



**AGENDA  
PLANNING AND ZONING COMMISSION  
WORK SESSION  
March 15, 2016  
STARTING AT 5:00 PM**

**LOCATION: 150 Courthouse Dr., Driggs, ID  
Commissioners' Chambers – First Floor (lower level, SW Entrance)**

1. Chairman Business
2. Administrator Business

**5:00 PM - WORK SESSION: Draft Code:** Discussion of Article 1: General Provisions, Article 2: Measurements and Exceptions, Article 4: Residential Districts, Article 5: Mixed Use Districts, Article 6: Industrial Districts, Article 7: Civic/Open Space Districts, and Article 15: Definitions

No public comment will be taken regarding the Draft Land Use Code.

**ADJOURN**

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Any person needing special accommodations to participate in the above noticed meeting should contact the Board of County Commissioners' office 2 business days prior to the meeting at 208-354-8775.

**TETON COUNTY PLANNING AND ZONING COMMISSION**  
**Meeting Notes, March 8, 2016**  
**Planning Department Conference Room, Driggs, ID**

**COMMISSIONERS PRESENT:** Mr. Dave Hensel, Mr. Bruce Arnold, Mr. Chris Larson, Mr. Jack Haddox, Ms. Sarah Johnston, Ms. Marlene Robson, and Mr. David Breckenridge.

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Mr. Boal gave a brief introduction to a proposed ordinance before leaving the meeting. The proposed ordinance, which would create a process to provide building rights to previously created parcels that are not currently eligible to build on, will be reviewed by the Board on Monday, March 14, so the PZC could have a public hearing scheduled for the ordinance in the future.

**All Articles:**

- Update Agricultural Wetlands (AW) to Lowland Agriculture (LA)
- Make sure the language is the same (section vs. division)
- Verify all references to other sections and bold the text (hyperlinked in PDFs).

**Article 8 Review:**

- Staff will add a description of the zoning districts to the table in Div. 8.1 as a reference for the abbreviated districts listed throughout the Article.
- The Accessory Building section will be added to the redline version.
- The “Heated Floor Area” will be adjusted to reference the correct section in Article 10 (for accessory dwellings), and the language will be changed to match the rest of the code related to accessory dwellings, such as total square footage or building area.
- The height of agricultural buildings versus accessory buildings was discussed. Agricultural buildings are still allowed to be 60’ in height, but accessory buildings would be limited to 30’ in height.
- Staff will look into changing the maximum length for a Recreation Residence. The current length and the maximum size would create a 5’ wide building.
- Carriage Court garage parking (Div. 8.19.1) was discussed, and it was not necessarily liked as an option.
- Consider rewriting Div. 8.19 Parking Location to be based on zoning district instead of building type. Generally, the PZC did not have a problem with parking being allowed on grass or off of a hard surface. It was suggested that rural zones or lots of a certain acreage could park in the grass, but residential, commercial, or industrial lots may need to have a hard surface for parking. Staff will look into changing the language in this section.

**Article 14 Review:**

- PZC agreed that the table in Div. 14.1 made sense.
- PZC felt that notice should be provided for the One Time Only. Site posting would be sufficient.
- References to other sections need to be verified and/or included (i.e. 14.3.5).
- It was asked if a time limit should be applied to how often the public could apply to amend the Land Use Code or the Comprehensive Plan. The PZC agreed that a time limit did not seem necessary as amendment applications are not a frequent occurrence. They also did not want to limit the ability of someone to propose an amendment if it was for a legitimate change.
  - PZC asked if there was a limit in the existing code. 8-11-1-C includes the following limit:  
SIMILAR APPLICATIONS: Any application substantially similar to one filed and denied within one year from the date of such denial may be summarily denied by the commission.

- Examples and density values need to be updated based on the new density values in Article 3.
- Design Review for the Scenic Corridor was discussed. PZC agreed that the Design Review could be approved administratively, but they would like to remain updated on the applications to see how the new standards are working (staff would provide a written determination for the Design Review, which could be compiled as part of a staff updated to PZC at their regular meetings). If PZC feels the standards need changed or it is not working, they may ask to have PZC approve the review again or just change the standards. If the standards are working, then staff could stop providing updates to PZC about the reviews. The fee for the Design Review can also be reviewed to possibly reduce the fee since PZC will not hold a meeting for the approval.
  - After discussing the design review and building types, PZC pointed out that language should be added to Article 9 for the Agricultural Option that states only Agricultural Buildings qualify.
- PZC felt a rezone to PRS: Preservation should be an expedited process compared to other rezone applications. Staff will work on writing this.

**Moving Forward:**

- The remaining articles will be discussed at the March 15<sup>th</sup> meeting.
- IDFG will be contacted again, and a date will be provided of when staff feels Article 13 can be finished and given to the PZC.
- Staff will have all redline versions to PZC by March 22, with the exception of Article 13 (unless IDFG comments and changes can be made in time).
- The joint meeting with the BoCC is currently scheduled for April 12. Depending on the timeframe for Article 13, this may be rescheduled to the second meeting in April or in May.
- If the joint meeting remains scheduled for April 12<sup>th</sup>, the complete redline version of the code will be provided to the BoCC and the PZC by April 1<sup>st</sup> (the “markup” version showing the changes and a “clean” version showing all changes accepted).

# TETON COUNTY PLANNING AND ZONING COMMISSION

Meeting Primer, March 15, 2016

Planning Department Conference Room, Driggs, ID

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## Goals:

- Make sure we are comfortable with Articles 1 & 2, 4-7 & 15
- Identify any deficiencies

## Article 1 – General Provisions

This article provide the basic enabling language.

- Under 1.1.2.D do we want to add “Implement Right-to- Farm Act protections”?

## Article 2 Measurements and Exceptions

- Add an additional section:

### **Div. 2.7 Rounding**

Unless a particular provision specifies otherwise, the following rules shall apply with respect to the precision of numbers used in this ordinance for measurement and calculation.

**2.7.1. Lot Area Measurement.** Where lot area criteria are specified in numbers of acres, those numbers shall assume the precision of two (2) decimal places, whether or not they are expressly written out. This includes criteria applicable to subdivision and development density, as well as lot-area thresholds for specific uses or development standards. A 2.5-acre lot-area threshold shall therefore convey the same numerical precision as 2.50 acres. When a calculation results in a third (or more) significant digit to the right of a decimal, standard mathematical practices shall be employed for rounding (i.e., the decimal numbers 2.490 through 2.494 would round down to 2.49, and 2.495 through 2.499 round up to 2.50). Where regulations specify area in numbers of square feet, measurement and calculation shall round to the nearest whole square foot. A 20,000 square-foot minimum lot size requirement would therefore not allow the creation of a 19,999 square foot lot. Lots smaller than one gross acre shall be measured in square feet.

**2.7.2. Linear Measurement.** Linear measurement for setbacks, height, building separation, lot dimensions, and similar zoning standards shall normally be measured in feet. Fractions of feet shall be converted to inches and any necessary rounding shall be done to the nearest whole inch using standard rounding practices (i.e., 1.4 inches would round down to (one) 1 inch and 1.5 inches would round up to 2 inches). Thus, where a 30-foot setback is required, 29 feet 11 inches does not satisfy that setback.

**2.7.3. Time Measurement.** Terms used to measure time shall be applied as calendar-based time units. The term “day” shall refer to a calendar day, such that a stipulated 90-day period shall end at 11:59 pm on the 90th day following the action precipitating the deadline. A six-month period that begins April 20 of a given year ends at 11:59 pm on October 19 of the same year. When referencing a filing deadline, a stipulated time limitation shall end at the close of business hours on the final day of the term. Should a filing deadline end on a day when the Planning Department is closed for business, the first business day that follows that day will be considered the final day to meet the filing deadline.

## Article 4 Residential Districts

- Any concerns with these districts?

## **Article 5 Mixed Use Districts**

- Any concerns with these districts?

## **Article 6 Industrial Districts**

- Any concerns with these districts?
- Adding an explanation that- "Article 8 Building Types does not apply in these districts due to the fact that the buildings in this zone should be purpose built.

## **Article 7 Civic/Open Space Districts**

- Any concerns with these districts?
- Adding an explanation that- "Article 8 Building Types does not apply in these districts due to the fact that the buildings in this zone should be purpose built.

## **Article 15 Definitions-**

- Add the following definitions-
  - Recreation, Active- activities, such as organized sports, playground activities, and the use of motorized vehicles, which require extensive facilities or development or that have a considerable environmental impact on the recreational site.
  - Recreation, Passive- Outdoor recreational activities, such as nature observation, hiking, and canoeing or kayaking, that require a minimum of facilities or development and that have minimal environmental impact on the recreational site.
  - Ordinary High Water Mark- the line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. It is the highest line that the water gets under normal conditions during the course of a year, but not the highest it gets during extreme flooding. When no ordinary high water mark is discernible, setbacks shall be measured from the top of the streambank.
  - Irrigation Canal- a waterway that is constructed and/or maintained by a district to convey water from the source of supply to an area of dry land, to one property owner, or many.
  - Irrigation Ditch/Lateral- a privately owned/maintained waterway that artificially supplies water to an area of dry land.
- Update the following definitions-
  - Accessory Building- A structure that is intended for habitation, storage or other uses that would be ancillary to a main building or an underlying approved use on the same lot/parcel.
  - Accessory Structure- A structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. This would include fences, towers, poles or structures that are not for habitation or storage.