



**AGENDA
PLANNING AND ZONING COMMISSION
PUBLIC MEETING
April 14, 2015
STARTING AT 5:00 PM**

**LOCATION: 150 Courthouse Dr., Driggs, ID 83422
Commissioners' Chamber - First Floor (lower level, SW Entrance)**

1. Approve available minutes
2. Chairman Business
3. Administrator Business

ITEM #1 – SCENIC CORRIDOR DESIGN REVIEW: Kory and Jody Hill: For a garage located at 901 W Highway 33.

Legal Description: RP06N45E353800; TAX #2261 SEC 35 T6N R45E

ITEM #2 - WORK SESSION: Draft Code: Discussion of the Draft Development Code.
No public comment will be taken regarding the Draft Land Use Ordinance.

ADJOURN

-
- Information on the above application(s) is available for public viewing in the Teton County Planning and Building Office at the Courthouse between the hours of 9am and 5pm Monday through Friday.
 - The application(s) and related documents are posted, at www.tetoncountyidaho.gov. To view these items select the Planning & Zoning Commission Public Meeting of April 14, 2015. Then select the agenda item in the Additional Information Side Bar.

Any person needing special accommodations to participate in the above-noticed meeting should contact the Board of County Commissioners' office 2 business days prior to the meeting at 208-354-8775.

TETON COUNTY PLANNING AND ZONING COMMISSION
DRAFT Meeting Minutes from February 17, 2015
County Commissioners Meeting Room, Driggs, ID

COMMISSIONERS PRESENT: Mr. Dave Hensel, Mr. Chris Larson, Mr. Cleve Booker, Ms. Marlene Robson, Mr. Ron Moeller, and Mr. David Breckenridge.

COUNTY STAFF PRESENT: Mr. Jason Boal, Planning Administrator, Ms. Kristin Rader, Planner.

The meeting was called to order at 5:05 PM.

Approval of Minutes:

MOTION: Mr. Larson moved to approve the February 10, 2015 minutes. Mr. Booker seconded the motion.

VOTE: The motion was unanimously approved.

Chairman Business:

There was no Chairman's business.

Administrative Business:

There was no Administrative business.

WORK SESSION:

Draft Code Discussion: Article 8: Building Types, Article 2: Measurements and Exceptions, and Article 11: Site Development.

The Commission reviewed and discussed the proposed draft code presented by Mr. Boal.

MOTION: Mr. Larson moved to adjourn the meeting. Mr. Moeller seconded the motion.

VOTE: The motion was unanimously approved.

The meeting was adjourned at 7:59 PM.

Respectfully submitted,
Kristin Rader, Scribe

Dave Hensel, Chairman

Kristin Rader, Scribe

DRAFT TETON COUNTY PLANNING AND ZONING COMMISSION
Meeting Minutes from March 3, 2015
County Commissioners' Meeting Room, Driggs, ID

COMMISSIONERS PRESENT: Mr. Cleve Booker, Mr. Pete Moyer, Ms. Marlene Robson, Mr. Ron Moeller, Mr. Chris Larson, Ms. Sarah Johnston, Mr. David Breckenridge, and Mr. Dave Hensel (via phone).

COUNTY STAFF PRESENT: Mr. Jason Boal, Planning Administrator, Ms. Kristin Rader, Planner.

The meeting was called to order at 5:02 PM.

Commission Swear In:

Mr. Bill Leake, Chairman of the Board of County Commissioners, swore in Ms. Johnston as a new member of the Commission.

Chairman Business:

Mr. Booker welcomed Sarah as a new member to the Commission.

Administrative Business:

Mr. Boal reminded the Commission that there would not be a meeting on March 10, 2015.

WORK SESSION: Draft Code: Discussion of the Draft Development Code with Lee Einsweiler of Code Studio.

Mr. Einsweiler updated the Commission on the Draft Model Code for the region, which was available on January 19, 2015. The Draft Model Code is currently out for peer review, with comments due April 4, 2015.

Mr. Einsweiler informed the Commission that the Teton County Custom Code was coming together. Code Studio is going to use the edits from PZC and staff, make modifications, and outline it in a similar way to the Model Code. The next custom draft for the County is expected on March 23, 2015. Comments received by March 13, 2015 will be incorporated in the March 23rd draft. Code Studio anticipates a final copy of the County Code around the end of April. He mentioned the rural zoning districts and some new ideas for the County Code that have surfaced since the Draft Model Code was released. He felt confident that Code Studio could meet their upcoming deadlines.

Mr. Einsweiler finished his presentation and opened the discussion for questions from the Commission. The Commissioners and Mr. Einsweiler discussed some of the new ideas he mentioned in his presentation, including transfer of development rights, tiny homes, and workforce housing. It was also discussed if the county would be required to “clean up” the draft

code provided by Code Studio so that graphics are more rural. Mr. Einsweiler said the graphics are urban, and Code Studio would likely provide a replacement set of graphics for rural districts.

Mr. Booker thanked Mr. Einsweiler for visiting and providing an update.

Mr. Boal said he sent out summary reports for the articles of the Draft Code that the Commission has already reviewed. Once the Commission reviews the reports, they will be provided to the public. Mr. Moeller asked if Code Studio was going to rewrite the articles already edited. Mr. Boal explained they would be incorporated into the code, but not rewritten.

Ms. Robson asked about the public open house on March 19. Mr. Boal explained that the open house is hosted by the Greater Yellowstone Coalition, and it will summarize all of the work done with the HUD grant. The open house will be at the Victor Elementary School from 4:00pm-7:00pm.

MOTION: Mr. Larson moved to adjourn the meeting. Mr. Moeller seconded the motion.

VOTE: The motion was unanimously approved.

The Work Session adjourned at 6:35 PM.

Respectfully Submitted,
Kristin Rader, Scribe

Cleve Booker, Vice Chair

Kristin Rader, Scribe



SCENIC CORRIDOR REVIEW for: Kory and Jody Hill
WHERE: 901 W. Highway 33
Prepared for the Planning & Zoning Commission
April 14, 2015

APPLICANT: Kory Hill/ Timber Steel Custom Buildings, LLC

LANDOWNER: Kory and Jody Hill

APPLICABLE COUNTY CODE: Teton County Zoning Ordinance Section 8-5-2-D (SC) Scenic Corridor Overlay Regulations.

REQUEST: Kory and Jody Hill are requesting approval to build a garage/barn on their property, which is completely within the Scenic Corridor Overlay. The garage would be located on the east side of the existing home where it would be accessed by the existing driveway.

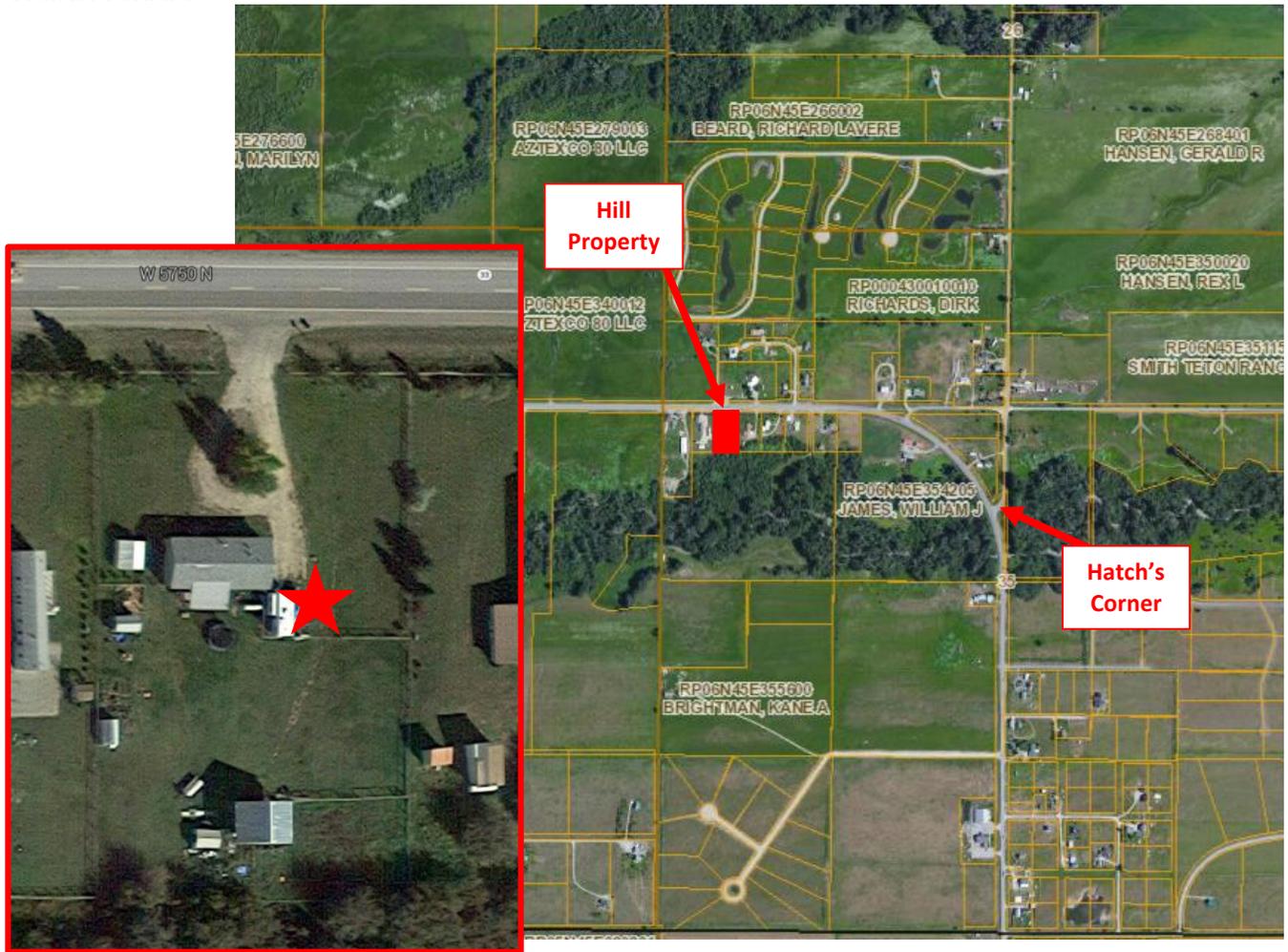
LEGAL DESCRIPTION: RP06N45E353800; TAX #2261 SEC 35 T6N R45E

LOCATION: 901 W HWY 33

ZONING DISTRICT: A-2.5

PROPERTY SIZE: 1.2 acres

VICINITY MAP:



PROJECT BACKGROUND: Kory and Jody Hill's property is currently zoned A-2.5. The entire property is within the scenic corridor. Timber Steel Custom Buildings, LLC submitted a scenic corridor design review application on April 1, 2015. The application was not completed until April 8, 2015. Before the building permit can be approved, a scenic corridor design review must occur and be approved for the structure. The applicant has put down some pit run gravel on site, but construction of the garage has not started.

The proposed garage will be approximately 110 feet from the outer edge of Highway 33's right of way. The garage will be 42 feet wide and 40 feet long. The building will be covered with the same gray siding that is on the existing home. The height of the garage will be 16.5 feet at its highest point. The garage will be used as a storage area for vehicles and workshop area at the proposed location, and no new storage is being requested with this application. There are two existing buildings on the property, a home, and a carport. Both structures are within the scenic corridor, and the home will partially block the view of the garage from Highway 33. Additionally, there are trees in the front yard (along Highway 33 and in the center of the driveway) which will help screen the garage from Highway 33.

The proposed garage is being located at this site on the property to have access from the existing driveway. This location also allows easy access to the garage from the existing home. The backyard area is fenced in, and the owners have dogs that are kept in the backyard. Building the structure behind the home where it would be completely blocked from view from Highway 33 would require expanding the existing driveway and removing the existing fence.

OVERVIEW OF SCENIC CORRIDOR REVIEW:

8-2-1-A. GENERAL DEFINITIONS: Scenic Corridor Overlay includes all lands lying within 330 feet of both sides of the rights-of-way for Idaho State Highways 31, 32, 33 and Ski Hill Road from Driggs City limits to the Wyoming state line.

8-5-1-D. PURPOSE: The purpose of this overlay area is to provide a design review procedure to ensure that key roads in Teton County are sufficiently protected from unsightly and incompatible land uses.

8-5-2-D (1) DESIGN REVIEW: All development shall be subject to design review to ensure that the location, scale, and appearance of buildings, structures, and development of land shall preserve the rural character of the areas bordering Idaho State Highways and Ski Hill Road and to prevent the construction of buildings that project upward beyond the ridgeline of any hill located within one (1) mile of major roads when viewed from those major roads.

Title 8 of the Teton County Code authorizes the Planning & Zoning Commission to make a final determination on scenic corridor applications. A development application shall only be approved if the Planning Commission finds that it meets the design review criteria.

8-5-2-D (3). DESIGN REVIEW CRITERIA:		STAFF COMMENTS:
SETBACKS	No permanent structures may be built within 50 feet of the outer edge of the road right of way, unless the parcel does not contain any buildable sites outside of the setback.	<i>The proposed garage will be located approximately 110 feet from the outer edge of Highway 33's right of way. A-2.5 requires front and side setbacks of 30' and rear setbacks of 40', which this complies with. The side setback will be exactly 30' to allow for 10' between the garage and existing home required by the Building Code.</i>
BUILDING ENVELOPE	1. Building envelopes shall be located so that existing topography and natural vegetation will screen buildings from view from the State Highways and Ski Hill Road to the maximum extent feasible.	<i>There is minimal existing vegetation on the property and none that could screen the entire structure. There are some trees and bushes along the north and east property lines, as well as trees in the center of the driveway, which would help screen the structure from view if driving on Highway 33.</i>
	2. Where existing topography and natural vegetation cannot be used to screen buildings, building envelopes should be located at the rear or side edges of an open meadow or pasture, or at the foot of a hill or ridge, rather than in the middle of a meadow, pasture, or hillside.	<i>The existing use of the property limits available locations for a garage. The proposed location is at the side of the property, and it was chosen so the garage could utilize the existing driveway and have easy access to the existing home. The backyard is fenced in, and the owners have dogs that are kept in that area.</i>
	3. Building envelopes shall be located so that no portion of a building up to 30 feet tall shall be visible over the ridge of the hillside on which it is located when viewed from the State Highways and Ski Hill Road.	<i>The proposed building will not be located on a ridge or hillside.</i>
BUILDING MATERIALS	All non-agricultural buildings shall not be of highly reflective materials according to ASTM C6007, Light Reflectivity Index.	<i>The proposed garage will have a gray siding that matches the existing home. The materials will not be highly reflective.</i>
ROADS & DRIVEWAYS	Roads and driveways shall be designed to eliminate the need to back out onto the State Highways or Ski Hill Road. Existing roads and driveways shall be used where practical. When it is not practical to use existing roads, then new roads and driveways shall be located to skirt the edge of meadows and pastures (i.e. avoid dividing them) to the maximum extent feasible	<i>No new roads or driveways are being proposed with this application. The existing driveway will be utilized, and there is adequate room available on the property for vehicles to turn around without backing out onto Highway 33.</i>
SCREENING	Landscaping shall be used to screen the view of any resource extraction sites, outdoor storage areas, outdoor trash collection areas, satellite dishes over two (2) meters in diameter, and areas with inoperable equipment or more than four (4) inoperable cars or trucks. Required landscaping should be high altitude, native plant material, trees and shrubs	<i>There is no outdoor storage proposed with this application that would need to be screened. The garage will be located on the east side of the existing home, which will be visible from the highway. The existing access will be at the front of the building, so screening would not be practical. There are existing bushes and trees on the north and east property lines that would contribute to screening the building.</i>
THERE ARE ADDITIONAL PROVISIONS FOR SATELLITE DISHES, REVEGETATION, UTILITIES, AND SIGNS.		<i>The applicant is not proposing a satellite dish, utilities, or signs. There is existing driveway and dirt on the proposed building site, and no existing vegetation. Disturbance will be minimal for construction, so it is staff's opinion that revegetation is not necessary.</i>

RECOMMENDED CONDITIONS OF APPROVAL:

1. Must comply with all federal, state, and local regulations.
2. All structures require a Teton County Building Permit and must comply with the Teton County Building Code.
3. If lights are desired, they must comply with Teton County Code lighting requirements.
4. Building materials shall not be highly reflective materials.

PLANNING & ZONING COMMISSION ACTION:

A. Approve the scenic corridor permit request with the recommended conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.

B. Approve the scenic corridor permit request, 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 scenic corridor permit request and provide the reasons and justifications for the denial.

D. Continue to a future PZC Meeting with reasons given as to the continuation or need for additional information.

PLANNING STAFF RECOMMENDATION:

Staff would recommend granting the scenic corridor permit if you feel comfortable that the designs described by the applicant in the application and in the testimony given meet the design criteria of the Scenic Corridor Overlay and you can specify the justification for the approval.

STAFF SUGGESTS THE FOLLOWING MOTION:

The following motion could state a finding of fact and conclusion of law if a Commissioner wanted to approve the application:

Having found that the proposed development for Kory and Jody Hill is consistent with the Teton County development ordinances, specifically Title 8-5-2-D, and Idaho State Statute, I move to approve the scenic corridor permit with the following conditions of approval:

1. *Must comply with all federal, state, and local regulations.*
2. *All structures require a Teton County Building Permit and must comply with the Teton County Building Code.*
3. *If lights are desired, they must comply with Teton County Code lighting requirements.*
4. *Building materials shall not be highly reflective materials.*

Prepared by Kristin Rader

Attachments:

1. Application
2. Deed
3. Site Plan with Setbacks
4. Building Plan
5. Site Visit Photos

End of Staff Report



RECEIVED

BY: K. Rader
DATE: 4-1-2015

SCENIC CORRIDOR OVERLAY APPLICATION

Teton County, Idaho

The Planning Staff will review this request for completeness. The Planning and Zoning Commission will make the final decision at their regularly scheduled meeting. The applicant is encouraged to discuss this application with the Planning Staff prior to submittal.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Koey Hill ^{Koey} 201-1005 & ^{Jody} 201-1006
Applicant: TIMBER STEEL CUSTOM BUILDINGS E-mail: timbersteeloff@yahoo.com
Phone: (208) 529-1049 Mailing Address: 3821 PROFESSIONAL WAY STE 15
City: IDAHO FALLS State: ID Zip Code: 83402

Location and Zoning District:
Address: 901 W. Hwy 33 TETONIA Parcel Number: R706N45E353800
Section: 35 Township: 6N Range: 45E Total Acreage: 1.2

- Latest recorded deed to the property Affidavit of Legal Interest
- Fees in accordance with current fee schedule

I, the undersigned, understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Planning and Zoning Commission public meeting.

• Applicant Signature: [Signature] Date: 4-1-15

I, the undersigned, am the owner of the referenced property and do hereby give my permission to Timber Steel to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

• Owner Signature: [Signature] Date: 4/2/15

Fees are non-refundable.

SECTION II: CRITERIA FOR RECOMMENDATIONS AND DECISIONS

In accordance with 8-5-2 (C) of the Teton County Zoning Ordinance the Scenic Corridor Overlay shall apply to those lands within 330' of both sides of the right-of-way for Idaho State Highways 31, 32, 33 and Ski Hill Road from Driggs city limits to the Wyoming stateline.

- Design Review: All development shall be subject to design review to ensure that the location, scale, and appearance of buildings, structures, and development of land shall preserve the rural character of the areas bordering Idaho State Highways and Ski Hill Road and to prevent the construction of buildings that project upward beyond the ridgeline of any hill located within one (1) mile of major roads when viewed from those major roads.
- Documentation Required: The applicant shall submit plans and drawings showing all existing structures, building envelopes for all proposed structures, setbacks from the closest State Highway or Ski Hill Road, as applicable, existing and proposed landscaping and fences, existing and proposed off-street parking areas, and drawings of exterior elevations of primary structures visible from the closest State Highway or Ski Hill Road. These materials will be submitted with a conditional use or building permit application, and at the preliminary plat stage of a subdivision or PUD application.
- Design Review Criteria: A development application shall only be approved if the Commission finds that it meets the following criteria:

Setbacks: No permanent structure shall be constructed within fifty (50) feet of the outer edge of the road right-of-way, unless the parcel does not contain any buildable site outside of the setback area in, which case primary structures shall be located as far from the outer edge of the road right-of-way as possible.

Building Envelopes: The development shall identify building envelopes for all primary and accessory structures. Building envelopes shall comply with the following requirements:

- 1) Building envelopes shall be located so that existing topography and natural vegetation, such as ridges, hills, and existing trees, will screen buildings from view from the State Highways and Ski Hill Road to the maximum extent feasible.
- 2) Where existing topography and natural vegetation cannot be used to screen buildings as described in Subsection 1 above, building envelopes should be located at the rear or side edges of an open meadow or pasture, or at the foot of a hill or ridge, rather than in the middle of a meadow, pasture, or hillside.

Notwithstanding Subsections 1 and 2 above, building envelopes shall be located so that no portion of a building up to thirty (30) feet tall shall be visible over the ridge of the hillside on which it is located when viewed from the State Highways and Ski Hill Road, and the applicant shall submit a sight line analysis in sufficient detail to confirm that this standard has been met.

Building Materials: All non-agricultural buildings shall not be of highly reflective materials according to ASTM C6007, Light Reflectivity Index.

Roads and Driveways: Roads and driveways shall be designed to eliminate the need to back out onto the State Highways or Ski Hill Road. Existing roads and driveways shall be used where practical. When it is not practical to use existing roads, then new roads and driveways shall be located to skirt the edge of meadows and pastures (i.e. avoid dividing them) to the maximum extent feasible.

Satellite Dishes: All satellite dishes in the proposed development shall be located to minimize visibility from the State Highways and Ski Hill Road and shall use earth tone colors and/or screening to minimize their visual impact.

Screening: Landscaping shall be used to screen the view of any resource extraction sites, outdoor storage areas, outdoor trash collection areas, satellite dishes over two (2) meters in diameter, and areas with inoperable equipment or more than four (4) inoperable cars or trucks. Required landscaping should be high altitude, native plant material, trees and shrubs.

Revegetation: The applicant shall revegetate all areas disturbed by grading or cut-and-fill activity with plants similar to those on the remainder of the development site as each stage of grading is completed, and no later than one (1) year after construction.

Utilities: All service utilities (including but not limited to electric and telecommunication lines) shall be placed underground.

SECTION III: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING

SECTION IV: PLANNING AND ZONING COMMISSION ACTION

SECTION V: PLANNING ADMINISTRATOR/DESIGNEE REVIEW/ACTION

Application is considered complete and accepted on this the _____ day of _____, 20__.

Planning Administrator/Designee Signature: _____

JUL 16 2003

ATTACHMENT 2

WARRANTY DEED

TETON CO., ID
CLERK RECORDER

For Value Received **Kory D Hill, an unmarried man, and Jody Marie Kaufman, and unmarried woman**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Kory D Hill and Jody Marie Hill, husband and wife

whose address is: **85 West Highway 33, Teton, ID 83452**

Hereinafter called the Grantee, the following described premises situated in **Teton** County, Idaho, to-wit:

Beginning at a point that is 580 feet East and 970 feet North of the southwest corner of the South-half of the Northwest Quarter of Section 35, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North approximately 300 feet to the fence line of the Highway; thence West 180 feet; thence South approximately 300 feet; thence East 180 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 11, 2003

Kory D Hill
Kory D Hill

Jody Marie Kaufman WKA Jody Marie Hill
Jody Marie Kaufman

STATE OF Idaho

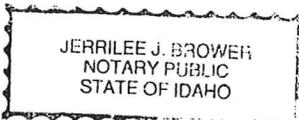
)ss.

COUNTY OF TETON

On this *11* day of *JULY*, 2003, before me, a Notary Public, personally appeared Kory D. Hill and Jody Marie Kaufman, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Jerrilee J. Brower

Notary Public of Idaho
Residing at *Tetonia, Idaho*
Commission Expires: *2-27-04*



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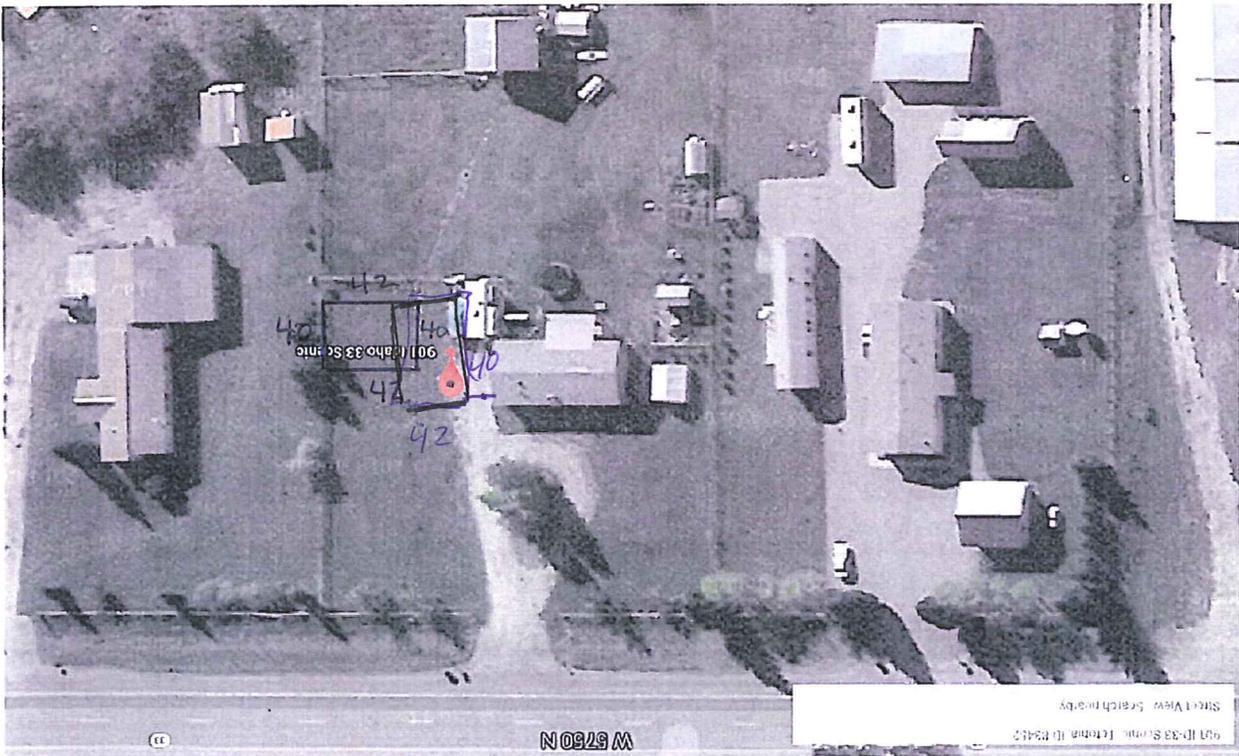
Instrument # 156007

DRIGGS, TETON, IDAHO
2003-07-16 02:53:17 No. of Pages: 1
Recorded for: FIRST ASERICAN TITLE
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy *R. Buraside*
Index to: DEED, WARRANTY

https://www.google.com/maps/place/901+ID-33+Scenic,+Tetonia,+ID+83452/@43.806020... 4/1/2015

As per Kory Hill → this is not an accurate site plan.
Building is closer to house w/ setbacks shown on
other site plan.

DISTANCE FROM HOUSE TO PROPOSED NEW
SHOP 10 ft or minimum Required so
NO FIREWALL Required -







Site Location: the property owner has put down some pit run for part of the building's proposed location. It will have a 10-foot setback from home and 30-foot setback from east property line (fence). The garage will use the same gray siding as the home.

4/ 3/2015 16:10



View from Highway 33 of north property line. Two trees and structures on the neighboring property will help screen the building from view when driving from Driggs toward Tetonia.

4/ 3/2015 16:10



View from Highway 33 of north property line. Trees in the center of the driveway will help screen the building from view when driving from Tetonia toward Driggs.

4/ 3/2015 16:10