



TETON COUNTY, IDAHO | Board of County Commissioners

Written Decision: Area of City Impact of Victor Update

Overview

This is a written decision on the findings for the Area of Impact (AOI) update with the City of Victor. This update will be presented as an ordinance, amending the previous ordinance Title 7-3 of Teton County Code and Title 2 of Teton County, which references the composition of the planning and zoning commission.

APPLICATION DATE: The City of Victor initiated the update of the Area of Impact with Teton County in April of 2021.

PURPOSE OF APPLICATION: To update the Area of Impact of the City of Victor including the zone districts, lands being removed from the AOI and subsequent zone districts, the AOI Land Development Code, and plans to be implemented within the AOI

Applicable Standards and Current Ordinances

- Idaho Statute 67-6526; Title 7 of Teton County Code

Procedural Background

The AOI of Victor was last updated in 2011 via Ordinance 2011-1117 of Teton County. The current update has been ongoing since April of 2021, when the City of Victor initiated the renegotiation of the AOI with Teton County via letter.

The updated Area of Impact legislation specifies County control of the Area of Impact and requires reference to the County's adopted Comprehensive Plan in those lands. It also specifies that the AOI boundary include only anticipated commercial and residential growth, geographic factors for inclusion, areas where municipal or public sewer and water are expected to be provided within five (5) years, transportation infrastructure and systems, and that the AOI boundary does not extend more than two (2) miles from the existing City limits.

PROCESS

The following is a brief overview of the AOI process with the City of Victor:

- Renegotiation initiation: City of Victor sent a letter to Teton County in April 2021.
- City and County Staff began meeting to discuss the AOI in December 2021 and met consistently throughout the process.
- Victor Planning and Zoning Commission work sessions: 11/30/2023, 01/18/2024, 5/9/2024
- Victor City Council work sessions: 5/22/2024, 8/14/2024
- Teton County Planning and Zoning Commission work sessions: 5/14/2024, 7/9/2024
- Teton County Board of County Commissioners work sessions: 6/10/2024, 8/12/2024

ADOPTION

Planning and Zoning Commission Public Hearing for the Zone Change

On September 10, 2024, the County PZC reviewed the application for a zone change associated with the Area of Impact of Victor. The PZC made the following recommendation to the BoCC:

MOVER: Carl Kohut

SECONDER: James Weber

Finding the criteria in LDC 4-4-F have been met, I move to recommend approval of the Victor Area of Impact Zone change for parcels being removed from the Victor AOI as presented in the staff report and request the BoCC reevaluate the AOI in consideration of following:

1. New AOI boundaries for properties either abutting high density or currently on city utilities;
2. Foothills zoning may or may not apply to lots on the valley floor;
3. RA-35 zoning apply to lots surrounding by 2.5 and 5 acre parcels
4. Public comments shared during 9/10 P&Z meeting and any additional public comment.

AYES Tim Watters, Wade Kaufman, Carl Kohut, James Weber, and Wyatt
(5) Penfold

Adopted (5 to 0)

Board of County Commissioners Public Hearing

NOTICE: The application was noticed in Teton Valley News on October 9 and October 16, 2024. Site postings were made at 8 locations at the exterior of the Victor AOI. Letters to affected property owners were mailed on October 1, 2024.

HEARING DATE: October 28, 2024 – continued to November 18, 2024

Board Members Present: Cindy Riegel, Michael Whitfield, and Bob Heneage.

Staff Present: Kim Kolner (City of Victor) and Jade Krueger, Teton County – Interim Planning Administrator

The public hearing opened at 3:02 PM. Public hearing closed at 3:42 PM. Seven members of the public spoke. The BoCC moved to continue the AOI update and zone change to November 18, 2024.

MOVER: Cindy Riegel

SECONDER: Bob Heneage

Continue the deliberation and decision on the Public Hearing for the Victor AOI to November 18 at 9 AM.

AYES (3) Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

At the continued hearing on November 18, 2024, the BoCC continued their deliberation. During deliberation, the BoCC considered public comment received and the AOI boundary and proposed zone districts, with general direction to further shrink the AOI. The BoCC also requested amendments to the AOI Land Development Code, including a review of the use-

chart, and design standards for subdivision roads. The BoCC determined that given the proposed material changes, the AOI update and zone change should be re-noticed fully.

HEARING DATE: December 16, 2024

NOTICE: The application was noticed in Teton Valley News on November 27 and December 4, 2024. Notices to affected property owners were mailed on November 25, 2024. Site postings were made at 8 locations around the exterior of the Victor AOI on December 2, 2024.

Board Members Present: Cindy Riegel, Michael Whitfield, and Bob Heneage.

Staff Present: Kim Kolner (City of Victor) and Jade Krueger, Teton County – Interim Planning Administrator

The public hearing opened at 11:20AM AM. Public hearing closed at 11:44 AM. Six members of the public spoke. The BoCC reviewed the amended materials.

MOTION:

I move to approve the Area of Impact Update for the City of Victor as processed under Idaho Code 65-6726 in accordance with Teton County's Land Development Code Chapter 4-4 and the 2012 Teton County Comprehensive Plan as presented in the staff report with the following change - the include properties north of 9500 S. and south of Old Jackson to be designated AOI-2.5 up to the city limits.

This includes approval of the amended AOI boundary, the amended AOI zoning, the County zoning for parcels now removed from the AOI, and the AOI Land Development Code as presented in the staff report for the public hearing dated 12/16/24 - with only exception being the of the above mentioned change to the AOI boundary.

Motion approved unanimously.

Conclusions

Having given due consideration to the materials presented, the Teton County Board of County Commissioners hereby makes the following conclusions:

In order to ensure compliance with State Statute 67-6526, Teton County hereby amends the Area of Impact Boundary for the City of Victor, zone districts within the Area of Impact, zone districts for parcels now removed from the Area of Impact, the City of Victor Land Development Code, and plans to be implemented in the Area of Impact.

Cindy Riegel
Chair of Teton County Board of County Commissioners

Date