



ARTICLE 12: PUBLIC STREETS AND IMPROVEMENTS

FROM: Kristin Owen, Planning Administrator
RE: Summary of Changes, Compliance with Goals, Related Public Comment
Prepared For: Planning & Zoning Commission Public Hearing of October 5, 2016
Report Date: October 1, 2016

Introduction

The purpose of Article 12 is to establish the performance requirements for public improvements that are to be accepted by the County, as well as establish the design standards for new blocks and lots, subdivision access requirements, fire protection, and parks.

Applicable County Code Section(s)

Article 12 covers provisions found in the current Teton County Code.

- Title 8: Zoning Regulations (8-2, 8-4)
- Title 9: Subdivision Regulations (9-2, 9-4, 9-7)
- Resolution 2013-0411B: Adopting highway & street guidelines for design and construction in Teton County

General Changes/Comments

1. This article clarifies public improvement standards, such as roads, water supplies, wastewater handling, and other utilities.
2. The specific road standards were reviewed by the Public Works Director, and this section was written to match the adopted Highway & Street Guidelines for Teton County.
3. This article also clarifies the requirements for phasing, financial securities, and Home Owners' Associations.

Specific Changes/Comments

1. Div. 12.1.11 was added for Street/Right of Way Vacations. These applications are now processed by the Public Works Director. This used to be processed by the Planning Department, and it is referenced in the existing code with Subdivision Vacations and not really identified anywhere else. They are not required to follow the same process in State Code, and it has been confusing for everyone not having this process clearly defined.
2. Div. 12.2.7 Subdivision Access was added, which includes the requirement for Stub Streets to improve connectivity in the County.
3. **CONSIDERATION:** Requiring Flag Lots instead of using Access Easements.
 - a. Div. 12.2.6 Lots was adjusted throughout the review process to remove the requirements of having a Flag Lot, which would require a certain amount of lot frontage to a street that would be a part of that lot and owned by the owner for access. Instead, access easements can be used, so the property owner would not own the land they would use to access from.
 - b. Access easement issues is a problem we hear about consistently. Easements may not have been recorded properly or they're not used properly. These are typically civil issues, but most property owners can't afford to or don't want to pursue civil action. By requiring Flag Lots, the access easement issue would hopefully be alleviated for any new lots being created.

Goals for Draft Code

- 1. The Zoning Code is not always clear in regards to the process or the requirements.**
 - a. This Article combines information from multiple documents, making it easier to find. This Article also uses several graphics and tables, making it easier to understand the information required, like street design.
- 2. The existing Code does not provide usable options for developing or dividing land.**
 - a. This Article provides standards for developments so that when a property is development, it is done in such a way that it achieves the goals identified for Teton County.
- 3. The new code needs to do a better job of protecting and promoting the resources Teton County has.**
 - a. This Article does not specifically address this goal. However, this Article does require connectivity of our streets, which will aid in promoting the resources of Teton County by providing access.
- 4. The new code should allow for flexibility and creativity in the design.**
 - a. This Article identifies specific standards that have to be met to ensure we have adequate roads and utilities in the County. These standards are specific to things like the approval process and size requirements, so there is still room for creative design,
- 5. The new code needs to provide a more useful mechanism for revising existing undeveloped subdivisions.**
 - a. This Article does not address this goal.

Public Comments

We have not received any written comment specific to Article 12.