PRELIMINARY PLAT REVIEW PUBLIC HEARING

FOR:	Zamora Estates Subdivision
WHERE:	Hwy 33 & N 3500 W Tetonia
PREPARED FOR:	Board of County Commissioners Public Hearing of October 26, 2026

LANDOWNER: Raymundo Zamora Zanabria
ENGINEER: Refugio Engineering

REQUEST: The proposed subdivision is a 4-lot residential development located within the Tetonia Area of Impact. The 10.22-acre property will be divided into four 2.5-acre residential lots and is located at the intersection of State Highway 33 and N 3500 W, northeast of Tetonia. Overlay areas on the property include Sharp-tailed Grouse Breeding Habitat, Big Game Migration Corridors and Seasonal Range. In addition, the property is located within the Scenic Corridor Overlay established under the new 2025 Tetonia Area of Impact (AOI) Land Development Code, specifically within the 500-foot Type 2 corridor buffer along State Highway 33.

APPLICABLE COUNTY CODE: Subdivision Concept Plan Review pursuant to Teton County Tetonia AOI Land Development Code, Chapter 4 Section 4-13-D, Chapters 5 & 6, (adopted 1/14/2026); and the Teton County Comprehensive Plan (A Vision & Framework 2012-2030).

LEGAL DESCRIPTION: TAX #6806 PARCEL 4B SEC 20 T6N R45E, RP06N45E205300
LOCATION: Hwy 33 & N 3500 W Tetonia
ZONING DISTRICT: TETONIA AOI-2.5 (2.5-ac min lot size) Tetonia Area of Impact
PROPERTY SIZE: 10.22

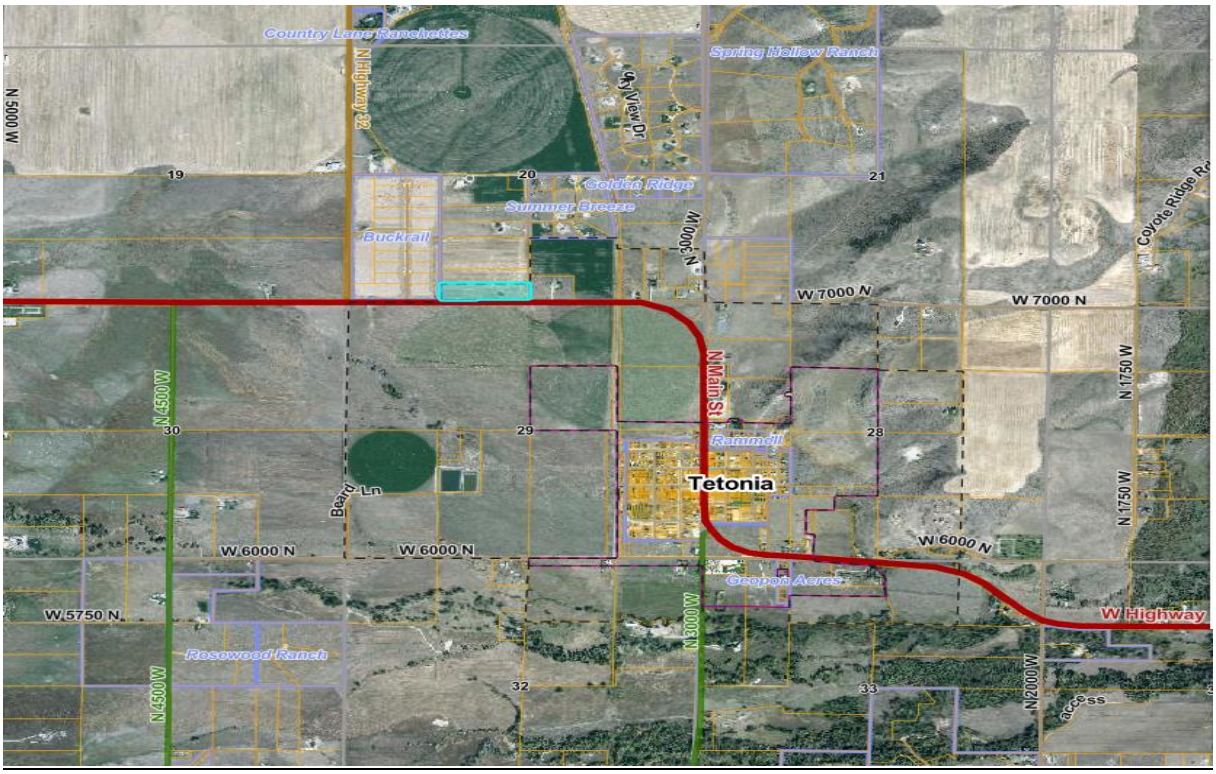


Figure 1. Vicinity Map; Subject Parcel Highlighted Blue- SE of Tetonia



Figure 2. Aerial Image

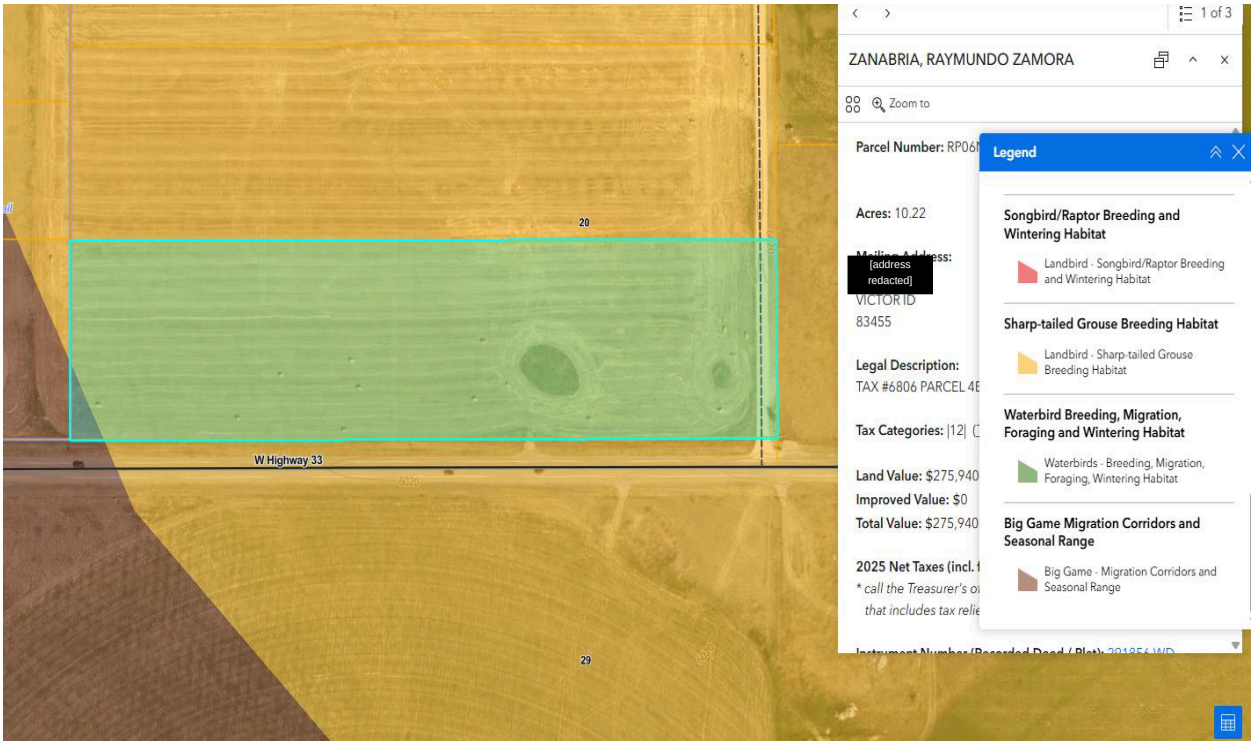


Figure 3: NROs present on parcel: Sharp-tailed Grouse Breeding Habitat & Big Game Migration Corridors and Seasonal Range

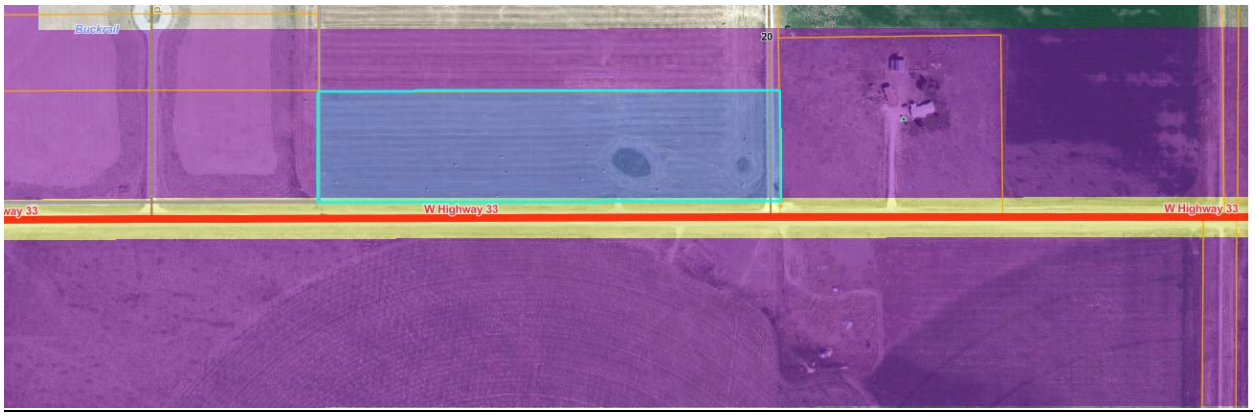


Figure 5. Scenic Corridor Overlay

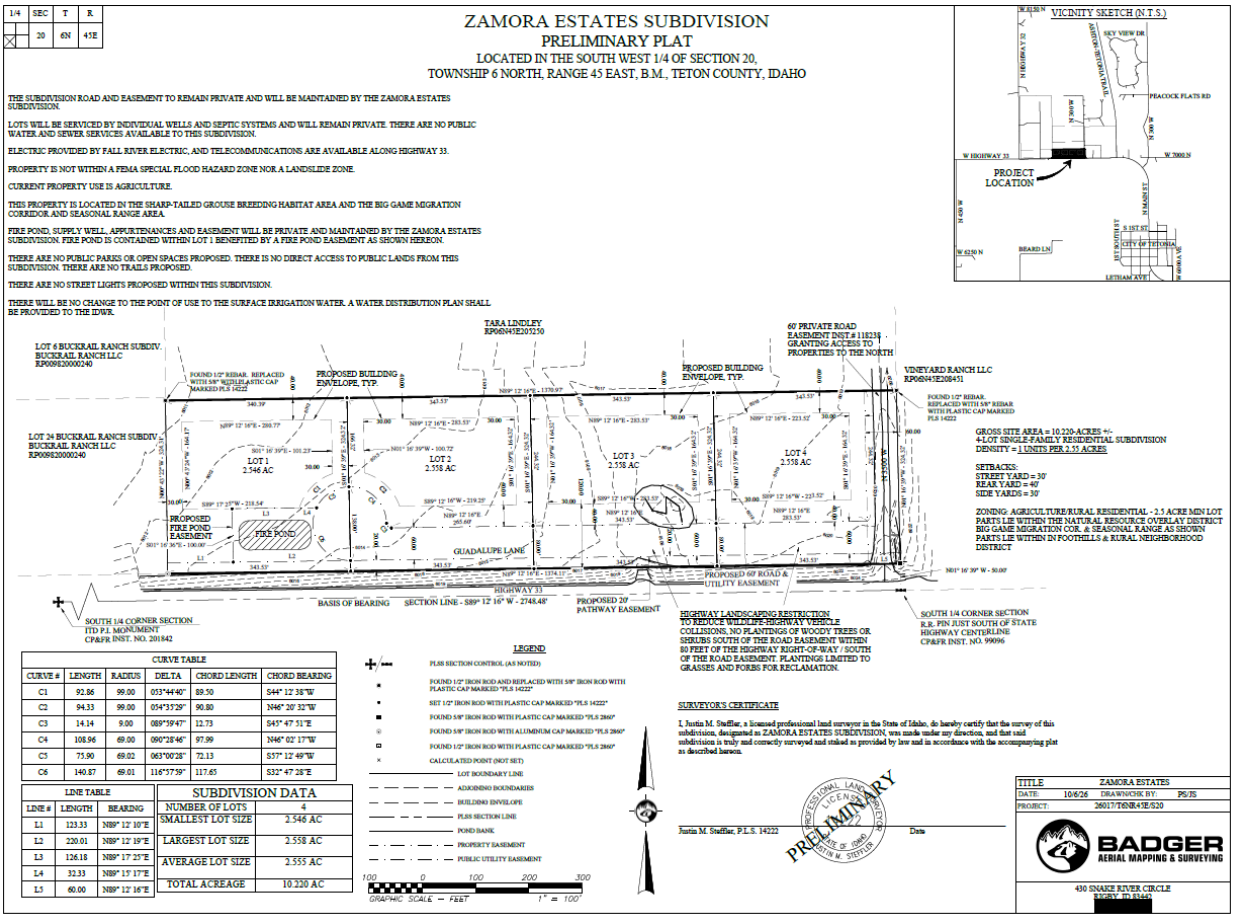


Figure 6. Proposed Preliminary Plat Rev. 10-6-2026

PROJECT BACKGROUND

The applicants and Planning Administrator held pre-application discussions on November 18, 2025. The "desired future character and land uses for the Rural Agriculture areas" include, among others, "Low density residential, with provisions for clustering/conservation developments to protect natural resources or rural character" (2012 Comprehensive Plan, p. 66). Clustering is limited by the AOI-2.5 zoning regulations, but the proposed density is in conformance with the general rural character of the area. This project provides a transition zone between Tetonia and outlying lower density agriculture areas.

Concept Plan Application: The Applicant submitted the Concept Plan Application on March 2, 2026.

Planning and Zoning Commission Concept Review:

The Planning and Zoning Commission reviewed and approved the Concept Plan application on June 9, 2025 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 I move to APPROVE the Concept Plan for Zamora Estates Subdivision as described in the application materials submitted March 2, 2026 and as updated with additional applicant information attached to this staff report along with the recommended conditions of approval in the staff report and the inclusion of the following additional condition of approval:

4. Per 6-2-3F- dedicate and show location of pathway easement along the Hwy 33 ROW with sufficient space for a pathway easement on plat map.

CONDITIONS OF APPROVAL: Blue Comments are from the applicant's narrative. Red are staff comments.

Conditions of Approval:

1. Address comments from Teton County public works director:
    a. Move Guadalupe Lane's connection to N 3500 W so that the centerline of Guadalupe Lane at the intersection is at least 50' from the Hwy 33 right-of-way. Done, 60' now Attachment C.
    b. County Standards require a 100' diameter cul-de-sac. Done Attachment C.
    c. Interior Roads must be built to County Local Road Standards. Addressed, See Improvement Plans Attachment D.
    d. Electric and telecommunications services must be run to all lots. Utilities should be shown on improvements plans. Addressed, See Improvement Plans Attachment D.
2. Obtain approval from EIPH for onsite wastewater treatment. Addressed, See EIPH approval Attachment I.
3. Obtain approval from the Fire Marshall for adequate fire protection measures. See fire pond improvement plans and previous email approvals from Fire Marshall.
4. Provide a pathway easement along the Hwy 33 frontage. 20'-wide pathway. Addressed, easement provided Attachment C.

Planning and Zoning Commission Preliminary Plat Review:

Conditions of Approval:

The commission had no new issues with the application and were comfortable with the recommended conditions of approval listed in the staff report.

Mover: James Weber Seconder: Maggie Martin

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 Zamora Estates Subdivision As Described In The Application Materials Submitted March 2, 2026, With The Inclusion Of Additional Applicant Information Attached To This Staff Report And The Conditions Of Approval Listed In The Staff Report And

3) Relocate/Move The Fire Pond As Far Away From Hwy 33 As Possible Per The Wha Results; Addressed. Per IMA The pond will not be an attractant to ungulates as there isn't suitable cover (attachment O.)

4)Applicant And Staff Confirm To Define The Setback From Hwy 33; Where landscaping would be prohibited. Addressed. Highway landscaping restriction: To reduce wildlife-highway vehicle collisions, no plantings of woody trees or shrubs south of the road easement within 80 feet of the highway right-of-way / south of the road easement. Plantings limited to grasses and forbs for reclamation (attachment O).

Ayes (7): James Weber, Wyatt Penfold, Carl Kohut, Tom Braun, Harley Wilcox, Maggie Martin, And Collin Hunter

ADOPTED (7 TO 0)

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.

CONSIDERATIONS

INTER-AGENCY COMMENTS

The County has solicited comment from other agencies and entities.

- **ROADS & UTILITIES: TETON COUNTY PUBLIC WORKS**
  - Interior subdivision roads will need to be built to County Road Standards. Addressed
  - Cul-de-sac requires a 50-foot minimum radius Addressed
  - Electric and telecommunications services must be run to all lots per Development Agreement and Improvement Plans. Addressed

- **FIRE PROTECTION: TETON COUNTY FIRE MARSHALL**
  - Pond volume
    Can you walk me through how you got the effective volume of 132,400 gallons? It doesn't look quite right to me. With the 3:1 side slopes, most of the water is up near the top of the pond, and when I run it I come up well short of 120,000 gallons in the bottom 5 feet. I may be missing something, so I'd appreciate seeing the calc.
  - Silt
    The plans account for ice but not silt. Please show how much room you're leaving for sediment on the bottom. The strainer is sitting almost right on the bottom, so it will get buried pretty quick. We'd like to see it raised up, and the volume below it shouldn't count toward the 120,000 gallons.
  - Dry hydrant freezing
    It looks like the water in the hydrant pipe will sit just a foot or two below the ground, which is going to freeze. Please show the normal water level and float setting, and how the hydrant pipe stays open in the winter. Also, what is the 3-way fitting at the base of the hydrant for?
    Ice
    What are you basing the 2 foot ice deck on? We can get some cold winters up here, so I'd like to know how you landed on that number.
  - Hydrant
    - The hydrant needs to be within 10 feet of the road. It's showing about 14 feet from the cul-de-sac right now.
    - Please add a note confirming the hydrant has two 2.5" and one 4.5" outlets (National Standard Thread),the 4.5" faces the road, it's 36" to the center of the 4.5" outlet, and there's a 36" level working area around it.
    - The area between the road and the hydrant needs to hold a fi re truck. There's a ditch around the cul-de-sac there, so please show how that area will be built.
  - Maintenance
    Please add a plat note or maintenance agreement making the HOA responsible for the pond long term: cleaning out silt, the liner, the hydrant, the auto-fill system, and power.
  - Road
    Guadalupe Lane is about 990 feet long and dead ends. Fire code says roads over 500 feet are supposed to be 26 feet wide. It's showing 22 feet. Please also confirm the cul-de-sac diameter.

- **WASTEWATER TREATMENT: EIPH**
  The application is proposing individual wells & septic as residential homes are built. **EIPH states**: It appears that basic septic systems in accordance with IDAPA 58.01.03 can be placed on these four proposed lots. Before final signature, a pdf of the final plat should be sent to EIPH to ensure the correct language certificate is present. Please contact EIPH for an appointment to obtain a final plat signature. At time of signature a full-size copy of the final plat needs to be given to EIPH and the remaining balance of subdivision fees need to be paid. [attachment I].

- **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.

  Zamora Estates Subdivision is proposing individual domestic wells instead of community systems. If the proposed subdivision is 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.

PLANS AND STUDIES

Wildlife Habitat Assessment: A finalized WHA report found that:
"Currently, the property consists of managed agricultural field, lacking any Indicator Habitats. The property lies in an area designated by the Idaho Fish and Game (IDFG) as an area of High Winter Use and a corridor for elk migrating to Wintering habitat in the Teton River Canyon. Highway 33 in this area has been recognized as a hot-spot for wildlife-vehicle collisions for elk and white-tailed deer. Efforts should be made to maintain motorist sightlines and avoid attracting wildlife to the roadside."

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 Board of County Commissioners was duly noticed in the Teton Valley News on October 7 & 14, 2026. A notification was sent via mail to surrounding property owners within a 300-foot buffer area, on October 2, 2026. A notice was posted on the property on October 13, 2026 providing information about the public hearing.

COMMENTS FROM NOTIFIED PROPERTY OWNERS AND PUBLIC AT LARGE

No comments received as of October 15, 2026

CRITERIA FOR APPROVAL

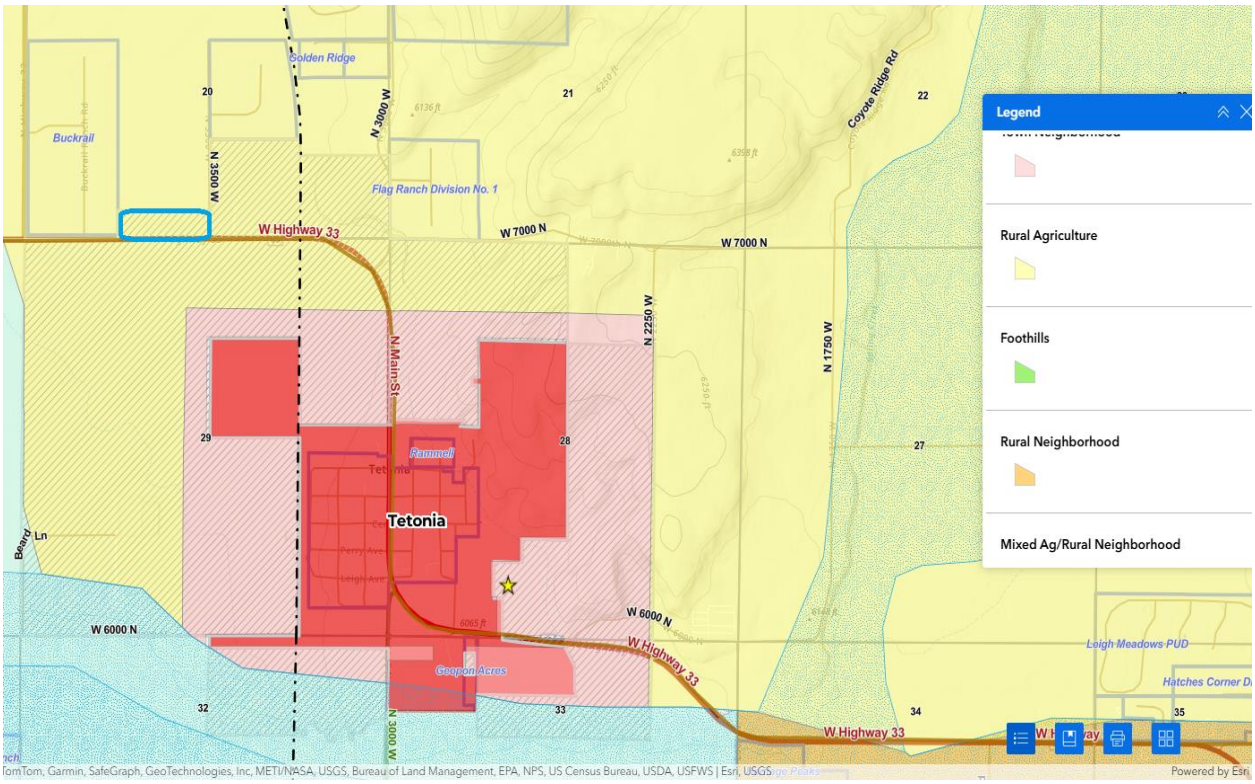
For approval of Preliminary Plat Review of a proposed subdivision (LDC 4-13-D), the County shall consider the objectives of Teton County LDC, application materials, and in a general way, at least the following:

Objective: 1. The conformance of the subdivision with the Comprehensive Plan, LDC and other County Codes as well as Subdivision Development Standards of Chapter 6;

Applicant Comment:

Narrative states application conforms to provisions of County LDC codes and standards. It specifically notes compliance with Road Layout and access, Road design, Utilities, Conservation areas and Zoning. It also addresses compliance with Comprehensive Plan policies. It also briefly covers how conditions of approval from the Concept Plan hearing have been addressed.

Staff Comment: The proposed project lies within the Rural Neighborhood area of the Teton County Comprehensive Plan (2012-2030):



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

Objective: 2. Requirements of other reviewing agencies and / or jurisdictions providing public services. **EIPH & Teton County Public Works:**
Applicant Comment: Applicants cite their conformance with road requirements demonstrated in their improvement plans. Attachment D
Staff Comment: The applicant has received preliminary approval from EIPH. The Public Works Director has made comments regarding the roads being utilized to be constructed to County Local Road Standards.
Objective: 2. Requirements of other reviewing agencies and / or jurisdictions providing public services. **Fire Marshal:** The fire Marshal requested modifications to the Fire Pond plans to account for sedimentation among others.
Staff Comment: This is addressed in a recommendation for a condition of approval.
Objective: 2. Requirements of other reviewing agencies and / or jurisdictions providing public services. **Teton School District Growth Contribution Program:**
Staff Comment: ▪ The school district requests that the Gallery Subdivision voluntarily contributes $5,096to the School Growth Contribution Fund to satisfy the service mitigation criterion found in the Teton County Comprehensive Plan, or if an amendment, the applicable Land Development Codes: (LDC § 4-5. F.1.h and 4-4. F.1.i) **attachment P.**
Objective: 3. Impacts presented from any studies requested related to natural resource overlays.
Applicant Comment: A draft Wildlife Habitat analysis was completed and submitted at concept plan. A completed study has now been provided. After the subdivision passes through the Concept phase, Intermountain Aquatics, Inc. will provide a full WHA to take a closer look at the value of the property for wildlife on both a parcel and landscape scale. The WHA will also consider actions to reduce habitat impacts from the proposed development. Provided
Staff Comment: A meeting with staff, applicant & intermountain aquatics scheduled to discuss mitigation measures; however, planning staff was not in attendance. Based on the findings of the study, limited resources were identified and the primary concerns were related to avoid planting that would potentially increase the possibility of wildlife vehicle collision by either attracting wildlife or screening them from view in proximity to the Highway. Trees and shrubs have the potential to mitigate noise for new development but should be located away from the highway and also oriented at meeting objectives of the scenic corridor. That is typically addressed at the building permit stage.
Applicant Comment:
Staff Comment: The parcel does lie within the Natural Resource Overlay, and Scenic Corridor. However, the applicants prepared a Wildlife Habitat Analysis.

STAFF FINDINGS:

WILDLIFE HABITAT ANALYSIS POLICY COMPLIANCE: The property lies within the Big Game Migration Corridors and Seasonal Range and the Sharp-tailed Grouse Breeding Habitat Natural Resource Overlays (NRO). As such, Teton County policy requires a Wildlife Habitat Analysis (WHA) to consider the wildlife habitat on the property, and ways in which any new development could avoid and mitigate impacts to the habitat. Due to the small size of the property, the location along Highway 33, the neighboring residential development, and the lack of indicator habitat on the property, an initial abbreviated consideration indicated that the property is suitable for subdivision.

In subsequent communication, the WHA preparer indicated that they do not believe the location of the fire pond represents a concern as a wildlife attractant that would likely result in an increased likelihood of wildlife-vehicle collisions.

PROPERTY OVERVIEW AND NRO DESIGNATION

The property (RP06N45E205300) consists of approximately 10.2 acres along Highway 33 just west of Tetonia, Idaho and is within the City of Tetonia Area of Impact, Zone 1, with minimum 2.5-acre residential lots. The property is currently a cultivated agricultural field, aside from the eastern end of the property that includes N 3500 W encumbered by a private road easement.

Big Game Migration Corridors and Seasonal Range

The existence of the property within the Big Game NRO derives from its location in the landscape as opposed to holding valuable indicator habitat for big game forage or security. The property is located within a general area designated by Idaho Fish and Game as high winter use for big game, primarily due to the proximity of Badger Creek and the rolling hills to the north and east. It is also in a general area of seasonal migrations of elk and mule deer, especially animals that winter in the Teton River Canyon to the north-west. Both habitat attributes are potentially diminished by the busy Highway 33 and the surrounding development.

Sharp-tailed Grouse Breeding Habitat

The Sharp-tailed Grouse Habitat designation includes the Zamora property as a function of being within 1 mile of an identified sharp-tailed grouse lek (breeding area). Sharp-tailed grouse habitat consists of both native and perennial bunchgrass rangelands for nesting and rearing, with riparian forest and mountain-shrub thickets being important for the winter season. The loess hills to the north-east offer attractive grasslands in proximity to the riparian corridor of Badger Creek. The property itself is on the edge of any useful habitat.

POSSIBLE CONDITIONS OF APPROVAL:

1. A road maintenance share agreement should be finalized prior to the **BoCC's Final Plat Approval**.
2. Approval of Fire Protection Plan from Fire Marshal. Applicant will need to get final approval of the improvement plans from the Fire Marshal prior to recording the plans and prior to a pre-construction meeting with Public Works.
3. A scenic corridor application be submitted with all building permit applications to demonstrate compliance with the Tetonia AOI Scenic Corridor. Condition 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 the 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 Recommend approval of the Preliminary Plat Application for* ***Zamora Estates Subdivision*** *as described in the application materials submitted* March 2, 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 Preliminary Plat found in LDC (LDC 4-13-D) *have not been satisfied, I move to Recommend denial of the Preliminary Plat Application for* ***Zamora Estates Subdivision*** *as described in the application materials submitted* March 2, 2026 *as supplemented with additional applicant information attached to this staff report.*

CONTINUATION

I move to continue the public hearing for ***Zamora Estates 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
B. Narrative
C. Prelim Plat Rev. 10-7-2026
D. Improvement Plans
E. Engineers Estimate of Probable Cost
F. Denning Drilling Fire Pond Well-Pump Est
G. Fall River Electric Design-Cost Documents
H. Silverstar Design-Cost Documents
I. EIPH Zamora Estates Subdivision Letter
J. Development Agreement Prelim Draft
K. CCRs
L. Fire Dept. Preliminary Plat Comments Email September 8, 2026 Teton County Hearings
M. WHA
N. 2026-09-01_Engineer Review Zamora Estates Preliminary
O. IMA Letter regarding wildlife considerations & fire pond placement
P. Zamora Estates School Growth Contribution Program Letter
Q. Teton County Mail - Fire Protection Water Supply for 4-lot Subdivision near Tetonia_10.20.2026

End of Staff Report