



**STAFF REPORT: AN AMENDMENT TO TITLE 8 TO
CHANGE THE OFF-PREMISE SIGNS SECTION**

Prepared December 3, for the Board of County Commission
Public Hearing of December 13, 2012

- APPLICANT:** Teton County Planning Department
- APPLICABLE CODE:** Title 8 Teton County Zoning Ordinance (as amended 08-11-2011)
- REQUESTS:** Amend Teton County Zoning Ordinance 8-9-4-E Off-Premise Signs.
Delete Section E-2-5 and replace with text that limits off-premise signs.
- APPLICABILITY:** County wide in all zoning districts. This amendment would apply to outdoor advertising on properties that do not have an operating businesses onsite.

AMENDMENT DESCRIPTION: This amendment would limit off-premise signs to those already approved and would make future off-premise signs conform to the Idaho Transportation Department standards for tourist-oriented business signs that are permitted within the state highway rights-of-way.

BACKGROUND: Presently Teton County will issue off-premise outdoor advertising sign permits with few limitations regarding the parcel upon which the sign is placed. For example, a business located in the city limits of Teton obtained a sign permit for their sign which is placed off premise on a rural county residence located east of Victor on the road from Jackson. The possible number of these off-premises outdoor advertising signs is very high. The primary limitation is whether an existing sign is already up and closer than 660 feet away, see Section 8-9-4-C-6-a.

The State of Idaho-designated a Scenic Byway along Highways 31, 32, and 33, and Teton County's Scenic Corridor designation is likewise meant to limit visual impacts along the highway. Communities often try to strike a balance between outdoor advertising and scenic preservation by limiting off-premise signs. This compromise typically allow signs to be put up along the highway if a business operates from that parcel, but it would prevent a proliferation of signs that are for businesses not located along the roadway.

PLANNING & ZONING COMMISSION RECOMMENDATION:

Motion: Mr. Arnold moved that having found that the proposed text amendment to Title 8, Chapter 9, Section 4-E is more consistent with the policies and goals of both the old and newly adopted Comprehensive Plan, and having determined the staff report's findings of facts support the text amendment, we recommend approval of the amendment as modified with the change on 2.A from "may" to "must" and the rest of the language in the staff report stays the same. Mr. Hill seconded the motion.

Vote: After a roll call vote, the motion was unanimously approved. Mr. Colyer had to leave the meeting before the Motion and Vote.

D6-4 (permit required) (VARxVAR) 544764608 Symbols (12)	D6-5 (permit required) (VARx12) 544965601 Symbols (12)	Example TODS Trailblazers : USE D9-15 in size (24x30)

Above are directional signs issued by the Idaho Transportation Dept.

E10-3 (120x48) 542910344	E10-4 (120x30) 542910443 E10-4A (VARx36) 542910047	E10-5A GAS (60x36) 610000000 Business Panel	E10-5A FOOD (60x36) 610000000 Business Panel
E10-5A LODGING (60x36) 610000000 Business Panel	E10-5A CAMPING (60x36) 610000000 Business Panel	E10-5A ATTRACTION (60x36) 610000000 Business Panel	

The Tourist Oriented Directional Signs (TODS) above come from the Idaho Transportation Department



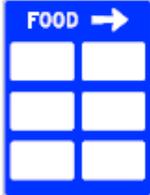
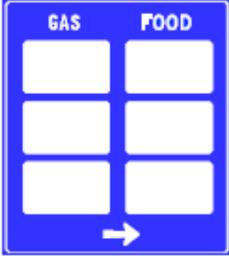
This grandfathered sign would not be affected by change of ordinance.



Signs such as this for vacation cabins may be eligible for the blue highway TODS signs.



An existing example of a Tourist Oriented Directional Sign

			
E10-601 (Camping) (36x48)* 542910484	E10-801 (Camping) (72x84) 542912101	E10-901 (Camping) (72x96) 542912301	E10-906 (Combination) (72x108) 542912311
E10-602 (Gas) (36x48)* 542910500	E10-802 (Gas) (72x84) 542912102	E10-902 (Gas) (72x96) 542912302	
E10-603 (Food) (36x48)* 542910526	E10-803 (Food) (72x84) 542912103	E10-903 (Food) (72x96) 542912303	
E10-604 (Lodging) (36x48)* 542910542	E10-804 (Lodging) (72x84) 542912104	E10-904 (Lodging) (72x96) 542912304	
E10-605 (Attraction) (36x48) 542911201	E10-805 (Attraction) (72x84) 542912105	E10-905 (Attraction) (72x96) 542912305	

The highway signs above provide for advertising for businesses located out of view of the highway.



This Tourist Oriented Directional Sign directs visitors to off-the beaten track locations.



This multi-panel highway sign directs visitors to off-premise locations



An off-premise sign for a Tetonla business (20 miles away) located east of Victor.

PUBLIC NOTIFICATIONS: Idaho Code, Title 67; Sections 67-6509, 67-6511, 67-6512 stipulate the notifications procedures for Planning and Zoning agenda items. The amendment to add a section about off-premise signs was advertised in the following ways:

1. The public hearing of the Board of County Commission was noticed in the Teton Valley News and this amendment to the sign regulations was listed as an agenda item. The publication of the agenda item occurred twice and was in accordance with State statues.
2. This item was listed on the agenda for the Public Hearing of the Board of County Commission of December 13, 2012 and was posted on the public notice display case in the County Courthouse.
3. The agenda item was placed on the www.tetoncountyidaho.gov website for the Commission Public Hearing of December 13, 2012.



This off-premise sign is for a seasonal business in the City of Driggs. The permit was granted in 2012 for a location miles north of town.



This subdivision sign is up but the subdivision is not. The streets are filled with vacant lots and the fire pond is empty. Is there a business at this premise? When does the sign come down?

PUBLIC COMMENTS RECEIVED:

Verbal comments were provided by Anna Trentadue for VARD at the Planning Commission’s public Hearing; see attached minutes.



This prime commercial property has an on-site business and was recently issued an on-premises sign permit. These types of signs would be wholly unaffected by the off-premise amendment being proposed. The existing sign code would permit a sign in similarly visible locations, but for off-premise businesses located anywhere in Driggs, Victor, Tetonia, or off the highway.

FINDINGS OF FACT TO AMEND THE TETON COUNTY ZONING ORDINANCE:

1. **Notifications met requirements.** The Amendment to Title 8 was properly noticed in the newspaper of record and it was posted on the courthouse notice board in accordance with State Statutes. Comments from citizens were received in response to this advertising.
2. **Consistent with Zoning Code's stated purpose.** The proposed amendment is consistent with Section 8-1-3 Purposes of Zoning Ordinance. In particular, 8-1-3-E states: "*To encourage variety, excellence and creativity in the design of development, preservation of critical open space areas and preservation of the natural beauty of the area.*" The present Sign Code allows many off-premise signs to be placed near the highways and the undeveloped countryside would lose a visual sense of open space and natural beauty.
3. **Consistent with Comprehensive Plan's most applicable goals and policies.** The proposed amendment is consistent with the new 2012-2030 Teton County Comprehensive Plan, see the policies below:

Economic Development: (page 4-5) *Create a hospitable and attractive environment for businesses and visitors.*

Staff Comment: The use of off-premise signs on the outskirts of tourist towns are generally regarded as unattractive in a rural landscape. Communities that restrict off-premise signs still foster a healthy business environment, while maintaining the scenic beauty that attracts tourist to the area.



These signs for an on-premise business seem to be technically located within the legal right-of-way. On November 13, the Planning Commission discussed how the local economic development needs a boost. An unregulated sign ordinance was not deemed to be in the business community's best interest.

Rural Heritage (page 4-13) "*Ensure that planned growth maintains our rural character. ..Maintain our small town feel and rural heritage.*"

Staff Comment: The character of a rural or small town environment can be harmed when too many signs along the highway are allowed. Off-premise signs allow for many dozen businesses to place highway signs in remote, off-site locations. The beauty of the state designated Scenic Byway cannot be maintained when an outdoor business sign can be placed every 660 feet along the highway.



A few off-premises signs may not offend travelers, but the potential to place many more off-premises signs in numerous roadside properties exists.

Scenic Corridor (page 5-6) “ *The area within the scenic corridor can be developed in accordance with the underlying zoning, but building, landscaping, and site design will need to meet high standards of visual quality in order to maintain the scenic character of the area and protect the view shed from the scenic corridor*”.

Staff Comment: The blue state highway signs that are permitted in the right-of-way meet state standards and allow for the clustering of off-premise businesses that are oriented towards out-of-area visitors. These types of signs help preserve scenic values.

In general the Comprehensive Plan strives to make the three towns the center of commerce and a gathering spot for locals and visitors alike. On the other hand, the Comp-Plan strives to keep the rural countryside in a scenic, less developed state of appearance. Off-premise signs detract from the rural countryside and the advertising of businesses located miles away is therefore not in the interests of preserving the area’s scenic qualities.



This sign may or may not be off-premise, but it is located in the Scenic Corridor.

4. **Consistent with other sections of the Teton County Zoning Code.** The proposed amendment is consistent with other provisions of the Teton County Code. The proposed amendment would not conflict with existing zoning and would be consistent in protecting the Scenic Corridor from having many more signs placed along the roadside and detracting from the natural setting.



Temporary banners for community events would still be permitted at off-premises locations, per Section 8-9-C-16- Exemptions.

BOARD OF COUNTY COMMISSION ACTION:

- A. APPROVE the proposed text amendment as modified and recommended by the Planning Commission and Staff, having determined that the required findings of facts justify the addition of the amendment.
- B. APPROVE WITH MODIFICATIONS to the proposed text amendment having determined that the required findings of facts and all the criteria in section 9-3-2 (C-8) can be met.
- C. DENY of the text amendment application and provide the reasons and justifications for the denial.
- D. CONTINUE consideration of the application to a future Commission Public Hearing with reasons given as to the continuation or need for additional information.
- E. REMAND: The text amendment could be sent back to the Planning Commission for further refinement and with suggestions for changes, additions or removing selected sections of the proposed text.

PLANNING COMMISSION AND PLANNING STAFF RECOMMENDATION:

Action A, approve the proposed text amendment as modified and printed in this staff report.

Suggested motion:

*Having found that the proposed text amendment to Title 8, Chapter 9, Section 4-E is more consistent with the policies and goals of both the old and newly adopted Comprehensive Plan, and having determined the staff report's findings of facts support the text amendment, I recommend **approval** of the amendment as written (or as modified).*