character. *N/A*
Goal ARH 3: Support and enhance agriculture and ranching. *N/A*
Goal ARH 4: Respect cultural heritage sites. *N/A*
Goal ARH 5: Reduce infestation/introduction of invasive species.
Weeds will need to be managed according to state and local ordinances.

5.1 Support on-going efforts to map current noxious weed infestations.
The proposed amendment does not address this policy.

5.2 Continue support of public education and outreach that target noxious weed identification, landowner control responsibilities under Idaho State Law, noxious weed management options and noxious weed management funding alternatives.
This policy is not applicable.

5.3 Continue to offer cost share assistance to willing landowners through the Idaho State Department of Agriculture's (ISDA's) noxious weed cost share grant program.
This policy is not applicable.

5.4 Support current county weed control enforcement policies to better report, police and enforce noxious weed violations under State Law in a fair, timely and consistent manner.
This policy is not applicable.

5.5 High priority will be given to managing invasive species that have, or potentially could have, a substantial impact on county resources, or that can reasonably be expected to be successfully controlled.
This policy is not applicable.

5.6 Address the cause of invasive species infestations and work to reduce initial outbreaks especially on disturbed lands.
Disturbances, especially as construction and build out occur, should be carefully managed to protect against weed infestations.

5.7 Provide public education on appropriate uses of chemical weed control so that it is used in a way that is compatible with surrounding uses.
This policy is not applicable.

CONSISTENCY WITH THE APPLICABLE TETON COUNTY SUBDIVISION CODE

Teton County Title 9, the Subdivision Ordinance, outlines criteria for approval for a plat amendment, significant change- decrease scale, impact. "The purpose and intent also is to reduce the intrusion of development into sensitive natural areas of the county and reduce the governmental costs associated with scattered development by expediting changes to recorded plats that reduce the number of vacant platted lots in the county."

Subsection 9-7-1 (B-2-c)- Definitions

"Decrease Scale, Impact are changes that substantially decrease the scale or scope of the platted subdivision, and substantially decrease the direct or indirect impacts on the immediate neighborhood, general vicinity of the subdivision or overall community. Substantial changes may include a reduction in the number of lots or parcels." This project reduces the number of potential dwelling units by 328 in a very remote part of the County. It is staff's judgment that this is a significant decrease of scale or impacts to the County.

CONSISTENCY WITH THE APPLICABLE STATE OF IDAHO CODE

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Idaho State Statute 67-6513, Subdivision Ordinance, requires that all subdivisions do not impose substantial additional costs upon current residents. By decreasing the total number of dwelling units in the County, this proposal does not impose a burden on current residents.

AGENCY & DEPARTMENTAL TECHNICAL COMMENTS

1. A major consideration of this project is the potential to eliminate public access to public lands across the privately-owned Canyon Creek Property. This is depicted on the master plan as a 30' snowmobile easement. In Madison County, the applicant has addressed this by recording a separate easement agreement with Madison County. A similar easement agreement should be recorded for the properties in Teton County across the portion of the project in Teton County. This easement agreement would provide winter access via a separate 30' snowmobile easement that could be maintained and groomed by District #33. In the summer, the subdivision road would remain open to the public for access to the United States Forest Service Lands.
2. All plat notes that are repetitive of local or state ordinances should be removed from the master plan (see comments from prosecutor)
3. Monte Woolstenhulme, superintendent for Teton County Public School District 401, has requested consideration for a turnaround off of HWY 33 for school buses.
4. Sewer/water/fire protection plans need approval from other agencies.
5. ENGINEERING COMMENTS (see attached letter from County Engineer's for complete comments)
    a. Improvement plans for Pony Creek Road will be required.
    b. A separate Right-of-Way dedication for Crane Rd. and Pony Creek Rd. should be recorded.
    c. The development agreement needs to be clear that no building permits will be issued until infrastructure for each phase is complete.
    d. The development agreement needs to be clear that the one-year warrantee period begins after each phase is accepted as complete by the County.
    e. Utility easements need to be on the master plan.

NEIGHBOR COMMENTS: As of the date of this report, no neighbor comments have been received.

PUBLIC NOTICE:

1. Legal ads were made to the Teton Valley News in accordance with local and state requirements.
2. A development notification was mailed to landowners in both Teton and Madison Counties within 300 feet and to those who own land within subdivisions within 300 feet of the subject property.
3. A development notice was posted onsite in accordance with all code requirements.

PROPOSED MOTION:

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].

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

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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. A separate road and pathway easement between the developer and Teton County shall be recorded with the amendment.
2. All of the engineer's comments [and any other issues] shall be addressed before a meeting with the BOCC is scheduled.

Attachments:

Application Materials
Agency Comments
Public Comment

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WK: 208-354-0245
CELL: 208-313-0245

Teton County Engineer
MEMO

150 Courthouse Drive
Driggs, Idaho 83422

April 30, 2013

TO: Teton County Board of County Commissioner

FROM: Jay T. Mazalewski, PE

SUBJECT: Canyon Creek Ranch P.U.D. –Master Plan Amendment

The following are my comments from reviewing the Master Plan Amendment documents as requested in the April 15, 2013 request by the Teton County Planning Department. These comments should be automatically carried over for the final review.

1. Development Agreement
    a. Article I, Section 4: Is the developer allowed to sell lots prior to the infrastructure improvements? Our current Teton County Code does not allow the recording of a plat prior to completion of the infrastructure improvements.
    b. Article IV, Section 1: A separate Right-of-Way dedication for Crane Rd. and Pony Creek Rd. should recorded as part of this agreement.
    c. Article VI, Section 2: The following statement should be removed as it contradicts Article VIII, Section 1. "*Any inspection not completed within fourteen (14) days of receipt by the County of written request for inspection from the Developer shall be deemed conclusive evidence of acceptance by the County.*"
    d. Article VII, Section 3: Change *"inspecting engineer"* to County.
    e. Article VII, Section 4: Remove the last sentence. The county should have no obligation to complete the infrastructure to plans shown as the surety may not be enough to complete the infrastructure as designed. This could become problematic if lots are sold and the infrastructure is not completed, would the county have a liability or obligation to complete the infrastructure (See comment 1-a)?
    f. Article VII, Section 6: The warranty period should begin after the issuance of the Certificate of Subdivision Completion for each phase.

2. Master Plan Amendment Plans (dated 1-29-2013):
    a. According to the Board of Professional Engineers and Land Surveyors and the Idaho Code, all engineering brought before a decision making body for a public entity (i.e. Board of County Commissioners) needs to stamped and signed (54-1215).
    b. Please include the easement hatch designations in the legend on sheets 3 through 14.
    c. No utility easements are shown on the Master Plan. How will utilities serve the subdivision?
    d. Sheet 2, General Note 1: A separate Right-of-way dedication document should be recorded for Pony Creek Rd. and Crane Rd. as part of this approval.
    e. Sheet 2: Remove the "administrative" from the Crane Rd. USFS access point.
    f. Sheet 3: Label the 300' building setback.
    g. Sheet 6: Label the 300' building setback.

3. Preliminary Improvement Plans (dated 2-7-2013):
    a. According to the Board of Professional Engineers and Land Surveyors and the Idaho Code, all engineering brought before a decision making body for a public entity (i.e. Board of County Commissioners) needs to stamped and signed (54-1215).
    b. Final construction plans will be required with the submission of a final plat. These improvement plans were reviewed to determine the general conformance with Teton County standards and the constructability of the project.
    c. Please justify the use of a recreational home designation for the anticipated traffic loads. Are these lots deed restricted to ensure they are recreational homes? I recommend using standard residential for calculating the vehicle trips as this is the conservative approach.
    d. No improvement plans are shown for Pony Creek Road. This road shall be improved to county standards. Please provided the preliminary improvement plans for Pony Creek Road.
    e. No utility (electric/telephone) easements or locations are shown on the plans. How will utilities serve the subdivision?
    f. Please provide a statement from the engineer regarding the proposed storm water drainage system.
    g. The drainage swales and culverts will need to be sized to handle the 10-yr storm event. It appears additional culverts will be required. This can be accommodated with the final plat & construction plans.
    h. Hugh Davis Roads (sheets C-300 – C-304)
        i. Please identify the design speed. Based on the vertical curve values it appears the design speed is 25 mph.
        ii. Please analyze the sight triangles for the intersection with Pony Creek Rd. It appears the intersection in on an existing curve and may cause hazardous situation.
        iii. Please confirm there is enough vehicle storage (queue space) at the Pony Creek Rd before the grade changes to 7.9%.
        iv. The right-of-way will need to be wider than 60-feet to accommodate the proposed grading. This can be accommodated with the final plat & construction plans.
    i. Briar Hill Road (sheet C-306 - C307)
        i. Please identify the design speed. Based on the vertical curve values it appears the design speed is 25 mph.
        ii. The approaching grade to Pony Creek Rd. should be reduced to 3% to prevent increase stopping distances. This can be accommodated with the final plat & construction plans.
    j. Crane Road (sheet C-308 - C309)
        i. The existing two-track roads at station 0+00 and 36+00 should be removed. This can be accommodated with the final plat & construction plans.

If you have any questions, please call.

Thank you,

Jay T. Mazalewski, PE
Teton County Engineer

From: Kathy Spitzer
Sent: Tuesday, April 30, 2013 4:13 PM
To: Herb Heimerl
Cc: Angie Rutherford; Jay Mazalewski
Subject:

Hi Herb -
The Master Plan contains notes that are not practically enforceable by the County and thus should be removed as they will only create confusion for future residents and problems for future County officials. Numbers 1, 3, 12, 13 and 14 are all appropriate, but it is my opinion that the others should be removed for the following reasons:
2. The property will likely not remain in CRP forever, but the Plan will remain of record forever. Is there a reason that this is stated on the Plan?
4. How does the County enforce this if down the road someone builds a fence that isn't wildlife friendly?
5. Same as above
6. Ok
7. It can be stated, but it sure would be an interesting defense for Fish and Game to raise if they were ever sued!
8, 10 & 11. There are laws against these already (laws that are enforceable). We have a bear/trash ordinance that restricts bird feeders and dictates when trash should be be put out, how it is contained, etc. Noxious weeds must also be controlled by law.
9. Same problem as 4 and 5 - what can the County do to anyone who violates the feed storing rule -- charge them with violation of the CCR Master Plan? I suppose we could call the Plan a contract and bring someone to court for breach of contract - but are they even a party to the contract/Plan once they buy a lot?

Kathy Spitzer
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Driggs Idaho 83422
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