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**Teton County – Planning & Zoning Commission**  
**September 10, 2024**  
**Area of Impact – City of Victor**

**Overview:**

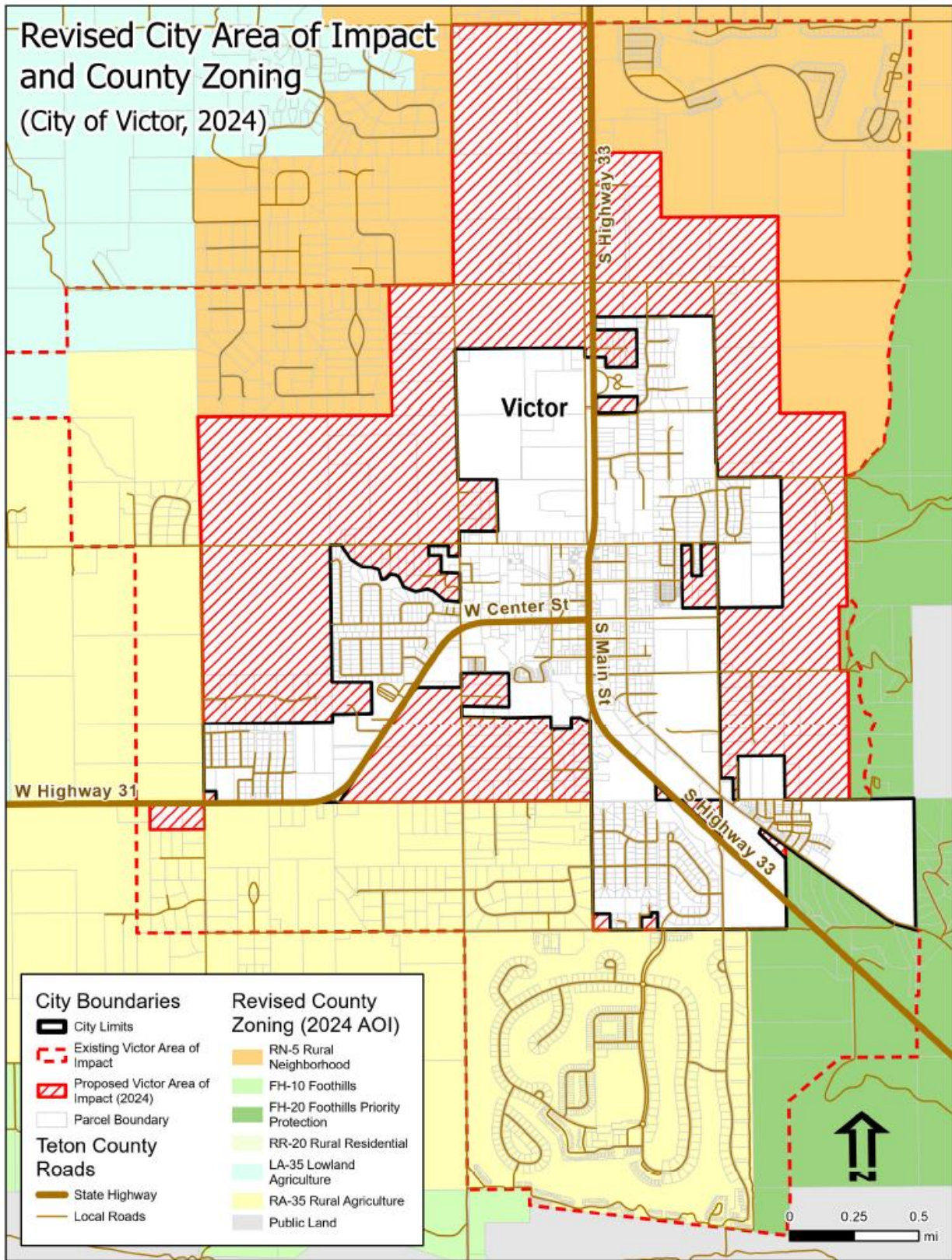
The City of Victor is currently working to update the Area of Impact (AOI) agreement with Teton County. The AOI is an identified area of unincorporated County land outside of City limits meant to help develop and grow sustainably. Per new state statute, the AOI agreement will be reviewed by the BoCC. This is proposed to occur on October 28, 2024 at a public hearing.

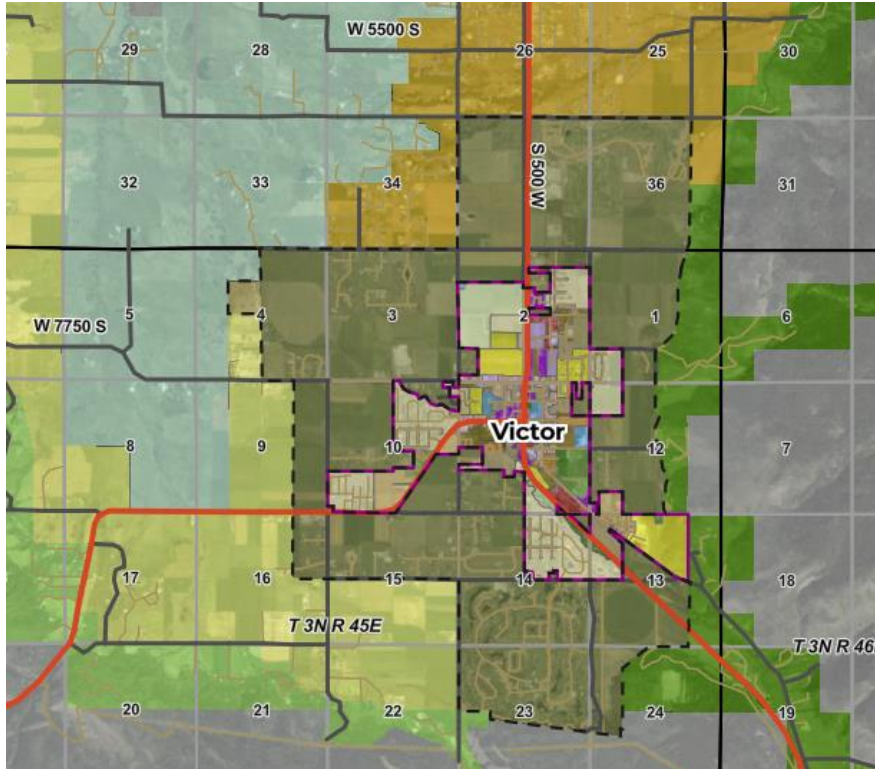
To date the City of Victor has worked with its PZC and City Council for several work sessions. Victor has also worked with Teton County PZC and BoCC on this update:

- a. ✓ May 9, 2024, Victor P&Z
- b. ✓ May 14, 2024, County P&Z
- c. ✓ May 22, 2024, Victor City Council
- d. ✓ June 10, 2024, BoCC
- e. ✓ July 9, 2024, County P&Z
- f. ✓ August 12, 2024, BoCC
- g. ✓ August 14, 2024, Victor City Council

The Planning & Zoning Commission at this public hearing will review ONLY the proposed zone districts for lands being removed from the Area of Impact. During previous work sessions, Teton County PZC has stated they desired lands being removed from the Area of Impact to be zoned the adjacent County zoning.

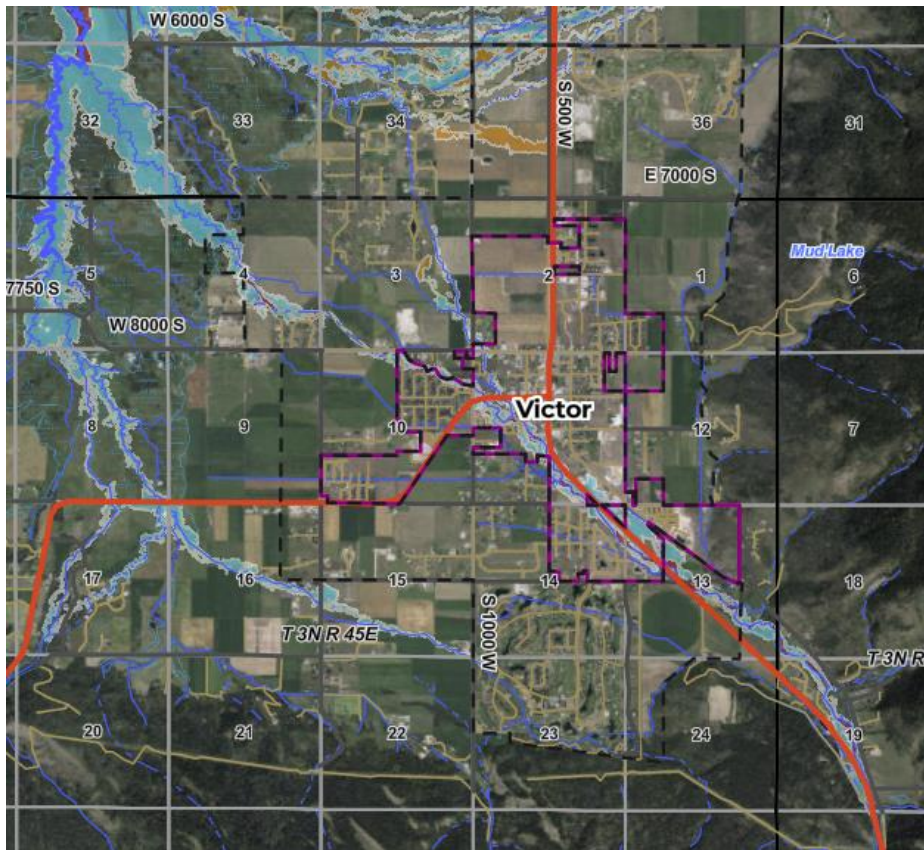
# Revised City Area of Impact and County Zoning (City of Victor, 2024)





All current AOI zoning for Victor is 2.5 acre minimum lot size. The shrinking in the AOI boundary will result in a down zone for some parcels as they are being given County zone districts. Some of the lands being removed from the AOI fall within the Hillside Overlay, the Bear Conflict Overlay, and the Wildfire Hazard Overlay. Very little lands are within the Floodplain, regulatory or preliminary data sets.

Under the LDC, Section 4-4 outlines the process and review criteria for a large-scale revision to the official zoning map.



**4-4-F lists the following review criteria for a zoning map revision:**

a. The comprehensive plan amendment corrects an error or meets the challenge of some changing condition, trend, or fact.

*Staff comment: The reduction in the area of impact boundary follows state statute guidelines (§67-6526). Further, it requires that the Area of Impact be governed by the County's Comprehensive Plan. The proposal for the zone change enacts County zoning to the parcels being removed from the AOI and follows the Comprehensive Plan 2012-2030 guidelines.*

b. The comprehensive plan amendment is in response to changes in state law, as established through amendments to the Idaho Statutes or by court decision.

*Staff comment: The change in AOI legislation did result in the need for agency for amendments to the current AOI boundary and plans in place. The existing AOI was last updated in 2007 and does not meet State Statute for the boundary.*

*§67-6526 states that areas of impact shall be based on anticipated commercial and residential growth; geographic factors; transportation infrastructure and systems, including connectivity; areas where municipal or public sewer and water are expected to be provided within five (5) years; and other public service district boundaries.*

*Further, it shall not exceed areas that are likely to be annexed within five (5) years and not extend more than two (2) miles from existing city limits.*

c. The amendment does not have the effect of creating a regulatory taking under Idaho or federal law.

*Staff comment: The zone change proposal, as an effect of the AOI boundary change is to conform to state statute.*

d. The comprehensive plan amendment constitutes a benefit to the County as a whole and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.

*Staff comment: The zone changes for parcels being removed from the AOI will further the goals of the County's comprehensive plan.*

e. The proposed change is consistent with policies of the comprehensive plan, the requirements of the Planning Act, and state and federally mandated uses.

*Staff comment: Zone change application complies.*

f. The comprehensive plan amendment substantially conforms to the stated purpose and intent of the LDC.

*Staff Comment: Zone change application complies.*

***Purpose and Intent:***

*The Land Development Code guides residential and nonresidential development in unincorporated Teton County, in accordance with the County's adopted comprehensive plan and its existing and future needs, in order to protect, promote, and improve public health, safety, and general welfare. The Land Development Code is enacted to exercise the full range of authority available under Idaho law, including the purposes stated in the Local Land Use Planning Act (Title 67, Chapter 65) of the Idaho Code.*

g. The comprehensive plan amendment will not have a demonstrable adverse impact on the natural environment, including air, water, noise, stormwater management, wildlife, scenic corridor views, and vegetation.

*Staff comment: The zone change amendment is not anticipated to have adverse impacts on the natural environment, air, water, noise, stormwater management, wildlife, scenic corridor views or vegetation.*

h. The comprehensive plan amendment will not have a demonstrable adverse impact on existing conforming development patterns, standards or zoning regulations.

*Staff comment: The change in zoning and reduction in AOI, will further both the City and County's Comprehensive Plan goals of creating visual separation from City and rural areas, and to encourage growth in existing population centers.*

i. The comprehensive plan amendment will not have a demonstrable adverse impact on delivery by any jurisdiction or agency providing public services in the County, including school districts

*Staff comment: There are no proposed changes in services.*

**Noticing:**

The application for the Area of Impact Update has been noticed in TVN on August 21 and August 28, 2024. Affected property owners were noticed by mail on August 23, 2024. The Area of Impact Boundary was posted on August 26, 2024.

**Public Comments:**

Staff received no new public comments on this application.

***Teton County PZC will hold a public hearing on the item and deliberate on the zoning districts for parcels being REMOVED from the current Area of Impact.***

- Staff has sent the draft AOI Code to County legal for review to ensure compliance with the state legislation that became effective this July. The BoCC has reviewed the draft AOI materials in several work sessions with the City of Victor.

**PZC Options:**

1. Make a recommendation to the Board of County Commissioners to approve the zone change for lands proposed to be removed from Area of Impact of Victor or approve with conditions
2. Continue the item for more information from staff
3. Make a recommendation to the Board of County Commissioners to deny the zone change for lands proposed to be removed from the Area of Impact of Victor.

**Possible Conditions:**

**Potential Motions:**

1. 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.
2. Finding the criteria in LDC 4-4-F have not been met, I move to recommend denial of the Victor Area of Impact Zone Change for parcels being removed from the Victor AOI based on the following findings....
3. I move to continue the public hearing for the Victor Area of Impact Update zone change to the following date and time to obtain (insert information here)

**Attachments:**

- A. Proposed AOI Map (1 page)
- B. Proposed Area of Impact (full draft) used for City Council (155 pages)