



**AN AMENDMENT TO TITLE 12: Teton County, Idaho  
Flood Damage Prevention Ordinance**

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Prepared January 3 for the Planning & Zoning Commission  
Public Hearing of January 10, 2012

**APPLICANT:** Teton County Planning Department

**APPLICABLE CODE:** Title 12: Teton County, Idaho Flood Damage Prevention Ordinance

**REQUESTS:** Amend the current Title 12 so that it meets the requirements of the National Flood Insurance Program (NFIP)

**APPLICABILITY:** County-wide, all Special Flood Hazard Areas (SFHA)

**BACKGROUND:** This staff report is an **update** to previous Flood Damage Prevention Ordinance staff reports and represents the differences between this version of Title 12 and the version presented at previous hearings.

**GENERAL PROVISIONS:**

**Bank Vegetation Protection:** This version of the Flood Damage Prevention Ordinance puts requirements in place if there is removal of 35% of the woody vegetation within 50' of the stream bank. This vegetation is important for bank stabilization, which decreases erosion during high water events. For this reason, if greater than 35% of the woody vegetation is removed, a landscaping plan must be submitted and a statement by a professional that the removal will not cause bank destabilization or increase the risk of erosion. 35% vegetation is a standard used in the ESA model ordinance. Best Management Practices for Idaho indicate removal of 25% would be the maximum removal rate, but that standard is mostly used for forestry applications. For this reason, 35% seemed to be a reasonable standard.

**Restoration Project Requirements:** There is language in this version that allows for some relaxed requirements for projects that do not involve structures that are in areas without established BFEs or Floodways. These relaxed requirements will be determined by the floodplain administrator who may still require studies and data, but these data would not necessarily need to be approved by FEMA.

**New Construction:** The definition of new construction includes all buildings built after 2000-the year that Teton County was re-instated into the NFIP.

**Compensatory Storage Definition Added:** This definition was added to define the requirement later in the document.

**Flood or Flooding Definition Altered:** The definition was left broad and does not include tidal or coastal references, nor does it imply that flooding is "unusual."

**PLANNING & ZONING COMMISSION ACTIONS:**

- A. APPROVE the text amendment to Title 12 as presented in the application, having provided the reasons and justifications for the approval.
- B. Approve the text amendment with MODIFICATIONS, having provided the reasons and justifications for the approval and for any modifications or conditions.
- C. DENY the text amendment request and provide the reasons and justifications for the denial.
- D. CONTINUE to a future PZC Public Hearing with reasons given as to the continuation or need for additional information.

**Staff suggests the following motion:**

Having found that Title 12: Flood Damage Prevention Ordinance is consistent with the purposes and goals of the Comprehensive Plan, I recommend approval to the Board of County Commissioners of the proposed Title 12, as presented by Planning Staff in the attachment Title 12: Teton County, Idaho Flood Damage Prevention Ordinance [with the following changes].