



Valley Advocates for Responsible Development

November 3, 2009

Teton County P&Z
150 Courthouse Drive
Driggs, Idaho 83422

RE: Thoughts for consideration on the Strongcrete CUP application.

Dear Commission Members:

Until the conditional use permit (CUP) process and the county land use chart are revised, this Planning & Zoning commission is going to continually grapple with commercial CUP applications in the rural county, and what to do about them. Historically, the impacts of light industrial CUPs like Strongcrete have proven difficult to contain as their uses morph and intensify over time. The end result is often a defacto zone change, creating an industrial or commercial element where it did not exist before.

To me, this particular CUP is tough judgment call because there is no clear statutory definition for the use on the property. It is also proposed on 3.26 acres - which is larger than other high-impact CUPs along the highway and leaves a lot of space for the use to intensify. For example, nearby Kaufman Lumber is located on 2.27 acres, and MD Nursery is located on about 3 acres.

With these thoughts in mind, please consider the following when evaluating this CUP application:

- **Will the use be hazardous or disturbing to existing or future uses?** Regardless of whether the business is already there or not, does the proposed use comport with the plan for this area of the valley? Will this use *-or an intensified use -* change the essential character of the area?
- **Stipulate to a definition of “general contractor.”** In the absence of a definition for “general contractor,” the CUP agreement should stipulate exactly what the nature of the use will be. This stipulation should also prohibit a batch plant or rock crushing on site.
- **Map out a plan.** Please consider requiring a mapped plan for the location of parking areas, loading areas, refuse areas, vehicle





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limitations, etc. In addition, a plan should be submitted for onsite storage of all chemicals, solvents, stains, etc.

- **Additional structures.** No additional onsite structures should be permitted, and there should be a height restriction on the stockpiling of materials.
- **Meaningful fencing.** This is critical in order to effectively delineate and carve out an area of use on the property. Meaningful screening and fencing will also help minimize glare, noise, and vibrations on adjoining properties. There should also be a timeline for establishing fencing and screening.

There are already many parcels along the highway where past CUPs have now created defacto spot zones. The end result is that valuable county planning resources are spent trying to devise ways to contain these ballooning CUPs and buffer their impacts. I look forward to the upcoming 2011 Comprehensive Plan revision process as a great opportunity to devise an effective plan for our highways and scenic corridors. In the mean time, it is critical to prevent additional CUPs from creating new zoning hot spots that require additional planning resources in the future.

Sincerely,

Anna Trentadue

VARD Program / Staff Attorney

