



## **Teton County Land Development Code Update**

Press Release for Immediate Release

Driggs, Idaho June 3, 2021

### **Overview**

The public draft of the Teton County Land Development Code (LDC) was released on April 12, 2021. Following its release, a series of advertisements went out in the Teton Valley News, on the County and Community Facebook pages, on the County website, and via physical banners placed in Driggs, Victor, and Teton to announce the release of the first draft of the code as well as the open house series in late April. The code document was available on the County's website for download as well as hard copies made available at the County Courthouse. Additionally, a presentation was given to over fifteen stakeholder groups and government agencies to provide a background and overview of the proposed updates. The presentation was also recorded and available on the County's website and Facebook page for public viewing.

A series of open houses were held spanning three days from Tuesday April 27 through Thursday April 29. The event series was held outdoors from 4:00pm to 8:00pm each evening in a drop in format. The intended purpose was to allow the community the opportunity to ask questions about the proposed changes to the Land Development Code prior to the Planning and Zoning Commission Public Hearing in May. Members of the steering committee and the consultant group were in attendance to facilitate discussions. The event was well attended with an estimated sixty or seventy community members in attendance over the three days. There were a variety of reasons for attendance from simply wanting to understand what the Land Development Code is, to what the proposed changes entail, to wanting to discuss specific concerns with the proposed language.

A public hearing was held on May 18<sup>th</sup> to listen to comments regarding the proposed updates to the Land Development Code. The event was held in the high school gymnasium with roughly 200 community members attending in person and 100 via zoom. Approximately 80 members of the community spoke both in favor of and in opposition to the proposed updates. Additionally, the County has received over 2000 written comments in every format from form letters, to emails, to hand written comments delivered to the Planning Department.

### **Highlight of Comments**

In general, there was support for the shift to average density, the general reorganization, and many of the components of the proposed update. Oppositions to specific portions of the draft

voiced during April and May are summarized below along with basic comments or discussion that ensued on each topic.

1. Beekeeping
  - a) There was a question regarding the need to distinguish between commercial and residential.
  - b) People felt that provisions do not allow enough hives on a property, specifically with regards to residential beekeeping. Suggestions from seasoned beekeepers were made to increase the allowance to a minimum of 2 hives with the caveat that 4 hives is a more appropriate starting point for basic functionality of a beehive.
  - c) There was a question regarding the difference in setback distances between commercial and residential.
  - d) The statement in residential beekeeping about personal use provided confusion as to whether or not 4-H projects would be allowed and should be clarified. It was not the intention of the code to exclude this use.
  - e) There was some concern regarding large scale introduction of bees for alfalfa pollination and how that would fit into the standards.
2. Agriculture Structures
  - a) There was concern over a portion of text in Section 3-4-2(A) which states that agricultural buildings shall not be used as a place of employment.
3. Campgrounds and RVs
  - a) There was concern over the proposed density of RV campgrounds not being high enough to be economically feasible.
  - b) It was questioned how agritourism would fit into the uses, would it be a campground or dude ranch, or does another use need to be defined to cover this?
4. Enforcement
  - a) Concern was expressed about the County Sheriff being the representative code enforcement officer and the burden this will place on the Sheriff's department.
5. Home Occupations
  - a) Concern was expressed over the stated limitations on number of clients, number of parking spaces for the business, and deliveries per day being too restrictive.
6. Natural Resource Protections
  - a) There was a lot of support for this section.
  - b) Comments included a request for larger setbacks from riparian corridors and providing stronger incentives for preservation of open space via conservation easements.
7. Places of Worship
  - a) The biggest concern was the minimum lot size of 5 acres which is more restrictive than other institutional uses and should be equal or less restrictive per federal regulations.

8. Scenic Corridor Protections
  - a) Comments in support of the scenic corridor suggested expanding to protect viewsheds along Bates Road, 6000 South, 4500 West, and 5000 West as well as mapping the areas to avoid confusion.
  - b) Concerns were raised regarding existing homes that are within the proposed setbacks and what restrictions will be placed on remodels, rebuilds and new buildings visible along the scenic corridor.
9. Short Term Rentals
  - a) There was concern over the proposed occupancy of two people per bedroom which may not allow for the extra capacity of pullout couches and lofts. This provision was intended to determine occupancy of a structure for a Short Term Rental Permit.
  - b) It was suggested to base the occupancy on septic capacity or provide the property owner the opportunity to increase capacity with a plan to mitigate off-site impacts like on-street parking, noise, etc.
10. Wildlife Fencing
  - a) Concern was expressed about the wildlife fencing detail included in the proposed update with regards to agricultural property because it would not contain farm animals.
  - b) This provision was intended to apply to new residential subdivision applications with an exemption for agricultural uses. The County is not proposing to replace existing fencing with this provision.
11. Workforce Housing
  - a) There is a need to address housing for seasonal and year-round employees which didn't seem to come across as an option in the code update.
12. Zoning and Subdivision
  - a) There was a lot of support for the change to average density.
  - b) There was a mix of support and concern over the overall proposed density changes. Some community members are in support of the down-zone comment and others are concerned about their ability to subdivide their property
  - c) Many agricultural operators were concerned about the 35 acre density in the Rural Agriculture zone and recommended leaving it at 20 acres or consider an even number such as 20 or 40 due to historic agricultural divisions that are derivatives of 40.
  - d) Reducing density by half in the 2.5 acre zone may have disproportionate, localized adverse effects. One owner who specifically bought 6 acres in the 2.5 zone to have 2 lots for his kids would be permitted from doing so causing a significant economic impact on the owner.
  - e) Comments received regarding the Foothills zone range indicated that the 10 acre average was too small to preserve habitat while 10 acres was too large to accommodate efficient lot splits.
  - f) There were several questions about the reasoning behind 35 acres for base density.

- g) It was recommended that the thresholds be reviewed in more detail with regards to on-the-ground scenarios.

There were a few minor comments regarding suggested edits to application procedures, lighting, grading and drainage, mineral resources, non-conforming conditions, solar energy systems, temporary structures, and housing affordability.

### **Next Steps**

All comments have been compiled into a database to be reviewed by the Planning and Zoning Commission who will work to incorporate suggestions into the second draft of the Land Development Code. Those discussions will begin in work sessions that will be live streamed and recorded so that anyone may listen. It is unknown how many work sessions will be needed until the commissioners begin the process but the first meeting will be held from 4:00 pm - 7:00 pm on Tuesday June 15, 2021.

Follow the meeting live or listen to the recording anytime by visiting: <http://tetoncountyid.iqm2.com/Citizens/Default.aspx> There will also be a live zoom stream at: <https://us02web.zoom.us/j/701658496> Meeting ID: 701 658 496

After the second draft of the Land Development Code is created a public hearing will be held for public input and comment on that draft (Specific date and time to be determined).

Public participation in this process is sincerely appreciated. Comments and suggestions are being used to create a Land Development Code that best represents our community.

### **Other Resources**

When the draft code was made public a site dedicated to the project was created containing all historic and current Land Development Code project information. Please visit: <https://www.tetoncountyidaho.gov/additionalInfo.php?deptID=18&pkTopics=736> for the following:

- The current public draft of the LDC
- Video of the history and current status of the LDC Project
- LDC post Comprehensive Plan 9-year timeline
- Stakeholder Summary - Results of Public Outreach Process in 2019
- Assessment of Current LDC in 2019
- LDC History and Current Status editorial published in the Teton Valley News
- LDC Update Frequently Asked Questions (FAQ)