

MEMO

To: Board of County Commissioners

From: City of Tetonia

Report Date: May 31, 2024

Meeting Date: June 10, 2024

Project Name: Tetonia Area of Impact Amendment



SUMMARY

This Memo and attachments outline the information and questions relating to amendments to the Tetonia Area of Impact Agreement and Boundary. These comments and questions have been reviewed by the Tetonia City Council in work sessions only and are compiled here for comment from the County before the formal review process with the public.

BACKGROUND

The 1995 Tetonia Area of Impact (AOI) Agreement is the effective approved version that Tetonia and the County are currently using (Ordinance 95-081495). In 2008 an updated version was prepared and approved by Tetonia City Council (Ordinance 2008-4) and incorporated into the City Code. However, it was found that this amendment was never adopted by Teton County so is not valid.

ANALYSIS

The 2008 Tetonia AOI Code version is being used as a starting point for the amendment to the AOI Agreement and Map (see attached with edits). In summary, the 2008 version with City Council's comments suggest the following:

1. Applicable Codes:
 - a. City Code
 - b. City Comp Plan
 - c. Consider adopting the County Public Works standards and County subdivision improvements standards in the AOI
2. Review Process- Subdivisions and Land Use Permits (CUPs, Sign Permits, Design Review):
 - a. All subdivisions and rezones go to City PZC and City Council and County PZC and BoCC before final decision.
 - b. **Recommendation:** a Joint County-City P&Z Commission is not recommended to be established. Instead, the City P&Z Commission can review and recommend and a separate commission would not need to be set up and scheduled. This is also consistent with the other cities in the County.
3. Review Process- Building Permits
 - a. Reviewed by the County for zoning and building compliance.
4. Improvement Standards
 - a. There is no mention in the 2008 version about water/sewer connection requirements or Public Works Standards that apply in the AOI.
 - b. The city will not require or offer city water or sewer in the AOI, only if annexed.
 - c. **Council Comments:** Council requested that utility easements for city sewer/water be required in subdivisions in the AOI. If a subdivision is contiguous to the City or within a certain distance, the City would like flexibility for a development to connect to sewer and possibly water.
 - i. The County Code Ch 6 includes subdivision improvement requirements that require easements:

"Where utilities are not provided within a dedicated road right-of-way, easements of not less than 20' shall be provided to accommodate water lines, sanitary sewer lines, and/or stormwater drainage, irrigation ditches, and pipelines. The minimum width of easements

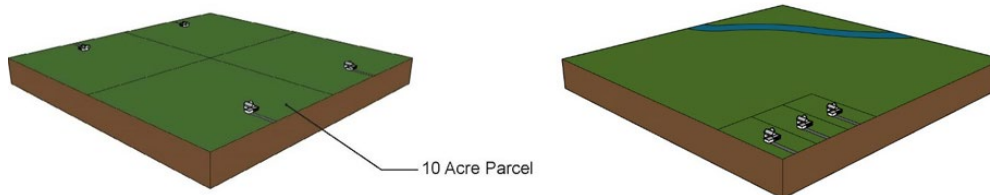
for power lines, telephone lines, and other utilities shall be 15'. Easements may also be required for shared access between properties, snow storage, and for providing adequate slope for road construction."

- d. Still under consideration by the City Public Works/Engineer:
 - i. Considering if City Public Works and subdivision improvement requirements, excluding water service, be required in the AOI.
 - 1. If so, this would mean sewer connections would be required. Roads would be required to be paved. There is no gravel road spec.
 - ii. Considering a unique set of improvement standards that apply only in the AOI. For example it could require road paving, but no sidewalks.

AOI Boundary & Zoning- See the attached map with call outs and questions.

- 5. AOI boundary is the same rectangle from 2005
 - a. The parcels containing the city's sewer infrastructure and water tank should remain in the AOI boundary.
- 6. AOI zoning is currently 1 unit per 2.5 acres and 1 unit per 20 acres.
 - a. The 1 unit per 2.5 acres creates large lot subdivisions on individual septic and wells which is common in the County but not ideal to support the city's potential infrastructure growth.
 - b. **Recommendation:** Instead of perpetuating common county 2.5 acre large lots around the city, it is recommended that the AOI Agreement adopt "cluster subdivision" standards that allow for lot sizes to be smaller than 2.5 acres, such as 0.25 acre-0.5 acre so they can be *clustered* and serviced by sewer. In other rural communities this is called a "Cluster Bonus Subdivision Ordinance" where the Developer is awarded more lots if lots are reduced in size and clustered. Therefore supporting more usable, contiguous agricultural land. See [Ch 1-10](#) in the County Code.

Average Density Illustrated



- c. The new County zoning surrounding the AOI is 1 unit per 35 acres and 1 unit per 10 acres.
 - i. **Recommendation:** It is recommended to change the zoning to match the County zones and offering the Cluster Bonus. When parcels are proposed to be developed, the owner can also apply for Annexation and receive a higher density zoning in the city. A parcel does not have to be a minimum of 35 acres or 10 acres to be annexed or developed on. That is just the ratio at which density is calculated.

NEXT STEPS:

- 1. Red line draft of Ordinance—reviewed by Tetonia P&Z and City Council and County P&ZC and BoCC
- 2. Open House or public comment period
- 3. Public hearings and vote on Ordinance by City and County
- 4. Ordinance adopted

Attachments:

- A. AOI Boundary Map with notes
- B. City Zoning Map
- C. County Zoning map screenshot