



**AN AMENDMENT TO TITLE 8 TO ADD SECTION:
TEMPORARY USES & SPECIAL USES**

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Public Meeting of April 12, 2011

APPLICANT: Teton County Planning Department

APPLICABLE CODES: Title 8 Teton County Zoning Ordinance

REQUEST: Discuss example codes from other jurisdictions and refine which types of temporary land uses would be appropriate to have basic regulations and permitting to ensure public safety, health and welfare during temporary events in Teton County.

FUTURE ACTION: Amend Title 8 to include a new section of text about Temporary Uses and Special Events permitting. The present Zoning Ordinance does not address these types of short-term uses.

BACKGROUND: A section of code addressing temporary uses does not presently exist in the Teton County ordinances. As communities grow, the advantage of placing some basic regulations on these temporary land uses helps regulate the event to ensure public health and safety. Communities that have a clear set of procedures and standards for reviewing these uses provide greater predictability to organizations and business about holding special events or conducting business activities that are of short time duration.

EXAMPLES OF TEMPORARY USES:

- Roadside food stands
- Outdoor concerts
- Festivals or carnivals
- Large outdoor gatherings, including events on residential properties that are commercially used for the purpose of holding large events, such as weddings or receptions
- Christmas tree or pumpkin sales
- Short-term gravel extraction
- Rallies or other large public gathering
- Street fairs

Typical Temporary Uses Exempted from Most Zoning Regulations:

- Sporting events such as golf, soccer, softball and baseball tournaments conducted on courses or fields intended and used for such activities
- Wedding services conducted at country inns, dude ranches, banquet facilities/halls, reception halls, or similar facilities
- Conferences or similar events at existing hotel or conference facilities

ISSUES:

When a large event is held, the Sheriff's Department would like to know how many on-duty officers might be needed to handle the increased impacts. Sheriff Liford has indicated to me that he would like to be able to make preparations for additional officers when larger events take place. Additionally, conditions such as traffic control or additional sanitation facilities may be required during the permitting process. Many counties and small towns have these types of regulations in order to control the off-site impacts to adjoining properties and roads. These off-site impacts include: traffic jams, dangerous pulling out onto highways, parking (especially on other people's property), noise, loss of privacy to neighbors, or decreasing sight-distance at intersections.

Staff has decided it is preferable to solicit the Planning Commissioners' input and public comments about crafting a section of code about temporary uses. Staff is encouraging the Commission to discuss the various temporary use regulations supplied with this staff report and then direct the Planning Staff in the priority areas for temporary use regulations. Some communities have chosen to regulate some land uses that Teton County may not deem worth regulating, for example. The Sheriff's Department is favorable to having some type of permit requirement, at least for large events, such as last summer's Wide-Spread Panic concert. Presently, only a catering permit is reviewed.

STANDARDS FOR AMENDMENTS TO THE TEXT OF THE COUNTY CODE:

Consistent with purposes. The proposed temporary use regulations should be consistent with Section 8-1-3 Purposes of Zoning Ordinance and with 9-1-3 Purposes and Scope of Title 9 of the Teton County Subdivision Ordinance.

Consistent with Comprehensive Plan. The proposed temporary use regulations should be consistent with the Teton County Comprehensive Plan 2004-2010 and any trends that are apparent in the on-going comp plan surveys.

Consistent with other sections of the Zoning and Subdivision Ordinance. The proposed amendment should be consistent with other provisions of the Teton County Code such as the Sanitation standards of Eastern Idaho Public Health Department. .

Additional flexibility. The proposed amendment to the text could provide additional flexibility in meeting the objectives of Title 8 the Teton County Zoning.

See attachments from other jurisdictions regulations.