



REQUEST FOR CONCEPT PLAN REVIEW
By: Nelson Engineering/Surveying
FOR: Howard-Redmond Subdivision
WHERE: East of the City of Tetonia
PREPARED FOR: Planning and Zoning Commission 11/13/18

APPLICANT & LANDOWNER: Ginger Howard & James Redmond

REQUEST: The applicants are proposing a 2 lot subdivision on approximately 6 acres. The residential lots will meet the zoning requirements and will be 3.47 and 2.5 acres. The proposed subdivision is located east of the City of Tetonia.

APPLICABLE COUNTY CODE: Subdivision Concept Plan Review pursuant to Title 9, Chapter 3-2-B-2, Teton County Zoning Ordinance, (revised 05/16/2013); Teton County Comprehensive Plan (A Vision & Framework 2012-2030).

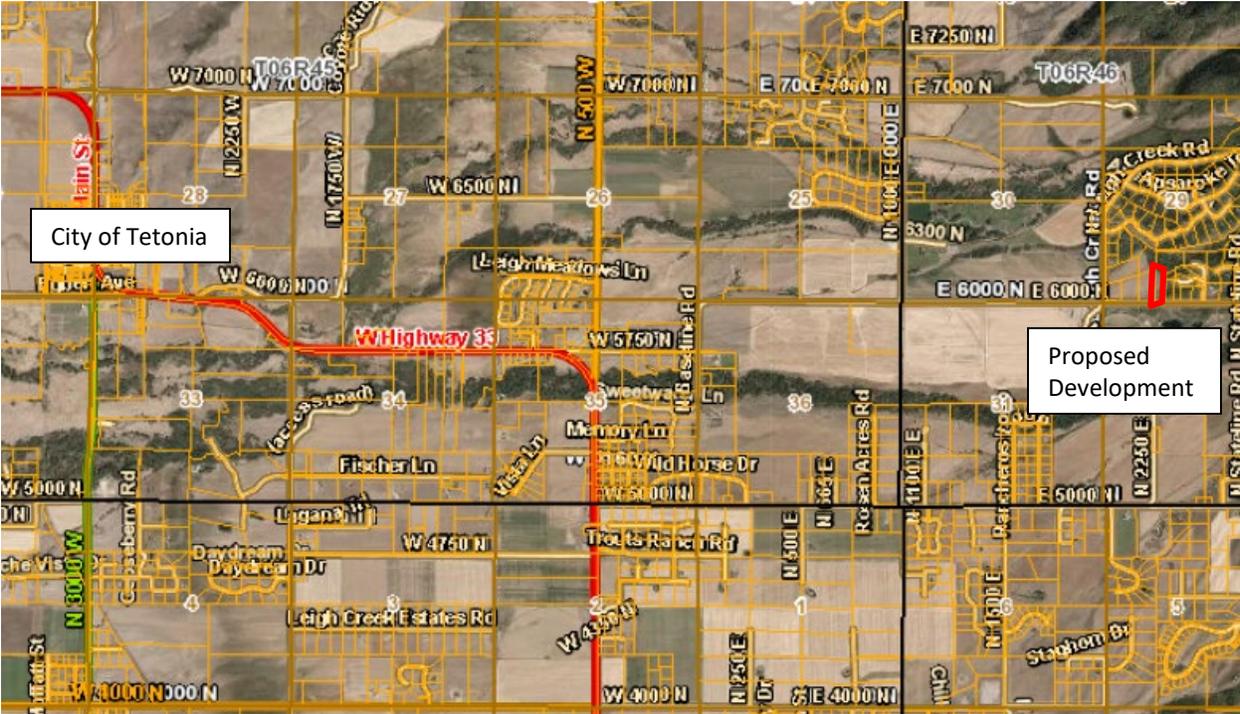
LEGAL DESCRIPTION: RP06N46E296601, TAX #6052 SEC 29 T6N R46E

LOCATION: 2266 E 6000 N; East of the City of Tetonia.

ZONING DISTRICT: A/RR -2.5

PROPERTY SIZE: 5.98

VICINITY MAP:



AERIAL IMAGE SHOWING OVERLAYS



PROJECT DESCRIPTION:

The property is accessed from County Road E 6000 North, where an existing residence and garage are constructed. The applicants also own a 1.04 acre parcel north and east of the subject parcel, which is accessed from the same point through a driveway running north across the property. The 1 acre parcel was established as a separate parcel by the applicants through a one-time-only land division in 2002 (Inst# 148872) which was approved by the Planning Administrator. The subject property was further modified through a boundary adjustment which reduced the parcel to its current acreage, while establishing an alternative access to the parcel to the north (Inst# 151785).

The property is located in an area where there are a number of overlays, but only one overlay falls on the property; the Big Game Migration and Seasonal Habitat overlay associated with South Leigh Creek to the south of the property. The applicants have been informed that the presence of the overlay will require the preparation of a natural resources analysis and a wildlife habitat assessment. The property does not include any lands within the Special Flood Hazard Area on either current floodplain maps or preliminary maps prepared by FEMA nor areas identified as wetlands on the National Wetlands Inventory. The wetlands and waterways (W/W) overlay also includes lands within 300 feet of the ordinary high water mark of certain named streams in the County. Both North and

South Leigh Creek are listed streams, however Middle Leigh Creek and Little Dry Creek, near the property, are not.

Because of the presence of overlay areas as defined in County ordinances, the concept plan is not eligible for administrative review only, but must be reviewed by the Planning and Zoning Commission. A pre-application meeting was held with the applicants on August 29th, 2018, where applicants met with Planning staff to review the proposal and answer questions regarding the subdivision process.

It appears the property is vacant other than the home and garage near 6000 North, and the majority of the property is open grassy meadows which may have been cultivated or cut for hay at one time. The property is rolling hills with trees along the north property line where the property drops down to the Middle Leigh Creek/Little Dry Creek drainage. The property is surrounded by residential subdivision lots to the east and platted and unplatted residential lots to the north. The west also has platted subdivision lots in the Galloways Hills subdivision which have not been developed, but are hayed meadows, with large cultivated agricultural parcels to the west beyond that. To the south, there is a single large acreage residential property with natural and landscaped areas, with additional agricultural land.

Fire protection is typically not triggered by the development of two lots, but there are a number of residential uses established in this area with a lengthy driveway on the property. Comments have been requested from the Teton County Fire Marshal. No trails are proposed and no trails are indicated on trail maps adopted by Teton County. No public lands accessible from the property have been identified.

PROJECT BACKGROUND:

The first step in the subdivision process is a Concept Plan Review (9-3-2B). The parcel has already been divided with a One Time Only (OTO) division so the property must use a subdivision process to be further divided.

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

CONSIDERATION OF 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
<p>1. The conformance of the subdivision with the Comprehensive Plan.</p>	<p>“The Howard/Redmond Subdivision meets the goals of the Comprehensive Plan within its zone of A/RR -2.5. The development would be in compliance with the current building codes, meet the required density, fit in with the rural community character with the foothills topography in height, scale and siting, and adequate parking would be provided.”</p>	<p>The application is in compliance with the current ordinances in relation to lot size. The Comprehensive Plan shows this area as “Foothills” which includes the following uses: • Low residential densities with provision for clustering / conservation; Residential development clustered to respect topography; and conservation and wildlife habitat enhancement, and Development regulated by overlays and development guidelines to protect natural resources and improve public safety.</p>
<p>2. The availability of public services to accommodate the proposed development.</p>	<p>“Existing public services including recreation, sheriff, emergency services, circulation (roads and pathways), etc. are available and sufficient to accommodate the proposed development.”</p>	<p>The subdivision will access from County road E 6000 N at an existing access point. The new lots will need to maintain an easement to the property to the east also owned by the applicants. No accommodations for fire suppression system are proposed.</p>
<p>3. The conformity of the proposed development with the Capital Improvements Plan (CIP).</p>	<p>“Development would be in alignment with the Capital Improvements Plan in that the subdivision meets the density within its zone and there would be very minor impacts on existing public service facilities, however, the tax levy would be adequate to cover any necessary improvements.”</p>	<p>The proposed density is less than 1 unit/2.5 acres allowed in the zone. The CIP was based on a density of 30 units/100 acres for this area based on existing development patterns, so the proposed density is less dense. All applicable impact fees based on the Impact Fee Program (2008 CIP) will be assessed at the time of building.</p>
<p>4. The public financial capability of supporting services for the proposed development.</p>	<p>“The assessed tax levy/bonds in place would cover any public financial burden of supporting services for the proposed development.”</p>	<p>A Fiscal Impact Analysis is not required for subdivisions of less than 20 lots. The Capital Improvements Plan and impact fee assessment discussed above provides for new development to help pay for provision of public services.</p>
<p>5. Other health, safety, or general welfare concerns that may be brought to the County's attention.</p>	<p>“There are no other health, safety or general welfare concerns with the proposed subdivision and development.”</p>	<p>No health, safety, or general welfare concerns have been identified for the application.</p>

INTER-AGENCY AND DEPARTMENTAL REVIEW COMMENTS AND KEY ISSUES:

A pre-application meeting was held with the applicant on August 29th, 2018. Information was solicited from other agencies and departments prior to scheduling the application for Concept plan review, from members of the Development Review Committee including, Teton County Public Works Director, Teton County Fire Marshal, Eastern Idaho Public Health, and other agencies providing services or potentially impacted by development.

THE COUNTY ENGINEER HAD THE FOLLOWING COMMENTS:

ROADS: "It appears applicant will be taking advantage of the existing access off of the County road E 6000 N. Because this is a proposed subdivision, applicant may be required to bring existing driveway to County Local Road standards."

FIRE PROTECTION: The applicants stated that the Fire Marshal indicated that no fire suppression system would be required and that the existing drive appears to be adequate for his equipment. They noted a requirement for turnaround at the dead end. A hammerhead turnaround plan is shown on the concept drawing.

WASTEWATER TREATMENT: ONSITE INDIVIDUAL SEPTIC SYSTEMS ARE PROPOSED WITH A SHARED WELL. Eastern Idaho Public Health District have not commented at this time:

No other agencies or departments provided other substantive comment or identified concerns.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE:

Notice to adjacent property owners within 300 feet of the property boundary were sent Oct. 19, 2018. Notice was published in the newspaper Oct 25th and Nov 1st, 2018. Notice was posted onsite Oct. 19th, 2018.

CONDITIONS OF APPROVAL

- Begin working with EIPH for septic approval.
- Teton County Fire District for fire access requirements.
- Conduct and submit any required studies prior to Preliminary Plat submission.

PLANNING & ZONING COMMISSION ACTION:

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, 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 Howard-Redmond Subdivision as described in the application materials submitted September 27, 2018 and as supplemented with additional applicant information attached to this staff report.*

The applicants are directed to prepare the following studies prior to the preliminary plat hearing:

- *Natural Resources Analysis and Wildlife Habitat Assessment*

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 Howard-Redmond Subdivision as described in the application materials submitted September 27, 2018 and as supplemented with additional applicant information attached to this staff report. The following could be done to obtain approval:

1. ...

Prepared by Joshua Chase, Senior Planner

Attachments:

1. Application (3 pages)
2. Narrative (4 pages)
3. Concept Drawings (1 page)
4. Record of Survey 2002 OTO (Inst# 148872, 1 page)
5. Record of Survey – Boundary Adjustment (Inst# 151785, 1 page)
6. Soils map (1 page)
7. Warranty Deed (Inst# 226100, 2 pages)

End of Staff Report