



PRELIMINARY PLAT REVIEW PUBLIC HEARING (CONTINUED)

By: Y2 Consultants
For: JC Ranches Subdivision
Where: W 4000 N and N 2000 W, south of Tetonia
Planning and Zoning Commission
Prepared For: Public Hearing on July 9, 2024 & September 10, 2024

APPLICANT & OWNER: JD ID WY LLC (JIM HERBERT)
ENGINEER: Y2 Consulting

OVERVIEW: JD ID WY LLC represented by Y2 Consulting has submitted an application for 25 lots on 80.31 acres on W 4000 N south west of Tetonia. A fire pond is proposed on Lot 17. All lots are proposing individual wells and septic. Application is subject to primary wetland habitat overlays and the Leigh Creek Canal.

On July 9, 2024, the item was continued for additional information from the applicant. Subsequently, the applicant has submitted amendment materials for a continued hearing. The updated materials indicate the proposal is now for 19 lots, 18 of which are proposed as residential.

APPLICABLE COUNTY CODE: Subdivision Concept Plan Review pursuant to Title 9, Chapter 3 Teton County Subdivision Ordinance, (revised 5/16/2013) including 9-3-C-2-B for concept review, Teton County Comprehensive Plan (A Vision & Framework 2012-2030).

LEGAL DESCRIPTION: RP05N45E101000

LOCATION: W 4000 N, south of Tetonia

ZONING DISTRICT A-2.5 Agriculture, Small Increment and Rural Residential

PROPERTY SIZE: 79.05 acres

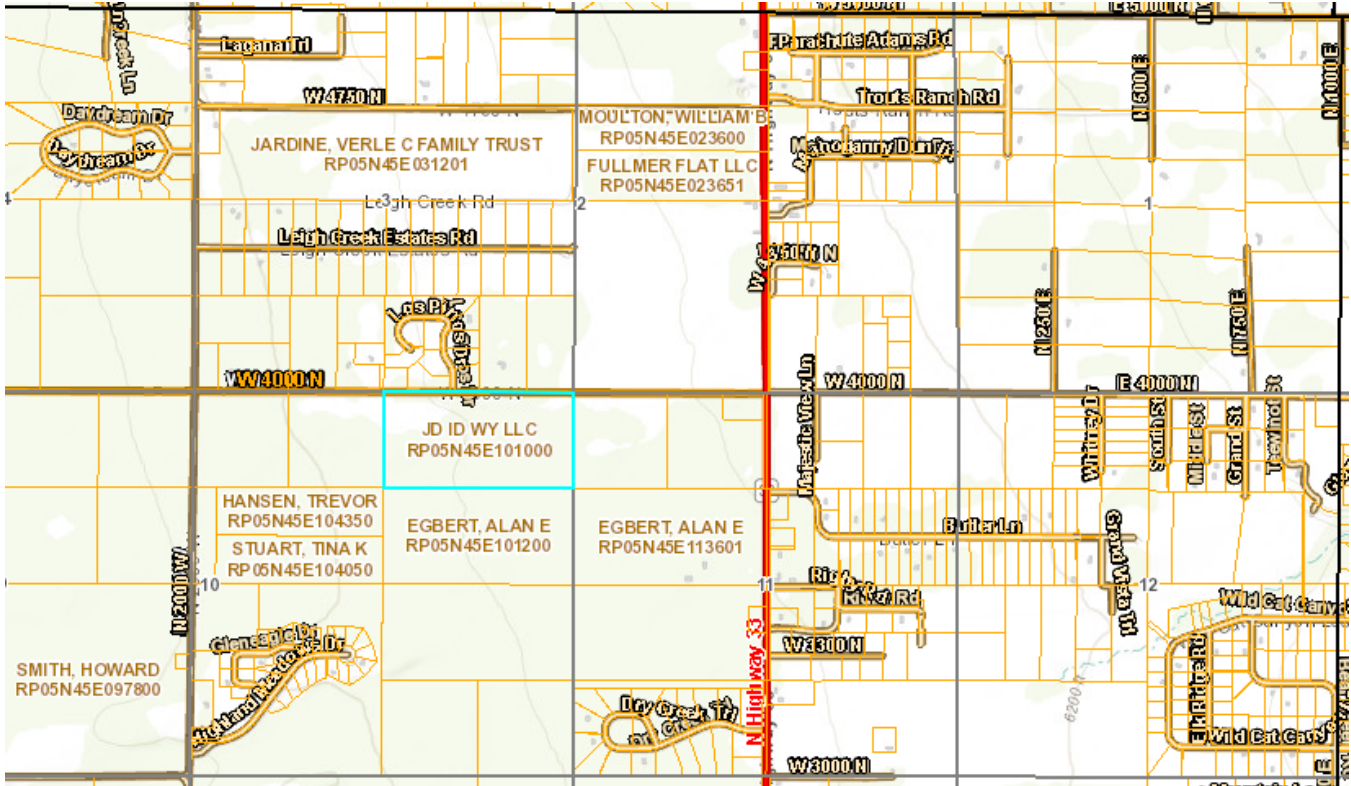


Figure 1. Vicinity map



Figure 2. Aerial Image

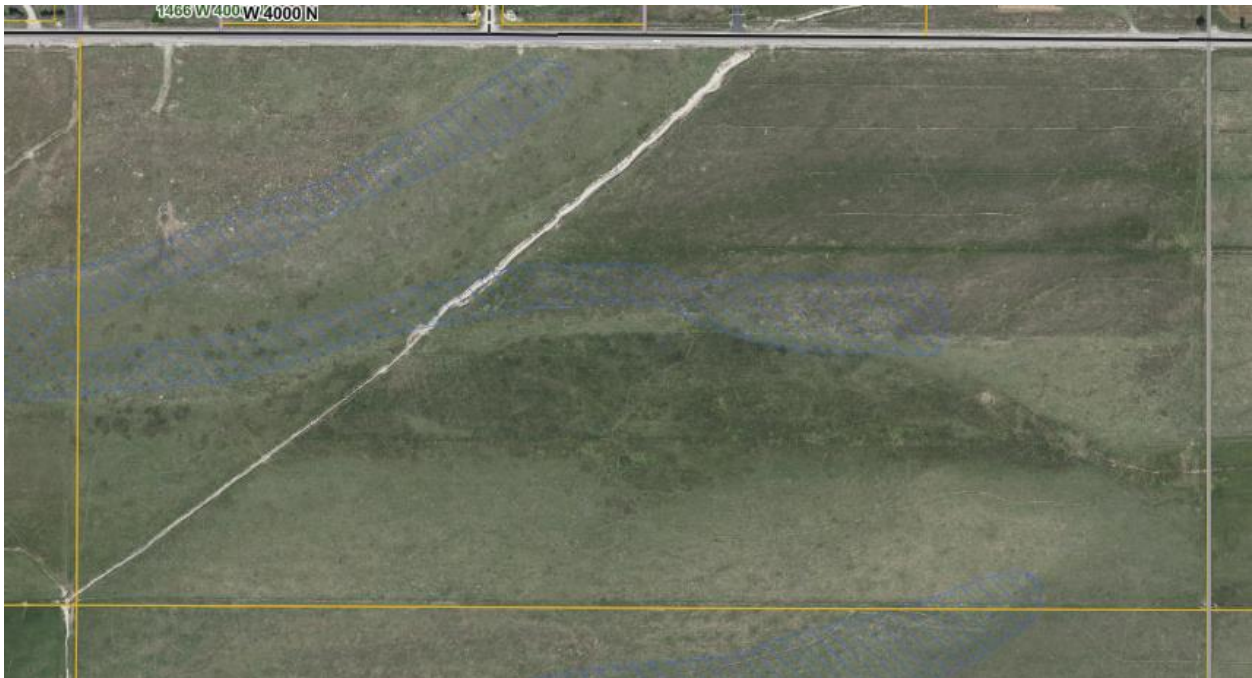


Figure 3. Mapped NWI Wetlands

PROJECT BACKGROUND & REVIEW HISTORY

Pre-application: A pre-application conference form was completed on February 22, 2022.

Concept Review: A concept application was deemed complete March 1, 2022. The PZC reviewed the application on April 12, 2022.

MOTION: I move to continue the public hearing for the JC Ranches Subdivision Concept Plan in order to obtain additional information from the applicant or other agencies to the May 10, 2022 hearing to address the following: 1) Canal identification on the plat; 2) 2nd access be identified; and 3) Property line location resolution.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	J.A. Michelbacher, Chairman
SECONDER:	Wyatt Penfold, Commissioner
AYES:	J.A. Michelbacher, Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Wyatt Penfold, Commissioner, Rebeca Nolan, Commissioner

On May 10, 2022 the PZC reviewed the continued item and made the following motion of approval:

MOTION: Having concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) can be satisfied I move to APPROVE the Concept Plan for the JC Ranches Subdivision as described in the application materials submitted February 8, 2022, and as updated with additional applicant information attached to this staff report with the following conditions:

- 1) Wetland delineation
- 2) Cul- de-sacs included in road design;
- 3) Property line concern be addressed
- 4) Both road accesses be connected by some form over the Leigh Creek canal.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rebeca Nolan, Commissioner
SECONDER:	Timothy Watters, Commissioner
AYES:	Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Wyatt Penfold, Commissioner, Rebeca Nolan, Commissioner, Lindsey Love, Commissioner, Wade Kaufman, Commissioner
ABSENT:	J.A. Michelbacher, Chairman

Conditions of Approval from Staff Report:

1. Complete and accurate studies for the Preliminary Plat application will need to be submitted – A Natural Resource Analysis (NRA) will need to be completed. Building envelopes may need to be addressed before Final Plat depending on the findings of the NRA. A Traffic Impact Study (TIS) will need to be completed with the anticipation of full build-out. A Fiscal Analysis will also be required (with the anticipated full build-out of the project including accessory dwelling units).
2. Work with EIPH to complete and submit a subdivision application before submitting the Preliminary Plat application. A nutrient Pathogen Level 1 may also be required.
3. Fire suppression (either the Fire Well; storage tank with hydrant or Dry Hydrant with Cistern (2.3.2/3/4) will need to be confirmed with the Fire Marshal at Preliminary Plat.
4. Address Public Works comment related to a second access point (see Engineer review attached).

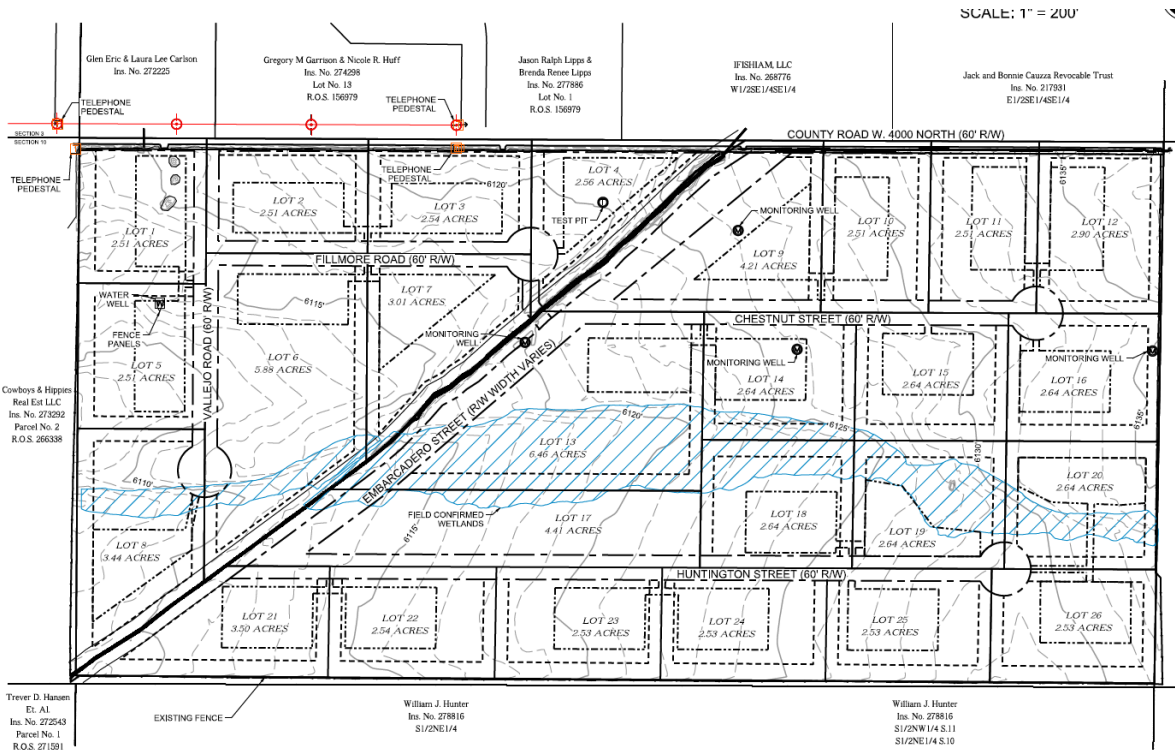


Figure 4. Preliminary Plat (Layout from Improvement Plans for context)

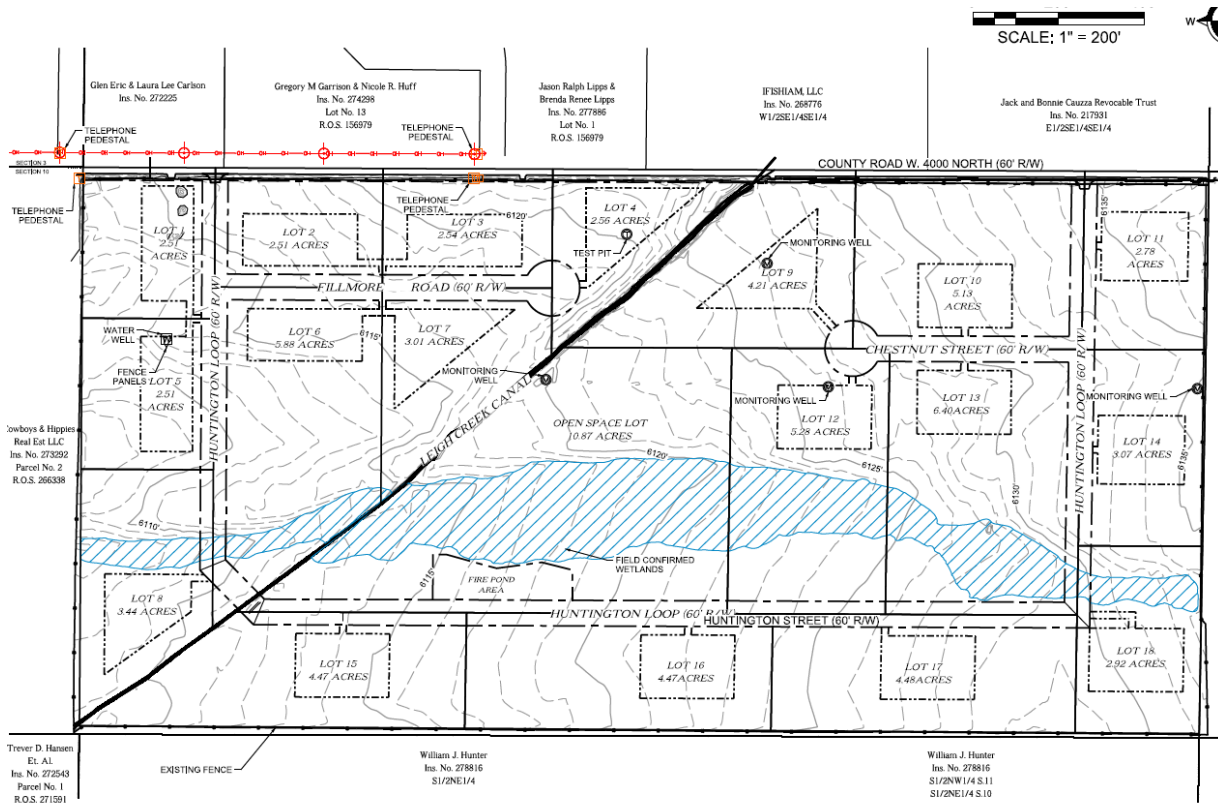


Figure 5. Updated preliminary plat (layout still used from updated improvement plans)

OVERVIEW OF PRELIMINARY PLAT APPROVAL (9-3-2-C):

The preliminary plat phase is a two-step process with review by both the Planning and Zoning commission and Board of County Commissioners, where the fact-finding details and specific requirements of the ordinance and law are determined. All of the issues surrounding required infrastructure will be resolved, or have a clear solution acceptable to the County, before scheduling the final plat review.

REVIEW & INTER-AGENCY COMMENTS:

The County has solicited comments from other agencies and has received comments from the following entities.

- **ROADS & UTILITIES:** Teton County Public Works Director made the following comments:
 - The preliminary plat does not show entire subdivision boundary.
 - Applicant will need to obtain an Access Permit from Road & Bridge prior to final plat application. Minimum 300 feet separation between access points is required. Separation requirement applies to access points on both sides of the County Road. Applicant is encouraged to consider aligning an access with Los Pinos Drive.
 - Second access requirements are intended to provide an alternative egress. The configuration shown provides two access points but is not connected by interior subdivision roads so does not accomplish the intended purpose.
 - Public works reviewed the revised materials and had the following comments (9/3/24):
 - Applicant will need to obtain an Access Permit from Road & Bridge prior to final plat. This will allow for R&B review and change if needed. Minimum 300 feet separation between access points is required. Separation requirement applies to access points on both sides of the County road. Applicant is encouraged to consider aligning subdivision access with Los Pinos Drive.
 - Minimum cul-de-sac width is 60' radius. It is not clear what radius is shown.
- **FIRE PROTECTION:** The Fire Marshal had the following comments:
 - Is approved for fire department apparatus access and proposed fire pond water source for Fire suppression
- **WASTEWATER TREATMENT:** Applicant has received preliminary approval from EIPH (06/28/22).
- **PLANS & STUDIES:**
 - Applicant has provided a Nutrient Pathogen Evaluation and a review has been received from Harmony Design & Engineering. A review was sent back to the applicant on 6/26 with outstanding items. Applicant submitted revisions and is waiting for the final memo to be produced from the technical consultant review.
 - Wetland Delineation: Applicant has submitted a delineation and did receive review from the ACOE. Building envelopes have been adjusted to avoid the NWI wetlands. The fire pond lot was increased to 10.87 acres and is now proposed as strictly open space.
 - Natural Resource Analysis: was submitted with the application.
 - Fiscal Impact / Public Service Analysis: Was submitted for the application.
- **Layout:** The concept review for the application indicated a second access was necessary per 9-4-1. A secondary access was provided but is labeled as emergency access only, which didn't sufficiently address the concern.
 - The applicant amended the layout to include only 18 lots which would no longer require the secondary access point. Further, Huntington Loop now connects, providing the secondary access.

- A fire pond is proposed on lot 17. This lot was amended to be a larger, fully open space tract of 10.87 acres.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE

Idaho Code, Title 67, Section 67-6509, 67-6511, 67-6512, and Title 9, Section 3-2-(B-2) of the Teton County Code. The public hearing for the Planning & Zoning Commission was duly noticed in the Teton Valley News on August 21 and August 28, 2024. A notification was sent via mail to surrounding property owners within a 300-foot buffer area on August 19, 2024. A notice was also posted on the property providing information about the public hearing on August 30, 2024.

PUBLIC COMMENT:

Public comments that were received by 7/1/24 are attached to the staff report. Comments include lack of compliance with the Comprehensive Plan and concerns over irrigation waters.

No additional public comments were made on the revisions.

CRITERIA FOR APPROVAL

The Planning and Zoning Commissioners shall only approve if it finds that all of the following criteria (9-3-2(C-8)) have been met (or if it finds that some of the criteria have not been met, may recommend approval with conditions that would ensure that the proposed development meets the criteria):

<p>Objective: 1. The application is consistent with the Comprehensive Plan.</p>
<p>Under the 2012-2030 Comprehensive Plan Framework, this area falls under the Mixed Agriculture/ Wetlands future character area.</p>


Mixed Agriculture / Wetland: Mixed Agriculture Wetland areas are located immediately east of the Teton River on the valley floor and include lands that are classified as wetlands and floodplains as shown on the U.S. Fish and Wildlife Service National Wetlands Inventory and the Federal Emergency Management Agency Flood Insurance Rate Map. These areas have seasonally important wildlife resources, are predominately rangeland and agriculture land, and have high scenic qualities. Desired future character and land uses include:

- Agriculture
- Ranching
- Low density residential development, with provisions for clustering/conservation development to protect natural resources
- Conservation and wildlife habitat enhancement/protection
- Development subject to all applicable County, State and Federal regulations including U.S. Army Corps of Engineers (USACE) wetland regulations and County floodplain development regulations
- Development regulated by overlays and development guidelines to protect natural resources

This proposal could meet the definition if conservation measures were taken to protect natural resources and wetlands within the proposal.

Objective: 2. The application complies with all applicable county regulations.

Staff Comment: The proposed JC Ranches Subdivision meets the requirements of the current A/RR 2.5 zoning district. The development would be in compliance with the zoning district, and there are no current violations on the property.

Objective: 3. If the application is for a PUD, it complies with any regulations applicable to PUDs under Chapter 5 of Title 9, including without limitation regulations controlling the types and locations of open space to be included in the development and the required design and size of development clusters. If the application is for a Planned Community PUD, the application adequately mitigates any impacts identified in those additional studies required by Section 9-3-2(C).

The application is not a PUD.

Objective: 4. The application includes trails and pathways as required by Section 9-4-2(B-4) to the maximum extent feasible.

The property does not appear to fall within any designated pathways per the Recreation Master Plan nor does the project have any trails proposed.

Objective: 5. The application is consistent with the results of any Nutrient-Pathogen Study required for the property and includes any conditions or changes required to avoid any potential degradation of surface or groundwater identified in that study.

A Nutrient-Pathogen Study was required for this proposal. The application is within Wetlands & Waterways Overlay. A technical review state the following:

1. Compliance Boundaries: The compliance boundaries are selected to consider lots 1 through 8, and separately lots 9 through 26, as well as each lot independently. The compliance boundaries for the two combinations should be depicted in a dimensioned drawing for closer examination. Further justification should be provided for this division, as the only discussion is "...other combinations of lots did not make sense." (p.9 of 15). Since there are wetlands and an irrigation canal on the site and the report presents evidence of surface water and groundwater interaction, surface water should be added as a compliance boundary.
2. Contradictory Conclusion Language: The conclusion initially states that soils allow for traditional septic systems. This is followed by a distinction that implies some lots will be required to employ Extended Treatment Packaged Systems (Advanced) systems. Elsewhere in the text, as well as the level 1 spreadsheets, the value of 32 mg/L nitrate is used, corresponding to the more effective treatment discharged by ETPS. The conclusion should also mention that the ETPS systems must be approved for reductions in nitrate, as some types of ETPS are not rated for nutrient reduction (i.e. NSF 245). Additionally, please make clear in the

conclusion that the analysis was completed assuming only one (1) four bedroom home per lot or a wastewater flow of 300 gpd. Thus, guest homes may not be allowed on the proposed lots.

The applicant submitted revisions and received a technical review. Additional revisions were submitted 9/2/24. Memo is still forth coming but more revisions are not anticipated. If there are, the applicant will be responsible for making any necessary amendments.

Objective: 6. The application is consistent with the recommendations of any report on the adequacy of the proposed sewage system for the development and includes any recommended mitigation measures identified in that report.

Applicant has received preliminary approval from EIPH (06/28/22). Lot will be served by individual private wells and individually permitted septic tanks.

Objective: 7. The application is consistent with any Traffic Impact Study required for the property and will not result in a decrease in the level of service (for example, from the level of service B to C) on any State Highway or a maintained county road and includes any mitigation measures recommended in the Traffic Impact Study.

A Traffic Impact Study was required for this application as it is for more than 10 lots. The applicants submitted a combined TIS with Irish Acres Subdivision, a development near the proposal on 4000.

Applicant submitted a TIS with the JC Ranches subdivision (nearby by not contiguous).

PRINCIPAL FINDINGS

Based on our analyses, the potential traffic generated by the proposed subdivisions will have no significant impact at the W 4000 N intersection at Idaho State Highway 33. It was also found that the proposed accesses onto County roads does not have a significant effect on the Level of Service (LOS) on W 4000 N or N 2000 W.

CONCLUSIONS

Capacity analysis suggests that -if current background traffic growth rates continue - the level of service at the W 4000 N intersection will degrade from level of service “B” to “E/F” over the coming 20 years. This is not due to the addition of these subdivisions alone, but to the extensive growth and development throughout Teton County, Idaho.

The TIS calculations were done using SFD for the main homes and a guest/vacation home for any ADUs associated with the two two developments (JC Ranches & Irish Acres). The number of trips generated by the proposed “vacation homes” was significantly less than that of a SFD (9.52 trips per day for a SFD and 3.16 trips per day for a “vacation” unit).

Applicant’s representative has stated Irish Acres will not allow ADUs, only SFD to accommodate the numbers used in the traffic study. Only attached ADUs will be allowed in JC Ranches, to again accommodate the numbers used in the TIS.

That should be a plat note: that only attached ADUs are permitted in JC Ranches.

The findings indicate that the capacity analysis for the 4000 N intersection will deteriorate over the next twenty years. While the subdivision proposal is not the only cause, the PZC/ BoCC should deliberate if the development should contribute a proportionate share to the turnlanes that will be necessary over the next 20 years.

Objective: 8. If the application is for land that is not adjacent to a state highway or a maintained county road, the applicant will bear the costs of constructing roads to connect the proposed development to at least one state highway or a maintained county road, and adequate for anticipated traffic, and will be constructed to County Road Standards.

A Road and Bridge permit will be required for the access to W 4000 N. This should be approved and submitted with the final plat application.

Objective: 9. If a Natural Resources Analysis is required, the proposed development will avoid all mapped Overlay Areas (except the AV Airport Vicinity Overlay Area), or will minimize any unavoidable impacts to the mapped Overlay Areas to the maximum extent feasible and mitigate any unavoidable impacts. In the case of land located in the WH Overlay Area, the duty to avoid or mitigate impacts on habitat areas shall only apply if the wildlife habitat assessment reveals evidence of an indicator species or the presence of indicator habitat, and shall only apply to portions of the parcel where the evidence or habitat is found.

An NRA and Wildlife Habitat Assessment was completed for this proposal. The findings indicated there was habitat for migratory birds and raptors present. 8.37 acres of the parcel is priority wetland area.

PURPOSE

The purpose of this report is to identify and analyze wildlife and habitats within the area of the proposed JC Ranches Subdivision in Teton County, Idaho. It was completed in compliance with Teton County Code 9-3-2 (C-2-c-WH). This assessment is required because the proposed JC Ranches Subdivision is located within the 2006 Priority Wetland Habitat Natural Resource Overlays identified by Teton County. In this report, wildlife and habitats within the project area are described, potential impacts to wildlife and habitats within the project are identified, and suggested mitigation actions are provided to minimize or eliminate the impacts that may occur.

PROPOSED ACTION

The proposed JC Ranches Subdivision includes nineteen (19) total lots, eighteen developable lots ranging from 2.5 – 6.4 acres in size, and a 10.9-acre undevelopable open space lot. The total number of lots has been reduced from twenty-five to nineteen based on feedback from TC-P&Z. The eighteen developable lots have proposed building envelopes .75 acres in size. The undevelopable open space will contain the proposed fire pond (Figure 3) and all mitigation associated with wetland disturbance required by the Army Corps of Engineers (ACOE) permitting. The fire pond will be constructed in the open space lot with a proposed surface acreage of 0.35 acres. Incorporating feedback received from TC-P&Z, the subdivision was revised from having two regions accessed from W 4000 N and split by the ditch. The subdivision now utilizes a loop road that still accesses from W 4000 N for both entrances. Main roads have a proposed constructed width of twenty-two feet and driveways have a proposed constructed width of twelve feet. During construction, temporarily, main roads will be disturbed by fill material, ditches, and culverts to a width of sixty feet and driveways to a width of sixteen feet. The total proposed disturbance is of the revised subdivision layout is 18.92 acres (24% of the parcel), a reduction of 10 acres of disturbance from the previous layout. (Figure 3).

FINDINGS

Based upon primary and secondary research, including multiple site visits to the JC Ranches Parcel, the project area includes habitat that migratory birds and raptors seasonally use. Songbird species likely use the upland and wetland areas of the parcel for foraging and nesting. Rodents likely use these areas of the parcel as well and lure the raptors who prey upon them. A ditch flows through the property from northeast to southwest seasonally. This ditch dries between times of inundation and does not appear to create habitat suitable to support fisheries. However, when inundated, the ditch possibly supports occasional waterfowl that pass through. It is likely that sandhill cranes may also use this habitat.

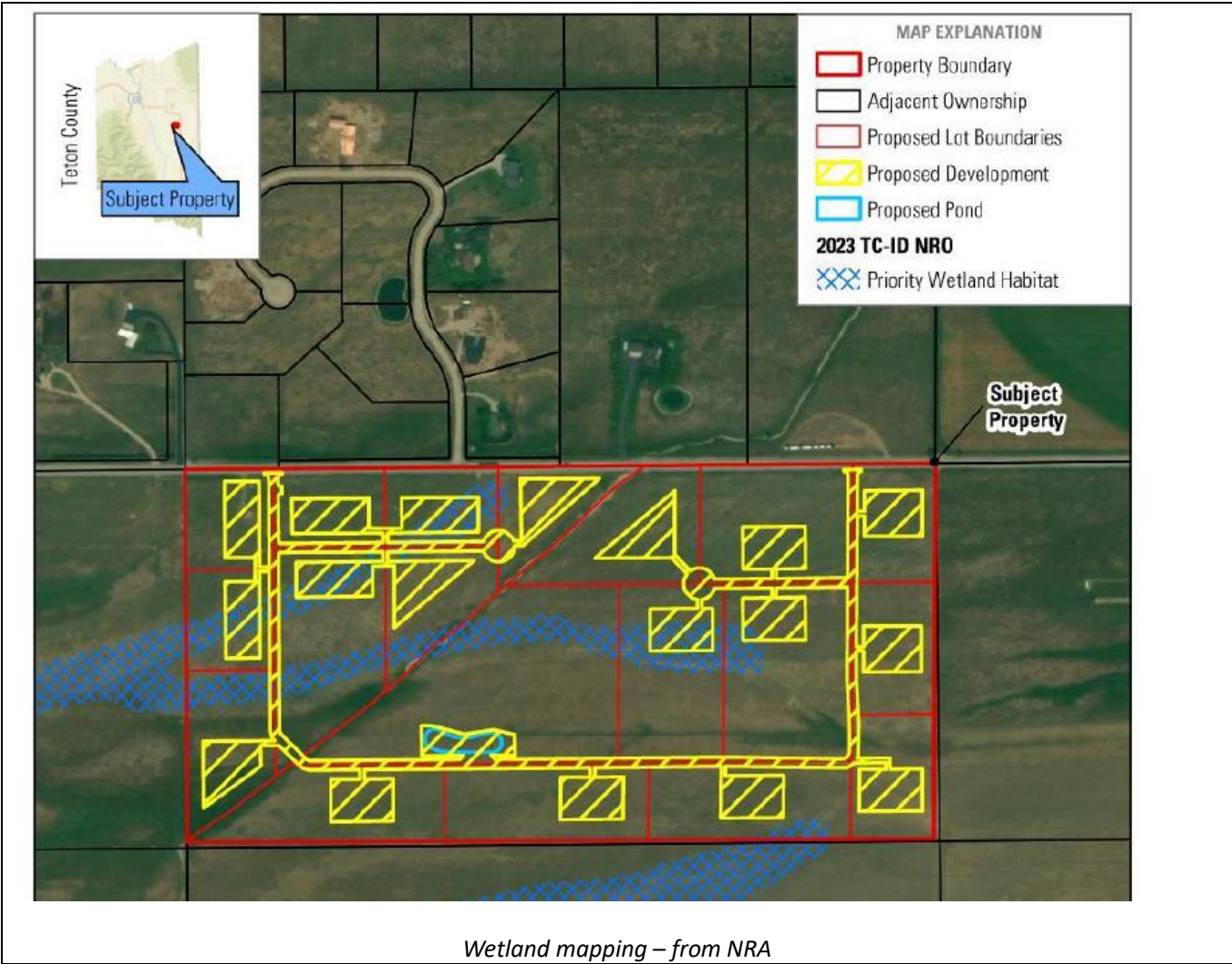
CONCLUSION

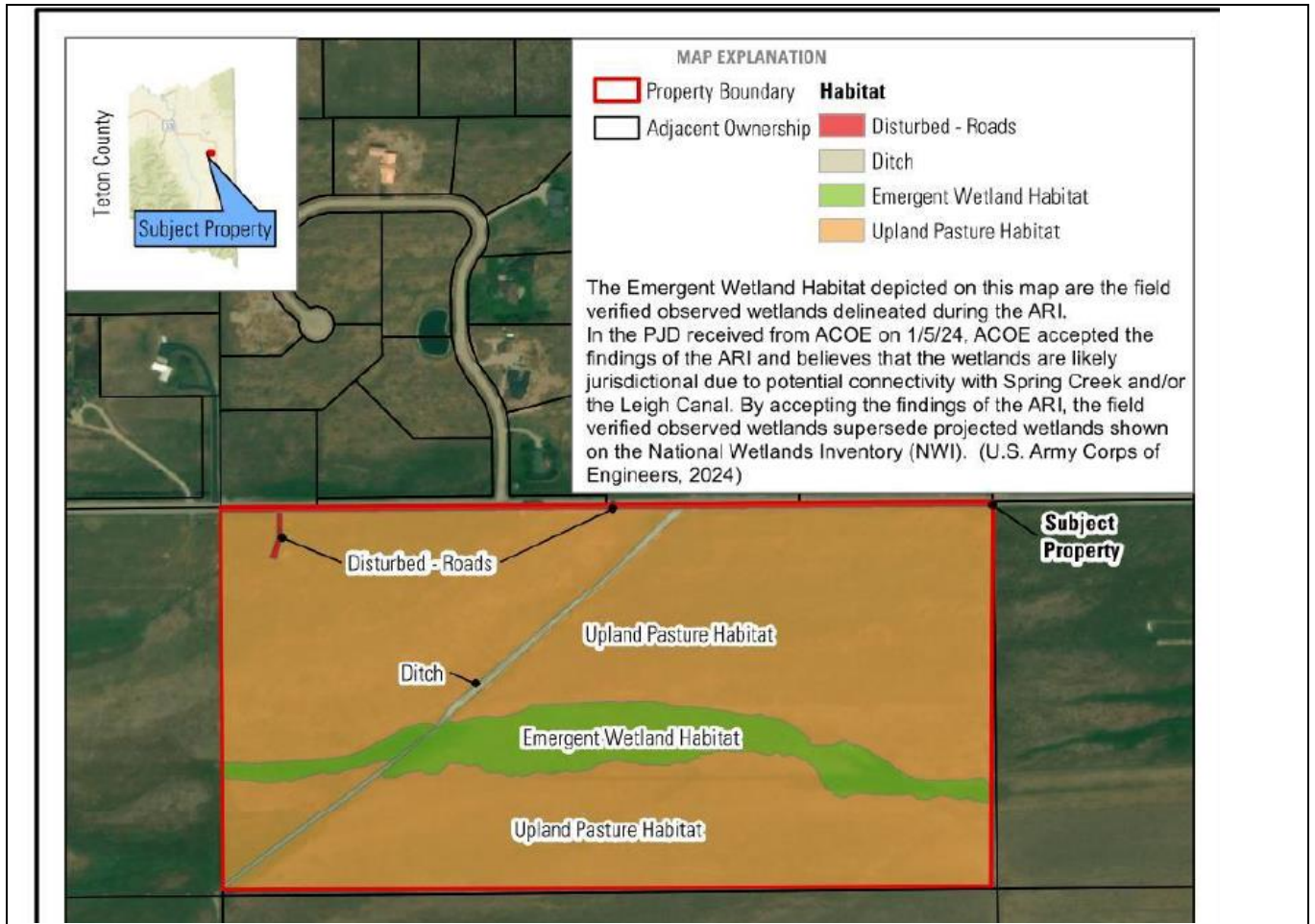
This wildlife assessment concludes that the proposed JC Ranches Subdivision may negatively impact indicator species within the project area due to loss and fragmentation of habitat and human presence. This parcel provides wildlife habitat in the form of forage, cover, open space, and connectivity to other important habitats in the surrounding landscape. Construction of dwellings and increased human presence in this area will likely impact sandhill cranes, songbirds, and raptor species, and the vegetation, insects, and small mammals they rely on for food. However, through the thoughtful redesign of the subdivision layout, the updated layout minimizes impacts on wetlands, maximizes open space, and maintains habitat connectivity. The redesigned layout reduced wetland impacts to .05-acres of permanent disturbance, maximizes a 24-acre undevelopable central open space, maintains habitat connectivity along the ditch via 250-foot corridors

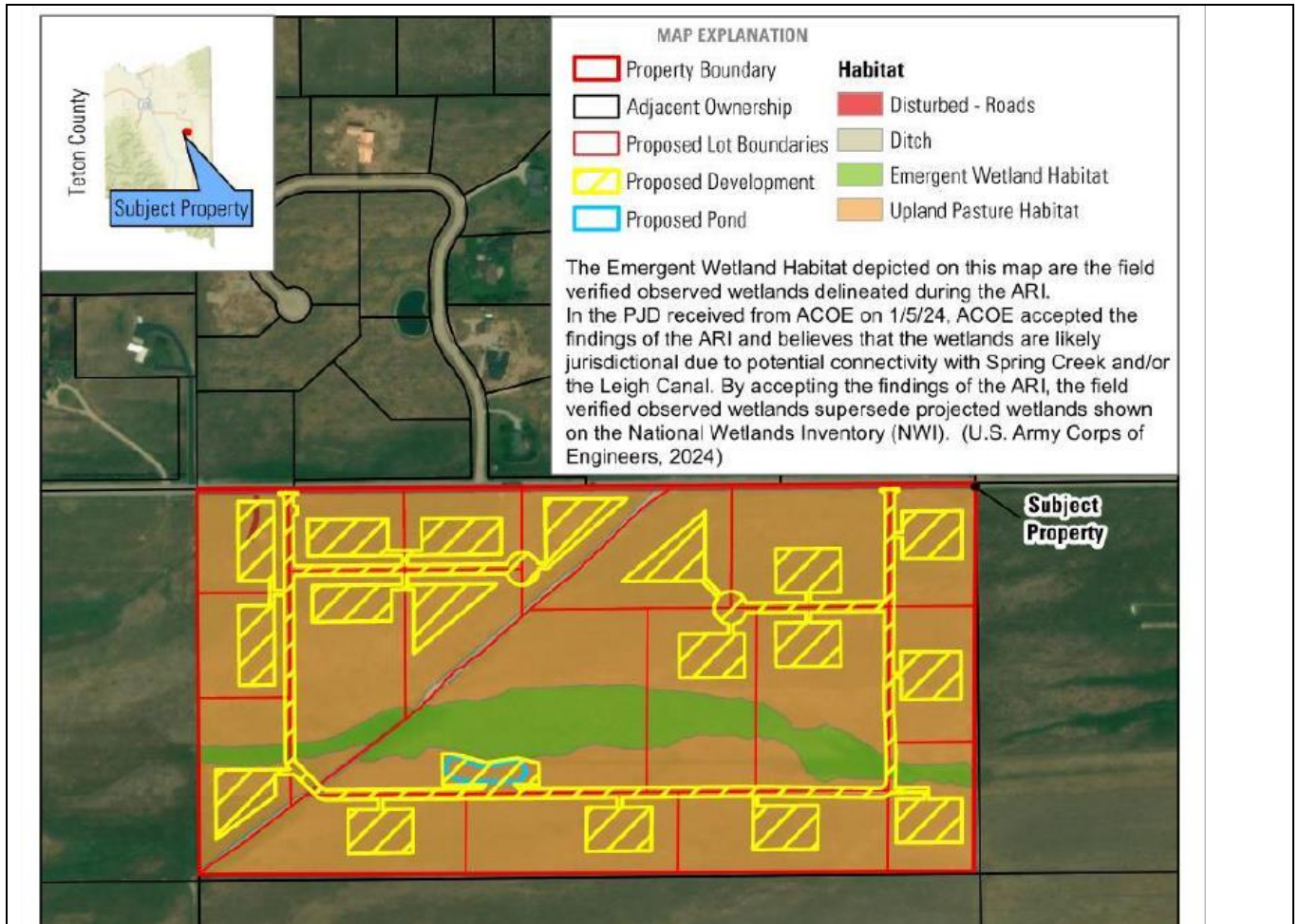
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WILDLIFE HABITAT ASSESSMENT

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to the north and south, and maintains habitat connectivity to surrounding habitats via numerous corridors between building envelopes >250-600 feet wide.







The applicant has revised building envelopes, removing them completely from the emergent wetland habitat.

Mitigation Plan includes a living snow fence planted along the western and southern edges of the parcel. The Fire pond on proposed lot 17 is planned to create additional wetland habitat on parcel. Applicant states that there are approximately 24 acres of open space (provided through the lots and building envelopes and the 10.87 acres of dedicated open space and fire pond lot).

The Land Management Plan includes open space management, wildlife friendly fencing, lighting and pet control. These have been incorporated into the CCRs for the development.

Objective: 10. The required Public Service/Fiscal Analysis shows that all public services provided to the proposed subdivision or PUD have adequate capacity to service it, or if they do not, the applicant has committed to mitigation or financing to ensure that those services and facilities will be provided within two (2) years after the first unit in the development is occupied and that any shortfall of tax revenues below the costs of providing the services or facilities will be covered without cost to the County.

A Public Service/ Fiscal Analysis for this proposal was required because there are more than 20 lots. Applicant has since revised the application to consist of 18 lots instead of 25, which is below the threshold for the FIA.

a. Public Service/Fiscal Analysis:

For a Planned Community PUD, an analysis of potential additional school children resident in the proposed development. The analysis should indicate the potential yield of school children based on the experience with part-time and full-time resident demographics from other, similar developments in the county. The schools analysis shall identify which schools the potential new students would attend, document current capacity for additional students in each of those schools, based on information from the school district. If the existing schools do not have adequate capacity to accommodate the anticipated additional students from the proposed development, the report shall identify steps that the applicant proposes to take to participate in the mitigation of impacts. (amd. 11-14-08)

- j. The required Public Service/Fiscal Analysis shows that all public services provided to the proposed subdivision or PUD have adequate capacity to service it, or if they do not, the applicant has committed to mitigation or financing to ensure that those services and facilities will be provided within two (2) years after the first unit in the development is occupied and that any shortfall of tax revenues below the costs of providing the services or facilities will be covered without cost to the County. (amd. 11-14-08)

Summary of Findings from the report:**SUMMARY OF FINDINGS**

The 25 homes with optional accessory dwelling units will have impacts on locally provided public services, but fortunately the development is projected to generate enough revenue to cover its annual operations and maintenance costs.

On average, the county spends \$655 per housing unit per year providing general government services to local residents and \$285 per housing unit to provide law enforcement and other Sheriff's department services. Special revenue funds expenditures average about \$3.2 million per year and the level of service is \$434 per housing unit. Providing for operations and maintenance of county roads costs \$34 per average daily vehicle mile traveled on county roads.

With current Teton County Government mill levies and other revenues, each of the estimated \$1,293,000 homes in JC Ranches will generate \$4,495 in annual operations revenues, totaling over \$112,375 at buildout of the proposed 25 homes with optional accessory dwelling units (ADUs). The county can expect to incur annual operations costs of \$1,594 per housing unit, totaling nearly \$80,000 at buildout for all 50 units that are possible (1 main home and 1 ADU on 25 lots = 50 maximum units). At buildout, the county government can expect an annual operations and maintenance surplus of over \$75,000.

The 25 lots each with a main home and optional ADUs proposed at JC Ranches residential development will incur \$143k in one-time capital costs for the county general fund, county road and bridge fund and county special revenue funds. These costs will be entirely offset by the forthcoming impact fee payments made according to the recently updated county impact fee schedule.

For the Teton County Fire Protection District, each residential unit in the development would generate \$636 in annual operations costs and each home (including the attached ADU) would generate \$969 in property tax revenues and \$177 other revenues. On an annual basis, the 25 homes with optional attached ADUs at JC Ranches Subdivision will generate revenues for Teton County Fire Protection District that will exceed the annual operations and maintenance costs by \$1,256 per year for the entire development. With the impact fee program recently updated, the capital cost-benefit of 25 lots and homes with optional ADUs in the proposed JC Ranches on the Teton County Fire Protection District will be entirely off-set by the impact fee revenue. In addition to covering its system-wide costs, the design of JC Ranches Subdivision includes a pond specifically for use by Teton County Fire Protection District for fire protection within the proposed subdivision and any other properties in the fire protection district.

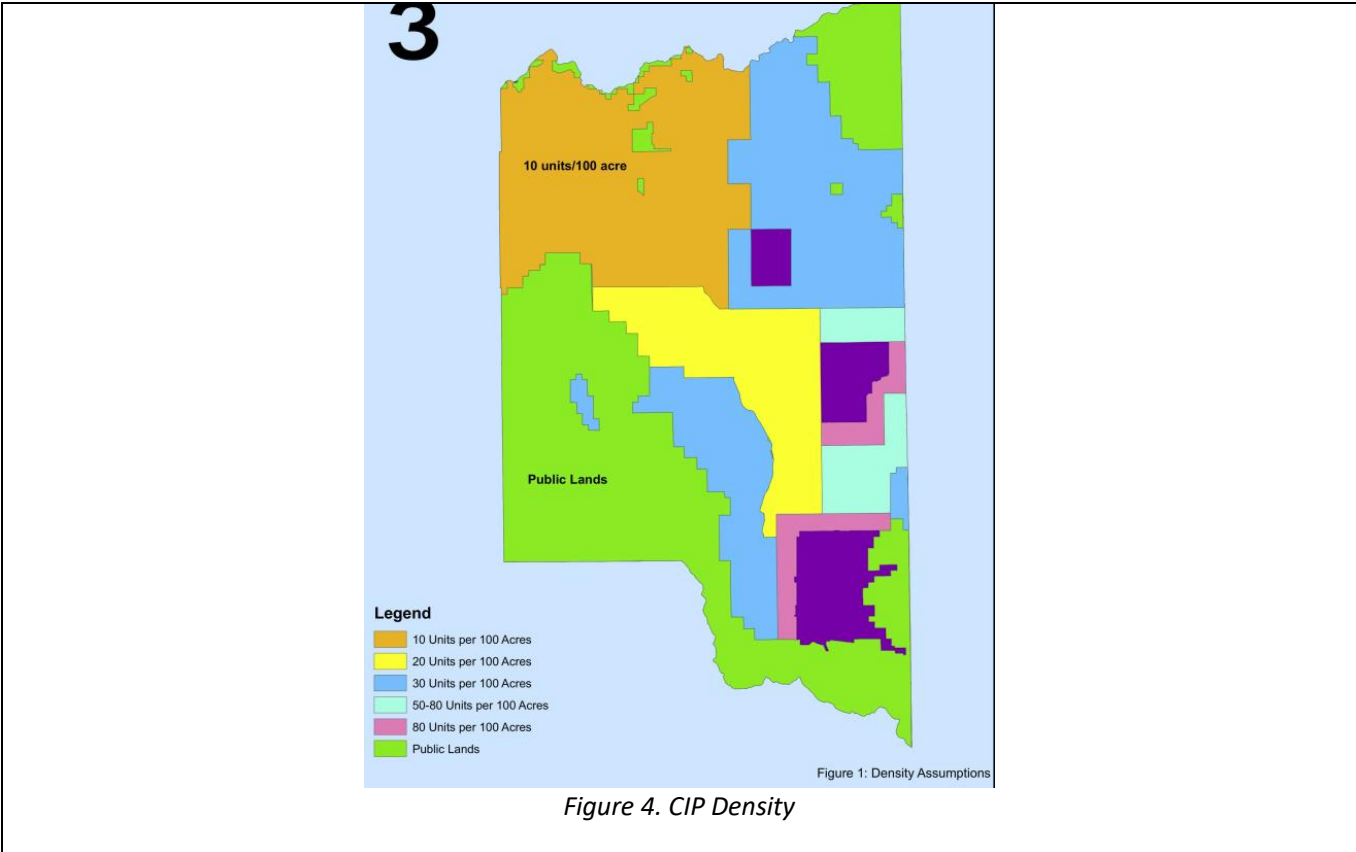
For the Valley of the Tetons Library District, each residential unit in the development would generate \$37 in annual operations costs and each home (including the attached ADU) would generate \$164 in property tax revenues and each residential unit would generate \$11 other revenues. On an annual basis, the 25 homes with optional attached ADUs at JC Ranches Subdivision will generate revenues generated for Teton County Fire Protection District will exceed the annual operations and maintenance costs by \$296 per year.

Other than the Teton County Fairgrounds, there are no public providers of recreation or open space specifically serving the unincorporated portion of Teton County where JC Ranches Subdivision is proposed. The fairgrounds were included in the county government fiscal impact analysis as a special revenue fund. Because there is no public provider of parks, open space and recreation operating in the area where the subdivision is proposed, there is not a basis for fiscal impact analysis.

If each of the 25 home and each of the optional ADUs were occupied with a full-time resident households, there could be as many as 17 students residing at JC Rances at any given time. While the subdivision will generate a over \$44,000 in annual property tax revenue for Teton County School District at buildout, the complexities of Idaho's school finance formula do not allow a clear cost-benefit analysis of the impacts of the proposed development on Teton County public schools.

Objective: 11. The application is consistent with any Capital Improvements Plan (CIP) adopted by the County.

All applicable fees based on the Impact Fee Program (2008 CIP) will be assessed at the time of building. The 2008 adopted CIP indicated that this area was appropriate for 20 units per 100 acres or .2 du/acre. The proposal of 10 lots per ~40 acres could meet this proposal. ADUs would not meet this density proposal.



Objective: 12. An adequate institutional structure has been created to ensure that long-term maintenance costs of roads, water, sewer, and drainage systems will be collected from within the development and used to maintain such items. If the chosen structure relies on payments of dues (for example, through a homeowners’ association) rather than taxes, the county shall be granted the institutional power to enforce payments of those dues in the event the organization fails to do so.

There are CC&Rs established for this subdivision and they address a number of development and land use restrictions, such as Dark Sky lighting, setbacks and noxious weed control. They also incorporate land management practices from the WHA and building restrictions for the open space lot, which prohibits development.

Objective: 13. If land ownership boundaries or natural terrain features make it impossible for the application to meet all of the criteria outlined in Section 9-3-2(C-3), the application shall meet as many of the criteria as possible.

There is no floodplain overlay present. There are wetlands present but per the delineation, the uplands present could comfortably fit the proposed development. The proposed building envelopes keep the development outside of the mapped and ACOE approved delineated wetlands.

Objective: 14. In addition to the above, for a Planned Community PUD, the application is consistent with the recommendations of any report on the adequacy of the school system to accommodate school-aged children anticipated by the development and includes any recommended mitigation measures identified in that study. If the applicant is obligated to pay an impact fee for schools, then mitigation measures identified in the report will not be required.

N/A

- The findings indicate that the capacity analysis for the 4000 N intersection will deteriorate over the next twenty years. While the subdivision proposal is not the only cause, the PZC/ BoCC should deliberate if the development should contribute a proportionate share to the turn lanes that will be necessary over the next 20 years.

CONDITIONS OF APPROVAL:

1. The development agreement is incomplete and missing exhibits relevant to the development (legal description, plat, cost estimate, etc).

2. Address Public Works comments:
 - a. Applicant will need to obtain an Access Permit from Road & Bridge prior to final plat application. Minimum 300 feet separation between access points is required. Separation requirement applies to access points on both sides of the County Road. Applicant is encouraged to consider aligning an access with Los Pinos Drive.
 - b. Confirm Cul-de-sac width. The minimum cul-de-sac width is 60' radius. It is not clear what radius is shown.
3. Financial Surety of 125% of the engineer-stamped and dated cost estimate must be provided to Teton County. The cost estimate is currently not stamped.
4. The Nutrient Pathogen Technical Review required edits which the applicant has submitted. A formal memo is still forthcoming. Applicant will adjust according to the review comments, if any.

PLANNING & ZONING COMMISSION ACTIONS

- A. Recommend approval of the Preliminary Plat, 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 Preliminary Plat, with modifications to the application, or adding conditions of approval, having provided the reasons and justifications for the approval and any modifications or conditions.
- C. Recommend Denial of the Preliminary Plat application 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 move recommending to approve or deny the application:

APPROVAL

Having concluded that the Criteria for Approval of a Preliminary Plat found in Title 9-3-2-C can be satisfied, I move to RECOMMEND APPROVAL of the Preliminary Plat for the JC Ranches Subdivision as described in the application materials submitted on April 4, 2024 and additional information attached to the staff report. (with the following conditions of approval...)

DENIAL

Having concluded that the Criteria for Approval of a Preliminary Plat found in Title 9-3-2-B have not been satisfied, I move to RECOMMEND DENIAL of the Preliminary Plat for the JC Ranches Subdivision as described in the application materials submitted on April 4, 2024 and additional information attached to the staff report, based on the following findings:

CONTINUATION

I move to continue the public hearing for the JC Ranches Subdivision Preliminary Plat *to a specific date in time* in order to obtain additional information from the applicant or other agencies.

ATTACHMENTS:

- | | |
|-------------------------------|---------------------------|
| A. Application (6 pages) | C. Cost Estimate (1 page) |
| B. Preliminary Plat (2 pages) | D. CCRs (27 pages) |

- E. Improvement Plans (59 pages)
- F. Narrative (5 pages)
- G. Fire Marshal Review (1 page)
- H. Fiscal Impact Analysis (16 pages)
- I. Development Agreement (11 pages)
- J. Warranty Deed (2 pages)
- K. Natural Resource Analysis (39 pages)
- L. Army Corps of Engineers Submission (12 pages)
- M. Aquatic Resources Report (34 pages)
- N. EIPH Approval Letter (6 pages)
- O. Nutrient Pathogen Study (128 pages)
- P. Letter of Credit (2 pages)
- Q. Letter of Authorization (1 page)
- R. Canal Letter and Drawings (1 page)
- S. Traffic Study (75 pages)
- T. NP Technical Review (2 pages)
- U. Public Works Review (1 page)
- V. Public Comment (6 pages)

End of Staff Report