



**TETON COUNTY
BOARD OF COUNTY COMMISSIONERS
SPECIAL MTG AGENDA**

Tuesday, July 15, 2025

5:00 p.m.

**First Floor Commissioners' Meeting Room
150 Courthouse Dr, Driggs, ID 83422**

Zoom Link

This is a Joint BoCC meeting with the Planning and Zoning Commission

Pages

- | | | |
|---------------------------------|-----------------------------------------------------------|--------|
| 1. MEETING CALL TO ORDER | This is a Joint meeting with Planning & Zoning Commission | |
| 2. SPECIAL TOPICS | | |
| 2.1 | Work Session: Land Development Code Update Discussion | 2 - 17 |
| 3. ADJOURNMENT | | |



Mitzi Van Arsdell <mvanarsdell@tetoncountydaho.gov>

Re: LDC Amendments

Joshua Chase <jchase@tetoncountydaho.gov>

Fri, May 2, 2025 at 4:42 PM

To: James Weber <jweber@tetoncountydaho.gov>

Cc: Mitzi Van Arsdell <mvanarsdell@tetoncountydaho.gov>, Dan Leemon <dleemon@tetoncountydaho.gov>

Thank you James. I think you have some really good ideas and are touching on some points that don't have good enough clarity right now.

On Mon, Apr 28, 2025 at 12:12 PM James Weber <jweber@tetoncountydaho.gov> wrote:

Hi Sharon and Joshua,

See below for the proposed amendments that I sent over to Jade and Torin a few months back, and let me know if I need to provide more detail or if a general overview is fine at this point since we'll be discussing these more in depth at future meetings.

*LDC 5-8 OUTDOOR LIGHTING

- Add some clarity and additional information to what's already existing
- Add a picture of acceptable/unacceptable lighting examples, see attached. This is also the same image that many HOA's use throughout Teton County ID/WY, and it's also the same picture that is in Blaine County, ID code as well. (Blaine County is also a dark sky compliant county.)
- Holiday lighting: Add clarifying language of time period this is allowed: Maybe mid-November-mid January? Match Teton County, WY dates where holiday lighting is permitted since we're both Dark Sky Reserves?

*SUBDIVISION LANDSCAPING STANDARDS

- Clarifying or additional language re type and number of trees
- Add language addressing watering/keeping landscaping alive. Add language for necessary steps to address dead landscaping and noxious weeds.

*5-4-3 WILDFIRE HAZARD AREAS

- Clarify Section C, specifically how we define 'primary access roadway.'

*CHAPTER 2 ZONE DISTRICTS

- Figure out some possible solutions for better conservation or clustering solutions for landowners who have an unusual property configuration or who own multiple properties. Teton County WY has a few examples in their code, specifically the 'Rural Character Zone' in 3.2.1. See below for example:

3.2.1. Rules Applicable to All Rural Area Character Zones (4/1/16AMD2022-0004)

A. Rules of Measurement

1. Gross Site Area. All measurements in the rural character zones shall use Gross Site Area instead of Base Site Area

or Adjusted Site Area.

B. Sites with Multiple Lots of Record

Sites comprised of multiple lots of record in the rural character zones shall meet the following standards.

1. Agriculture Exempt. These standards, of this Section 3.2.1.B, shall not apply to agriculture use, physical development associated with agriculture use, and utilization of agriculture exemptions.
2. Design as a single site. A site comprised of multiple lots of record shall be reviewed as a whole for purposes of determining the most appropriate location for development or use.
3. Restriction Required. Area required to entitle physical development or use that is on a lot of record other than the primary lot of record of the physical development or use shall meet the following standards.
 - a. It shall be restricted through an instrument approved by the County Attorney and recorded against the lot of record.

b. The restriction shall terminate if the physical development is removed or the use is abandoned.

Thanks!

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James Weber
Teton County, ID
P&Z Commissioner

Office: 208-776-8240
Cell: 949-423-8710

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Joshua Chase, MS
Interim Planning Administrator

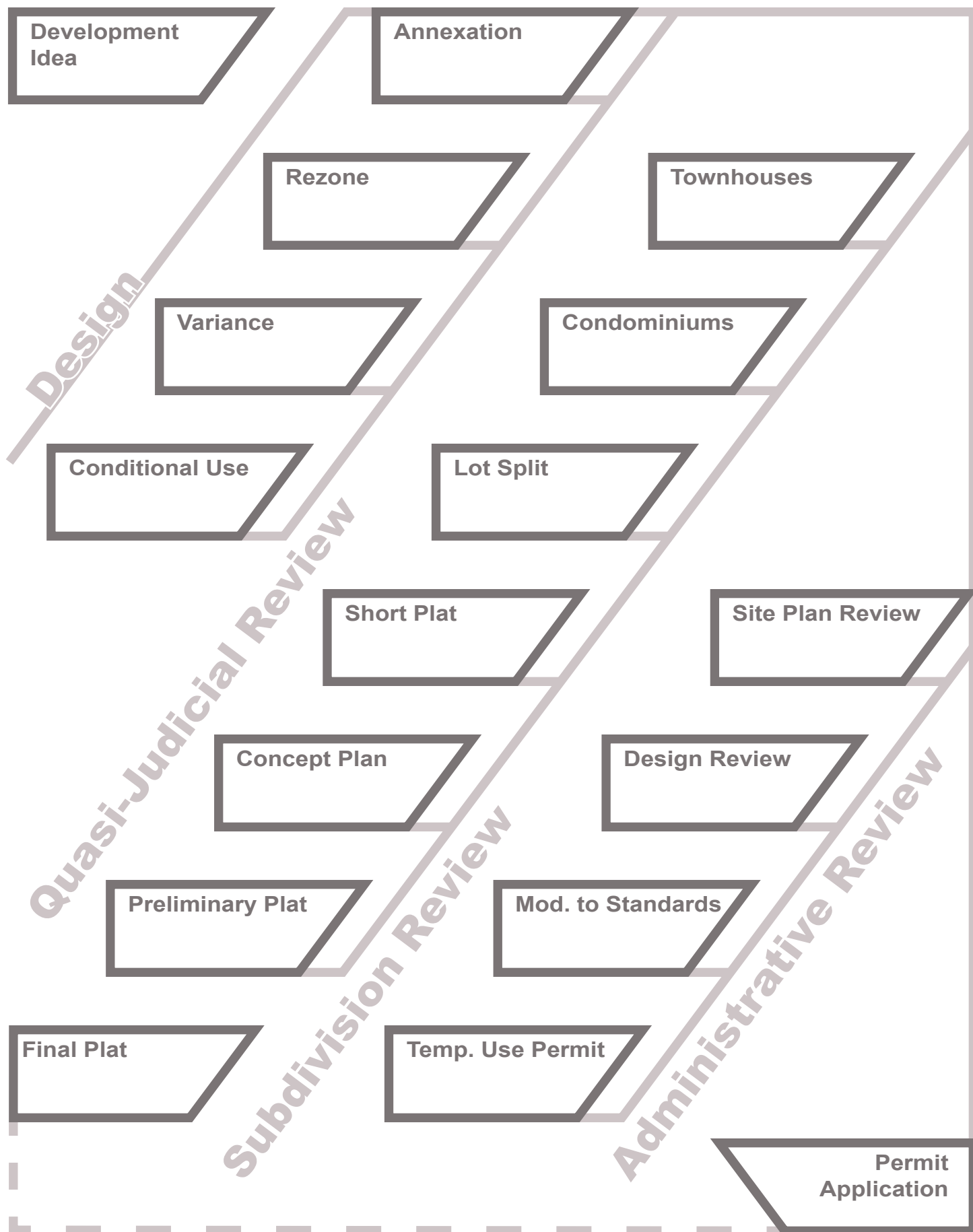
208-776-8241 ext. 200
jchase@tetoncountyidaho.gov

Div. 14.1. Summary of Review Authority

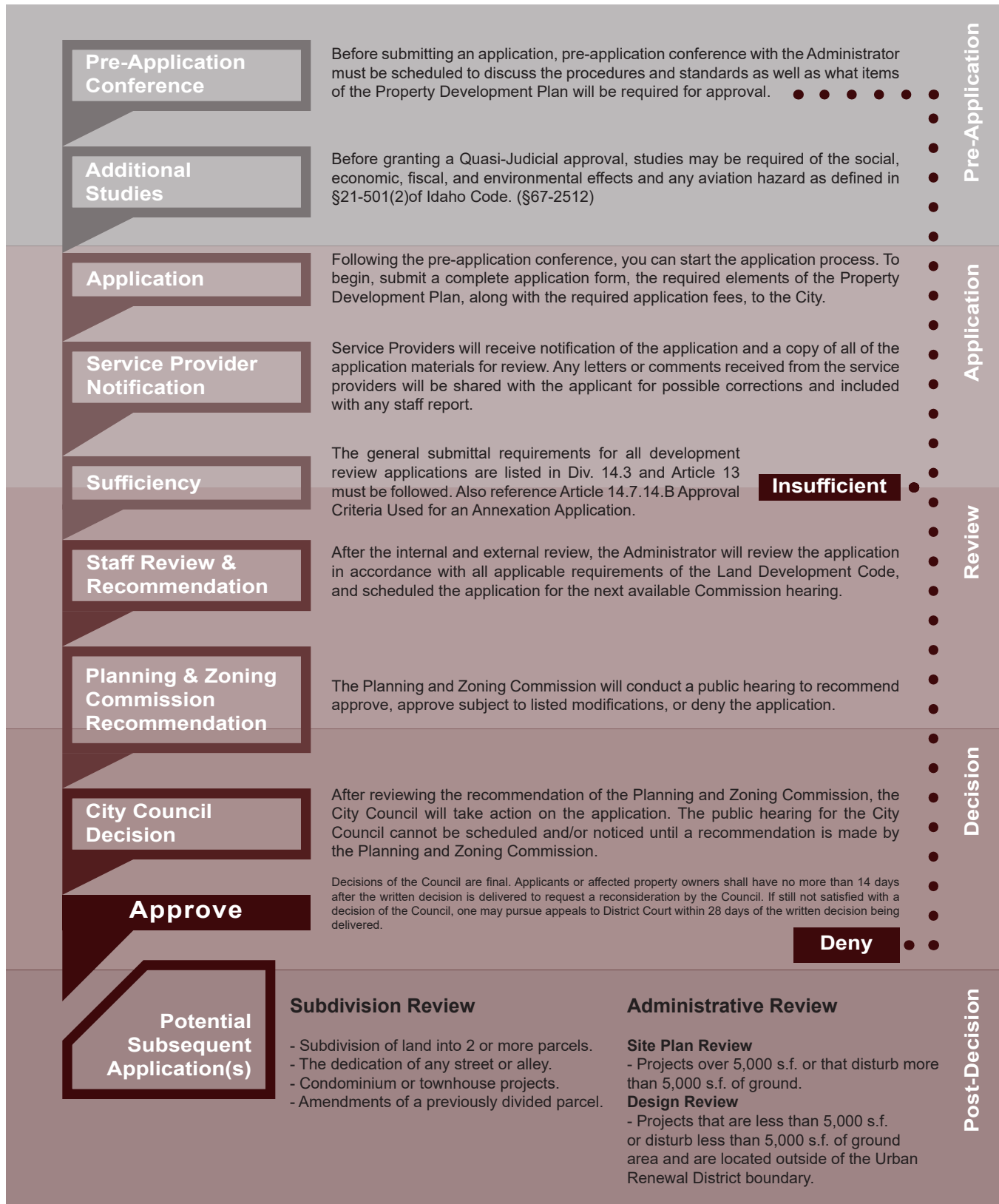
The following table summarizes the review and approval authority of the various review bodies and officials that implement and administer the Land Development Code.

			Review and Approval			Public Notice					
Approval Process	Cross-reference	Service Provider Notification	Planning Administrator	Planning & Zoning Commission	City Council	Neighborhood Meeting	Web	Posted (On-Site)	Mailed	Published	Posted Notice (City Hall)
Legislative Review	14.4										
Comprehensive Plan Amendment	14.4	Y	R	R-PH	D-PH	N	Y	N	N	Y	Y
Land Use Code Text Amendment	14.4	Y	R	R-PH	D-PH	N	Y	N	N	Y	Y
Subdivision Review	14.5										
Lot Split	14.5.8	N	D	A-PM	-	N	N	N	N	N	N
Short Plat	14.5.9	Y	R	R-PH	D-PM	N	Y	Y	Y	Y	Y
Concept Plan	14.5.10	Y	R	D-PH	A-PM	P	Y	Y	Y	Y	Y
Preliminary Plat	14.5.10	Y	R	R-PH	D-PH	N	Y	Y	Y	Y	Y
Final Plat	14.5.10	Y	R	-	D-PM	N	Y	N	N	N	Y
Administrative Review	14.6										
Site Plan Review	14.6.10	N	R/D	P:D-PH A-PM	A-PM	N	P	N	N	N	P
Design Review	14.6.11	N	R/D	P:D-PH	A-PM	N	P	P	N	N	P
Quasi-Judicial Review	14.7										
Conditional Use Permit	14.7.11	Y	R	D-PH	A-PH	P	Y	Y	Y	Y	Y
Rezone Map Amendment (Project Specific)	14.7.12	Y	R	R-PH	D-PH	P	Y	Y	Y	Y	Y
Variance	14.7.13	Y	R	D-PH	A-PH	N	Y	Y	Y	Y	Y
Annexation	14.7.14	Y	R	R-PH	D-PH	P	Y	Y	Y	Y	Y
Administrative Appeals	14.8										
Appeal of an Administrative Decision	14.8	N	D	A-PM	A-PM	N	Y	N	N	N	Y
Modification to Previous Approvals	14.10										
Modification to a Non-Subdivision	14.10.2	N	D	A-PM	-	N	N	N	N	N	N
Modification to a Plat - Insignificant	14.10.3	P	R	-	D-PM	N	P	P	P	P	P
Modification to a Plat - Significant (Minor)	14.10.3	Y	R	-	D-PH	N	P	P	P	P	P
Modification to a Plat - Significant (Major)	14.10.3	Y	R	R-PH	D-PH	N	P	P	P	P	P
Modification to Administrative Approval	14.10.4	N	D/R	A/D	A	N	P	N	N	N	P
Modification to Quasi-Judicial Approval	14.10.5	P	D/R	P	P	P	P	P	P	P	P

KEY: R = Review, Recommendation D = Decision A = Appeal PH = Public Hearing PM = Public Meeting
Y = Required N = Not Required P = Possible Depending on the Scope of Project



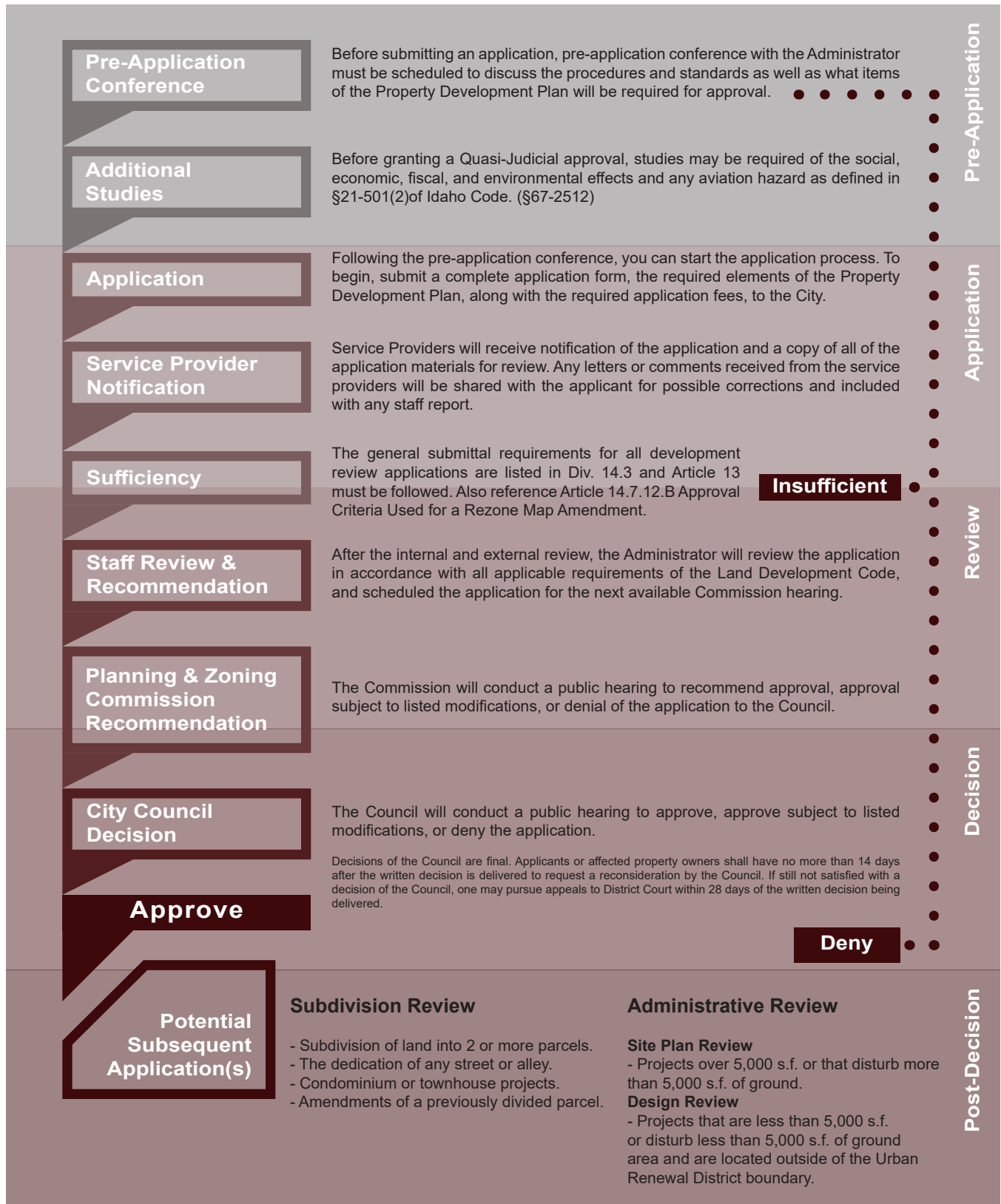
14.7.14 | This review is intended to provide standards and oversight to mitigate negative effects an annexation of land into the City limits may have on the public, neighborhood, or surrounding property owners. Any land that is added to the city by annexation must be added to the official zoning map, as required by I.C. 67-6525. Also, an annexation plat shall accompany all proposals for annexation. That plat may be strictly an annexation plat, showing the boundaries of the area to be added to the city, or it may be a plat associated with a Lot Split, Short Plat, or Full Plat, which shall be reviewed as required by this Title.



Annexation approvals expires (1) one year after approval date.

*Visual reference only, see Victor Municipal Code.

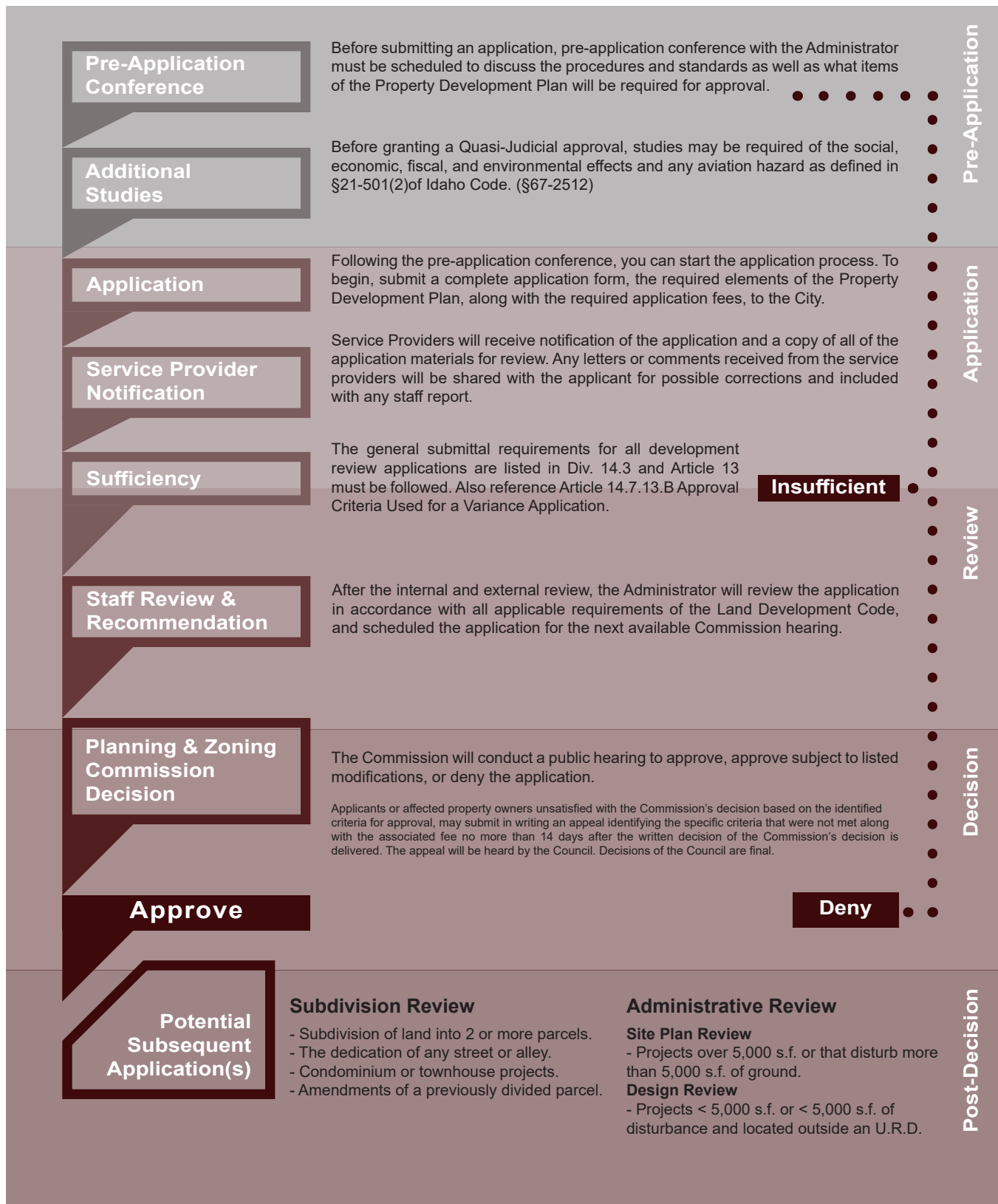
14.7.12 | This review is intended to provide standards and oversight to mitigate negative effects a change in zoning may have on the public, neighborhood, or surrounding property owners. Recommendations of the Commission and decisions of the Council shall be made a matter of public record in accordance with sections 67-6511, 67-6519 and 67-6535 of the Idaho Code.



Rezone Map Amendment approvals expiration date is determined by the Administrator.

*Visual reference only, see Victor Municipal Code.

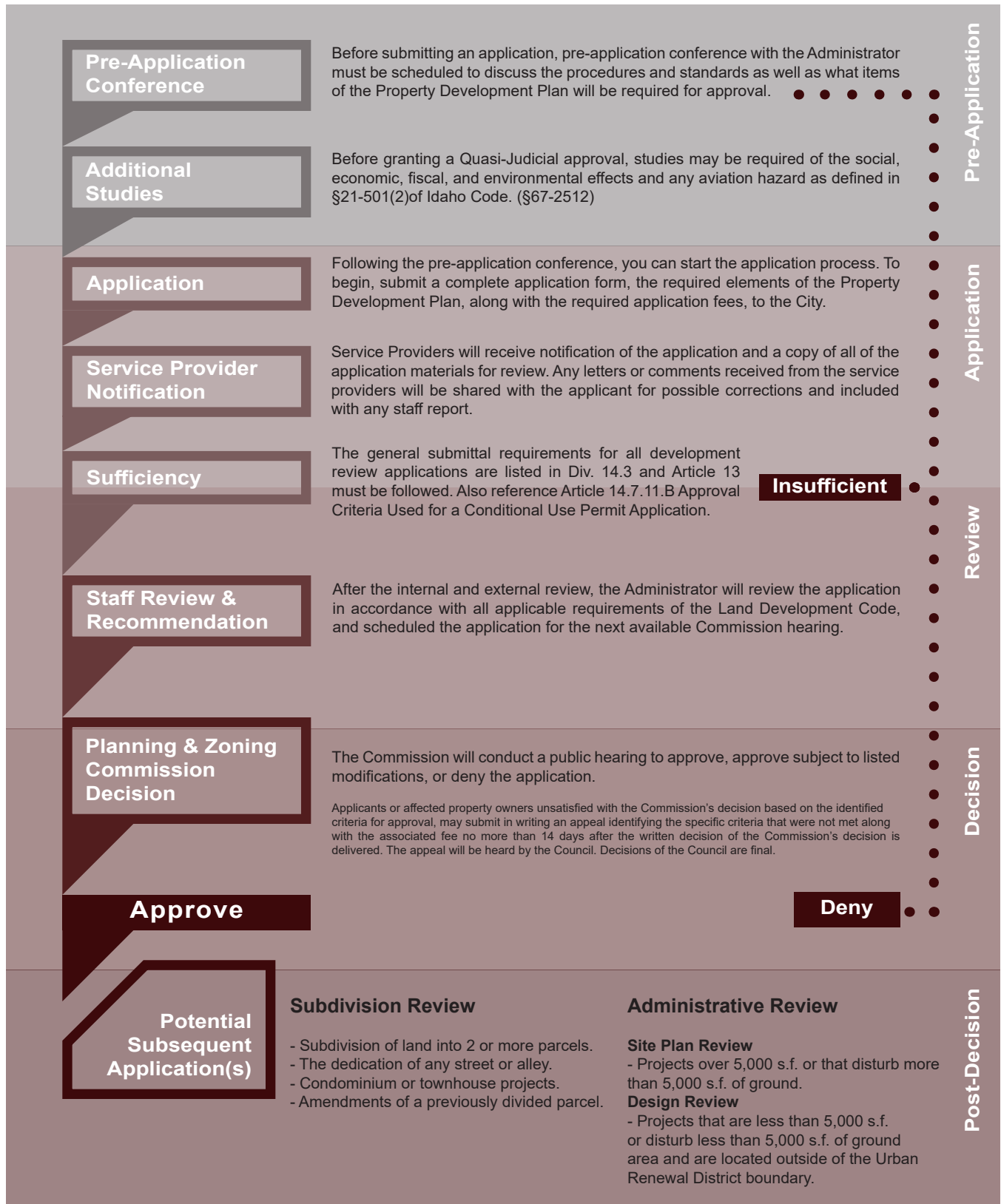
14.7.13 | Variances can only be approved if they are related to the zoning requirements of the Land Development Code, more specifically relating to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots as outlined in Idaho State Code 67-6516.



Variance Application approval expires (1) one year after approval date.

*Visual reference only, see Victor Municipal Code.

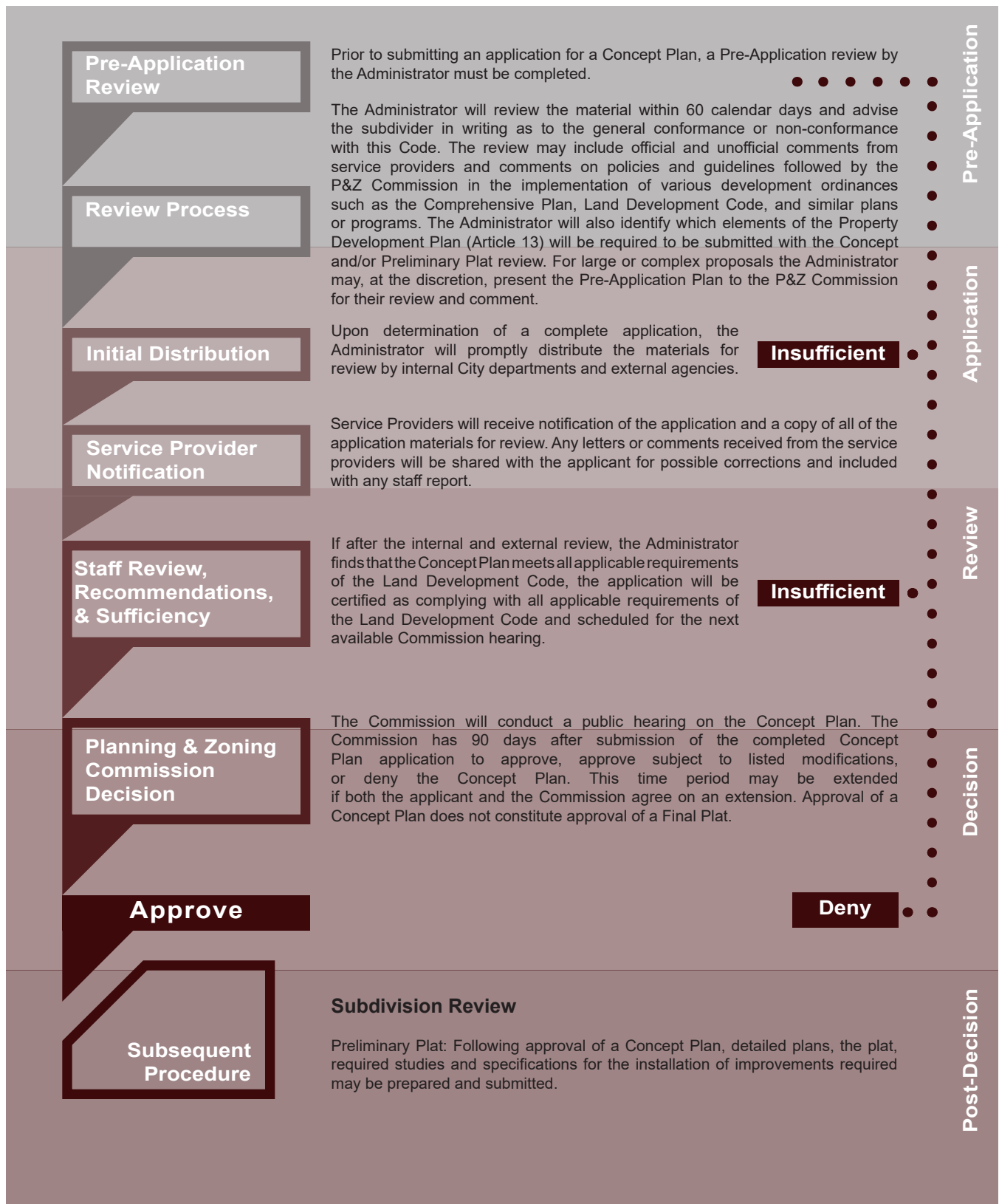
14.7.11 | A Conditional Use Permit can only be issued for the use identified in Article 10 as uses requiring a Conditional Use Permit. The intent is to provide standards and oversight to mitigate the effects these uses may have on the public and surrounding land owners.



Conditional Use Permit approval expires (1) one year after approval date.

*Visual reference only, see Victor Municipal Code.

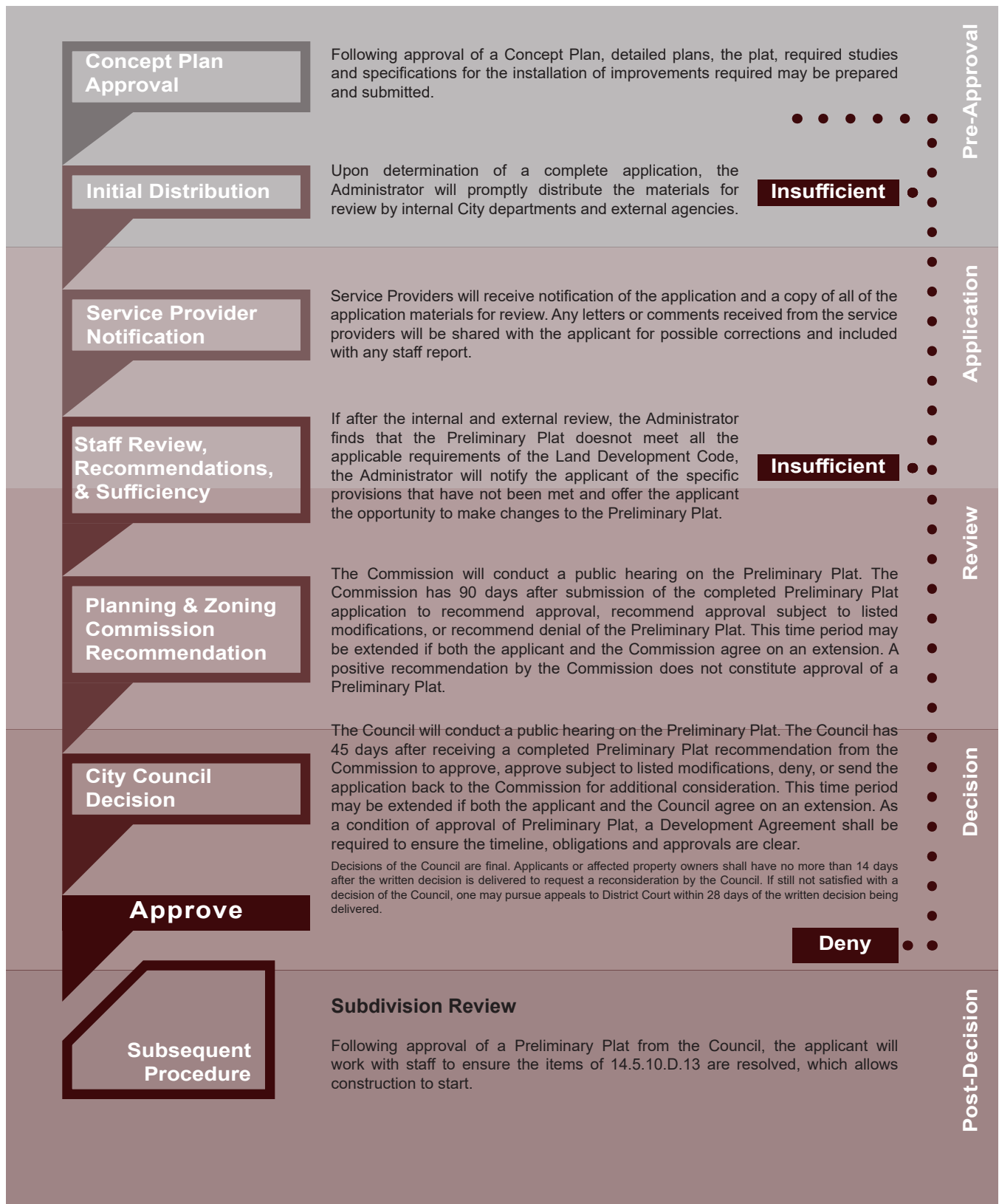
14.5.10 | A subdivision not considered a Short Plat in Sec. 14.5.9 above is considered a Full Plat. Additional requirements for Condominiums and Townhouses are found in Sec. 14.5.11 and 14.5.12. 1. Full Plat approval is a four-step process. The first step is a Pre-Application review by the Administrator, then Concept Plan approval from the Commission. Preliminary Plat approval comes from the Council, after a recommendation from the Commission. Finally, Final Plat approval is granted from the Council, after construction and inspection of the project.



Concept Plan approval expires (18) eighteen months after approval date.

*Visual reference only, see Victor Municipal Code.

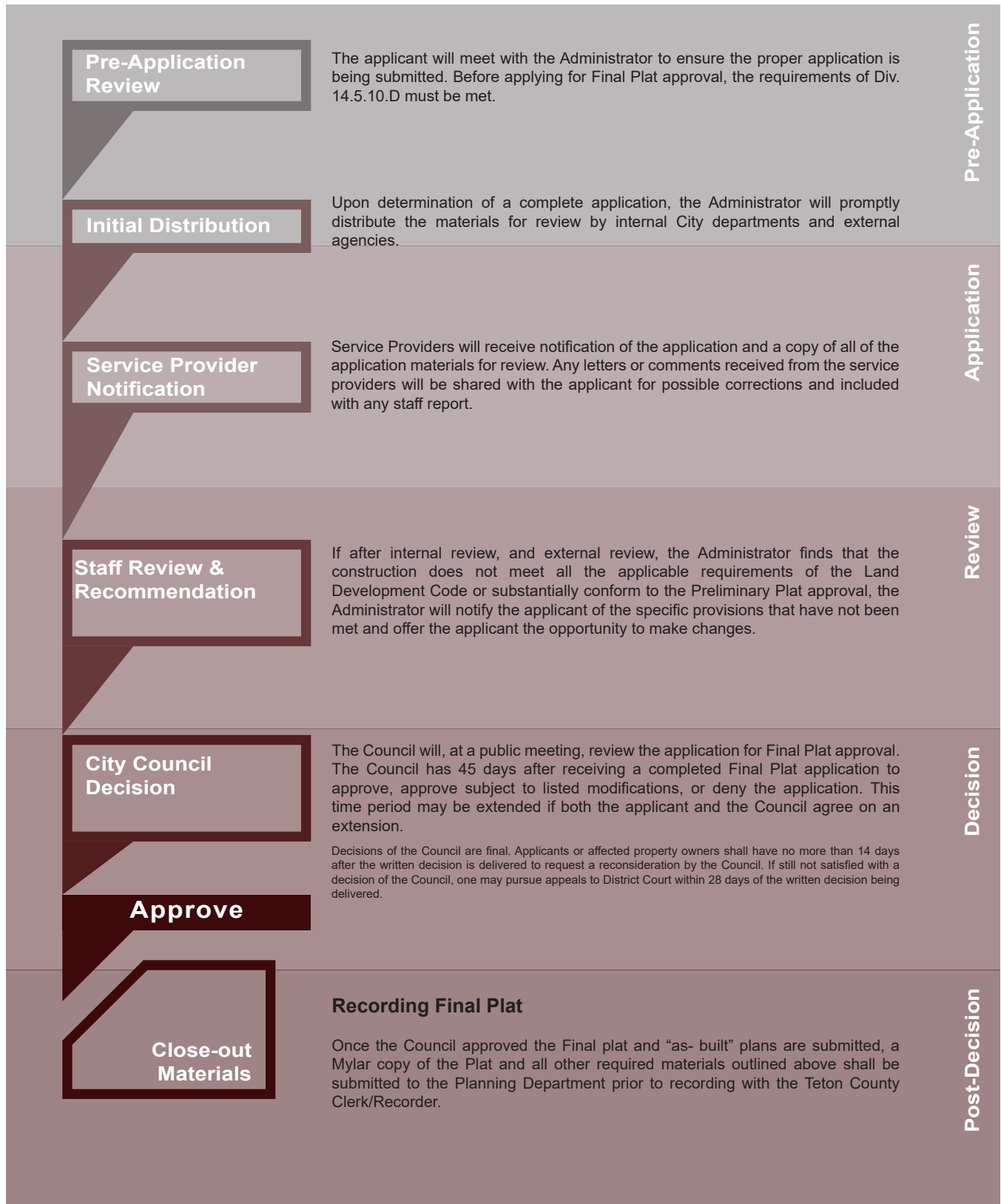
14.5.10 | A subdivision not considered a Short Plat in Sec. 14.5.9 above is considered a Full Plat. Additional requirements for Condominiums and Townhouses are found in Sec. 14.5.11 and 14.5.12. 1. Full Plat approval is a four-step process. The first step is a Pre-Application review by the Administrator, then Concept Plan approval from the Commission. Preliminary Plat approval comes from the Council, after a recommendation from the Commission. Finally, Final Plat approval is granted from the Council, after construction and inspection of the project.



An approved Preliminary Plat expires 3 years after the approval date.

*Visual reference only, see Victor Municipal Code.

14.5.10 | A subdivision not considered a Short Plat in Sec. 14.5.9 above is considered a Full Plat. Additional requirements for Condominiums and Townhouses are found in Sec. 14.5.11 and 14.5.12. 1. Full Plat approval is a four-step process. The first step is a Pre-Application review by the Administrator, then Concept Plan approval from the Commission. Preliminary Plat approval comes from the Council, after a recommendation from the Commission. Finally, Final Plat approval is granted from the Council, after construction and inspection of the project.



Final Plat approval expires (6) six months after approval date.

*Visual reference only, see Victor Municipal Code.

14.6.10 | Site Plan Review is required to ensure that all construction and development complies with the applicable requirements of the Land Development Code. The Administrator is the review authority except when, at the Administrator's discretion, Site Plans for projects over 5,000 square feet or that disturb more than 5,000 square feet of ground are forwarded to the Planning and Zoning Commission or Design Review Committee (Per 14.2.2) for review and decision during a public meeting.



Site Design approval expires (1) one year after approval date.

*Visual reference only, see Victor Municipal Code.

14.6.11 | Per City Code Title 7 Ch 3, the Administrator is the review authority for projects that are less than 5,000 square feet or disturb less than 5,000 square feet of ground area and are located outside of the Urban Renewal District boundary. All other projects are forwarded to the Planning and Zoning Commission for review and decision during a public meeting. Design Review ensures that the requirements of the City of Victor Design Standards and Guidelines are met. The intent of design review is to ensure that the location, scale, and appearance of buildings, structures, and development of land shall preserve the desired character of the City of Victor.



Design Review approval expires (1) one year after approval date.

*Visual reference only, see Victor Municipal Code.



Torin Bjorklund <tbjorklund@tetoncountyidaho.gov>

February 11th PZC Information Packet

3 messages

Sharon Fox <sfox@tetoncountyidaho.gov>

Thu, Feb 6, 2025 at 3:47 PM

To: Wyatt Penfold <wpenfold@tetoncountyidaho.gov>, Wade Kaufman <wkaufman@tetoncountyidaho.gov>, Tyler Wertenbruch <twertenbruch@tetoncountyidaho.gov>, James Weber <jweber@tetoncountyidaho.gov>, Rebeca Ann Baker <rabaker@tetoncountyidaho.gov>, Carl Kohut <ckohut@tetoncountyidaho.gov>, Tom Braun <tbraun@tetoncountyidaho.gov>, Jade Krueger <jkrueger@tetoncountyidaho.gov>, Torin Bjorklund <tbjorklund@tetoncountyidaho.gov>

Hello All,

I have attached the information packet for our upcoming meeting. Please let me know if you have any questions or concerns.



PZC_Feb 11_2025.pdf

Sharon Fox
Planner I
Teton County Planning Department
208-776-8240
sfox@tetoncountyidaho.gov



Planning Departments hours Mon-Thurs 9-3:00 p.m.; Fridays 9-12:00 p.m.

****Teton County phone numbers and email addresses are changing. Beginning December 17, 2023. My new direct dial phone number will be 208-776-8240 and my new email address will be sfox@tetoncountyidaho.gov Please update your records.****

Tom Braun <tbraun@tetoncountyidaho.gov>

Tue, May 6, 2025 at 9:59 AM

To: Sharon Fox <sfox@tetoncountyidaho.gov>

Cc: Wyatt Penfold <wpenfold@tetoncountyidaho.gov>, Wade Kaufman <wkaufman@tetoncountyidaho.gov>, Tyler Wertenbruch <twertenbruch@tetoncountyidaho.gov>, James Weber <jweber@tetoncountyidaho.gov>, Rebeca Ann Baker <rabaker@tetoncountyidaho.gov>, Carl Kohut <ckohut@tetoncountyidaho.gov>, Jade Krueger <jkrueger@tetoncountyidaho.gov>, Torin Bjorklund <tbjorklund@tetoncountyidaho.gov>

Hello Sharon and PZ members,

My apologies for missing the April meeting. FWIW, I thought your comments/discussion of the Concept Plan for the project up near Felt was spot on. I did speak with Sharon about your discussion of refinements to the code and spent time watching the video of the meeting. The best way to identify how a code is working, whether refinements are needed or not, etc., is to work with it. Most of you have had a couple of years with the new code. While I am pretty familiar with development codes, the Teton County Land Development Code is new to me. As we go through the process of refinements, I will review the code to see what I think may need attention, but that type of review cannot replace what can be learned about a code when using it to review projects. Your collective experiences will be invaluable to this effort.

Over the years I've been involved in preparing amendments to development codes, have served on committees doing the same, and have monitored code amendment processes for clients. One thing I've learned is that in virtually every case, a

learning process will follow adoption of a new code and the need for refinements, clarifications, clean up is always needed. What we are doing with this effort is very common.

A few thoughts:

- Comment was made that the refinements we propose should not delve into policy, that they should stick to making clarifications, correcting inconsistencies, adding clarity where needed, etc.. I very much agree. Going into policy changes would totally change the nature of this effort and is not something we should be doing. I think it was Josh who mentioned there may be an effort to update to the County comprehensive plan. If or when that occurs, upon completion of a new plan would be the time to revisit the development code to ensure it is aligned with the goals and vision of the master plan.
- I think Josh mentioned an approach to this effort of taking a "bite of the apple at a time". Totally agree. What is key to this approach is to always be mindful of the inter-relationships between various code sections. A change to a development standard may prompt the need to change a definition, or visa versa.
- On a related note, comment was made about initiating some initial fixes, maybe hitting some low hanging fruit. This is fine to do, but I'd say the same point above applies - that we need to be cognizant of any trickle down effect of the initial fix so as to not create conflicts within the code.
- I appreciated Wade's comments about how a "cheat sheet" could be helpful in reviewing/digesting project info and if or how an application conforms with applicable review criteria. I also agreed with Josh's response that a staff memo should do just that . . . lay out the pertinent facts or considerations so the PZ, the applicant, and the public know where staff stands on an application. We all may not agree on how staff thinks a project conforms or does not conform to review criteria, but that's OK, that is part of the process and the purpose of the public meetings is for this to "come out in the wash" so to speak.
- I forget who made the comment about procedures/steps in the various county review processes and presenting these graphically, but this sounds like a very good idea. Sometimes it can be hard to read a page or two of single space text that outlines the review process. Expressing this graphically can help applicant's better understand the process they are involved in and what lies ahead. The better expectations can be defined, the better for all of us.
- Wetlands criteria. This was only briefly discussed, but this will be an interesting discussion. Particularly with respect to the criteria: "The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure". Comment was made that this process should be "more black and white". Given all that is involved in a variance, that may be tough.
- Thresholds for GEC's, traffic reports, etc. It is very important for the code to be clear on these types of things. Expectations should be defined in the code, not made by staff or PZ on a case by case basis. Just after the new code was adopted we built a porch, it involved three 36" x 36" concrete pads. We learned after we submitted for building permit that this triggered a GEC. I thought it was overkill, but I "get" the need for regulations. This raised havoc with scheduling our subs, but staff was great getting the permit pushed out. I told them when picking up the permit that I was going to be planting 20 trees and would be disturbing far more area than for the porch, I jokingly asked if that required a GEC. After a long pause the response was something to the effect of "I'll just forget I heard that". Thresholds matter!

Look forward to this process. Sharon I don't have Josh's email, can you pass this along to him please. See you next week.

Tom Braun

[Quoted text hidden]

Sharon Fox <sfox@tetoncountyidaho.gov>

Tue, May 6, 2025 at 11:17 AM

To: Tom Braun <tbraun@tetoncountyidaho.gov>

Cc: Wyatt Penfold <wpenfold@tetoncountyidaho.gov>, Wade Kaufman <wkaufman@tetoncountyidaho.gov>, Tyler Wertenbruch <twertenbruch@tetoncountyidaho.gov>, James Weber <jweber@tetoncountyidaho.gov>, Rebeca Ann Baker <rabaker@tetoncountyidaho.gov>, Carl Kohut <ckohut@tetoncountyidaho.gov>, Jade Krueger <jkrueger@tetoncountyidaho.gov>, Torin Bjorklund <tbjorklund@tetoncountyidaho.gov>

Hi Tom,

Thank you for taking the time to put this together. Your input is appreciated and I will pass this on to Joshua.

Sharon Fox

Planner I

Teton County Planning Department

208-776-8240

sfox@tetoncountyidaho.gov



Planning Departments hours Mon-Thurs 9-5:00 p.m.; Fridays 9-12:00 p.m.

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[Quoted text hidden]