PRELIMINARY PLAT REVIEW PUBLIC HEARING

FOR:	MT. Nord Subdivision
WHERE:	N 3000 W
	Board of County Commissioners
PREPARED FOR:	Public Hearing of April 27, 2026 Continued to May 11, 2026

APPLICANT: Collin Hunter
LANDOWNER: L J Martin Ranch LLC

REQUEST: The proposed 15 lot subdivision is in the Area of Impact of Tetonia. Lots will be 2.5 acres. The total acres are 39.96 and is located at N 3000 W, Tetonia. The overlays include Sharp-tailed Grouse Breeding Habitat, Big Game Migration Corridors and Seasonal Range. The property has similar subdivision developments to the south, west, and north.

APPLICABLE COUNTY CODE: Title 7 Chapter 2 Tetonia Impact Area Agreement. Subdivision Concept Plan Review pursuant to Teton County Land Development Code, Chapter 4-13. C. (revised 12/04/2024); Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

LEGAL DESCRIPTION: TAX #7396 SEC 21 T6N R45E; RP06N45E215401
LOCATION: N 3000 W
ZONING DISTRICT: A-2.5 Tetonia AOI
PROPERTY SIZE: 39.96

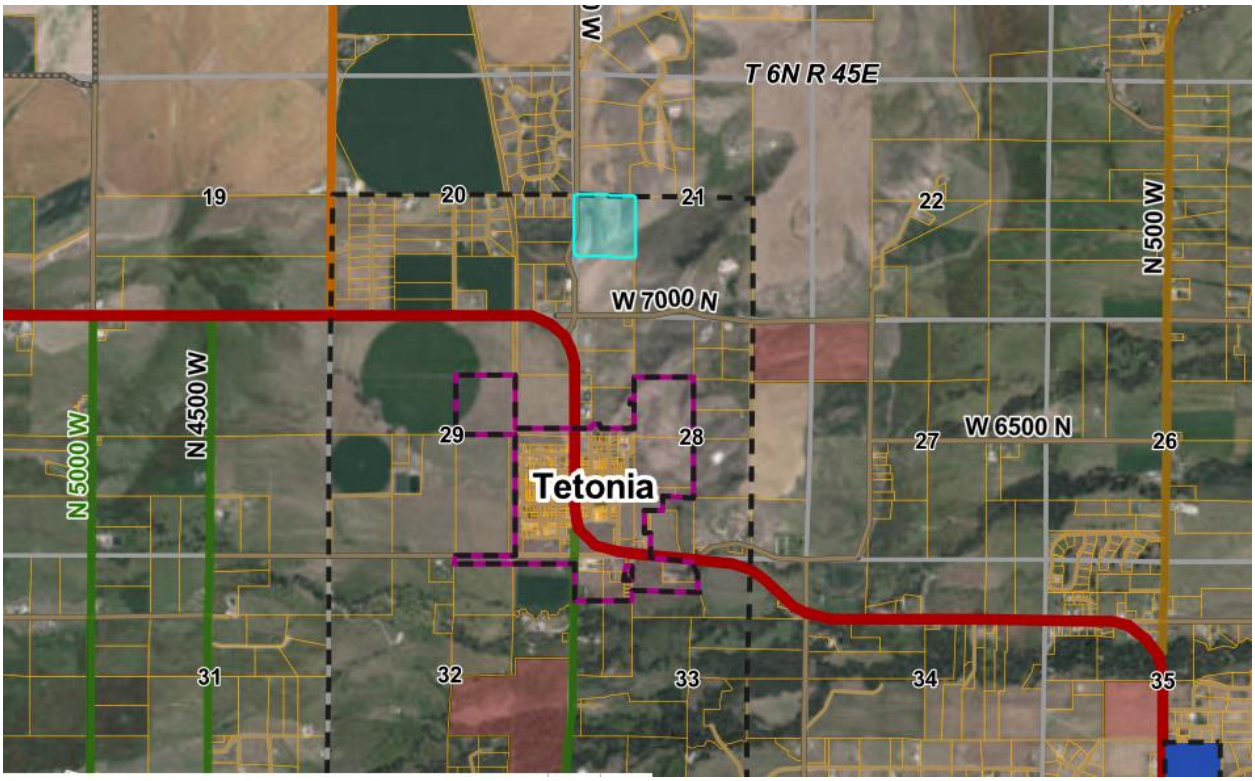


Figure 1. Vicinity Map; Subject Parcel Highlighted Blue – East of Tetonia

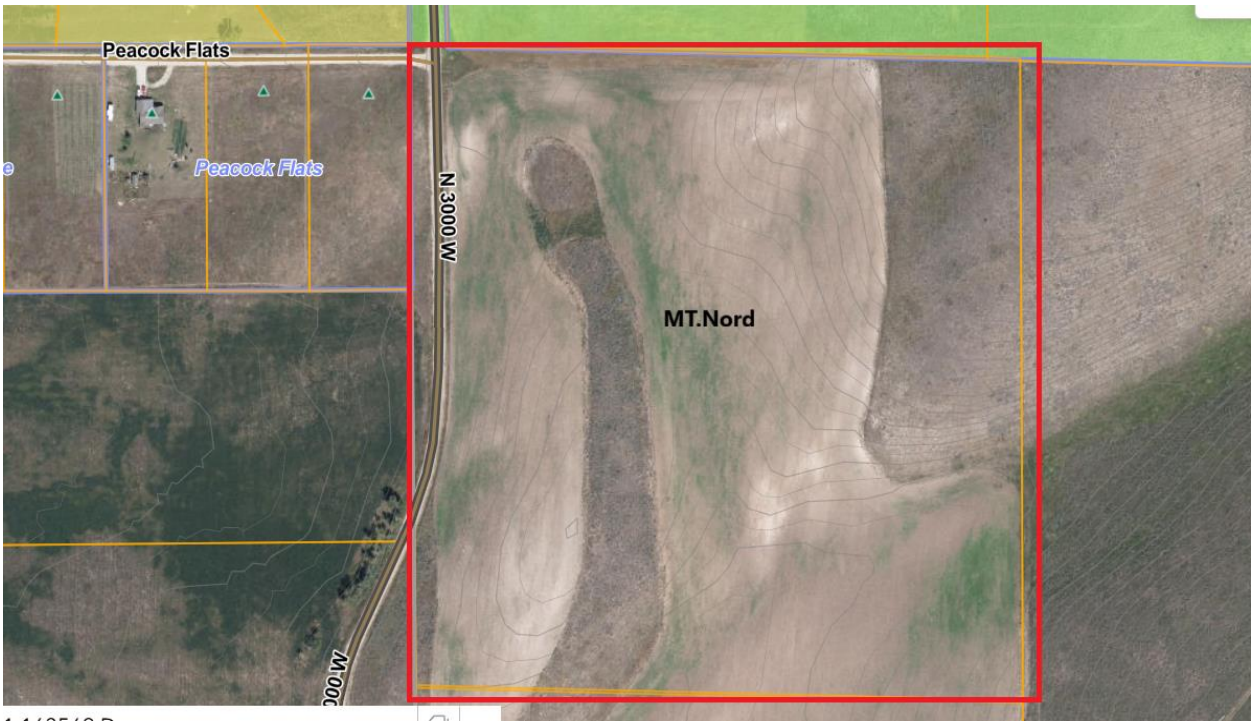


Figure 2. Aerial Image

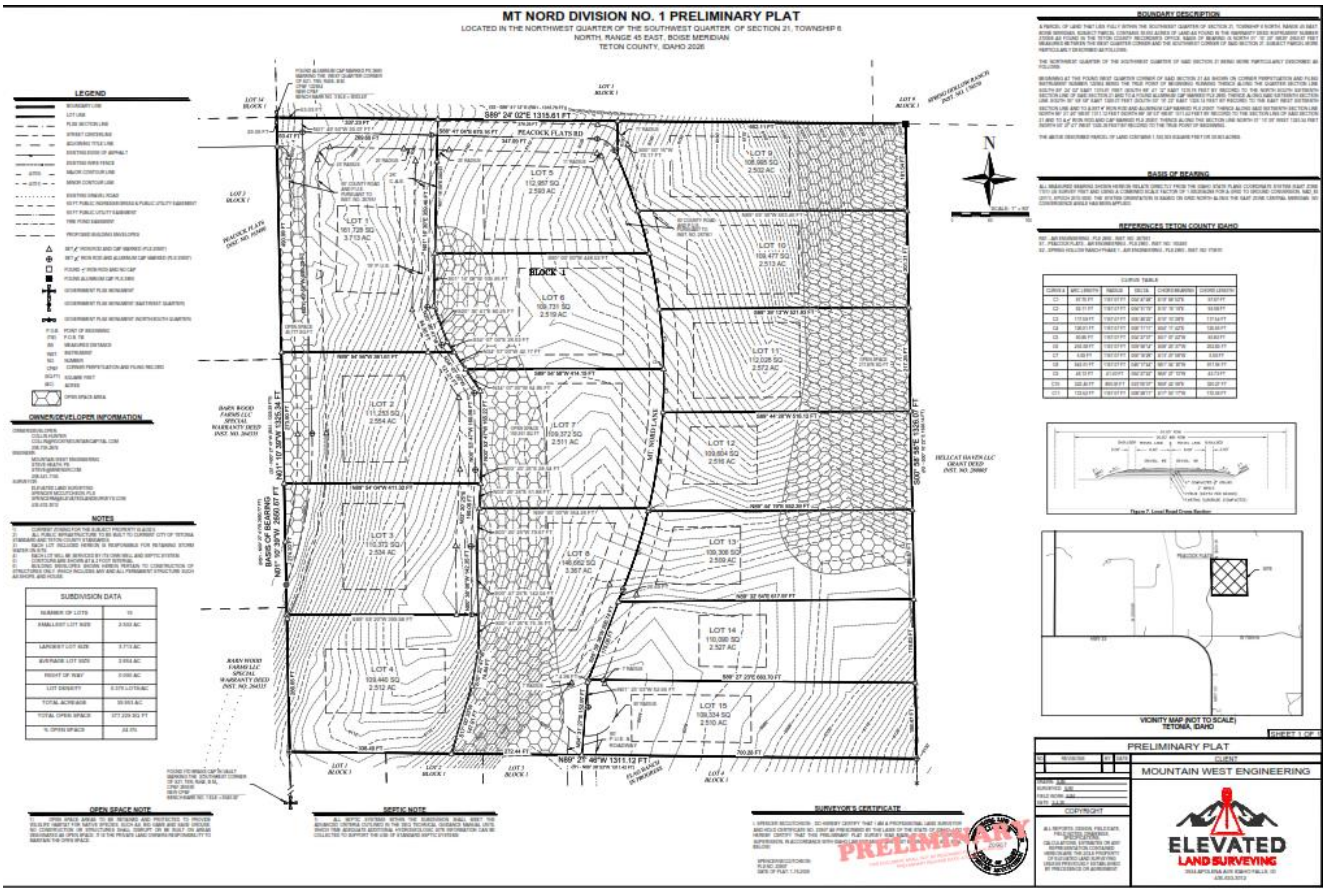


Figure 3: Updated Preliminary Plat with Building Envelopes & Open Space (4-7-2026)

PROJECT DESCRIPTION

L J Martin Ranch LLC, has submitted a proposal for a 15-lot subdivision on 39.96 acres. The proposed subdivision is .8 miles due north of HWY 33 on N 3000 W in Teton County, ID. The county parcel, # RP06N45E215401, was zoned AOI-2.5 at the time of application, and was within the City of Tetonia's area of impact, but has recently been removed and rezoned. The project will be reviewed under the Impact Area agreement zoning and regulations in place at the time of application. The parcel has historically been used for agricultural purposes and is currently planted in grain. The lots ranging from 2.51 to 3.71 acres, with building envelopes averaging .60 acres.

Proposed access to the subdivision will be provided by a future eastern extension of the existing Peacock Flats Rd. along the western half of the northern property boundary. North/South access through the subdivision is provided by the proposed Mt. Nord Ln., terminating with a cul-de-sac at the southern end. The concept master plan also shows an unnamed road on the western half of the property ending in a hammerhead at the southern end. MT. Nord Ln. has an easement at the southern end to connect to the adjacent subdivision. As discussed at the previous PZC hearing, the LDC requires the connected construction of these roads where possible. After additional discussion with the project engineer and public works director, it was confirmed that, as the adjacent subdivision does not have a connecting road, only an easement, a termination with a cul-de-sac is appropriate along with the connecting easement.

The proposed 39.96-acre Mt. Nord Subdivision contains Big Game Breeding and Migration Corridors and Sharp-tailed Grouse Breeding Habitat. The property consists of 30.5 acres (75%) of cultivated barley cropland (non-indicator habitat) and 9.81 acres (25%) of undisturbed Shrubland-Sagebrush Steppe (indicator habitat).

Natural resources overlays include Sharp-tailed Grouse Breeding Habitat, Big Game Migration Corridors and Seasonal Range which cover the entirety of the property. The extreme southwest corner is indicated in proximity to the Scenic corridor of State Highway 33 and the property is elevated somewhat above the highway here. The applicant's narrative indicates that the property has been dry farmed and does not have water rights.

PROJECT BACKGROUND

The applicants and Planning Administrator had a pre-application discussion on August 13, 2025. The applicants contracted wildlife reviewer also met at that time to discuss how wildlife considerations had been integrated into the planning of this subdivision layout with the steeper areas with natural vegetation being identified for open space use. The minimum lot size of the zoning constrains layout of the site to some extent. The City of Tetonia's subdivision ordinance also have requirements for designation of 10% of the property as open space.

The impact area agreement with the City of Tetonia calls for a joint review by both the City and County. As no joint Planning and Zoning Commission has been established with the City of Tetonia, it is understood that these reviews would be separate parallel reviews by each jurisdiction. The application materials have been forwarded to the City of Tetonia for review, with ongoing discussion with the City of Tetonia regarding procedural considerations. The City's subdivision ordinance does not include provisions for a concept review, however the City has conducted a review at this time and included recommendations to be incorporated in the report to the BoCC.

Planning and Zoning Commission Concept Review:

The Planning and Zoning Commission reviewed and approved the Concept Plan application on January 13, 2026 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 I move to APPROVE the Concept Plan for the MT. Nord Subdivision as described in the application materials submitted December 10, 2025 and as updated with additional applicant information attached to this staff report with the following*

conditions:
1) Follow the Public Works recommendation to require a TIS; The traffic analysis is included with this application
2) Eliminate proposed road expansion to the north per 6.2.4 E-1 of LDC; The road expansion to the north has been eliminated.
3) Take any consideration from the WHA and indicator habitat mapping compiled by Biota/ Flag Ranch which includes the mapping and observations for the southern half of Mt. Nord and consider the natural draw to the east when incorporating building envelopes for Lots 13, 14, and 15; The building envelopes on lots 13-15 were moved to the west to accommodate the wildlife migration area as shown on the Flag Ranch WHA.
4) All lots shall adhere to the minimum lot size of 2.5 acres; All the lots in the subdivision have been adjusted to meet the minimum 2.5 acre requirement.
5) Determine the City of Tetonia's requirements for review and initiate the review process with them. The City of Tetonia has been contacted and a recommendation from City Council has been received..

MOVER: James Weber
SECONDER: Rebeca A Baker
AYES (4): James Weber, Rebeca A Baker, Carl Kohut, and Harley Wilcox
NAYS: (1): Wyatt Penfold
Absent (3): Tom Braun, Ken Kirkpatrick, and Burt Smith
Adopted (4 to 1)

PZC Preliminary Plat review

The PZC held a preliminary plat hearing on March 10, 2026 and reviewed and recommended approval of the preliminary plat. An overview of the hearing from PZC minutes is provided below.

Commissioner Hunter recused himself due to his connection to the applicant.
Mr. Chase reviewed the application for a 15-lot subdivision on 39.96 acres just north of Tetonia on N 3000 W. He discussed the fact that the application was received before the AOI zoning and boundaries changed allowing the use of 2.5 acre sized parcels, the overlays, open space requirements for the County and the City of Tetonia as well as a shared interior road, the shared fire suppression agreement with the adjacent subdivision, and the NP study that was submitted. He stated that the review noted there may need to use advanced treatment septic systems but it will be established when the lot owners apply for their individual septic permits. Mr. Chase also noted there was a plat note that stated the building envelopes only applied to a residential building but the County's policy is that it will require all buildings to be built inside the building envelope.
Mr. Brad Cramer, representing the applicant, reviewed the Concept hearing conditions of approval as well as the comments from the City of Tetonia. He talked about the limited traffic study that was performed and showed the results, the relocation of three of the building envelopes so they would be out of the migration corridor, the addition of a septic note on the plat regarding the potential for the need for an advance treatment septic system, and the reason for the lack of improvement drawings which will be provided.
PUBLIC COMMENT:
Ms. Gaylan Hellyer, adjacent property owner, commented was concerned with the traffic impact because of this proposed subdivision and the approved Flag Ranch that is adjacent as well as the Northern Lights subdivision on 7000 N. She felt a full traffic study should be required.
COMMISSION DELIBERATION:
Mr. Weber commented he would like to see the dimensions of the building envelopes added to the plat and the setbacks identified as well. Mr. Cramer commented they would have no problem adding those dimensions. Mr. Weber also wanted to have the CC&Rs clarify that the fencing would need to be wildlife friendly and could not be used on the open space. Mr. Wilcox commented the CC&Rs can be changed after they are recording so he thought a plat note might be more appropriate to protect the open space.

- MOVER: James Weber

SECONDER:Tom Braun

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 MT Nord Subdivision as described in the application materials submitted February 3, 2026, with the inclusion of additional applicant information attached to this staff report and the following conditions of approval
1. The following documents needed prior to BoCC will be a cost estimate, improvement plans, and a development agreement.
2. Update the open space plat note to include language restricting fencing within the open space.
3. Incorporate into open space a note to maintain areas with native species in their existing natural state.

AYES (5) James Weber, Wyatt Penfold, Tom Braun, Harley Wilcox, and Maggie Martin

CONFLICT: (1) Collin Hunter
Absent (1) Carl Kohut
Adopted (5 to 0)

Tetonia City Council The City of Tetonia Planning Department submitted a comment letter to the County on April 20, 2026. It recommends approval of the proposal with if the following conditions are met:
1. The Development Agreement shall include an ownership and maintenance plan for the common areas, open space, and road.
2. The road labeled on the Plat shall be re-named to match the proposed Banner Ln named in the Flag Ranch Subdivision to the south.
3. The Open Space shown on the plat shall be labeled to the effect that no development, including outbuildings, roads or grading may be constructed in the open space.
4. A cross-access easement to benefit the property to the south, known as Flag Ranch, shall be shown on the plat.
5. The Improvement Plans for the road and common infrastructure shall be submitted to Teton County for review per their Public Works road specifications.
6. Dust mitigation should be implemented along 3000 W during the construction of the subdivision improvements. Any damage caused to 3000 W during construction should be evaluated by Teton County Public Works and repaired by the Developer.

OVERVIEW OF PRELIMINARY PLAT APPROVAL (4-13-D)

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. The applicant will be granted permission to begin improvements following the BoCC's Preliminary Plat Approval.

INTER-AGENCY COMMENTS

The County has solicited comment from other agencies and entities.

- **Roads & Utilities: Teton County Public Works Director**
  - Improvement Plans reference Tetonia and Driggs standards. I believe this subdivision is in the Tetonia area of impact and must be constructed to County standards. Plans should be revised to reflect that.
- Utility sheets need to be included in the Improvement Plans
  - All lots must be accessed from interior subdivision roads
  - An access permit is required for construction within N3000W right-of-way
  - No infrastructure cost estimate was provided This has subsequently been received.

- **Fire Protection: Teton County Fire**

Although initially questioned, the Fire Marshal agreed that reliance on the fire pond in adjacent Flag Ranch would be adequate. (confirmed in March 2nd, 2026 email.)

Agreement between Flag Ranch and HF Ventures:

Whereas Flag Ranch LLC is developing a subdivision in Teton County and HF Ventures is developing the Mt Nord Subdivision on the in Teton County and the properties share a boundary line, the parties do hereby agree to the following:

If Mt Nord Subdivision is approved and gets built out, Flag Ranch LLC and HF Ventures LLC will each pay for half of the fire pond and fire well build out.

The upkeep and maintenance expenses for the fire pond will be shared equally between both subdivisions.

This agreement is entered into this 2nd day of February 2026 [attachment I]

Wastewater Treatment: EIPH (FROM CONCEPT)

Tyler Ayers, P.E. Senior Water Quality Engineer Response: Thank you for your response. Yes, the study does discuss that installing enhanced or advanced systems would result in satisfactory model outputs, which I would agree with. However, it was not clear from the study that this was the selected alternative. Rather, it seemed to be discussed as one of several alternatives that could be pursued by your client. The study also identified a reduction in the number of lots as a potential alternative. DEQ would support either of those alternatives if clearly identified in the NP study as the recommended alternative. As my letter discusses, additional site-specific data would be recommended to better inform the NP parameters if a reduction in the number of lots or installing enhanced systems are not desirable solutions. I'd be happy to do another review of a revised NP at the County's request.

Katarina Whitson Environmental Health Specialist Mt Nord: Has had an on-site evaluation performed by EIPH and been given preliminary approval. I did receive a copy of the letter that was sent to you from DEQ stating that they did not concur with the NP Evaluations findings. Nathan Taylor was included in that email and may be a point of contact when they go further in their application

- **Plans and Studies**

Wildlife Habitat Assessment:

MITIGATION/CONSERVATION PLAN

The applicant has adhered to suggested avoidance and minimization of impacts to indicator species and indicator habitat, while preserving the most valuable wildlife habitat within the parcel. 10.7 acres of unavoidable impact to non-indicator habitat will occur based on the conceptual site plan. The proposed mitigation will provide 9.81 acre of Shrublands-Sagebrush Steppe open space, the highest quality wildlife habitat found within the parcel, resulting in 25% of the total site being undisturbed and preserved.

The following calculations outline the proposed mitigation plan.

Area of Disturbance 15 Lots (road, homesites, ADU's, driveways, & and outbuildings) 10.7 acres
Mitigation Required = 0:0 0.00 (Impacts all within Non-Indicator Habitat)
Mitigation Provided Shrublands-Sagebrush Steppe 9.81 acres
Total Mitigation Provided Shrublands-Sagebrush Steppe 9.81 acres (25% of parcel)
Additionally, the following land management practices will be implemented into the CCR's of the project:

Lighting – Outdoor lighting will be downcast, dark sky conditions will be encouraged, and all lighting will meet Teton County Land Development Code Section 5-8.

Pet Control – Owners of family pets will be responsible for their animals interacting with wildlife and strict enforcement of leashing and owner control will be maintained.

Wildlife Friendly Fencing – All new fence construction will follow guidelines per Teton County Idaho Land Development Code, Section 5-7.

Weed Management – The parcel will be maintained for the control of noxious weed species according to State laws and Teton County ordinances.

SUMMARY AND CONCLUSION

Development of the subdivision is expected to have minor long-term impacts on indicator species and habitat (i.e., elk, mule deer and sharp-tailed grouse). The placement of building envelopes for each lot will limit and reduce adverse effects to big game species and no adverse impacts to Sharp tailed- grouse will occur. The post development scenario suggests big game species will likely use the available open space within the parcel as a movement corridor to more protected landscape and sage grouse will utilize the provided open space.

- **Idaho Department of Water Resources** (Email dated August 19, 2025)

  Pursuant to the recent amendments to Sections 42-111 and 42-227, Idaho Code, which became effective on July 1, 2025, individual domestic wells in new subdivisions in the Upper Snake River Basin are limited to in-home use only. Individual domestic wells in new subdivisions cannot be used to water lawns, gardens, or other landscaping, unless the property owners acquire a ground water irrigation right authorizing such use. Currently, there is a moratorium on issuing new ground water irrigation rights in the Upper Snake River Basin.

  If the proposed subdivisions are approved, they will be dry subdivisions (no lawns or other landscaping), unless the property owners hold irrigation water rights from some other source of irrigation water.

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 February 18 & 25, 2026. A notification was sent via mail to surrounding property owners within a 300-foot buffer area, on February 14, 2026. A notice was also posted on the property providing information about the public hearing on February 24, 2026.

PUBLIC COMMENTS

Staff has received one written comment from the public or adjacent landowners. The letter identifies concerns with additional development on 3000 W and the need for a traffic analysis.

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 that the parcel is zoned AOI-2.5, and lies within the City of Tetonia's area of city impact.
Staff Comment: The proposed project lies within the Rural Agriculture and Tetonia (Impact Area) **Rural Agriculture** areas are located on the north and western sides of the valley and include much of the most productive agricultural land due to soils present. Some lands are better agriculture ground than others due to microclimates. Much of this area, especially the land located on the western side, is important wildlife habitat. Because the Rural Agriculture areas are located far from existing towns, public water and sewer services are not available. Desired future character and land uses for the Rural Agriculture areas include: • Agriculture • Ranching • Low density residential, with provisions for clustering/conservation developments to protect natural resources or rural character • Conservation and wildlife habitat enhancement/protection In the **Areas of Impact**, applicable plans and ordinances as mutually agreed upon by the city and the County. • The zoning of the parcel is A-2.5 Tetonia AOI. The proposed lots will conform to this requirement as the minimum lot size is one acre and the density calculation allowed is 15 lots.

- The applicant is planning to do avoid prime habitat to ensure big game migration corridors stay intact to the greatest extent possible.

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

Applicant Comment:
N/A

Staff Comment:
The applicant has communicated with the Teton County Fire Marshal to confirm fire suppression for the preliminary plat stage. The previously approved use of the fire Pond in adjacent Flag Ranch subdivision was confirmed by the fire marshal. The developer has meet with the City of Tetonia to received comments for the BoCC preliminary plat hearing.

Objective 3: 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.

Staff Comment:
The parcel lies within natural resource overlays. However, thoughtfully placed building envelopes can avoid development in these areas indicated as having habitat values.

The Wildlife Habitat Analysis indicates that the development has areas of indicator species habitat. The design considered the results of these reports. The building envelopes have been placed to address these areas.

RECOMMENDED CONDITIONS OF APPROVAL

The recommendations of both the Planning and Zoning Commission and City of Tetonia City Council are included in this report on page 5 of this report. Planning Staff believes that all of these conditions of approval could be considered by the board and some have been addressed through recent submittals. Staff does not have any additional recommendations for conditions of approval.

BOARD OF COUNTY COMMISSIONERS' ACTIONS

A. 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. Approval of Preliminary 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. Denial of the Preliminary Plat application request and provide the reasons and justifications for the denial.
D. Continue to a future BoCC 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 APPROVE the Preliminary Plat Application for the MT Nord Subdivision as described in the application materials submitted February 3, 2026, 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 Concept Plan found in LDC (LDC 4-13-D) *have not been satisfied, I move to DENY the Preliminary Plat Application for the MT Nord Subdivision as described in the application materials submitted February 3, 2026 and as supplemented with additional applicant information attached to this staff report.*

CONTINUATION

I move to continue the public hearing for MT Nord Subdivision 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 and Joshua Chase, Planning Administrator

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ATTACHMENTS:

A. Application
B. Narrative
C. Preliminary Plat -updated 4.7.2026
D. TIS
E. CCRs
F. NP Study
G. Wildlife Study
H. Revised Wildlife Study Map w/ Building Envelopes
I. Fire Pond Agreement with Flag Ranch
J. Fire Marshal approval
K. Recommendations from City of Tetonia City Council
L. Improvement Plans

End of Staff Report