

Tetonia Planning & Zoning Commission

**Meeting Minutes**

6/2/2025

P&Z Commissioners present: Josh Weltman, Nancy Klingler and Brandon Wood

City Representatives: Ashley Koehler (via phone), Contract Planner, Jacque Beard, City Clerk

Public/Applicants: Skylar Kauf, Scott Kauf

**Regular Meeting**

**Commissioner Weltman called the meeting to order at 7:07pm**

- 1. Meeting minutes of 4/14/2025 were reviewed. Commissioner Weltman made a motion to approve. Commissioner Wood 2<sup>nd</sup> the motion. Minutes were approved.**

**2. Boundary Line Adjustment at Teton & 6th Ave. Applicant- Michael Adams**

Koehler described the application to consider a Boundary Line Adjustment in the R1 zone. The proposal is to merge 6 narrow non-conforming lots into 3 lots that will meet setbacks. The lots will be increased from 3,375sf to 6,750sf. It is recommended that this request be approved.

Commissioners asked if the decision is to only recommend the lot line changes and not the building permit site plan. It was confirmed that it is only the lot lines.

**Commissioner Wood made a motion to approve the Boundary Line Adjustment based on the finding that the resulting lots will decrease the non-conformity and meet the setbacks and minimum home width required for residential dwellings. Commissioner Klingler 2<sup>nd</sup> the motion. Motion passed with all in favor.**

**3. Temporary Use Permit- Tetonia Club Outdoor Concert Series**

Koehler described the request for the 2025 Temporary Use Permit that expands on the 2024 permit. Specific items in the Staff Report were called out, such as the additional private parking use, decibel level limit increase request from 70 to 75dBl, number of concerts per week going up from 2 to 3, fence for sound buffering, and also ensuring intersections aren't blocked. Koehler referred to the conditions in the Report to be used to ensure balance between the use and adjacent residents.

The applicant, Skylar Kauf, stated that to mitigate sound is to rebuild the stage and parts of the perimeter. They are still putting investment into the stage. To mitigate sound they have put in foam

board inside the stage to reinforce the stage. Last year they only had corrugated metal in the back. They don't think it's going to impact anyone negatively if they exceed the city's maximum 6' fence height, but they don't plan to put up a mitigation fence that is 10' tall. But the applicant stated that it is worth noting that there are some fences in town that exceed this height.

Regarding the schedule, the applicants stated that last year they were limited to 2x a week and did not schedule anything on Sunday. They have no plans to do 3 nights of concerts and don't want to saturate the amount of live music.. They asked for 60 days from May 1 to Nov 1 so it could flex the dates and host

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community or private events. They understand they were restricted from concerts on Sunday last year, but some of the businesses in the Valley are changing and are open on Sundays now.

The applicants stated that they created a blueprint for the TUP so that they can submit every year, but instead would like an Ordinance that allows this use so they have assurance and don't have to apply every year. They expressed frustration that they have to apply for permits. They then expressed complaints that other businesses exceed the 70dbI levels, including car traffic.

Commissioner Klingler responded that a truck idling is only for 30 minutes and not a 3 hour concert. Commissioners discussed that the request seems reasonable and want to support businesses that are making effort to expand their business. Commissioners supported the applicants with their sound mitigation efforts.

The applicants added again that they don't plan to construct a 10' tall fence, it was just a maximum. But they will build a quality fence. [The application indicates a 10' tall fence]

Discussion on the type of music and curfew. The applicant described the music type to be played at the concerts and the ending time/music curfew. Commissioner Klingler posed an idea of 2 nights a week with an option for a 3rd night with a lower decibel level range. Specific response wasn't clear and the applicants shared more about types of private events and music types.

Klingler went through the report and asked about the parking permission from Chad Marlow. The applicants questioned why the city needs to know this and stated this is government overreach. Koehler responded that the applicants included in the application that they have permission to use his lot for parking for the events. If the applicant is proposing to use someone else's private property as part of their event plan and permit, then proof of permission is needed. The applicant responded that that lot wasn't intended for public parking for the event and instead for musicians.

Commissioner Wood summarized that the conditions should be that the applicant make a "conscious attempt" to keep the decibel level to 70 and they can build the fence for temporary or permanent construction, and limit concerts to 2 days a week. Koehler recommended they refer to the conditions in the Report for making a motion.

**Commissioner Wood made a motion to approve the Temporary Use Permit for Tetonia Club 2025 Summer/Fall concert series with the following conditions 1-9.**

1. All outdoor music shall comply with the state's nuisance laws and not exceed a decibel level of 70 or above when measured at the property line. The business shall verify decibel levels at the beginning of each concert.
2. All music amplified outdoors shall end at 10PM if on a Friday or Saturday and 9PM if on a weekday.
3. Outdoor music concerts are limited to no more than 2 per week, ending November 1, 2025.
4. No outdoor amplified live music concerts are permitted on Sundays.
5. Temporary signs advertising the events, such as sandwich board signs, shall be placed in a manner where clear pedestrian passage is still possible on the sidewalk and signs shall be removed after the event.

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6. Prior to each event the applicant shall set up at least 2 cones or temporary parking barricades, approved by the city, to prevent people from parking illegally along Main street, specifically too close to the edges of the intersection of Main and Central/Perry Avenues and in the crosswalk.
7. The upper floor of the bar may not be occupied by patrons, without a fire suppression system, as mandated by the Fire Marshal.
8. A signed copy of the parking permission letter from the adjacent owner, Chad Marlow, shall be submitted to the City.
9. The proposed sound mitigation fence shall be considered temporary and may exceed 6' in height, but shall be removed by November 1 2025 to coincide with the end of the concert season.

**Commissioner Weltman 2nd the motion. Motion passed.**

The applicant asked for an allowance for more than 2 days. Commissioners suggested an idea that they could ask for a TUP on Sunday as a separate request. Klingler said as long as it is quieter. Then it was stated that now is the time to review the full scope. Additional days of the week at a lower decibel level were discussed. Discussion also about the applicants building the fence and then have it reviewed by P&Z to decide if it needs to be taken down. Commissioners supported that the review process be streamlined in the future.

**Commissioner Wood made a motion to revise the previous motion to clarify conditions 2, 3, 4 and 9 to read as:**

1. All outdoor music shall comply with the state's nuisance laws and not exceed a decibel level of 70 or above when measured at the property line. The business shall verify decibel levels at the beginning of each concert.
2. All music amplified outdoors shall end at 10PM if on a Friday or Saturday and 9PM if on a Sunday or weekday.
3. Outdoor music concerts are limited to no more than **3** per week, ending November 1, 2025.
- ~~4. No outdoor amplified live music concerts are permitted on Sundays.~~
5. Temporary signs advertising the events, such as sandwich board signs, shall be placed in a manner where clear pedestrian passage is still possible on the sidewalk and signs shall be removed after the event.
6. Prior to each event the applicant shall set up at least 2 cones or temporary parking barricades, approved by the city, to prevent people from parking illegally along Main street, specifically too close to the edges of the intersection of Main and Central/Perry Avenues and in the crosswalk.

7. The upper floor of the bar may not be occupied by patrons, without a fire suppression system, as mandated by the Fire Marshal.
8. A signed copy of the parking permission letter from the adjacent owner, Chad Marlow, shall be submitted to the City.
9. The proposed sound mitigation fence shall be considered temporary and may exceed 6' in height, but shall be reviewed in the Fall 2025 to evaluate if it can be renewed or needs to be removed.

**Commissioner Weltman 2nd the motion. Motion passed.**

#### **4. Temporary Use Permit- Ruby Carson Park Concert- Josh Weltman**

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Commissioner Weltman is the applicant and needs to recuse himself, therefore a quorum is not present.

Discussion on rescheduling for another meeting date this week.

**Commissioner Wood made a motion to adjourn the meeting. Commissioner Weltman 2<sup>nd</sup> the motion.**

**Meeting adjourned at 8:32pm.**

The applicants for the Tetonia Club remained and expressed several frustrations to the Commissioners about issues with their business, review process and adjacent neighbor.

