



**STAFF REPORT: AN AMENDMENT TO TITLE 8 TO
CHANGE THE OFF-PREMISE SIGNS SECTION**
Prepared November 2, for the Planning & Zoning Commission
Public Hearing of November 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 Sections 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 (off-premise) obtained a sign permit for their sign which is placed 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.

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

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)

			
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	



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

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

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



This sign for a Tetonía business is located east of Victor.

PUBLIC NOTIFICATIONS: Idaho Code, Title 67; Section 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 Planning & Zoning 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 statutes.
2. This item was listed on the agenda for the Public Hearing of the Planning and Zoning Commission of November 13 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 Planning & Zoning Commission Public Hearing of November 13, 2012.

PUBLIC COMMENTS RECEIVED:

No input about the proposed sign amendment was received at the writing of this report.

FINDINGS OF FACT TO AMEND THE TETON COUNTY ZONING ORDINANCE:

1. **Notifications.** 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 purposes.** 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.** 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.

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.

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.

4. **Consistent with other sections of the Teton County Zoning.** 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.

PLANNING & ZONING COMMISSION ACTION:

- A. APPROVE the proposed text amendment as modified and recommended by the Planning 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 Planning & Zoning Commission Public Hearing with reasons given as to the continuation or need for additional information.
The text amendment could be sent back to the Planning Staff for further refinement and with suggestions for changes, additions or removing selected sections of the proposed text.

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).*