



PRELIMINARY PLAT REVIEW PUBLIC HEARING

FOR: Back Forty Subdivision
WHERE: N of Victor; W 7000 S
PREPARED FOR: Planning and Zoning Commission
Public Hearing of June 10, 2025

APPLICANT AND LANDOWNER: HCRK LLC

ENGINEER: Taylor Cook

REQUEST: On Taylor Cook, on behalf of HCRK LLC, has submitted an application for a five lot subdivision on 40 acres. Each lot was proposed at ~8 acres. In the preliminary plat materials submitted April 17th, 2025, the number of lots had been reduced to four lots. Each lot is proposed at ~10 acres. The parcel has no natural resource overlays but did fall within the City of Victor's Area of Impact zone with the AOI 2.5 acre average density zone when the application was submitted. **The Victor AOI was amended on December 23, 2024, effective January 8, 2025. That amendment removed this property from the AOI.**

APPLICABLE COUNTY CODE: Subdivision Preliminary Plat Review pursuant to Teton County Land Development Code (adopted 8/3/2022); Teton County Comprehensive Plan (A Vision & Framework 2012-2030), and the Victor Area of Impact Agreement pursuant to Title 7 Chapter 3. The Victor AOI

LEGAL DESCRIPTION: NW4SW4 SEC 35 T4N R45E; RP04N45E355400

LOCATION: W 10000 N, North of Victor

ZONING DISTRICT: AOI 2.5

PROPERTY SIZE: 40 acres

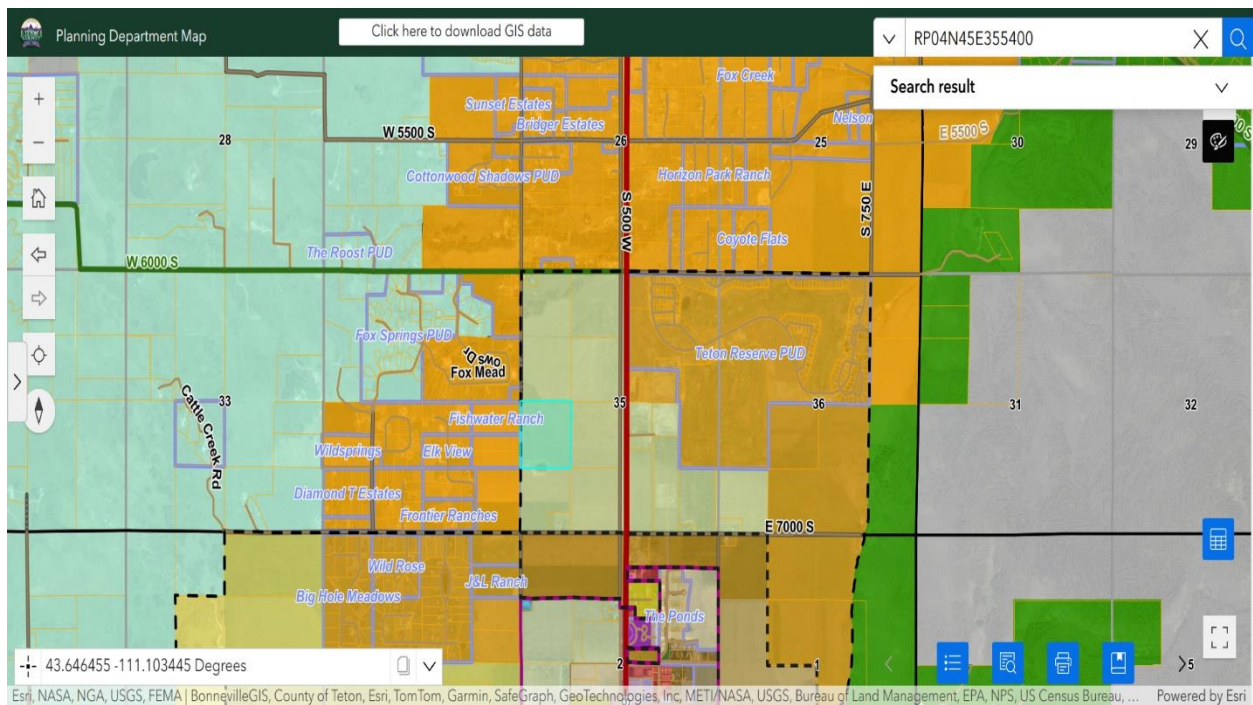


Figure 1. Vicinity Map; Subject Parcel Highlighted in blue, N of Victor.



Figure 2. Aerial Image

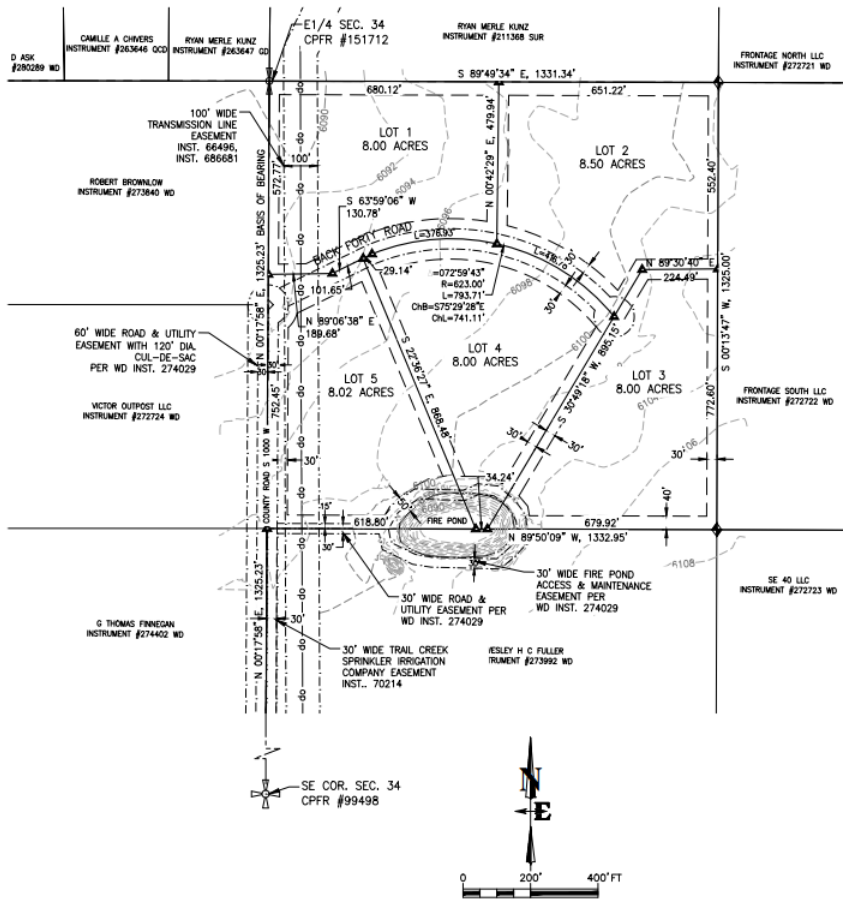


Figure 3. Concept Plan

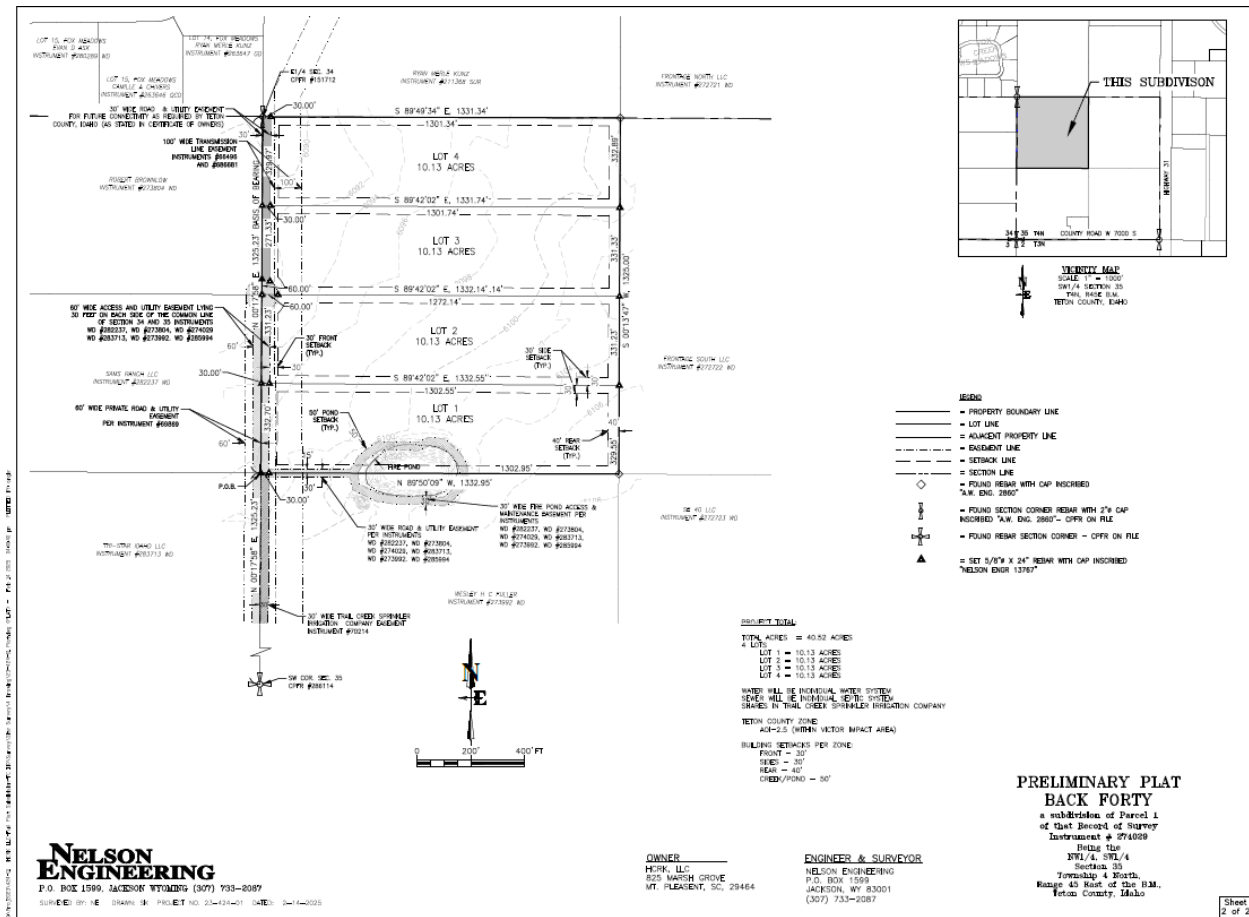


Figure 4. Preliminary Plat

PROJECT BACKGROUND

Pre-Application: The Pre-Application form was completed in January 9, 2024. It was signed and returned on February 2, 2024.

Concept Plan Application: The Applicant submitted the Concept Plan Application on February 2, 2024.

Planning and Zoning Commission Concept Review:

The Planning and Zoning Commission reviewed and approved the Concept Plan application on April 9, 2024 with the following motion and conditions:

Having concluded that the Criteria for Approval of a Subdivision Concept Plan found in LDC (LDC 4-1) can be satisfied with the inclusion of the following conditions of approval as stated in the staff report: Conditions 1, 2, 3, 5, 6, 7, 8, 9, and 10, I move to APPROVE the Concept Plan for Back Forty Subdivision as described in the application materials submitted February 2, 2024 and as updated with additional applicant information attached to this staff report.

CONDITIONS OF APPROVAL

1. Receive preliminary approvals from EIPH for development. **EIPH:** It appears that basic septic systems in accordance with IDAPA 58.01.03 should be able to be placed on these proposed lots. Please provide a copy of the final plat at the time EIPH signs the health certificate. Any application fee balance must be paid at this time also. Please contact EIPH for an appointment to obtain final plat signature.
2. Confirm that the existing fire pond can be used for fire suppression. **Fire Marshal:** Preliminary approval.

The proposed shared use agreement is approved and will need to be completed and submitted. The Victor Outpost fire pond is compliant with a recent inspection on 5/28/2024. The pond shall be inspected and certified annually to be compliant.

3. Applicant submit subdivision landscaping plan with preliminary plat application. This shall include a subdivision sign. **Not received**
5. A stamped and dated cost estimate for the project is required at the preliminary plat stage. Financial surety is also required after preliminary plat approvals. **Not received**
6. Site plan for development should show the cluster box for USPS for postal delivery service. **Not received**
7. Stub road should be constructed per comments from the City of Victor. **This property is no longer in the Victor AOI and**
8. Trail Creek irrigation company should provide a letter indicating they have reviewed the proposal and irrigation easement. **Not received**
9. Electric and telecommunications are required utilities.
10. Address public works comments:
 - a. Public Works is recommending that a 30-foot right-of-way along the west boundary be dedicated to the County for future connectivity of S1000W
 - b. Interior subdivision roads will need to be built to County Road Standards.
 - c. Cul-de-sac requires a 50-foot minimum radius **The applicants have reconfigured the roads entirely with the rearrangement of the subdivision with reduced lots. The new proposed access relies on two shared access points from 1000 West. The County Engineer has reviewed the modified layout.**

KEY ISSUES

The County has solicited comment from other agencies and entities.

- **ROADS & UTILITIES: TETON COUNTY PUBLIC WORKS**
 - Public Works is recommending that a 30-foot right-of-way along the west boundary be dedicated to the County for future connectivity of S1000W
 - Interior subdivision roads will need to be built to County Road Standards.
 - Cul-de-sac requires a 50-foot minimum radius
- **FIRE PROTECTION: TETON COUNTY FIRE MARSHALL**
 - A four lot subdivision will trigger the need for fire suppression. There does appear to be an existing pond on the parcel. Teton County Fire Marshal needs to review the water source and confirm it is sufficient for fire suppression. **Addressed**
- **WASTEWATER TREATMENT: EIPH**
 - The application is proposing individual wells as residential homes are built. **EIPH states: It appears that basic septic systems in accordance with IDAPA 58.01.03 should be able to be placed on these proposed lots. Please provide a copy of the final plat at the time EIPH signs the health certificate.**
- **PLANS AND STUDIES**
 - No specific studies have been indicated as required up to this point.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE

Idaho Code, Title 67, Section 67-6509, 67-6511, 67-6512, and LDC, Chapter 4-2-D. The public hearing for the Planning & Zoning Commission was duly noticed in the Teton Valley News on May 21st, and May 28th, 2025. A notification was sent via mail to surrounding property owners within a 300-foot buffer area, on May 16th, 2025. A notice was posted on the property on May 31st, 2025 providing information about the public hearing.

COMMENTS FROM NOTIFIED PROPERTY OWNERS AND PUBLIC AT LARGE

No public comment received as of June 4nd, 2025.

CRITERIA FOR APPROVAL

For approval of Preliminary Plat Review of a proposed subdivision (LDC 4-13-D), the County shall consider the objectives of Teton County LDC, application materials, and in a general way, at least the following:

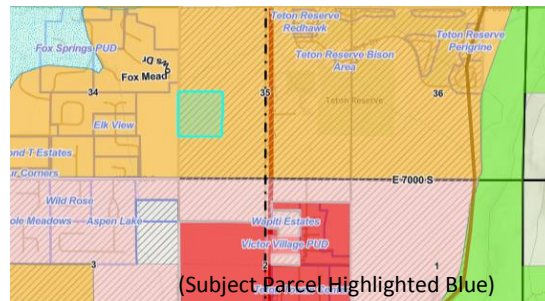
Objective: 1. The conformance of the subdivision with the Comprehensive Plan, LDC and other County Codes as well as Subdivision Development Standards;

Applicant Comment:

Narrative states application will conform to all County codes and standards.

Staff Comment:

- The proposed project lies within the Rural Neighborhood area of the Comprehensive Plan.



Rural Neighborhood: Rural Neighborhoods are located north of Driggs and Victor along Highway 33. These areas currently include a mix of developed residential subdivisions, undeveloped residential lots, and some commercial and light industrial development. There is limited road connectivity within these areas and most vehicle traffic is directed to the highway. Very little pedestrian and bicycle infrastructure is in place. The unincorporated town of Felt is also considered a Rural Neighborhood area. In general, further development and densification of Felt is not supported by its residents; however, the desire for a small public park and decreased speed limits were voiced by many. Desired future character and land uses for the Rural Neighborhoods include:

- A transitional character in between that of Town Neighborhoods and Rural Areas
 - Medium density single family neighborhoods with large open spaces and provisions for clustering
 - Amenity-based neighborhoods
 - Safe and convenient street and pathway connections within these areas and, when practical, to Towns
 - Well-defined open space areas that connect to provide corridors
 - A clear distinction between residential development and open space/agricultural areas
- The zoning of the parcel is AOI-2.5 acre average density. All proposed lots are eight acres or larger which comply with the minimum zoning district requirement of 1-acre minimum lot sizes.
 - The subdivision has an interior subdivision road proposed. All lots must be accessed from the interior subdivision road.
 - 6-1-10: Site plan for development should show the cluster box for USPS for postal delivery service. No mailboxes may be located in the sidewalk or right-of-way
 - 6-2-4: Stub roads. Applicant submitted an easement to the eastern property. Stub road should be constructed per comments from the City of Victor.
 - 6-4-3: Electric and telecommunications are required utilities to the development.

Objective: 2. Requirements of other reviewing agencies and / or jurisdictions providing public services.

Applicant Comment:

N/A

Staff Comment:

EIPH states: It appears that basic septic systems in accordance with IDAPA 58.01.03 should be able to be placed on these proposed lots. Please provide a copy of the final plat at the time EIPH signs the health certificate.

Per the Fire Marshall: Preliminary approval. The proposed shared use agreement is approved and will need to be completed and submitted. The Victor Outpost fire pond is compliant with a recent inspection on 5/28/2024. The pond shall be inspected and certified annually to be compliant. Access is approved from County Road S 1000 W .
Objective: 3. The conformity of the proposed development with the Capital Improvements Plan (CIP).
Applicant Comment: No comment.
Staff Comment: All applicable impact fees based on the Impact Fee Program (2023 CIP) will be assessed at the time of building.
Objective: 4. The public financial capability of supporting services for the proposed development.
Applicant Comment: No comment.
Staff Comment: Because this proposal is for fewer than 20 lots, a public services/ fiscal impact analysis will not be required with Preliminary Plat application materials.
Objective: 5. Other health, safety, or general welfare concerns that may be brought to the County's attention. Impacts presented from any studies requested related to natural resource overlays, economic impacts, or traffic studies.
Applicant Comment: No health, safety or general welfare concerns with this proposal.
Staff Comment: The parcel does not lie within any natural resource overlays. There is no wildland urban interface present nor the bear conflict area. The parcel does not have any steep slopes.

STAFF COMMENTS AND CONSIDERATIONS

SECTION II: CONSIDERATION FOR APPROVAL

Please submit narrative referencing the following:

- ☐ Compliance with the LDC including chapter 6, zoning, lot configuration, and subdivision development standards.
- ☐ Ensure that essential design elements such as subdivision road layout, access, utilities, and open space meet the minimum standards set forth by Teton County (6-6-1 in LDC).
- ☐ Other health, safety or general welfare concerns that may be brought to the County's attention.

CONDITIONS OF APPROVAL

1. Applicant submit subdivision landscaping plan with preliminary plat application. This shall include a subdivision sign.
2. A stamped and dated cost estimate for the project is required at the preliminary plat stage. Financial surety is also required after preliminary plat approvals.
3. Site plan for development should show the cluster box for USPS for postal delivery service. LDC 6-1-10
4. Trail Creek irrigation company should provide a letter indicating they have reviewed the proposal and irrigation easement.
5. Electric and telecommunications are required utilities.

6. Address public works comments:
 - a. Public Works is recommending that a 30-foot right-of-way along the west boundary be dedicated to the County for future connectivity of S1000W
 - b. Interior subdivision roads will need to be built to County Road Standards.
 - c. Cul-de-sac requires a 50-foot minimum radius

PLANNING & ZONING COMMISSION ACTIONS

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

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 Preliminary Plat found in LDC (LDC 4-13-D) can be satisfied, I move to Recommend approval of the Preliminary Plat Application for the **Back Forty Subdivision** as described in the application materials submitted April 17th, 2025, with the inclusion of additional applicant information attached to this staff report and the following conditions of approval...*

DENIAL

*Having concluded that the Criteria for Approval of a Subdivision Preliminary Plat found in LDC (LDC 4-13-D) have not been satisfied, I move to Recommend denial of the Preliminary Plat Application for the **Back Forty Subdivision** as described in the application materials submitted April 17th, 2025 and as supplemented with additional applicant information attached to this staff report.*

CONTINUATION

*I move to continue the public hearing for **Back Forty Subdivision** Preliminary Plat to a **specific date and time** in order to obtain additional information from the applicant or reviewing agencies.*

Prepared By

Mitzi Van Arsdell, Associate Planner

ATTACHMENTS:

- | | |
|----------------------|--------------------------|
| A. Application | F. Development Agreement |
| B. Narrative | G. Access Plan |
| C. Prelim Plat | H. Fire Marshal Review |
| D. Improvement Plans | I. EIPH Application |
| E. CCRS | J. Engineer's Review |

End of Staff Report