



A REQUEST FOR A CONDITIONAL USE PERMIT BY:
Taylor Family (Lynn Taylor & Ellen Bingham)
FOR: Primitive Campground
WHERE: Approx. 1305 Highway 33, Teton
Prepared for the Planning & Zoning Commission
Public Hearing of June 10, 2014

APPLICANT: Lynn Taylor & Ellen Bingham
LANDOWNER: Grace Taylor (mother of applicants)

APPLICABLE COUNTY CODE: Conditional Use Permit pursuant to Title 8, Chapter 6 Teton County Zoning Ordinance, (revised 5-12-2011); Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

REQUEST: The Taylor family owns property along Highway 33, between Driggs and Teton. They would like to develop a primitive campground area along with possibly some cabins. The property is within the scenic corridor and the use of a campground requires a conditional use permit.

LEGAL DESCRIPTION: RP06N45E341256

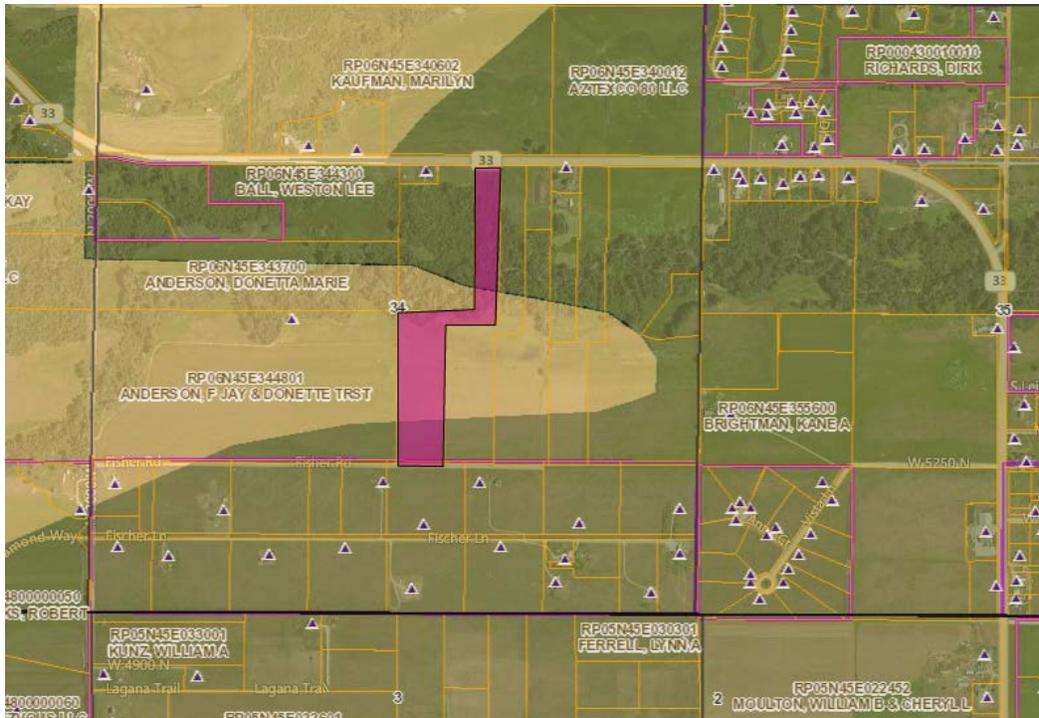
TAX #2868 SEC 34 T6N R45E.

LOCATION: Approx. 1305 Highway 33

ZONING DISTRICT: A-2.5 and A-20.

PROPERTY SIZE: 19.975 acres

VICINITY MAP:



PROJECT BACKGROUND:

The Taylor property is currently undeveloped. The family would like to utilize the northern 6 acres (north of South Leigh Creek) to provide a campground option here in the valley. (The southern 13 acres may be utilized in the future.) The plan would be to phase the campground and provide additional services as the campground grows.

The Taylor family submitted an application for a Conditional Use Permit on May, 5th 2014. The applicants are seeking approvals to possibly start operation this year.

KEY ISSUES:

Planning Staff comments:

This property is located within the scenic corridor, there is floodplain located along South Leigh Creek, and there are wildlife habitat overlays on the property as well. Due to these constraints the Planning Department would like to have a clear development plan prior to approval. At the time of this staff report the applicant has been given a list of questions (attached) and we are awaiting the response. It will be important to allow the Fire District, Health District and Engineering time to review the responses as well.

INTER-AGENCY AND DEPARTMENTAL REVIEW COMMENTS

See comment above.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE: Idaho Code, Title 67; Section 67-6509, 67-6511, 67-6512, and Title 8, Section 8-6-1 of the Teton County Zoning Ordinance. The public hearing for the Planning & Zoning Commission was duly noticed in the Teton Valley News. A notification was sent via mail to surrounding property owners within a 300-foot buffer area and the mailing also went to many more people because anyone within a subdivision that has a lot within 300 feet of a project also gets a notification. A notice was also posted on the property providing information about the public hearing.

COMMENTS FROM NOTIFIED PROPERTY OWNERS & PUBLIC AT LARGE

Staff has not received any written comments from the public. A neighboring property owner called to better understand the nature of the application, but did not offer any support or opposition to the proposal.

CONSISTENCY WITH THE APPLICABLE GOALS & OBJECTIVES OF THE TETON COUNTY COMPREHENSIVE PLAN 2012-2030

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.

Goal ED 1, Policy 1.3: Encourage and support local commerce.

Goal ED 1, Policy 1.6: Encourage and pursue economic diversity, innovation and creativity to keep our economy stable.

Goal ED 1, Policy 1.7: Support the expansion of recreational, cultural, and entertainment options that would improve the visitor experience and boost economic development.

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

Goal ED 2, Policy 2.1: Encourage development and land use proposals that support prime economic values of rural character and heritage.

Goal ED 2, Policy 2.2: Promote local agricultural industries and businesses.

Goal ED 2, Policy 2.4: Encourage and attract businesses that are economically and environmentally friendly, and promote stewardship and accountability in business.

Goal ED 2, Policy 2.5: Encourage development that adheres to environmental standards.

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

Goal ED 3, Policy 3.1: Encourage economic development through the promotion of recreational opportunities and natural resources.

Goal ED 3, Policy 3.2: Conserve Teton County's natural resources in order to enhance economic development.

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).

Goal NROR 1, Policy 1.6: Encourage the conservation of high water quality in rivers and streams.

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.

Goal NROR 2, Policy 2.2: Support the creation of new public land access when it's consistent with natural resource conservation goals.

Goal NROR 2, Policy 2.4: Consider and accommodate access for different user groups to minimize user conflict and resource damage.

Goal NROR 2, Policy 2.6: Work with state and federal agencies and private landowners to protect environmentally-sensitive areas from resource degradation.

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.

Goal NROR 3, Policy 3.2: Recognize the need to accommodate different user groups in a way that minimizes user conflicts and resource damage.

Goal NROR 3, Policy 3.3: Support a diversity of recreation as a mechanism to bring together community and build acceptance of diverse lifestyles.

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

Goal NROR 4, Policy 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.

Goal NROR 5: Recognize, respect and/or mitigate natural hazards, including but not limited to flooding, earthquakes, landslides, radon and fires.

Goal NROR 5, Policy 5.1: Ensure that regulations minimize the detrimental effects of natural hazards and their inherent risks.

Goal NROR 5, Policy 5.2: Hazardous areas that present danger to life and property from flood, forest fire, steep slopes, erosion, unstable soil, subsidence or other hazards will be delineated, and development in such areas will be carefully controlled or prohibited by a rigorous building code and permitting process.

Goal NROR 5 Policy 5.3: Develop strategies to protect life and property from natural hazards.

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

Goal NROR 8 Policy 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.

Goal NROR 8 Policy 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.

Goal NROR 8 Policy 8.3: Minimize the cumulative impacts of development on wildlife and wildlife habitat.

Goal NROR 8 Policy 8.4: Protect and/or improve the diversity of native vegetation.

Goal NROR 8 Policy 8.5: Protect and improve riparian and aquatic habitats.

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

Goal ARH 1 Policy 1.3: Ensure that open spaces are managed responsibly.

Goal ARH 1 Policy 1.4: Maintain the County's rural heritage through the scenic corridors.

Goal ARH 1 Policy 1.5: Support the preservation of open space, farmland, natural beauty, and critical environmental areas.

SECTION 8-6-1-B-7 CRITERIA FOR APPROVAL OF A CONDITIONAL USE

The following findings of fact shall be made if the Conditional Use is being recommended for approval. If the application is being recommended for denial, the Commission should likewise specify the reasons for denial based on the items listed below.

- 1. Location is compatible to other uses in the general neighborhood.*
- 2. Use will not place undue burden on existing public services and facilities in the vicinity.*
- 3. Site is large enough to accommodate the proposed use and other features of this ordinance.*
- 4. Proposed use is in compliance with and supports the goals, policies and objectives of the Comprehensive Plan.*

RECOMMENDED CONDITIONS OF APPROVAL

- Compliance with Dark Sky Lighting Ordinance: All exterior lighting must conform to Teton County Ordinance 9.4.12.
- Applicant obtains all necessary permits/approvals from Teton County as well as other regulating agencies as they expand their facilities.
- All structures in the Scenic Corridor obtain design review approval.
- All structures in the Floodplain obtain development permit approval.
- Obtain proper access from ITD.

PLANNING & ZONING COMMISSION ACTION:

A. Approve the CUP, with the recommended conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.

B. Approve the CUP with modifications to the application request, or adding conditions of approval, having provided the reasons and justifications for the approval and for any modifications or conditions.

C. Deny the CUP application request and provide the reasons and justifications for the denial.

D. Continue to a future PZC Public Hearing with reasons given as to the continuation or need for additional information.

PLANNING STAFF RECOMMENDATIONS: The Planning Staff recommends:

ACTION D, CONTINUE the Taylor Family Campground CUP as described in the Conditional Use application materials submitted May 5, 2014 and as supplemented with additional applicant information attached to this staff report, to allow the applicant to further describe the application and allow staff and other agencies time to review the additional materials.

The following motion could be given:

Having reviewed the application materials for the Taylor Family Campground, as well as the additional questions provided by staff and other agencies; I hereby move to continue this public hearing until the July 8th meeting to allow the applicant to respond to the questions provided to them, and allow staff and other agencies time to review and comment on the additional information.

Prepared by Jason Boal

Attachments:

- Application
 - Narrative
 - Site Plan
 - Map of noticed properties
 - Aerial of the site
 - Additional information provided to the applicant.
- End of Staff Report