

TITLE 9

LAND USE CODE

Chapter 10: Zoning Regulations

Article 02: Zoning Districts

Article 03: Scenic Corridor & Natural Open Space

Article 04: Land Use Schedules

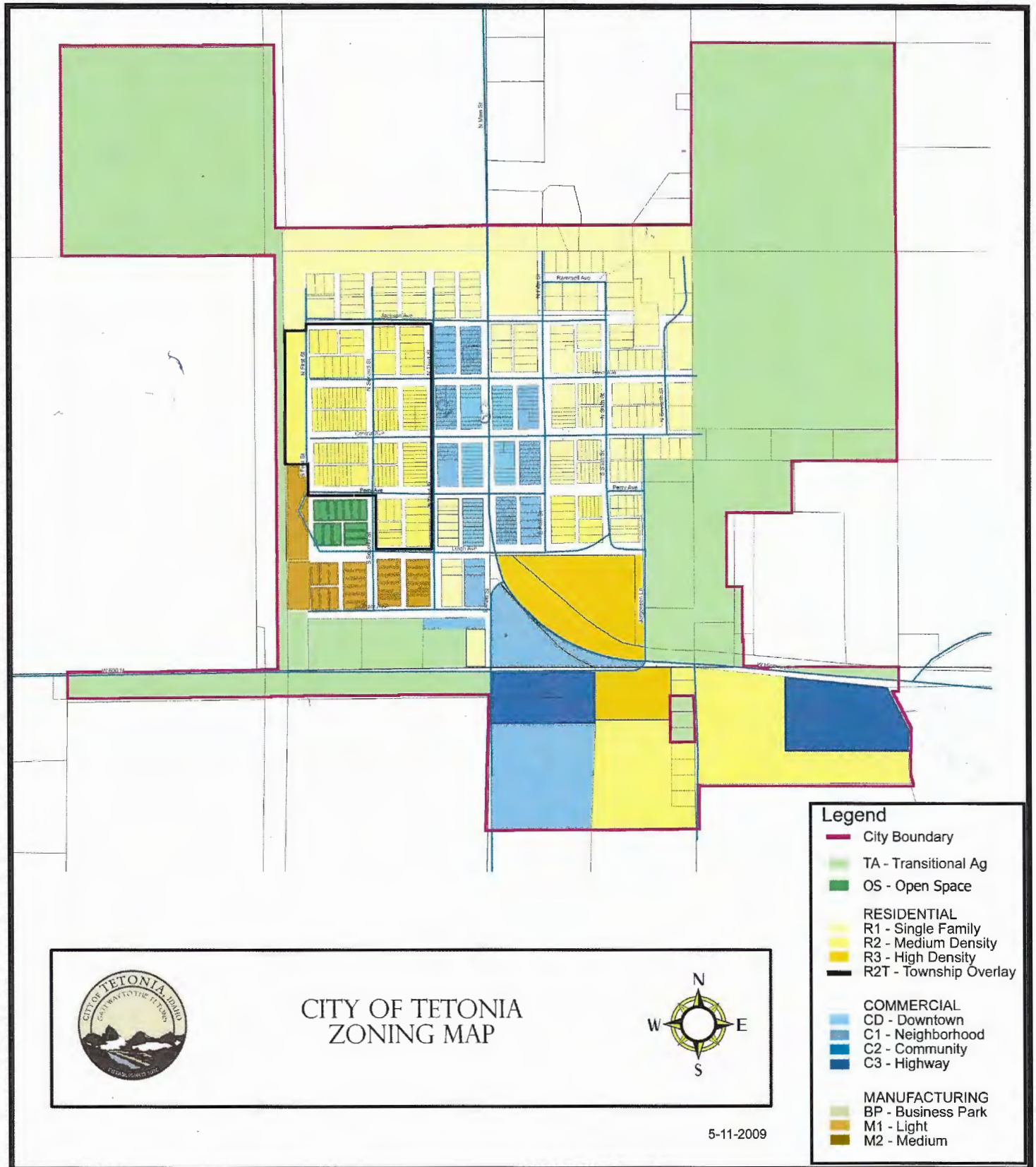
Article 06: Regulations

Article 08: Off-Street Parking and Loading

Article 10: Impact Area & Impact Area Zoning Map

Article 12: Tetonia Zoning Map

Attachment A



Ordinance 2009-4 Teton City Zoning Map

CHAPTER10

ARTICLE 2

ZONING DISTRICTS

- 9-10-02-1 : DISTRICTS ESTABLISHED
- 9-10-02-2 : PURPOSE AND GENERAL EFFECTS
- 9-10-02-3 : UNCERTAINTY OF DISTRICT BOUNDARIES
- 9-10-02-4 : ZONING CHANGES UPON ANNEXATION:

- 9-10-02-1 : DISTRICTS ESTABLISHED

The following zoning districts are hereby established. For the interpretation of this Title, the zoning districts have been formulated to realize the general purposes as set forth.

A. AGRICULTURAL DISTRICTS

- A Agriculture: Maximize opportunities for agricultural activities by preserving land for the purposes of cultivating the soil and raising livestock.
- TA Transitional Agriculture: Provides for the transition of agricultural land no longer used for extensive agricultural purposes (large scale farming, dairying, pasturage, cultivation, animal or poultry husbandry) into residential areas, while preserving agricultural uses compatible with residential development.

B. RESIDENTIAL DISTRICTS

- R1 Single-Family Residential: Detached single-family homes on larger lots, providing medium to large landscaped yards, low building heights, ample setbacks and side yards, predominantly off-street parking, low traffic volumes, and low nuisance potentials.
- R2 Medium-Density Residential: Detached single-family homes or two-unit dwellings on smaller lots compatible with medium to small landscaped yards, low building heights, ample setbacks and side yards, predominantly off-street parking, low to medium traffic volumes, and low nuisance potentials.
- R3 High-Density Residential: High-density residential housing typically served by collector and arterial streets and characterized by multiple-unit dwellings, ample off-street parking, higher traffic volumes, common open space and low nuisance potential.
- MU Multiple Use District: A mixture of uses such as residential coupled with limited office and commercial developments. This district is intended to ensure compatibility of new development with existing and future development, and to ensure assemblage of properties in a unified plan, with coordinated and harmonious development subject to specific design standards. Maximum density shall be determined by conditional use permit.

C. OVERLAY DISTRICT

R2T Township Overlay: Provides for regulation of narrow lots of record established prior to April 7, 2008.

D. OPEN SPACE DISTRICT

OS Open Space: Provides for parks, walking trails and other recreational activities, conservation of land and natural resources, and historic or scenic site preservation.

E. COMMERCIAL DISTRICTS:

CD Downtown Commercial: Encourages preservation and redevelopment of the city's historic center and provides a compact commercial space emphasizing pedestrian friendliness and a traditional downtown atmosphere. Business units are relatively small and tightly clustered, in contrast with development that is more adapted to motorized traffic.

C1 Neighborhood Commercial: Regulated local commercial service needs, primarily at selected places along the perimeter of single-family residential neighborhoods. Restricts uses which may be better located in the community shopping areas due to the size of the shopping center, location within the community, residential neighborhood areas being served and other factors.

C2 Community Commercial: Commercial uses allowed in neighborhood commercial zones and commercial uses that are more intensive than those permitted in neighborhood commercial zones.

C3 Highway Business: Areas for travel related services such as hotels, motels, service stations, offices, limited warehousing, commercial services and retail sales. This district is specifically designed in clusters to service the motoring public on major highways.

F. BUSINESS PARK/MANUFACTURING DISTRICTS

BP Business Park: Provides for technical laboratories, research and development facilities, offices and office complexes, and limited manufacturing including small-scale production, storage, and distribution. Support activities may also be permitted. Business parks shall be free of hazardous or objectionable levels of such elements as noise, odor, dust, smoke, or glare. Work shall be conducted indoors and generate minimal industrial traffic.

M1 Light Manufacturing: Provides for small scale manufacturing and wholesale establishments, which shall be free of hazardous or objectionable levels of such elements as noise, odor, dust, smoke, or glare, are operated indoors, and generate little industrial traffic. Uses are less intense than in M2 but more intense than in BP. Limited office and commercial development may be permitted as ancillary uses.

M2 Medium Manufacturing: Provides for medium scale manufacturing, processing, warehousing, and major research and testing. Certain M2 uses are excluded from M1 for reasons of health, safety, or general welfare. Operations shall be free of hazardous or objectionable levels of

such elements as noise, odor, dust, smoke, or glare. Limited office and commercial development may be permitted as ancillary uses.

9-10-02-2 : PURPOSE AND GENERAL EFFECTS

- A. The purpose of this Chapter is to ensure orderly development and land use and balance the interests of the community with those of property owners.
- B. Zoning Map: The boundaries of the zoning districts shall be established and clearly indicated on a zoning map adopted as part of this Title.
- C. Amendments: All amendments to this chapter and the official zoning map shall follow the procedures set forth in this Title.
- D. Buildings and Structures: No building or structure shall be erected, moved onto a lot or structurally altered or used, except in conformity with the regulations of the zoning district in which it is located.
- E. Frontage Required: For the purpose of ensuring orderly development and to provide adequate access for firefighting equipment and other services to all buildings, no residence, commercial building or industrial building shall be erected or moved onto any lot, tract or parcel of land in any district unless said lot, tract or parcel of land has frontage on a public right of way.

9-10-02-3 : UNCERTAINTY OF DISTRICT BOUNDARIES

Where uncertainties exist as to the boundaries of any zoning district as shown upon any zoning map or part thereof, the following rules shall apply:

- A. Street, Alley or Public Way: Where any such boundary line is indicated as following a street, alley or public way, it shall be construed as following the center line thereof.
- B. Lot Line: Where a boundary line is indicated as approximately following a lot line, such lot line shall be construed to be the boundary.
- C. Parallel To Center Lines: Where zoning district boundaries are indicated so that they are approximately parallel to the center lines of streets or highways, such boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Official City Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official City Zoning Map.

9-10-02-4 : ZONING CHANGES UPON ANNEXATION:

- A. Prior to annexation of an unincorporated area, the planning and zoning commission shall provide to city council a summary of provisions in the comprehensive plan and a recommendation for zone changes as they relate to the area considered for annexation.

- B. Concurrently or immediately following the adoption of an ordinance of annexation, the city council shall amend the official zoning map. (Ord. 38, 11-5-1984; Ord. 2008-4)

CHAPTER10

ARTICLE 3

SCENIC CORRIDOR AND NATURAL OPEN SPACE

9-10-03-1 : PURPOSE

9-10-03-2 : DEFINITIONS

9-10-03-3 : OVERLAY AREAS

9-10-03-4 : EFFECT OF OTHER PROVISIONS:

9-10-03-5 : DESIGN REVIEW REQUIRED

9-10-03-6 : SCENIC CORRIDOR OVERLAY STANDARDS

9-10-03-7 : NATURAL OPEN SPACE OVERLAY STANDARDS

9-10-03-1: PURPOSE

Standards are set forth to preserve and protect the scenic corridor and natural open space, including waterways, wetlands and wildlife corridors in the city and area of city impact; to further safety and livability in the city and area of city impact, thus promoting the general welfare; implement the Tetonia Comprehensive Plan; preserve the natural landscape; safeguard wildlife habitat; and, provide planning and design guidelines to facilitate orderly development.

9-10-03-2: DEFINITIONS

NATURAL OPEN SPACE:

Undeveloped land that is protected from development, which may be endowed with waterways, woodlands, farmland, grazing pasture, natural wetlands, and wildlife corridors.

RIPARIAN LANDS:

Land directly influenced by permanent water. These areas border a river, stream or body of water.

SCENIC CORRIDOR:

An area visible from a highway, waterway, or a major hiking, biking, or equestrian trail, or publicly accessible right-of-way that provides vistas over water and across expanses of land, such as farmlands, woodlands, mountaintops or ridges.

SCENIC VISTA:

A distinctive setting that is locally and regionally treasured for its natural beauty and unique character.

WETLANDS:

Land inundated or saturated by surface or groundwater and generally include swamps, marshes or sloughs.

WILDLIFE CORRIDOR:

A strip of habitat connecting wildlife populations separated by human activities such as roads or development.

9-10-03-3 : OVERLAY AREAS

Overlay areas are established and may be more or less restrictive than the primary zoning district. Where a property is located within an overlay area, it is subject to the provisions of both the primary zoning district and the overlay area. Where the provisions are in conflict, overlay standards govern.

- A. Scenic Corridor: Provides design review procedure and standards to ensure that Highway 33 easterly into Tetonia is sufficiently protected from unsightly and incompatible land uses.
- B. Natural Open Space: Ensures low density development patterns and cluster designs; preserves waterway frontages, riparian areas and wetlands; provides for wildlife habitat; and, protects from encroachment of land uses not suitable to natural open space.
- C. Overlay Map: The boundaries of overlay areas shall be established and clearly indicated on an overlay area map adopted as part of this Title.

9-10-03-4 : EFFECT OF OTHER PROVISIONS:

If any provision of this Chapter is found to be in conflict with any other provision of any zoning, building, fire safety or health ordinance or other provision of this code, the provision, which establishes the higher and/or more restrictive standard shall prevail.

9-10-03-5 : DESIGN REVIEW REQUIRED

- A. Design Review: All development shall be subject to design review to ensure the location, scale, and appearance of buildings, structures, and development of land shall preserve the rural character, scenic corridor and natural open space.
- B. Documentation Required: The applicant shall submit plans and drawings as part of application for a conditional use permit, building permit, PUD or preliminary plat showing all existing structures, building envelopes for all proposed structures, setbacks from Highway 33, existing and proposed landscaping and fences, existing and proposed off-street parking areas, proposed natural open space, all waterways, wetlands and riparian areas, setbacks from natural open space areas and drawings of exterior elevations of primary structures visible from Highway 33 and natural open space areas.

9-10-03-6 : SCENIC CORRIDOR OVERLAY STANDARDS

- A. Setbacks: No permanent structure shall be constructed within one hundred (100) feet of the outer edge of Highway 33 road right-of-way.
- B. Building Envelopes: The development shall identify building envelopes for all primary and accessory structures. Building envelopes shall comply with the following requirements:

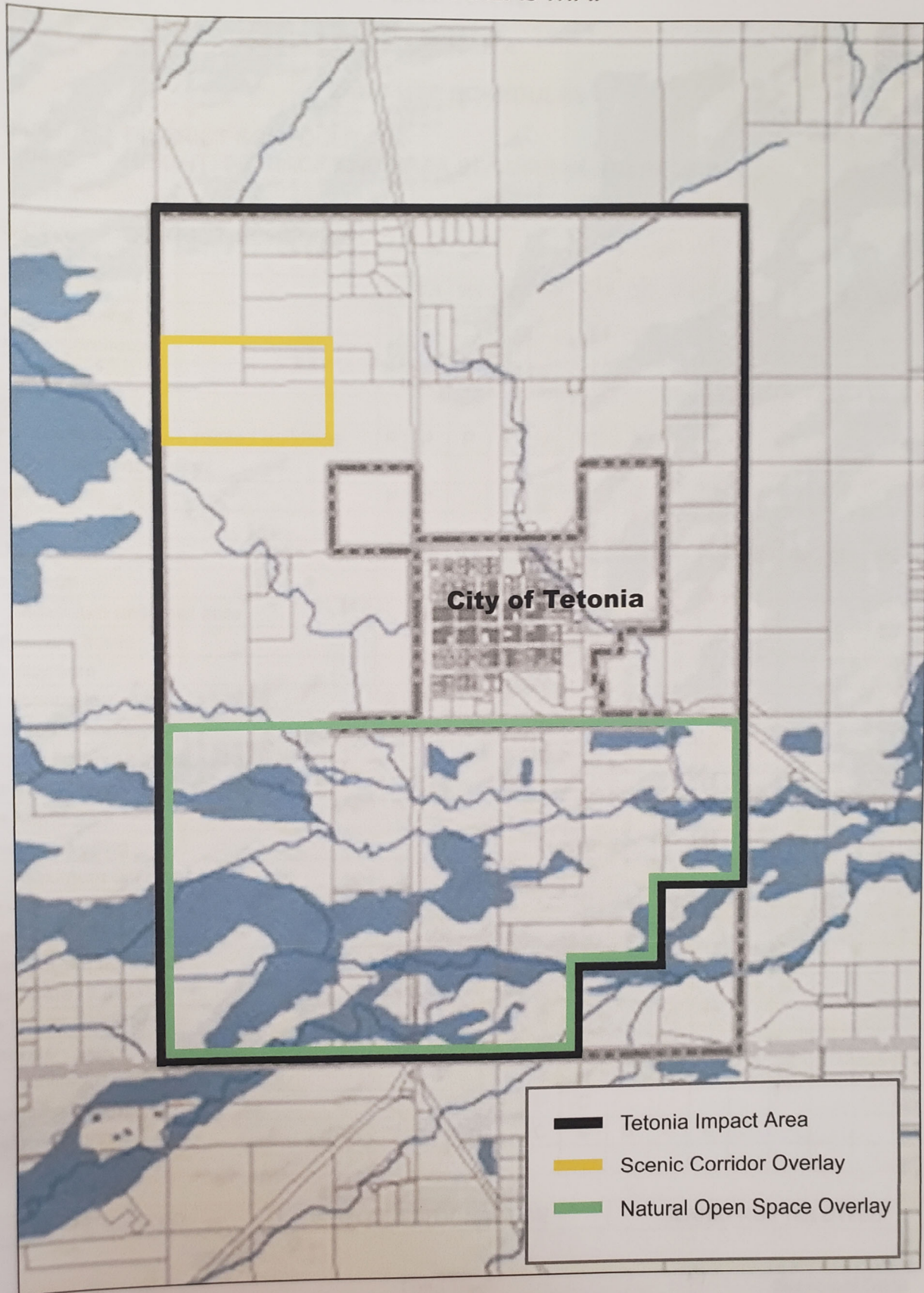
1. Building envelopes shall be located so that existing topography and natural vegetation, such as ridges, hills, and existing trees, will screen buildings from view from Highway 33 to the maximum extent feasible.
 2. Where existing topography and natural vegetation cannot be used to screen buildings, building envelopes should be located at the rear or side edge 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.
 3. 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 Highway 33. The applicant shall submit a sight line analysis in sufficient detail to confirm that this standard has been met.
- C. Building Materials: See 9-12-4
- D. Access to Highway 33: No direct access shall be allowed on to Highway 33. (See 9-10-6-2-A)
- E. Satellite Dishes: All satellite dishes in the proposed development shall be located to minimize visibility from the Highway 33 and shall use earth tone colors and/or screening to minimize their visual impact.
- F. 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.
- G. Inoperable equipment: No inoperable equipment shall be stored outside of a building.
- H. Re-vegetation: The applicant shall re-vegetate 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.

9-10-03-7 : NATURAL OPEN SPACE OVERLAY STANDARDS

- A. Building Envelopes: All building envelopes shall be located at least two hundred (200) feet from the high water mark of the Teton River and at least one hundred (100) feet from the high water mark of other waterways.
1. All building envelopes shall comply with lot frontage, lot size, building setbacks, well, septic, sewer, and health requirements, as determined by this Title, the U.S. Army Corps of Engineers, and Eastern Idaho Public Health Department officials as applicable. (Ord. 2009-1)

TITLE 9 LAND USE CODE - CHAPTER 10 ZONING REGULATIONS

SCENIC CORRIDOR AND NATURAL OPEN SPACE OVERLAY AREAS MAP



TITLE 9 LAND USE CODE - CHAPTER 10 ZONING REGULATIONS

CHAPTER 10

ARTICLE 4

LAND USE SCHEDULES

9-10-04-1 : DISTRICT SCHEDULE

9-10-04-2 : HEIGHT, SETBACK AND AREA REQUIREMENTS SCHEDULE

9-10-04-1 : DISTRICT SCHEDULE

AGRICULTURE	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS	STANDARDS
Agriculture, general	P	P				C								P	9-10-06-7
Agriculture, warehouse	C														
Dairy															9-10-06-7
Feedlot															9-10-06-7
Gardening, no agriculture related buildings	P	P	P	P	P	C	P							P	
Poultry and swine operation															
RESIDENTIAL	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS	STANDARDS
Condominium					P	C									
Maximum units per acre					8	8									
Convalescent home					C			P	P						
Family day care			P	P	P	C	P	P	P						
Home Occupation	P	P	P	P	P	C	P	P	P						9-10-06-5
Manufactured home park					C										9-10-06-3
Manufactured home subdivision					C	C									9-10-06-3
Mobile home															9-10-06-3
Mobile home park															
Multifamily dwelling					P	C			C						
Maximum units per acre					12	12			12						
Non-commercial kennel	P	P	C	C	C	C		C	C	C	C	C			
Planned Unit Development						C									
Rooming/Boarding house	C	C		C	C		C	C	C						
Shelter home (8 or less)	C	C		C	C										
Single family dwelling	P	P	P	P	C	C		C							9-10-06-3
Townhouse					P	C	C	C	C						
Maximum units per acre					8	8									
Two family dwelling			C	P	P	C									
Vertical Mixed Use					C	C	P	P	P						
P - PERMITTED		C - CONDITIONAL USE									BLANK - NOT ALLOWED				

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COMMERCIAL	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS	STANDARDS
Amusement center, indoor						C	C	C	P	C					
Auction establishment	C						C	C	C	C	C				
Automotive body shop										C		P			
Automotive service station									C	P	C	C			
Automotive repair	C	C							C	P		P			
Automotive sales/parts									C	P		P			
Automotive storage	C	C								P		P			
Bakery/bakery good store						C	P	P	P		P	P			
Bank, savings and loan						C	P	P	P		P				
Barber, beauty shop				C	C	C	P	P	P		C				
Bowling alley						C			P	P					
Building supply outlet										P		P	P		
Business, adult													C		
Cabinet shop	C	C									C	P	P		
Car wash						C		C	P	P		P			
Cleaning, dry						C		C	P	C	C				
Commercial kennel	C	C								C	C	C			
Communication facility	C	C	C	C			C					C	C	C	9-10-06-8
Contractor office	C	C				C	C	C	P	P	P	P	P		
COMMERCIAL	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS	STANDARDS
Convenience store with fuel service						C		C	P	P	C	C			
Convenience store with no fuel service						C		P	P	P	C	C			
Dance, music, voice studio	C	C	C	C	C	C		P	P	C	P				
Detention facilities												C	C		
Drive-in restaurant								C	P		C				
Drug store						C	C	C	P	P	C				
Equipment rental/sales	C	C						C	C	C	C	P	P		
Fabrication, light metal	C	C									C	P	P		
Group day care	C	C	C	C	C	C	C	P	P	C	C				
Day care center	C	C				C	C	P	P	C	P				
Farm equipment services	C	C								P	C	P	P		
Food store/ delicatessen						C	P	P	P						
Furniture repair/ refinishing	C	C									P	P	P		
Furniture store						C	C	C	P	P					
Gift / flower shop						C	P	P	P	P					
Health club, spa, weight reduction salon						C		C	P	C	C				
Hotel /Motel							C	C	C	P					
Laboratory-medical, dental, optical						C	C	C	P	C	P				
Laundromat, self service						C		C	P						
P - PERMITTED	C - CONDITIONAL USE							BLANK - NOT ALLOWED							

TITLE 9 LAND USE CODE - CHAPTER 10 ZONING REGULATIONS

COMMERCIAL	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS	STANDARDS
Laundry, commercial									C	P	P	P			
Live entertainment event						C								C	
Lumber yard, retail									C	P		P			
Medical clinic			C	C	C	C	P	P	P	P					
Mortuary								P	P	C					
Manufactured office building	C	C				C						P	P		
Massage, tanning salon						C	P	P	P	P	C				
Nursery, plants/flowers	C	C						C	C	C		C	C		
Office, professional						C	P	P	P		P				
Parking facility						C	C	C	P	P	P	P			
Photographic studio	C	C				C	P	P	P	P	P				
Pharmacy						C	P	P	P	P	C				
Preschool	C	C	C	C	C	C	C	P	P		C				
Printer								P	P	P	P	P			
Restaurant						C	P	P	P						
Roadside Stand	P	P			P	C	P	P	P					P	9-10-6-4-H
RV, trailer park	C	C								C					
Sign Shop	C	C							C	C	C	P	P		
Storage, enclosed building	C	C									C	P	P		
Storage, fenced area	C	C										C	P		
Theater, indoor						C	C	C	P						
Tire shop, repair and sales									C	P		P	P		
Trailer, sales										P		P	P		
Truck stop										C					
Vet clinic	C	C							C	P	C	P			
Asphalt plant															
MANUFACTURING	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS	STANDARDS
Beverage bottling plant												P	P		
Chemical storage and manufacturing												C	C		
Cement or clay products													C		
Cold storage plant												P	P		
Concrete batch plant	C												C		
Contractor storage yard	C											C	P		
Food / Dairy processing plant												C	C		
Grain elevator	P	P											C		
Grain storage	P	P										P	P		
Junkyard															
Machine shop	C											C	P		
Meat packing plant	C											C	C		
Monument works, stone									C	P	C	P	P		
P - PERMITTED		C - CONDITIONAL USE								BLANK - NOT ALLOWED					

TITLE 9 LAND USE CODE - CHAPTER 10 ZONING REGULATIONS

MANUFACTURING	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS	STANDARDS
Petroleum storage													P		
Public utility yard													P		
Railroad yard or shops													P		
Recycling operation	C												C		
Sanitary landfill															
Terminal yard, trucking													P		
Truck and tractor repair										C		C	P		
Warehousing, wholesaling										C	C	P	P		
Wood processing plant												C	C		
Wrecking yard													C		
PUBLIC /SEMI-PUBLIC	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS	STANDARDS
Cemetery	C	C	C	C	C										
Church	C	C	C	C	C	C		C	C	C					
City park	P	P	P	P	P	C	C	P	P	P	C	C	C	P	
Golf course	C	C	C	C	C	C								C	
Hospital					C	C		C	C	C	C				
Library	C	C		C	C	C	C	C	C	C	C			P	
Museum	C	C		C	C	C	C	C	C	C	C				
School	C	C	C	C	C	C		C	C	C					
Waste treatment plant	C	C											C	C	
Other public and semi-public	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
ACCESSORY USES	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS	STANDARDS
Accessory Dwelling, Attached	P	P	P	P	P	P	P	P	P	P	P	P			9-10-06-4
Accessory Dwelling, Detached	P	P	P	P	P	C		P							9-10-06-4 7-1-3-D-2
Accessory Building			P	P	P										9-10-06-4-A
P - PERMITTED			C - CONDITIONAL USE							BLANK - NOT ALLOWED					

All land uses not listed within the Land Use Schedule shall require a Conditional Use Permit. (Ord. 2008-4; amd. Ord. 2021-4; amd, Ord 2024-3)

9-10-04-2 : HEIGHT, SETBACK AND AREA REQUIREMENTS SCHEDULE

A. District Schedule:

	Lot Size			Setback Requirements					
Zoning District	Minimum Interior (sq. feet)	Minimum Corner (sq. feet)	Minimum Lot Frontage (feet)	Front (feet)	Rear (feet)	Interior Side (feet)	Street Side (feet)	Alley Side (feet)	Maximum Height (feet)
A	20 acres	20 acres	140	30	30	20	20	-	35
TA	2.5 acres	2.5 acres	100	30	30	20	20	-	35
R1	9,000	10,000	100	20	20	10	20	5	30
R2	7,000	8,000	70	20	15	10	20	5	30
R2T	6,000	6,000	50	20	15	10	20	5	25
R3	5,000	5,000	50	15	15	5	15	5	35
CD	-	-	25	-	10	-	-	5	35
C1	2,500	2,500	25	-	10	-	-	5	35
C2	-	-	-	-	-	-	-	-	35
C3	-	-	-	50	15	-	20	5	35
BP	7,500	7,500	75	20	-	5	20	5	35
M1	-	-	50	20	-	-	20	5	45
M2	-	-	50	20	-	-	20	5	45
OS	-	-	-	20	20	5	20	5	35

B. Multiple Use District Schedule:

	Lot Footprint			Minimum Setback Requirements					
Building Type	Minimum Lot Width (feet)	Minimum Lot Depth	Minimum Lot Size (square feet)	Front (feet)	Rear (feet)	Interior Side (feet)	Street Side (feet)	Alley Side (feet)	Maximum Height (feet)
Single-Family Dwellings	35	50	2,400	15	10	5	15	5	35
Twin Homes	45	70	4,000	15	10	5	15	5	35
Multifamily Dwellings		-	-	15	10	5	15	5	35
Vertical Mixed Use	-	-	-	-	-	-	-	-	35
Commercial	-	-	-	-	-	-	-	-	35

- C. Lot Size: There exist several Non-conforming Lots of Record in the Townsite survey (recorded 10/20/1994 as Instrument #117910) that are 25' x 150' or near 3,750sf in area and therefore too small to meet the minimum lot size in the residential zones. In instances where these nonconforming lots are contiguously owned and described as such on a recorded deed, the lot size may be measured from the edge of the adjoining, contiguously owned Lot of Record. If such measurement is applied, then said group of lots is considered to be combined and a Boundary Line Adjustment application and survey shall be completed on the affected lots for this measurement method to apply. The Boundary line Adjustment application may be submitted at time of Building Permit application, but must be recorded prior to the issuance of the Certificate of Occupancy.
- D. Setbacks:
1. All setbacks are to the farthest structural projection of the building from the street right-of-way.
 - A. There exist several Non-conforming Lots of Record in the original Townsite survey (recorded 10/20/1994 as Instrument #117910) that are 25' in width and therefore too narrow to meet setbacks. In instances where these narrow lots are contiguously owned and described as such on a deed, the setbacks may be measured from the edge of the adjoining, contiguously owned Lot of Record. If such measurement is applied, then said group of lots is considered to be combined and a Boundary Line Adjustment application and survey shall be completed on the affected lots for this measurement method to apply.
 2. Open structures such as porches, canopies, balconies, platforms, covered patios and similar architectural projections shall be considered part of the building to which it is attached and shall not project more than 15 feet into the required rear yard setback.
 3. Open porches for residential dwelling units shall not project more than five (5) feet into the required front setback.
 4. A multi-story structure shall have an additional five (5) feet per story of front setback in an R1 district.
 5. Lots in a cul-de-sac shall have a minimum of 50 feet of public right of way frontage, but not less than the amount of setback required for adjacent lots.
- E. Height:
1. Building height shall be measured as the vertical distance from the average contact ground level at the front wall of the building to the highest point of the roof line.
 2. The maximum height requirement may be increased by a variance, subject to the standards in Chapter 8 of this code.
 3. Building height shall not exceed three stories.
- F. Building Per Lot: No two principal buildings may claim or share parts of the same lot area, or width or required yard area for the purpose of compliance with this Title. (Ord. 2008-4; amd. Ord. 2021-4; amd, Ord 2024-3)

CHAPTER 10

ARTICLE 6

REGULATIONS

9-10-06-1 : GENERAL PURPOSE

9-10-06-2 : ACCESS TO MINOR ARTERIALS AND MAJOR COLLECTORS

9-10-06-3 : RESIDENTIAL DWELLING STANDARDS

9-10-06-4 : SUPPLEMENTARY REGULATIONS

9-10-06-5 : HOME OCCUPATION

9-10-06-6 : MULTIPLE USE DISTRICT

9-10-06-7 : ANIMAL REGULATIONS

9-10-06-8 : COMMUNICATION FACILITY REGULATIONS

9-10-06-9 : PENALTY

9-10-06-1 : GENERAL PURPOSE

The purpose of regulations is to set specific conditions for various uses, to manage development, and protect the public health, safety and welfare.

9-10-06-2 : ACCESS TO MINOR ARTERIALS AND MAJOR COLLECTORS

- A. No direct access will be permitted to a minor arterial or a major collector. The developer must plot for home sites, commercial sites or manufacturing sites so that each site will have access to a minor collector or a local street, which opens to a minor arterial or a major collector.
- B. The commission may consider allowing access to a minor arterial or major collector when vehicular approaches to the property are restricted due to the size, shape or location of the property.
 - 1. The applicant shall show that the access is designed as not to impede traffic on public thoroughfares.
 - 2. Special conditions may be assigned by the commission.

9-10-06-3 : RESIDENTIAL DWELLING STANDARDS

Residential dwellings shall be subject to the following development standards, architectural requirements and minimum size requirements:

- A. Family residential dwellings shall include conventional site-built single-family dwellings and manufactured homes.
 - 1. The dwellings shall enclose a space of not less than one thousand (1,000) square feet with a width of not less than twenty feet (20').
 - 2. The dwelling shall be placed on an excavated and backfilled permanent foundation.

3. The dwelling shall have a pitched roof with a slope of not less than three feet (3') in height for each twelve feet (12') in width and a minimum of six inches (6") allowed for eaves. The dwelling shall have an exterior siding that is residential in character, including, but not limited to, clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles or shakes, or similar material. The siding shall not have a high gloss finish and shall not be composed of smooth, ribbed or corrugated metal or plastic panels.
- B. Manufactured Homes:
1. Manufactured homes that are placed on individual lots shall meet the standards for a family-residential dwelling and the following standards:
 2. The manufactured home shall be multi-sectional and must have been constructed no more than twenty (20) years from the date the request to install is made.
 3. The hitch, axles and wheels must be removed and the foundation fascia must be similar in appearance and durability to the masonry foundation of site-built homes.
- C. Manufactured Homes Not Meeting Standards: Manufactured homes not meeting residential dwelling standards are permitted in established and approved manufactured home subdivisions and manufactured home parks.
1. The manufactured home shall be a minimum of 600 square feet.
 2. A skirting shall be placed around the manufactured home within 30 days after placement.
 3. A separate sanitary sewer hook-up and water hook-up shall be available for the manufactured home.

9-10-06-4 : ACCESSORY USE STANDARDS

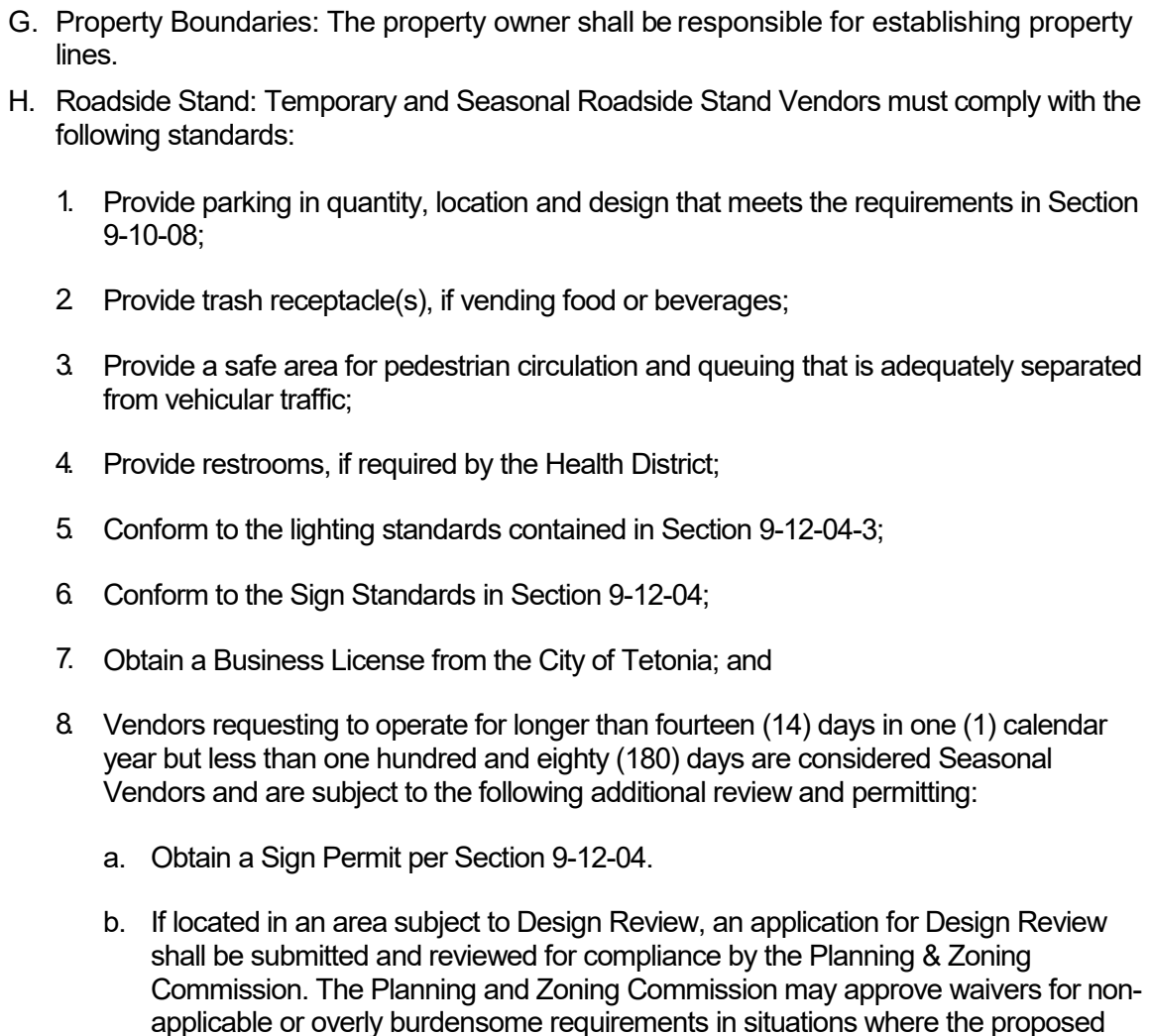
- A. Accessory Buildings: Accessory structures are permitted in R1, R2 and R3 districts, but they shall not be placed in the front yard or front setback.
1. Accessory buildings shall meet the same interior side and street side requirements as principal buildings. The back setback shall be at least five (5') feet.
 2. An accessory building or group of buildings shall not cover more than twenty percent (20%) of the rear yard (excluding side yards).
 3. Maximum height shall be 20 feet.
- B. Accessory Dwelling Units
1. Only one Accessory Dwelling, either Attached or Detached, is allowed per lot.
 2. One additional off-street parking space must be provided on the lot.
 3. The heated floor area for an attached or detached Accessory Dwelling must not exceed:
 - a. A, TA: 1,200 square feet.
 - b. R1, R2, R3, MU: 1,000 square feet.
 - c. CD, C1, C2, C3, BP, M1: 700 square feet.
 4. In all instances, an Accessory Dwelling Unit must be less than 50% of the heated floor area of the entire dwelling or building (principal plus accessory);

5. Entrance to the attached Accessory Dwelling Unit must be from the rear or side;
6. In the Light Industrial (M1) district, the Accessory Dwelling must be owner- or employee-occupied; and
7. A structure used as a detached Accessory Dwelling, shall meet the following standards:
 - a. Attached to a permanent foundation;
 - b. Serviced by an independent connection to city water and sewer; and
 - c. The maximum height shall be the same as that listed in the District Schedule for the zone in which it is located.
8. Accessory Dwelling Units are subject to the water and sewer regulations in Title 7 of the Tetonia City Code.

9-10-06-5 : SUPPLEMENTARY REGULATIONS

- A. Clear View of Intersecting Streets: Clear vision triangle shall be observed in regard to all vegetation. All shade trees planted within vision triangles shall be pruned to a minimum seven feet (7') above the adjacent sidewalk and fourteen feet (14') above the adjacent roadway surface. Shrubs and ground covers planted within the vision triangle shall not exceed forty-two (42") inches height at maturity. The boundaries of the vision triangle are defined by measuring from the intersection of the edges of two (2) adjacent roadways forty feet (40') along each roadway and connecting the two (2) points with a straight line. The sight distance obstruction is also applicable to railroad-highway grade crossings with the vision triangle defined by measuring forty feet (40') along the railroad property line.
- B. Commercial Zones Adjacent To Residential Zone: Where a lot zoned for C1, C2 or C3 use is next to a R1 or R2 zone, as part of any construction on the commercially-zoned property, a shrubbery buffer of not less than four feet (4') high and four feet (4') thick, or a solid fence not less than five feet (5') high, nor more than six feet (6') high shall be provided and maintained on the commercial property abutting its side yard and/or rear yard line.
- C. Lots Extending Into More Than One Zoning District: When a lot is located so that it extends into two different zoning districts, the most restrictive requirements of the two zoning districts shall apply.
- D. Outside Storage; Enclosure Required: Persons accumulating, depositing or storing autos or machinery, or items of an unsightly nature within the city, when said accumulating, depositing or storing thereof shall be outside a building, either now stored, deposited or accumulated, or hereafter so deposited, stored or accumulated, shall enclose the object or objects with a solid fence at least six (6') feet high.
- E. Temporary Buildings:
 1. Temporary Construction Office: A temporary office building or office shall be permitted for construction purposes only for a period not to exceed one year. A one-year extension may be granted by the city council.
 2. Temporary Dwelling: One temporary structure such as a Recreational Vehicle (RV), seasonal cabin, or yurt that does not meet the building code requirements for habitable space are not considered to be permanent residential structures, and therefore are not allowed as living quarters except as follows:

- Corner Lot:



seasonal use will not conflict with the general purposes of the zone district in which it is located.

- c. Temporary buildings associated with the use shall not exceed 200sqft unless a Building Permit is obtained.
- d. The City will not issue a building permit or business license for such projects until the Design Review application has been approved.

9-10-06-6 : HOME OCCUPATION

- A. No more than one person, other than members of the family residing on the premises shall be engaged in such occupation.
- B. The use of the dwelling unit or any accessory building for a home occupation shall be clearly incidental and subordinate to residential use of the property.
- C. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, other than one sign four square feet.
- D. Retail sales shall be limited to objects made on the premises or those incidental to the service performed.
- E. No significant traffic shall be generated by such home occupation and any need for parking generated by the conduct of such home occupation shall meet the parking requirements as specified in this Title and shall not be located in a required front yard.
- F. No equipment or process shall be used in such home occupation, which creates noise, vibration, fumes or electrical interference detectable to the normal senses off the lot if the occupation is in a single-family dwelling, or outside the dwelling unit if conducted in other than a single-family dwelling.
- G. No equipment, vehicles or materials shall be placed in a manner as to create a road hazard.

9-10-06-7 : MULTIPLE USE DISTRICT

- A. A multiple use district requires a minimum of one contiguous acre and a maximum of not more than fifty contiguous acres.
- B. When a property is being proposed for a planned unit development in a multiple use district, a development agreement may be utilized in lieu of a conditional use permit, provided the development agreement is presented at a public hearing.

9-10-06-8 : ANIMAL REGULATIONS

- A. Animal Regulation Schedule:

ANIMAL	DISTRICTS													
	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS
Cat	P	P ₃	P ₂	P ₂	P ₁	C	P ₁	P ₁	P ₁			P ₁	P ₁	C
Chickens	P	P _a	C			C								
Cows	P	P _a				C								C
Dog	P	P ₂	P ₂	P ₂	P ₁	C	P ₁	P ₁	P ₁			P ₁	P ₁	C
Goats	P	P _a	C			C								

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Horses	P	P _a				C								C
Llamas	P	P _a				C								C
Rabbits	P	P _a	C			C								
Sheep	P	P _a												
Other domestic animals	P	C				C								C
Non-domestic animals ^b	C													C
P – PERMITTED USE					C – CONDITIONAL USE					BLANK – NOT PERMITTED				
1, 2 or 3 = Maximum number of cats and/or dogs allowed per unit or household														
a = Maximum number of animals allowed per acre in a TA district														
Chickens and/or rabbits		Accumulative total of 25 penned rabbits and/or chickens												
Cows, horses and/or llamas		Accumulative total of 2 cows, horses and/or llamas and their attendant young												
Goats and/or sheep		Accumulative total of 5 goats and/or sheep												
^b = Non-domestic animals include elk, deer and other wildlife.														

B. Transitional Agriculture District:

1. Area requirements specified are exclusive of land used for other livestock or other uses such as buildings, gardens and so forth.
2. A conditional use permit is required to exceed the maximum number of animals allowed per acre if there is less than five (5) acres.
3. Bona fide agricultural uses on parcels larger than five (5) acres shall not be subject to these regulations.

9-10-06-9 : COMMUNICATION FACILITY REGULATIONS

A. Purpose: The purpose of this Section is to provide regulations for the placement of communication facilities in locations which will allow telecommunications services to be rendered in conformity with the Federal Telecommunications Act of 1996, the Comprehensive Plan and this Title, and to serve and protect the public health, safety, convenience, order, appearance, prosperity, and general welfare.

B. Intent:

1. Facilitate the provision of wireless telecommunication services to the residents and businesses of the city.
2. Minimize adverse visual effects of spires, poles, antennas, steeples, towers, and other such structures through careful design and siting standards.
3. Avoid potential damage to adjacent properties from spire, pole, antenna, steeple, tower, and other such structures' failure, through structural standards and setback requirements.
4. Maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunication antennas in order to reduce the number of towers needed to serve the community.

C. General Regulations:

1. On residentially zoned parcels, towers supporting amateur radio antennas shall not

be permitted in the front, side or street side yard.

2. Personal wireless facilities may be allowed on existing buildings, spires and poles by conditional use permit provided the antenna(s) are flush mounted or mounted in a manner to provide minimum visual impact.
3. Freestanding lattice towers are prohibited in residential, commercial, open space and manufacturing zones. Monopoles are prohibited in residential zones.

D. Co-location Requirements:

1. A proposal for a new commercial wireless telecommunication service tower in excess of thirty five feet (35') in height shall not be approved unless the applicant shows that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within the following radii of the proposed tower:
 - a. A one-half mile radius for towers with a height over fifty feet (50').
 - b. A one-quarter mile radius for towers with a height over thirty five feet (35') but not more than fifty feet (50').
2. It shall be the burden of the applicant to demonstrate that the proposed tower or antenna cannot be accommodated on an approved tower or building within the required search radius due to one or more of the following reasons:
 - a. Unwillingness of another tower or facility owner to entertain shared use.
 - b. The proposed collocation of an existing tower or facility would be in violation of any local, state or federal law.
 - c. The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified and licensed professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.
 - d. The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower or building as documented by a qualified and licensed professional engineer and the interference cannot be prevented at a reasonable cost.
 - e. Existing or approved towers and buildings within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer.
 - f. Other unforeseen reasons that make it unfeasible to locate the planned telecommunications equipment upon an existing or approved tower or building as documented by a qualified and licensed professional engineer, or other professional qualified to provide necessary documentation.
3. Any proposed commercial wireless telecommunication service tower shall be designed, structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least one additional user if the tower is fifty feet (50') in height.
4. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.
5. Personal wireless facilities proposed at a location which has an approved conditional

use permit (approved after the effective date hereof) for an existing facility, which was required to allow co-location shall not be required to obtain a separate conditional use permit as long as all the requirements of the previously approved conditional use permit will be complied with. Design review, and subsequent building permit, will be required for any such proposal.

E. Tower and Antenna Design Requirements:

1. All personal wireless facilities shall be required to obtain design review approval prior to construction.
2. Towers and antennas shall be required to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the federal aviation administration.
3. Personal wireless facility towers should be of a monopole design unless the city council determines that an alternative design would better blend into the surrounding environment.
4. With the exception of necessary electric and telephone service and connection lines approved by the issuing authority, no part of any antenna or tower nor any lines, cable, equipment or wires or braces in connection with either shall at any time extend across or over any part of the right of way, public street, highway, sidewalk, or property line.
5. Every tower affixed to the ground shall be protected to discourage climbing of the tower by unauthorized persons. The climbing pegs within the bottom twenty feet (20') of the tower shall be removed and shall only be used when the tower is being serviced.
6. Metal towers shall be constructed of, or treated with, corrosive resistant material.
7. Wood poles shall be impregnated with rot resistant substances.

F. Tower Setbacks:

1. All components of a tower shall meet the setbacks of the underlying zoning district and not encroach on any easements.
2. Towers shall not be located between a principal structure and a public street.

G. Tower Lighting, Signage, and Attachments:

1. No antenna or tower shall have affixed or attached to it in any way, except during time of repair or installation, any stationary lights, strobe lights, reflectors, flashers, or other illuminating device, except as specifically required by the federal aviation administration, federal communications commission, or other federal or state authority.
2. When incorporated into the approved design of the tower, light fixtures used to illuminate ball fields, parking lots, or similar areas may be attached to the tower if approved by the city.
3. The use of any portion of a tower for signs, other than warning or equipment information signs, is prohibited.
4. No tower shall have constructed thereon, or attached thereto, in any way, any platform, catwalk, crow's nest, or like structure, except during periods of construction or repair.

- H. Amateur Radio Antennas: In accordance with the federal communications commission's preemptive ruling PRB 1, towers erected for the primary purpose of supporting amateur radio antennas may exceed thirty feet (30') in height provided that a determination is made by the city that the proposed tower height is technically necessary to successfully engage in amateur radio communications. A conditional use permit is required for any amateur radio antenna in excess of thirty five feet (35') and shall not exceed fifty feet (50').
- I. Accessory Utility Buildings: All utility buildings and structures accessory to a tower are required to have design review approved by the city prior to construction.
- J. Abandoned or Unused Towers or Portions of Towers:
 - 1. As a condition of approval of any required conditional use permit for personal wireless facilities, all abandoned or unused towers and associated facilities shall be required to be removed within sixty (60) days of cessation of use as a personal wireless facility unless a time extension is granted by the city. A copy of the relevant portions of a signed lease, which requires the applicant to remove the tower and associated facilities upon cessation of the use as a personal wireless facility, shall be submitted at the time of application. In the event that the tower and associated facilities are not removed within the sixty (60) days, the tower and associated facilities may be removed by the city and the costs of removal assessed against the property.
- K. Additional Application Submittal Requirements: In addition to the information required elsewhere in this code, development applications for personal wireless facilities, shall include the following supplemental information:
 - 1. Documentation from a qualified and licensed professional engineer showing that the proposed facility will be in compliance with the FCC standards regarding radio frequency (RF) emissions.
 - 2. A report from a qualified and licensed professional engineer which describes the tower height and design (including a cross section and elevation); documents the height above grade for all potential mounting positions for collocated antennas and the minimum separation distances between antennas; describes the tower's capacity, including the number and type of antennas that it can accommodate; documents what steps the applicant will take to avoid interference with established public safety telecommunications; includes an engineer's stamp and registration number; and includes other information necessary to evaluate the request.
 - 3. For all personal wireless facilities, a letter of intent committing the tower owner and his or her successors to allow the shared use of the tower, as required by this code, if an additional user agrees in writing to meet reasonable terms and conditions for shared use.
 - 4. Documentation showing that the proposed tower complies with regulations administered by federal aviation administration.
 - 5. Written approval of the site location with specific reference to the height of the antenna structure and any lighting issues from the federal aviation administration
 - 6. Propagation charts showing existing and proposed transmission coverage at the subject site and within an area large enough to provide an understanding of why the facility needs to be in the chosen location.
 - 7. A written analysis demonstrating that the proposed site is the most appropriate site

within the immediate area. For the purposes of this subsection, the analysis shall include all properties within the search radii stated above. The analysis shall include, but is not limited to, the following:

- a. Description of the surrounding area, including topography;
 - b. Natural and manmade impediments that would obstruct adequate cellular telephone transmissions;
 - c. Physical site constraints that would preclude construction of a cellular telephone facility on any other site;
 - d. Technical limitations of the system that limit siting options.
- L. Permits: It shall be unlawful for any person to erect, construct, re-erect, or replace, any tower without first making application to the city and securing a conditional use permit and building permit.

9-10-06-5 PENALTY:

Any person found guilty of violating any provisions of this chapter shall be guilty of an infraction for the first violation with a one hundred dollar (\$100.00) penalty and a misdemeanor for any subsequent offense within a calendar year and, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this Code. (Ord. 2008-4, amd. Ord. 2021-4, amd, Ord 2024-3)

CHAPTER 10

ARTICLE 8

OFF-STREET PARKING AND LOADING

- 9-10-08-1 : GENERAL PROVISIONS
- 9-10-08-2 : DESIGN AND MAINTENANCE
- 9-10-08-3 : LOCATION OF PARKING SPACES
- 9-10-08-4 : ADDITIONAL DESIGN AND MAINTENANCE REGULATIONS AND REQUIREMENTS:
- 9-10-08-5 : OFF STREET PARKING DESIGN AND DIMENSION TABLES
- 9-10-08-6 : JOINT/COLLECTIVE PARKING FACILITIES
- 9-10-08-7 : BICYCLE PARKING
- 9-10-08-8 : SCHEDULE OF PARKING REQUIREMENTS
- 9-10-08-9 : ADDITIONAL LOADING SPACE REGULATIONS AND REQUIREMENTS:

9-10-08-1 : GENERAL PROVISIONS

- A. Parking space requirements for a use not specifically mentioned shall be the same as for a use specified which has similar traffic generating characteristics.
- B. Fractional numbers shall be increased to the next whole number.
- C. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off street parking and loading spaces have been provided in accordance with the provisions of this title.
- D. The provisions of this article, except where there is a change of use, shall not apply to any existing building or structure. Where a new use involves no additions or enlargements, there shall be provided as many such spaces as may be required by this title.
- E. Whenever a building, structure, or use, constructed or changed in use after the effective date hereof, is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces per this title, additional parking spaces shall be provided so that the existing building, structure, or use, and proposed enlargement or change in use, shall then and thereafter comply with the full parking requirements set forth herein.
- F. If more than one use is located on the site, the number of off street parking spaces shall be equal to the sum of the requirements prescribed for each use unless a joint/collective parking facility is approved.

9-10-08-2 : DESIGN AND MAINTENANCE

- A. Paving: The required number of parking and loading spaces as set forth in this article, together with driveways, aisles and other circulation areas, shall be improved to provide a durable and dust free surface.

- B. Drainage: All parking and loading areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways. Drainage plans shall be reviewed and approved by the city engineer and, for any site abutting a public street, such plans shall be reviewed and approved by the Teton County highway district, or highway district having jurisdiction.
- C. Snow Storage: All parking and loading areas shall provide for areas for snow storage. Snow storage plans shall be reviewed and approved by the city.
- D. Access: Access driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street.
- E. Maintenance: The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash and other debris.

9-10-08-3 : LOCATION OF PARKING SPACES

- A. The following regulations shall govern the location of off street parking spaces and areas:
 - 1. Parking spaces for all detached residential uses shall be located on the same lot as the use, which they are intended to serve.
 - 2. Parking spaces for retail or customer parking for commercial, industrial, or public/semipublic uses shall be located not more than seven hundred feet (700') from the principal use measured along the sidewalk, or walkway available for public use, from the primary entrance of the principal use to the furthest parking space within the parking lot.
 - 3. Parking spaces for apartments or similar residential uses shall be located not more than three hundred feet (300') from the principal use measured along the sidewalk, or walkway available for public use, from the primary entrance of the principal use to the furthest parking space within the parking lot.
 - 4. Parking spaces for employee parking on a daily basis where the vehicle is used occasionally, regardless of the nature of employment, shall be located not more than one thousand five hundred feet (1,500') from the principal use measured along the sidewalk, or walkway available for public use, from the primary entrance of the principal use to the furthest parking space within the parking lot.
 - 5. No part of any parking area for more than ten (10) vehicles shall be closer than twenty feet (20') to any dwelling unit, school, or hospital or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen of landscaping or fencing.

9-10-08-4 : ADDITIONAL DESIGN AND MAINTENANCE REGULATIONS AND REQUIREMENTS:

- A. Site Lighting: All parking areas shall be illuminated in accordance with the provisions under 9-12-04-3.
- B. Plans: Lighting plans shall be reviewed and approved by the planning and zoning commission prior to issuance of a building/zoning permit.

- C. Access: Any parking area shall be designed in such a manner that any vehicle leaving or entering the parking area from or onto a public or private street shall be traveling in a forward motion. This requirement does not apply to public alleyways.
- D. Striping: All parking areas with a capacity over twelve (12) vehicles shall be provided with standard parking space striping between spaces to facilitate the movement into and out of the parking spaces.
- E. Screening and/or Landscaping: Whenever a parking area is located in or adjacent to a residential district, it shall be effectively screened on all sides, which adjoin or face any property used for residential purposes by an acceptably designed wall, fence, or planting screen. Such wall or fence shall not be less than four feet (4') or more than six feet (6') in height and shall be maintained in good condition.

9-10-08-5 : OFF STREET PARKING DESIGN AND DIMENSION TABLES

A. STANDARD VEHICLES

Parking angle (degrees)	45°	69°	90°	Parallel
Width of parking space (feet)	9'	9'	9'	9'
Curb length per space (feet)	13'	10'	9'	23'
Length of parking space (measurement to be perpendicular from the curb or front of space if no curb is provided) (feet)	15'	18'	19'	23'
Width of driveway aisle (feet)	13'	17'	24'	

- B. Handicapped Parking: Handicapped spaces shall be twelve feet by nineteen feet (12' x 19') or two (2) eight feet by nineteen feet (8' x 19'), separated by a five foot (5') aisle.

9-10-08-6 : JOINT/COLLECTIVE PARKING FACILITIES

- A. Off street parking spaces required by this article for any specific use shall not be considered as providing parking spaces for any other use except where a joint/collective parking facility has been approved pursuant to the following:
 - 1. The applicant shall show that:
 - a. There is no substantial conflict in the principal operating hours of the building, structure or use for which the joint/collective parking facility is proposed;
 - b. The peak hours of parking demand from the uses shall not coincide so that the peak demand will be less than the parking required;
 - c. The shared parking spaces shall serve the uses without conflict;
 - d. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if a joint/collective parking facility was

not requested; and the proposed reduction of required spaces, applicable to each use, shall be shown by the applicant.

- 2 The city may require the applicant to submit survey data, or additional documentation substantiating a request for a joint/collective parking facility.
- 3 The spaces to be provided shall be available as long as the uses requiring the spaces are in operation.
- 4 The parties concerned in the joint/collective parking facility shall submit a written agreement in a form to be recorded for such joint/collective use, approved by the city attorney as to form and content, and such agreement, when approved as conforming to the provisions of this article, shall be recorded in the office of the county recorder and copies thereof filed with the city prior to issuance of a building/zoning permit, or prior to issuance of a certificate of occupancy, whichever occurs first. The agreement shall include:
 - a A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking;
 - b A guarantee among the landowners for access to a use of the joint/collective parking facility;
 - c A provision that the city may require parking facilities in addition to those originally approved upon findings by the city council that adequate parking to serve the uses has not been provided;
 - d A provision stating that the city council, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the agreement at any time; and
 - e Any other information required to be documented on such agreement by the city in an effort to assure compliance with this title.
- 5 The planning and zoning commission may permit a maximum reduction in the number of spaces to be provided not exceeding twenty percent (20%) of the sum of the number of spaces required for each use only if the provisions of this article have been met.
- 6 No use shall be continued if the parking is removed from a joint/collective parking facility unless substitute parking facilities are provided.

9-10-08-7 : BICYCLE PARKING

One bicycle parking space within an approved rack shall be required for each thirty (30) required automobile parking spaces or fraction thereof for office and commercial developments. Multi-family residential developments shall provide one bicycle rack space per each ten (10) units. Bicycle parking racks shall be in a well-lit area.

9-10-08-8 : SCHEDULE OF PARKING REQUIREMENTS

A For the purpose of this title, the following space requirements shall apply:

TYPE OF USE	OFF STREET PARKING SPACES REQUIRED
RESIDENTIAL	
Apartments or multi-family dwellings	For each unit with 2 or more bedrooms - 2; for each 1 bedroom or studio unit - 1.5. 0.25 spaces per unit shall be provided for guest parking. Adjacent on street parking spaces on a local street may be credited toward the guest parking requirement
Boarding houses, lodging houses, dormitories and fraternity houses which have sleeping rooms	1 for each sleeping room or 1 for each permanent occupant, whichever number is greater
Mobile home court (RV)	1 for each trailer/RV space
Mobile home or manufactured home park	For each unit with 2 or more bedrooms - 2; for each 1 bedroom unit - 1. 0.25 spaces per unit shall be provided for guest parking. Adjacent on street parking spaces on a local street may be credited toward the guest parking requirement
Single-family dwelling (lots less than 15,000 square feet)	2 including 1 covered
Single-family dwelling (lots 15,000 square feet or more)	2
Two-family dwelling	For each unit - 2 including 1 covered
Accessory Dwelling Unit	1 for each accessory dwelling unit
COMMERCIAL	
Ambulance services	1 per 500 square feet of gross floor area; plus 2 enclosed ambulance storage spaces
Artist studios	1 per 1,000 square feet of gross floor area

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Auction facility	As required with conditional use permit
Automobile washing facility	1 per 200 square feet of gross floor area of sales, office, or lounge area; plus queue for 3 cars per washing station
Automotive gas station/service shop or fuel islands	1 for each 2 gasoline pumps and 2 for each service bay (spaces in front of bays or pumps shall not be counted)
Automotive, mobile home, travel trailer, and/or farm implement sales	1 per 400 square feet of gross floor area; plus 1 per 500 square feet outdoor display
Automotive repair shop, body shop, or tire shop	1 per 225 square feet of gross floor area
Automotive storage	1 per 500 square feet of gross floor area of office space; plus 1 per 1,000 square feet of gross storage area
Banks/financial institutions	1 for each 200 square feet of gross floor area; plus queue for 10 cars per drive up window
Catering service	1 per 400 square feet of gross floor area
Childcare - family	1
Childcare - group	2
Childcare - daycare center	3 for each classroom but not less than 9 for the building
Churches and other places of religious assembly	1 for each 5 seats
Clinic	1 per 200 square feet of gross floor area
Club or lodge	1 per 100 square feet of gross floor area
Auditoriums, sports arenas, theaters and similar uses	1 for each 3 seats
Bowling alleys	3 for each alley or lane, plus 1 additional for each 100 square feet of the area used for restaurant, cocktail

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	lounge, arcade area or similar use
Dance floors, skating rinks	1 per 100 square feet of gross floor area
Outdoor swimming pools, public or community or club	1 for each 4 persons' capacity, plus 1 for each 4 seats or 1 for each 30 square feet floor area used for seating purposes, whichever is greater
Tennis and racquetball clubs	3 per court
Communication facilities	1 per 500 square feet gross floor area
Convenience store	1 per 250 square feet gross floor area; plus 1 for each 2 gasoline pumps
Detention facilities	As specified by conditional use permit
Emergency health care	1 per 200 square feet of gross floor area
Emergency services	1 per 500 square feet of gross floor area; plus minimum of 2 enclosed vehicle storage spaces
Equipment rental and sales yard	1 per 400 square feet of gross floor area; plus 1 per 500 square feet outdoor display
Food and beverage sales	1 per 250 square feet of gross floor area
Health clubs, spas, and weight reduction salons	1 per 250 square feet of gross floor area
Home and business services	1 per 400 square feet of gross floor area
Hospitals	1 for each bed
Hotels, motels	1 for each sleeping room, plus 1 for each 2 employees
Kennel	1 per 400 square feet of gross floor area
Laboratories	1 per 500 square feet of gross floor area
Laundromat	1 per 300 square feet of gross floor area

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Laundry	1 per 400 square feet of gross floor area; plus queue for 3 cars per drive up window
Maintenance and repair services	1 per 400 square feet of gross floor area; plus 1 per 500 square feet of outdoor storage area
Mortuaries, funeral parlors, and similar type uses	1 per 4 seats
Nursery, plant materials	1 per 500 square feet of outside display/ lathe house/green house area, plus 1 per 250 square feet gross floor area
Nursing/convalescent homes, sanitariums, children's homes, asylums and similar uses	1 for each 3 beds
Offices, business and professional	1 per 250 square feet of gross floor area
Offices, medical and dental	1 per 200 square feet of gross floor area
Pawn shops	1 per 250 square feet of gross floor area
Personal improvement	1 per 250 square feet of gross floor area
Personal services	1 per 250 square feet of gross floor area
Printing and/or blueprinting	1 per 400 square feet of gross floor area
Restaurant with drive thru	1 per 200 square feet of gross floor area; plus queue space for 10 cars for drive up service
Restaurants, dining rooms, taverns nightclubs, etc.	1 per 150 square feet of gross floor area; plus 1 per 35 square feet dance floor
Retail sales of large items such as furniture and appliances	1 per 500 square feet of gross floor area
Retail sales not listed under another use classification	1 per 250 square feet of gross floor area

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Riding academies/stables	1 per 4 stalls
Shop, contractors (and/or yard)	1 per 400 square feet gross floor area of shop; plus 1 per 1,000 square feet of gross storage area (indoor and outdoor)
Storage (enclosed building and/or fenced area)	1 per 1,000 square feet of gross storage area
Travel services	1 per 250 square feet of gross floor area
Vet clinic (animal hospital)	1 per 400 square feet of gross floor area

INDUSTRIAL

Automotive wrecking yard or salvage	1 per 1,000 square feet gross storage area; plus 1 per 300 square feet office or sales area
Industry (custom)	1 per 1,000 square feet gross area used for industrial purposes; plus 1 per 300 square feet office or sales area
Industry (limited)	1 per 750 square feet of gross floor area used for industrial purposes; plus 1 per 300 square feet office or sales area
Industry (research and development)	1 per 500 square feet
Manufacturing facilities and processing plants	1 per 500 square feet gross area used for manufacturing/processing; plus 1 per 300 square feet office or sales area
Warehousing, wholesaling, distribution and storage	1 per 1,000 square feet gross area up to 20,000 square feet plus 1 per 2,000 square feet gross area over 20,000 square feet

PUBLIC/SEMIPUBLIC

Business, technical and trade schools	1 for each 2 students
Colleges, universities	1 for each 4 students

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Cultural facilities	1 per 300 square feet gross floor area; plus 1 per 90 square feet for area for assembly purposes
Elementary and junior high schools	2 for each classroom and 1 for every 5 seats in the auditoriums or assembly halls
Government offices	1 per 250 square feet gross floor area
High schools	As required with conditional use permit
Kindergartens, childcare centers, nursery schools and similar uses	3 for each classroom, but not less than 9 for the building
Libraries, museums and art galleries	1 for each 400 square feet floor area

- B. For meeting this requirement, one space shall be allowed for each 23 feet of building frontage abutting Main Street.

9-10-08-9 : ADDITIONAL LOADING SPACE REGULATIONS AND REQUIREMENTS:

- A. Use Of Parking Space To Satisfy Requirements Prohibited: In no case shall the required off street loading berths be part of the area used to satisfy the off street parking requirements.
- B. Location: The off street loading facilities required for the uses mentioned shall not project into the public right of way.
- C. Access:
1. Convenient access to loading spaces from streets or alleys shall be provided. They shall not be less than twelve feet (12') in width.
 2. Design and location of entrances and exits for required off street loading areas shall be subject to review of the planning and zoning commission.
- D. Loading Space Requirements and Dimensions: Off street loading spaces for commercial uses shall be provided in accordance with the following table:

Gross Floor Area (sq. feet)	Number of spaces	Width (feet)	Length (feet)
14,000 to 36,000	1	12	35
36,001 to 60,000	2	12	35
60,001 to 100,000	2	12	35
	1	15	65

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Each additional 75,000 over 100,000	1	15	65
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(Ord. 2008-4, amd. 2024-3)

CHAPTER 10

ARTICLE 10

IMPACT AREA

- 9-10-10-1 : PURPOSE, APPLICABILITY AND INTENT
- 9-10-10-2 : BOUNDARY OF CITY IMPACT AREA
- 9-10-10-3 : COMPREHENSIVE PLAN AND LAND USE CODE
- 9-10-10-4 : AMENDMENTS
- 9-10-10-5 : ADMINISTRATION AND ENFORCEMENT
- 9-10-10-6 : SPECIAL NOTIFICATION
- 9-10-10-7 : FEES

9-10-10-1 : PURPOSE, APPLICABILITY AND INTENT

- A. Purpose: The purpose of establishing the city impact area is to identify a logical fringe area in the unincorporated territory surrounding the city where there is potential for development or changes in land use that could have an impact on the area and the city; could impact the timely or economical provision of public services such as water supply, sewage collection and treatment and community service facilities; or could impact the quality of life within the city.
- B. Applicability: The city impact area is being adopted and defined pursuant to Idaho Code, section 67-6526, together with any and all amendments thereto, pursuant to mutual agreement between the City of Teton and Teton County.
- C. Intent: The intent of this article is to define the geographic area of city impact; to set forth those ordinances which will be applicable to the area of city impact; and to comply with the applicable sections of Idaho Code, title 67, chapter 65, as set forth by the Idaho legislature.

9-10-10-2 : BOUNDARY OF CITY IMPACT AREA

The boundaries and zoning district classifications of the area of city impact are defined in Teton City Ordinance and are shown on the official City of Teton, Area of City Impact Map, "Attachment A." A copy is on file in the Teton County Planning and Building Department, and the City of Teton planning and zoning office. The zoning districts recorded on the map and in the legal description are the official designations for both the city and the county. Amendment of said map will follow Idaho Code section 67-6526 and will be done through separate ordinance amendment. Amendments to impact area boundaries adopted by separate ordinance will be added as an updated "Attachment A" of this Title.

9-10-10-3 : COMPREHENSIVE PLAN AND LAND USE CODE

- A. The officially adopted comprehensive plan and land use code of the City of Teton together with any subsequent amendments thereto shall apply to the land in the city impact area. The officially adopted comprehensive plan and zoning ordinance for Teton County with any subsequent amendments thereto shall apply to the land adjacent to the city impact area. Except when conflicts occur with regard to an application that includes

adjacent land in both the impact area and county, in which case the procedures outlined in subsection B shall be followed to determine the appropriate plan and ordinances.

- B. Conflicts Resolved by Agreement In order to provide citizens of Teton County with a more efficient process for land use administration and to reduce conflict between the city and county jurisdictions, the outlined process shall be followed with regard to applications for rezoning and subdividing land that is within the city impact area.
 - 1. An application for a zone change or subdivision that will be built on land one hundred percent within the city impact area shall be processed first through the city planning and zoning commission and the city council in accordance with Tetonia Land Use Code as applicable at the time. After approval of the city council, applications with accompanying documentation shall be forwarded to the County Planning Administrator, who shall schedule a public hearing for the Teton County Commissioners. The Commissioners shall hear the application applying the Tetonia Land Use Code and shall approve, deny or remand back to the city council the proposed application for development.
 - a. Any application for a building permit that will be built on land one hundred percent outside the jurisdictional boundary of the city but within the city impact area shall be coordinated with the city planning and zoning commission but processed through the county building inspector.
 - 2. An application for a zone change or subdivision that will be built on land partially within and outside of the city impact area shall require a written determination by the county as to which jurisdiction shall process the application, and which ordinances shall be applied as more restrictive and stringent. The planning administrators from each jurisdiction shall make recommendations to the county commissioners as to which jurisdiction should process the application and which ordinances should be used to process the application. The recommendation shall consider such factors as the amount of land in each jurisdiction, trade area, geographic factors, possible current or future annexation to the city. The county commissioners shall approve, deny or remand the recommendations back to the planning administrators for further negotiation and new recommendations.
 - a. After approval of the recommendations by the county commissioners, the city or county shall proceed as follows:
 - 1. If the application is to the city it shall be processed in accordance with 9-10-10-B-1.
 - 2. If the application is to the county it shall be processed in accordance with the county ordinances.
 - 3. If required, the final step in the process shall be a public hearing by the county commissioners to approve, deny or remand the application to the city council or the county planning and zoning commission as appropriate.
- C. Conflict, Unresolved: All remaining conflicts pertaining to issues within the county, including the city impact area will be resolved by the Teton County Commissioners. Such resolution shall be by majority vote.

9-10-10-4 : AMENDMENTS

- A. The method of amending the city impact area herein defined and the boundaries thereof shall be governed by Idaho Code, section 67-6526(d).

- B. Nothing contained herein shall prevent either the City of Tetonia or the county from amending, revising, promulgating or adopting additional ordinances for the purpose of zoning, subdivision, or the general health and welfare for the city impact area herein created.

9-10-10-5 : ADMINISTRATION AND ENFORCEMENT

- A. The city planning and zoning commission shall be responsible for the administration and enforcement of all applicable ordinances within the city impact area as outlined in this article.
- B. The City of Tetonia Planning and Zoning Commission is hereby appointed by the county commission to act as the county planning and zoning commission for all land use actions inside the city impact area.
- C. Amendments to either the city or county comprehensive plans or land use codes, and requests for zoning changes within the city impact area within the unincorporated area of the county shall be reviewed and approved by both governing bodies upon the recommendations from their respective planning and zoning commissions in accordance with title 50 and title 67, Idaho Code.
- D. Membership and Term of Planning and Zoning Commission: See Title 9 Chapter 3.

9-10-10-6 : SPECIAL NOTIFICATION

In the event an application for rezoning is received by Teton County which requests a rezoning of any lands that lie within one half mile of any boundary of the city impact area, the Teton County Planning and Zoning office shall provide the potentially impacted city written notice of the application for rezoning within ten days of receipt of the application.

9-10-10-7 : FEES

- A. Fees for permits authorized pursuant to this article and any requests for amendments to this article shall be set by the mayor and city council by resolution.
 - 1. In the city impact area, all administrative fees associated with land use permits shall be established by the city and paid to the city.
 - 2. Building permit and inspection fees in the city impact area are maintained under county administrative jurisdiction. Building permit fees shall be established by the county and collected by the county.
- B. In the event costs are incurred by the City of Tetonia as a result of the administration or enforcement of the city impact area, the City of Tetonia and Teton County agree to share equally such expenses. (Ord. 2008-4)



Legend

- Impact Area Boundary
- City Boundary
- A - Agriculture
- TA - Transitional Ag



CITY OF TETONIA AREA OF CITY IMPACT MAP

ATTACHMENT A
2-2-2009

