



**A REQUEST FOR A SPECIAL USE PERMIT**  
**FOR: Shayne Hill- Employee Housing**  
**WHERE: 2660 E 1000 S**  
Prepared for the Board of County Commissioners  
Public Hearing of March 25<sup>th</sup>, 2024

**LANDOWNER/APPLICANT:** Shayne Hill

**REQUEST:** Shayne Hill has applied for a Special Use Permit on a 27.06 acre parcel located at 2660 E 1000 S (on Stateline Road). The original request was to allow the one existing employee housing unit on site to become compliant with County Regulations and potentially add two additional units of employee housing in the future.

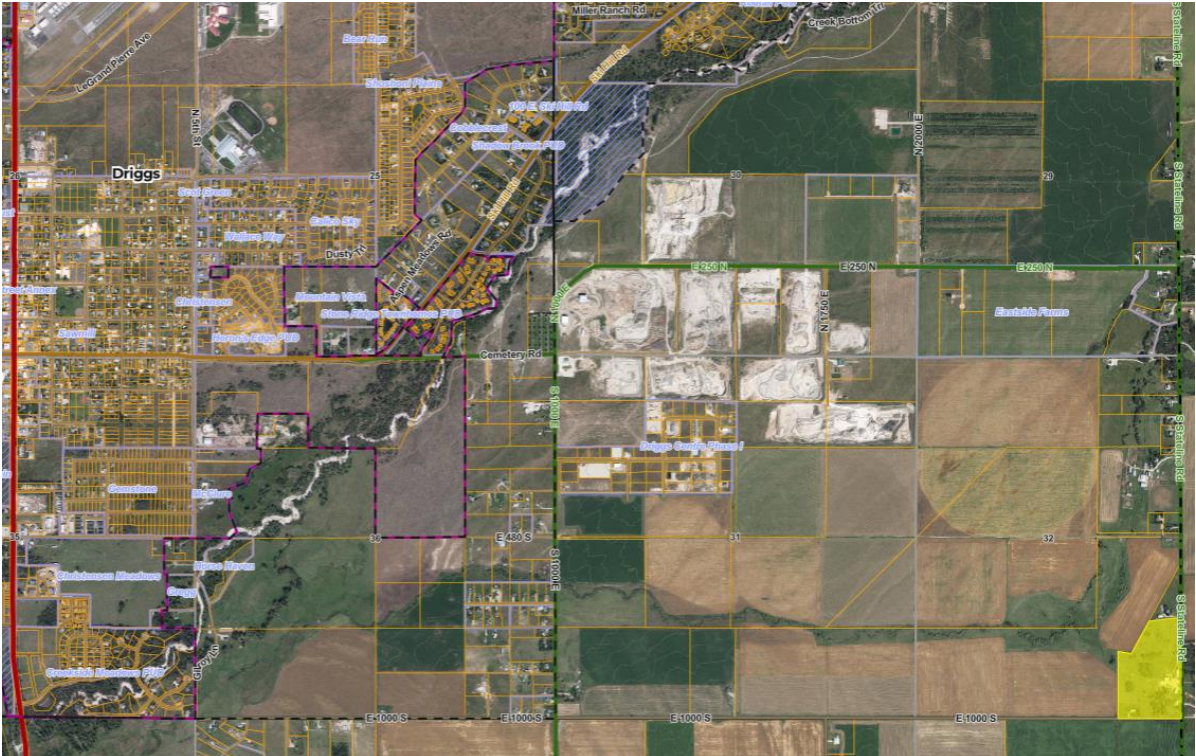
**APPLICABLE COUNTY CODE:** Teton County Land Development Code Section 4-8, Section 3-2, and section 3-9-5; Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

**LEGAL DESCRIPTION:** RP05N46E326002

**LOCATION:** 2660 E 1000 S

**ZONING DISTRICT:** RR-20

**PROPERTY SIZE:** 27.06 acres



*Figure 1. Vicinity Map; Subject Parcel Highlighted in Yellow*



Figure 2. Aerial Image



Figure 3. Site Plan

**PROJECT DESCRIPTION:**

The applicant submitted a request for the proposed SUP on June 14, 2023. Additional materials were received in October to complete the application. The 27-acre parcel is located east of the city of Driggs on E 1000 S, near Stateline Road. The application is requesting approval of the SUP in order to offer employee housing of Hill Hardscapes.

The SUP proposal includes one manufactured home that is already on site. The property is currently not in compliance with Teton County regulations as there are two homes on the property that predated building permits. The existing manufactured unit, currently used for employee housing, received a building permit in 2018, and a certificate of occupancy in 2019 (attached).

As described in the Narrative, the applicant is proposing one existing unit to house employees of Hill Hardscapes. The applicant would also like two additional units for other employees to be placed on site.

**PROJECT BACKGROUND:**

The applicant submitted a request for the proposed SUP on June 14, 2023.

**Planning and Zoning Commission Hearing:**

The application was reviewed and **approved** by the Planning and Zoning Commission on January 9<sup>th</sup>, 2024 with the conditions attached to the report.

**MOTION:** *Having reviewed the application materials for Shayne Hill's Employee Housing SUP, as well as the additional material provided by staff and other agencies; I hereby move to RECOMMEND APPROVAL to the Teton County Board of County Commissioners, having found that the application meets the criteria found Teton County Land Development Code Section 4-8 and Section 3-2 with the recommended conditions from the staff report:*

- 1) & 2) Conditions are the same*
- 3) & 4) Same with the removal of the plural for "units"*
- 5) Any additional units would require coming back with a modification to the SUP.*

<b>RESULT:</b>	ADOPTED [Unanimous]
<b>MOVER:</b>	Tyler Wertenbruch <b>SECONDER:</b> James Weber
<b>AYES</b>	Lindsey Love, Tim Watters, Wade Kaufman, James Weber, Tyler Wertenbruch
<b>NAYES</b>	None
<b>ABSTAIN</b>	None

**CONDITIONS OF APPROVAL from the Staff Report**

1. Lighting: Outdoor lighting, current and future, shall comply with the Outdoor Lighting provisions of the LDC, Section 4-8. Teton County Dark Sky Ordinance should also be enforced.
2. Onsite Inspection: The planning administrator may determine that there is a need for an inspection at any time.
3. Shayne Hill shall annually supply documentation that the residents of the units are employees.
4. Employee housing units will not be used for short term rentals.

5. Any additional units must be clustered with existing employee housing unit and meet all setback requirements.
6. Applicant apply for and receive building permits for any new employee housing units (limited to two additional units). Applicant will need to obtain all necessary permits.

**SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE:** Idaho Code, Title 67; Section, 67-6512 Special Use Permits, and Title 8, Section (8-6-1-B-4) of Teton County Code. The public hearing for the Planning & Zoning Commission was duly noticed in the Teton Valley News on March 6<sup>th</sup> and March 13<sup>th</sup>, 2024. A notification was sent via mail to surrounding property owners within a 300-foot buffer area and all adjacent subdivision lot owners on February 29<sup>th</sup>, 2024, and notice was posted on site on March 13<sup>th</sup>, 2024.

**PUBLIC COMMENT:**

Staff has not received public comment as of 3/25/24.

**INTER-AGENCY AND DEPARTMENT REVIEW:**

Eastern Idaho Public Health: All existing homes have adequate septic systems in place. Any new structures (up to two additional units) would require EIPH review and approval.

Teton County Fire Marshal: (Any new) Housing may require a fire suppression and alarm system per the 2019 International Fire Code. Additional building information is required for a full review. Fire department access is approved. The existing employee unit received C/O in 2019.

Teton County Public Works Director: Public Works had no issues with the application.

**SECTION 4-8-E REVIEW CRITERIA FOR SPECIAL USE PERMITS**

The following findings of fact shall be made if the Special Use is approved. If the application is being recommended for denial, the PZC should likewise specify the reasons for recommended denial based on the items listed below.

**1. The requirements of this Chapter and other provisions of the LDC, including Chapter 5, General Development Standards**

Applicant Comment: No comment.

Staff Comment: Application is in compliance with Chapter 5 of the LDC.

**2. Mets special use standards set forth by category of use in Chapter 3**

Applicant Comment: No comment.

Staff Comment: All requirements of 3-9-5 have been met, listed below.

**3. If the application relates to a public-school facility, the subject property is appropriate for development allowed in the proposed Zoning District, including the impacts authorized for review under Idaho Code section 67-6519(3).**

Applicant Comment: Applicant states the business has been in place for 12 years.

Staff Comment: Surrounding area to the northeast is mostly zoned rural agriculture. Additional impacts appear minimal for this proposal.

**4. The County and other service providers will be able to provide sufficient public facilities and services, including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.**

Applicant Comment: No comment.

Staff Comment: Staff does not believe there will be any undue burden on existing public services/facilities. The housing unit is existing. No additional access points are requested.

**5. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics**

Applicant Comment: No comment.

Staff Comment: Application complies with use proposed and staff believes proposal is compatible in this area.

**6. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset.**

Applicant Comment: No comment.

Staff Comment: Staff does not believe there will be any undue burden on affected area.

**SPECIAL USE STANDARDS FOR EMPLOYEE HOUSING (3-9-5):**

1. Minimum lot size shall be five (5) acres in all zone districts excluding the IR district.
  - a. *Staff Comment: Applicant owns total of 27.06 acres. If the applicant ever owned less than 5 acres, the SUP would become void.*
2. There shall be a maximum of five (5) dwelling units per business, not applicable to home occupations or home industries.
  - a. *Staff comment: Applicant could meet this requirement with 3 possible dwelling units; one existing employee housing unit and two proposed.*
3. Dwelling units for employee housing shall be located on the same site as the business operation.
  - a. *Staff comment: The existing unit of housing is on site where the Hill Hardscapes operates.*

4. Dwelling units shall be designed in a cluster. For the purposes of these regulations, cluster means there must be a minimum of two (2) dwelling units on the parcel and the average distance between dwelling units is less than fifty (50) feet.
  - a. *Staff comment: There is currently one employee dwelling unit on the North side of the property. The PZC recommendation was to allow the existing unit of employee housing but that any future units would require an amendment to the SUP.*
  
5. Employee housing units shall be occupied by employees only and not available for rental, except to employees.
  - a. *Staff comment: An employee of the applicant is currently in a long term rental agreement for the employee housing unit. Staff recommends a condition that annual confirmation be supplied to the County.*
  
6. Dwelling units shall not be short term rented, they shall be restricted to long term rental for employee/workforce housing.
  - a. *Staff comment: An employee of the applicant is currently in a long term rental agreement for the employee housing unit.*
  
7. Maximum building size shall be per Section 3-9-2 and 3-9-3.
  - a. *Staff comment: The employee housing unit is 1,279 sqft which meets the 1,500 sqft requirement.*
  
8. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
  - a. *Staff comment: The existing unit has a building permit and certificate of occupancy that required a permit from EIPH.*

**STAFF RECOMMENDATION:**

Planning Staff recommends approving the SUP for the one existing employee housing unit for Shayne Hill with the conditions of approval listed below.

**CONDITIONS OF APPROVAL**

1. Lighting: Outdoor lighting, current and future, shall comply with the Outdoor Lighting provisions of the LDC, Section 4-8. Teton County Dark Sky Ordinance should also be enforced.
2. Onsite Inspection: The planning administrator may determine that there is a need for an inspection at any time.
3. Shayne Hill shall annually supply documentation that the residents of the unit are employees.
4. Employee housing unit will not be used for short term rentals.
5. Any additional units would require an SUP modification. The additional units must be clustered with existing employee housing unit and meet all setback requirements.

**BOARD OF COUNTY COMMISSIONERS ACTION:**

- A. Approve the SUP, with the recommended conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.
- B. Approve the SUP with modifications to the application request, or adding conditions of approval, having provided the reasons and justifications for the approval and for any modifications or conditions.
- C. Deny the SUP application request and provide the reasons and justifications for the denial.
- D. Continue to a future BoCC Public Hearing with reasons given as to the continuation or need for additional information.
- E. Table for a future BoCC meeting with reasons given to the continuation or need for additional information from the applicant or agency

The following motions could be given:

**APPROVAL:**

*Having reviewed the application materials for the Shayne Hill SUP as well as the additional materials provided by staff and other agencies, and having found that the application meets the criteria found Teton County Land Development Code Section 4-8, Section 3-2, and Section 3-9-5 with the recommended conditions (as well as the following conditions...), I hereby move to APPROVE the SUP application.*

**CONTINUE:**

*Having reviewed the application materials for the Shayne Hill SUP, as well as the additional material provided by staff and other agencies; I hereby move to continue the public hearing to a **specific future specific date and time** to consider additional information or studies requested from the applicant or agencies.*

**\*TABLE:**

*Having reviewed the application materials for Shayne Hill SUP, as well as the additional material provided by staff and other agencies; I hereby move to table the public hearing to receive additional information or studies requested from the applicant or agencies.*

**DENIAL:**

*Having reviewed the application materials for the Shayne Hill SUP, as well as the additional material provided by staff and other agencies; I hereby move to DENY the Shayne Hill SUP, having found that the application does not meet the criteria found in Teton County Land Development Code Section 4-8, Section 3-2, and Section 3-9-5.*

Prepared by:

Torin Bjorklund, Associate Planner  
Jade Krueger, Planning Administrator

---

**Attachments:**

- A) Application (3 pages)
- B) Site Plan (1 page)
- C) Narrative (1 page)
- D) Fire Marshal Review (1 page)
- E) Employment verification (1 page)
- F) Certificate of Occupancy (1 page)

**End of Staff Report**