

TETON COUNTY PLANNING AND ZONING COMMISSION
Meeting Minutes from January 12, 2016
County Commissioners Meeting Room, Driggs, ID

COMMISSIONERS PRESENT: Mr. Dave Hensel, Mr. Cleve Booker, Mr. Bruce Arnold, Mr. Chris Larson, Ms. Marlene Robson, Mr. Jack Haddox, Ms. Sarah Johnston, and Mr. David Breckenridge.

COUNTY STAFF PRESENT: Mr. Jason Boal, Planning Administrator, Ms. Kristin Rader, Planner, Ms. Amanda Williams, Weed Superintendent/Natural Resources Specialist

The meeting was called to order at 5:03 PM.

Approval of Minutes:

MOTION: Mr. Arnold moved to approve the minutes from December 8, 2015, as amended to change “Mr. Robson” to “Ms. Robson” in the first paragraph, second line under Administrative Business. Mr. Booker seconded the motion.

VOTE: All in favor. Mr. Larson and Ms. Johnston abstained from voting because they were absent from the December 8, 2015 meeting.

Chairman Business:

Mr. Hensel mentioned the letter he had said he would write to the Board of County Commissioners expressing the concerns of the Planning & Zoning Commission discussed at the December 8, 2015 meeting. He did not write the letter, but he did have a conversation with Commissioner Riegel.

Mr. Hensel brought up the Guiding Principles Exercise that Mr. Boal gave the PZC in December. He explained that after his conversation with Commissioner Riegel, he felt the Board was interested in the strategies that the PZC used to get from Point A to Point B to Point C. Mr. Haddox mentioned that he also spoke to Commissioner Leake, who said he was interested in something short, 1-2 paragraphs.

Mr. Hensel asked Mr. Boal how the answers provided to the Guiding Principles Exercise would be used. He explained that as we prepare a public review draft of the code and start public outreach, he anticipates staff working with the PZC to create summaries explaining the process that was used, and the answers to the Guiding Principles Exercise will help with that.

Mr. Hensel asked that any commissioners that have not submitted their Guiding Principles Exercise to please do so. Mr. Boal said he would email copies to everyone again.

Election of New Officers

Mr. Hensel explained that because it was the first meeting of the new year, the Commission needed to vote on officers for the positions of Chairman and Vice Chairman.

Motion: Mr. Arnold moved to nominate Mr. Hensel to continue as Chairman and Mr. Booker to continue as Vice Chairman. Mr. Breckenridge seconded the motion.

Mr. Larson expressed that since several members have stayed on for the code process, they should continue the same leadership. Ms. Johnston agreed.

Vote: The motion was unanimously approved.

Administrative Business:

Mr. Boal introduced the new Weeds Superintendent/Natural Resources Specialist, Amanda Williams.

PUBLIC HEARING: Conditional Use Permit Application for the Cowboy Church.

Mr. Hensel asked if any commissioners had been to the site, had any ex parte conversations about this application, or felt conflicted in any way. They had not.

Ms. Rader introduced the applicant.

Applicant Presentation:

Mr. David Kite, pastor of the Teton Valley Cowboy Church (TVCC), explained that their intention was to use the building for church services one night a week (Monday nights). There may be special activities that would require using the building at a different time than Monday evenings.

The TVCC hosted a rodeo program for kids during the Summer of 2015. They also provided help to local families at Thanksgiving and Christmas, as well as working with the Suicide Prevention and Awareness Network (SPAN). Mr. Kite explained that TVCC is trying to be involved in the county and provide a positive impact to the community. Mr. Hensel asked about the rodeo location. Mr. Kite explained that the TVCC rented the fairgrounds for that event.

Ms. Robson asked about the potluck dinners at the church and if there was a kitchen. Mr. Kite explained that members of the church bring food, that was prepared off site, so the fellowship can eat dinner together before service begins.

Staff Presentation:

Ms. Rader explained the application. Larger activities hosted by the TVCC offsite, such as the rodeo, could be handled in the future through a Temporary Use Permit or something similar. Activities on site would include the dinners, discipleship classes, services, and Vacation Bible School (summers).

The building accesses directly off of Highway 33. The application was provided to ITD, and they did not recommend a traffic study for this application. The building does have a sprinkler system installed, which has not been inspected. The building code would require a sprinkler system based on the occupant load. Without exact measurements of the building, it is unclear whether or not the sprinkler system would be required. A possible condition of approval was included for the applicant to provide the Building Official with the necessary measurements to determine this. Staff recommends that the sprinkler system be inspected and used, even if it is not required.

A sign permit application was submitted by the applicant, but it has not been approved at this time.

Mr. Hensel asked if the membership and traffic increased and became an issue, could this be limited through the CUP or would it come up in review. Ms. Rader explained that it could be conditioned and/or monitored by staff. ITD looked at the square footage of the building when they determined it would not require a traffic study. Eastern Idaho Public Health said the number of current attendees (25-30) could double or triple with the existing septic system.

Mr. Larson asked for clarification on the sprinkler system requirements. There are two standards in the building code that would trigger the requirement. We know the building size does not meet one of the standards, but the other standard looks at the net square footage of the assembly area, which needs to be measured. Mr. Hensel opened Public Comment.

Public Comment:

In Favor:

Mr. Boal read the following written testimonies.

Ms. Rhoda Simper (Tetonia) wrote “I support the application for Teton Valley Cowboy Church to be approved. It is a wonderful church that is helping many in the community.”

Ms. Barbara Butler (Driggs) wrote “Wish to see this church grow – we love it. The town can use it.”

Ms. Rebecca Koch (Victor) wrote” I believe this county would benefit from the church. The area is a perfect place. I am very much in favor of this church and the location.”

Mr. Robert A. Vostrejs (Tetonia), Ms. Denise Vostrejs (Tetonia), and Ms. Bonnie Reece (Tetonia), submitted sign-up sheets in support of the application, but they did not testify.

Neutral:

There were no neutral comments.

Opposed:

There were no comments opposed to the application.

Applicant rebuttal was not necessary, as there was no opposition. Mr. Hensel closed Public Comment.

COMMISSION DELIBERATION:

Mr. Arnold thinks this could be a positive addition to the county, and it looks like a lot of effort was put into the applicant. He is in favor.

Mr. Booker agreed. He lives in the neighborhood, and the building has been vacant for a while, so it is nice for the building to be used. Mr. Booker asked how CUPs are monitored. Mr. Boal explained that staff is responsible for monitoring the conditions. If there is a violation of conditions, the applicant is notified. If the use grows to exceed conditions, the applicant would be notified that they need to find a new location or amend the CUP to accommodate the growth.

Mr. Arnold asked the applicant what he is looking for in terms of the number of attendees the church would provide services to in the existing building. Mr. Kite explained the layout of the building. If attendance increased, worship services and discipleship classes could be held concurrently, twice a night instead of once per night at separate times. Mr. Kite explained that the layout of the room used for services would probably allow for a maximum of 60 people.

Mr. Arnold commented that he wants to make sure that traffic does not become an issue. He asked the applicant if 75 would be a fair number of attendees before reviewing the CUP again? Mr. Kite asked that the CUP be reviewed after 100 rather than 75 because alternating rooms for the service and classes would maximize the use of the building. He also stated that parking should not be an issue, and the adjacent property is owned by the same property owner and could be used for additional parking.

Mr. Larson commented that it would be interesting to know what ITD's standard is to trigger a traffic impact study because traffic is more of an issue than parking.

Mr. Breckenridge mentioned that occupancy loads set by the Fire Department and Building Official would limit the number of people that could be in the building.

Mr. Hensel suggested that a condition of approval would be that when the size meets a trigger, like for the traffic impact study, then the CUP would have to be reviewed. Ms. Johnston commented that she felt there were several threshold concerns including water, sewer, access, and building safety. The application states 35 attendees. She would be comfortable with doubling the size, like 60 attendees, before needing to review the CUP again. She also mentioned that each agency could be asked for their thresholds and base the review on that.

Mr. Larson commented that they should be conservative with the numbers or go back to each agency to get their specific threshold. Mr. Boal explained the options for moving forward, including recommending conditions based on specific thresholds which can be determined before the BoCC hearing occurs or the application could be tabled until the thresholds are determined, then PZC could make a recommendation to the BoCC.

Mr. Kite asked for clarification on the expiration of the CUP. Mr. Hensel explained that the approval would expire if the activity has not started within 12 months of the approval. Mr. Larson clarified that if there are conditions of approval that need to be completed, like a sign permit, that would need to be completed within 12 months.

Mr. Hensel asked if there was any additional public comment since new information may have come up. There was no public comment.

MOTION:

Ms. Johnston moved that having concluded that the Criteria for Approval of a Conditional Use Permit found in Title 8-6-1 can be satisfied with the inclusion of the following conditions of approval:

1. The applicant will provide Teton County Planning & Building with the net square footage to calculate the occupancy load to determine if a sprinkler system is required. If the system is not required, it is highly recommended that the system be inspected and utilized for the safety of the occupants.
 2. Any additional development or changes to the existing structure on this property requires a Scenic Corridor Design Review, where applicable.
 3. All outdoor lights must comply with the Teton County Code, if applicable.
 4. A sign permit is required for the existing Cowboy Church sign.
 5. Parking must meet the Teton County Code requirements, including number of spaces and size, as well as ADA accessible requirements.
 6. Access, parking, septic system, water, and building safety thresholds will be established and included in such a way that the CUP will be reviewed when those thresholds are met.
- and having found that the considerations for granting the Conditional Use Permit can be justified and have been presented in the application materials, staff report, and presentations to the Planning & Zoning Commission,
 - and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,
 - I move to RECOMMEND APPROVAL to the Teton County Board of County Commissioners for the Conditional Use Permit for the Cowboy Church as described in the application materials submitted December 4, 2015 and as supplemented with additional applicant information attached to this staff report.

Mr. Arnold seconded the motion.

VOTE: After a roll call vote, the motion was unanimously approved.

PUBLIC HEARING: Concept Approval for Walipini Subdivision.

Ms. Rader explained that Grace and Jimmy Hartman are working with Harmony Design & Engineering to propose a 3 lot subdivision south of Victor.

Applicant Presentation:

Ms. Jen Zung, Harmony Design & Engineering, represented the applicant. Ms. Zung introduced the property. This proposal will split an 8-acre parcel into two, 2.5 acre lots and one, 3-acre lot. There is an existing driveway that is shared between this property and the property to the north. The grades are steep. This proposal will regrade the access from Old Jackson Highway and reduce the slopes. The road would be constructed to meet County standards and Fire standards. The project does require fire protection, and this proposal includes a fire pond with a dry hydrant. There is also an option to develop a shared agreement with a pond in Grant Subdivision, but the pond would need to be improved to meet current Fire standards.

The property is located in the Big Game Migration Corridor overlay, which requires a Natural Resources Analysis at the preliminary process. The applicant is having that study conducted. The concept proposal shows building envelopes that are clustered to minimize impacts on whole property. The western boundary of the property falls within the scenic corridor overlay, but development is not being proposed in that area. This property is identified as part of the Foothills area in the Comp Plan Framework Map. The building envelopes are clustered to help meet low density residential nature of the Foothills area.

Ms. Zung explained that the parcel is owned by Ms. Hartman's brother. They would like to sell two of the parcels and live on the third. A Walipini is an underground greenhouse. The applicant intends to have a Walipini as the first built structure. They also intend to put tiny homes on the properties. The applicant currently lives in a tiny home of about 300 ft². The building envelopes are larger than that to allow for flexibility on the location of the tiny homes.

Ms. Grace Chin Hartman lived on the property for a short time before moving to Wilson. They love the land and enjoy picnicking there with their children. Her brother told her if he sold the land, he would split off a portion for her and her family, which is why they are now applying for the subdivision process.

Mr. Hensel asked for clarification on the turquoise square that is on the soil map in attachment 9. Ms. Zung explained that the square shows the area that the soil map was created for, but it is not the property boundaries. Mr. Hensel also asked about the current vegetation. Ms. Hartman explained that there are some aspens, sage brush, and grasses.

Ms. Robson asked is anyone lives in the main house. Ms. Hartman explained her brother lives in the house, but he has a buyer lined up to purchase the home.

Ms. Robson asked about the ditch on the property. Ms. Zung explained that the ditch is not currently running because the diversion has been shut off. The proposal would allow the ditch to be used. Ms. Zung believes the surrounding property owners have shares to the property rights, but they have not fully investigated that at this time.

Mr. Larson asked if access needed to be provided to the surrounding property owners for the ditch if they have rights to it. Ms. Zung explained that there is an easement for the ditch, which then lines up with the road.

Mr. Haddox asked if the property owner to the north that uses the shared driveway was agreeable to move the driveway. The property owner was in the audience and waiting to testify. Ms. Zung explained that the realignment of the driveway is needed for the regrading of that area for safer slopes. She said it will greatly improve the access.

Mr. Booker asked if the building envelopes include all structures, including infrastructure like water and septic. Ms. Zung explained that they had not completely decided on whether water and septic systems would be inside the envelopes. Ms. Johnston commented that building envelopes typically only include buildings. Mr. Booker asked if the natural vegetation would remain intact outside of the building envelopes. Ms. Zung said it would remain.

Staff Presentation:

Ms. Rader explained that the application is in the Big Game overlay, so the Natural Resources Analysis will be required. That study will provide more detail on the existing vegetation. The property is also in the Hillside overlay, but development is not located on any steep slopes, so the studies associated with that overlay will not be required. The property is partially in the Scenic Corridor overlay, but no development in is planned there.

A DRC meeting was held in December. There was concern with the slopes of the existing road access, but Public Works was satisfied with the proposed changes. Fire protection is required, and the applicant has been in contact with the Fire Department. There may be some limitations to septic locations because of the fire pond location and slopes, which can be identified at the preliminary stage.

Mr. Breckenridge asked if there was a previous split on this property. Mr. Boal explained that there was a One Time Only done previously on this lot.

Mr. Booker asked if there were any concerns with the ditch and access for the fire pond. Ms. Rader explained that the Fire District did not have comments, but they will review it again at preliminary. There is also the possibility of using a nearby pond, which would remove the fire pond that is proposed on site. Mr. Breckenridge asked if the nearby pond met the fire standards. Ms. Rader explained that it does not at this time, but the Fire District mentioned that it could be improved to meet their standards. Specific fire protection options and their advantages were not discussed, but the Fire District will be able to review the application at Preliminary.

Mr. Hensel asked if there were any problems with subdividing a parcel that was created through the One Time Only process. Ms. Rader explained that parcels created through the One Time Only process could be subdivided as long as they can meet the underlying zoning requirements and the subdivision process, which this application does. Ms. Johnston asked how large the original parcel was. Ms. Rader explained that the parcel proposing the subdivision is about 8 acres, and the original piece that was split was 10 acres. The subdivision process created building rights for the new lots.

Mr. Hensel opened Public Comment.

Public Comment:*In Favor:*

There were no comments in favor of the application.

Neutral:

There were no neutral comments.

Opposed:

Mr. Meredith Hare (Victor - adjacent property owner) stated he was opposed to the application because it is in violation of a Declaration of Restrictive Covenants placed on this land by the

owners in 1976 (submitted to the record - see attachment 3). The Covenants were placed on the original 10-acre parcel. The Covenants state that no more than two lots, of no less than 5 acres each could be created from the original 10-acre parcel. This parcel has already been split into an 8-acre parcel and a 2-acre parcel. Now, the 8-acre parcel is being proposed to be split into 3 lots, which goes against the covenants and should not be approved by the Planning and Zoning Commission.

Mr. Michael Harrison (Victor – adjacent property owner) stated he had several issues and feels that a lot of wishful thinking has been proposed. He said the pond that was mentioned as an option for a fire pond is an ornamental pond and was not designed for fire protection. He also stated that to access the pond, the applicant would need to cross his property and Mr. Hare's property, which he says is not an option. Mr. Harrison felt that the three homes on 8 acres were not clustered. He said he positioned his home as far as possible from the existing Chin home to allow for privacy. There is also a wildlife refuge to the northeast of the property that is closed off to human traffic through winter. Mr. Harrison stated that Mr. Chin approached him a few years ago to keep the ditch on the Chin property. When Moose Creek Road was widened last year, the ditch was filled in by the road crew, which has not been dug back out. When the water does flow, animals come down to the property to access the ditch water instead of Trail Creek. Mr. Harrison said the Chins have always said they would help with labor of maintaining the ditch, which they have not provided. Because of this, Mr. Harrison said he is planning on digging his ditch this year so that it is no longer on the Chin property, and they will not have access to it. Mr. Harrison stated that he shares the driveway, and he does not accept that it will be shared with two more homes. He proposed that too much earth would need to be moved to get the proposed 4% grade on the driveway. He also stated that the Old Jackson Highway is too narrow for lines to be drawn on it, and he believes the road would have to be widened for the subdivision to be approved. For these reasons, Mr. Harrison stated he opposed the application. He also stated that he expected his view to disappear at some point, but he does not feel it deserves to for this application.

Applicant Rebuttal:

Ms. Zung stated that the applicant does not have a copy of the Covenants that Mr. Hare mentioned. She said the application would obtain a copy and work with the county to determine if they are applicable to the property. In terms of the fire pond, discussions have just begun. The nearby pond is on private property, and it may not even be an option, and there is a pond proposed on site. Ms. Zung explained that keeping building locations away from wildlife areas would be desired, and the applicant could work with the neighbors for shielding for views to minimize the impact of nearby homes. It sounds like the ditch will not be an issue. Ms. Zung stated that the road would meet county standards and she believes Old Jackson Highway also meets county standards. There is room to construct the proposed road.

Mr. Hensel asked if there was an easement for the existing driveway. Ms. Zung explained that there is an easement shown on a Record of Survey, but there is not recorded document for that easement. She stated that from what she understands, the easement does not technically exist because there is no recorded document backing up the record of survey. The plat from this subdivision would create an easement for that driveway.

Mr. Booker asked for clarification of the previous splits and the easement. He thought it might be a prescriptive easement since it has been used. Mr. Booker asked for Ms. Zung to confirm that the applicant nor she have reviewed the CC&Rs. Ms. Hartman said she was told they were not in

standing, but she has not looked at them. Mr. Hare asked who would enforce the CC&Rs. Mr. Booker explained that CC&Rs are a civil matter between the property owners involved. The county does not enforce CC&Rs. Mr. Hensel recommended that the applicant research the CC&Rs before they spend more money on the subdivision process.

Mr. Haddox asked if the easement was described on the original survey or just shown. Ms. Zung explained that the record of survey showed the easement, but it is not a plat, so it does not create an easement.

Mr. Breckenridge asked about the previous splits. Mr. Boal explained that there were some questions around the process used to create the 2 acre and 8 acre parcels, but the 10 acre parcel was created legally. Mr. Hare explained that his parents bought the 10 acre piece in 1976. The subdivision process would provide building rights to the three lots proposed.

Mr. Booker asked Ms. Zung about the proposed road, which dead ends. He asked if it would be a cul-de-sac or some kind of access for Lot 3 because the concept plat does not connect to the boundary of Lot 3. Ms. Zung explained that the road would extend to the Lot 3 boundary, which would then become the driveway. Mr. Booker asked about Lot 1, and if it was considered out of the subdivision because it is existing. Ms. Zung explained that it is part of the subdivision, but there is existing infrastructure on that lot.

Due to the disorder, Mr. Hensel asked if there was any additional public comment.

Public Comment:

In Favor

Ms. Karie Josten (Victor – nearby neighbor) stated that development will be in that area, and she thinks the applicants would be good stewards of the land and take care of it. She thinks they have good intentions, and she is all for the proposal.

Neutral

There were no neutral comments.

Opposed

There were no additional comments opposed to the application.

Mr. Hensel closed Public Comment.

COMMISSION DELIBERATION:

Mr. Booker stated that there are issues that need to be remedied, like the CC&Rs. Is the PZC concerned about this. Mr. Hensel explained that the PZC recommends the applicant get the CC&Rs figured out, but it is not something they can decide. Mr. Larson commented that it is up to the property owners. Mr. Arnold stated that it is the PZC's responsibility to determine if the application meets the code. He is concerns with the building envelope locations being close to Mr. Harrison's home, which may be able to be moved to give consideration to the neighbor.

Mr. Haddox commented that he was having a hard time separating the various questions they have had, but this is a concept proposal. Mr. Hensel said he would be in favor of approving the concept application, but he would like clarification of the parcel history, and other issues would need to be addressed, like the driveway easement, fire pond, and ditch.

Ms. Johnston asked staff to clarify if the county enforces CC&Rs or deed restrictions. Ms. Rader explained that the county does not enforce CC&Rs, and the county only enforces deed restrictions that were required by the county. Ms. Johnston asked if building envelopes that are shown on a plat would be enforced by county. Ms. Rader said yes.

Ms. Johnston asked if the Old Jackson Highway meets road standards. Mr. Boal stated that question would be better suited for the Public Works Director. Ms. Johnston asked if a public road that a subdivision is access from does not meet standards, are there provisions available to require that road to be improved. Mr. Boal explained that off-site improvements are not generally required. Ms. Johnston stated she felt there was a lot of new information brought up during the meeting that was not in the application, which makes it hard to consider the application.

Mr. Larson explained that he is okay with the concept plan, but there are issues that need to be addressed. He would encourage the applicant to look at different building envelopes that would help preserve Mr. Harrison's views. Mr. Hensel also mentioned that the envelopes were probably chosen to help protect wildlife habitat, so that will become a factor in the future. Mr. Larson agreed and said it would be a balancing act.

Ms. Johnston felt a lot of her concerns would be addressed later in the process, like the specifics of how the driveway will be improved.

Mr. Breckenridge and Mr. Larson stated they do not believe this is technically a clustered development. Mr. Breckenridge also commented that some form of agreement is needed for the shared access.

Mr. Booker explained that he has a lot of concerns, so he does not want concept to be misconstrued at the preliminary approval. Mr. Hensel stated that concept approval implies that there is future work that needs to be done.

MOTION:

Mr. Arnold moved that having concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) can be satisfied with the inclusion of the following conditions of approval:

1. Compliance with all local, state, and federal regulations.
2. Begin working with EIPH for septic approval.
3. Begin working with Teton County Fire District for fire suppression approval.
4. Conduct required studies/plans for Preliminary Review: Landscape Plan, Natural Resources Analysis.
5. Consider the importance of viewsheds.
6. Adequately address the shared driveway/roadway with the 2-acre parcel to the north (Mr. Harrison's property).

- and having found that the considerations for granting the Concept Plan Approval to Grace Hartman can be justified and have been presented in the application materials, staff report, and presentations to the Planning & Zoning Commission,
- and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,
- I move to APPROVE the Concept Plan for Walipini Subdivision as described in the application materials submitted December 7, 2015 and as supplemented with additional applicant information attached to this staff report.

Mr. Breckenridge seconding the motion.

Mr. Larson commented that this application is right on his threshold of wanting to see the application moved forward and wanting to table it to get more information. He hopes everyone understands there are questions that need to be addressed. Mr. Haddox agreed that he has a lot of concerns with this application, but it is a concept application. Ms. Johnston agreed. She commented that she sympathized with the neighbors' concerns, but those are outside of the jurisdiction of the Planning and Zoning Commission, and the application meets the required conditions of approval.

VOTE: After a roll call vote, the motion was unanimously approved.

MOTION: Ms. Johnston moved to adjourn the public hearing. Ms. Robson seconded the motion.

VOTE: The motion was unanimously approved.

The public hearing was adjourned at 6:53 pm, and the Planning and Zoning Commission took a break until 7:05 pm.

WORK SESSION: Draft Code Discussion, Article 13: Property Development Plan

The Commission reviewed and discussed the proposed draft code presented by Mr. Boal.

Article 13.1 and 13.2 were generally discussed, but more discussion of these sections will take place at the January 19th meeting.

Mr. Hensel asked for clarification on easements listed under 13.1.3.b.x, like what type of easements need to be included. Mr. Haddox asked for clarification of a preliminary title report. Ms. Johnston asked if the county requires an official title report from a title company and if that is something that should be considered. Mr. Boal explained that there are costs associated with title reports, and there are some concerns with requiring an official title report. The Planning Department provides a lot of the same information, and the county can relate it to the regulations being enforced. Ms. Johnston commented that it would be helpful to require easements to be shown and also include who the easement is from and to. Mr. Boal explained that is covered in another section of the code.

Mr. Larson asked if there were specific approval and appeal processes, such as study requirements that may be determined by the Planning Administrator. Mr. Boal stated those processes are

outlined in Article 14. The intent of the sections for each study is that the standards are clear about when they are required.

Article 13.3.1 was reviewed in more depth. Text edits were identified to staff, including standardizing the language used throughout and clarifying definitions.

Mr. Breckenridge mentioned that irrigation ditches and canals have the same setback requirement, which may not be necessary. Mr. Hensel asked if there was a standard that would differentiate between ditches and canals. Irrigation ditches and canals were discussed more. Staff will clearly define each and utilize different setbacks for each.

The question of which standards to use was discussed, including whether NRCS standards are appropriate and if there are other options available. Mr. Booker stated that the standards are very technical. Mr. Boal explained that worksheets or handouts would be developed to help applicants understand the standards used in the code. Ms. Johnston expressed that she felt the language was vague and unclear on specific requirements, in terms of what the trigger points are, what exactly is required, and what do the requirements apply to. Mr. Boal explained that there are sections outlined of specific allowed uses and prohibited uses, but staff can try to clarify those sections more.

Ms. Johnston commented on the language in the 13.3.1 chart about wetland delineations. The language will be adjusted to clarify that delineations are approved by the US Army Corps of Engineers instead of created by them.

Ms. Johnston also mentioned that she does not think the NRCS standards are the best option, and she believes the intent of those standards are different from what we want. Mr. Larson asked how the standards do not do what we want them to do. Mr. Booker commented that The Nature Conservancy has standardized worksheets for different topics, which may be similar to what Mr. Boal explained would be created. Mr. Booker said the standards would be similar to the Building Code, but the worksheet would be created to give to the applicant that explains what needs to be done. More discussion occurred on standards. Staff will look into other standard options besides NRCS. Ms. Johnston mentioned having standards created specific to Teton County. Mr. Hensel stated that would be a long and expensive process, which may not be an option. He agrees that it would be better, but adopting a standard that has already be created could still work well. Mr. Booker mentioned that an adopted standard could be amended in the future if it needs to. Mr. Arnold commented that he has used the NRCS standards, and he thinks they are a good standard. There may be times when they are not always applicable, but the only way to get around that is to create a unique standard for Teton County. Mr. Haddox explained that he felt comfortable with the NRCS standards with a worksheet that goes along with it, realizing that it may not be perfect, but they could be amended in the future if needed. He feels that if something is created specific to Teton County, there may be too many loopholes or it may be too burdensome for anyone to use. Mr. Larson agreed. Staff will also work to develop a worksheet/handout for a specific section in Article 13 that uses the NRCS standards as an example to see how the standards work when applied.

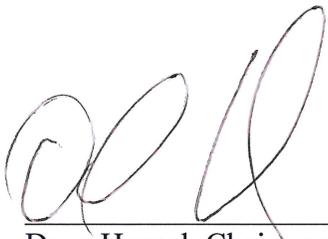
Mr. Boal gave a brief summary of what was planned for the next meeting. Mr. Booker suggested that if any commissioner will miss a meeting, they should email comments on that meeting's topic to the Chair so their comments will be included in the discussion.

MOTION: Mr. Booker moved to adjourn the meeting. Mr. Larson seconded the motion.

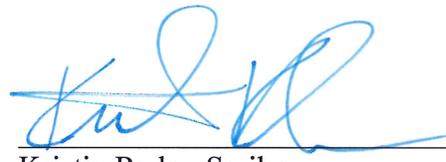
VOTE: The motion was unanimously approved.

The meeting was adjourned at 8:17 pm.

Respectfully submitted,
Kristin Rader, Scribe



Dave Hensel, Chairman



Kristin Rader, Scribe

Attachments:

1. PZC January 12, 2016 Meeting Packet
2. Public Comment Sign-up Sheets
3. Covenants & Restrictions provided by Mr. Hare (Walipini Sub. App.)
4. Written Decision for Cowboy Church CUP Recommendation of Approval
5. Written Decision for Walipini Subdivision Concept Approval



AGENDA
 PLANNING AND ZONING COMMISSION
 PUBLIC HEARING
 January 12, 2016
 STARTING AT 5:00 PM

DRAFT TETON COUNTY PLANNING AND ZONING COMMISSION
 Meeting Minutes from December 8, 2015
 County Commissioners' Meeting Room, Driggs, ID

LOCATION: 150 Courthouse Dr., Driggs, ID
 Commissioners' Chamber – First Floor (lower level, SW Entrance)

1. Approve minutes
 - December 8, 2015
2. Chairman Business
3. Administrator Business

5:00 PM – PUBLIC HEARING: Conditional Use Permit Application for the Cowboy Church. David Kite has applied for a Conditional Use Permit for a "Church or Place of Worship" on a property owned by Valley Group Holdings, LLC. This project is located north of Driggs, at 4369 N. Hwy 33. The applicant is not proposing any new structures or changes to the existing building, so a scenic corridor design review is not required. This parcel is zoned A-2.5.

Legal Description: RP05N45E028100; TAX #5625 SEC 2 T5N R45E

5:30 PM – PUBLIC HEARING: Concept Approval for Walipini Subdivision. Grace Hartman is proposing a 3 lot subdivision on an 8-acre parcel owned by the James Chin Revocable Trust. Two lots will be 2.5 acres, and the third lot will be 3 acres. This project is located south of Victor, at 10645 Old Jackson Highway. This parcel is zoned A-2.5.

Legal Description: RP03N46E198100; TAX #6313 SEC 19 T3N R46E

6:00 PM - WORK SESSION: Draft Code; Discussion of Article 13: Property Development Plan.

No public comment will be taken regarding the Draft Land Use Code.

ADJOURN

- Written comments received by 5:00 pm, January 1, 2016 will be incorporated into the packet of materials provided to the Planning & Zoning Commission prior to the hearing.
- Information on the above application(s) is available for public viewing in the Teton County Planning and Zoning Office at the Courthouse between the hours of 9am and 5pm Monday through Friday.
- The application(s) and related documents are posted, at www.tetoncountytidaho.gov. To view these items, select the Planning & Zoning Commission department page, then select the Public Hearing of January 12, 2016 item in the Additional Information Side Bar.
- Comments may be emailed to pz@co.teton.id.us. Written comments may be mailed or dropped off at: Teton County Planning & Building Department, 150 Courthouse Drive, Room 107, Driggs, Idaho 83422. Faxed comments may be sent to (208) 354-8410.
- Public comments at this hearing are welcome.

Any person needing special accommodations to participate in the above noticed meeting should contact the Board of County Commissioners' office 2 business days prior to the meeting at 208-354-8775.

COMMISSIONERS PRESENT: Mr. Dave Hensel, Mr. Cleve Booker, Mr. Bruce Arnold, Ms. Marlene Robson, Mr. Jack Haddox, Mr. Pete Moyer, and Mr. David Breckenridge.

COUNTY STAFF PRESENT: Mr. Jason Boal, Planning Administrator, Ms. Kristin Rader, Planner.

The meeting was called to order at 5:04 PM.

Approval of Minutes:

Motion: Mr. Arnold moved to approve the minutes from November 10, 2015. Mr. Moyer seconded the motion.

Vote: The motion was unanimously approved.

Chairman Business

Mr. Hensel reminded the commissioner there would not be a second meeting in December.

Administrative Business

Mr. Boal asked if there were any comments on the Meeting Notes for the November 17th meeting. Mr. Robson mentioned that Commissioner Leake and Commissioner Riegel were at the meeting but were not listed as present at the top of the page. Staff will add that they were present to the meeting notes.

Ms. Rader asked if Mr. Haddox had ranked the Action Items that were discussed at the November 17th meeting, and he had not.

SCENIC CORRIDOR DESIGN REVIEW: Zahé Elabed (On Time Financial LLC): Building a single-family home and guest cabin in Fox Creek Village, located at 395 W. 4500 S. The building site is completely within the Scenic Corridor Overlay.

Ms. Rader commented the application is on the corner of Fox Creek Village at Hwy 33 and 4500 S. The lot is a reserve lot that has not been given a use designation, so the staff determined that the lot should be treated as a regular residential lot under the current zoning of A-2.5. The majority of the property is within the scenic corridor, with the eastern 75 feet out. There is currently nothing on the property that would screen it from view from Highway 33. The applicant has agreed to provide some screening. Fox Creek Village does have a landscape easement along the Highway on this property, but it does not appear that landscaping has been planted there.

Mr. Haddox commented he is a neighbor and is also on the board of the Cherry Grove Canal Co. and wanted that to be known in the public record.

Public Comment:

There was no public comment.

Commission Deliberation:

Mr. Hensel commented he did not have a problem with the application and encouraged the owner to be generous with planting landscaping.

Mr. Arnold agreed that the application was well thought out and he did not have a problem with the structures.

Mr. Breckenridge asked if screening was required for outdoor storage. Mr. Boal commented outdoor storage is required to be screened and the applicant has shown landscaping to screen the building.

Motion: Mr. Arnold moved that having found that the proposed development for Zahé Elabed is consistent with the Teton County development ordinances, specifically Title 8-5-2-D, and Idaho State Statute, I move to approve the scenic corridor permit with the following conditions of approval:

1. Must comply with all federal, state, and local regulations.
2. All structures require a Teton County Building Permit and must comply with the Teton County Building Code.
3. Building materials shall not be highly reflective materials.
4. All utilities shall be placed underground.
5. Any satellite dishes shall be located to minimize visibility from Highway 33 and shall use earth tone colors and/or screening to minimize their visual impact.
6. The landscaping and revegetation shall be done prior to the final Certificate of Occupancy
7. The Fox Creek Canal Company may have a pipeline that crosses this property. The applicant shall identify the location of this pipe and meet required setbacks.

Mr. Breckenridge seconded the motion.

Vote: After a roll call vote the motion was unanimously approved.

Motion: Mr. Breckenridge moved to adjourn the Public Meeting portion of the meeting and continue with the Work Session. Ms. Robson seconded the motion.

Vote: The motion was unanimously approved.

The Public Meeting portion of the meeting was adjourned at 5:25 PM.

WORK SESSION: Draft Code: Discussion of the Draft Zoning Map

Summary of the 12/7 BoCC work meeting & the Plan Forward

Mr. Boal reviewed the work meeting he had with the Board of County Commissioners on December 7th. The BoCC has asked staff to start gathering PZC's perspective of the "strategies" that have been utilized through the writing and revision process, as well as start explaining how certain goals/policies of the Comprehensive Plan are being met in the new code. To start the process, staff asked PZC members to complete the "Guiding Principle" exercise by the first meeting in January. Staff suggested looking at the action items and goals/policies of the Comprehensive Plan, explaining them in their own words, and explaining how they perceive they have been inserted in to the code or in the process. This exercise will be anonymous. Mr. Hensel will write a letter to the BoCC on behalf of the PZC to express concerns they currently have.

Staff and PZC reviewed and agreed on the plan and timeline for moving forward with the draft code on the work meeting primer. It was also decided that the PZC chair will call for a roll call vote, using a majority rules approach, if there are topics/changes to the code that are talked about and complete consensus cannot be reached.

Review of the Draft Zoning Map, Renaming of the AW Zone, Review of Densities

PZC reviewed the draft zoning map boundaries. It was agreed that the Agricultural Wetlands zone would be renamed to Lowland Agriculture. The importance of the zoning boundaries was discussed, and the idea of utilizing the same density in the three rural zones (Rural Agriculture, Lowland Agriculture, and Foothills) and expounding on the approval criteria for each zone was discussed. The majority of the PZC supported this approach, acknowledging that Commissioner Johnston has expressed concern about it in the past. It was agreed that the current boundaries on the draft map are sufficient, and if property owners wish to change the zoning of their property (in the three rural zones discussed, not Agricultural Rural Neighborhood), those changes are easy to accommodate during the public outreach portion of the adoption process if the same density for each of the three zones is used.

The discussion of using the same density for the three zones started a discussion on density options and required studies. The purpose of the "studies" in Article 13 were discussed. The studies are being required to ensure that as the intensity of a development increases (i.e. increased density, type of development, or location of development), there is additional review and justification for the location of the development and that resources of great concern are being addressed at a higher level of scrutiny due to the greater potential for impact. It is not to place additional requirements on an application in hopes of discouraging development.

Staff is going to review different density scenarios for Article 3, utilizing the same density in the three zones (Lowland Ag., Foothills, and Rural Ag.). PZC suggested starting with densities of a minimum of 1/40 and a maximum of 1/10. Staff did express concerns with 1/10 but agreed to include it in the scenarios and analysis that will be done.



LOCATION: 158 Coulter Drive, Driggs, ID 83422
PLANNING AND ZONING COMMISSION
PUBLIC MEETING
December 8, 2015
STARTING AT 5:00 PM

- 1. Approval of Minutes
2. Chairman Business
3. Administrator Business

5:00 PM - SCENIC CORRIDOR DESIGN REVIEW: John Elshard (On Time Financial LLC), Building a single family home in Fox Creek Village, located at 3100 W 4500 S. The building on a completely within the scenic corridor Overlay.

5:20 PM - WORK SESSION: Draft Code (Discussion of the Draft Zoning Map.
Public comment will not be taken regarding the Draft Development Code.

ADJOURN

- Information on the above application(s) is available for public viewing at the Teton County Planning and Building Office at the Courthouse between the hours of 9am and 5pm Monday through Friday.
- The application(s) and related documents are posted at www.tetoncountyothers.com. To view these items, select the Planning & Zoning Commission Public Meeting of December 8, 2015. Then click the agenda items to the Additional Information link bar.

Any person making special accommodations to participate in the above-noticed meeting should contact the Board of County Commissioners' office via phone 21 hours a day prior to the meeting at 208.338.4775.

The one-acre minimum lot size was discussed. The majority of the PZC supported this approach, acknowledging that Commissioner Johnston has expressed concern about it in the past

Motion: Mr. Booker moved to adjourn the meeting. Ms. Robson seconded.

Vote: The motion was unanimously approved.

The meeting adjourned at 8:12 PM.

Respectfully Submitted,
Sharon Fox, Scribe

Dave Hensel, Chair

Sharon Fox, Scribe

COMMISSIONERS PRESENT: Mr. Dave Hensel, Mr. Chris Larson, Mr. Bruce Arnold, Mr. Paul Meyer, Mr. Matt Robinson, Mr. Chris Larson, Mr. Sarah Johnson, Mr. David Breckenridge, and Mr. Jack Halton.

COUNTY STAFF PRESENT: Mr. Jason Bond, Planning Administrator, Ms. Kristin Raker, Planner.

The meeting was called to order at 5:04 PM.

Approval of Minutes:
Mr. Hensel moved to approve the minutes from August 11, 2015. Mr. Meyer seconded the motion.

Vote: All in favor. Ms. Johnson abstained from voting.

Mr. Johnson did not feel comfortable voting on the August 11, 2015 meeting minutes because the list there was more information than what he had added to the Work Session portion of the meeting.

Mr. Hensel: Mr. Arnold moved to approve the minutes from October 20, 2015. It is intended to add "The Planning and Zoning Commission was requested to review the University of Idaho's completion of the Teton County draft code and the Comprehensive Plan to review at this meeting." to the list of items presented to the Board of County Commissioners at the December 8, 2015 meeting. Mr. Johnson seconded the motion.

Vote: The motion passed unanimously.

Chairman Business:
Mr. Hensel asked the Board of Commissioners how they felt about the Board of County Commissioners' decision to no longer hold public hearings on development. The Commission felt that it was important for meetings to be recorded, and they would like to have PZC meetings to continue to have an audio recording in addition to meeting minutes. It was decided that staff will inform the Board of County Commissioners of this desire.

Mr. Hensel brought up the idea of having a written summary of meetings provided by staff. Some Commissioners were concerned that it would take too long to write a summary about meetings. Mr. Bond said staff could provide a "wrap-up" summary at the end of meeting discussions, and staff could also provide written statements at the beginning of each meeting describing what was discussed at the previous meeting.

Planning & Zoning Commission Meeting 11/10/2015

Page 2 of 3

Attachment:
1. PZC 12/8/2015 Meeting Packet

Planning & Zoning Commission Meeting 12/8/2015

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Planning & Zoning Commission Meeting 11/10/2015

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Planning & Zoning Commission Meeting 12/8/2015

Planning & Zoning Commission Meeting 11/10/2015

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Meeting Minutes

Attachment 1

TETON COUNTY PLANNING AND ZONING COMMISSION

Meeting Notes, Summary from November 27, 2015
County Commissioners' Meeting Room, Driggs, ID

COMMISSIONERS PRESENT: Mr. Dave Hensel, Mr. Chris Larson, Mr. Paul Meyer, Mr. Matt Robinson, Mr. Chris Larson, Mr. Sarah Johnson, Mr. David Breckenridge, and Mr. Jack Halton

COUNTY STAFF PRESENT: Ms. Kristin Raker, Planner

General Agenda Items:
• PZC decided they will not have a second meeting in December. The only meeting will be Tuesday, December 8.

University of Idaho Review:
• PZC discussed the University of Idaho Review of the Draft Code with the Comprehensive Plan. This was a draft document, but the general consensus was that the PZC was not happy with the review. PZC would like the document to be more professional, including an executive summary, viable recommendations, and comparisons to rural or resort town communities.

• An additional third party review of the Draft Code was discussed. It was decided that PZC wants to finish the Draft Code to present to the BCC, and the public. The majority of the PZC does not feel a third party review is necessary, and they do not want to spend more time on another review. The BCC may decide that they want another third party review.

• It was decided that the PZC will continue reviewing the Draft Code, with a public review draft study by the end of March 2016 to provide to the BCC. At this time, it will be decided whether or not a third party review will be done or PZC will take the Draft Code to the public for review.

Action Item Tracking:
• PZC discussed the list of action items that were ranked in January 2014. PZC commented on each item in terms of the draft code (see attached copy).

• Staff will add draft's rankings to the list (included attached copy). Each will also rank the items, which will be incorporated into the list.

TETON COUNTY PLANNING AND ZONING COMMISSION
Work Meeting Minutes, December 8, 2015
County Commissioners' Meeting Room, Driggs, ID

1) Second Review of the DRAFT Teton County Land Use Map:
With this second review of the Zoning Map I would like to focus on the following items:

- Revisions of the scenic corridor Overlay. Please submit proposals to show any changes you would like to see to the proposed boundaries, and explain why those changes should be made.
- Revising Agricultural Wetlands Overlay. Please submit proposals to show any changes you would like to see to the proposed boundaries, and explain why those changes should be made.

2) Summary of the 12/7 BCC work meeting and the plan forward
a. List items the work meeting with the BCC.
b. Plan Forward Forward:

Item	Date	Item
1	12/7/15	Article 11
2	12/7/15	Article 12, Article 14
3	12/7/15	Article 13, Article 14
4	12/7/15	Article 15, 16, 17, 18
5	12/7/15	Article 19, 20, 21
6	12/7/15	Article 22, 23, 24
7	12/7/15	Article 25, 26, 27
8	12/7/15	Article 28, 29, 30
9	12/7/15	Article 31, 32, 33
10	12/7/15	Article 34, 35, 36
11	12/7/15	Article 37, 38, 39
12	12/7/15	Article 40, 41, 42
13	12/7/15	Article 43, 44, 45
14	12/7/15	Article 46, 47, 48
15	12/7/15	Article 49, 50, 51
16	12/7/15	Article 52, 53, 54
17	12/7/15	Article 55, 56, 57
18	12/7/15	Article 58, 59, 60
19	12/7/15	Article 61, 62, 63
20	12/7/15	Article 64, 65, 66
21	12/7/15	Article 67, 68, 69
22	12/7/15	Article 70, 71, 72
23	12/7/15	Article 73, 74, 75
24	12/7/15	Article 76, 77, 78
25	12/7/15	Article 79, 80, 81
26	12/7/15	Article 82, 83, 84
27	12/7/15	Article 85, 86, 87
28	12/7/15	Article 88, 89, 90
29	12/7/15	Article 91, 92, 93
30	12/7/15	Article 94, 95, 96
31	12/7/15	Article 97, 98, 99
32	12/7/15	Article 100, 101, 102
33	12/7/15	Article 103, 104, 105
34	12/7/15	Article 106, 107, 108
35	12/7/15	Article 109, 110, 111
36	12/7/15	Article 112, 113, 114
37	12/7/15	Article 115, 116, 117
38	12/7/15	Article 118, 119, 120
39	12/7/15	Article 121, 122, 123
40	12/7/15	Article 124, 125, 126
41	12/7/15	Article 127, 128, 129
42	12/7/15	Article 130, 131, 132
43	12/7/15	Article 133, 134, 135
44	12/7/15	Article 136, 137, 138
45	12/7/15	Article 139, 140, 141
46	12/7/15	Article 142, 143, 144
47	12/7/15	Article 145, 146, 147
48	12/7/15	Article 148, 149, 150
49	12/7/15	Article 151, 152, 153
50	12/7/15	Article 154, 155, 156
51	12/7/15	Article 157, 158, 159
52	12/7/15	Article 160, 161, 162
53	12/7/15	Article 163, 164, 165
54	12/7/15	Article 166, 167, 168
55	12/7/15	Article 169, 170, 171
56	12/7/15	Article 172, 173, 174
57	12/7/15	Article 175, 176, 177
58	12/7/15	Article 178, 179, 180
59	12/7/15	Article 181, 182, 183
60	12/7/15	Article 184, 185, 186
61	12/7/15	Article 187, 188, 189
62	12/7/15	Article 190, 191, 192
63	12/7/15	Article 193, 194, 195
64	12/7/15	Article 196, 197, 198
65	12/7/15	Article 199, 200, 201
66	12/7/15	Article 202, 203, 204
67	12/7/15	Article 205, 206, 207
68	12/7/15	Article 208, 209, 210
69	12/7/15	Article 211, 212, 213
70	12/7/15	Article 214, 215, 216
71	12/7/15	Article 217, 218, 219
72	12/7/15	Article 220, 221, 222
73	12/7/15	Article 223, 224, 225
74	12/7/15	Article 226, 227, 228
75	12/7/15	Article 229, 230, 231
76	12/7/15	Article 232, 233, 234
77	12/7/15	Article 235, 236, 237
78	12/7/15	Article 238, 239, 240
79	12/7/15	Article 241, 242, 243
80	12/7/15	Article 244, 245, 246
81	12/7/15	Article 247, 248, 249
82	12/7/15	Article 250, 251, 252
83	12/7/15	Article 253, 254, 255
84	12/7/15	Article 256, 257, 258
85	12/7/15	Article 259, 260, 261
86	12/7/15	Article 262, 263, 264
87	12/7/15	Article 265, 266, 267
88	12/7/15	Article 268, 269, 270
89	12/7/15	Article 271, 272, 273
90	12/7/15	Article 274, 275, 276
91	12/7/15	Article 277, 278, 279
92	12/7/15	Article 280, 281, 282
93	12/7/15	Article 283, 284, 285
94	12/7/15	Article 286, 287, 288
95	12/7/15	Article 289, 290, 291
96	12/7/15	Article 292, 293, 294
97	12/7/15	Article 295, 296, 297
98	12/7/15	Article 298, 299, 300
99	12/7/15	Article 301, 302, 303
100	12/7/15	Article 304, 305, 306
101	12/7/15	Article 307, 308, 309
102	12/7/15	Article 310, 311, 312
103	12/7/15	Article 313, 314, 315
104	12/7/15	Article 316, 317, 318
105	12/7/15	Article 319, 320, 321
106	12/7/15	Article 322, 323, 324
107	12/7/15	Article 325, 326, 327
108	12/7/15	Article 328, 329, 330
109	12/7/15	Article 331, 332, 333
110	12/7/15	Article 334, 335, 336
111	12/7/15	Article 337, 338, 339
112	12/7/15	Article 340, 341, 342
113	12/7/15	Article 343, 344, 345
114	12/7/15	Article 346, 347, 348
115	12/7/15	Article 349, 350, 351
116	12/7/15	Article 352, 353, 354
117	12/7/15	Article 355, 356, 357
118	12/7/15	Article 358, 359, 360
119	12/7/15	Article 361, 362, 363
120	12/7/15	Article 364, 365, 366
121	12/7/15	Article 367, 368, 369
122	12/7/15	Article 370, 371, 372
123	12/7/15	Article 373, 374, 375
124	12/7/15	Article 376, 377, 378
125	12/7/15	Article 379, 380, 381
126	12/7/15	Article 382, 383, 384
127	12/7/15	Article 385, 386, 387
128	12/7/15	Article 388, 389, 390
129	12/7/15	Article 391, 392, 393
130	12/7/15	Article 394, 395, 396
131	12/7/15	Article 397, 398, 399
132	12/7/15	Article 400, 401, 402
133	12/7/15	Article 403, 404, 405
134	12/7/15	Article 406, 407, 408
135	12/7/15	Article 409, 410, 411
136	12/7/15	Article 412, 413, 414
137	12/7/15	Article 415, 416, 417
138	12/7/15	Article 418, 419, 420
139	12/7/15	Article 421, 422, 423
140	12/7/15	Article 424, 425, 426
141	12/7/15	Article 427, 428, 429
142	12/7/15	Article 430, 431, 432
143	12/7/15	Article 433, 434, 435
144	12/7/15	Article 436, 437, 438
145	12/7/15	Article 439, 440, 441
146	12/7/15	Article 442, 443, 444
147	12/7/15	Article 445, 446, 447
148	12/7/15	Article 448, 449, 450
149	12/7/15	Article 451, 452, 453
150	12/7/15	Article 454, 455, 456
151	12/7/15	Article 457, 458, 459
152	12/7/15	Article 460, 461, 462
153	12/7/15	Article 463, 464, 465
154	12/7/15	Article 466, 467, 468
155	12/7/15	Article 469, 470, 471
156	12/7/15	Article 472, 473, 474
157	12/7/15	Article 475, 476, 477
158	12/7/15	Article 478, 479, 480
159	12/7/15	Article 481, 482, 483
160	12/7/15	Article 484, 485, 486
161	12/7/15	Article 487, 488, 489
162	12/7/15	Article 490, 491, 492
163	12/7/15	Article 493, 494, 495
164	12/7/15	Article 496, 497, 498
165	12/7/15	Article 499, 500, 501
166	12/7/15	Article 502, 503, 504
167	12/7/15	Article 505, 506, 507
168	12/7/15	Article 508, 509, 510
169	12/7/15	Article 511, 512, 513
170	12/7/15	Article 514, 515, 516
171	12/7/15	Article 517, 518, 519
172	12/7/15	Article 520, 521, 522
173	12/7/15	Article 523, 524, 525
174	12/7/15	Article 526, 527, 528
175	12/7/15	Article 529, 530, 531
176	12/7/15	Article 532, 533, 534
177	12/7/15	Article 535, 536, 537
178	12/7/15	Article 538, 539, 540
179	12/7/15	Article 541, 542, 543
180	12/7/15	Article 544, 545, 546
181	12/7/15	Article 547, 548, 549
182	12/7/15	Article 550, 551, 552
183	12/7/15	Article 553, 554, 555
184	12/7/15	Article 556, 557, 558
185	12/7/15	Article 559, 560, 561
186	12/7/15	Article 562, 563, 564
187	12/7/15	Article 565, 566, 567
188	12/7/15	Article 568, 569, 570
189	12/7/15	Article 571, 572, 573
190	12/7/15	Article 574, 575, 576
191	12/7/15	Article 577, 578, 579
192	12/7/15	Article 580, 581, 582
193	12/7/15	Article 583, 584, 585
194	12/7/15	Article 586, 587, 588
195	12/7/15	Article 589, 590, 591
196	12/7/15	Article 592, 593, 594
197	12/7/15	Article 595, 596, 597
198	12/7/15	Article 598, 599, 600
199	12/7/15	Article 601, 602, 603
200	12/7/15	Article 604, 605, 606
201	12/7/15	Article 607, 608, 609
202	12/7/15	Article 610, 611, 612
203	12/7/15	Article 613, 614, 615
204	12/7/15	Article 616, 617, 618
205	12/7/15	Article 619, 620, 621
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TETON COUNTY PLANNING AND ZONING COMMISSION

Meeting Notes, Summary from December 8, 2015

County Commissioners' Meeting Room, Driggs, ID

COMMISSIONERS PRESENT: Mr. Dave Hensel, Mr. Cleve Booker, Mr. Pete Moyer, Ms. Marlene Robson, Mr. David Breckenridge, Bruce Arnold, and Mr. Jack Haddox

COUNTY STAFF PRESENT: Ms. Kristin Rader-Planner, Jason Boal- Planning Administrator

General Action Items:

- Staff will email out the time for the January 5th gathering
- Adding the tetonvalleycode.org link to the Teton County webpage

Summary of the 12/7 BoCC work meeting and plan forward:

- Staff summarized the work meeting held on 12/7 with the BoCC. Mr. Booker was present and offered his insight on the discussion.
- The BoCC has asked staff to start gathering PZC perspective of the "strategies" that have been utilized through the writing and revision process, as well as start explaining how certain goals/policies of the Comprehensive Plan are being met in the new code. To start the process, staff asked PZC members to complete the "Guiding Principle" exercise by the 1st meeting in January. Staff suggested looking at the action items and goals/policies of the comprehensive plan, explaining them in their own words, and explaining how they perceive they have been inserted in to the code or in the process. This exercise will be anonymous.
- The Plan forward as shown on the meeting primer was discussed and agreed upon
- PZC wanted to make sure staff would be utilizing a redline approach to any changes made to the code from here on out.
- If there are topics/changes that are talked about and complete consensus cannot be reached, the PZC chair will call for a roll call vote, using a majority rules approach.
- The PZC asked the Chairman to write a letter to the BoCC expressing concerns they currently have.

Renaming of Agricultural Wetlands-

- PZC agreed on Lowland Agriculture as the new name for Ag/Wetland

Second Review of the DRAFT Teton County Land Use Map-

- PZC discussed the boundaries of the Lowland/Ag portion on the map. It was discussed whether it was appropriate to zone the uplands or other areas that are not necessarily "wet" into this zone.
- The Suitability map was discussed, in regards to deciding where the boundaries lie.
- The importance of the zoning boundaries was talked about. They really matter in our current zoning scheme, which allows different densities in the rural zones (Lowland/Ag, Foothills and Rural Ag)
 - The idea of utilizing the same density in these three zones and expounding on the approval criteria for each zone was discussed. This would accomplish several things:
 1. The relevance of the line would decrease (no longer has an effect on density)
 2. Places the focus on the design and ensuring what is important in that zone can be addressed in any application.
- The one acre minimum lot size was discussed. The majority of the PZC supported this approach, acknowledging that Commissioner Johnston has expressed concern about it in the past.
- It was agreed that the current boundaries are sufficient, and if property owners wish to change the zoning of their property (in the 3 rural zones...not Rural Neighborhood), those changes are easy to accommodate during the public outreach portion of the adoption process (assuming the same density for each of the 3 zones is included in the code)



Planning & Zoning Commission Meeting 12/8/2015

Meeting Minutes

- The purpose of the "studies" in Article 13 were discussed- It is NOT to place additional requirements on an application in hopes of discouraging development. The studies are being required to ensure that as the intensity of a development increases (i.e. increased density, type of development, or location of development) there is additional review and justification for the location of the development and that resources of great concern are being addressed at a higher level of scrutiny due to the greater potential for impact.
- Staff is going to review and present different density scenarios for Article 3, utilizing the same density in the 3 zones (Lowland/Ag, Foothills and Rural Ag). PZC suggested starting with densities of- a minimum of 1/40 and a maximum of 1/10 (Staff did express concerns with 1/10 but agreed to include it in the scenarios and analysis that will be done.).



A REQUEST FOR A CONDITIONAL USE PERMIT
 By: David Kite
 For: Cowboy Church
 WHERE: 4369 N Highway 33 (Tetonia)
 PREPARED FOR: Planning & Zoning Commission Public Hearing of January 12, 2016

APPLICANT: David Kite/Cowboy Church
LANDOWNER: Valley Group Holdings, LLC

APPLICABLE COUNTY CODE: Conditional Use Permit pursuant to Title 8, Chapter 6 Teton County Zoning Ordinance, (amended 9/9/2013); Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

REQUEST: David Kite has applied for a Conditional Use Permit for a "Church or Place of Worship" with approximately 25-35 attendees. This project is located north of Driggs, at 4369 N. Highway 33. The applicant is not proposing any new structures or changes to the existing building, so a scenic corridor design review is not required.

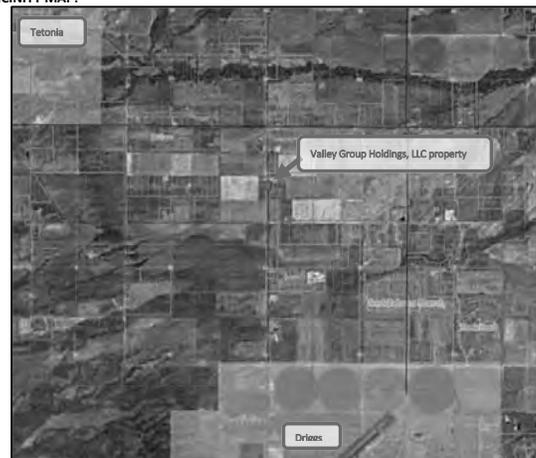
LEGAL DESCRIPTION: RP05N45E028100; TAX #5625 SEC 2 T5N R45E

LOCATION: 4369 N Highway 33, Tetonia, ID 83452

ZONING DISTRICT: A-2.5

PROPERTY SIZE: 1 acre

VICINITY MAP:



Cowboy Church CUP

AERIAL IMAGE OF PROPERTY



PROJECT BACKGROUND

David Kite submitted an application for a Conditional Use Permit on November 23, 2015, which was completed on December 4, 2015 (attachments 1-4). A Development Review Committee (DRC) Meeting was held on December 14, 2015 with the applicant, Planning, other Teton County Departments, and outside agencies to discuss the application materials.

This property is zoned A-2.5, which currently requires a Conditional Use Permit for a "Church or Place of Worship". This property is located in the Scenic Corridor Overlay. However, the applicant is not proposing any new structures or changes to the existing structure, so a Scenic Corridor Design Review was not required.

PROJECT DESCRIPTION:

David Kite is proposing to use the existing building at 4369 N Highway 33 for the Cowboy Church. The Church has already started using this building for its services. The Church meet once a week on Monday evenings. Service is scheduled from 7:00pm – 8:00pm, with church members in the building usually between 6:30pm and 9:00pm. Currently, there are approximately 25-35 members attending this service each week.

In addition to the weekly service, the following programs are desired:

1. Church-wide Fellowship Meal: This program will take place on the third Monday of every month before the regularly scheduled service. The Fellowship meal would begin at 6:00pm, so attendees would arrive around 5:00pm or 5:30pm.
2. Discipleship Classes: This program will take place on the first, second, and fourth Mondays of every month before the regularly scheduled service. This program will begin at 6:00pm. Attendees would arrive around 5:30pm for this class.
3. Vacation Bible School: This program will be a 5-day long event during summers. This program will be scheduled 9:00am to 12:00pm for children ages 5 and up. This event may not always occur due to availability of workers and summer schedules, but the applicant

would like the ability for the Church to have this program each summer when it is possible for the workers involved to do so.

4. Offsite Programs: The Church will also be involved in offsite programs in the community, such as providing food boxes to needy families, working with the Salvation Army as Bell Ringers, and other volunteer activities.

The building was constructed in the 1990s, and it received a final Commercial Certificate of Occupancy in 1994 (attachment 5). There is already a well and septic system in place for the building. The septic permit was issued in 1994 by Eastern Idaho Public Health (attachment 6). There is also a sprinkler system installed in the building. The sprinkler system has not been inspected recently, as the building has been vacant for several years. This building accesses directly from Highway 33. Idaho Transportation Department issued an access permit for this property in 1993 (attachment 7). There is also an existing parking lot on this property, which will be used by the Church members (attachment 8)

KEY ISSUES:

On December 14, 2015, we had a DRC meeting with David Kite, Eastern Idaho Public Health (Mike Dronen), Teton County Building Official (Tom Davis), Teton County Planning Administrator (Jason Boal), and Teton County Planner (Kristin Rader). From this meeting, some key issues were identified.

- ACCESS FROM HIGHWAY 33: Idaho Transportation Department has stated this application does not trigger an impact study.
- PARKING: Churches require a minimum of one (1) space for each five (5) seats in the principle assembly area (Teton County Code 8-4-5).
- SEPTIC SYSTEM & WATER QUALITY: Based on the application materials, Eastern Idaho Public Health stated the capacity of the system in place is sufficient. EIPH has water quality sample kits available. Mike suggested doing this if the water in the building has not been used in a while.
- BUILDING SAFETY: The building does have a sprinkler system, but it is unclear when it was last inspected. Tom has looked into the Building Code, and there are different factors that could require a sprinkler system.
- SIGN PERMIT: A sign permit is required for the Cowboy Church's sign. An application was provided to the applicant.

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. 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 at the time of this report.

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.

<i>Criterion</i>	<i>Staff Comments</i>
1. Location is compatible to other uses in the general neighborhood.	The existing structure was built as a commercial building, so its uses are limited in the A-2.5 zone. This property is currently surrounded by residential uses, agricultural uses, and vacant lots.
2. Use will not place undue burden on existing public services and facilities in the vicinity.	This use will utilize an existing structure that is accessible directly from Highway 33. No new structures are being proposed. This building was constructed in 1994, and it would have been included in the calculations for the currently adopted Capital Improvement Plan. The use will have a fairly low impact with the assembly only meeting one evening per week. ITD has confirmed the use would not require a Traffic Impact Study.
3. Site is large enough to accommodate the proposed use and other features of this ordinance	-Based on the aerial image, the building is approximately 5,000 ft ² total, and the existing parking lot is approximately 9,000 ft ² . The building is large enough for the expected number of attendees, currently 25-35 people. -Eastern Idaho Public Health has confirmed that the septic system is sufficient for 35 people, with the ability to increase that number (possibly double) before the system would need to be addressed. -The Teton County Code requires a minimum of 1 parking space per 5 seats in a church assembly area. With 35 attendees, this would require a minimum of 7 parking spots, each at least 200 ft ² . The parking area is large enough to accommodate more than the required number of spots, including drive aisles. -There is a sprinkler system in the building. After speaking with the Teton County Building Official, the use of a church in this building would change the occupancy type to A-3 Occupancy (places of religious worship). As such, it would only need to be sprinkled if 1.) the area exceeds 12,000 ft ² or 2.) the occupant load exceeds 300. The occupant load for Assembly Occupancies is computed in different ways based on the net square footage. Because the net square footage for this building is unknown, it is unclear whether or not sprinklers would be required, but if the net square footage exceed 2,100ft ² , the system would be required. -The Building Official has looked into possible costs of inspecting/recertifying a sprinkler system, and he has found that an inspection to determine if the system is intact (not a pressurization test to check its function) could range between \$200-\$300 depending on the type of system (wet or dry). A transportation fee could also be applied (about \$180) if the company does not have other work in the area. -Because the sprinklers are already installed and offer a significant safety factor for any assembly building, it is highly recommended that the system be inspected and recertified even if it is not required through the building code.
4. Proposed use is in compliance with and supports the goals, policies and objectives of the Comprehensive Plan.	The Community Events & Facilities goals of the Comp Plan are most related to this use as it will provide a new service for the community, which could include cultural and recreational experiences. The volunteer activities associated with this use could also encourage community involvement. This use is utilizing an existing building, which will help minimize costs. This also complies with other goals of the Comp Plan by not adding new infrastructure that could decrease open space, impact agricultural lands and natural resources, or increase the burden on public services. This also accesses directly from Highway 33, which is transit and bicycle friendly.

POSSIBLE CONDITIONS OF APPROVAL

1. The applicant will provide Teton County Planning & Building with the net square footage to calculate the occupancy load to determine if a sprinkler system is required. If the system is not required, it is highly recommended that the system be inspected and utilized for the safety of the occupants.
2. Any additional development or changes to the existing structure on this property requires a Scenic Corridor Design Review, where applicable.
3. All outdoor lights must comply with the Teton County Code, if applicable.
4. A sign permit is required for the existing Cowboy Church sign.
5. Parking must meet the Teton County Code requirements, including number of spaces and size, as well as ADA accessible requirements.

POSSIBLE PLANNING & ZONING COMMISSION ACTIONS

- A. Recommend approval of the CUP, with the possible conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.
- B. Recommend approval of 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. Recommend denial of 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.

POSSIBLE MOTIONS

The following motions could provide a reasoned statement if a Commissioner wanted to recommend approval or denial of the application:

APPROVAL

Having concluded that the Criteria for Approval of a Conditional Use Permit found in Title 8-6-1 can be satisfied with the inclusion of the following conditions of approval:

1. The applicant will provide Teton County Planning & Building with the net square footage to calculate the occupancy load to determine if a sprinkler system is required. If the system is not required, it is highly recommended that the system be inspected and utilized for the safety of the occupants.
 2. Any additional development or changes to the existing structure on this property requires a Scenic Corridor Design Review, where applicable.
 3. All outdoor lights must comply with the Teton County Code, if applicable.
 4. A sign permit is required for the existing Cowboy Church sign.
 5. Parking must meet the Teton County Code requirements, including number of spaces and size, as well as ADA accessible requirements.
- and having found that the considerations for granting the Conditional Use Permit can be justified and have been presented in the application materials, staff report, and presentations to the Planning & Zoning Commission,
 - and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,
 - I move to RECOMMEND APPROVAL to the Teton County Board of County Commissioners for the Conditional Use Permit for the Cowboy Church as described in the application materials submitted December 4, 2015 and as supplemented with additional applicant information attached to this staff report.

DENIAL

Having concluded that the Criteria for Approval of a Conditional Use Permit found in Title 8-6-1 have not been satisfied, I move to RECOMMEND DENIAL to the Teton County Board of County Commissioners for the Conditional Use Permit for the Cowboy Church as described in the application materials submitted December 4, 2015 and as supplemented with additional applicant information attached to this staff report. The following could be done to obtain approval:

1. ...

Prepared by Kristin Rader on 12-30-2015

ATTACHMENTS:

- | | |
|-------------------------------------|---|
| 1. Application (4 pages) | 6. 1994 Septic Permit (5 pages) |
| 2. Letter of Authorization (1 page) | 7. 1993 ITD Access Permit (7 pages) |
| 3. Warranty Deed #170106 (2 pages) | 8. Site Plan (1 page) |
| 4. Narrative (2 pages) | 9. DRC Meeting Notes (3 pages) |
| 5. 1994 Building Permit (5 pages) | 10. Adjacent Landowner Notification (2 pages) |

End of Staff Report



CONDITIONAL USE PERMIT APPLICATION

Teton County, Idaho

The planning staff is available to discuss this application and answer questions. Once a complete application is received, it will be reviewed by the planning administrator or his designee and then scheduled for a public hearing with the Planning and Zoning Commission, who will make a recommendation to the Board of County Commissioners. A second public hearing will be scheduled with the Board of County Commissioners who will make the final decision. It is recommended that the applicant review Title 8 of the Teton County Code and 67-6512 of the Idaho Code. Application materials may be viewed on the Teton County Idaho website at www.tetoncountyidaho.gov.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Valley Group Holding
 Applicant: Teton Valley Cowboy Church E-mail: dkkite2@gmail.com
 Phone: (208) 844-1576 Mailing Address: 124 W 500 N, Blackfoot, ID, 83221
 City: _____ State: _____ Zip Code: _____
 Engineering Firm: _____ Contact Person: David Kite Phone: (208) 844-1576
 Address: 124 W 500 N, Blackfoot, ID, 83221 E-mail: dkkite2@gmail.com

Location and Zoning District:
 Address: 443 N. Hwy 33, Driggs, ID. Parcel Number: RPOSN4SE028100
 Section: 2 Township: S North Range: 4SEast Total Acreage: 1
 Zoning District: A2.S Requested Land Use: Existing Bldg for Church services

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Board of County Commissioners public hearing.

• Applicant Signature: D. Kite Date: 11-16-2015

Fees are non-refundable.

I, the undersigned, am the owner of the referenced property and do hereby give my permission to _____ to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

• Owner Signature: _____ Date: _____

SECTION I: REQUIRED ITEMS

1. Latest Recorded Deed to the Property
2. Affidavit of Legal Interest
3. Application fee paid in full in accordance with current fee schedule
4. Twelve (12) copies of information and data (pictures, diagrams, etc.) necessary to assure the fullest presentation of the facts for evaluation of the request.
5. Twelve (12) copies of a site plan drawn to scale.
6. Narrative explaining the following:
 - Location is compatible to other uses in the general neighborhood.
 - Use will not place undue burden on existing public services and facilities in the vicinity.
 - Site is large enough to accommodate that proposed use and other features of this ordinance.
 - Proposed use is in compliance with and supports the goals, policies, and objectives of the Comprehensive Plan.

SECTION III: CRITERIA FOR RECOMMENDATIONS AND DECISIONS

1. Upon the granting of a conditional use permit, conditions may be attached to a conditional use permit including, but not limited to, those:
 - Minimizing adverse impact on other development;
 - Controlling the sequence and timing of development;
 - Controlling the duration of development;
 - Assuring that development is maintained properly;
 - Designating the exact location and nature of development;
 - Requiring the provision for on-site or off-site public facilities or services;
 - Requiring more restrictive standards than those generally required in this Title;
 - Designating the number of non-family employees in the home occupation and home business based on the type of business and the location;
 - Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.
2. Prior to granting a conditional use permit, studies may be required of the social, economic, fiscal, and environmental effects of the proposed conditional use. A conditional use permit shall not be considered as establishing a binding precedent to grant other conditional use permits. A conditional use permit is not transferable from one (1) parcel of land to another.
3. Commercial Development Agreement for all land uses in the C-1, C-2, C-3, and M zoning designations are required to include the following, as applicable:
 - A site plan and/or survey prepared by a professional surveyor to include current and proposed plat;
 - A professionally prepared landscaping plan;
 - Financial guarantee for public improvements which may include but not be limited to: roads, phone, electric, water, sewer, fire protection, and lighting;
 - Professionally prepared final construction drawings.

SECTION IV: SPECIFIC REQUIREMENTS FOR PUBLIC HEARING AND NOTICE

Notification is required for both hearings in accordance with Title 67, Chapter 05, Section 6509 of the Idaho Code. Notice shall be provided by mail to property owners within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be impacted by the proposed change. Notice shall also be posted on the premises not less than one (1) week prior to the hearing. At least fifteen (15) days prior to the hearing, notice of the time, date and place and a summary of the plan to be discussed shall be published in the newspaper of general circulation within the jurisdiction. This procedure will be completed by the planning staff.

SECTION V: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING

SECTION VI: PLANNING AND ZONING COMMISSION ACTION

SECTION VII: BOARD OF COUNTY COMMISSIONERS ACTION



CONDITIONAL USE PERMIT APPLICATION

Teton County, Idaho

The planning staff is available to discuss this application and answer questions. Once a complete application is received, it will be reviewed by the planning administrator or his designee and then scheduled for a public hearing with the Planning and Zoning Commission...

To expedite the review of your application, please be sure to address each of the following items.

SECTION 1: PERSONAL AND PROPERTY RELATED DATA

Form with fields for Owner (Valley Group Holding), Applicant (Teton Valley Cowboy Church), Phone (208) 844-1576, Mailing Address (124 W 500 N, Blackfoot, ID 83201), Engineering Firm, and Address (124 W 500 N, Blackfoot, ID 83201).

Form with fields for Location and Zoning District, Address (443 N Hwy 33, Driggs, ID), Parcel Number (RFD05N45E 008100), Section (2), Township (5 North), Range (45 East), Total Acreage (1), Zoning District (A-2-S), and Requested Land Use (Existing Bldg for Church services).

TETON VALLEY COWBOY CHURCH INC. 443 N HIGHWAY 33 TETONIA, ID 83402. Includes handwritten amount \$1500.00 and signature of Brock Dennis.

PLANNING AND BUILDING DEPARTMENT AFFIDAVIT OF LEGAL INTEREST and LETTER OF AUTHORIZATION

Robert H. Testa, Owner's address: 12124 Carle Ridge Rd, Raleigh, NC 27614

At owner of property more specifically described as 4443 N. HWY 33 Teton, ID 83452

I HEREBY AUTHORIZE David Kite - Cowboy Church as Agent to represent and act for the Owner in making application for and receiving and accepting on Owner behalf, any permits or other actions by the Teton County Commissioners...

Owner agrees to pay any fines and be liable for any other penalties arising out of failure to comply with the terms of any permit or arising out of any violation of applicable laws, codes, or regulations applicable to the action sought to be permitted by this application authorized herein.

OWNER: Robert H. Testa, The Manager (Print Name)

X (Signature of Co-Owner) This (Print Name)

X (Signature of Corporate Owner) (Print Name)

NOTARY: Neath Carolina, SS, COUNTY OF: Wake, Zip: 27614

Subscribed and sworn to before me by on: 5th day of NOVEMBER 2015

Notary Public: James D. Rigul, 12-28-2019 Expiration Date

Teton County, Idaho Planning and Building Department 180 Courthouse Drive Suite 107, Driggs, ID 83423 208-354-2593 Fax 208-354-8410



170106 Instrument # 170106

DRIGGS, TETON, IDAHO 2008-08-09 833735 No. of Pages: 2 Recorded by: A W ENGINEERING NOLAN G. BOYLE Notary Public Deputy, Registered

WARRANTY DEED

Warranty deed made this 21st day of July, 2005, between VALLEY GROUP HOLDINGS LLC of Driggs, Idaho 83422 referred to as Grantor, and VALLEY GROUP HOLDINGS LLC of Driggs, Idaho 83422 referred to as Grantee.

Grantor in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and do hereby grant, bargain, sell and convey, and confirm unto Grantee and its heirs and assigns forever, all the following described real estate situated in Teton County, Idaho:

A PART OF THE NORTHWEST QUARTER SOUTHEAST QUARTER SECTION 2, TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS: FROM THE SOUTH QUARTER CORNER OF SAID SECTION 2, THENCE N 89°54'38"E, 39.24 FEET ALONG THE SOUTHERN SECTION LINE TO THE EASTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY 33 AND THENCE N 00°44'14"W, 1817.72 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING; THENCE N 00°44'14"W, 217.82 FEET FURTHER ALONG SAID RIGHT-OF-WAY TO A POINT; THENCE N 89°59'46"E, 200.00 FEET TO A POINT; THENCE S 00°44'14"W, 217.82 FEET TO A POINT; THENCE S 89°59'46"W, 200.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.00 ACRE, MORE OR LESS.

SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAY OF RECORD AND AS DESCRIBED AND SHOWN ON INSTRUMENT #116045, AS RECORDED IN THE OFFICE OF THE CLERK OF TETON COUNTY, IDAHO.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its heirs and assigns forever.

170106

And Grantor and its heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, its heirs, and assigns against Grantor and its heirs and against all and every person and persons whomsoever, lawfully claiming the same.

Restriction: The above parcel cannot be further split under the provisions of the Teton County Subdivision Ordinance, Article VII, Section 1-7-16: One Time Only Split of One Parcel of Land Parcel of Land, June 14, 1999.

Grantor has hereunto set his hands on the day and year first above written

Travis Thompson

TRAVIS THOMPSON - Representative for VALLEY GROUP HOLDINGS LLC

STATE OF Idaho, County of Teton

On this 21st day of July in the year of 2005, before me, a Notary Public in and for said State, personally appeared TRAVIS THOMPSON known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at: Victor, Idaho My commission expires: 10/15/2008



170106

ATTACHMENT 4

Teton Valley Cowboy Church, Driggs, ID
David Kite, Pastor 208-844-1576

TO: Teton County Planning and Building Department

FROM: Teton Valley Cowboy Church, David Kite, Pastor

DATE: December 3, 2015

My name is David Kite and I am the pastor of the Teton Valley Cowboy Church (TVCC). My wife, Sue, and I came here to Driggs at the request of the Simper family who manage the H. D. Dunn Ranch. Rhoda Simper, Sue, and I worked together at our annual Rodeo Bible Camp in Downey, ID, and it was there that Rhoda made the request that we consider Driggs for a new Cowboy Church plant.

After several trips here to the Valley and much prayer and thought, TVCC was birthed in September 2014 and we began holding services at the fairgrounds in the exhibit building adjacent to the indoor arena. While the fairgrounds was a good location and served us well for the first 11 months, not being able to put out any signage at the fairgrounds limited us in letting the Community know where we were and when we met.

In our search for a location with good highway exposure, the building at 443 N. Hwy. 33 was a perfect fit. We had called about the building when we first came to Driggs, but it was under a lease/purchase agreement at the time. My initial contact on the building was with the owner's local representative, Laurie Farmer. It was only after we began searching again after the 11 months at the fairgrounds that the 443 N. Hwy. 33 property was again available. This time I called Mr. George Wilson whose number was on the sign to ask about renting the building. As the Lord would have it, Mr. Wilson has been a friend of my family for over 50 years back in North Carolina. He believes in our ministry here and has made it very affordable for TVCC to rent his building. As a result, we are able to invest in the ongoing services of Teton County as well as ministries of our own.

Just this past summer, we sponsored a Junior Rodeo in which we did a 100% payback to the kids. Not wanting any kid to not be able to compete for financial reasons, we scholarshiped any child who needed it. The rodeo was a great success with over 65 contestants and an immediate request to repeat next year. Admission to the Rodeo was a volunteer-donation of canned goods for the local Food Bank.

At Thanksgiving we put together eight (8) food boxes for needy families here in the Valley. We are planning to do food boxes for needy families at Christmas and participate in Subs for Santa. We also will be meeting with Salvation Army representatives to see how we might assist them as ball ringers during this Christmas season. We contribute regularly to the Food Bank and as pastor, either I, or a member of TVCC, have met with Willie Warner of Driggs Crisis Control, SPAN, and the local School Board (at the request of Nan Pugh) to bring information back to our congregation for future involvement.

Currently, we are having 25-35 each week in attendance; and our purpose as a congregation is to make a lasting and positive impact here in Teton Valley. Thank you for giving TVCC an opportunity to serve and grow with everyone here who desires only the best for Teton County.

Respectfully submitted,
David Kite, Pastor

From: David Kite
To: Kristin Rader
Cc: Rhoda Simper - Holidays in United States
Subject: Addendum to Narrative for Teton Valley Cowboy Church
Date: Friday, December 04, 2015 11:48:44 PM

ADDENDUM TO NARRATIVE FOR TETON VALLEY COWBOY CHURCH

CURRENT SCHEDULED USE OF BUILDING:

- Each Monday night the church service is from 7:00 - 8:00 pm. Members and guests usually begin arriving by 6:30 and by 9:00 we have locked the doors and vacated the building.
- The 3rd Monday night of each month we have a church-wide fellowship meal at 6:00 pm (before the 7:00 pm service.)
- Beginning in January 2016 we have plans to start a discipleship class that will be the 1st, 2nd and 4th Mondays each week starting at 6:00 pm.
- We plan to conduct a Vacation Bible School (VBS) this coming summer for children ages 5 and up. This would be a 5 day event conducted in the mornings from 9 - noon. This event may or may not take place, depending on availability of workers and summer schedules.

As I'm sure you are aware, this building has its own well and septic system.

Respectfully submitted,
David Kite, Pastor

ATTACHMENT 5

TETON COUNTY, IDAHO
PLANNING AND BUILDING
DEPARTMENT
COMMERCIAL
CERTIFICATE OF OCCUPANCY
INDICATES COMPLIANCE WITH THE 1991 UNIFORM BUILDING CODE

Date Issued 6-27-1994 Building Permit Number 032194-1
Section 2 Township 3N Range 4SE
Name On Permit NOR-CON LEASING
Address 443 NORTH HWY 33
City Driggs State ID Zip Code 83422
Subdivision N/A Lot _____ Blk. _____
Name Of Owner Same
Address _____ City _____ State _____
Phone (208) 322 3979
Zoning District A-2.5 Type Of Construction V
Occupancy Group B Div. 2 Use OFFICE
Occupancy Load _____ Shall be Posted Yes _____ No _____
 Final Certificate Of Occupancy
 Temporary Certificate Of Occupancy
Expiration Of Temporary Certificate _____ Date _____

The Certificate Of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official.

Issuance of the Certificate Of Occupancy shall not be construed as an approval of a violation of the provisions of these code or other ordinances of this jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of this jurisdiction shall not be valid.

R. Bruce Nye
R. Bruce Nye
Teton County Building Official

Needs C-O

TETON COUNTY BUILDING PERMIT APPLICATION
TETON COUNTY BUILDING DEPARTMENT
P.O. BOX 736 • DRIGGS, ID 83422
(208) 354-2559

OWNER: NOR-CON LEASING PHONE 208-322-3979
**** Copy of Warranty Deed must accompany this application ****
MAILING ADDRESS PO Box 736 Driggs ID 83422
APPLICANT (if other than owner) _____ PHONE _____
MAILING ADDRESS _____
**If applicant is other than owner, a statement authorizing applicant to act as agent for owner must accompany this application.
LOCATION: Sections 6 & 7 of Township 3N Range 4SE Map _____
General location 2 1/2 miles north of Driggs
Street Address _____
Subdivision Name _____ Lot # _____
ZONING DISTRICT: _____
PROPOSED USE: Please describe the precise nature of the proposed use (e.g. barn, single family dwelling, garage, shed, etc.)
OFFICE Building

NOR-CON LEASING 2157
10100 7th St. 208-227-3979
ARCO, ID 83272 31-41511

BY THE ORDER OF: TETON PLANNING \$ 1,107.20
One thousand one hundred and seven dollars and 20/100 DOLLARS

First Security Bank
100 Broadway, Driggs, ID 83422
1-800-848-8888

Donald Northrup
#002157# 1124000641167 00055 48#
ISSUED: _____ EXPIRES: _____
If this for residential _____ or commercial X
OFFICE USE ONLY: Building Permit Number: 032194-1
Building Permit Fee: _____
Plan Review Fee: _____

Value = 4175,703.04

DH-2109 10/82

GENERAL REQUIREMENTS

- APPROACHES SHALL BE FOR THE BONA FIDE PURPOSE OF SECURING ACCESS AND NOT FOR THE PURPOSE OF PARKING, CONDUCTING BUSINESS, OR SERVICING VEHICLES ON THE HIGHWAY RIGHT OF WAY.
- NO REVISIONS OR ADDITIONS SHALL BE MADE TO AN APPROACH OR ITS APPEARANCES ON THE RIGHT OF WAY WITHOUT THE WRITTEN PERMISSION OF THE DEPARTMENT.
- THE PERMITTEE SHALL FURNISH ALL MATERIAL, LABOR AND EQUIPMENT INVOLVED IN THE CONSTRUCTION OF THE APPROACH AND ITS APPEARANCES. THIS SHALL INCLUDE FURNISHING DRAINAGE PIPE OF A SIZE SPECIFIED ON PERMIT (12 INCH MINIMUM) CURB AND GUTTER, CONCRETE SIDEWALK, ETC WHERE REQUIRED. MATERIALS AND WORKMANSHIP SHALL BE GOOD QUALITY AND ARE SUBJECT TO INSPECTION BY THE DEPARTMENT.
- THE DEPARTMENT RESERVES THE RIGHT TO MAKE AT ANY TIME, SUCH CHANGES, ADDITIONS, REPAIRS AND RELOCATIONS TO ANY APPROACH OR ITS APPEARANCES WITHIN THE HIGHWAY RIGHT OF WAY AS MAY BE NECESSARY TO PERMIT THE RELOCATION, RECONSTRUCTION, WIDENING AND MAINTENANCE OF THE HIGHWAY AND/OR TO PROVIDE PROPER PROTECTION TO LIFE AND PROPERTY ON OR ADJACENT TO THE HIGHWAY.
- DRIVEWAYS AND RURAL APPROACHES SHALL CONFORM TO THE PLANS MADE A PART OF THIS PERMIT. ADEQUATE DRAWINGS OR SKETCHES SHALL BE INCLUDED SHOWING THE DESIGN, CONSTRUCTION REQUIREMENTS AND PROPOSED LOCATION OF THE APPROACH BY ROUTE, STATION AND MILEPOST.
- THE DEPARTMENT MAY CHANGE, Amend OR TERMINATE THIS PERMIT OR ANY OF THE CONDITIONS HEREIN ENUMERATED IF PERMITTEE FAILS TO COMPLY WITH ITS PROVISIONS OR REQUIREMENTS AS SET FORTH HEREON.
- DURING THE CONSTRUCTION OF THE APPROACHES, SUCH BARRICADES, SIGNS AND OTHER TRAFFIC CONTROL DEVICES SHALL BE ERECTED AND MAINTAINED BY THE PERMITTEE, AS MAY BE DEEMED NECESSARY BY THE DEPARTMENT. SAID DEVICES SHALL CONFORM TO THE CURRENT ISSUE OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS. PARKED EQUIPMENT AND STORED MATERIALS SHALL BE AS FAR FROM THE TRAVELWAY AS FEASIBLE. ITEMS STORED WITHIN 30 FT. OF THE TRAVELWAY SHALL BE ARDED AND PROTECTED.
- IN ACCEPTING THIS PERMIT, THE PERMITTEE, ITS SUCCESSORS AND ASSIGNS, AGREES TO HOLD THE DEPARTMENT HARMLESS FROM ANY LIABILITY CAUSED BY THE INSTALLATION, CONSTRUCTION, MAINTENANCE OR OPERATION OF THE APPROACHES.
- IF THE WORK DONE UNDER THIS PERMIT INTERFERES IN ANY WAY WITH THE DRAINAGE OF THE STATE HIGHWAY, THE PERMITTEE SHALL WHOLLY AND AT HIS OWN EXPENSE MAKE SUCH PROVISION AS THE DISTRICT ENGINEER MAY DIRECT TO TAKE CARE OF SAID DRAINAGE.
- ON COMPLETION OF SAID WORK HEREIN CONTEMPLATED ALL RUBBISH AND DEBRIS SHALL BE IMMEDIATELY REMOVED AND THE ROADWAY AND ROADSIDE SHALL BE LEFT NEAT AND PRESENTABLE AND TO THE SATISFACTION OF THE DISTRICT ENGINEER.
- THE PERMITTEE SHALL MAINTAIN AT HIS OR THEIR SOLE EXPENSE THE STRUCTURE OR OBJECT FOR WHICH THIS PERMIT IS GRANTED IN A CONDITION SATISFACTORY TO THE DISTRICT ENGINEER.
- NEITHER THE ACCEPTANCE OF THIS PERMIT NOR ANYTHING HEREIN CONTAINED SHALL BE CONSTRUED AS A WAIVER BY THE PERMITTEE OF ANY RIGHTS GIVEN IT BY THE CONSTITUTION OR LAWS OF THE STATE OF IDAHO OR OF THE UNITED STATES.
- NO WORK SHALL BE STARTED UNTIL AN AUTHORIZED REPRESENTATIVE OF THE DEPARTMENT HAS GIVEN NOTICE TO THE PERMITTEE TO PROCEED.
- A BOND IN THE AMOUNT OF \$ _____ IS REQUIRED FOR THE PROTECTION OF THE STATE AS SET FORTH IN THE TERMS OF THE BOND.
- THIS PERMIT SHALL BE VOID UNLESS THE WORK HEREIN CONTEMPLATED SHALL HAVE BEEN COMPLETED BEFORE 06-01-94 DATE
- THE DEPARTMENT HEREBY RESERVES THE RIGHT TO ORDER THE CHANGE OF LOCATION OR THE REMOVAL OF ANY STRUCTURES OR FACILITIES AUTHORIZED BY THIS PERMIT, SAID CHANGE OR REMOVAL, TO BE MADE AT THE SOLE EXPENSE OF THE PERMITTEE OR ITS SUCCESSORS OR ASSIGNS, UNLESS SUCH STRUCTURE(S) OR FACILITY(IES) HAVE BEEN LOCATED PURSUANT TO THE SPECIAL PROVISIONS OF FORM DH-2111.

A PERMITTEE WHO HAS A PERMIT DENIED AT THE DISTRICT LEVEL MAY APPEAL THE DENIAL TO THE STATE HIGHWAY ADMINISTRATOR AND FINALLY TO THE IDAHO TRANSPORTATION BOARD.

DISTRICT STAFF REVIEW			
REVIEW	REVIEWER INITIAL	RECOMMENDATION	WNO
TRAFFIC	✓	YES	
MAINTENANCE	✓	YES	
DESIGN	✓	YES	
RIGHT OF WAY	✓	YES	
PERMIT ISSUED BY			
RAY WOLF			

BOISE STAFF REVIEW			
REVIEW	REVIEWER INITIAL	RECOMMENDATION	WNO
TRAFFIC			
BRIDGE			
RIGHT OF WAY			

ATTACH REASON FOR RECOMMENDATION

SPECIAL PROVISIONS FOR RIGHT OF WAY PERMITS NO. 06-94-093

- The approach shall be constructed of suitable granular material. Surfacing may be asphalt, or granular material. In curb and gutter section, surface may be concrete.
- The approach shall slope slightly away from the highway pavement for proper surface drainage, and have the same or flatter side slopes as adjoining roadway.
- A suitable concrete or corrugated metal pipe shall be placed under the approach to facilitate ditch drainage.

APPLICATION AND PERMIT TO USE RIGHT OF WAY APPROACHES AND OTHER ATTACHMENT 7

SEE: S & P MANUAL 2-615 TRAFFIC MANUAL 12-450
 PROJECT NO. W.P.H. 149-F ROUTE NO. SH-33
623+917 4 miles north of driggs
 STATION TO STATION DISTANCE FROM NEAREST TOWN OR JUNCTION
 SIGHT DISTANCE 1000 ft. POSTED SPEED 55
 TYPE ACCESS CONTROL Standard BOARD MINUTE ENTRY DATE

SEC. NO. <u>002460</u>
M.P. TO M.P. <u>136.83</u>
PERMIT NO. <u>06-94-093</u>
REC. NO. <u>7278</u>
FEE \$ <u>40.00</u>

APPROACH	QUANTITY <u>one</u>	WIDTH <u>30ft.</u>	EST. VOLUME (VEHICLE COUNT)
	<u>Business</u>	<u>GSA - Office</u>	TYPE OF BUSINESS
OTHER	EXPLAIN:		

ATTACH SKETCH OF PROPOSED WORK AND TRAFFIC CONTROL PLANS
 SPECIAL PROVISIONS:

- NOTE.
- All Attached Provisions Must Be Followed.
 - A Drain Pipe Of 12 inch Or Larger Must Be Installed.
 - IN The Event Of Increased Traffic Or Related Traffic Problems A Traffic Impact Study May Be Required At The Developers Expense.

I CERTIFY THAT I AM THE OWNER OR AUTHORIZED REPRESENTATIVE OF THE PROPOSED PROPERTY TO BE SERVED AND AGREE TO DO THE WORK REQUESTED HEREON IN ACCORDANCE WITH THE GENERAL REQUIREMENTS PRINTED ON THE REVERSE SIDE, THE SPECIAL PROVISIONS AND THE PLANS MADE A PART OF THIS PERMIT.

ADDRESS OF PERMITTEE
THE NOBCHREP CO.
PO Box 735
17200 IDAHO 83413
 CITY STATE ZIP

APPLICANT PLEASE TYPE OR PRINT
Donald Northrup
Donald Northrup 10-1-93
 SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE DATE

LOCAL GOVERNMENT APPROVAL WHEN REQUIRED

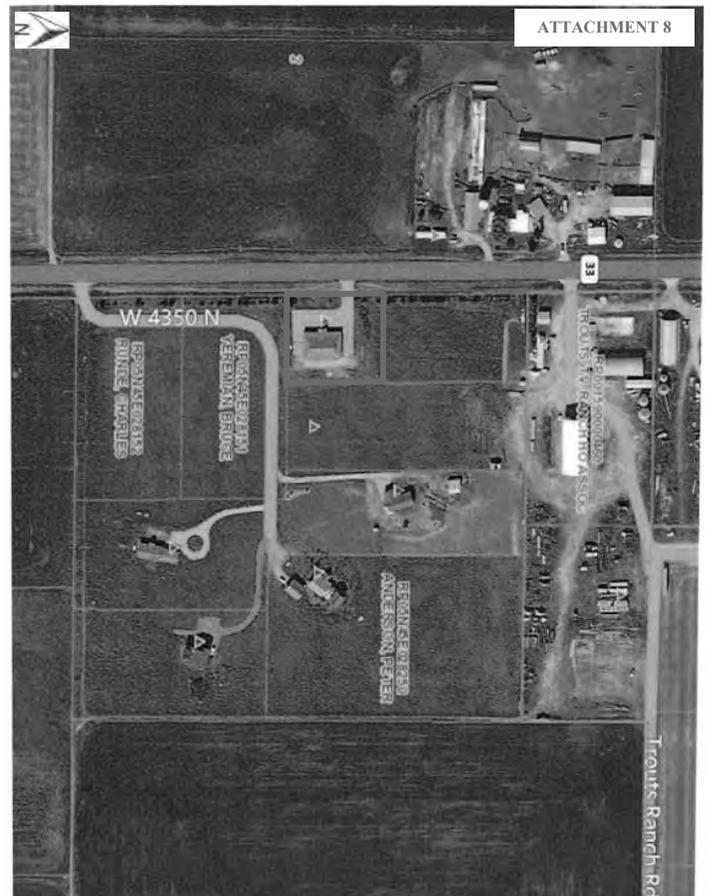
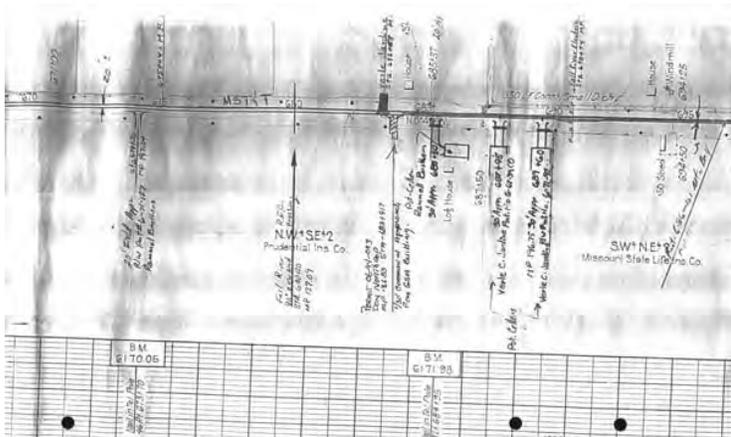
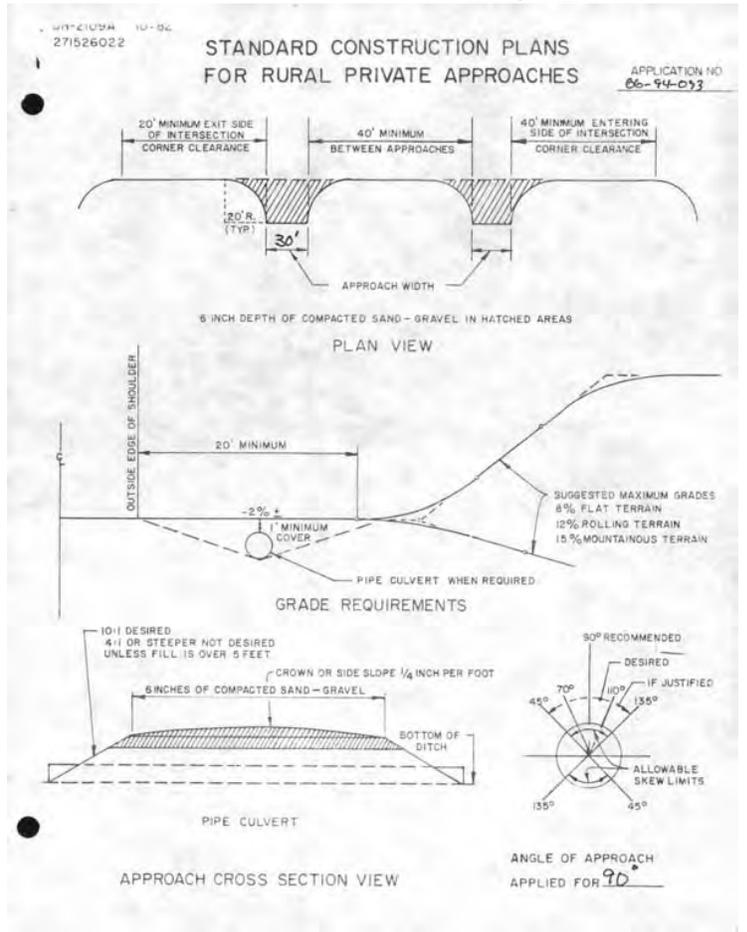
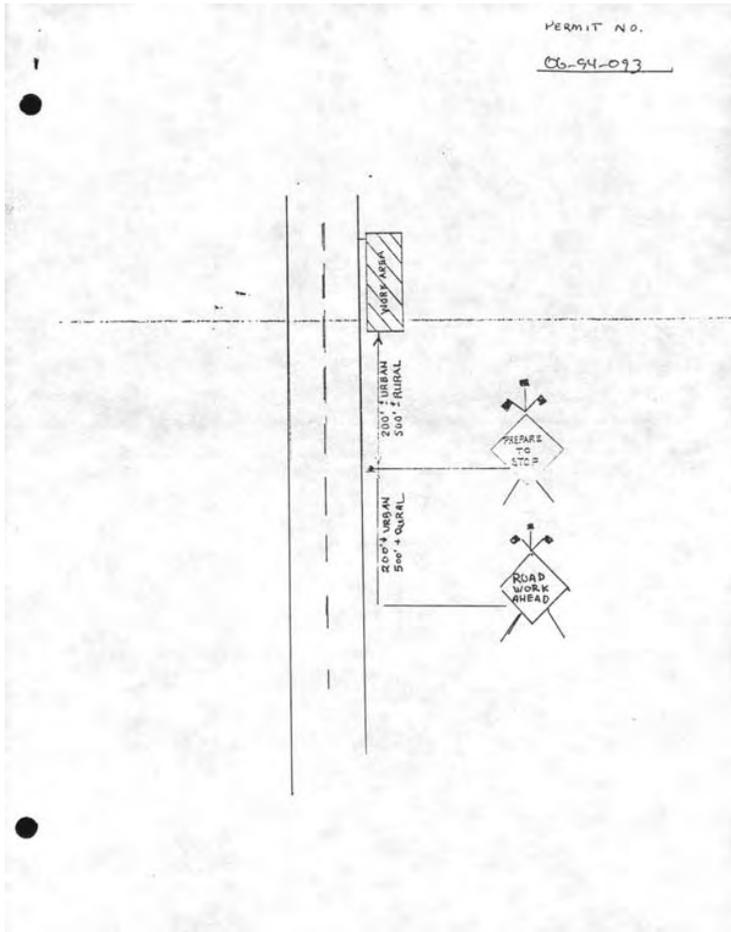
DATE: _____ TITLE: _____ SIGNATURE: _____

SUBJECT TO ALL TERMS, CONDITIONS AND PROVISIONS SHOWN ON THIS FORM OR ATTACHMENTS, PERMISSION IS HEREBY GRANTED TO THE ABOVE NAMED APPLICANT TO PERFORM THE WORK DESCRIBED ABOVE.

DATE: 11/8/93 BY: [Signature] DISTRICT ENGINEER

... IF FEE ASSESSED, PERMIT IS NOT VALID UNLESS ACCOMPANIED BY RECEIPT (DH-1958X) 30







Teton County Planning & Building Department
 150 Courthouse Drive, Room 107 | Driggs, ID 83422
 Phone (208) 354-2593 | Fax: (208) 354-8410
 www.tetoncountyidaho.gov

FROM: Kristin Rader, Planner
 TO: David Kite, Cowboy Church
 CC: Jason Boal, Teton County Planning Administrator; Tom Davis, Teton County Building Official; Earle Giles, Teton County Fire District; Mike Dronen, EIPH; Mark Layton, ITD
 RE: Cowboy Church CUP – DRC Meeting Notes
 DATE: December 18, 2015

David, the purpose of this letter is to summarize the meeting we had on Monday, December 14, 2015.

Access from Highway 33

- Idaho Transportation Department has stated this application does not trigger an impact study.
- An access permit through ITD for this property was approved in 1994.

Parking

- Churches require one (1) space for each five (5) seats in the principle assembly area (Teton County Code 8-4-5)

Septic System & Water Quality

- Eastern Idaho Public Health issued a septic permit for this building in 1994.
- Based on the application materials, the capacity of the system in place is sufficient.
- EIPH has water quality sample kits available. Mike suggested doing this if the water in the building has not been used in a while.

Building Safety

- A building permit for this building, with a Final Commercial Certificate Occupancy issued in 1994.
- The building does have a sprinkler system, but it is unclear when it was last inspected. Tom has looked into the Building Code, and there are different factors that could require a sprinkler system. We will continue to look into this to verify if it is required; however, if it is not required, we highly recommend that the system be certified and useable as it provides a significant safety feature to the assembly area.
- Tom will contact Earle to check on occupancy and fire protection requirements – this will also help clarify if the sprinkler system is required.

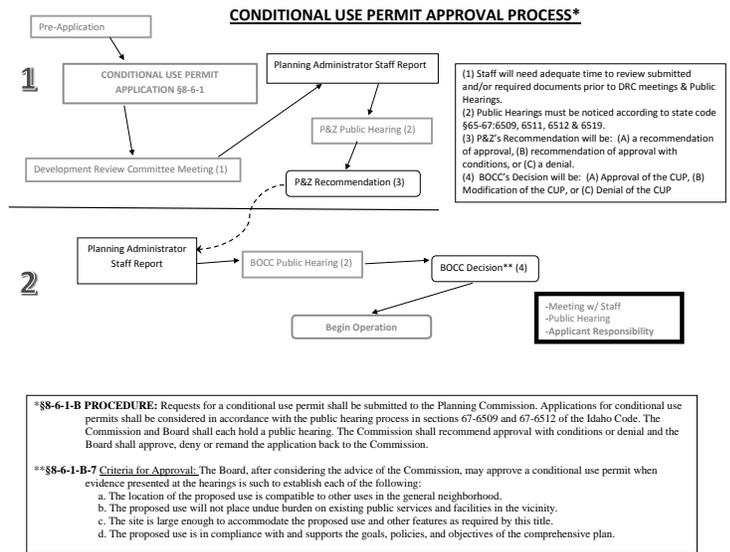
Sign Permit

- A sign permit is required for the Cowboy Church’s sign. An application was provided, and the fee is \$75.00.

Public Hearing Information:

You are scheduled for the Teton County Planning and Zoning Commission public on **Tuesday, January 12, 2016 at 5:00 PM**. This public hearing is at the Teton County Courthouse, 150 Courthouse Drive, Driggs, Idaho. A notice, agenda, and meeting packet will be sent to you no later than the week before the meeting. This application will require a public hearing before the Board of County Commissioners. Depending on the decision from the PZC public hearing, you could be scheduled for the February 8, 2016 or the March 14, 2016 BoCC public hearing.

Attachments: 1. Process Flow Chart; 2. 2016 Hearing & Meeting Schedule



December 17, 2015

RE: Notice of Public Hearing and Solicitation for Comments from property owners within 300 feet of a property that has an application for a conditional use permit.

Dear Property Owners:

This letter is to notify you that an application for a Conditional Use Permit (CUP) for a church has been submitted to the Teton County Planning Department by a nearby landowner. CUPs are an allowed approval process in Idaho State Code and the Teton County Zoning Ordinance for uses that require an additional level of review, special conditions placed upon them prior to approval, or specific limits placed upon them due to the nature and/or location of the proposed use.

The planning staff is soliciting comments from people in the vicinity of the applicant's property so that we can be aware of neighborhood issues and then include your comments in the packet of information provided to the Teton County Planning & Zoning Commission for their consideration prior to the hearing. Please provide comments related to this application and the CUP criteria for approval: (1) The location of the proposed use is compatible to other uses in the general neighborhood; (2) The proposed use will not place undue burden on existing public services and facilities in the vicinity; (3) The site is large enough to accommodate the proposed use and other features as required by Teton County Code; (4) The proposed use is in compliance with and supports the goals, policies, and objectives of the Comprehensive Plan.

Applicant: David Kite (Cowboy Church) **Landowner:** Valley Group Holdings, LLC
Legal Description: RPO5N45E028100; TAX #5625 SEC 2 T5N R45E
Parcel Size: 1 acre **Physical Address:** 4369 North Highway 33, Tetonina, ID 83452
Zoning District: A-2.5; located in the Scenic Corridor

Description of the Request: The applicant proposes to utilize the existing building, parking lot, and access from Highway 33 for the Cowboy Church. The applicant is not proposing any new structures or changes to the existing structure, so a Scenic Corridor Design Review is not required. The assembly will meet on Monday evenings (6pm-9pm), with approximately 25-35 attendees.

PUBLIC HEARING
 The Teton County Planning & Zoning Commission will hold a public hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **January 12, 2016** on this matter. This application is scheduled to be heard at **5:05 pm**.

Information on the above application is available for public viewing in the Teton County Planning and Building Department at the Teton County Courthouse in Driggs, Idaho. The development application and various related documents are also posted, as they become available, at www.tetoncountyidaho.gov. To view these items, go to the Planning & Zoning Commission department page, then select the Public Hearing of January 12, 2015 item in the Additional Information Side Bar. Written comments will be included in the packet of information provided to the Commission for consideration prior to the hearing if they are received in the Planning and Building Department no later than 5:00pm on Friday, January 1, 2016. Written comments may be e-mailed to pz@co.teton.id.us, mailed to the address above, or faxed. You may also present your comments in person at the hearing.

The public shall not contact members of Planning & Zoning Commission concerning this application, as their decision must, by law, be confined to the record produced at the public hearing.

If you have any further questions, please do not hesitate to call the Teton County Planning and Building Department at 208-354-2593.



PLANNING AND BUILDING DEPARTMENT
 150 Courthouse Drive, Room 107 Driggs, Idaho 83422
 Phone: 208-354-2593 | Fax: 208-354-8410

2016 Hearing Schedule and Deadlines (BoCC & PZC)						
Submittal Deadline	DRC	Notice Due	Staff Report Due	Public Comment Due	Hearing Date PZC	Hearing Date BoCC
12/8/2015	12/15/2015	12/18/2015	12/30/2015	1/1/2016	1/12/2016	1/11/2016
1/5/2016	1/12/2016	1/15/2016	1/27/2016	1/29/2016	2/9/2016	2/8/2016
2/2/2016	2/9/2016	2/12/2016 (2/19/2016)	2/24/2016	2/26/2016 (3/4/2016)	3/8/2016	3/14/2016
3/8/2016	3/15/2016	3/18/2016	3/30/2016	4/1/2016	4/12/2016	4/11/2016
4/5/2016	4/12/2016	4/15/2016	4/27/2016	4/29/2016	5/10/2016	5/9/2016
5/10/2016	5/17/2016	5/20/2016	6/1/2016	6/3/2016	6/14/2016	6/13/2016
6/7/2016	6/14/2016	6/17/2016	6/29/2016	7/1/2016	7/12/2016	7/11/2016
7/5/2016	7/12/2016	7/15/2016	7/27/2016	7/29/2016	8/9/2016	8/8/2016
8/9/2016	8/16/2016	8/19/2016	8/31/2016	9/2/2016	9/13/2016	9/12/2016
9/6/2016	9/13/2016	9/16/2016	9/28/2016	9/30/2016	10/11/2016	10/11/2016*
10/4/2016	10/11/2016	10/14/2016 (10/21/2016)	10/26/2016	10/28/2016 (11/4/2016)	11/8/2016	11/14/2016
11/8/2016	11/15/2016	11/18/2016	11/30/2016	12/2/2016	12/13/2016	12/12/2016

*Holiday conflict-date may change



A REQUEST FOR SUBDIVISION CONCEPT PLAN REVIEW APPROVAL
 By: Grace Hartman
 For: Walipini Subdivision
 WHERE: 10645 Old Jackson Highway (Victor)
 PREPARED FOR: Planning & Zoning Commission Public Hearing of January 12, 2016

APPLICANT: Grace Hartman
LANDOWNER: James Chin Revocable Trust

REQUEST: Grace Hartman is proposing a three lot subdivision on an 8-acre parcel owned by the James Chin Revocable Trust. Two lots will be 2.5 acres, and the third lot will be 3 acres. This project is located southeast of Victor, at 10645 Old Jackson Highway.

APPLICABLE COUNTY CODE: Subdivision Concept Plan Review pursuant to Title 9, Chapter 3 Teton County Subdivision Ordinance, (revised 5/16/2013); Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

LEGAL DESCRIPTION: RP03N46E198100; TAX #6313 SEC 19 T3N R46E
LOCATION: 10645 Old Jackson Highway, Victor, ID 83455
ZONING DISTRICT: A-2.5
PROPERTY SIZE: 8 acres
VICINITY MAP:



Walipini Concept Review



AERIAL IMAGE OF PROPERTY



PROJECT BACKGROUND

Harmony Design & Engineering submitted a completed application for Grace Hartman to the Teton County Planning Department on December 7, 2015 for the proposed 3-lot subdivision. A Development Review Committee (DRC) Meeting was held on December 14, 2015 with the applicant, Planning, other Teton County Departments, and outside agencies to discuss the application materials.

The first step in the subdivision process is a Concept Plan Review (9-3-2B). Because the proposed subdivision is located in a Natural Resource Overlay, a public hearing before the Teton County Planning and Zoning Commission is required. The western edge of this property is located in the Scenic Corridor Overlay; however, no development is proposed in that area, so a Scenic Corridor Design Review is not required. This property is located within the Hillside Overlay, but it was determined that the Hillside Studies are not required for this project as development is not occurring on slopes over 20% nor are the access roads to the building sites on slopes over 20%.

PROJECT DESCRIPTION

Grace Hartman is proposing a three lot subdivision on an 8-acre parcel, with two, 2.5 acre lots and one, 3-acre lot. The property is currently owned by the James Chin Revocable Trust. Ms. Hartman is currently living on the property. This split would allow the property owner to sell the property while allowing Ms. Hartman to have her own lot and continue living on the property.

There is an existing home and outbuildings on the west side of the property, which is accessed from Old Jackson Highway. A neighbor also uses this access. This access point will be reconstructed to meet road standards, which will change the slopes of the neighbor's driveway. The applicant is also proposing to move the neighbor's driveway slightly to the east after the road has been constructed so it remains safe and useable. A fire pond has been proposed on lot 2, but the applicant will contact the Fire District to determine if there is an approved water source that could be used nearby without constructing a fire pond. Each lot will use an individual well and septic system that will be the responsibility of the landowner.

OVERVIEW OF CONCEPT APPROVAL

A concept review with the Planning Administrator or Planning and Zoning Commission is the required first step in the development process. The purpose of this review is to:

1. Acquaint the applicant with the procedural requirements of Title 9
2. Provide for an exchange of information regarding applicant's proposed development ideas and the regulations and requirements of Title 9, the Master Plan, and other subdivision requirements
3. Advise the applicant of any public sources of information that may aid the applicant or the application, and identify policies and regulations that create opportunities or pose significant restraints for the proposed development
4. Review the sketch plans, if any, and provide the applicant with opportunities to improve the proposed plan in order to mitigate any undesirable project consequences
5. Review the compatibility with nearby land uses, either proposed or existing
6. Provide general assistance by County staff on the overall design of the proposed development

It is not to determine the exactness of each item required in the checklists of the preliminary and final plat processes.

KEY ISSUES

On December 14, 2015, we had a DRC meeting with Harmony Design & Engineering (Jen Zung), Grace and Jimmy Hartman, Silver Star Communications (Michelle Motzkus), Eastern Idaho Public Health (Mike Dronen), Teton County Public Works Director (Darryl Johnson), Teton County Building Official (Tom Davis), Teton County Planning Administrator (Jason Boal), and Teton County Planner (Kristin Rader). From this meeting, several key issues were identified, most of which concerned requirements for the Preliminary Plat review phase.

- ROADS & UTILITIES: Reconstructing the access point from Old Jackson Highway and relocating the existing driveway that is used to access the parcel to the north were discussed. Public Works does not have concerns with the proposed access road, as the slopes are within 8%. Silver Star did not have concerns. Fall River was not present to discuss potential concerns.
- FIRE PROTECTION: This project does require Fire Protection. A fire pond has been located on the Concept Plan. The applicant will contact the Fire District directly to discuss the options for fire protection.
- WASTEWATER TREATMENT: Fire pond designs to determine setback requirements for septic systems. The slopes on Lot 3 may limit septic system options for that lot. EIPH needs their subdivision application submitted for the Preliminary Review stage.
- PLANS & STUDIES: A Landscaping Plan and Natural Resource Analysis will be required at the Preliminary Review stage.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE

Section 67-6509, 67-6511, 67-6512, and Title 9, Section 3-2-(B-2) of the Teton County Idaho Code. 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, as well as all property owners in subdivisions that intersect with the 300-foot buffer. A notice was also posted on the property providing information about the public hearing.

COMMENTS FROM NOTIFIED PROPERTY OWNERS AND PUBLIC AT LARGE

Staff has not received any written comments from the public at the time of this report.

CRITERIA FOR APPROVAL

For approval of Concept Review of a proposed subdivision (9-3-2(B-4)), the County shall consider the objectives of Teton County Title 9, application materials, and in a general way, at least the following:

Objective	Applicant Comments	Staff Comments
1. The conformance of the subdivision with the comprehensive plan.	Property is within the "Foothills" area, and the subdivision is designed in a way to align with the desired characteristics of that area, including low density and clustered building envelopes to preserve open space and viewsheds. A Natural Resource Analysis will be conducted in the preliminary stage.	This subdivision is designed in such a way to preserve the characteristics of the Foothills area. It is protecting the natural resources and habitat in the area by designating building envelopes that are clustered, which allows for open space on each lot and steeper slopes are protected. The Natural Resource Analysis will provide more information on the natural resources and wildlife habitat that can be protected on the property, but the applicant intends to implement recommendations from that Mitigation Plan.
2. The availability of public services to accommodate the proposed development.	There are entities accessible for all public services (power, telephone, solid waste, law enforcement, emergency services, health care, and schools).	The subdivision will utilize private well and septic systems. The subdivision will access from a public road, Old Jackson Highway. The property is surrounded by residential lots that have been built on, and one of the three lots in the subdivision has already been built on. Because of this, there are really only two lots proposed that would increase the impact, so it is unlikely that there will be a significant burden placed on public services as they are already utilized in that area. The subdivision will have its own road, maintained by the subdivision. The applicant has proposed a fire pond on the property. There is an option to utilize a nearby fire protection source if available. Having the source on site would create less of a burden on the Emergency Services.
3. The conformity of the proposed development with the capital improvements plan (CIP).	The density is 26.7 units/100 acres. The density assumption was not identified in this area for the CIP because it was assumed it would be annexed into the City of Victor. All applicable impact fees based on the Impact Fee Program/CIP 2008 will be paid.	This development is only three lots, with one already built on. The impact will be from two new lots. Impact fees will be paid during the building permit process that would offset that demand.
4. The public financial capability of supporting services for the proposed development.	Due to the small scale of this subdivision and the absence of any new public infrastructure, it would have a negligible impact on public finances. The Fiscal Impact Calculator was used for this proposal, which shows a slight positive impact.	The size of this subdivision should not cause a significant financial burden on the County; The Fiscal Impact Calculator submitted by the applicant shows a \$27 annual cost for operations and maintenance and a capital improvements one-time cost of \$554. The property taxes will likely increase from the current amounts as the property values will increase when the new lots have been improved.
5. Other health, safety, or general welfare concerns that may be brought to the County's attention.	Wildlife habitat will be considered through the Natural Resource Analysis recommendations. The property is in the Hillside Overlay, but the slopes are mostly less than 10%. The development has also been designed to keep development out of the scenic corridor.	The slopes and the location of the fire pond could affect septic system options, but the applicant has been in contact with Eastern Idaho Public Health. The roads will be constructed to road standards, and the property slopes are lower than the Hillside Overlay requires studies for. At the building permit stage, erosion and steep slope factors would be considered.

POSSIBLE CONDITIONS OF APPROVAL

1. Compliance with all local, state, and federal regulations.
2. Begin working with EIPH for septic approval.
3. Begin working with Teton County Fire District for fire suppression approval.
4. Conduct required studies/plans for Preliminary Review: Landscape Plan, Natural Resources Analysis.

POSSIBLE PLANNING & ZONING COMMISSION ACTIONS

- A. Approve the Concept Plan, with the possible conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.
- B. Approve the Concept Plan, 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 Concept Plan 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.

POSSIBLE MOTIONS

The following motions could provide a reasoned statement if a Commissioner wanted to approve or deny the application:

APPROVAL

Having concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) can be satisfied with the inclusion of the following conditions of approval:

1. Compliance with all local, state, and federal regulations.
 2. Begin working with EIPH for septic approval.
 3. Begin working with Teton County Fire District for fire suppression approval.
 4. Conduct required studies/plans for Preliminary Review: Landscape Plan, Natural Resources Analysis.
- and having found that the considerations for granting the Concept Plan Approval to Grace Hartman can be justified and have been presented in the application materials, staff report, and presentations to the Planning & Zoning Commission,
- and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,
- I move to APPROVE the Concept Plan for Walipini Subdivision as described in the application materials submitted December 7, 2015 and as supplemented with additional applicant information attached to this staff report.

DENIAL

Having concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) have not been satisfied, I move to DENY the Concept Plan for Walipini Subdivision as described in the application materials submitted December 7, 2015 and as supplemented with additional applicant information attached to this staff report. The following could be done to obtain approval:

1. ...

Prepared by Kristin Rader on 12-30-2015

ATTACHMENTS:

- | | |
|---|---|
| 1. Application (5 pages) | 7. Concept Drawings (1 page) |
| 2. Letter of Authorization (1 page) | 8. Fiscal Impact Calculator (1 page) |
| 3. Quitclaim Deed #216355 (2 pages) | 9. Soil Resource Report (3 pages) |
| 4. Record of Survey #234885 (1 page) | 10. DRC Meeting Notes (3 pages) |
| 5. Subdivision/Road Name Request (1 page) | 11. Adjacent Landowner Notification (2 pages) |
| 6. Narrative (5 pages) | |

End of Staff Report

ATTACHMENT 1



WALIPINI SUBDIVISION

NAME OF SUBDIVISION/PLANNED UNIT DEVELOPMENT

CONCEPT PLAN

SUBDIVISION/PLANNED UNIT DEVELOPMENT APPLICATION

The Concept Plan Review is the first of three steps in the development process. Upon receipt of the required materials the planning staff shall stamp the application received, review the application for completeness and then schedule a Concept Review Meeting between the Applicant and the Planning Administrator or his or her designee. The application is constituted accepted upon completion of the checklist items and the review meeting with the Administrator. The Administrator will prepare a staff report for the Applicant within sixty (60) days. It is recommended that the Applicant review Titles 6, 8 and 9 of the Teton County Code prior to submittal. These Titles along with application materials are located on the County website at www.tetoncountyidaho.gov. The planning staff is also available to discuss applications and answer questions prior to receiving an application.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: James Chin Revocable Trust (James Chin - Trustee)

Applicant: Grace Hartman E-mail: gracechinagain@gmail.com

Phone: (307) 699-3887 Mailing Address: P. O. Box 1407

City: Wilson State: WY Zip Code: 83014

Engineering Firm: Harmony Design & Engineering Contact Person: Jung Phone: (208) 354-1333

Address: 18 N. Main, Ste 305 E-mail: jen.jung@harmonydesigninc.com
PO Box 369

Location and Zoning District:

Address: 10645 Old Jackson Highway Parcel Number: RP03N46E19B100

Section: 19 Township: 3N Range: 46E Total Acreage: 8.0

Proposed Units/Lots: 3 Proposed Open Space Acres: 0

Proposing a Subdivision Zoning: A 2.5 B A 20 U

Proposing a Planned Unit Development Planned Community Rural Reserve

- Latest recorded deed to the property
- Development name approved by GIS
- 10% of total base fee (see current fee schedule)
- Affidavit of Legal Interest
- Pre-application conference completed

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Planning and Zoning Commission public hearing.

Applicant Signature: Grace Hartman Date: 12/3/15

I, the undersigned, am the owner of the referenced property and do hereby give my permission to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

Owner Signature: _____ Date: _____

Fees are non-refundable.

SECTION II: CONSIDERATION FOR APPROVAL

Please submit narrative referencing the following:

- The conformance of the subdivision/PLUD with the comprehensive plan.
- The availability of public services to accommodate the proposed development.
- The conformity of the proposed development with the capital improvements plan.
- The public financial capability of supporting services for the proposed development.
- Other health, safety or general welfare concerns that may be brought to the County's attention.

SECTION III: CHECKLIST OF ITEMS REQUIRED ON THE PLAN/PLAT DOCUMENT

- Number of Plan:
 - Two (2) Plans (11" X 17" or 18" X 24") and digital copy prepared by a professional land Surveyor/Engineer
- Items on Plan/Plat:
 - Plat is labeled "Concept Master Plan" in the lower right corner
 - Open spaces, as required
 - Neighboring property boundaries and owners within 300 feet
 - Date prepared and date of any revisions
 - Scale of drawings
 - North arrow
 - Vicinity map
 - Section(s), Township, Range
 - Specific phase, if any, has been labeled
- Topographical Information:
 - Contour lines
 - Flood hazard area, if any
 - Overlay areas

4. Design Requirements:

- Total acreage
- Number of lots and size
- Street layout including width and designation of county road access with notation of approaches, if applicable, no closer than 300 feet to one another
- Existing streets and names within 200 feet
- Easements for irrigation, water, sewer, power and telephone

SECTION IV: CHECKLIST OF REQUIRED ITEMS

Please submit narrative or renderings addressing each of the following categories:

- Water Issues:**
 - Description of irrigation system
 - Description of culinary water system
 - Water rights
 - Description of waste system
 - Natural drainage channels
 - Storm and surface water drainage
- Maps Required:**
 - Soil types
 - Geographical hazards
- Availability and capability of public services:**
 These topics are to be addressed in a general way. A Public Services Fiscal Analysis may be required at the Preliminary Plat stage, at which time these items will be addressed in detail.
 - Fire protection
 - Police protection
 - Public road construction and maintenance
 - Central water
 - Central sewer
 - Parks and open space
 - Recreation
 - Infrastructure/open space maintenance
 - Schools
 - Solid waste collection
 - Libraries
 - Hospital
 - Estimate of tax revenue
- Zone Change, if any:**
 - Current Zoning District
 - Proposed Zoning District
 - Submit completed **Zone Change Application**
- Other Land Use Applications, if any:**
 - Scenic Corridor
 - Conditional Use Permit
 - Variance
 - Other: _____

SECTION V: PLANNING ADMINISTRATOR/DESIGNEE REVIEW/ACTION

Teton County, Idaho, Concept Application 3.3.2015

1 of 4

Application is considered complete and accepted on this the _____ day of _____, 200__

Planning Administrator/Designee Signature: _____




WALIPINI SUBDIVISION
 NAME OF SUBDIVISION/PLANNED UNIT DEVELOPMENT

CONCEPT PLAN
 SUBDIVISION/PLANNED UNIT DEVELOPMENT APPLICATION

The Concept Plan Review is the first of three steps in the development process. Upon receipt of the required materials the planning staff shall stamp the application received, review the application for completeness and then schedule a Concept Review Meeting between the Applicant and the Planning Administrator or his or her designee. The application is considered accepted upon completion of the checklist items and the review meeting with the Administrator. The Administrator will prepare a staff report for the Applicant within sixty (60) days. It is recommended that the Applicant review Titles 6, 8 and 9 of the Teton County Code prior to submittal. These Titles along with application materials are located on the County website at www.tetoncountyidaho.gov. The planning staff is also available to discuss applications and answer questions prior to receiving an application.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: James Chin Revocable Trust (James Chin - Trustee)

Applicant: Grace Hartman E-mail: gracechitagaib@gmail.com

Phone: (307) 699-3887 Mailing Address: P. O. Box 1407

City: Wilson State: WY Zip Code: 83014
 Harmony Design Jennifer

Engineering Firm: Harmony Design & Engineering Contact Person: Zuna Phone: (208) 354-1331

Address: 10 N. Main, Ste 305 E-mail: joh.zuna@harmonydesigninc.com
 PO Box 169

Location and Zoning District:

Address: 10645 Old Jackson Highway Parcel Number: RP03N46E198100

Section: 19 Township: 3N Range: 46E Total Acreage: 0.0

Proposed Units/Lots: 3 Proposed Open Space Acres: 0

JAMES K. CHIN 3324
 ELIZABETH CHAI VASARHELY
 P.O. BOX 1407
 1225 MAIN ST
 WILSON, WY 83014

12-13-15

Pay to the order of Teton County \$ 214.00

Two hundred and fourteen Dollars

FIRST INTERSTATE BANK
 918 7th Ave
 WWW.FIRSTINTERSTATEBANK.COM



PLANNING AND BUILDING DEPARTMENT
 AFFIDAVIT OF LEGAL INTEREST and
 LETTER OF AUTHORIZATION

JAMES CHIN, TRUSTEE OF THE "Owner" whose address is P.O. Box 1407
JAMES CHIN REVOCABLE TRUST CHU Wilson WY 83014

As owner of property more specifically described as: 10645 OLD JACKSON HWY VICTOR ID 83485
Parcel # RP03N46E198100

HEREBY AUTHORIZES Grace Chin as Agent to represent and act for the Owner in making application for and receiving and accepting on Owner's behalf, any permits or other action by the Teton County Commissioners, Teton County Planning and Zoning, Building, and/or other County Departments relating to the modification, development, planning, siting, replating, improvements, use or occupancy of land in Teton County, Idaho. Owner agrees that Owner is or shall be deemed conclusively to be fully aware of and to have authorized and/or made any and all representations or promises contained in and application of any Owner information in support thereof, and shall be deemed to be aware of and to have authorized any subsequent revisions, corrections or modifications to such materials. Owner acknowledges and agrees that Owner shall be bound and shall abide by the written terms or conditions of issuance of any such named representative, whether actually delivered to Owner or not. Owner agrees that no modification, development, platting or replating, improvement, occupancy, or use of any structure or land involved in the application shall take place until approved by the appropriate official of Teton County, Idaho, in accordance with applicable codes and regulations.

Owner agrees to pay any fines and be liable for any other penalties arising out of failure to comply with the terms of any permit or arising out of any violation of applicable laws, codes, or regulations applicable to the action sought to be permitted by the application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing on the behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the approval of each entity, if required.

OWNER:

X [Signature] James Chin (Print Name) TRUSTEE

X _____ (Print Name) _____

X _____ (Secretary or Corporate Officer)

(Print Name)

NOTARY:
 STATE OF New York ss. New York
 COUNTY OF New York Zip 10021

Subscribed and sworn to before me by James K. Wei Chin
 this 3 day of December, 2015.

WITNESS my hand and seal:
 X [Signature] 56118
 Notary Public

JANE RAMIREZ
 Notary Public - State of New York
 NO. D184828378
 Qualifies in New York County
 My Commission Expires May 5, 2018

Teton County, Idaho
 Planning and Building Department
 180 Courthouse Drive Suite 107, Divings, ID 83423
 208-354-1300 Fax: 208-354-8410

First American Title Company

ATTACHMENT 3

216355 #6829 11 3:34PM

AFTER RECORDING MAIL TO:

James K. Chin
PO Box 1045
Victor, ID 83455

Instrument # 216355
TETON COUNTY, IDAHO
3-29-2011 03:34:00 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE
MARY LOU HANSEN Fee: 13.00
Ex-Officio Recorder Deputy
HOW TO BEST OUTCOME

APN: RP000690020070A

Quitclaim Deed - continued

File No.: 367408-7 (tm)
Date: 03/16/2011

STATE OF WY)
) SS.
COUNTY OF Teton)



On this 16th day of March, 2011, before me, a Notary Public in and for said State, personally appeared James K. Chin, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

Shirley Fairweather
Notary Public of
Residing at: Teton County
Commission Expires: Sep 20 2014

QUITCLAIM DEED

File No.: 367408-T (tm) Date: March 16, 2011

For Value Received, James K. Chin, an unmarried man, do(es) hereby convey, release, remise, and forever quit claim unto James Chin, Trustee of The James Chin Revocable Trust dated August 24, 2010, whose address is PO Box 1045, Victor, ID 83455, herein after called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

A part of the Northwest quarter Southeast quarter Section 19, Township 3N, Range 46 E, B.M., Teton County, Idaho, being further described as: From the South quarter corner of said Section 19, N00°04'44"W, 1904.48 feet along the center quarter section line of said Section 19, and East 250.68 feet to the POINT OF BEGINNING; thence N05°14'16"W, 325.19 feet along the property line that lies in the Old Jackson Highway county road way to a point; thence N89°00'00"E, 614.40 feet to a point; thence North, 136.69 feet to a point; thence N89°40'06"E, 339.31 feet to a point; thence S00°02'12"W, 453.51 feet to a point; thence S88°46'40"W, 923.85 feet to the TRUE POINT OF BEGINNING.

Also Together with a road and utility easement across a portion of the Western side of Parcel 1A to serve Parcel 1B as per the Survey recorded May 24, 2004 as Instrument No. 161310, records of Teton County, Idaho. Being further described as: From the S1/4 corner of Section 19, Township 3 North, Range 46 East, Boise Meridian, Teton County, Idaho, N00°04'44"W, 1904.48 feet along the West line of the S1/4, thence East, 250.68 feet and thence N05°14'16"W, 325.19 feet to the POINT OF BEGINNING; thence N89°00'00"E, 159.00 feet to a point; thence South 80 feet to a point; thence S89°00'00"W, 142.68 feet to the center of the Old Jackson Highway; thence N05°14'16"W, 80.21 feet to the POINT OF BEGINNING.

together with its appurtenances.

Dated: 3/16/11

James K. Chin
James K. Chin

Subdivision and Road Name Request Form

To be completed before submitting subdivision application, and/or when changing a name of an existing subdivision or road name.

Naming of subdivisions and roads must conform to address policies, and name requirements as adopted by the Teton County Board of Commissioners. Addressing Staff will review your request and notify you of the results.

Requested by: JAMES CHIN VIA HARMONY DESIGN Phone: 208-354-1331
Date: 12/3/2015 Fax:

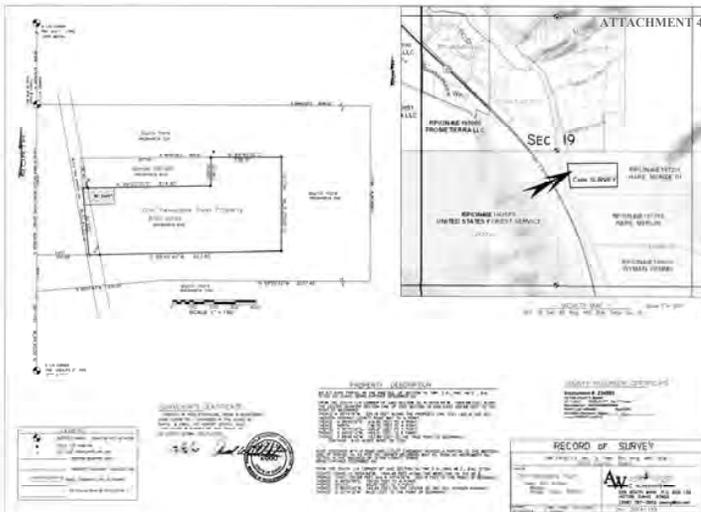
SUBDIVISION
IS THIS A CITY OR COUNTY SUBDIVISION? CITY/COUNTY
IS THIS AN EXISTING SUBDIVISION APPLICATION? Yes / No
(EXISTING NAME: (if applicable))

List in order of preference		FOR OFFICE USE ONLY		NOTES
PROPOSED NAME(S) list in order of preference	YES	NO		
1 WAPITI SUBDIVISION	X			OK
2				

ROADS
IS THIS AN EXISTING NAME? Yes / No
EXISTING NAME: (if applicable)

List in order of preference		FOR OFFICE USE ONLY		NOTES
PROPOSED NAME(S) list in order of preference	YES	NO		
1 WAPITI RUN		X		2 ALREADY NAME
2 WAPITI LANE		X		3 WAPITI DRIVE
3 WAPITI LANE	X			OK
4				
5				
6				
7				
8				
9				
10				

FOR OFFICE USE ONLY	Name	Date
Reviewed:	<u>ROS WILSON</u>	<u>12/4/2015</u>
Database:	<u>(SDE) R/S WILSON</u>	<u>12/4/2015</u>
Return Notice:	" "	<u>12/4/2015</u>



Walipini Subdivision

Concept Plan Narrative

I. INTRODUCTION AND PROJECT DESCRIPTION

Walipini Subdivision is a proposed single family residential subdivision in Teton County, Idaho. The site is located on the east side of Old Jackson Highway approximately 3 miles from the City of Victor.

Existing Conditions:

The existing site consists of 8 acres of land. One single family home and associated outbuildings exists on the west end of the site, and these are accessed from Old Jackson Highway at the northwest corner of the property. The site is bordered by residential properties on all sides.

Proposed Development:

The proposed development will consist of 3 lots with a minimum lot size of 2.5 acres and a maximum lot size of 3.0 acres. No zone change is proposed.

Setbacks / Building Envelopes:

In all cases, building setbacks will meet or exceed the minimum setbacks required by Teton County code for front yard, side yard, rear yard, stream, and ditch setbacks. Building envelopes are proposed to further restrict building locations to only a portion of the lot in order to preserve mountain views for all lots in the subdivision as well as the adjacent house to the north.

II. CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Walipini Subdivision property lies within the "Foothills" area as shown on the current Comprehensive Plan Framework Map. This Concept Plan for the Walipini Subdivision aligns with the vision of the Comprehensive Plan for this area. The following is a list of design elements incorporated into the proposed development plan, and a description of how these elements align with the definitive characteristics of the Comprehensive Plan Framework Map area.

Foothills Area	
Desired character and land use (from Comprehensive Plan)	Design elements of Walipini Subdivision Concept Plan
Low residential densities with the provision for clustering/conservation development.	Building envelopes are provided for lots 2 and 3 to cluster the homes in close proximity to existing structures and reserve the eastern portion of the development for open space and viewsheds.
Residential development clustered to respect topography.	Existing topography rises to the eastern portion of the site. Building envelopes are located on the western sides of lots 2 and 3.
Access points to public lands.	The site is surrounded by private property on all sides. No access to public lands is possible from this property.
Conservation and wildlife habitat enhancement.	A Natural Resource Analysis is being conducted due to the wildlife overlay. Any recommendations in the Mitigation Plan will be implemented.
Wildland urban interface.	The site is located near an existing roadway and in an area of existing residential development. The eastern edge of the property lies more than 300' from the existing woodland edge.
Development regulated by overlays and development guidelines to protect natural resources and improve public safety.	This site lies within the Hillside Overlay, Scenic Corridor Overlay and Big Game Overlay. Although the site lies within the Hillside Overlay, actual slopes on the property are moderate (generally less than 10%). Only a small portion of the property lies within the Scenic Corridor Overlay and no building is proposed in this area. Wildlife will be considered in the CCR's regarding fencing restrictions and domestic animals as recommended by the Mitigation Plan, which will be submitted with the Preliminary Plat.

III. AVAILABILITY OF PUBLIC SERVICES TO ACCOMMODATE THE PROPOSED DEVELOPMENT

Fire protection:

The developer is investigating the possibility of entering into an agreement to share fire protection with a nearby (within 1 mile driving distance) development with an approved water source. If a nearby water source is not available an engineered fire pond located near the center of the development will provide fire protection. A dry hydrant will be provided and the pond will meet or exceed the requirements of the Teton County Fire District. The fire pond will be located within a proposed fire pond easement on lot 2.

Police protection:

Provided by Teton County Sheriff.

Public road construction and maintenance:

The development will be served by the existing access drive from Old Jackson Highway. Existing grades on the west end of the access drive currently exceed County standards. The existing access drive will be regraded and brought into compliance with County road standards for a local road and will be extended to the east to serve lots 2 and 3. A fire apparatus turnaround will be constructed at the end of the road to meet fire access requirements. Driveways for lots 2 and 3 will extend from the ends of the turnaround. Driveway access to lot 1 will be from the new access road in the approximate location of the existing access. Access to the adjacent lot to the north will be relocated where shown to accommodate new grading and alignment. The road will be located in a proposed 60' private access and utility easement. Maintenance of the roadways will be the responsibility of the developer until a Homeowners Association is formed. Once the Homeowners Association is formed, maintenance of the roadways including, repairs, snowplowing, and re-grading, will be the responsibility of the association.

Water (Culinary Water / Drainage / Irrigation):

The proposed lots will be served by individual domestic wells. Installation and maintenance of each well will be each individual lot owner's responsibility. Lot 1 is currently served by an existing well.

The natural drainage patterns of the site will be maintained wherever possible. Drainage swales along the roadway edges will convey runoff from the roadway where required. A drainage report and stormwater calculations will be provided with the Preliminary Plat submission. Erosion control measures will be implemented to comply with state and federal regulations. Typical measures that may be implemented include, vehicle tracking control, silt fence, hay bales, wattles, and dust control measures.

The site is located within the Fremont-Madison Irrigation District. An existing ditch runs from east to west along the north boundary and serves this development as well as the adjacent property to the north. This ditch will remain

in its current state and will be accommodated through culverts under proposed driveways where necessary. A 20' irrigation easement, centered on the existing ditch is proposed for access and maintenance of the ditch. This property has water rights available.

Sewer:

The proposed lots will be served by individual septic systems that will be designed and constructed in accordance with Eastern Idaho Public Health regulations. The installation and maintenance of each septic system will be each individual lot owner's responsibility. Lot 1 is currently served by an existing septic system.

Parks and open space:

None provided or required.

Recreation:

None provided or required.

Infrastructure open space maintenance:

None provided.

Schools:

Provided by Teton School District 401

Solid waste collection:

Provided by RAD Curbside Trash & Recycling.

Libraries:

Provided by Valley of the Tetons Library

Hospital:

Provided by Teton Valley Hospital, Teton Valley Healthcare

Estimate of tax revenue:

See attached.

IV. CONFORMITY WITH THE CAPITAL IMPROVEMENTS PLAN

The density of Walipini Subdivision is 26.7 units per 100 acres. The density assumptions used in the Capital Improvement Plan are not identified for this area as it was assumed by that study that this area would eventually be annexed to the City of Victor.

This development is very small in scale. The only road proposed will be privately built and maintained. An existing single family home already exists on the

property (Lot 1) so the net gain for this 3 lot subdivision is effectively only two lots.

All required impact fees will be paid in accordance with the Teton county development Impact Fee Program / Capital Improvement Plan, 2008. The current fee is \$2,005.96 per dwelling unit to be paid at the time of building permit issuance.

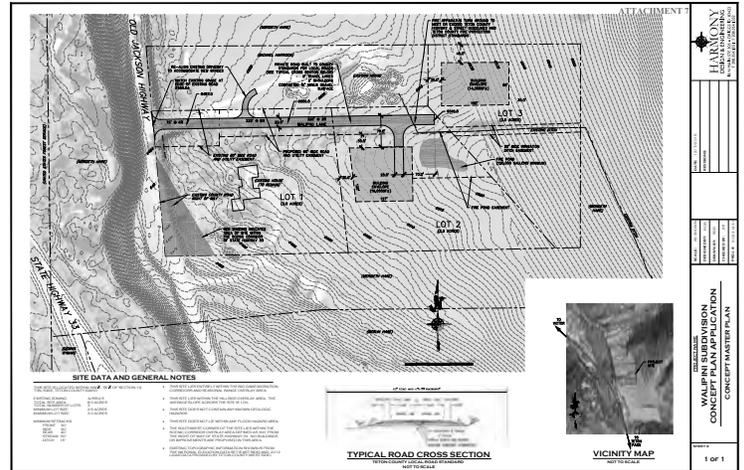
V. THE PUBLIC FINANCIAL CAPABILITY OF SUPPORTING SERVICES FOR THE PROPOSED DEVELOPMENT

Due to the small scale of this subdivision and the absence of any new public infrastructure (roads, etc.) that would need to be maintained by the County, it will have a negligible impact on public finances.

The fiscal impact calculator (see attached) shows a slight positive impact.

VI. OTHER HEALTH, SAFETY OR GENERAL WELFARE CONCERNS

A Natural Resource Analysis is being conducted due to the site being located within the wildlife overlay. Any recommendations in the Mitigation Plan that will be submitted with Preliminary Plat will be implemented. The site also lies within the Hillside Overlay. However, actual slopes on the property are moderate (generally less than 10%). Also a small portion of the property lies within the Scenic Corridor Overlay. However, no improvements are proposed in this area and Scenic Corridor provisions only apply at the time of building permit.



ATTACHMENT 8

Teton County, Idaho - Fiscal Impact Calculator

Project Profile		Cost Per Dwelling Unit		Property Tax and Other Revenues Per Dwelling Unit	
Project Name	Walipini Subdivision	Annual Operations and Maintenance for All County Services	\$1,235	Capital Facilities County Total for All County Services	\$2,233
Number of Dwelling Units	3	Annual Operations and Maintenance Cost-Benefit	\$9	Capital Facilities Cost-Benefit	\$185
Distance out County Roads	Less Than 1 Mile	Cost-Benefit of Walipini Subdivision			
Daily Vehicle Miles Traveled	12	Operations and Maintenance Annual Cost-Benefit	\$548	Capital Improvements One-Time Cost-Benefit	\$2,270
Value of One Lot with a Dwelling Unit	\$325,000	General Fund	-\$458		-\$1,064
		Special Revenue Funds	-\$62		-\$652
		Total Cost-Benefit	\$27		\$554

Generated Using the Fiscal Impact Planning System

ATTACHMENT 9



Map Unit Legend

Teton Area, Idaho and Wyoming (ID650)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
43B725	Drayon silt loam, 2 to 25 percent slopes	16.9	87.6%
13113	Foxcreek mucky peat, 0 to 2 percent slopes	0.6	2.9%
13425	Badgerton-Alpine complex, 2 to 8 percent slopes	1.8	9.5%
Totals for Area of Interest		19.3	100.0%

Soil Map—Teton Area, Idaho and Wyoming (Chin Subdivision)

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)
- Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Mud or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spot Area
- Stony Spot
- Very Stony Spot
- Well Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Teton Area, Idaho and Wyoming
 Survey Area Date: Version 5, Sep 25, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 20, 2011—Jul 21, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

USDA Natural Resources Conservation Service | Web Soil Survey National Cooperative Soil Survey | 12/1/2015 Page 2 of 3

ATTACHMENT 10

Teton County Planning & Building Department
 150 Courthouse Drive, Room 107 | Driggs, ID 83422
 Phone (208) 354-2593 | Fax: (208) 354-8410
 www.tetoncountyidaho.gov

FROM: Kristin Rader, Planner
 TO: Grace Hartman; Jen Zung, Harmony Design & Engineering
 CC: Jason Boal, Teton County Planning Administrator; Tom Davis, Teton County Building Official; Darryl Johnson, Teton County Public Works Director; Earle Giles, Teton County Fire District; Mike Dronen, EIPH; Michelle Motzkus, Silver Star Communications
 RE: Walipini Subdivision, Concept Approval – DRC Meeting Notes
 DATE: December 18, 2015

Amended
22-21-2015

Grace and Jen, the purpose of this letter is to summarize the meeting we had on Monday, December 14, 2015.

Roads & Utilities

- The access point from Old Jackson Highway for this subdivision road will be reconstructed. Because of this, the driveway that is currently used to access the parcel to the north of this project will be moved further to the east to account for the change of slopes.
- Public Works does not have concerns with the proposed access road, as the slopes are within 8%.
- Silver Star Communications did not have concerns with the project, but the application has been submitted to their engineering department for review.
- Fall River Electric did not attend the meeting. I recommend that the applicant contact them to confirm there are no issues with this project.

Fire Protection

- This project does require Fire Protection. A fire pond has been located on the Concept Plan. However, there is an option available to connect to an approved water source within 1 mile of the project. ~~Jen was going to contact Earle. Since the Fire District did not attend the meeting, the applicant will contact Earle directly to discuss the options for fire protection.~~

Septic System & Water Quality

- Eastern Idaho Public Health needs their subdivision application submitted at the Preliminary Review Stage.
- Lot 3 may have steep slopes. Mike can confirm what types of septic systems may work on this lot.
- If a fire pond is located on Lot 2, Mike said it should be lined, and he will need to see the designs to determine setback requirements for septic systems.

Plans & Studies

- Natural Resource Analysis:** This property is located in the Big Game Migration Corridors and Seasonal Range overlay area, so this study will be required for Preliminary Review.
- Landscaping Plan:** This plan will be required for Preliminary Review. This shall include a vegetation/revegetation plan identifying locations where vegetation will be installed in order to replace existing vegetation or revegetate disturbed areas, a plan for weed management, a stabilization plan to cover any disturbed slopes, and a plan to provide screening from neighboring properties or from State Highways 31, 32, 33 or Ski Hill Road.
- Hillside Studies:** Although this property is located within the Hillside Overlay, it was determined that the Hillside Studies are not required for this project as development is not occurring on slopes over 20% nor are the access roads to the building sites on slopes over 20%.

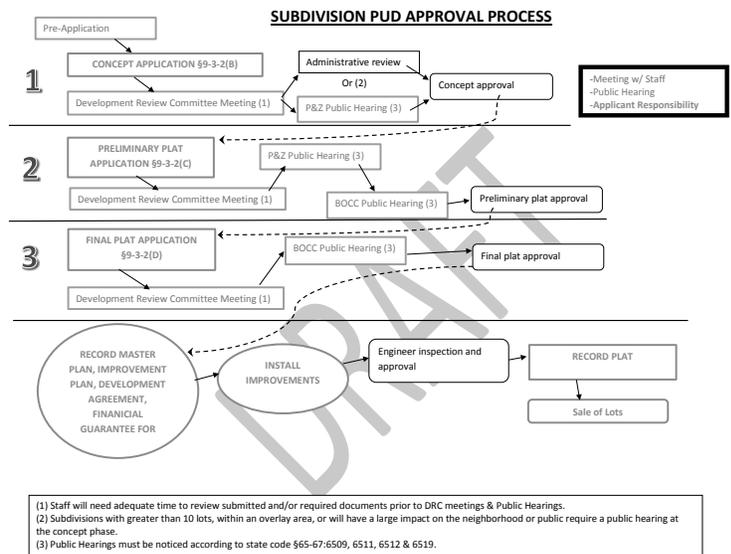
More information on the required studies can be found in the Teton County Code, Title 9.

Public Hearing Information:

You are scheduled for the Teton County Planning and Zoning Commission public on **Tuesday, January 12, 2016 at 5:30 PM**. This public hearing is at the Teton County Courthouse, 150 Courthouse Drive, Driggs, Idaho. A notice, agenda, and meeting packet will be sent to you no later than the week before the meeting. Public hearings are required for the Preliminary and Final stages of this process. The scheduling of those will depend on your application submittal dates.

Attachments: 1. Process Flow Chart; 2. 2016 Hearing & Meeting Schedule

PZC Hearing 1/12/2016



December 17, 2015

RE: Notice of Public Hearing and Solicitation for Comments from property owners within 300 feet of a property that has an application for a proposed subdivision.

Dear Property Owners:

This letter is to notify you that an application for Subdivision Concept Review has been submitted to the Teton County Planning Department by a nearby landowner. According to the Teton County Code (9-3-2B), the purpose of the Concept Review is to discuss, in general, the feasibility and possibility of building the proposed subdivision, including its conformity with the Comprehensive Plan, its relationship to surrounding development, any site conditions that may require special consideration or treatment, and to discuss and review the requirements of the Teton County Code. It is not to determine the exactness of each item required in the checklists of the preliminary and final plat process.

Because the proposed subdivision is located in Natural Resource Overlay areas, a public hearing with the Teton County Planning & Zoning Commission (PZC) is required for Concept Review approval. For approval of Concept Review of a proposed subdivision, the County shall consider the objectives of Teton County Title 9, in addition to the applicant's narrative explaining the impact of the development, and in a general way, at least the following:

- The conformance of the subdivision with the comprehensive plan.
- The availability of public services to accommodate the proposed development.
- The conformity of the proposed development with the capital improvements plan.
- The public financial capability of supporting services for the proposed development.
- Other health, safety, or general welfare concerns that may be brought to the County's attention.

The planning staff is soliciting comments from people in the vicinity of the applicant's property, so we can be aware of neighborhood issues related to the application and incorporate your comments into the staff report to the PZC. Please provide comments related to this application and the criteria of approval listed above.

Applicant: Grace Hartman **Landowner:** James Chin Revocable Trust **Zoning District:** A 2.5; partially in Scenic Corridor
Legal Description: RP03N46E198100; TAX #6313 SEC 19 T3N R4GE
Parcel Size: 8 acres **Physical Address:** 10645 Old Jackson Highway, Victor, ID 83455

Description of Application: Grace Hartman is proposing a 3 lot subdivision on an 8-acre parcel owned by the James Chin Revocable Trust. Two lots will be 2.5 acres, and the third lot will be 3 acres. A small portion of this property is located in the Scenic Corridor; however, no development is proposed there, so a Scenic Corridor Design Review is not required.

PUBLIC HEARING

The Teton County Planning and Zoning Commission will hold a hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **January 12, 2016** on this matter. This application is scheduled as the second item on the agenda, at **5:30pm**. The meeting will begin at 5:00 p.m.

Information on the above application is available for public viewing in the Teton County Planning Department at the Teton County Courthouse in Driggs, Idaho. The development application and various related documents are also posted, as they become available, at www.tetoncountyidaho.gov. To view these items, go to the PZC department page, then select the Public Hearing of January 12, 2016 item in the Additional Information Side Bar. **Written comments will be included in the packet of information provided to the Commission for consideration prior to the hearing if they are received in the Planning Department no later than 5:00pm on Friday, January 1st.** Written comments may be e-mailed to pz@co.teton.id.us, mailed to the address above, or faxed. You may also present your comments in person at the hearing.

The public shall not contact members of the Planning and Zoning Commission or Board of County Commissioners concerning this application, as their decision must, by law, be confined to the record produced at the public hearing.

If you have any further questions, please do not hesitate to contact the Teton County Planning & Building Department.



PLANNING AND BUILDING DEPARTMENT
 150 Courthouse Drive, Room 107 Driggs, Idaho 83422
 Phone: 208-354-2593 | Fax: 208-354-8410

2016 Hearing Schedule and Deadlines (BoCC & PZC)						
Submittal Deadline	DRC	Notice Due	Staff Report Due	Public Comment Due	Hearing Date PZC	Hearing Date BoCC
12/8/2015	12/15/2015	12/18/2015	12/30/2015	1/1/2016	1/12/2016	1/17/2016
1/5/2016	1/12/2016	1/15/2016	1/27/2016	1/29/2016	2/9/2016	2/8/2016
2/2/2016	2/9/2016	2/12/2016 (2/19/2016)	2/24/2016	2/26/2016 (3/4/2016)	3/8/2016	3/14/2016
3/8/2016	3/15/2016	3/18/2016	3/30/2016	4/1/2016	4/12/2016	4/11/2016
4/5/2016	4/12/2016	4/15/2016	4/27/2016	4/29/2016	5/10/2016	5/9/2016
5/10/2016	5/17/2016	5/20/2016	6/1/2016	6/3/2016	6/14/2016	6/13/2016
6/7/2016	6/14/2016	6/17/2016	6/29/2016	7/1/2016	7/12/2016	7/11/2016
7/5/2016	7/12/2016	7/15/2016	7/27/2016	7/29/2016	8/9/2016	8/8/2016
8/5/2016	8/12/2016	8/15/2016	8/31/2016	9/2/2016	9/13/2016	9/12/2016
9/6/2016	9/13/2016	9/16/2016	9/28/2016	9/30/2016	10/11/2016	10/11/2016*
10/4/2016	10/11/2016	10/14/2016 (10/21/2016)	10/26/2016	10/28/2016 (11/4/2016)	11/8/2016	11/12/2016
11/8/2016	11/15/2016	11/18/2016	11/30/2016	12/2/2016	12/13/2016	12/12/2016

*Holiday conflict-date may change



TETON COUNTY PLANNING AND ZONING COMMISSION
 Meeting Primer, January 12, 2016
 County Commissioners' Meeting Room, Driggs, ID

Article 13 Review:

Article 13 is intended to be the portion of the code that does 2 things: 1) explains what is required for the applicant to submit with their application, and 2) explains what criteria will be used to review the application (if the criteria is not found elsewhere).

13.1- Explains the Property Development Plan (PDP). The intent of this plan is to provide the decision makers (Staff, PZC, and/or BoCC) a complete package of what the intent is with the property. This PDP is in essence the application, site plan, documentation that will be kept to show what the original intent of the application was, explanation the original conditions of the property, and the technical plans of what was applied for.

13.2- Is where the "Additional Requirements" can be found. Depending on the type, location, and scale of the development, additional information will be needed to evaluate the application. Article 13.2 lists the additional studies/plans that may be required and identifies which types of developments would trigger the additional section. Currently the chart utilizes an X or Blank as opposed to a P= Possible, X= Yes, or Blank= No. The reason for this is so that a property owner can turn to the specific section to determine whether or not it was going to be needed, as opposed to relying on the chart.

13.3- This section explains the specific additional studies that may be required. Some of the sections are required for all developments, while some are only required for certain types or locations of the development. Each individual section identifies where/when the section would be required, the intent of the section, the standards used to review the section, and the format the information needs to be submitted in.

*Attached is a "Fire Protection Plan" section. Staff realized last week that these standards were not adequately covered elsewhere in the code and wanted to be sure to include them.

Goals:

- Make sure we are comfortable with Article 13 as a whole.
- Make sure the criteria in 13.2 is clear, not too burdensome and adequate for the decision makers.
- Review as many of the sections of 13.3 as we can.
 - o Come to agreement about the standards used and the format of the section.
 - o Come to agreement about the applicability of the requirements (Staff is working on a cost analysis based on the table in 13.2.2 which we hope will help clarify the cost of each section. We anticipate this being part of the conversation in the January 19th meeting. Please focus on the individual 13.3.XX sections and don't spend too much time on 13.2.2 for this meeting. We will talk about When and where the studies are required in the 19th meeting.



13.3.26. Fire Protection Plan

A. Areas Applicability

This Section applies to all land found in Teton County.

B. Scale/Scope of Development Requiring Applicability

This Division applies to all development in Teton County in Teton County.

C. Intent

The intent of this Division is to ensure that all development in Teton County meets the International Fire Code as well as other standards required by the Teton County Fire Protection District, Resolution for Subdivisions Number 3, adopted on 22 February 2005, as amended. (April 22, 2008).

D. Standards

Fire Protection standards can be found in the International Fire Code as adopted by the State of Idaho and the most recently adopted/amended Teton County Fire Protection District, Fire Protection Resolution for Subdivisions.

Per the Teton County Fire Protection District, Fire Protection Resolution for Subdivisions, any subdivision greater than 3 lots shall provide an approved water source or enter an agreement for a shared water access within 1 mile of driving distance. This provision applies to all Land Divisions, Short Plats and Full Plats

E. Section Format for the Property Development Plan

A fire protection plan shall be submitted that identifies the following:

1. Road layout (including grade, curve and turnout specifications)
2. Driveway layout (including grade, curve and turnout specifications)

3. Distance from structures to fire protection water supply

4. Fire pond/hydrant construction plans

5. Fire protection easements

6. Fire protection system maintenance provisions

7. Maintenance plan, fire protection covenants, and/or fire protection agreements

8. Letter of notification indicating the intent to be considered for reimbursement of a portion of the costs of the fire protection improvements required by this ordinance, that may be utilized by future development.

DECLARATION OF RESTRICTIVE COVENANTS

Josef J. Stiegler, of Teton County, Wyoming, Frank Kenyon and Gisela Hippelein-Kenyon, husband and wife, of Teton County, Karl Heinz Gottschall and Sidyllie Gottschall, husband and wife, of Munich, Germany and Frank Ludwig and Carolyn Ludwig, husband and wife, of Munchich, Germany, being all the owners in fee simple of the following described land, to-wit:

Beginning at a point N 00° 00' 51" W., 413.00 feet of the N.W. corner of the S.W.1/4 of the S.E.1/4 of Sec. 19, T. 3N., R. 46 E., M. 1, Teton County, Idaho, and running thence N. 00° 00' 51" W., 902.95 feet to the center of the Section; thence S. 89° 46' 08" E., 2637.41 feet to the E.1/4 COR. of said Section; thence S. 09° 06' 28" W., 850.50 feet along the Section line; thence N 89° 44' 22" W., 2037.42 feet; thence S. 89° 07' 11" W., 600.34 feet to the point of beginning, containing 51.81 acres more-or-less.

STIEGLER LOT
10 acres

Also: Beginning at the Northwest corner of the S.W.1/4 of the S.E.1/4 of Section 19, T. 3N., R. 46 E., B.M. and running thence, S 89° 41' 37" E. 263.84 feet, thence North 175.0 feet, thence East 131.41 feet to the West right-of-way of U.S. Highway No. 33, thence Southeast along said right-of-way 188.96 feet to a point that is S 89° 41' 37" E 463.84 feet from the point of beginning, thence S 89° 41' 37" E 29.78 feet, Canyon Lane, thence S 89° 00' 48" E 1946.71 feet to the East Section line of said Section, thence N 00° 00' 51" E 1019.69 feet along the Section line, thence S 09° 00' 51" E 413.80 feet to the point of beginning, together with all ditches and water rights appurtenant to said lands thereto, containing 51.81 acres more-or-less.

hereby make the following Declarations as to limitations, restrictions and uses to which that property may be put, hereby specifying that said Declarations shall constitute covenants to run with all of the land as provided by law and shall be binding upon all parties and all persons claiming under them and for the benefit of and limitation upon all future owners thereof, this Declaration of Restrictive Covenants being designated for the purpose of keeping and maintaining the use and development of the land desirable, uniform and suitable in architectural design as herein specified.

1. DESCRIPTIONS: The Ten (10) acres, more-or-less, owned by Josef J. Stiegler within the above described land shall hereinafter be referred to as the "Stiegler lot". The forty (40) acres, more-or-less, owned by Frank Kenyon and Gisela Hippelein-Kenyon within the above described land shall hereinafter be referred to as the "Kenyon lot". The fifty (50) acres, more-or-less, owned by Karl Heinz Gottschall and Sidyllie Gottschall and Frank Ludwig and Carolyn Ludwig within the above described land shall hereinafter be referred to as the "Ludwig/Gottschall lot".

2. SUBDIVISION: The Stiegler lot is limited as to subdivision to no more than two (2) lots each to contain no less than five (5) acres each. The Kenyon lot shall be limited as to subdivision to no more than four (4) lots each containing no less than ten (10) acres each. The size of said subdivided Kenyon and Stiegler lots may vary in proportion to any variance from the stated forty (40) acres and ten (10) acres each in the respective Kenyon and Stiegler lots. However, the number of lots may not vary.

10. EXCAVATION AND MINING: No excavation for stone, gravel or earth shall be made upon any property except for such excavation as may be necessary in connection with the erection of an approved improvement thereon, or in landscaping the property.

11. PROHIBITED ACTIVITIES: No commercial activities except those of artists and craftsmen and except the breeding and/or raising of animals as hereinafter permitted shall be allowed.

12. ANIMALS: Except for dogs, not to exceed two (2) per lot, and cattle, sheep, goats or horses, not to exceed two of each type of animal per acre, and pigs, not to exceed two of each type and household pets, no animals shall be kept or raised on any lot except those which cannot be seen, heard or smelled from beyond the owner's lot lines.

13. AMENDMENT: The Covenants and conditions hereof may be amended, modified or repealed at any time by the consent of the then record owners of two-thirds (2/3) or more of the lots in the event that there are three (3) lots, or by the consent of the then record owners of three-fourths (3/4) or more of the lots in the event that there are four (4) lots, or by the consent of the then record owners of eighty percent (80%) or more of the lots in the event that there are more than four (4) lots; provided, however, that in no event may the Covenants and conditions hereof be amended or modified so as to prevent the Stiegler lot from being subdivided as provided in Paragraph 2 hereof.

IN WITNESS WHEREOF, this Declaration of Restrictive Covenants is executed this _____ day of _____, 1976.

Josef J. Stiegler
Frank Kenyon
Gisela Hippelein-Kenyon
Karl Heinz Gottschall
Sidyllie Gottschall
Frank Ludwig
Carolyn Ludwig

The Ludwig/Gottschall lot shall not, at this time, be limited as to subdivision. However, an Amendment to these Covenants is contemplated whereby the Ludwig/Gottschall lot will be limited as to subdivision to six (6) lots each containing no less than 8.33 acres each.

3. BUILDINGS: All buildings shall be built in compliance with all standard building and safety codes applicable in the State of Idaho. No structure, except as hereinafter provided, shall be erected, altered, placed or permitted to remain on any parcel other than any combination of the following: one single-family dwelling, one private garage, a suitable guest house, a utility building, and buildings pertinent to ranch use. No building shall be greater than two (2) stories high. The principal dwelling house and guest house on any lot may be rented for single-family residential purposes, but not separately.

4. CONSTRUCTION: The exterior of all houses and other permitted structures must be completed within twelve months after the commencement of construction except where such completion is impossible or would result in undue hardship to the owner or builder due to strikes, fires, national emergency or natural calamities.

5. PROHIBITED MATERIALS: No reflective metal or other reflective materials shall be used for the roofs or sidings of any building constructed subsequent to the date of these Covenants.

6. PROHIBITED STRUCTURES: No trailer home, mobile home, tent, camper, basement, garage, outbuilding, or any other structure or habitation, either temporarily or permanently. No house trailer, camper trailer, tent, shack or any other structure of a temporary nature shall be erected, placed or be permitted to remain on any lot except as the same may be customarily employed by contractors or owners for and during the construction of improvements thereon or unless shielded from view by adjacent property owners either by fence or placement in a permitted building. The term "trailer home" or "mobile home" as used herein shall mean any building or structure with wheels and/or axles and any vehicle, used at any time, or so constructed so as to permit its being used for the in a manner as to permit occupancy thereof as a dwelling or sleeping place for one or more persons, and shall also mean any such building, structure or vehicle, whether or not wheels and/or axles have been removed, after such building, structure or vehicle has been placed on either temporarily or permanently upon a foundation. Exceptions are small structures used as children's playhouses and except tents or campers or travel trailers used by vacationing guests for periods of time not to exceed two weeks.

7. SET BACKS: Except for existing buildings or structures or no building or structure, except for access roads, shall be erected or permitted to remain on any lot less than fifty (50) feet from any lot line.

8. UTILITIES: All utilities, including but not limited to electric, telephone, water and sewer lines, shall be placed beneath the ground. Fuel storage tanks of all kinds shall be placed beneath the ground if such storage is permissible for that type of fuel. Otherwise, all fuel storage tanks of all kinds shall be concealed from view by persons off the lot on which they are located.

9. WASTE AND TRASH: No trash, brush piles, rubbish, junk, inoperative vehicles, including trailers, and no other unsightly items of property or waste shall be collected or placed or permitted to remain on any property.

STATE OF WYOMING }
COUNTY OF TETON } SS.

The foregoing Declaration of Restrictive Covenants was acknowledged by Josef J. Stiegler before me this 21st day of May, 1976.

WITNESS my hand and official seal.
Notary Public
My Commission expires: November 14, 1979

STATE OF WYOMING }
COUNTY OF TETON } SS.

The foregoing Declaration of Restrictive Covenants was acknowledged by Frank Kenyon before me this 21st day of May, 1976.

WITNESS my hand and official seal.
Notary Public
My Commission expires: My Commission Expires January 21, 1979

STATE OF WYOMING }
COUNTY OF TETON } SS.

The foregoing Declaration of Restrictive Covenants was acknowledged by Gisela Hippelein-Kenyon, this 21st day of May, 1976.

WITNESS my hand and official seal.
Notary Public
My Commission expires: My Commission Expires January 21, 1979

77522
A. J. Ziegenfuss
Notary Public
My Commission Expires: January 21, 1979

TETON COUNTY

PUBLIC HEARING
SIGN-UP SHEET

You must sign up to testify – or submit comments

Agenda Item Number: 1
Date: JAN 12, 2016

PLEASE PRINT LEGIBLY

Name: Rebecca Koch

City of Residence (Physical Address- not post office box):

33 E 4000 S VICTOR

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, your comments on this sheet will be read into the record – so long as they are written legibly, signed below and do not exceed the space allotted.

I BELIEVE THIS COUNTY WOULD BENEFIT FROM
THE CHURCH. THE AREA IS A PERFECT PLACE
I AM VERY MUCH IN FAVOR OF THIS CHURCH
AND THE LOCATION

Written signature (only if not testifying)

TETON COUNTY

PUBLIC HEARING
SIGN-UP SHEET

You must sign up to testify – or submit comments

Agenda Item Number: 1
CUP OF TVCC
Date: 1/12, 2016

PLEASE PRINT LEGIBLY

Name: Robert A Vastraj's

City of Residence (Physical Address- not post office box):

3102 Aspen Dr
Tetonia Id

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, your comments on this sheet will be read into the record – so long as they are written legibly, signed below and do not exceed the space allotted.

Written signature (only if not testifying)

TETON COUNTY

PUBLIC HEARING
SIGN-UP SHEET

You must sign up to testify – or submit comments

Agenda Item Number: 1
cup for TVCC
Date: 1/12, 2016

PLEASE PRINT LEGIBLY

Name: Bonnie Reece

City of Residence (Physical Address- not post office box):

3122 Central Ave.
Tetonia, Id, 83452

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, your comments on this sheet will be read into the record – so long as they are written legibly, signed below and do not exceed the space allotted.

Written signature (only if not testifying)

TETON COUNTY

PUBLIC HEARING
SIGN-UP SHEET

You must sign up to testify – or submit comments

Agenda Item Number: 1
CUP for TVCC
Date: 1/12, 2016

PLEASE PRINT LEGIBLY

Name: Denise Vastraj's

City of Residence (Physical Address- not post office box):

3102 Aspen Drive
Tetonia, ID

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, your comments on this sheet will be read into the record – so long as they are written legibly, signed below and do not exceed the space allotted.

Written signature (only if not testifying)

TETON COUNTY

PUBLIC HEARING
SIGN-UP SHEET

You must sign up to testify – or submit comments

Agenda Item Number: 1

Date: 1-12, 2016

PLEASE PRINT LEGIBLY

Name: Barbara Butler

City of Residence (Physical Address- not post office box):

3500 S Doggo Rd

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, your comments on this sheet will be read into the record – so long as they are written legibly, signed below and do not exceed the space allotted.

wish to see this church grow - we love it the town can see it

Written signature (only if not testifying)

TETON COUNTY

PUBLIC HEARING
SIGN-UP SHEET

You must sign up to testify – or submit comments

Agenda Item Number: 1

Date: 1-12, 2016

PLEASE PRINT LEGIBLY

Name: Rhoda Simper

City of Residence (Physical Address- not post office box):

2450N 4000 W Teton

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, your comments on this sheet will be read into the record – so long as they are written legibly, signed below and do not exceed the space allotted.

I support the application for Teton Valley Church to be approved. It is a wonderful church that is helping many in the community

Rhoda Simper
Written signature (only if not testifying)

TETON COUNTY

PUBLIC HEARING
SIGN-UP SHEET

You must sign up to testify – or submit comments

Agenda Item Number: 2

Date: 1-12, 2016

PLEASE PRINT LEGIBLY

Name: Karie Josten

City of Residence (Physical Address- not post office box):

1605 Kestrel Hill Rd. Victor, ID 83455

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, your comments on this sheet will be read into the record – so long as they are written legibly, signed below and do not exceed the space allotted.

Written signature (only if not testifying)

TETON COUNTY

PUBLIC HEARING
SIGN-UP SHEET

You must sign up to testify – or submit comments

Agenda Item Number: 2nd

Date: 1/12, 2016

PLEASE PRINT LEGIBLY

Name: Michael Harrison

City of Residence (Physical Address- not post office box):

10573 Old Jackson Hwy Victor, ID. 83455

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, your comments on this sheet will be read into the record – so long as they are written legibly, signed below and do not exceed the space allotted.

Written signature (only if not testifying)

TETON COUNTY
PUBLIC HEARING
SIGN-UP SHEET

You must sign up to testify – or submit comments

Agenda Item Number: 2nd G. Hartman

Date: 1-12, 2016

PLEASE PRINT LEGIBLY

Name: MEREDITH HARE

City of Residence (Physical Address- not post office box):

MORAN, WY 83013
25705 BUFFALO RUN

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, your comments on this sheet will be read into the record – so long as they are written legibly, signed below and do not exceed the space allotted.

Written signature (only if not testifying)

PO Box 420
Moran, WY 83013
January 11, 2016
307-543-0975

To: Teton County Planning & Zoning, Driggs, ID

Subject: Notice of public hearing and solicitation for comments from property owners within 300', 17 Dec 2015. Subdivision concept review, to discuss feasibility and possibility of building the proposed subdivision.
10645 Old Jackson Highway, 8 acres. Owner: James Chin revocable /Trust. Applicant: Grace Hartman, "Walipini Subdivision"

Testimony, 12 January 2016

My name is Meredith Hare.
I own the property adjacent to and surrounding most of the proposed subdivision.
Until recently my wife and I lived on this property for 20 years.

I am opposed to the proposed subdivision because it is in violation of the Declaration of Restrictive Covenants placed on this land by its owners in 1976.

I have a copy of those covenants for the record.

This restriction is on 10 acres that contain the proposed subdivision.

From these 10 acres, the 8 acre parcel was sold to Mr Chin by my father's widow, Terry Frey. She conveyed 2 acres to Mr Harrison, who built his home there.

These 8 + 2 acres formed the original 10 acres subject to the restrictive covenants.

The covenants stipulate no more than 2 subdivisions of no less than 5 acres each.

So the 10 acres that have the covenants have already been divided into 8 and 2 acres.

And now the 8 acres of the original 10 are proposed to be further subdivided into 3.

I submit to you that this is in violation of the Declaration of Restrictive Covenants and should not be approved by the Planning and Zoning Commission.

Thank you.

Sincerely,



Meredith Hare

attached: Declaration of Restrictive Covenants



February 9, 2016

**Teton County Planning & Zoning Commission
Written Decision for Conditional Use Permit Recommendation of
Approval for the Cowboy Church**

Overview

On January 12, 2015, David Kite came before the Teton County Planning & Zoning Commission to request a recommendation of approval for a Conditional Use Permit for a church on property located north of Driggs, at 4369 N. Highway 33.

Planning & Zoning Commissioners Present: Mr. Dave Hensel, Mr. Cleve Booker, Mr. Bruce Arnold, Mr. Chris Larson, Ms. Marlene Robson, Mr. Jack Haddox, Ms. Sarah Johnston, and Mr. David Breckenridge.

Applicant(s)/Representative(s) Present: David Kite

Motion

Ms. Johnston moved that having concluded that the Criteria for Approval of a Conditional Use Permit found in Title 8-6-1 can be satisfied with the inclusion of the following conditions of approval:

1. The applicant will provide Teton County Planning & Building with the net square footage to calculate the occupancy load to determine if a sprinkler system is required. If the system is not required, it is highly recommended that the system be inspected and utilized for the safety of the occupants.
 2. Any additional development or changes to the existing structure on this property requires a Scenic Corridor Design Review, where applicable.
 3. All outdoor lights must comply with the Teton County Code, if applicable.
 4. A sign permit is required for the existing Cowboy Church sign.
 5. Parking must meet the Teton County Code requirements, including number of spaces and size, as well as ADA accessible requirements.
 6. Access, parking, septic system, water, and building safety thresholds will be established and included in such a way that the CUP will be reviewed when those thresholds are met.
- and having found that the considerations for granting the Conditional Use Permit can be justified and have been presented in the application materials, staff report, and presentations to the Planning & Zoning Commission,
 - and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,
 - I move to RECOMMEND APPROVAL to the Teton County Board of County Commissioners for the Conditional Use Permit for the Cowboy Church as described in the application materials submitted December 4, 2015 and as supplemented with additional applicant information attached to this staff report.

Mr. Arnold seconded the motion. After a roll call vote, the motion was unanimously approved.

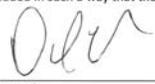
Conclusions

Having given due consideration to the application and evidence presented, and to the criteria of approval defined in Teton County Code, Title 8-6-1, the Teton County Planning & Zoning Commission hereby makes the following conclusions:

1. The location for the proposed use is compatible to other uses in the general neighborhood. The existing building was built as a commercial building, so its uses are limited in the A-2.5 zone.
2. The fiscal impact of the proposed use will be minimal as no new structures are being proposed, it accesses directly from Highway 33, and the church assembly will only meet once per week.
3. The location for the proposed use is large enough to accommodate the proposed use at its current size, with some room to grow. It was recommended to determine a threshold that would require the Conditional Use Permit to be reviewed to ensure the location is able to accommodate the use in the future.
4. In general, the proposed Conditional Use Permit conforms with the goals outlined in the 2012-2030 Teton County Comprehensive Plan, including new services for the community and community involvement.
5. The proper legal requirements for advertisement of the public hearing have been fulfilled as required by Idaho Code, Title 67; Section 67-6509, 67-6511, 67-6512, and Title 9, Section 3-2-(B-2) of the Teton County Zoning Ordinance. The public hearing was duly noticed in the Teton Valley News on December 24, 2015 and December 31, 2015. A notification was sent via mail to surrounding property owners within a 300-foot buffer area, as well as all property owners in subdivisions that intersect with the 300-foot buffer. A notice was also posted on the property providing information about the public hearing.
6. Other persons in attendance expressed approving comments of the proposed Conditional Use Permit. All public comments are on file with the minutes of January 12, 2016.
7. This proposal is not in conflict with the provisions of any adopted ordinance or intent of any county policy or use within the proposed zone classification.

Recommended Conditions of Approval

1. The applicant will provide Teton County Planning & Building with the net square footage to calculate the occupancy load to determine if a sprinkler system is required. If the system is not required, it is highly recommended that the system be inspected and utilized for the safety of the occupants.
2. Any additional development or changes to the existing structure on this property requires a Scenic Corridor Design Review, where applicable.
3. All outdoor lights must comply with the Teton County Code, if applicable.
4. A sign permit is required for the existing Cowboy Church sign.
5. Parking must meet the Teton County Code requirements, including number of spaces and size, as well as ADA accessible requirements.
6. Access, parking, septic system, water, and building safety thresholds will be established and included in such a way that the CUP will be reviewed when those thresholds are met.



Dave Hensel
Chair of Teton County Planning & Zoning Commission

2/9/16
Date



February 9, 2016

**Teton County Planning & Zoning Commission
Written Decision for Walpini Subdivision Concept Approval**

Overview

On January 12, 2016, Grace Hartman came before the Teton County Planning & Zoning Commission to request Concept Plan approval of a proposed subdivision on property located southeast of Victor, at 10645 Old Jackson Highway, for a 3-lot subdivision.

Planning & Zoning Commissioners Present: Mr. Dave Hensel, Mr. Cleve Booker, Mr. Bruce Arnold, Mr. Chris Larson, Ms. Marlene Robson, Mr. Jack Haddox, Ms. Sarah Johnston, and Mr. David Breckenridge.

Applicant(s)/Representative(s) Present: Grace Hartman; Jen Zung, Harmony Design & Engineering.

Motion

Mr. Arnold moved that having concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) can be satisfied with the inclusion of the following conditions of approval:

1. Compliance with all local, state, and federal regulations.
 2. Begin working with EIPH for septic approval.
 3. Begin working with Teton County Fire District for fire suppression approval.
 4. Conduct required studies/plans for Preliminary Review: Landscape Plan, Natural Resources Analysis.
 5. Consider the importance of viewsheds.
 6. Adequately address the shared driveway/roadway with the 2-acre parcel to the north (Mr. Harrison's property).
- and having found that the considerations for granting the Concept Plan Approval to Grace Hartman can be justified and have been presented in the application materials, staff report, and presentations to the Planning & Zoning Commission,
 - and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,
 - I move to APPROVE the Concept Plan for Walpini Subdivision as described in the application materials submitted December 7, 2015 and as supplemented with additional applicant information attached to this staff report.

Mr. Breckenridge seconding the motion.

Mr. Larson commented that this application is right on his threshold of wanting to see the application moved forward and wanting to table it to get more information. He hopes everyone understands there are questions that need to be addressed. Mr. Haddox agreed that he has a lot of concerns with this application, but it is a concept application. Ms. Johnston agreed. She commented that she sympathized with the neighbors' concerns, but those are outside of the jurisdiction of the Planning and Zoning Commission, and the application meets the required conditions of approval

After a roll call vote, the motion was unanimously approved.

Conclusions

Having given due consideration to the application and evidence presented, and to the criteria of approval defined in Teton County Code, Title 9-3-2(B-4), the Teton County Planning & Zoning Commission hereby makes the following conclusions:

1. In general, the proposed subdivision conforms with the goals outlined in the 2012-2030 Teton County Comprehensive Plan, including low to medium-density housing and building envelopes to protect wildlife habitat, sensitive areas, and natural resources.
2. Public services are being utilized by the surrounding property owners, so they are available in the area. The subdivision will utilize private well and septic systems. The development will be accessed from Old Jackson Highway.
3. Applicable impact fees will be required for all lots within the proposed subdivision, as adopted by Teton County.
4. The fiscal impact of the proposed development will be minimal due to its size.
5. The proposed development will not negatively impact the health, safety, or general welfare of the County.
6. The proper legal requirements for advertisement of the public hearing have been fulfilled as required by Idaho Code, Title 67; Section 67-6509, 67-6511, 67-6512, and Title 9, Section 3-2-(B-2) of the Teton County Zoning Ordinance. The public hearing was duly noticed in the Teton Valley News on December 24, 2015 and December 31, 2015. A notification was sent via mail to surrounding property owners within a 300-foot buffer area, as well as all property owners in subdivisions that intersect with the 300-foot buffer. A notice was also posted on the property providing information about the public hearing.
7. Other persons in attendance expressed approval and opposing comments of the proposed subdivision. All public comments are on file with the minutes of January 12, 2016.
8. This proposal is not in conflict with the provisions of any adopted ordinance or intent of any county policy or use within the proposed zone classification.

Conditions of Approval

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5. Consider the importance of viewsheds.
6. Adequately address the shared driveway/roadway with the 2-acre parcel to the north (Mr. Harrison's property).

Dave Hensel
Chair of Teton County Planning & Zoning Commission

2/9/16

Date