

Article 3

Rural Districts

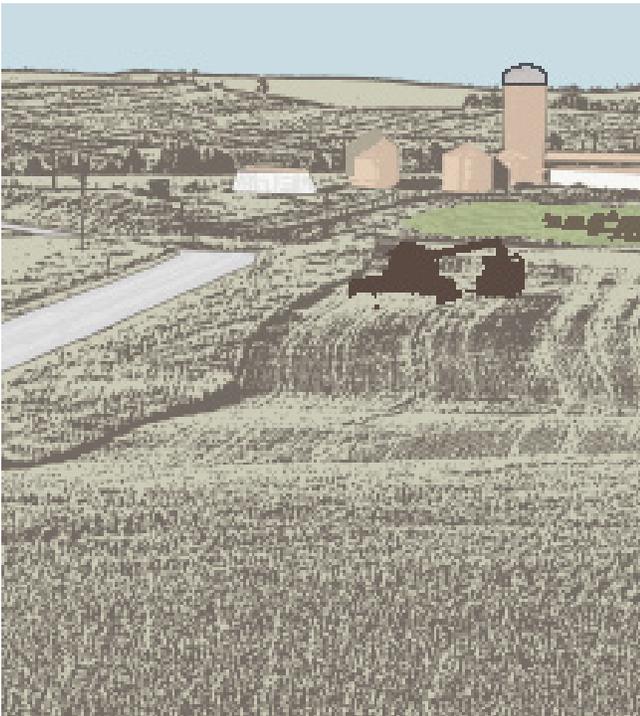
Article 3 - Rural Districts

Div. 3.1. RA: Rural Agriculture	3-3	Div. 3.6. Subdivision of Land in Rural Districts	3-13
3.1.1. Description	3-3	3.6.1. Density and Open Space	3-13
3.1.2. Lot Dimensions	3-3	Div. 3.7. Open Space in Subdivisions	3-14
3.1.3. Building Placement	3-4	3.7.1. Amount of Open Space	3-14
3.1.4. Building Height	3-4	3.7.2. Permanent Preservation	3-14
Div. 3.2. LA: Lowland Agriculture	3-5	3.7.3. Ownership and Management of Open Space .	3-14
3.2.1. Description	3-5	3.7.4. Configuration of Open Space	3-14
3.2.2. Lot Dimensions	3-5	3.7.5. Open Space Priorities	3-15
3.2.3. Building Placement	3-6	3.7.6. Allowed Uses of Open Space	3-16
3.2.4. Building Height	3-6	3.7.7. Prohibited Uses of Open Space	3-16
Div. 3.3. FH: Foothills	3-7	3.7.8. Access	3-16
3.3.1. Description	3-7		
3.3.2. Lot Dimensions	3-7		
3.3.3. Building Placement	3-8		
3.3.4. Building Height	3-8		
Div. 3.4. ARN: Agricultural Rural Neighborhood	3-9		
3.4.1. Description	3-9		
3.4.2. Lot Dimensions	3-9		
3.4.3. Building Placement	3-10		
3.4.4. Building Height	3-10		
Div. 3.5. RC: Rural Cluster	3-11		
3.5.1. Description	3-11		
3.5.2. Lot Dimensions	3-11		
3.5.3. Building Placement	3-12		
3.5.4. Building Height	3-12		

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PZC Public Review Draft - August 2016

3.1.1. Description



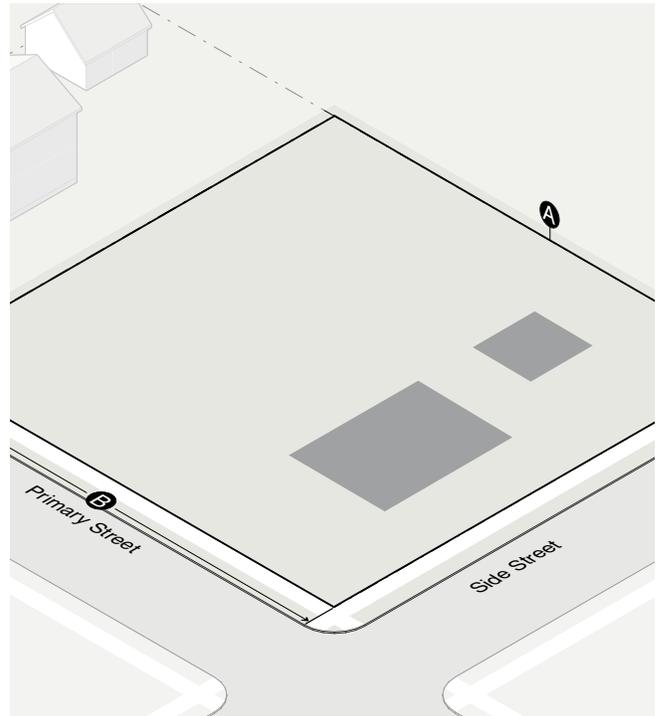
Key assets of the Rural Agriculture District generally include:

1. Large-scale farming on productive land
2. Low density development
3. Native vegetation and critical wildlife habitat

Intent

RA is established to provide areas in which agricultural/rural land uses are encouraged and supported within Teton County. The specific intent in establishing this district is for the following purposes: Discourage developments in isolated areas of the County where essential services are not readily available and would be fiscally irresponsible and/or burdensome for the County to provide such services; Provide a location where the cultivation of crops and the raising and keeping of livestock and related uses can be protected and encouraged; Nurture native habitat; and Preserve the beauty of the rural agricultural lands in Teton County.

3.1.2. Lot Dimensions



Project	RA
Density / Open Space	See Div. 3.6 & 3.7
Lot Area*	A
All Building Types	1 acre
Lot Width	B
All Building Types	100' min
Coverage	C
Lot coverage (max)	10,000 SF
Agricultural building	--

*Minimum lot area may not include "constrained land." Constrained land includes wetlands, floodways, and floodplains, and slopes over 25% which are 2,000 square feet or more of contiguous sloped area.

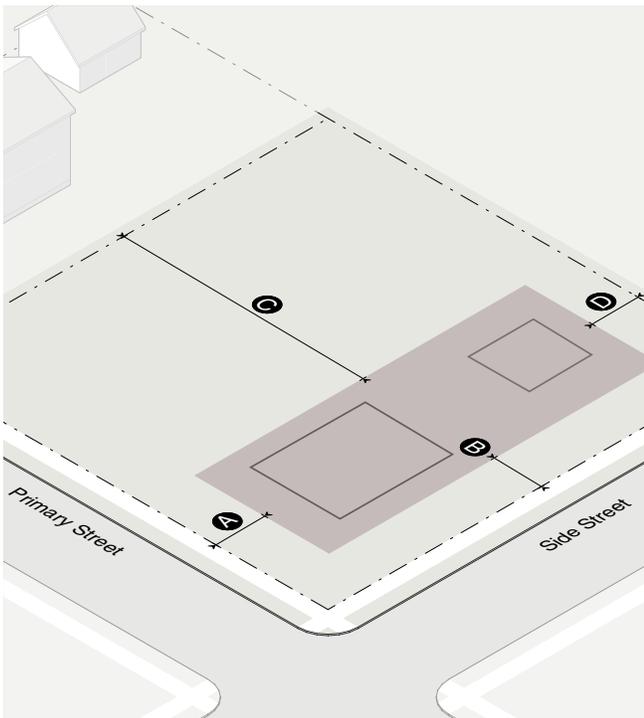
Priority Open Space

- Priority open space in the RA District includes:
1. Land in agricultural production of the Federal CRP
 2. Native vegetation and critical wildlife habitat
 3. Land in view corridors

Open Space must also meet the standards found in Div. 3.7.

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3.1.3. Building Placement



Principal / Accessory Building Setbacks*

Primary street	30' min	A
Side street	30' min	B
Side interior	30' min	C
Rear	40' min	D

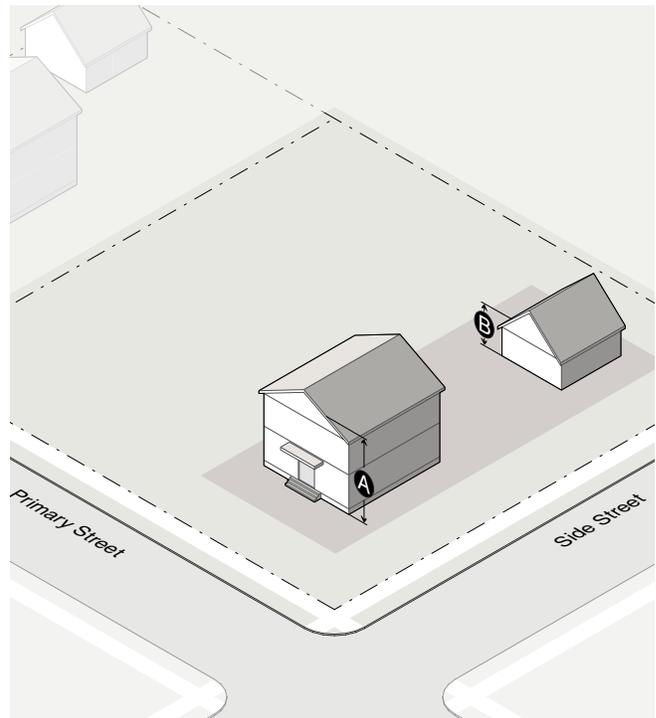
*Accessory Buildings, 200 ft² or smaller, may have reduced Primary, Side, and Rear setbacks of 12' min.

Development Design

Development must be designed to:

1. Keep land in agricultural production or the Federal Conservation Reserve Program (CRP)
2. Cluster housing to preserve agriculture and open space
3. Maintain corridors for views and wildlife
4. Protect native vegetation and critical wildlife habitat

3.1.4. Building Height



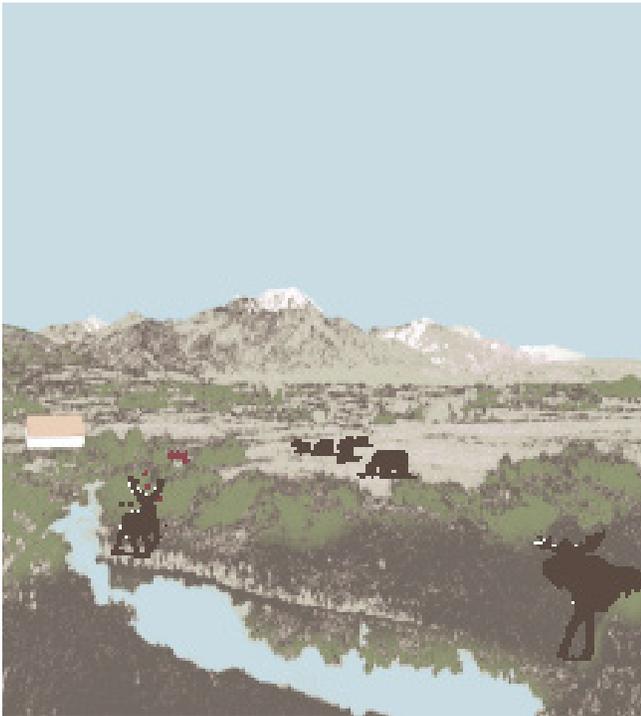
Height

Principal Building	2 stories / 30' max	A
Accessory Building	30' max	B
Agricultural Building	60' max	B

Building Types Allowed

Detached House	See also Div. 8.2
Backyard Cottage	See also Div. 8.3
Agricultural Building	See also Div. 8.16
Accessory Building	See also Div. 8.18

3.2.1. Description



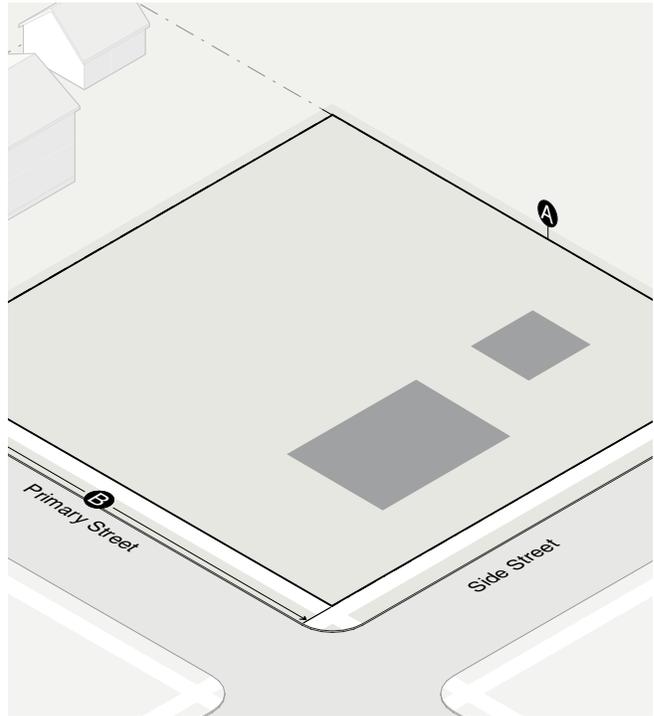
Key assets of the Lowland Agriculture District include:

1. Wetlands and floodplains
2. High ground water table
3. Agriculture
4. Undisturbed natural vegetation
5. Native vegetation and critical wildlife habitat

Intent

LA is intended to establish areas in Teton County where development may be limited due to the remoteness of services, topography, jurisdictional wetlands, and other sensitive environmental issues. The specific intent in establishing this district is for the following purposes: provide opportunities for limited residential development in the Teton River basin near existing services; protect ground and surface water quality and quantity; protect and enhance natural aquatic, wetland, and riparian soils and vegetation for flood protection, aquifer recharge, and wildlife habitat; promote sustainable agriculture and grazing practices; and preserve recreation opportunities and the scenic beauty of the Teton River Basin.

3.2.2. Lot Dimensions



Project	LA
Density / Open Space	See Div. 3.6 & 3.7
Lot Area*	A
All Building Types	1 acre
Lot Width	B
All Building Types	100' min
Coverage	C
Lot coverage (max)	10,000 SF
Agricultural building	--

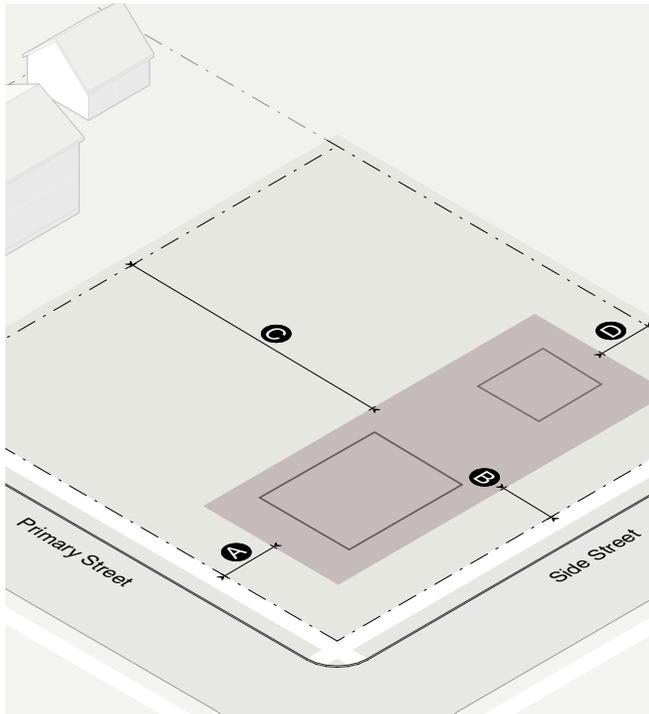
*Minimum lot area may not include "constrained land." Constrained land includes wetlands, floodways, and floodplains, and slopes over 25% which are 2,000 square feet or more of contiguous sloped area.

Priority Open Space

- Priority open space in the LA District includes:
1. Wetlands and floodplain
 2. Land in agricultural production of the Federal CRP
 3. Native vegetation and critical wildlife habitat

Open Space must also meet the standards found in Div. 3.7.

3.2.3. Building Placement



Principal / Accessory Building Setbacks*

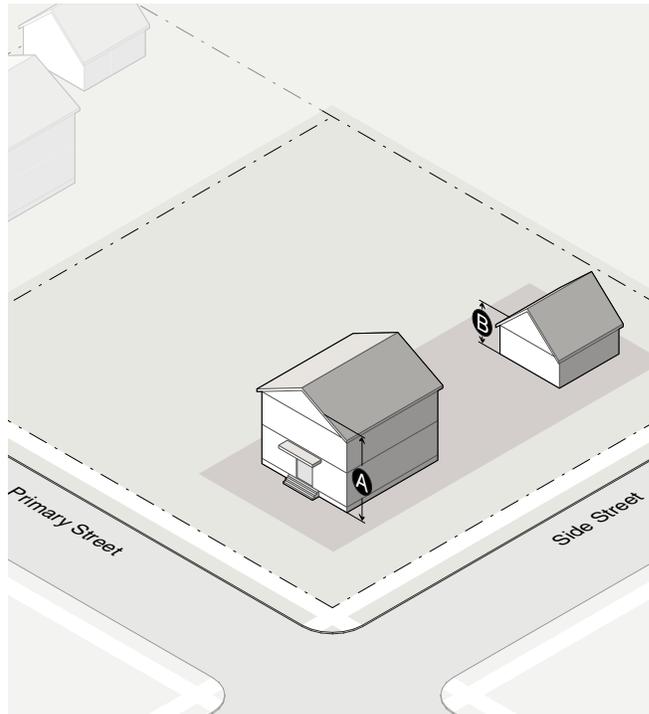
Primary street	30' min	A
Side street	30' min	B
Side interior	30' min	C
Rear	40' min	D

*Accessory Buildings, 200 ft² or smaller, may have reduced Primary, Side, and Rear setbacks of 12' min.

Development Design

- Development must be designed to:
1. Maintain undeveloped floodplains
 2. Protect homes from the risk of flooding
 3. Protect water quality from the impacts of development
 4. Keep land in agricultural production or the Federal CRP
 5. Protect native vegetation and critical wildlife habitat

3.2.4. Building Height



Height

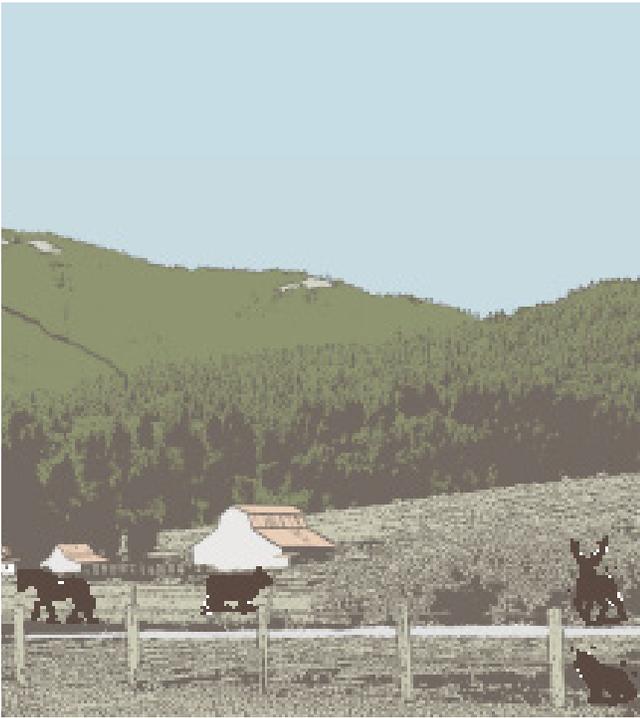
Principal Building	2 stories / 30' max	A
Accessory Building	30' max	B
Agricultural Building	60' max	B

Building Types Allowed

Detached House	See also Div. 8.2
Backyard Cottage	See also Div. 8.3
Agricultural Building	See also Div. 8.16
Accessory Building	See also Div. 8.18

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3.3.1. Description



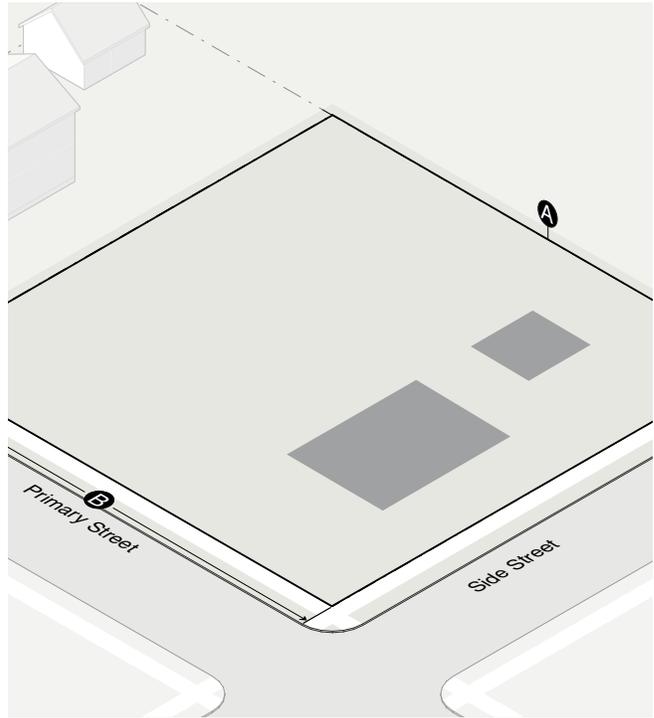
Key assets of the Foothills District include:

1. Access to public lands
2. Steep slopes
3. Native vegetation and critical wildlife habitat

Intent

FH is intended to ensure development is in harmony with mountain settings. The specific intent in establishing this district is for the following purposes: provide opportunities for limited residential development in the foothills of the valley near existing services; maintain public access to state and federal lands; discourage scattered hillside development that requires remote roads and infrastructure; ensure compliance with best practices for development in the Wildland Urban Interface (WUI); protect the health, safety, and welfare of residents and visitors by only allowing development that will have adequate fire and emergency access; preserve critical wildlife habitat, native vegetation, and scenic views of the foothills from the valley floor.

3.3.2. Lot Dimensions



Project	FH
Density / Open Space	See Div. 3.6 & 3.7
Lot Area*	A
All Building Types	1 acre
Lot Width	B
All Building Types	100' min
Coverage	C
Lot coverage (max)	10,000 SF
Agricultural Building	--

*Minimum lot area may not include "constrained land." Constrained land includes wetlands, floodways, and floodplains, and slopes over 25% which are 2,000 square feet or more of contiguous sloped area.

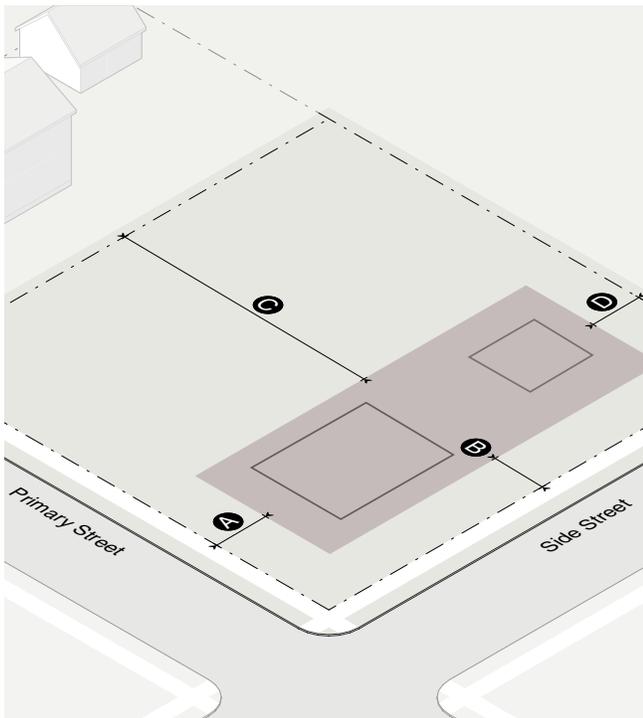
Priority Open Space

- Priority Open Space in the FH District includes:
1. Steep Slopes 30% of at least 2,000 square feet contiguous area;
 2. Native vegetation & Critical Wildlife Habitat;
 3. Public Access points

Open Space in the Foothills District must meet the standards found in Div. 3.7.

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3.3.3. Building Placement



Principal / Accessory Building Setbacks

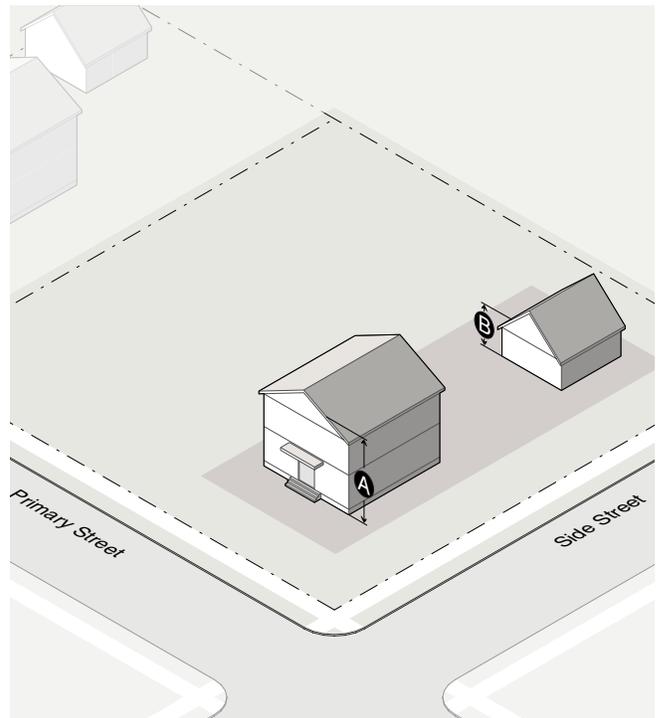
Primary street	30' min	A
Side street	30' min	B
Side interior	30' min	C
Rear	40' min	D

*Accessory Buildings, 200 ft² or smaller, may have reduced Primary, Side, and Rear setbacks of 12' min.

Development Design

- Development must be designed to:
1. Protect homes from wildfire risk
 2. Protect steep slopes
 3. Protect native vegetation and critical wildlife habitat
 4. Maintain public access
 5. Minimize disturbance, soil erosion, and visual impacts from road cuts

3.3.4. Building Height



Height

Principal Building	2 stories / 30' max	A
Accessory Building	30' max	B
Agricultural Building	60' max	B

Building Types Allowed

Detached House	See also Div. 8.2
Backyard Cottage	See also Div. 8.3
Agricultural Building	See also Div. 8.16
Accessory Building	See also Div. 8.18

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3.4.1. Description



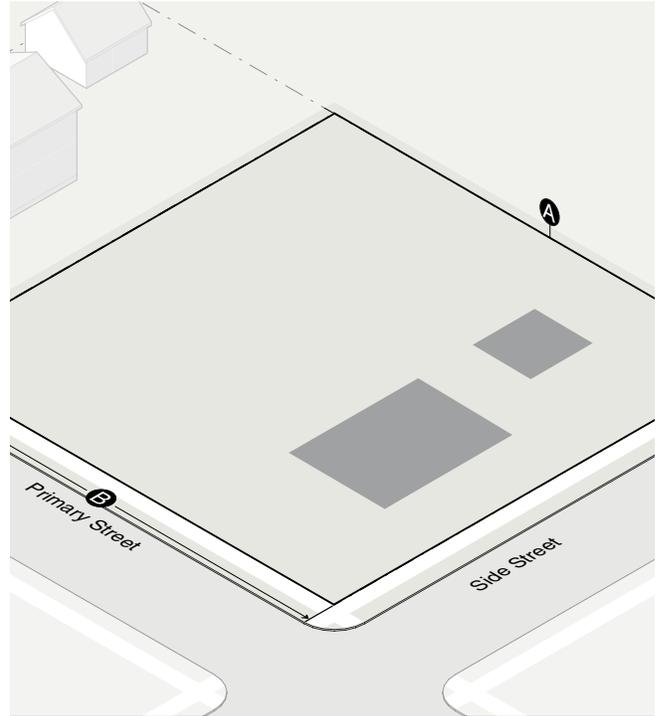
Key assets of the Agricultural Rural Neighborhood district include:

1. Small and large-scale farming on productive land
2. Native vegetation and critical wildlife habitat
3. Proximity to County and city services

Intent

ARN is established to preserve the high quality of life for the citizens of Teton County by allowing residential development near the incorporated areas while maintaining the rural atmosphere of Teton County. The specific intent in establishing this district is for the following purposes: provide a place in the county where neighborhood development is encouraged and residential dwellings may be interspersed with agricultural uses; provide opportunities for residents to have gardens, farm animals, and livestock; allow for higher density development closer to existing services including fire and police protection, municipal water and sewer systems, transportation corridors, schools, and other urban amenities.

3.4.2. Lot Dimensions



Project	ARN
Density / Open Space	See Div. 3.6 & 3.7
Lot Area*	A
All Building Types	1 acre
Lot Width	B
All Building Types	100' min
Coverage	C
Lot coverage (max)	10,000 SF
Agricultural Building	--

*Minimum lot area may not include "constrained land." Constrained land includes wetlands, floodways, and floodplains, and slopes over 25% which are 2,000 square feet or more of contiguous sloped area.

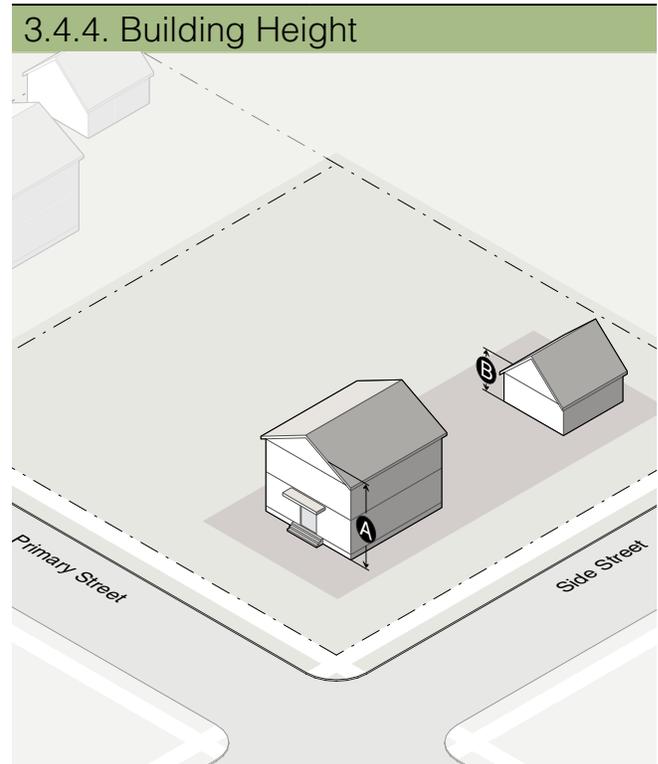
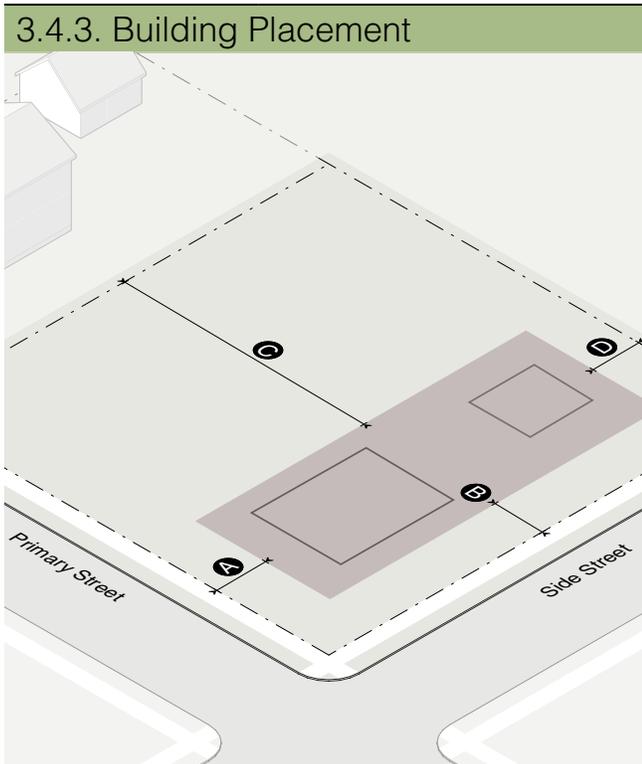
Priority Open Space

Priority Open Space in the ARN District includes:

1. Riparian areas;
2. Native Vegetation & Critical Wildlife Habitat; and
3. Areas for community parks.

Open Space in the Agricultural Rural Neighborhood District must meet the standards found in Div. 3.7.

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Principal / Accessory Building Setbacks		
Primary street	30' min	A
Side street	30' min	B
Side interior	30' min	C
Rear	40' min	D

Height		
Principal Building	2 stories / 30' max	A
Accessory Building	30' max	B
Agricultural Building	60' max	B

*Accessory Buildings, 200 ft² or smaller, may have reduced Primary, Side, and Rear setbacks of 12' min.

Development Design

- Development must be designed to:
1. Keep land in agricultural production or the Federal CRP
 2. Cluster housing to preserve open space
 3. Protect native vegetation and critical wildlife

Building Types Allowed	
Detached House	See also Div. 8.2
Backyard Cottage	See also Div. 8.3
Agricultural Building	See also Div. 8.16
Accessory Building	See also Div. 8.18

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3.5.1. Description

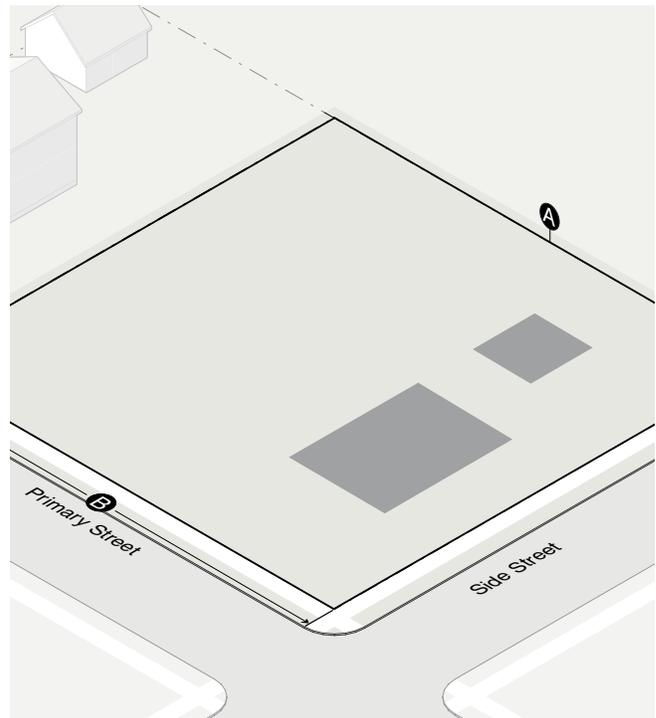


- Key assets of the Rural Cluster District include:
1. Close proximity to cities
 2. City services
 3. Mix of uses
 4. Higher densities

Intent

RC is intended to accommodate single- and two-family uses at a gross density not exceeding 1 unit per 2.5 acres. RC should be applied in areas of impact and in cities or towns where the existing land use pattern is predominately single- or two-family or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed. RC allows residential cluster development in exchange for preserving open space.

3.5.2. Lot Dimensions



Project	RC	
Density / Open space	See Div. 3.6 & 3.7	
Lot	A Area*	B Width
Detached House	9,000 SF min	75' min
Backyard Cottage	9,000 SF min	75' min
Duplex: side by side	12,000 SF min	100' min
Duplex: back to back	12,000 SF min	75' min
Attached House	6,000 SF min	50' min
Accessory Building	9,000 SF min	75' min

Coverage	
Lot coverage	50% max, not to exceed 10,000 SF

*Minimum lot area may not include "constrained land." Constrained land includes wetlands, floodways, and floodplains, and slopes over 25% which are 2,000 square feet or more of contiguous sloped area.

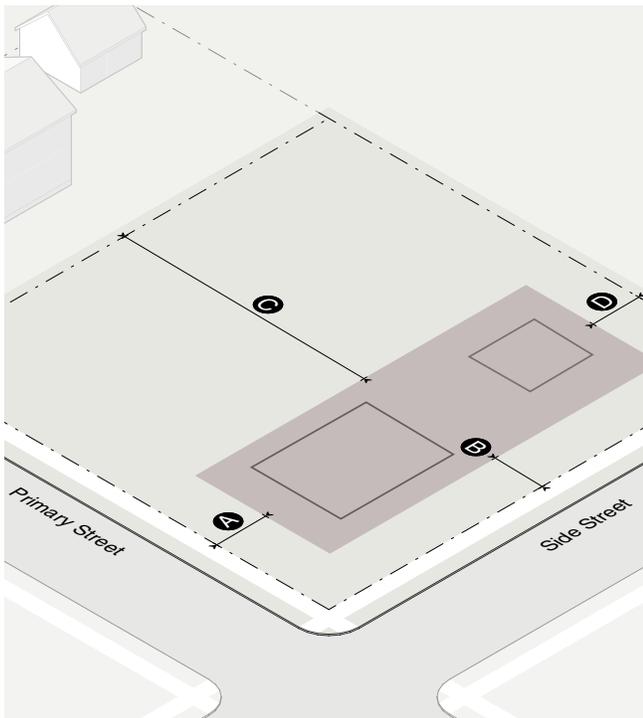
Priority Open Space

- Priority Open Space in the RC District includes:
1. Riparian areas
 2. Native vegetation and critical wildlife habitat
 3. Areas for community parks.

Open Space in the Rural Cluster District must meet the standards found in Div. 3.7.

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3.5.3. Building Placement



Principal Building Setbacks

Primary street	20' min	A
Side street	20' min	B
Side interior	10' min	C
Rear	20' min	D

Accessory Building Setbacks

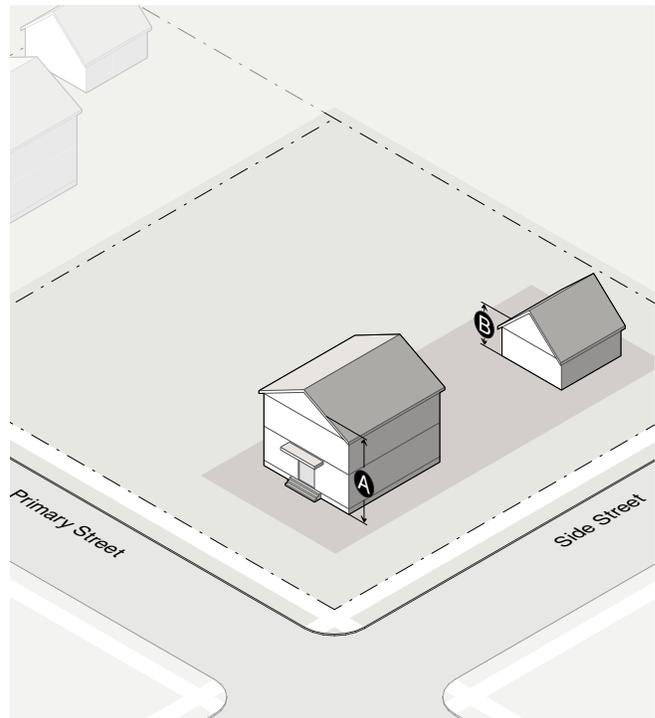
Primary street	40' min	E
Side street	20' min	F
Side interior	10' min	G
Rear	10' min	H

Development Design

Development must be designed to:

1. Provide a transition to cities
2. Capitalize on established transportation routes
3. Utilize existing utilities

3.5.4. Building Height



Height

Principal Building	2 stories / 30' max	A
Accessory Building	30' max	B

Building Types Allowed

Detached House	See also Div. 8.2
Backyard Cottage	See also Div. 8.3
Duplex: side by side	See also Div. 8.5
Duplex: back to back	See also Div. 8.6
Attached House	See also Div. 8.7
Accessory Building	See also Div. 8.18

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3.6.1. Density and Open Space

- A. The following minimum standards for the allocation of density and the creation of open space apply to subdivisions created after the effective date of this Land Use Development Code.
- B. Existing lots that were platted legally prior to the effective date of this Land Use Development Code are considered buildable where they meet the requirements of Div.14.9.3.
- C. The minimum lot size eligible for a One-Time Lot Split is 20 acres.
- D. Density is measured off gross area of the site.

DEVELOPMENT ACTIVITY					
	Dwelling on a Legal Lot	One-Time Lot Split	Land Division	Short Plat	Full Plat
RA: Rural Agriculture, LA: Lowland Agriculture, FH: Foothills					
Density Allocation	1 dwelling per legally created lot	1 lot per 10 acres	1 lot per 20 acres	1 lot per 10 acres	1 lot per 10 acres
Open Space (min)	--	--	--	75%	75%
Alternative Density Allocation #1	--	--	--	1 lot per 20 acres	1 lot per 20 acres
Open Space (min)	--	--	--	50%	50%
Alternative Density Allocation #2	--	--	--	1 lot per 30 acres	1 lot per 30 acres
Open Space (min)	--	--	--	25%	25%
ARN: Agricultural Rural Neighborhood					
Density Allocation	1 dwelling per legally created lot	1 lot per 10 acres	1 lot per 3.75 acres	1 lot per 2.5 acres	1 lot per 2.5 acres
Open Space (min)	--	--	--	60%	60%
Alternative Density Allocation #1	--	--	--	1 lot per 3.75 acres	1 lot per 3.75 acres
Open Space (min)	--	--	--	40%	40%
Alternative Density Allocation #2	--	--	--	1 lot per 5 acres	1 lot per 5 acres
Open Space (min)	--	--	--	20%	20%
RC: Rural Cluster					
Density Allocation	1 dwelling per legally created lot	1 lot per 10 acres	1 lot per 3.75 acres	1 lot per 2.5 acres	1 lot per 2.5 acres
Open Space (min)	--	--	--	60%	60%
Alternative Density Allocation #1	--	--	--	1 lot per 3.75 acres	1 lot per 3.75 acres
Open Space (min)	--	--	--	40%	40%
Alternative Density Allocation #2	--	--	--	1 lot per 5 acres	1 lot per 5 acres
Open Space (min)	--	--	--	20%	20%

3.7.1. Amount of Open Space

The amount of required open space is set by Division 3.6 and is calculated as a percentage of the gross site area.

3.7.2. Permanent Preservation

Required open space set aside must be permanently preserved through a conservation easement or rezoned to Preservation (PRS).

3.7.3. Ownership and Management of Open Space

A. Ownership

Required open space must be owned and maintained by one of the following entities:

1. Single Entity Landowner

A single landowner, such as an HOA, individual, or legal entity, may retain the open space. The responsibility for maintaining the open space and any facilities shall be borne by the single entity landowner.

2. Land Conservancy or Land Trust

A land conservancy or land trust may own the open space. The responsibility for maintaining the open space and any facilities shall be borne by a land conservancy or land trust.

3. City or County

A City or County may retain the open space. The responsibility for maintaining the open space and any facilities shall be borne by the City or County.

B. Conveyance

The conveyance of open space must be in accordance with the following:

1. Open space must be conveyed to the single entity, land conservancy or land trust, or local government in fee simple without any encumbrances, except the approved easements.

2. Title to the real property must be conveyed no later than the time of the conveyance of the first lot within the applicable phase of the development.
3. Open space must be preserved, and it must be restricted against private or public ownership for any other purpose except acquisition by condemnation or in lieu of condemnation, and the granting of conservation easements.

C. Dissolution

If the owning entity is dissolved, the open space may be offered to another entity who will be responsible for the maintenance and upkeep of the open space. If no other offer is accepted, the open space must be offered to the County and if accepted, deeded to the County

If the subdivision is vacated, the dedicated open space, which is zoned Preservation (PRS) or is in a conservation easement, shall remain dedicated open space.

3.7.4. Configuration of Open Space

- A. The minimum width for any required open space is 100 feet. Exceptions may be granted by the County for elements such as trail easements and linear parks.
- B. Where the Idaho Department of Fish & Game designates priority wildlife habitat on the property, Idaho Department of Fish & Game must be consulted as to the appropriate configuration of the open space.
- C. For every 200 acres of development, one grouping (residential lots connected/touching) of development is allowed, and the remaining open space must be contiguous. Where multiple roads serve a property, additional groupings of development may be approved where they improve the protection of the key site resources by reducing the intrusion of development into the site.
- D. Required open space must adjoin any neighboring areas of dedicated open space or other protected natural areas.

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E. Development in the Agricultural Rural Neighborhood (ARN) zoning district may fulfill the open space requirements by providing off-site open space through the process outlined in Article 9.4.

3.7.5. Open Space Priorities

A. Planning & Zoning Commission Authority

The final determination as to which land must be protected as required open space will be made by the Planning & Zoning Commission.

B. Priority Open Space

In addition to the Priority Open Space areas identified in each of the Districts, the following areas are also considered Priority Open Space. These areas may not be as common in each individual District, but they must be included in the first areas reserved as required open space:

1. Land where the elevation is lower than 2 feet above the elevation of the 1-percent annual chance flood as defined by FEMA;
2. Land within 100 feet of any wetland (as defined by United States Code of Federal Regulations 40 CFR, Parts 230-233 and Part 22), isolated wetlands, or areas of special concern identified by state or local rule;
3. Slopes above 25% of at least 5,000 square feet contiguous area
4. Parks as requires in Div. 12.6

C. Secondary Open Space

The following are considered Secondary Open Space areas and must be included as required open space once the Priority Open Space areas are exhausted:

1. Significant natural features and scenic views such as ridgelines, open vistas across meadows or fields, river or stream views;
2. Prime agricultural land;

3. Specific wildlife or habitat protection areas identified by Teton County and Idaho Fish and Game.
4. Habitat for any species on a Federal or State threatened, endangered, or species of concern list;
5. Traditional trail access to adjacent public (federal or state) lands;
6. Natural woodlands that help block the view of the development;
7. Historic, archaeological and cultural sites, cemeteries and burial grounds; and
8. Soils with severe development limitations.

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3.7.6. Allowed Uses of Open Space

To the extent not otherwise prohibited by the use table for the applicable zoning district, required open space may be used for the following:

- A. Agricultural purposes (Including row and field crops, pasturage, horticulture, viticulture, sod farm, silviculture, and grazing. Feed lots or other concentrated animal feeding operations are not allowed in required open space.);
- B. Conservation areas for natural, archaeological, or historical resources;
- C. Meadows, forests, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
- D. Pedestrian or multipurpose trails;
- E. Passive or active recreation areas (Active recreation must not constitute more than 50% of the required open space in the RA, LA, and FH Districts);
- F. Water bodies such as lakes, ponds(including stormwater and/or fire), rivers, streams and creeks, and their associated floodplains and floodways; and
- G. Easements for drainage, access, and underground utility lines.

3.7.7. Prohibited Uses of Open Space

Required open space cannot be used for the following:

- A. Construction of structures;
- B. Wastewater disposal systems;
- C. Streets; and
- D. Parking lots.

3.7.8. Access

Access to required open space may be restricted where necessary for public safety reasons or to prevent interference with agricultural operations, sensitive natural resources, or critical wildlife habitat. Signage may be required to notify the public of access restrictions on the open space.

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