

Teton County Land Development Code Update

Code Assessment

October 2019

Introduction

Teton County, Idaho is working with the Logan Simpson team to rewrite its land use regulations, primarily Titles 7, 8, and 9 of the County Code. Title 7 addresses the cities' areas of impact, Title 8 addresses zoning regulations, and Title 9 addresses subdivision regulations. The primary objective of the code update project is to implement the land use objectives identified in the 2012 Comprehensive Plan (the Plan) into a Unified Land Development Code. The County adopted a Comprehensive Plan in 2012 that was well received and sets out concepts, goals and policies that require a code update for implementation. In 2016, the County put a great deal of work toward a substantial code update to begin implementation of the Plan, but the resulting document was never adopted. A number of provisions in the draft Code are anticipated to serve as a starting point for this code update project. The current code update process kicked off in June of 2019, with stakeholder focus group meetings and continued in July with a public open house to gather input on the key issues with the existing code in order to inform the initial direction for the assessment.

This Code Assessment identifies recommendations for implementing the Plan and improving Teton County's current land use regulations. As a supplement to this assessment, an annotated outline is provided to map out the recommended content and structure of a reorganized and consolidated Land Development Code. These recommendations are based on the stakeholder interviews conducted to date, information from meetings with County officials and staff, conversations with participants of the public open house, and the consultant team's review of existing documents. To supplement information gathered at the public open house, an online questionnaire matching the content from the open house was prepared to provide additional opportunity for input.

Assessment of Current Teton County Land Use Regulations

The current land use regulations in Teton County include three primary components:

- Title 7 – Areas of City Impact
- Title 8 – Zoning Regulations
- Title 9 – Subdivision Regulations

Additional information related to land use can be found in Title 10, Airport Hazard Zoning, and Title 12, Flood Damage Prevention Ordinance. Title 10 will likely require minor revisions to align with Title 7 and the Driggs City parallel ordinance and Title 12 will need to be updated via a separate process when new floodplain maps are adopted to meet the State Model Ordinance and will be incorporated into the new code document as is for now. The code update will ensure that new regulations are not in conflict with these two titles as the sections are unified. As part of our initial analysis of the effectiveness and challenges of the current regulations, we interviewed County staff, elected and appointed officials, developers, business owners, citizens, and other interested members of the community as a foundation for recommending future changes.

Five major themes for updating Teton County’s current development regulations emerged from the interviews and internal document review. Those themes include:

- **Implement the 2012 Comprehensive Plan.** As an outcome of an extensive outreach and public engagement process, the Comprehensive Plan articulates a “Vision for a Vibrant Future” for the County. The Vision addresses five key elements: Economic Development; Transportation; Natural Resources and Outdoor Recreation; Community Events and Facilities; and Agricultural and Rural Heritage. The Plan establishes a Framework Plan to “...set the stage for future growth that is consistent with the Vision,” and a Framework Map “...that shows projected land uses and amenities, and is the physical embodiment of our Vision.” The code update will address the goals and policies set forth in the Plan as they relate to land use and development as well as implement the framework map by way of proposed zoning district updates. Among primary goals of the Comprehensive Plan is to direct development into the Cities/existing population centers.
- **Update Zoning Districts and Land Use Tables.** Develop and implement new landscape based zoning districts designed to reflect the character zones outlined in the Plan and to address issues raised by project stakeholders. Additionally, the land use categories in the current County regulations need to be revisited to provide a broader list of uses (both residential and non-residential) and to include standards for uses not currently addressed in the land use regulations.
- **Improve Subdivision Processes and Standards.** According to stakeholders, the current zoning and standards for land division often interfere with otherwise appropriate land uses and are resulting in undesirable subdivision of lots. Also, with a long farming and rural history, many landowners are concerned about how to pass land on to their heirs and how to provide for future appropriate land uses when they’re ready to retire the land from agricultural production. The Code should provide clear and predictable methods to divide land that address concerns in ways that advance the Plan goals and policies as well as review application procedures to simplify, and potentially streamline where appropriate, with clear standards for approval.
- **Clarify Roles and Responsibilities in the Areas of City Impact.** According to stakeholders, the current procedures for processing and approving development applications within the Areas of City Impact can be confusing, complicated and inflexible. The new Code needs to clearly address the intent of the areas of impact, standards for development and a map for development application procedures that is not prohibitively onerous.
- **Create a More User-Friendly Code.** The current titles listed above that address zoning and land use issues should be reorganized and consolidated into a unified development code similar to the format being used in Driggs and Victor for consistency. The new code should be formatted to include more graphics and tables, a clear delineation of headings and subheadings, and cross-references to applicable sections of the code for easy navigation. According to stakeholders, the current code has conflicting definitions and regulations, and methods of code enforcement are unclear.

1. Implement the 2012 Comprehensive Plan

The Executive Summary of the 2012 Comprehensive Plan (the Plan) states, “This Comprehensive Plan process represents western, grassroots planning at its best and resulted in a landscape-based approach to development levels and incentives and an implementation framework aimed at creating actionable change and an economically resilient County.” The Plan identifies goals and policies to guide future decision making, and implementation actions to initiate the changes the County seeks. Many of the identified implementation actions relate to the County’s land use regulations. Most relevant to the land use regulations are the Framework Plan and Framework Map, which describe and depict the desired future by illustrating the physical conditions and future land uses within seven character areas that help accomplish the goals and policies of the Plan.

The Plan character areas are based on the physical characteristics of the land and describe the types and intensities of land use most appropriate to each area. The Framework Map geographically locates the character areas and describes the desired future land uses in each. The Plan also re-states the County's commitment to preserving the natural and agricultural resources that Teton County is working toward with the character areas. More detail related to these character areas can be found in section 2 below.

Recommendations

The Comprehensive Plan identifies a number of “Key Actions” to implement the Plan, organized under the five main visions articulated in the Comprehensive Plan: Economic Development; Transportation; Natural Resources and Outdoor Recreation; Community Events and Facilities; and Agricultural and Rural Heritage. Many of the key actions involve updates and additions to the County's land use regulations.

Among those are:

- Zone changes to reflect the Framework Plan and encourage development within existing population centers and reduce density in sensitive rural areas.
- Create a more sustainable supply of future potential residential lots based on projected population
- Encourage creative and new approaches to land development.
- Require development proposals to consider design and off-site impacts.
- Strengthen zoning ordinances to support live-work and homebased businesses.
- Identify appropriate commercial uses for the County (i.e. low intensity, low volume with need for large amount of land).
- Define appropriate uses in Zones so that there is decreased reliance on the Conditional Use Permitting process and more predictability in land use decisions.
- Strengthen scenic corridor ordinance.
- Revise ordinances to further protect water quality and quantity, require screening where appropriate, protect key habitat areas and viewsheds, and reflect the land use framework along all natural waterways.
- Revise ordinances to specify low development density in sensitive wildlife habitat, riparian areas and wetlands.
- Amend subdivision and zoning ordinances to use clustering and protect open space.
- Incentivize vacation of non-viable subdivisions in or near migration corridors or sensitive habitats.

The Comprehensive Plan character areas and the Framework Map indicate a need to plan and zone for the kinds and locations of future land uses contemplated in the Plan; establish the conditions of development under new and existing zoning districts; and improve the effectiveness of the tools now used to achieve the Plan's agricultural and environmental protection goals. Specific recommended zoning and land use action items can be found in Section 2 below.

2. Update the Zoning Districts and Land Uses

Update the Zoning Districts and Zoning Map

The Teton County zoning ordinance provides for base zoning districts that establish allowable types and intensities of uses, and overlay areas that require special regulations and restrictions because of topography and geographical location, natural resource characteristics, health, safety, and general welfare issues. Overlay areas are not zoning districts, but include additional protective regulations on development. The current base zoning districts and overlay areas include:

Current Base Zoning Districts

- Agriculture, large increment residential (A-20)

- Agriculture, rural residential (A-2.5)
- Residential (R-1)
- Residential, mobile homes (R-2)
- Retail Commercial, (C-1)
- Retail - Wholesale Commercial, (C-2)
- Wholesale Commercial - Light Manufacturing, (C-3)
- Manufacturing - Industrial (M-I)

Current Overlay Areas

- (AV) Airport Vicinity Overlay
- (FP) Floodplain Overlay
- (HS) Hillside Overlay
- (SC) Scenic Corridor Overlay
- (WH) Wildlife Habitat Overlay
- (WW) Wetlands and Waterways Overlay

Apart from the Airport Overlay, the current overlays are designed to identify areas with particular sensitivities to development. The current implementation of the overlays relies on site-specific studies to determine the presence of the protected resource. Mitigations that may be required are only determined after the study is completed, and assessment of the survey results frequently requires evaluation by an outside expert. This procedure can make the resulting requirements uncertain, and requires potentially significant expenditures, even on small projects.

The recommendation for overlays is to verify the boundaries of the areas of sensitive resources, and develop standard mitigations to protect the resources in most cases. A developer who doesn't believe the overlay resource is present, or who would like to propose alternative mitigations, would have the option to conduct a study to develop evidence for an alternative approach to resource protection.

Comprehensive Plan Character Areas

The character area descriptions of the Plan Framework Map provide a useful starting point for naming and describing the uses in a series of new zoning district classifications for Teton County. The new classifications will describe the desired mix of land uses, allowed development types and required standards. The creation and definition of new zone districts is a step distinct from changing the zone district classification of a particular parcel of property. Before a new zone district designation can be applied to any particular property, the interests of the property owner, neighbors, and the County must be considered and addressed. The creation of new zone districts in the Land Use Code allows for application of the new zones in appropriate areas going forward. The Plan and Framework Map describe current conditions and desired future uses as a framework for new zone districts, and are described generally as follows:

- **Town Neighborhood:** Town Neighborhoods are located within the areas of impact, immediately adjacent to the cities of Victor, Driggs and Tetonia. Town Neighborhoods currently include a mix of developed and undeveloped property and have easy access via automobile, bicycle or pedestrian access to town services and amenities. In the Areas of Impact, applicable plans and ordinances must be mutually agreed upon by the cities and the County. The desired future character and land uses for Town Neighborhoods include:
 - Single-family, detached housing in low densities consistent with non-municipal services.
 - Parks, greenways, and neighborhood amenities
 - Safe and convenient street and pathway connections to towns
 - Pedestrian amenities and complete streets

- ***Rural Neighborhood:*** Rural Neighborhoods are located north of Driggs and Victor along Highway 33. These areas currently include a mix of developed residential subdivisions, undeveloped residential lots, and some commercial and light industrial development. The unincorporated town of Felt is also considered a Rural Neighborhood area. Desired future character and land uses for the Rural Neighborhoods include:
 - A transitional character in between that of Town Neighborhoods and Rural Areas
 - Medium density single family neighborhoods with large open spaces and provisions for clustering
 - Amenity-based neighborhoods
 - Safe and convenient street and pathway connections within these areas and, when practical, to Towns
 - Well-defined open space areas that connect to provide corridors
 - A clear distinction between residential development and open space/agricultural areas

- ***Industrial/Research:*** These areas are separate from the Town Neighborhoods and have low visibility from the scenic corridor and tourist centers. Most of these areas are currently undeveloped and utility services are available. Desired future character and land uses for Industrial/Research areas include:
 - Light industrial
 - Heavy industrial at the appropriate scale and in appropriate locations
 - Cottage industries
 - Safe and convenient street and pathway connections to towns
 - Well maintained roadway connections to highways

- ***Rural Agriculture:*** Rural Agriculture areas are located on the north and western sides of the valley and include much of the most productive agricultural land due to soils present. Much of this area, especially the land located on the western side, is important wildlife habitat. Desired future character and land uses for the Rural Agriculture areas include:
 - Agriculture
 - Ranching
 - Very low density residential, with provisions for clustering/conservation developments to protect natural resources or rural character
 - Conservation and wildlife habitat enhancement/protection

- ***Mixed Agriculture / Rural Neighborhood:*** Mixed Agriculture / Rural Neighborhood areas are located south of Driggs and east of Highway 33. These areas are predominately rangeland and agriculture land and have high scenic qualities. Desired future character and land uses include:
 - Agriculture
 - Ranching
 - Low, to medium where appropriate, density residential, with provisions for clustering/conservation development to preserve views
 - Conservation and wildlife habitat enhancement/protection

- ***Mixed Agriculture / Wetland:*** Mixed Agriculture Wetland areas are located immediately east of the Teton River on the valley floor and include lands that are classified as wetlands and floodplains as shown on the U.S. Fish and Wildlife Service National Wetlands Inventory and the Federal Emergency Management Agency Flood Insurance Rate Map. These areas have seasonally important wildlife resources, are predominately rangeland and agriculture land, and have high scenic qualities. Desired future character and land uses include:
 - Agriculture

- Ranching
 - Low density residential development, with provisions for clustering/conservation development to protect natural resources
 - Conservation and wildlife habitat enhancement/protection
 - Development subject to all applicable County, State and Federal regulations including U.S. Army Corps of Engineers (USACE) wetland regulations and County floodplain development regulations
 - Development regulated by overlays and development guidelines to protect natural resources
- ***Foothills:*** The Foothills are located on the eastern and northern slopes of the Big Hole Mountains, the western slope of the Teton Range and the northern slope of the Snake River Range. These areas have rolling or steep topography and harsh wind and weather or are in the wildland/urban interface area. Due to their proximity to the forested public lands, these areas have high wildfire hazard and wildlife value. Some access to adjacent public land exists and the area is highly visible from the valley floor. Desired future character and land uses include:
 - Low residential densities with provision for clustering/conservation development
 - Residential development clustered to respect topography
 - Access points to public lands
 - Conservation and wildlife habitat enhancement
 - Wildland-Urban interface
 - Development regulated by overlays and development guidelines to protect natural resources and improve public safety
- ***Waterway Corridors:*** Waterway Corridors include the land adjacent to the Teton River and its major tributaries. These areas include the riparian areas, wildlife habitat, wetlands and floodplains associated with the streams and are important fish and wildlife habitats. Public access to the Teton River is currently available in limited locations. Desired future character and land uses include:
 - Agriculture
 - Low to lowest residential density in the County
 - Conservation and wildlife habitat enhancement
 - Development subject to all applicable County, State and Federal regulations including USACE wetland regulations and County floodplain development regulations
 - Scenic quality preservation
 - Public access points for river recreation
 - Overlays and development guidelines to protect natural resources
 - Little to no (or very limited) commercial activity

Zoning Update Recommendations

The draft 2016 Land Use Code proposed a number of new zoning classifications based on the Plan and Framework Map. Based on the conclusions and implementation recommendations of the Plan, stakeholder input received to date, and our analysis of the current land use regulations, we recommend the following zoning actions:

- Build new zone districts based on the Plan’s Framework Map as the County’s desired future land use vision. We recommend starting with the zoning designations and uses proposed in the draft 2016 Land Use Code, and making revisions as needed to both implement the Plan and address current zoning issues.
- Develop a program to support and incentivize zoning changes to align with the Plan and Framework Map

- Consider providing for additional opportunities for appropriate commercial uses in appropriate areas in the unincorporated County that support the goals of the comprehensive plan
- Consider creating Township zoning districts to acknowledge historical development patterns in selected areas
- Revise the provisions of overlay zones to clearly state the desired outcomes and simplify compliance
- Reduce reliance on special studies in the overlay zones by establishing set performance standards for development

Update the Land Use Tables

Upon initial review and input, it is apparent that the existing land use table includes an inordinate amount of conditional uses lead to unpredictability in development. The Teton County Planning Commission completed a great deal of work during the 2016 Land Development Code update project to revise and refine the land use tables for each of the zone districts. This work will be carried over to the new Land Development Code in a similar table and scrutinized further to coordinate with new zoning categories as described above.

Use-specific standards apply to a particular use regardless of zoning district. The new code will consolidate all use-specific standards in one location, keyed to the new use table. We will review all existing use-specific standards for clarity and work with staff to ensure that the standards are meeting the County’s objectives. Some uses that are currently conditional uses should be converted to uses-by-right subject to set conditions and accompanied by a new set of use-specific standards.

The existing code and 2016 Draft code are both silent on several emerging trends such as short term rentals and campgrounds or “glamping”. Short term rentals impact housing stock and although not entirely a land use issue, the Code can incorporate components that would limit the conversion of short term rentals. Campgrounds as a use could help resolve the need for supplemental uses for agriculture operators as land uses evolve. The consultant team will explore these concepts further and develop appropriate standards as well as provide a place for them in the land use table.

The land use table is a critical piece of the land development code and will receive significant attention. Below is a portion of the table from the 2016 draft that will provide a basis for the new code:

Use Category Specific Use	RA	LA	FH	ARN	RC	Residential Districts	Mixed Use Districts	IL	IH	CIV	REC	PRS	Definition/ Standards
Residential Uses													Div. 10.3.
Group home (up to 8 residents)	P	P	P	P	P	--	--	--	--	--	--	--	Div. 10.3.1.
Group living (9 or more residents)	--	--	--	--	--	--	--	--	--	--	--	--	Div. 10.3.2.
Household living	P	P	P	P	P	--	--	--	--	--	--	--	Div. 10.3.3.
Manufactured housing community	--	--	--	P	P	--	--	--	--	--	--	--	Div. 10.3.4.
All social service	--	--	--	--	--	--	--	C	--	--	--	--	Div. 10.3.5.
Public/Institutional Uses													Div. 10.4.
All civic, as listed below:													Div. 10.4.1.A.
Community college, university	--	--	--	--	--	--	--	--	--	P	--	--	Div. 10.4.1.B.
Club or lodge	--	--	--	--	--	--	--	--	--	P	--	--	Div. 10.4.1.C.

Museum, library	--	--	--	--	--	--	--	--	--	P	P	--	Div. 10.4.1.D.
Place of worship	--	--	--	--	--	--	--	--	--	P	--	--	Div. 10.4.1.E.
Public use	--	--	--	--	--	--	--	--	P	P	P	P	Div. 10.4.1.F.
Trade or technical school	--	--	--	--	--	--	--	--	P	--	P	--	Div. 10.4.1.G.
School (K-12)	--	--	--	--	--	--	--	--	--	P	--	--	Div. 10.4.1.H.
All civic open space, as listed below:													Div. 10.4.2.A.
Cemetery	--	--	--	--	--	--	--	--	--	P	P	--	Div. 10.4.2.B.
Conservation area	P	P	P	P	P	--	--	--	P	--	P	P	Div. 10.4.2.C.
Transportation terminal	--	--	--	--	--	--	--	--	C	C	--	--	Div. 10.4.3.
All utilities, as listed below:													Div. 10.4.4.A.
Minor utilities	P	P	P	P	P	--	--	--	P	P	P	P	Div. 10.4.4.A.1.
Major utilities	--	--	--	--	--	--	--	--	C	P	--	--	Div. 10.4.4.A.2.
Commercial Uses													Div. 10.5.
All day care, as listed below:													Div. 10.5.1.A.
Family day care home (up to 6)	L	L	L	L	L	--	--	--	--	--	--	--	Div. 10.5.1.B/E.
Group day care facility (7 to 12)	--	--	--	C	C	--	--	--	--	L	--	--	Div. 10.5.1.C/E.
Day care center (13 or more)	--	--	--	C	C	--	--	--	--	L	--	--	Div. 10.5.1.D/E.

Land Use Table Update Recommendations

We recommend the following actions on land uses:

- Build on the work done during the 2016 Development Code project to better define uses allowed in each zone district
- Continuing the use of a single, consolidated use table that shows all allowed uses in an easy-to-read format that allows quick comparison among zoning districts.
- Reduce discrepancies among definitions internal to the County Code and between the County’ and Cities’ codes to the extent possible.
- Re-evaluate the appropriate uses for each zoning district and consider new uses such as short-term rentals, event centers, lodging, and camping.
- Revise the conditional use categories to clearly distinguish among uses permitted with conditions (administratively approved) and Conditional Uses requiring Planning Commission review
- Establish a permitting process for commercial uses
- Clarify distinction between home occupations and commercial uses
- Expand the number and types of land uses allowable in agricultural areas to support long-term agricultural viability

3. Improve Subdivision Processes and Standards

Improve Subdivision Processes

Teton County’s subdivision regulations provide for either one-time lot splits, or full scale subdivision or PUD review and approval. Stakeholders suggest that other types of land divisions could support open space preservation, agricultural viability, environmental protection and other similar goals of the Plan. Current zoning districts have resulted in the creation of a large number of 2½ acre lots, and the subdivision process has allowed many of them to languish on the market without utilities or infrastructure being constructed. Stakeholders also pointed out that the review processes and schedules are longer and more complicated than necessary for small-scale land divisions.

Once the revised zoning categories are decided upon, the consultant team will develop a series of graphics to begin processing the question, “How much and what types of residential uses are appropriate in agricultural areas before they become residential in character?” Initial graphics will inform a resulting set of imagery that will be paired with subdivision types and descriptions that correlate to allowed uses within the revised zoning districts. Resulting imagery will be similar in nature to the following representative images:

Minimum Lot Size	Open Space Dedication	Base Units	Multiplier	Character Defining Features
20 Acres	70 Percent	4 units, 5 acre lots	2.5	Agriculture, Urban Farming, River and Associated Floodplain, Trails, Agricultural Themed Buildings



Subdivision Process Recommendations

Based on stakeholder input and recommendations in the Plan, the following subdivision process actions are recommended:

- Define the desired density and character of the County at build out
- Revise subdivision regulations to address conservation subdivisions, open space requirements, design standards and other recommendations of the Plan

- Develop land division alternatives to address small-scale subdivisions, large lot subdivisions, judicial land splits, short plats and succession planning in agricultural areas
- Develop streamlined processes for the vacation or re-subdivision of previously subdivided areas in ways that better support Comprehensive Plan goals
- Consolidate and streamline application review and approval processes to the extent possible
- Identify land division and other development applications that can be approved administratively
- Resolve issues with the agricultural land division exemption from the subdivision requirements
- Resolve issue regarding whether all land parcels have “building rights”
- Include site design and on-site review for subdivision lots prior to surface disturbance
- Clarify what information is required in subdivision application packages
- Evaluate the added value of traffic impact studies, stormwater designs,
- Clarify what steps must be taken before a plat is released for recording
- Require site evaluation before land disturbing activities can be commenced

Improve Subdivision Standards

The County relies on individual site analyses and studies as the primary tool for ensuring that environmental standards are met and that traffic, stormwater, and fiscal impacts are mitigated. This can create a disproportionate burden on small-scale land divisions and development. Some find that it is not clear what infrastructure is required, as opposed to recommended, for land division approvals.

Subdivision Standard Recommendations

- Equitably allocate the burden for ensuring resource protection and impact mitigations are met
- Establish set standards for subdivision design for environmental protection and impact mitigation to the maximum extent possible
- Clarify the information and level of detail required from the applicant for each step in the development approval process
- Address access management planning for all developments
- Clarify the objectives and standards for PUDs, including rural reserve PUDs

Improve Development Application Review and Approval Processes

Evaluate the Allocation of Decision-Making authority

Currently, most development applications require multiple public hearings and reviews by the Planning Commission and County Commission. There is limited staff authority to make administrative approvals or authorize minor deviations in compliance. Consolidating the review procedures into one table can reduce confusion, increase consistency in process, and clear up confusion for residents and developers. We recommend consolidating procedures and process into a table and will use the one prepared for the 2016 draft code (a portion of which is listed below) as a starting point.

	Cross-reference	Development Review Committee (DRC)	Review and Approval			Public Notice				Posted Notice (Courthouse)
			Planning Administrator	Planning & Zoning Commission	Board of County Commissioners	Neighborhood Meeting	Web	Posted (On-Site)	Mailed	
Approval Process										

Legislative Review	14.4										
Comprehensive Plan Amendment	14.4	N	R	R-PH	D-PH	N	Y	N	N	Y	Y
Land Use Code Text Amendment	14.4	N	R	R-PH	D-PH	N	Y	N	N	Y	Y
Subdivision Review	14.5										
One Time Only Lot Split	14.5.8	N	D	A-PM	--	N	N	NY	N	N	N
Land Division	14.5.9	Y	R	D-PM	A-PM	Y	NY	NY	N	N	Y
Short Plat	14.5.10	Y	R	R-PH	D-PM	N	Y	Y	N	N	Y
Concept Plat	14.5.11	Y	R	D-PH	A-PH	P	Y	Y	Y	Y	Y
Preliminary Plat	14.5.11	Y	R	R-PH	D-PH	N	Y	Y	Y	Y	Y
Final Plat	14.5.11	Y	R	--	D-PM	N	Y	Y	Y	Y	Y
Administrative Review	14.6										
Site Plan Review	14.6.9	N	D	A-PM	--	N	N	N	N	N	N
Design Review	14.6.10	N	R	D-PM	A	N	Y	N	N	N	Y
Temporary Use Permit	14.6.11	P	D	A-PM	--	P	N	P	P	P	N

Additional Application Review and Approval Process Recommendations

- Move decision-making authority downward in the County organization as much as possible and legally permissible
- Consider the scope of clearly defined adjustment/waiver standards and procedures that can be approved administratively
- Consolidate and simplify different application review requirements and processes to create generally applicable “common” processes and submittals to the extent feasible. A review and approval process matrix/flowchart can help applicant understanding.

Improve Code Implementation

Address Code Violations

We recommend that the County evaluate alternative methods to achieve code compliance. Some techniques could include:

- Creating a “quick look” Table of Offenses for the Sheriff’s deputies to clearly identify for code violations
- Conduct site evaluations before authorizing land disturbance or construction activities

4. Clarify Roles and Responsibilities in Areas of City Impact

Improve intergovernmental coordination

Coordination

Development applications for lands in the areas of city impact require review by both the involved city and the County, and these are approved under standards and by the entity identified in an inter-local agreement. These agreements will need to be updated following revision of the zone districts and categories to align with the new regulations.

Intergovernmental Agreement Recommendations

In an effort to provide clarity and simplify the process, we recommend the following changes or additions to the new Code:

- Create and publish a process flowchart and decision tree that illustrate the procedures, applicable standards and decision-making authority for development applications in Areas of City Impact
- Align the format and terminology of County and city development codes to the maximum extent possible
- Clearly articulate the 2012 Comprehensive Plan goals, policies and objectives in the Areas of City Impact

5. Create a More User-Friendly Code

Update Definitions

The current code includes definitions scattered in several locations, there are even similar terms with conflicting definitions making it confusing to implement standards. Additionally, the land regulation terminology and definitions in the codes of the County and Cities is inconsistent.

Definition Update Recommendations

- Consolidating definitions to avoid repetition and inconsistency.
- Align County and City definitions to the maximum extent possible

Establish Reasonable Timeframes for Procedures

Stakeholders identify extended periods of review and approval for small scale applications as an impediment to appropriate development. Although the County wants to reduce development review timeframes, adequate time for staff review is important. Considerable work was done on the 2016 draft code with regards to defining target timeframes which will be reviewed and updated accordingly.

Recommendations

- Establish a reasonable target timeframe for the review of application materials to allow staff adequate time to ensure completeness of a submittal prior to “starting the clock” on the development review process and scheduling hearings. The draft 2016 Land Development Code contains a draft set of schedules which would be a good place to start

Reformat the Land Development Code

A new unified code will be presented in a user-friendly format and style. The County’s land use regulations currently appear in three separate titles. We recommend consolidation into a unified Teton County Land Development Code and recommend the following improvements to the format of the code:

- **Establish a clear hierarchy of headings and subheadings.** The current code has very few headings, making it difficult to find particular provisions without using a word search. Paragraphs of text should be broken up with headings that quickly indicate what the following paragraph addresses. Additionally, the headers and footers of the new code will include dynamic links to headings in the text, showing the reader where they are in relation to the overall code structure.
- **Add more tables, diagrams, and other graphics.** The new code will incorporate more tables, images, and flowcharts to summarize procedures and to illustrate appropriate provisions. We will highlight areas during the drafting process where we think a graphic might improve the reader’s understanding of the code. All graphics will be representative of the rural nature of the County.
- **Include cross-references.** The new code will include hyperlinked cross-references to other applicable sections of the code. For example, instead of simply stating “*as described in Section x.xx,*” we can link to specific provisions thus reducing the time spent navigating between code sections. Links created in MS Word typically transfer well into PDF files for uploading onto the town’s website.
- **Ensure that technical standards, application requirements, and review procedures align.** There is some redundancy and internal conflict in the current Code, and the information required at each stage of the permit application and review process can be unclear. The new Code will clarify what information is required of the applicant at each stage of the review process, and what

the standards of approval are for each stage. Technical standards and application requirements could be excerpted and presented in an administrative manual or technical guide to facilitate application review and approval.

Additionally, information such as fee structures and construction design standards can be removed from the code. Doing so not only makes the code a shorter document, but also allows for administrative updates without requiring a zoning code amendment. Any forms or checklists created outside the new code should cross-reference any applicable code provisions.