

TITLE 9

LAND USE CODE

Chapter 11: Subdivision

- Article 02: Title, Purpose and Jurisdiction
- Article 04: Procedure
- Article 06: Standards
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CHAPTER 11

ARTICLE 2

TITLE, PURPOSE AND JURIDICITION

- 9-11-02-1: TITLE
- 9-11-02-2: AUTHORITY AND PURPOSE
- 9-11-02-3: JURISDICTION
- 9-11-02-4: COMPLIANCE REQUIRED
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- 9-11-02-1: TITLE

This chapter shall be cited as the TETONIA SUBDIVISION CODE.

- 9-11-02-2: AUTHORITY AND PURPOSE

- A These regulations are authorized by Title 50, Chapter 13 and Title 67, Chapter 65 of the Idaho Code, as amended or subsequently codified and Article 12, Section 2 of the Idaho Constitution.
- B The purposes of these regulations are to promote the public health, safety, general welfare, and to provide for but not be limited to the following:
 - 1. Harmonious development of the area.
 - 2. Coordination of streets and roads within the subdivision with other existing or planned streets and roads.
 - 3. Adequate open space for travel, light, air, and recreation.
 - 4. Conservation of or provisions for adequate transportation, water drainage, and sanitary facilities.
 - 5. Avoidance of population congestion as would involve danger or injury to health, safety, or general welfare by reason of:
 - a. Lack of water supply, drainage, transportation, or other public services; or
 - b. Unnecessary imposition of an excessive expenditure of public funds for the supply of such services.
- C Requirements as to the extent and manner in which:
 - 1. Roads shall be created and improved; and
 - 2. Water and sewer and other utility mains, piping connections, or other facilities shall be installed as conditions precedent to the approval of a plot.
- D Manner and form of making a filing of any plat.
- E Administration of these regulations by defining the powers and duties of approval authorities including procedures for the equitable review and approval of all plats of subdivisions covered by these provisions.

9-11-02-3 : JURISDICTION

These regulations shall apply to the subdividing of all land within the city and the city impact area and shall include the following:

- A. The subdivision of land into more than two (2) tracts for transfer of ownership. All of such lots or parcels created pursuant to this ordinance shall front upon a publicly maintained street unless specifically approved by the council after recommendation of the commission.
- B. The dedication of any street or alley through or along any tract of land except where such dedication is initiated at the request of a public body.
- C. The resubdivision of a parcel of land into more than one (1) parcel except as provided in the exceptions listed below.
- D. Condominium projects, as permitted by Idaho Code.
 - 1. Additionally the council may regulate and attach conditions to the design concepts and locations of buildings, the creation, shape and size of condominium units, the provisions and maintenance of open space, and off-street parking.
 - 2. Unless excepted pursuant to the provisions of this ordinance, the commission and council shall require the installation of public improvements and utilities for condominium projects as required under the provisions of this ordinance.
 - 3. For the purpose of administering these subdivision regulations the city may consider a condominium development as a single building, requiring one (1) front yard, two (2) side yards, a rear yard, and other regulations pertinent to a given lot and may grant such exceptions as are necessary to the subdivision regulations to permit such development.
- E. Exceptions:
 - 1. A readjustment of lot lines, which does not reduce the area, a frontage, width, depth, or building setback lines below the minimums required.
 - 2. A subdivision of land into parcels that are larger than one-quarter of one-quarter of the section of land or are lots in a section of land all as shown on the official U.S. Government General Office Township Survey Maps including resubdivisions thereof, or are parcels that are larger than forty (40) acres, all of which shall be designated exclusively for agricultural purposes, and which does not involve any new street dedication or the creation of private easement accesses to lots or parcels which could otherwise be provided access by a publicly dedicated street. (See definition of exclusive agriculture).
 - 3. An allocation of land in the settlement of an estate or a court decree for the distribution of property thereunder with the stipulation that the land may not be divided into more than four (4) parcels with a minimum size per parcel to be five (5) acres.
 - 4. The unwilling sale of land as a result of legal condemnation as defined and allowed in the Idaho Code and when the dedication of a right of way for public purposes is initiated by a public body.

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- 5 The exchange of land for the purpose of straightening property boundaries or adding land to existing parcels by trade or sale which does not result in a change of the present land use or in any way result in land parcels which do not meet existing zoning and other regulations. (Ord. 22, 5-1981; Ord. 2008-6)

9-11-02-4 : COMPLIANCE REQUIRED

No person shall subdivide any tract or parcel of land located wholly or in part in the city or city impact area, except in compliance with the provisions of this chapter. No person shall purchase, sell or exchange any parcel of land which is any part of a subdivision or a proposed subdivision submitted to the planning and zoning commission, nor offer for recording in the office of the county recorder, any deed conveying such parcel of land or any fee interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this title.

9-11-02-5 : CONFLICTING PROVISIONS

It is not intended by this chapter to impair or interfere with other regulations of state or local law, or with private restrictions on the use of land, improvements and structures. Where this chapter imposes greater restriction than that imposed by other law or private restrictions, this chapter shall prevail. (Ord. 2008-6)

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CHAPTER 11

ARTICLE 4

PROCEDURE

- 9-11-04-1: PLANNING OFFICE REVIEW
- 9-11-04-2: PRELIMINARY PLAT
- 9-11-04-3: FINAL PLAT
- 9-11-04-4: FOUR OR LESS LOTS, PARCELS OR SITES
- 9-11-04-5: LOT SPLIT
- 9-11-04-6: PLAT AMENDMENT
- 9-11-04-7: BOUNDARY LINE ADJUSTMENT

9-11-04-1: PLANNING OFFICE REVIEW

- A. Prior to the filing of a preliminary plat, the developer shall submit to the city planning office a review application with generalized plans and data as required and pay a fee as established by resolution of city council.
 - 1. The city planning office may request, in writing, more information from the subdivider before setting a review appointment.
 - a. The subdivider shall have sixty (60) days from the date of the written request to submit additional information to the city planning office.
 - b. Failure to provide the requested information within the allotted time shall nullify the review application and fee.
 - 2. Review: Within thirty (30) days from submission of the review application and payment of the fee, the subdivider shall meet with the city planning office, by appointment, for review of the proposed development.
 - a. Within ten (10) days following the review, the city planning office shall advise the developer in writing as to the general conformance or nonconformance of the plans to this Title, the comprehensive plan or other regulatory information.
 - b. The review may include official and unofficial comments on polices and guidelines.
- B. The time limits for acting on the review application may be extended by mutual consent of the developer and the city planning office.

9-11-04-2: PRELIMINARY PLAT

Following review by the city planning office, a preliminary plat application may be submitted to the administrator.

- A. A preliminary plat application and fee as established by resolution of city council shall be submitted to the administrator. The application and written documentation and data shall be submitted in booklet form within three ring binders.
- B. Eight copies of the preliminary plat and other information, required as part of the preliminary plat, shall be shown graphically or by note on plans. All mapped data for the same plat shall be drawn at the same standard engineering scale, having no more than one hundred (100) feet to an inch. Whenever practical, scales shall be adjusted to produce an overall drawing measuring 24" x 36", but not exceeding 42" x 60".

1. Existing Conditions Data:

- a. Topography by contours or other method approved by the city and shown on the same map as the proposed subdivision layout. Contour intervals shall be such as to adequately reflect the character and drainage of the land.
- b. Location of water wells, streams, canals, irrigation laterals, private ditches, washes, lakes, or other water features; direction of flow; location and extent of known areas subject to inundation.
- c. Location, widths, and names of all platted streets, railroads, utility rights-of-way of public record, public areas, permanent structures to remain including water wells, and municipal corporation lines within or adjacent the tract.
- d. Name, book, and page numbers of any recorded adjacent subdivision having common boundary with the tract.
- e. By note, the existing zoning classification of tract.
- f. By note, the approximate acreage of the tract.
- g. Boundaries of the tract to be subdivided shall show approximate dimensions.
- h. Names and addresses of adjoining property owners within 300 feet of the exterior boundary of the subdivision.

2. Proposed Conditions Data:

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- a. Street layout, including location, right-of-way width, finished width and proposed names of public streets, alleys, pedestrian ways, and easements; connections to adjoining platted tract.
 - b. Typical lot dimensions to scale; dimensions of all corner lots and lots of curvilinear sections of streets; each lot numbered individually; total number of lots.
 - c. Location, width, and use of easements.
 - d. Designation of all land to be dedicated or reserved for public use with use indicated.
 - e. If plat includes land for which multi-family, commercial, or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification and status of zoning change if any.
 - f. If the proposed subdivision is part of a larger area intended for development, a development master plan of the entire area including the following:
 1. Zoning districts.
 2. Minor arterial and major collector streets.
 3. Open space areas including park identification, trails and pathways.
 4. Appropriate information that sufficiently details any special development area, such as a hillside, planned unit development, flood plain, cemetery, manufactured home park, large-scale development, hazardous and unique areas.
3. Proposed Utility Methods:
- a. Sewage Disposal: It shall be the responsibility of the developer to furnish the city such evidence as may be required relative to the design and operation of the sanitary sewage facilities proposed.
 - b. Water Supply: It shall be the responsibility of the developer to furnish the city such evidence as may be required relative to the design, operation, volume and quality of the water supply and facilities proposed.
 - c. Storm Water Disposal: It shall be the responsibility of the developer to furnish the city such evidence as may be required relative to the design and operation of any storm water system proposed.
 - d. Irrigation system: It shall be the responsibility of the developer to furnish the city such evidence as may be required relative to the design and

operation of any proposed irrigation system proposed as part of the subdivision.

4. Impact Study: An impact study may be required by the planning and zoning commission based on the size of the development proposal. The study may include, but not be limited to transportation and traffic, water, sanitary sewer, drainage and scenic and environmental conditions.
 5. Development Agreement: A development agreement template shall be provided by the city. It is the responsibility of the developer to address general and specific conditions relative to the proposed development based on the city's format and submit an electronic (CD disc) and paper copy as part of the preliminary plat process.
- C. Certification: Upon receipt of the preliminary plat with all required data as provided herein, the administrator shall certify the application as complete and shall affix the date of application acceptance thereon.
- D. Agency Review: The administrator shall transmit one (1) copy of the application to city departments and such other agencies that have jurisdiction or an interest in the proposed subdivision for their review and recommendations.
1. If no written reply is received from any of the various departments or interested agencies within twenty (20) working days from the date of notification, approval of the preliminary plat by such department or agency will be considered to be granted.
 - a. Departments and agencies receiving copies of the preliminary plat should include city departments (streets, water, sewer, engineer), health department, emergency services, school district, State Highway Department, Teton County Planning, local utility companies, soil conservation service and irrigation districts.
- E. Planning and Zoning Commission Action
1. The preliminary plat shall be placed on the planning and zoning commission agenda for initial review and consideration within forty (40) days from the date the application is certified by the administrator as complete.
 - a. A written and dated letter from the planning and zoning commission may be submitted to the applicant requesting more information, data, illustrations or clarifications. The applicant shall comply with the request within six (6) months or the preliminary plat application shall become null and void.
 - b. Within thirty-five (35) days from the time the preliminary plat is placed on the planning and zoning commission agenda, the planning and zoning

commission shall hold one public hearing where affected and interested persons may be heard.

1. Property owners within 300 feet of the proposed development shall be notified by letter of the proposed development and the place, date and time of the public meeting.
 2. One official notice stating the name of the proposed development, and the place, date and time of the public hearing shall be published in the official newspaper a minimum of fifteen (15) days prior to the meeting date.
 2. Following the public hearing, the city engineer, city attorney and other city departments and staff, shall review and recommend special conditions, including site design standards, for the development agreement pertaining to the proposed development. If the proposed development is part of a larger area intended for development, the master plan of the entire development shall be reviewed and special conditions shall be drafted based on the master plan.
 3. Within forty-five (45) days from the public hearing of the proposed subdivision the planning and zoning commission shall approve, approve conditionally or disapprove the preliminary plat. The reasons for such action shall be stated in writing, a copy of which shall be attached to one copy of the preliminary plat along with the development agreement draft and returned to the developer.
 4. Upon approval, conditional approval or disapproval by the planning and zoning commission, the preliminary plat, together with a complete copy of the planning and zoning commission's findings and report, and the development agreement draft shall be transmitted to the city council. The reason for action taken shall specify:
 - a. The ordinance and standards used in evaluating the application;
 - b. The reasons for approval, conditional approval or denial; and
 - c. The actions, if any, that the applicant could take to gain approval.
- F. City Council Action:
1. The city council shall act upon the report of the planning and zoning commission at its next regular meeting following receipt of the report. Within thirty-five (35) days the city council may sustain, modify or reject the recommendations of the planning and zoning commission. The reason for action taken shall specify:
 - a. The ordinance and standards used in evaluating the application;

- b. The reasons for approval, conditional approval or denial; and
 - c. The actions, if any, that the applicant could take to gain approval.
2. Extension of Time Limits: The time limits for acting on the preliminary plat may be extended by mutual consent of the developer and the planning and zoning commission and/or the city council.
 3. The developer shall submit the final plat within one (1) year of preliminary plat approval; otherwise, approval of the preliminary plat and development agreement shall become null and void.

9-11-04-3: FINAL PLAT

- A. After approval or conditional approval of the preliminary plat, the developer may cause the subdivision master plan, or part thereof, to be surveyed and a final plat prepared in accordance with the preliminary plat as approved or conditionally approved.
- B. Final Plat Application: The developer shall file a Final Plat Application, pay the final plat fee and submit eight (8) copies of the final plat with data as required.
- C. Method and Medium of Presentation
 1. All plats to be offered for recording shall be in accordance with the clarification that the transparent tracings shall show all information shown on the original "hard back" plat. Copies of the record plat shall be reproduced in the form of blueline or blackline prints on a white background.
 2. The plat shall be drawn to an accurate scale having not more than one hundred feet to one inch (1" = 100'), unless otherwise approved as to scale.
- D. Identification Data Required:
 1. A title that includes the name of the subdivision and its location by number of section, township, range and county.
 2. Name, address and official seal of the registered professional engineer or registered land surveyor preparing the plat.
 3. Scale, north arrow and date of the plat preparation.
- E. Survey Data Required:
 1. Boundaries of the tract to be subdivided fully balanced and closed, showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals.

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2. Any excepted parcels within the plat boundaries shall show all bearings and distances, determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals.
3. Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced.

F. Descriptive Data Required:

1. Name, right-of-way lines, courses, lengths, width of all public streets, alleys, pedestrian ways and utility easements; radii, points of tangency and central angles of all curvilinear streets and alleys, and radii of all rounded street line intersections.
2. All drainage ways to be dedicated to the public shall be shown on the plat.
3. All easements for rights-of-way provided for public services or utilities and any limitations of the easements.
4. All lots and blocks shall be numbered throughout the plat in accordance with the Idaho Code. Exceptions, tracts and private parks shall be so designated, lettered or named and clearly dimensioned.

G. Dedication and Acknowledgment:

1. Dedication: A statement of dedication of all streets, alleys, drainage ways, pedestrian ways and other easements for public use by the person holding title of record and by persons holding title as vendees under land contract. If lands dedicated are mortgaged, the mortgagee shall also sign the plat.
2. Acknowledgment of Dedication: Execution of dedication shall be acknowledged and certified by a notary public.

H. Required Certifications:

1. Certification by the registered professional engineer or registered land surveyor stating on the plat that the plat is correct and accurate, and that the monuments described in it have been located and described.
2. Certification of plat approval by the city engineer.
3. Certification of plat approval by the county engineer.
4. Certification of plat approval by the planning and zoning commission.
5. Certification of plat approval by the city council.
6. Certification of plat approval by the fire marshal.

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7. Certification of recordation by the county recorder.

I. Final Plat Submission:

1. The final plat, prepared in accordance with the Idaho Code and the provisions set forth herein and bearing all required certificates, acknowledgments and signatures, shall be submitted to the city.
2. Final plat submission shall include prints thereof as required, two (2) sets of prints of the plans and specifications for all proposed improvements as required by this Title and a current title report or other evidence acceptable to the city showing proof of ownership of the tract of land being platted.
3. In the event the final plat does not conform to the approved preliminary plat, the city shall so inform the developer and proceed to assign the final plat to the planning and zoning commission agenda for its action as a preliminary plat.

J. Agency Review:

1. Submission: The administrator shall transmit one copy of the final plat for review by the city engineer and other departments and agencies, or others as may be deemed necessary to ensure compliance with the approved preliminary plat.
2. Time Limit for Response: If no written replies are received from any of the various departments or interested agencies within fifteen (15) days from the date of notification, approval of the final plat by such department or agency will be considered granted.

K. Planning and Zoning Commission Action:

1. The final plat shall be placed on the planning and zoning commission agenda for initial review and consideration within thirty-five (35) days from the date the application is certified by the administrator as complete.
2. The planning and zoning commission shall consult with the city engineer, the city attorney and any other agency or department of the city in order to finalize the development agreement specific to the proposed subdivision. A copy of the approved development agreement shall be sent to the developer ten (10) days prior to the date when the final plat shall be submitted to the city council. The final plat shall not be submitted to the city council until the planning and zoning commission approves a development agreement.

L. City Council Action:

1. Following action by the planning and zoning commission, the final plat and the development agreement shall be placed on the city council agenda at

their next regularly scheduled meeting. The city council shall consider the final plat and development agreement and any changes from the preliminary plat approved by the planning and zoning commission. If the final plat and development agreement conforms to the requirements of this Title and the Idaho Code, the city council shall approve the plat within thirty (30) days after the date of the regular meeting.

2. At the time of approval and recording of the final plat, the city council shall accept the dedications shown thereon and shall, as a condition precedent to the approval of any final plat, require the developer to sign a development agreement.

M. Recording; Time Limitation: The final plat shall be filed with the county recorder within one (1) year after approval by the city council, otherwise such approval of the final plat and development agreement shall become null and void

9-11-04-4: FOUR OR LESS LOTS, PARCELS OR SITES

A. Conditions Required: The developer may request that the subdivision application be approved using metes and bounds descriptions and without the necessity of recording a final plat when the proposed subdivision has four (4) or less lots, parcels or sites and if the following conditions are met:

1. Any required street dedications or street widening involved are properly recorded as part of subdivision approval.
2. The proposed subdivision is not an obvious part of a larger parcel of land, which may be subdivided, following procedures otherwise set forth in this Title.
3. The proposed subdivision, if approved, will not conflict with the intent of this Title, the Comprehensive Plan, the Zoning Title or other existing regulations.
4. The public interest, including installation of any required offset improvements such as curb and gutter, sidewalk and street surfacing, can be properly met if the subdivision is approved.

B. Developer Request: The developer may request that the subdivision application be processed as both a preliminary and final plat if all the following exist:

1. The proposed subdivision does not exceed four (4) lots.
2. No new street dedication or street widening is involved.
3. No major special development considerations are involved, such as development in flood plain, hillside, etc.

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4. All required information for both preliminary and final plat is complete and in an acceptable form.
 - C. Subdivision Application: If the developer elects to proceed with the platting process, he shall file a completed subdivision application form as prescribed by the planning and zoning commission and eight (8) copies of the preliminary/final plat with the administrator.
 - D. Review By Agencies: The Administrator shall transmit one copy of the application to City departments and agencies for review. If no written reply is received from any of the various departments or interested agencies within thirty (30) days from the date of notification, approval of the proposal by such department or agency will be considered granted.
 - E. Planning And Zoning Commission Action: The preliminary/final plat shall be placed on the planning and zoning commission agenda for consideration at the next regular meeting. The planning and zoning commission shall approve, approve conditionally or disapprove the plat. Reasons for action shall be specified in writing within thirty (30) days.
 - F. City Council Action: At the next regular meeting of the Council, the city council shall act upon the recommendation of the planning and zoning commission within thirty (30) days after the meeting. The city council may approve, approve conditionally or disapprove the recommendation.
 1. Approved or Approved Conditionally: A development agreement listing specific conditions shall be approved by the city council.
 2. Disapproved: The developer must submit a new proposal to the planning and zoning commission. (Ord. 2008-6; amd. 2021-4)
- 9-11-04-5: LOT SPLIT

- A. Applicability: A Lot Split is an alternative to the Subdivision process that allows for divisions of lots that were created before November 5, 1984 or exist as shown on the Town Survey (originally platted in 1910 and recorded on 10/20/1994 as Instrument # 117910) to be reviewed in a simplified process when it complies with all of the review criteria described in this Section.
- B. Application Requirements: The following information is required to be submitted:
 1. Unrecorded deeds with the legal description for the proposed lots;
 2. Survey prepared by a land surveyor licensed in the State of Idaho that includes the following information:
 - a. Property lines, dimensions, and acreage;

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- b. Legal description;
- c. Proof of adequate access to each parcel;
- d. Existing structures, fences, parking/driveway areas, easements, ditches, and waterways;
- e. Signature blocks for the owner(s), Planning & Zoning Commission, Mayor, City Clerk attest, and County Surveyor; and
- f. Signature and stamp by the land surveyor.

C. Review Process

- 1. The Planning & Zoning Commission will review and make a final decision based on compliance with the zoning provisions in this Title and compliance with the approval criteria.
- 2. The survey will be reviewed by the County Surveyor or an approved agent for accuracy and compliance with the standards set forth in Idaho State Statute.
- 3. If approved, a signed paper and Mylar copy of the survey and deeds shall be submitted to the City Clerk for signature by the City prior to recording at the Teton County Recorder's Office.
- 4. An application that is approved, but not recorded within six (6) months from the date of approval is considered expired and a new application is required.

D. Approval Criteria

- 1. The number of resulting lots does not exceed two (2).
- 2. The lot is a Lot of Record and meets at least one of the following scenarios:
 - a. The lot has not been divided since it was shown on the Town Survey, dated October 20, 1994; recorded as Instrument # 117910.
 - b. Five (5) years has passed since the recording of the most recent Lot Split was completed on the property.
- 3. Each proposed lot meets the size and width requirements for the underlying zone and meets all applicable requirements of this Land Use Code and applicable adopted plans and policies.
- 4. The division does not require the extension of public utilities (other than individual service lines) or other municipal facilities and no substantial alteration of existing utility installations is involved.

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5. The division does not require new public streets and each proposed lot has either approved access from an existing public street or recorded easement that contains the necessary right-of-way width. (Ord. 2021-4)

9-11-04-6: PLAT AMENDMENT

- A. Applicability: A Subdivision Plat Amendment is required for changes to previously recorded plats of subdivisions, recorded rights-of way, easements, or to the associated recorded Development Agreement and improvement plans. Plat Vacations are also subject to the review procedure in Article 10 and Idaho State Statute Section 50-1306A.
- B. Application Requirements: The following information is required to be submitted:
 1. Surveyed amended plat, if applicable, with the following information:
 - a. Subdivision name, including "Amended" and its location by section, township, and range; reference by dimension and bearing to a section corner or quarter section corner.
 - b. Vicinity Map, legal description, original and proposed property lines.
 - c. All information from existing plat to be included on amended plat, including plat notes.
 - d. Location, dimensions, and areas of all proposed changes to the plat.
 - e. Adjacent lot/property description illustrated on the plat to indicate the location of the plat amendment within the overall subdivision plat and surrounding areas.
 - f. Stamp, date, and signature from a licensed land surveyor.
 - g. Signature blocks for the following:
 1. Owner's Dedication and Acknowledgment block and Consent to Record for any lienholders as specified in Idaho Statute 50-1309.
 2. Certification by the County Surveyor stating that the plat has been reviewed for accuracy and is acceptable to be recorded per Idaho Statute 50-1305.
 3. City Public Works Director, if applicable
 4. District 7 Public Health Department, if applicable
 5. Fire Chief, if applicable
 6. City Attorney, if applicable
 7. Planning & Zoning Commissioner Chair
 8. Mayor and City Clerk attest

9. County Assessor

10. County Treasurer

2. Unrecorded deeds with the proposed legal descriptions, if applicable.
3. Amended Development Agreement, if applicable.
4. Amended Improvement Plans, if applicable.
5. Narrative describing the project and any other information necessary to assure the fullest consideration of facts concerning the application.

C. Review Process

1. Plat Amendments involving only a boundary line adjustment: The Planning and Zoning Commission shall review the application and make a final decision based on the approval criteria in this Section.
2. All other Plat Amendments: The Planning and Zoning Commission shall review the application and make a recommendation to the City Council, which shall review at a public hearing and make a final decision based on the criteria in this Section.

D. Approval Criteria:

1. The amendment complies with all applicable requirements and standards of the City Code, including the underlying zoning.
2. The amendment complies with the conditions of approval established in the previous Subdivision approval and the Development Agreement approved as part of the previous approval, if applicable.
3. The amended plat has been created by a licensed land surveyor in the State of Idaho and includes the minimum requirements set out in Idaho Statutes Section 50-1304.
4. The amended Development Agreement, if applicable, satisfactorily addresses the necessary mitigation of identified impacts from the development.
5. The amendment conforms to the Comprehensive Plan and other applicable adopted plans and policies.

E. Recording of Amended Plat: After a Plat Amendment is approved, a Mylar copy of the Amended or Vacated Plat and all other required materials for the amendment shall be submitted to the City for signature prior to recording with the County Clerk. For vacation of public roads and easements, the city shall adopt an ordinance vacating the public right of way or easements in accordance with Idaho State Statute.

- F. Expiration of Approval: An application that is approved and not recorded within six (6) months of the date of approval shall be considered expired and a new application shall be required. (Ord. 2021-4)

9-11-04-6: BOUNDARY LINE ADJUSTMENT

- A. Applicability: A property boundary line adjustment may be applied for to adjust or remove common property lines or boundaries between adjacent tracts or parcels for the purpose of accommodating a transfer of land, combining existing parcels or rectifying a disputed property line location.
- B. Application Requirements: The following information is required to be submitted:
1. Surveyed site plan with the following information:
 - a. Vicinity map, legal description, original and proposed property lines.
 - b. Property boundaries with required setbacks and acreage shown.
 - c. Existing buildings, parking areas, vehicular access points, fences, waterways, and easements.
 - d. Adequate access easements for each parcel.
 - e. Stamp, date, and signature from a licensed land surveyor.
 - f. Signature blocks for the City Planning & Zoning Commission, Mayor, City Clerk (attest), County Surveyor, and all affected property owners.
 2. Unrecorded deeds with the proposed legal descriptions.
 3. Narrative describing the project and any other information necessary to assure the fullest consideration of facts concerning the application.
- C. Review Process: The Planning and Zoning Commission shall review the application and make a final decision based on the approval criteria in this Section.
- D. Approval Criteria
1. The resulting adjustment shall not create any additional tracts or parcels.
 2. All reconfigured tracts or parcels shall contain sufficient area and dimension to meet minimum requirements for zoning and building purposes.
 3. The resulting boundaries shall not create any non-conformance with the standards of the Land Use Code.
- E. Recording of Boundary Line Adjustment Survey: After a Boundary Line Adjustment is approved, a Mylar copy of the Survey and all other required materials for the

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Adjustment shall be submitted to the City for signature prior to recording with the County Clerk.

- F. Approval Expiration: An application that is approved and not recorded within six (6) months of the date of approval shall be considered expired and a new application shall be required. (Ord. 2021-4)

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CHAPTER 11

ARTICLE 6

SUBDIVISION STANDARDS

- 9-11-06-1: GENERAL
- 9-11-06-2: STREETS
- 9-11-06-3: BLOCK REQUIREMENTS
- 9-11-06-4: LOT REQUIREMENTS
- 9-11-06-5: PUBLIC SITES AND NATURAL FEATURES
- 9-11-06-6: OPEN SPACE REQUIREMENTS

9-11-06-1: GENERAL

- A. Subdivisions shall conform to the standards of the comprehensive plan, the zoning ordinance and other ordinances and regulations of the city.
- B. Land the commission determines to be unsuitable for subdivision because of periodic flooding, poor drainage, excessively steep slopes or other features likely to be harmful to the safety and general health and welfare of the future residents, shall not be subdivided unless adequate methods are utilized to overcome these conditions.

9-11-06-2 : STREETS

- A. Street Design Requirements: The arrangement, character, extent, width, grade and location of all streets shall conform to the intent of the adopted comprehensive plan and shall be constructed in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their relation to the proposed uses of the land to be served by such streets. Local residential streets shall be so designed to discourage their use by through traffic.
 - 1. Frontage Streets: Where a subdivision abuts or contains an existing or proposed arterial street, railroad, or limited access highway, the city may require frontage streets, or such other treatment for the appropriate use of the tract.
 - 2. Half-street dedications shall be discouraged; provided, however, the city may accept a partial street dedication when such street forms the boundary of the proposed subdivision and is deemed to be necessary for the orderly development of the neighborhood, and provided the city finds it will be appropriate to require the dedication of the remainder of the right-of-way when the adjoining property is developed. When a partial street exists adjoining a proposed subdivision the remainder of the right-of-way shall be dedicated.
 - 3. Rights-of-way Width: There shall be provided rights-of-way of such width as provided for in the adopted comprehensive plan; provided however, that the width of said rights-of-way shall in no case be less than the following:

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Street Classification	Minimum width from back of curb to back of curb	Minimum right-of-way width
Major Arterial	100' -180'	120' -210'
Minor Arterial	70'	95'
Major Collector	55'	80'
Minor Collector	42'	60'
Local Street	38' -42'	60'
Village Street	30'	50'
Alley	20'	20'

4. A village street is only allowed by special condition of a development agreement.
 - a. No on street parking shall be allowed.
 - b. It is the responsibility of the developer to show that adequate off-street parking is available.
5. Cul-de-sac streets shall terminate in a circular turnaround with a right-of-way radius of at least fifty (50) feet. The city may approve an equally convenient form of turning space where extreme conditions justify. The maximum length shall be six hundred (600) feet from the intersection of the street centerlines to the center of the turn around.
6. Dead-end streets will not be approved except in locations designated by the city as necessary to future extensions in development of adjacent lands. In any case, a dead-end street serving more than four (4) lots shall provide by easement a temporary turning circle with a fifty (50) foot radius or other acceptable design to accomplish adequate access.
7. Loop Streets shall be limited to a maximum length of twelve hundred (1200) feet measured along the centerline of a street from centerline intersection to centerline intersection.

B. Street Intersections and alignments

1. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy (70) degrees. Streets intersecting an arterial street shall do so at not less than eighty-five (85) degrees.
2. Where any street deflects at an angle of ten (10) degrees or more, a connecting curve shall be required having a minimum center line radius of three hundred (300) feet for arterial and collector streets and one hundred twenty-five (125) feet for local streets.
3. Streets with center line offsets of less than one hundred twenty-five (125) feet shall be avoided.
4. A tangent at least one hundred fifty (150) to two hundred (200) feet long shall be provided between reverse curves on arterial and collector streets.
5. Street intersections with more than four (4) legs and Y-type intersections where legs meet at acute angles shall be avoided.

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- C. Street Grades: Street grades shall not exceed nine (9) percent or less than one quarter (0.25) of one percent on local and collector streets. The grades for all other streets shall be as approved based on individual conditions and safe engineering practices.
- D. Street Names: The naming of streets shall conform to the following:
 - 1. Street names shall not duplicate any existing street name except where a new street is a continuation of an existing street; street names that may be spelled differently but sound the same as existing streets shall not be used.
 - 2. All new streets shall comply with Teton County GIS street classification.
- E. Bicycle Lane: A bicycle lane shall be provided along minor and major collectors as recommended by the commission and approved by city council. See the City of Teton Public Works Standard Specifications and Drawings.

9-11-06-3 : BLOCK REQUIREMENTS

- A. Block Lengths and Design:
 - 1. Block lengths should not exceed four hundred (400') feet as measured along the street centerline from centerline intersection to centerline intersection.
 - 2. Block design shall provide for two (2) tiers of lots except under special conditions where this is not feasible or practical.

9-11-06-4 : LOT REQUIREMENTS

- A. Lot Design:
 - 1. The lot size, width, depth, shape and orientation and minimum setback lines shall comply with the minimum requirements of the zoning ordinance. The city shall have the authority to require a lot size larger than the minimum requirement to provide for harmonious development.
 - 2. Side lot lines shall be substantially at right angles or radial to street lines, except where other treatment may be justified.
 - 3. Double frontage lots shall be avoided wherever possible.

9-11-06-5: PUBLIC SITES AND NATURAL FEATURES

- A. Where it is determined that a proposed park, playground, school or other public use as shown on future acquisition map, as authorized in Idaho Code, is located in whole or in part within a proposed subdivision the Commission shall notify the appropriate public agency concerning the land proposed to be acquired. Within thirty (30) days of the date of notice, the public agency may request the governing body to suspend consideration on the proposed subdivision for sixty (60) days. If an agreement is not reached within sixty (60) days, the commission shall resume consideration of the subdivision/
- B. Existing natural features which add value to residential development and enhance the attractiveness of the community such as streets, watercourses,

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historic spots, and similar irreplaceable assets shall be preserved, insofar as possible, in design of the subdivision. (Ord. 22, 5-1981; Ord. 2008-6)

9-11-06-6 : OPEN SPACE REQUIREMENTS

A. Open Space: A development shall provide land for open space.

B. Open Space Schedule:

<i>Type of Development</i>	<i>Minimum required</i>
Single Family Residential	10% of the gross land area
Multifamily Residential (apartments, townhouses and condominiums)	600 sq feet per each 4 units or 7% of the gross land area, whichever is greater
Planned Unit Development	25% of the gross land area

C. Types of Open Space Allowed: Open space is a significant tract of land not under residential, commercial or manufacturing use. Open space may include the following:

1. Agriculture;
2. Recreational amenities such as parks, greenbelt areas, pathways, golf courses or equestrian areas;
 - a. Playground Structures such as swings and jungle-gym equipment for preschool to early grade school children. Two acres or smaller shall be adequate with a five minute walking time by patrons.
 - b. Neighborhood A combination of active and passive recreation for varying age groups. Centrally located within a neighborhood, picnic areas, shade trees, walking paths and play areas should be provided. Two to five acres within ½ mile walking distance of patrons.
 - c. Community Developed with good auto access and parking. Playing fields, playground equipment and picnic areas may be incorporated. Five to ten acres within ½ to three miles maximum walking distance of patrons.
 - d. Specialty Unique and specific in the type of use or recreational opportunity such as a golf course, historic site or swimming pool.
 - e. Linear Corridors of land providing public access for recreational or transportation purposes. Improvements can include walking, hiking or bicycling paths and horse trails.
3. Sensitive environmental areas such as wetlands, riparian areas, flood plains, steep hillsides and wildlife corridors; and,
4. Common area associated with residential buildings may be included if such area is held and managed in common by all project residents under an association and recommended by planning and zoning and approved by city council.

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- D. Deeding or Dedication of Open Space: The land designated as open space within a subdivision must be committed to open space by one or more recorded instruments.
1. Types of instruments:
 - a. The seller may retain the deed with a deed restriction to maintain open space;
 - b. Private easement.
 - c. A formal dedication of conservation easement (or a fee interest) to an appropriate governmental entity, charitable organization or homeowner's association; and/or,
 - d. Open space may be platted as one or more large privately held lots with specified building envelopes. Planning and zoning, in consultation with the developer and the project engineer, shall determine the number, size and locations of building envelopes when a privately owned lot is used as open space within a subdivision so as to protect the integrity of the open space and protect health, safety and general welfare of the city and county.
- E. Open Space Management Plan: In all cases, a management plan for open space shall be provided as part of the development agreement for the subdivision. The plan shall contain funding proposals and sufficient guarantees that the land can be maintained in open space under a viable management plan and not become a burden to the city or county, or negatively impact the public health, safety and general welfare of the city or county.
1. Management of Agricultural Land: Where the designated open space is to be farmed, a provision for irrigation water shall be required, provided a water right existed on the land prior to development and provided the owner of the water right is willing to sell it.
 2. Management of Recreation Facilities: If the open space is a recreation facility, satisfactory assurances of financial and functional viability must be described and provided for in the management plan.
- F. Maintenance: Maintenance of open space areas shall be by agreement between the applicant and the city. The city is not required to maintain open space unless specified by the city council in a development agreement.
- G. Open space shall not be used by the developer for sewer or water facilities, which may be required for development approval.

CHAPTER 11

ARTICLE 8

REQUIREMENTS AND IMPROVEMENTS

- 9-11-08-1: GENERAL REQUIREMENTS
- 9-11-08-2: REQUIRED IMPROVEMENTS
- 9-11-08-3: CITY OF TETONIA PUBLIC WORKS STANDARD SPECIFICATIONS AND DRAWINGS

9-11-08-1: GENERAL REQUIREMENTS

- A. City Specifications: All improvements such as streets, alleys, parks, easements and other facilities, which are required as a condition to plat approval, shall be the responsibility of the developer and shall meet city specifications and standards of construction.
- B. Plan Preparation: Plans for the improvements herein required shall be prepared by an engineer registered and certified in the State of Idaho.
- C. Construction Drawings: Prior to the time of commencing construction or if improvements are to be guaranteed for construction past the recording of the final plat, the developer shall file with the city, construction drawings for all improvements required in that portion of the subdivision contained in the final plat.
- D. Performance Bonding: As a condition for granting approval of the final plat, the developer shall provide a guarantee of improvements, guaranteeing the construction and installation of all required improvements within two (2) years of final plat approval unless extended one year by mutual consent. Such guarantee shall be one hundred fifty percent (150%) of estimated cost as determined by the city engineer, and may include one or more security arrangements acceptable to the city council:
- E. Surety Bond:
 - 1. The bond shall accrue to the city covering construction, operation and maintenance of the specific public improvements;
 - 2. The length in which the bond is in force shall be for a period to be specified by the city for the specific public improvements;
 - 3. The bond shall be with a surety company authorized to do business in the state of Idaho, acceptable to the city; and
 - 4. The escrow agreement shall be drawn and furnished by the city.
- F. Cash Deposits, Certified Check, Negotiable Bond, or Irrevocable Bank Letter of Credit:

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1. A cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit made out solely to the city, of such surety acceptable by the city, shall be deposited with an escrow agent or trust company;
2. Escrow time for the deposit, check, bond or letter of credit shall be for a period to be specified by the city for the specific public improvements;
3. In the case of cash deposits or certified checks, an agreement between the city and the developer may provide the progressive payment out of the cash deposit or reduction of the certified check, negotiable bond or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvements, in accordance with a previously entered into agreement.

9-11-08-2 : **REQUIRED IMPROVEMENTS**

- A. Curb, Gutter and Sidewalk: Concrete rolled curb and gutter, and sidewalk a minimum of four inches (4") in depth, shall be required based on the following schedule:

STANDARD	DISTRICT													
REQUIRED CURB, GUTTER AND SIDEWALK	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS
1. Lots abutting a public right-of-way shall provide rolled curb and gutter.						C								C
2. Lots abutting a minor arterial shall provide rolled curb and gutter and a minimum 10' wide sidewalk.						C								
3. Lots abutting a major collector shall provide rolled curb and gutter and a minimum 8' wide sidewalk.						C								
a. Lots abutting a minor arterial or major collector shall provide rolled curb and gutter and a minimum 5' wide sidewalk.						C								
4. Lots abutting a minor collector or local street shall provide rolled curb and gutter and a minimum 5' wide sidewalk.						C								
- Required	C - Conditional Use Permit						Blank - Not required							

- B. Street Improvements: Asphalt plant mix pavement shall be required on all streets in a proposed development or newly dedicated street right-of-way.
- C. Storm Water Disposal: Proper and adequate provision shall be made for disposal of storm waters. The type, extent, location and capacity of facilities shall be approved for individual development by the city.
- D. Sewer System: Proper and adequate provision shall be made for sewage treatment. The type, extent, location and capacity of facilities shall be approved for individual subdivisions by the city.

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- E Water Supply: Proper and adequate provision shall be made for water supply. The type, extent and location of facilities shall be approved for individual subdivisions by the city.
- F. Monuments: Monuments shall be installed in accordance with current standards at all corners, angle points and points of curve and all street intersections.
- G. Fire Hydrants: The location, type and size of fire hydrants required to serve the subdivision shall be approved by the city.
- H. Street Signs; Fee: Street names and traffic-control signs shall be installed by the city in appropriate locations at each street intersection in accordance with local standards. A fee shall be charged to the developer to reimburse the city for its costs.
- I. Streetlights: Streetlights shall be installed by the developer at intersections throughout the subdivision, unless waived after recommendation of the planning and zoning commission and approval of the city council. The developer shall conform to the requirements of the city and the public or private utility servicing the area.

J. DRAINAGE AND GRADING

1. The developer shall investigate the existing and proposed use of any irrigation ditch or canal within the project limits to determine if they are to be perpetuated. If the irrigation system is to be continued, the developer is responsible to contact the water right holders or canal company to obtain their requirements for protection of the irrigation system.
2. The discharge of storm water into irrigation ditches shall not be allowed without special approval from the city. If an irrigation ditch is to be used as a storm water receptor, secure an agreement from the irrigation Ditch Company that the company will accept responsibility for receiving the water as a submittal requirement of all preliminary plats.
3. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, orifice plates, outlets to off-site facilities and off-site drainage facilities planned to accommodate the project drainage. Drainage plans are to facilitate peak flow for the 25-year, 24-hour storm event. An off-site discharge rate of 0.2 cfs per acre of the gross project area is permitted included with hydraulic and hydrologic calculations. All detention basins are to facilitate the 100-year, 24-hour storm event. Adequate spillway provisions must be provided to pass the storm water in excess of the 100-year, 24-hour storm event.
4. Public water shall not be discharged onto or through private property without the appropriate easement. An easement with the right of access conveyed to the Tetonia City shall be provided whenever conveyance systems are constructed in lands of private ownership. A minimum easement width of twenty feet centered on the drain is required. The width may be in excess of the minimum when situations require.
5. In the event that proposed construction shall direct surface or storm water runoff to properties or facilities owned and maintained by agents other than

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the City of Teton, written proof of permission, or approval from these agents must be provided prior to acceptance of drainage concepts, and subsequent issuance of city drainage approval.

6. It is city policy and the developer's responsibility wherever attainable to restore, protect and maintain the chemical, physical, and biological integrity of city and State waters and to restore their beneficial uses. To do so, drainage design shall address the treatment of surface and storm water runoff, both wet-weather and dry-weather discharges.

9-11-08-3 : CITY OF TETONIA PUBLIC WORKS STANDARD SPECIFICATIONS
AND DRAWINGS

The City of Teton Public Works Standard Specifications and Drawings shall be the official reference manual for construction and quality control of public works infrastructure projects. (Ord. 2008-6)

CHAPTER 11

ARTICLE 10

VACATIONS AND DEDICATIONS

- 9-11-10-1: APPLICATION PROCEDURE
9-11-10-2: ACTION

9-11-10-1: APPLICATION PROCEDURE

- A. Application: Any property owner desiring to have an existing subdivision, public right-of-way or easement vacated, or desiring to dedicate a street right-of-way, or easement shall complete and file an application with the city and also file such other applications as are otherwise required by law. Vacations to an existing plat, street right-of-way or easement that is shown on a recorded plat of a subdivision is also subject to the review procedure in Idaho State Statute Section 50-1306A.
- B. Upon receipt of the completed application and other information as may be required, the city shall affix the date of application acceptance thereon. Said application shall then be placed on the agenda for consideration at the next regular meeting of the commission.

9-11-10-2: ACTION

- A. Commission Recommendation: The commission shall review the request and any agency response and make a recommendation to the council for approval, conditional approval or denial.
- B. Council Action:
1. When considering an application for vacation procedures, the council shall establish a date for a public hearing and give such public notice as required by law. The council may approve, or deny, the application. Whenever, public rights-of-way or lands are vacated, the council shall provide adjacent property owners with deeds for said vacated rights-of-way in such proportions as are prescribed by law.
 2. When considering an application for dedication, the council may approve or deny the application. When a dedication is approved, any required street improvements shall be constructed or a bond furnished assuring construction, prior to acceptance of the dedication. To complete the acceptance of any dedication of land, the owner shall furnish to the council a deed describing and conveying such lands to be recorded with the county recorder. (Ord. 22, 5-1981; Ord. 2008-6; amd. Ord 2021-4)

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CHAPTER 11

ARTICLE 12

PLANNED UNIT DEVELOPMENT

- 9-11-12-1: PURPOSE
- 9-11-12-2: PROVISIONS
- 9-11-12-3: MULTIPLE USE DISTRICT
- 9-11-12-4: LIMITED COMMERCIAL AND OFFICE USES
- 9-11-12-5: OWNERSHIP
- 9-11-12-6: COMMUNITY FACILITIES
- 9-11-12-7: PROCEDURE
- 9-11-12-8: STANDARDS
- 9-11-12-9: GENERAL REQUIREMENTS AND IMPROVEMENTS
- 9-11-12-10: COMPLETION AND MAINTENANCE OF IMPROVEMENTS

9-11-12-1: PURPOSE

The purpose of planned unit development is to encourage the unified and organized development of a site under individual or corporate ownership at the time of development. Such development may be permitted without customary division into individual lots, subject to the regulations as hereafter provided. Planned unit development shall include the following:

- A. A maximum choice of living environments by allowing a variety of housing and building types and permitting clustering and flexible area requirements.
- B. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses, limited office and business park areas.
- C. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation and prevents the disruption of natural drainage patterns.
- D. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.
- E. A development pattern in harmony with land use density, transportation and community facility objectives of the comprehensive plan.

9-11-12-2 : PROVISIONS

Whenever there is a conflict or difference between the provisions of this article and those of other chapters of this Title, the provisions of this article shall prevail. The respective provisions found elsewhere in this code shall govern subjects not covered by this article.

9-11-12-3 : MULTIPLE USE DISTRICT

- A. A planned unit development is allowed in a multiple use district.

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- B. All land uses that may be allowed within a multiple use district are determined by conditional use permit procedure, outlined in 9-6, and documented within a development agreement. One application and fee shall be required for the approval of all land uses requiring a conditional use permit.

9-11-12-4 : LIMITED COMMERCIAL AND OFFICE USES

- A. When planned unit developments include commercial or limited office uses, buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections. Planting screens or fences shall be provided on the perimeter of the commercial areas abutting residential areas.
- B. The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding noncommercial/office areas.
- C. All areas designed for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner.

9-11-12-5 : OWNERSHIP

A planned unit development shall be under one ownership or under one unit control during the planning and development stage to ensure that the development can be accomplished. No application for a planned unit development shall be considered for approval unless a minimum of three contiguous acres of land is contained in any proposal.

9-11-12-6 : COMMUNITY FACILITIES

A planned unit development shall include site availability for needed community facilities not otherwise provided for such as, sites for schools, public safety, utilities, churches, parks and recreation areas.

9-11-12-7 : PROCEDURE

- A. Conditional Use Permit: Land use approval by conditional use permit under 9-6 and platting may be submitted under one application with all required data.
- B. Platting: Preliminary and final platting shall follow procedure requirements under 9-11-04,

9-11-12-8 : STANDARDS

- A. Standards are set forth under 9-11-6. Modifications shall be by conditional use permit and set forth in a development agreement.
- B. Parking: There shall be a minimum of two (2) parking spaces provided for each dwelling, one of which shall be in a garage.

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1. Off street guest parking shall be provided in residential areas at a standard of one half (1/2) parking spaces for each dwelling. Parking for guests shall be located within one hundred fifty feet (150') of the dwellings served.
 2. All parking spaces shall measure at least nine feet (9') by eighteen feet (18'). Developers shall pave with asphalt and/or concrete all parking spaces, parking areas, and driveways and provide proper drainage. Drainage shall not be channeled or caused to flow across pedestrian walk ways.
- C. Site Development Plan: The subdivider shall provide the commission with a site plan, elevations, perspective drawings and such other illustrated information at adequate scale to show the proposed development that will include at least the following:
1. Architectural styles and building design concepts. The architecture of all garage structures shall be compatible with the architecture of the main structures within the planned unit development.
 2. Architectural materials and color.
 3. Type of landscaping.
 4. Screening, if proposed.
 5. Type of solid waste facilities.
 6. Parking concept.
 7. Open space areas.
- D. Private Streets: Private street construction standards shall be based upon recommendations from the city. Adequate construction standards may vary depending on the size of the development and the demands placed on such improvements.

9-11-12-9 : GENERAL REQUIREMENTS AND IMPROVEMENTS

- A. General requirements see 9-11-8.
- B. Required improvements shall conform to 9-11-8.
- C. Specific provisions recommended by the commission and approved by city council within a development agreement may modify or increase requirements.
- D. Home Owners' Association: Home owners' association by-laws and other similar deed restrictions, which provide for the control and maintenance of all common areas, recreation facilities or open space, shall meet with the approval of the commission. Any and all power as specified in such agreements may be required to also be assigned to the jurisdictional agency to insure continued and adequate maintenance of all such common areas, recreational facilities and open spaces, ability to assess property for delinquencies, and enforcement of motor vehicle speed to the interest of the owners involved and of the general public.

9-11-12-10 : COMPLETION AND MAINTENANCE OF IMPROVEMENTS

- A. The developer must complete all of the improvements required by the approved site plan for the final plat within two (2) years of the date of recording of the final

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plat. If the improvements are not completed within the time specified, the city shall have the option of taking action on the bond to complete the improvements.

- B. The planned unit development shall conform to the approved site plan. The applicant or any other person or entity shall not add any structures or make any improvements or changes to the planned unit development that did not appear on the approved site plan. The applicant and subsequent owners and applicable associations shall maintain all improvements shown on the site plan in a neat and attractive manner. Failure to complete or maintain a planned unit development in accordance with this chapter and with approved site plan is a violation of the terms of this title. The city may initiate criminal and/or civil legal proceedings against any person, firm, entity or corporation, whether acting as principal, agent, property owner, lessee, lesser, tenant, landlord, employee, employer or other wise, for failure to complete or maintain a planned unit development in accordance with this chapter and with the approved site plan. (Ord. 2008-6)

CHAPTER 11

ARTICLE 14

MANUFACTURED HOME PARK

- 9-11-14-1: DEFINITIONS
- 9-11-14-2: PROCEDURE
- 9-11-14-3: REGULATIONS
- 9-11-14-4: STANDARDS
- 9-11-14-5: IMPROVEMENTS
- 9-11-14-6: REQUIRED IMPROVEMENTS
- 9-11-14-7: LICENSING OF MANUFACTURED HOME PARKS
- 9-11-14-8: EXISTING MANUFACTURED HOME PARK
- 9-11-14-9: TRANSFER OF LICENSE
- 9-11-14-10: DISPLAY OF LICENSE
- 9-11-14-11: REVOCATION OF LICENSE

9-11-14-1: DEFINITIONS

For this article the following words shall have the meaning described to them in this section.

- ACCESS WAY: An unobstructed way of specified width containing a drive or roadway which provides vehicular access within a manufactured home park.
- CABANA: A stationary lightweight structure, which may be prefabricated or demountable, with two (2) or more walls, used adjacent to and in conjunction with a manufactured home, to provide additional living space and meant to be moved with the manufactured home.
- RAMADA: A stationary structure having a roof extending over a manufactured home which may also extend over a patio or parking space for motor vehicles and is used principally for protection from the elements.
- STAND: A part of a manufactured home space reserved for the placement of a manufactured home.

9-11-14-2 : PROCEDURE

Preliminary and final platting procedure for a manufactured home park shall follow 9-11-04.

9-11-14-3 : REGULATIONS

- A Size: A parcel of land for a manufactured home park shall not be less than two (2) acres or greater than five (acres).

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- B. Setback: Manufactured home parks shall observe the following setbacks between manufactured home stands and the development boundary lines:
1. When abutting a residential or agricultural zone, thirty feet (30');
 2. When abutting commercial or industrial zone, twenty feet (20');
 3. The setback from any abutting street shall be twenty feet (20').
- C. Fence: An ornamental site-obscuring fence or wall of not less than five feet (5'), nor more than six feet (6'), in height, or an evergreen planting screen of not less than five feet (5') in width, shall separate the manufactured home park from adjacent property. Such fence, wall or planting shall be approved by the City as part of the application procedure.
- D. Access: The manufactured home park must access a public street with a minimum right of way width of fifty feet (50'). No manufactured home space shall be located in such a manner that a public street must be used to maneuver a manufactured home into a space.
- E. Manufactured Homes:
1. Acceptable structures for a manufactured home park include manufactured homes that do not meet other residential zoning requirements.
 2. Structures shall be placed on stands and not permanent foundations. Skirting shall be required within thirty (30) days of occupancy.
 3. Commercial coaches, camping trailers, motor homes or other recreational vehicles shall not be allowed in a manufactured home park.
- F. Parking: There shall be one vehicle parking space at least twenty feet by twenty feet (20' x 20') in size for each manufactured home space with clear and unobstructed access to an access way. Any parking in access ways shall not fulfill this requirement. Guest parking shall be provided in the manufactured home park, but not in required access ways, at the rate of one parking space for every four (4) manufactured home spaces. (Ord. 23, 5-1981; Ord. 2008-6)

9-11-14-4 : STANDARDS

- A. Space Requirements: The minimum manufactured home space requirements for a new manufactured home park or the expansion of an existing manufactured (mobile) home park are as follows:
1. No space shall be smaller than four thousand (4,000) square feet and no space shall have a width of less than thirty six feet (36').
 2. Each manufactured home space shall be provided with a minimum outdoor living area of three hundred (300) square feet.
 3. Stands shall be set back a minimum of six feet (6') from any street, common walkway or access waY. The minimum space requirements between manufactured home stands are as follows:
 - a. End to end, fourteen feet (14').
 - b. Side to side, twenty five feet (25'); one side yard twenty feet (20') and one side yard five feet (5').

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- c. Across a street between two (2) stands, thirty six feet (36').
 - d. Temporary or permanent structures situated in one space shall be separated by at least five feet (5') from temporary or permanent structures or manufactured homes in an adjoining space.
- B. Stands: Occupied manufactured homes shall be parked on stands paved with asphalt or concrete surfacing.
- C. Recreation Area: A minimum of ten percent (10%) of the gross manufactured home park area shall be reserved for a common green.
- D. Access Ways: Access ways shall be paved with asphalt and connect each manufactured home space to a public street with the following minimum pavement widths:
 - 1. Access ways shall not be less than thirty six feet (36').
 - 2. Cul-de-sac diameters shall not be less than fifty feet (50').
- E. Structures:
 - 1. Type: Structures located in any manufactured home space shall be limited to a storage building, garage or carport.
 - 2. Support: No structural additions shall be built onto or become part of any manufactured home, and no manufactured home shall support any building in any manner. An awning, patio cover, deck or cabana adjacent to a manufactured home is allowed.
- F. Storage:
 - 1. Boats, camping trailers, recreational vehicles and related equipment owned by residents of the manufactured home park shall not be parked on a manufactured home space. Such items shall be parked in a storage area.
 - 2. Storage Area: A storage area within the manufactured home park shall be screened by sight-obscuring fencing at a minimum height of six feet (6'). (Ord. 23, 5-1981; Ord. 2008-6)

9-11-14-5 : IMPROVEMENTS

- A. Developer Responsibility:
 - 1. All improvements, easements and other facilities, which are required as a condition to application approval shall be the responsibility of the developer and shall meet city specifications and standards of construction.
 - 2. Plans for the improvements herein required shall be prepared by an engineer registered and certified in the state.
- B. Record Plans and Specifications:
 - 1. Prior to acceptance of the city of any improvements installed by the developer, two (2) sets of prints of the approved "record" plans and specifications shall be certified by the developer's engineer and filed with the city.
 - 2. Within ten (10) days after completion of improvements and submission of "record" plans in accordance with city specifications, the city shall certify

completion and acceptance of construction and shall transmit a copy of said certification to the developer. If a surety agreement has been executed by the developer, the same shall be forwarded to the administrator. The administrator shall thereafter release said surety or guarantee upon application by the developer.

9-11-14-6: REQUIRED IMPROVEMENTS

- A. Curb And Gutter And Street Improvements: Concrete rolled curb and gutter and asphalt plant mix pavement shall be required on all access ways in a proposed manufactured home park.
- B. Sidewalks: Concrete sidewalks should be provided. Sidewalks shall be three feet (3') in width and a minimum of three and one-half inches (3 1/2") inches in depth.
- C. Storm Water Disposal: Proper and adequate provision shall be made for disposal of storm water. The type, extent, location and capacity of facilities shall be approved for individual development by the city.
- D. Sewer System: Approved sewage treatment lines shall be connected to the city's present sewage system.
 - 1. Each manufactured home space shall be provided with at least a three-inch (3") connection.
 - 2. Suitable fittings shall be provided so a watertight connection can be made between the manufactured home drain and the sewer connection.
 - 3. Connections shall be constructed so they can be closed when not linked to a manufactured home and shall be trapped in such a manner as to maintain them in an odor free condition.
- E. Water Supply: A water supply approved by the city shall be provided for all spaces within the manufactured home park. All water piping shall be constructed and maintained in accordance with State and local law.
- F. Fire Protection: The location of fire hydrants required to serve the manufactured home park shall be approved by the city.
- G. Monuments: Monuments shall be installed in accordance with current standards at all corner, angle points, and points of curve and all street intersections.
- H. Street Signs: Street names and traffic-control signs shall be installed by the city in appropriate locations at each street intersection in accordance with local standards. A fee shall be charged to the developer to reimburse the city for its costs.
- I. Streetlights And Electrical Power: Streetlights and electrical power shall be installed by the developer as approved by the planning and zoning commission and city council.
- J. Centralized Postal Service: The developer should locate and provide a centralized delivery center for mail.
 - 1. Location shall be approved by the planning and zoning commission and city council.

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2. There shall be a minimum of one mailbox per each space within the manufactured home park.
 3. Centralized delivery equipment shall be placed a minimum of six feet (6') from the curb. Equipment shall be on a stand or enclosed in a customized structure.
- K. Refuse Collection And Disposal: The collection and disposal of refuse in the manufactured home park shall be so managed as to prevent health hazards, rodent harborage, insect breeding areas, accident hazards or air pollution. The location and design of refuse facilities shall be a part of the site plans submitted to the city for approval.
- L. Garbage And Snow Removal: The owner of the manufactured home park shall be responsible for all garbage and snow removal within the manufactured home park area. (Ord. 23, 5-1981; Ord. 2008-6)

9-11-14-7 : LICENSING OF MANUFACTURED HOME PARKS

- A. License Required; Fee: No persons shall construct, maintain, operate or alter any manufactured home park unless he holds a valid license for the manufactured home park. A license application for a manufactured home park shall be obtained from the administrator. Compliance by the applicant with provisions of this Title and of any regulations adopted pursuant thereto and the payment of a business license fee is required. Said fee shall be as established by resolution of the city council.
8. Renewal; Term: The business license must be renewed annually. The term of the business license is from January 1 to December 31 of the same year. If less than six (6) months of the business license period remains, the license fee is one-half (1/2) the annual fee.
- C. Newly-Proposed Park; Approval Procedure: A newly-proposed manufactured home park shall secure approval of the planning and zoning commission and city council before applying for a license. A license must be obtained before construction begins.

9-11-14-8 : EXISTING MANUFACTURED HOME PARK

- A. Inspection: An application for a license to operate an existing mobile home park shall be filed with the administrator. Upon receipt of the application, a city representative shall inspect the mobile home park. If the inspection reveals that the conditions and facilities of the park meet the standards herein set forth, a regular license shall be issued after payment of the appropriate fee.
8. Conditional License: If the inspection reveals conditions and facilities are below the standards set forth in this Title, a conditional license shall be issued. The owner shall be required to meet the minimum standards within a reasonable period of time as determined by the city. At the end of the period set forth, the manufactured home park will be inspected. If requirements have been met, a license will be issued. If the requirements have not been met, the conditional license shall be suspended based upon a written notice by the city to the owner.

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- C. Reconstruction; Enlargement: Existing manufactured (mobile) home parks developed to standards lower than established by this Title shall not be reconstructed or enlarged to standards lower than the standards of this Title.

9-11-14-9 : TRANSFER OF LICENSE

- A. Application: Written application for transfer shall be filed with the administrator, accompanied by a fee as established by resolution of the city council. Such application shall be made within seven (7) days after any change in ownership, interest or control of any manufactured home park.
- B. Contents Of Application:
 - 1. Name and address of the present licensee.
 - 2. Name and address of proposed licensee.
 - 3. Location and address of the manufactured home park.
 - 4. Date of transfer of ownership.
- C. Inspection: A representative of the city shall inspect the manufactured home park.
 - 1. If the park meets the standards and regulations of this Title, then the inspector shall certify approval and a license will be transferred to the new owner.
 - 2. If the park does not meet the standards and regulations of this Title, then the administrator shall set forth in writing the reasons and necessary action required to receive approval. The owner shall be required to meet the minimum standards within a reasonable period of time as determined by the city. At the end of the period set forth, the manufactured home park will be inspected.
 - 3. The applicant may appeal the ruling to the city council by filing a written notice of appeal with the administrator.
 - 4. A new license shall be valid until January 1 of the year following.

9-11-14-10: DISPLAY OF LICENSE

Any required manufactured home park license shall be displayed in a conspicuous place on the manufactured home park premises.

9-11-14-11 : REVOCATION OF LICENSE

When the city finds conditions or practices exist which are in violation of the provisions of this Title or of the conditions of approval, the city may revoke the manufactured home park license.

- A. Action Required: Any action to revoke a license shall:
 - 1. Include a notice stating the reasons for revocation.
 - 2. Be served upon the owner, his agent or the occupant as the case may require.

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3. Contain an outline of actions required to meet the minimum standards and regulations of this Title.
 4. Allow a reasonable time for the performance of the required improvements.
- B. Inspection: The city shall re-inspect the manufactured home park and if the requirements have not been met, the city shall give written notice to the licensee that the license is suspended. Upon receipt of the notice of suspension, such persons shall cease operation of the manufactured home park.
- C. Hearing Request: Any person whose license has been suspended or who has received notice from the city that his license shall be suspended may request and shall be granted a hearing by the city council. A written request must be submitted to the administrator within ten (10) days after the notice of suspension.
1. The hearing shall commence not later than the next regular meeting of the city council.
 2. The proceedings of the hearing, including findings and decisions of the city council, shall be reduced to writing and shall be entered as a matter of public record. Such record shall include a copy of every notice or order issued in connection with the matter.
 3. The city council may sustain, modify or withdraw the notice of license revocation, depending upon its findings as to compliance or noncompliance with the provisions of this Title and shall affix such requirements to the manufactured home park license as may be necessary before the manufactured home park can be continued in operation. (Ord. 23, 5-1981; Ord. 2008-6)

CHAPTER 11

ARTICLE 16

SPECIAL DEVELOPMENTS

- 9-11-16-1: PURPOSE
- 9-11-16-2: CONDOMINIUM
- 9-11-16-3: SUBDIVISION WITHIN A FLOOD PLAIN
- 9-11-16-4: SUBDIVISION FOR A CEMETERY
- 9-11-16-5: AREAS OF CRITICAL CONCERN

9-11-16-1: PURPOSE

The purpose of this article is to identify various types of special developments that normally pose special concerns to the commission and the council when reviewing and acting upon subdivision requests. Therefore, this chapter outlines requirements and design standards that shall be taken into consideration when acting on special developments. The provisions of this chapter are in addition to other applicable requirements of this ordinance. Required information shall be submitted to the city with the preliminary plat.

9-11-16-2 : CONDOMINIUM

- A. Site Development Plan: The subdivider shall provide the commission with a site plan, elevations, perspective drawings and such other illustrated information at adequate scale to show the proposed development that will include at least the following:
 - 1. Architectural styles and building design concepts.
 - 2. Architectural materials and color.
 - 3. Type of landscaping.
 - 4. Screening, if proposed.
 - 5. Type of solid waste facilities.
 - 6. Parking concept.
 - 7. Open space areas.
- B. Private Streets: Private street construction standards shall be based upon recommendations from the city. Adequate construction standards may vary depending on the size of the development and the demands placed on such improvements.
- C. Home Owners' Association: Home owners' association by-laws and other similar deed restrictions, which provide for the control and maintenance of all common areas, recreation facilities or open space, shall meet with the approval of the commission. Any and all power as specified in such agreements may be required to also be assigned to the jurisdictional agency to insure continued and

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adequate maintenance of all such common areas, recreational facilities and open spaces, ability to assess property for delinquencies, and enforcement of motor vehicle speed to the interest of the owners involved and of the general public.

- D. Storage Areas: Storage areas shall be provided for the anticipated needs of boats, campers, and trailers. For typical residential development, one adequate space shall be provided for every three (3) living units. This may be reduced by the commission if there is a showing that the needs of a particular development are less.
- E. Parking Space: One additional parking space beyond that which is required by the zoning ordinance may be required for every three (3) dwelling units to accommodate visitor parking.
- F. Maintenance Building: A maintenance building shall be provided; size and location to be determined by the type and service needed for the necessary repair and maintenance of all common areas and facilities.
- G. Open Space: The location of open space shall be appropriate to the development and shall be of such shape and area to be useable and convenient to the residents of the development.
- H. Control During Development: Single ownership or control during development shall be required and a time limit may be imposed to guarantee the development is built and constructed as planned. (Ord. 22, 5-1981, Ord. 2008-6)

9-11-16-3 : SUBDIVISION WITHIN A FLOOD PLAIN

- A. Flood Areas: For the proposed subdivision that is located within a flood plain, the subdivider shall provide the commission with a development plan of adequate scale and supporting documentation that will show and explain at least the following:
 - 1. Location of all planned improvements;
 - 2. The location of Flood Ways and the Flood Way Fringe in accordance with sound engineering practices;
 - 3. The location of the present water channel;
 - 4. Any planned rerouting of waterways;
 - 5. All major drainage ways;
 - 6. Areas of frequent flooding;
 - 7. Means of flood-proofing buildings; and
 - 8. Means of insuring loans for improvements within the flood plain.
- B. To give additional guidance in approving any proposed subdivision within a flood plain, the commission shall review proposed developments considering that new construction and substantial improvements of residential structures within the flood shall have the lowest floor (including basement) elevated to or above the level of the one hundred (100) year flood; and, for new construction or substantial

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improvements of non-residential structures, the lowest floor (including basement) shall be elevated to or above the level of the one hundred (100) year flood, or together with attendant utility and sanitary facilities, shall be flood-proofed up to the level of the one hundred (100) year flood.

- C. Justification for Development: Upon determination that buildings are planned within the flood plain or that alternations of any kind are anticipated within the flood plain area that will alter the flow of water, the subdivider shall demonstrate conclusively that such development will not present a hazard to life or limb, hazard to property, adverse affects on the safety, use or stability of a public way or drainage channel and not have an adverse impact on the natural environment.
- D. Appropriateness of Subdivision: In determining the appropriateness of subdivision for land located within a flood plain, the commission and Council shall consider the objectives of this ordinance, and at least the following:
 - 1. The danger to life and property due to the increased flood heights or velocities caused by subdivision fill, roads and intended uses;
 - 2. The danger that intended uses may be swept on the other or downstream to the injury of others;
 - 3. The adequacy of proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions under flood conditions;
 - 4. The susceptibility of the proposed facility and its contents to flood damage the and the effect of such damage on the individual owner;
 - 5. The importance of the services provided by the proposed facility to the community;
 - 6. The requirements of the subdivision for a waterfront location;
 - 7. The availability of alternative locations not subject to flooding for the proposed subdivision and land uses;
 - 8. The compatibility of the proposed uses with existing development and development anticipated in the foreseeable future;
 - 9. The relationship of the proposed subdivision to the comprehensive plan and any flood plain management programs for the area;
 - 10. The safety of access to the property for emergency vehicles in times of flood;
 - 11. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site; and
 - 12. The Costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- E. No subdivision or part thereof shall be approved if levees, fills, structures, or other features within the proposed subdivision will individually or collectively significantly increase flood flows, heights, or damages. If only part of the proposed subdivision can be safely developed, development shall be limited to

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that part and the city shall require development to proceed consistent with that determination.

- F. Flood-Proofing Plans: Flood-proofing plans must be individually approved by the Council upon recommendation from the commission before such uses are constructed. Flood-proofing may include but not be limited to the following:
- 1 Anchorage to resist flotation and lateral movement;
 - 2 Installation of watertight doors, bulkheads and shutters, or similar methods of closure;
 - 3 Reinforcement of walls to resist water pressure;
 - 4 Use of paints, membranes, or mortars to reduce seep-age of water through walls;
 - 5 Addition of mass or weight to structures to resist flotation;
 - 6 Installation of pumps to lower water levels in structures;
 - 7 Construction of water supply and waste treatment systems so, as to prevent the entrance of flood waters;
 - 8 Installation of pumps or comparable facilities for subsurface drainage systems to relieve external foundation wall and basement flood pressures
 - 9 Building design and construction to resist rupture or collapse caused by water pressure or floating debris;
 - 10 Installation of valves or controls on sanitary and storm drains which permit the drains to be closed to prevent backup sewage and storm waters into buildings or structures;
 11. Location and installation of all electrical equipment, circuits and electrical appliances so that they are protected from inundation by the regulatory flood; and,
- G. Location of storage facilities for chemicals, explosive, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety and welfare at elevations above the height associated with the regulatory protection elevation; or design such facilities to prevent flotation of storage containers, or damage to storage containers which could result in the escape of toxic materials into flood waters. (Ord. 22, 5-1981; Ord. 2008-6)

9-11-16-4 : SUBDIVISION FOR A CEMETERY

- A. Function: The developer shall provide the commission with written documentation that will sufficiently explain if the proposed cemetery will be used for either human or animal remains and the functions that are anticipated on the property.
- B. Compliance with Idaho Code: The developer shall submit a written statement that has been prepared by an attorney that adequately assures the compliance of the proposed cemetery with the procedural platting requirements and management requirements that are outlined in Title 27, Idaho Code. (Ord. 22, 5-1981; Ord. 2008-6)

9-11-16-5 : AREAS OF CRITIAL CONCERN

- A. General: The development of any hazardous or unique areas that have previously been designated as areas of critical concern by the Council, as provided by Idaho Code shall demand that special considerations be given by the subdivider or assure that the development is necessary and desirable in the public interest in view of the existing unique conditions. Areas that may be designated by the Council, through due process, as hazardous or unique may be as follows:
 - 1. Unstable soils;
 - 2. Unique animal and wildlife habitat;
 - 3. Unique plant life habitat;
 - 4. Scenic areas;
 - 5. Historical significance areas;
 - 6. Flood Plains;
 - 7. Other areas of critical concern.
- B. Plan Submission: The subdivider shall prepare and submit an Environmental Impact Statement for those areas as above noted and designated along with the preliminary plat application.
- C. Content of Environmental Impact Statement: The content of the Environmental Impact Statement shall usually be prepared by a team of professionals that will provide answers to the following questions:
 - 1. What environmental impacts will probably occur (i.e., wildlife, plant life, social, economic, physical, etc.) as a result of the proposed development?
 - 2. What corrective action or alternative plans could be developed so as not to significantly cause detrimental environmental impact?
 - 3. What adverse effects of the proposed development cannot be avoided? (Ord. 22, 5-1981; Ord.2008-6)

TITLE 9

LAND USE CODE

Chapter 12: Standards

Article 02: Design Review

Article 04: Design Standards

Article 06: Sign Standards

CHAPTER 12

ARTICLE 2

DESIGN REVIEW

- 9-12-02-1 : AUTHORITY
- 9-12-02-2 : PURPOSE
- 9-12-02-3 : GENERAL APPLICABILITY
- 9-12-02-4 : EFFECT OF OTHER PROVISIONS:
- 9-12-02-5 : DESIGN REVIEW PROCEDURES:
- 9-12-02-6 : DESIGN AREAS

9-12-02-1 : AUTHORITY

This Chapter is adopted pursuant to authority granted by 67-6518 of Idaho Code. The provisions contained herein are declared to be minimum requirements.

9-12-02-2 : PURPOSE

Standards are set forth to further safety and livability in the city, thus promoting the general welfare; implement the Tetonia Comprehensive Plan; encourage landscaping and the planting of trees throughout the city; and, provide planning and design guidelines to facilitate orderly development.

9-12-02-3 : GENERAL APPLICABILITY

- A. Exclusion: An individual single-family dwelling on a single parcel, an individual twin home (two residential units sharing a common wall) and an individual townhouse consisting of a maximum of two (2) dwelling units are excluded from the requirements of design review
- B. Design review applies to proposed development in the city and city impact area including but not limited to:
 - 1. Sites: commercial and planned unit development, open space, parking areas, business park, common areas within a subdivision, signs, changes in land use such as residential-to-commercial conversions and other site development.
 - 2. Buildings: commercial, manufacturing, public, institutional, office, professional, multifamily residential, signs on a building and other building development.
 - 3. Existing Building and/or Site: Exterior building remodeling or repainting with a color different from what is existing, building use change, enlargement or expansion of sites or buildings, and remodeling or expansion of signs.

9-12-02-4 : 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.

9-12-02-5 : DESIGN REVIEW PROCEDURES:

- A. Application and Fee Required: A completed application provided by the city and payment of a fee set by resolution of city council submitted to the city clerk shall become a formal request for design review.
 - 1. Site and Building Design Review Application: The application shall include site, building, landscaping and/or signage design review.
 - 2. Building and/or Sign Design Review Application: The application is for two or less buildings and/or two or less signs.
 - 3. The planning and zoning commission may request more information before making a recommendation to city council. Requested information should be submitted in a timely manner. The applicant should provide the planning and zoning commission with requested information within sixty (60) days of the initial request or the application may be denied and a new application and fee may be required.
- B. Planning and Zoning Commission Action: By no later than sixty (60) days from the date the formal application was first reviewed, the planning and zoning commission shall recommend, recommend conditionally or recommend disapproving the design plans. The reasons for such action shall be stated in writing, a copy of which shall be attached to one copy of the design plans and returned to the applicant.

9-12-02-6 : DESIGN AREAS

- A. The city engineer shall review and report in writing on all important provisions of site design and assist the planning and zoning commission.
- B. Site Design:
 - 1. Traffic: The site plan design shall minimize impact of traffic on adjacent streets, provide for the pedestrian, and provide appropriate, safe parking lot design.
 - 2. Landscaping: Landscaping shall ensure harmony with adjacent development; provide screening and site and sound buffering; preserve environmental features; beautify the city; and, provide adequate maintenance features.
 - 3. Grading and Drainage: Grading and drainage shall provide for storm drainage, erosion control and flood prevention.
 - 4. Signage: Signing for any project should provide for business identification and minimize clutter and confusion on and off the site, and shall be in compliance with sign regulations.

5. Utilities: Utility service systems shall not detract from building or site design. Cable, electrical, and telephone service systems shall be installed underground.
 6. Outdoor Lighting: Effective outdoor lighting should enhance the character of the city; provide safety and security for persons; reduce glare and large variations of lighting levels; and, protect the night sky. Outdoor lighting shall be in compliance with outdoor lighting standards.
- C. Building Design:
1. The mass (overall size) of the building should be reviewed for its relationship with existing development in the surrounding area and with the allowed use proposed by the applicant.
 2. Openings in the building shall provide interest through the use of such features as balconies, bays, porches, covered entries, overhead structures, awnings, changes in building facade and roofline alignment, to provide shadow relief.
 3. Buildings should avoid monotonous flat vertical planes.
- D. Open Space Development:
1. Open space may be used for parks, recreational areas, historic sites, and scenic preservation.
 2. Open Space Classification

a. Playground	Structures such as swings and jungle-gym equipment for preschool to early grade school children. Two acres or smaller should be adequate with a five minute walking time from the nearest residences.
b. Neighborhood	A combination of active and passive recreation for varying age groups. Centrally located within a neighborhood, picnic areas, shade trees, walking paths and play areas should be provided. Two to five acres within ½ mile walking distance of users.
c. Community	Developed with good auto access and parking. Playing fields, playground equipment and picnic areas may be incorporated. Five to ten acres within ½ to three miles maximum distance.
d. Specialty	Unique and specific in the type of use or recreational opportunity such as a golf course, historic site or swimming pool.
e. Linear	Corridors of land providing public access for recreational or transportation purposes. Improvements can include walking, hiking or bicycling paths and horse trails.

E. Streetscape:

1. Streetscape improvements may include street trees, streetlights, pedestrian lighting, bollards, public art, kiosks and furnishings.
2. Streetlights shall be approved by location, category and design.
3. Streetlight spacing may be slightly modified depending upon site constraints and the location of existing streetlights. One hundred to one hundred fifty feet between streetlights shall be a general range for spacing.

F. Sidewalks:

1. Sidewalks shall not be less than 4" in depth.
2. Sidewalks abutting a minor arterial should be a minimum of ten feet (10') wide.
3. Sidewalks abutting a major collector should be a minimum of eight feet (8') wide.
4. Sidewalks abutting a local street should be a minimum of five feet (5') wide.

(Ord. 2008-8)

CHAPTER 12

ARTICLE 04

DESIGN STANDARDS

- 9-12-04-1: ARCHITECTURAL STANDARDS
- 9-12-04-2: LANDSCAPE STANDARDS OUTDOOR
- 9-12-04-3: LIGHTING STANDARDS
- 9-12-04-4: ALTERNATIVE DESIGN PLAN

9-12-04-1 : ARCHITECTURAL STANDARDS

- A. Purpose: Architectural design standards create a visual representation of city values, increase aesthetic appeal and assist in the management of new development.

B. Definitions:

ARCADE:	A series of arches supported by piers or columns.
ARCHITECTURAL STANDARDS:	Statements and graphics intended to direct the planning and development of the built environment in particular manner or style so that the end result contributes positively to the overall development.
AWNING:	A piece of material over a frame before a window.
BALCONY:	A platform projecting from an upper story and enclosed by a railing.
BAY WINDOW:	A set of two or more windows that protrude out from the wall. The window is moved away from the wall to provide more light and wider views.
BREEZEWAY:	A structure for the principal purpose of connecting a main building or structure on a property with other buildings.
BRICK VENEER:	A type of wall constructed with facing brick covering a backing wall of frame or masonry.
CANOPY:	A projection or hood over a door, window, niche, etc.
CEDAR SHINGLE:	A roofing material made of durable wood.
CEMENT BLOCKS:	Mass produced building blocks made from pouring concrete into a mold.
CEMENT PLASTER:	A mixture of sand and cement that is applied to the exterior foundation wall beneath ground level to aid in watering proofing.
CLAPBOARD:	Overlapping horizontal boards that cover the timber-framed wall of a house.
COLUMN:	A slender, upright structure, usually a supporting member in a building. Freestanding or self-supporting structural element carrying forces mainly in compression; either stone, steel, brick, or concrete.

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CONCRETE:	A mixture of sand, cement and aggregate (stone or gravel) that may be reinforced with ferrous metals_
CONCRETE BLOCKS:	Masonry blocks commonly used for foundation and backing walls_
CORNICE:	Decorative projection along top of wall
CUPOLA:	A dome, especially a small dome on a circular or polygonal base crowning a roof or turret
DENTIL:	A molding motif that projects from the edge of a roofline or cornice_
DORMER WINDOW:	A window placed vertically in a sloping roof that has a tiny roof of its own_ Most often seen in second- floor bedrooms_
EAVES:	The under part of a sloping roof overhanging a wall
ELEVATION:	A drawing that views a building from any of its sides; vertical heights above a reference point such as above sea level_
ENTABLATURE:	The upper horizontal part of an order, between a capital and the roof; it consists of the architrave, frieze, and cornice_
FAÇADE:	Any important face of a building, usually the principal front with the main entrance_
FACE BRICK:	A finished, nondefective brick yielding good appearance and construction quality_
FIELDSTONE:	A stone used in its natural shape_
FRIEZE:	The middle part of an entablature, often decorated with spiral scrolls (volute)_
GABLE:	The triangular upper portion of a wall at the end of a pitched roof_ It typically has straight sides, but there are many variations_
LARGE SCALE STRUCTURE:	Structures that are 25,000 square feet in size and larger_ This includes commercial retail and business office buildings, manufacturing and industrial buildings_
MANSARD ROOF:	This roof is flat on top, sloping steeply down on all four sides, thus appearing to sheath the entire top story of a house or other building_
MASONRY:	Stonework or brickwork
OFFSET:	A ledge or recess formed in a wall by a reduction in its thickness above_
PARAPET:	That portion of the wall that extends above the roof (wall surrounding a flat roof)_
PEDIMENT:	A decoration over a portico, door or window_
PIER:	A vertical, noncircular masonry support, more massive than a column_
PILASTER:	A column integrated within a wall
	Land Use
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PILLAR:	Similar to but more slender than a pier, also noncircular.
PORCH:	An open or enclosed entry to a building. If large enough a porch may become a covered walk.
PORTICO:	A large porch usually with a pediment roof supported by classical columns or pillars.
PROJECTING RIB:	Projected molding or group of moldings.
REVEAL:	The side of an opening for a window or door, which is between the outer edge of the opening and the frame of the window or door.
ROOF PITCH:	Degree of roof slant stated in inches rise per foot.
ROOF RUN:	The horizontal distance from the outside of a bearing wall plate to the center of the ridge rafter.
ROOF SPAN:	Equal to twice the roof run, or the horizontal distance between the outside faces of bearing wall plates.
ROOF TYPES:	Style and shape of roofs: gable, gambrel, hip, mansard, shed, flat, butterfly, and saltbox.
SHINGLES:	Wood, asphalt, or other material that is applied in small sections as an outside covering on roofs of exterior walls to convey the run off of water.
SIDING:	The finished covering on the outside of non-masonry walls of houses and buildings. Shingles, wood siding, aluminum siding, vinyl siding, steel siding, stucco, etc.
SMALL STRUCTURE:	Structures that are under 25,000 square feet in size. This includes commercial retail and business office buildings.
STUCCO:	A mixture of cement, sand, lime and water spread over metal screening or chicken wire or wooden lath on wooden walls to form the exterior covering of and exterior wall. The molding trim around a door or window.
SURROUND:	The covering of one wall construction by a second material to enhance wall beauty. (Brick or stone over frame, brick or stone over concrete bloc.
VENEER WALL:	A synthetic type of siding used for its economic value and durability.
VINYL:	A paneling applied to the lower portion of a wall.
WAINSCOT:	

Land Use

Municipal Code

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C. Architectural Standards Schedule:

STANDARD	DISTRICTS													
BUILDING FACADE	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2	OS
Facades and exterior walls shall provide visual interest by using architectural design variations.														
A facade over 100 feet in linear length shall incorporate wall projections or recesses a minimum of four (4') feet depth and a maximum of twenty (20') contiguous feet within each 100 feet of facade length														
The facade of a small scale retail commercial building between the height of three feet and eight feet above the walkway grade shall be transparent material such as glass for no less than 35 percent of the horizontal length of the building front.														
Building facades should incorporate color change, texture change, material change and/or, a change in plane no less than 12 inches in width, such as an offset, reveal or projecting rib.														
Windows should include visually prominent forms of framing.														
Detail features shall not be superficially applied trim, graphics or paint.														
ROOF LINE														
Roof lines shall be varied with a change in height every 100 linear feet in the building length.														
Offsets or breaks on roof elevation shall be two (2') feet or greater in height.														
Flat roofs and roof top equipment shall be concealed from public view.														

9-12-04-2 : LANDSCAPE STANDARDS

A Purpose: Landscape standards are set forth to facilitate landscape planning.

1. Moderate summers, cold winters and a short growing season restrict the variety of species conducive to Tetonia's climate. Providing appropriate guidelines will reduce plant loss and expedite the landscaping process.
2. Landscaping is an integral part of community design adding to the overall beauty of the city.
3. The planting of trees provides aesthetic and functional benefits to the city.

B. Landscape Standards Schedule:

STANDARD	DISTRICT												
REQUIRED LANDSCAPING	A	TA	R1	R2	R3	MU	CD	C1	C2	C3	BP	M1	M2
Landscaping shall cover a minimum of 15% of the gross property area of multifamily housing, including townhouses and condominiums.													
In addition to required landscaping, a minimum of 400 sq. feet of common area/park shall be provided for every 4 multifamily dwelling units, including townhouses and condominiums.													
Landscaping shall cover a minimum of 10% of the gross property area.													
No landscape areas shall include artificial trees, plants, or any carpeting designed as a vegetative substitute.													
Clear vision triangle shall be observed in regard to all vegetation.													
Accepted nursery standards and practices shall be followed in the planting and maintenance of required landscaped areas.													
All required landscaping shall be permanently maintained in a healthy growing condition by the property owner, the property owner's representative, or the homeowners' association. This includes the maintenance of street trees and/or other landscape materials within or abutting the public right of way adjacent to the subject property.													
IRRIGATION													
All required landscaped areas must be provided with an automatic underground irrigation system.													
Irrigation systems must include an appropriate backflow prevention device.													

TITLE #1 LAND USE CODE -- CHAPTER 12 STANDARDS

	A	TA	R1	R2	R3		MU	CD	C1	C2	C3	BP	M1	M2	OS
PARKING LOT LANDSCAPING															
A landscape strip of not less than 10 feet shall be provided when a parking lot is located adjacent to a public right of way.															
Parking should be located to the side and rear of buildings and should be screened so that it does not dominate the streetscape and shall provide screening of automobile and truck headlights from the public right of way and abutting properties.															
BUFFER AREAS															
When a commercial or manufacturing use abuts a residential use a ten-foot (10') wide by six-foot (6') high landscaped buffer is required.															
All buffer areas shall be comprised of, but not limited to, a mix of evergreen and deciduous trees, shrubs, and ground cover in which evergreen plant materials comprise a minimum of sixty percent (60%) of the total plant material used.															
SCREENING															
Screen plantings or other screening methods shall be required to conceal outdoor storage areas, common trash receptacles, service areas, utility buildings and other unsightly uses.															

9-12-04-3 : OUTDOOR LIGHTING STANDARDS

A. Purpose: To establish regulations and specifications to effectively manage outdoor lighting.

B. Definitions:

AREA LIGHT:

Light that produces over 1800 lumens and is designed to light an exterior space. Area lights include, but are not limited to, street lights, parking lot lights and yard lights.

DOWNLIGHTING:

Fully shielded light that is directed in such a manner as to shine light rays only below the horizontal plane.

FLOOD LIGHT:

A lamp that produces up to one thousand eight hundred (1800) lumens and is designed to flood a well-defined area with light.

FOOT-CANDLE (FC):

The American unit used to measure the total amount of light cast on a surface (illuminance).

TITLE 9 LAND USE CODE - CHAPTER 12 STANDARDS

FULL CUT-OFF LUMINARIES:	An industry recognized term meaning a luminaire designed and installed such that no light is emitted at or above the horizontal, and limited light (100 candela per thousand lamp lumens) is emitted everywhere between horizontal and 10 degrees below horizontal.
FULLY SHIELDED:	The luminaire and its mounting, taken as a whole, allowing no direct light above the horizontal.
GLARE:	Stray light striking the eye.
HEIGHT (OF LIGHT):	The height shall be measured from grade to the lamp center or flat-lens surface, whichever is lower.
HOLIDAY LIGHTING:	Strings of individual lamps, where the lamps are at least three inches apart and the output per lamp is not greater than fifteen (15) lumens.
ILLUMINANCE:	The amount of light falling on any point of a surface measured in foot-candles or lux. Measurements are taken at ground level with sensor parallel to the ground for horizontal illuminance and measured at five (5) feet above ground with sensor perpendicular to the ground for vertical illuminance.
IESNA:	Illuminating Engineering Society of North America
LAMP:	The generic term for an artificial light source, to be distinguished from the whole assembly. Commonly referred to as "bulb".
LIGHT TRESPASS:	Light falling on the property of another or the public right-of-way when it is not required to do so.
LIGHTING PLAN:	Documents specific to a project or development that describe the location and characteristics of all exterior lighting and the light levels in and adjacent to the property.
LUMINAIRE:	The complete lighting unit, including the lamp, the fixture, and other parts.
MAINTAINED ILLUMINANCE:	The condition just prior to a time when luminaire cleaning and lamp replacement is necessary.

C. General Outdoor Lighting Standards:

1. Shielded Fixtures: All outdoor lighting shall be fully shielded. Full cutoff lights are required.
2. Color: High-pressure sodium lamps shall be used in commercial and public applications, however, metal halide or fluorescent lamps may be permitted for applications where the applicant can show a need for good color rendition that is necessary to the function, such as retail sales lots.
3. Light Trespass: All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the light source. No light fixture shall produce glare or light spillage at any property line exceeding one-half footcandle.
4. Lighting of Flags: The lighting of Federal or State flags shall be permitted provided that the light is a narrow beam and shall minimize light trespass

and/or glare. Downlighting of flags is encouraged. Lowering flags at sunset to avoid the need for lighting is encouraged.

5. Canopy Lighting: Canopy lighting shall be flush with the under surface of the canopy.
- D. Illumination Levels shall be measured with a photometer having a spectral response similar to the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.
- E. Roadway/Streetlights:
 1. All new lighting for streets shall be full cut off.
 2. All streetlights shall use high pressure Sodium lamps.
 3. Height: Streetlights shall not exceed 15 feet in height except where deemed necessary for public health and safety and upon approval by the planning and zoning commission as part of a development application or conditional use permit.
- F. Parking Lots: All parking areas shall be illuminated in accordance with the provisions of this article.
 1. Any lights used to illuminate a site shall be arranged to reflect the light away from the adjoining property.
 2. All site lighting should be recessed or shielded to direct all light downward. Historic style light pole fixtures designed such that the portion of the fixture housing the light is to be exposed as a design element of the light fixture shall be 150 watt high pressure sodium and provide optics to direct light downward.
 3. Light pole fixtures shall have a maximum height of fifteen feet (15').
 4. Lights: Low pressure sodium lights, or 250 watt maximum high pressure sodium lights, shall be the preferred type of site lighting permitted.
 5. Metal halide lighting shall be permitted with the following additional conditions:
 - a. Light wattage shall be a maximum of 320 watts.
 - b. The light fixture shall be no higher than fifteen feet (15').
 - c. The lighting shall be installed, operated, and maintained to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity and will not change the essential character of the same area.
 - d. The lighting will not be disturbing to existing or future neighboring uses.
 - e. Historic style light pole fixtures designed such that the portion of the fixture housing the light bulb is exposed as a design element of the light fixture shall not be permitted to have metal halide lighting.
- G. Recreation Areas:
 1. All recreation lighting shall be fully shielded, or be designed or provided with sharp cutoff capability, so as to minimize up-light, spill light, and glare.
 2. All recreational lighting shall be turned off within thirty (30) minutes of the completion of the last game, practice, or event. In no case shall recreational lighting occur after 11:00 P.M. except to conclude a specific sporting event that is under way.
 3. All new recreational lighting fixtures shall meet the recommended standard illumination levels for recreational lighting as established by the IESNA.

- H. Service Stations and Retail Sales Lots:
 - 1. Metal halide lamps are permitted.
 - 2. Car Dealerships: Maximum horizontal initial illuminance shall be 5-10 foot-candles at the roadway and 2-5 elsewhere.
 - 3. Convenience Stores with Gasoline Service: Average initial horizontal illuminance shall be no greater than 5 foot-candles in the pump area and 2 foot-candles elsewhere. Full cut off shields are required for all lighting.
- I. Signs: Signs, including directional, project entrance, free standing, building, and monumental signs shall comply with the following requirements:
 - 1. All lighting fixtures shall be aimed and shielded so that light is directed only onto the sign facade. The lamp shall not be visible from streets, roads or properties.
 - 2. Signs that abut residential zones shall be designed, placed and landscaped in such a manner so that the lighting does not trespass onto residential properties. The light shall be confined to the surface of the sign.
 - 3. Externally illuminated signs shall be downlighted. Internally illuminated signs shall have a dark or opaque background.
- J. Exempt Lighting: The following lighting shall be exempt from the provisions of this section:
 - 1. Christmas holiday lighting from November 1 to January 15.
 - 2. Traffic control signals and devices.
 - 3. Temporary emergency lighting in use by law enforcement or government agencies or at their direction.
 - 4. Temporary lighting, used for a period not to exceed thirty (30) days in any one year period for festivals, celebrations, or other public activities.
 - 5. Temporary construction lighting.
 - 6. Residential luminaries.
- K. Prohibited Lighting: The following lighting shall be prohibited except as provided in "Exempt Lighting":
 - 1. Unshielded lighting for any purpose.
 - 2. Flashing, blinking and intermittent lights or lights that move or give the impression of movement. Holiday lighting between November 1 and January 15 is permitted.
 - 3. Spotlights may not be affixed to buildings for the purpose of lighting parking lots or sales display lot areas.
 - 4. Searchlights, floodlights, laser source lights, strobe, or flashing lights, illusion lights, or any similar high intensity light shall not be permitted.

9-12-04-4: ALTERNATIVE DESIGN PLAN

A developer may propose an alternative design plan including written documentation that the alternative design plan meets or exceeds the purpose statement of this chapter. Such an alternative design plan shall be submitted with the initial application. (Ord. 2008-8)

TITLE 9 LAND USE CODE - CHAPTER 12 STANDARDS

CHAPTER 12

ARTICLE 06

SIGN STANDARDS

- 9-12-06-1: PURPOSE
- 9-12-06-1: DEFINITIONS
- 9-12-06-2: SIGNAGE STANDARDS
- 9-12-06-3: NONCONFORMING SIGNS
- 9-12-06-4: PROHIBITED SIGNS
- 9-12-06-5: TEMPORARY SIGNS
- 9-12-06-6: SIGNS ON CITY OWNED PROPERTY

9-12-06-1: PURPOSE

Recognizing the interdependence of sign design and placement to site and building design provides a method by which the city may regulate this interdependence to preserve the scenic and environmental quality of the community.

9-12-06-1: DEFINITIONS

If conflict arises between any definition in this article and any other definition within this title, the definition with the more specific and/or more restrictive definition shall control. Any other words or phrases not specifically defined shall be interpreted to give this chapter its most reasonable application.

ADVERTISING STRUCTURE: A structure of any kind or character, erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting or other advertisement of any kind whatsoever may be placed including statuary for advertising purposes.

ANIMATED SIGN: Any sign, which is designed and constructed to give its message through a sequence or progressive changes or parts or lights or degree of lighting.

BANNER SIGN: Any sign made of lightweight fabric, plastic, or similar material placed at a site in view of the public. Governmental flags or emblems shall not be considered banner signs.

CABINET SIGN: A sign consisting of one or more translucent panels containing sign copy, which are interchangeable and which are affixed to a box or cabinet. Cabinet signs are prohibited.

CITY ENTRY SIGN: A permanent sign identifying the city of Tetonia or the central business district. No advertising is permitted on city entry signage.

TITULAND Use: CODI= -- CHAFTEH "12 ST1-NDARDS

CONSTRUCTION SIGN:	An informational sign which identifies the architect, engineer, contractor, or other individual or firms involved with the construction of a building, or announcing the character of the building or enterprise.
DIRECTIONAL SIGN:	A sign which foremost contains words such as "entrance", "enter", "exit", "in", "out", or other similar words or a sign containing arrows or characters indicating traffic directions and used either in conjunction with such words or separately. This sign shall not include business identification.
FREEHANGING SIGNBOARD:	A sign attached underneath a canopy, awning or colonnade.
FREESTANDING SIGN:	A single or multiple faced sign, supported from the ground by one or more columns, uprights or braces.
FRONTAGE:	The length of a lot along a street or other principal public thoroughfare, but not including such length along an alley, watercourse or railroad.
GRADE:	The relative ground level in the immediate vicinity of the sign.
HEIGHT OF SIGN:	The vertical distance from the grade (measured from the centerline of the adjacent roadway) to the highest point of a sign or any vertical projection thereof, including its supporting columns.
ILLUMINATION, EXTERNAL:	A sign that is affected by an artificial light source that is not contained within the sign itself.
ILLUMINATION, INTERNAL:	Illumination of a sign from a light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. This includes characters, letters, figures, designs or outline, which is illuminated by gas, filled luminous tubes, such as neon, argon or fluorescent.
MASTER SIGN PLAN:	A plan designed to show the relationship of signs for any cluster of buildings or any single building housing a number of users or in any arrangement of buildings or shops which constitute a visual entity as a whole.
MONUMENT SIGN:	A freestanding sign with a solid base, including rock signs, or with supports that are designed to be structurally similar to the sign construction, and which incorporate architectural features which complement the sign construction. Pole type supports are not permitted.
MURAL: NONCONFORMING SIGN: OFF PREMISES SIGN:	A painting, other than a sign, on the outside wall of a building.
	Any sign, which does not comply with the provisions of this code.
	Signs located on a separate parcel of land or a separate site from the place where the product, service or business is located.

ON PREMISES SIGN:	Signs located on the same parcel of land or a site as the place where the product, service or business is located.
PENNANT SIGN:	Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. The display of a single pennant, unattached to another, may be regarded as a type of decorative flag.
POLE SIGN:	A freestanding sign that is supported by one or more poles.
PORTABLE SIGN:	Any sign not designed to be attached to a building or anchored to the ground.
READER BOARD:	A sign or part of a sign on which the letters are readily replaceable such that the copy can be changed from time to time.
REAL ESTATE SIGN:	A sign advertising the sale, rental or lease of the premises upon which the sign is maintained; not including a subdivision sign.
ROOF SIGN:	A sign that is erected on or above the roof of a building and which derives its principal support from the roof or from columns or supports extending through the roof.
ROOFLINE:	The upper edge of any building wall or parapet for any flat roof structure; or, the ridgeline at the top of the roof for any gabled or hip roof structure.
SIGN:	Any letters, figures, design, symbol, trademark or device intended to attract attention to any activity or service, place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever, including the display of merchandise. Excluded from the definition are official traffic signs or signals, sheriff's notices, court notices or official public notices and the flag of the government or noncommercial institution, and signs not visible from the street or sidewalks.
SURFACE AREA, OF BUILDING:	Actual surface area of the single building face to which a sign is attached, including doors and windows, but excluding the "roof area", as defined in this subsection, and excluding structures for elevators or air conditioning equipment on the roof.
SURFACE AREA, OF SIGN:	The entire area within a single, contiguous perimeter enclosing the extreme limits of writing, representation, emblem or any figure or similar character, together with any form or other material or color forming an integral part of the display, or used to differentiate such sign from the background against which it is placed.
TEMPORARY SIGN:	A nonpermanent sign intended for use for a short period of time. Includes any banner, pennant or advertising display constructed of canvas, fabric, wood, plastic, cardboard or wallboard, with or without frame. Examples

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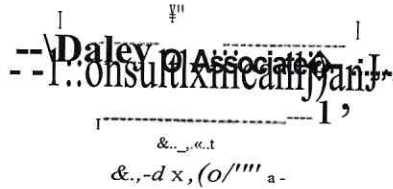
	of temporary signs included in this category are construction signs, grand opening displays, real estate signs, "open house" signs, subdivision signs and subdivision directional signs.
VEHICLE SIGN:	Any sign, logo or advertisement placed, painted, attached, or displayed on a vehicle.
WALL SIGN (FLAT):	A sign attached to or erected against the wall of a building or structure with the face of the sign parallel to the plane of said wall, and not extending from over twelve inches (12") from the wall of the building or structure.
WALL SIGN (PERPENDICULAR):	A sign attached to or erected against the wall of a building or structure with the face(s) of the sign perpendicular to the plane of said wall, and not extending over thirty-six inches (36") from the wall of the building or structure.
WINDOW SIGN:	All signs located inside and affixed to, painted on or within three feet (3') of windows of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located within three feet (3') of the window.

9-12-06-2 : SIGNAGE STANDARDS

- A. General Signage Requirements: It is the intent of these requirements to encourage interesting, quality signs. Sign materials and overall appearance shall complement building architecture and colors.
1. Monument signs, wall signs, and free hanging signboards shall be the approved sign styles.
 2. Sign illumination shall be in accordance with the provisions of this Title. Internal illumination is prohibited for all signs.
 3. A wall sign may be flat or perpendicular to the wall.
 4. A freestanding single tenant business shall be allowed two (2) wall signs, provided that, each sign is placed on a different side of the building. The entire building shall be permitted one monument sign for every street it fronts.
 5. Any business within a multi-tenant building that is located on a street corner or which fronts two (2) streets shall be allowed two (2) wall signs.
 6. A home occupation or home business in a residential zone shall be allowed one (1) wall sign attached to the front or side wall of the dwelling. The sign shall not exceed four (4) square feet
- B. Wall Signs:
1. The total area of any wall sign attached parallel to, or painted on the face of a building shall not exceed ten percent (10%) of the total area of the building face to which it is attached or painted.
 2. The total area of each side of any wall sign attached perpendicular to the face of a building shall not exceed ten percent (10%) of the total area of the

building face to which it is attached.

3. In determining the total area of a sign created with individual letters only, an imaginary vertical line shall be drawn before the first and after the last letter of each word in the sign. Imaginary horizontal lines shall be drawn above and below each word in the sign. The sum or the areas within these intersecting lines shall equal the total area of the individual letter sign. An example of this formula is shown in the following drawing:



4. When graphics are used in combination with letters to create the sign message the graphics shall be included as part of the formula in determining total area. An example of this formula is shown in the following drawing:



C. Monument Signs:

1. Monument signs located within the CD district shall not exceed four feet (4') in height (including the solid base).
2. Other monument signs located within the city shall not exceed eight feet (8') in height (including the solid base).
3. A freestanding single tenant building, not in a commercial/business center, shall be permitted to construct, erect and maintain one monument sign per street that it abuts to identify the business to which it pertains. The exposed surface of any such sign shall not exceed fifty (50) square feet per exposed surface except that the exposed surface of any such sign within forty feet (40') of a building shall not exceed six feet (6') in height and thirty (30) square feet per exposed surface.
 - a. A double-faced monument sign is permitted.
 - b. The minimum distance between any monument sign for an individual business, not in a shopping center, shall be one hundred feet (100'). No monument sign shall be any closer than twenty feet (20') from a monument or other freestanding sign on an adjacent property.
4. A commercial/business center shall be allowed one monument sign per street that it abuts. If the commercial/business center has a single address, the

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address shall be located on the monument sign and shall be a size that is readable from the street. The height of any such sign, including the base to which it is attached, shall not exceed twenty feet (20'). The surface area of any such sign shall not exceed one hundred (100) square feet per exposed surface, including any reader board sign or surface.

5. Subdivision monument signs shall be a maximum of eight feet (8') high and shall have a maximum surface area of fifty (50) square feet. A sign may be permitted on each side of any entry road into a subdivision and at the intersection of any collector and/or arterial streets abutting the subdivision.
- D. Directional Signs: Directional signs for an individual business or within the boundaries of a shopping center are permitted only with the approval of the planning and zoning commission. Directional signs shall be three feet (3') high maximum. Business identification is prohibited on directional signs.
- E. Free Hanging Signboards: Free hanging signboards attached under covered porches or canopies, are permitted, but no such sign may exceed eight (8) square feet nor shall any such sign extend beyond the porch or canopy to which it is attached. A minimum distance of seven feet six inches (7'6") shall be required between a walkway and the bottom of a free hanging signboard.
- F. Fuel Island Signs: Fuel island canopies shall be permitted to have a maximum of three (3) signs for the fuel logo only. The signs shall be attached to, or painted on, the canopy face. The height and width of the sign shall be reviewed with regard to its proportional relationship to the height and width of the canopy face to which it is attached or painted. The sign shall be a maximum of twenty (20) square feet but in no case shall the sign cover more than one-third (1/3) of the area of the face of the canopy to which it is attached or painted.
- G. Special Portable Signs: Special portable signs, which are used on an ongoing daily basis throughout the year may be permitted by the city if the following criteria is complied with:
 1. Special portable signs shall require a design review application and planning and zoning commission approval.
 2. Special portable signs shall be unique in character. Materials shall be weatherproofed and shall be properly maintained.
 3. Illumination for special portable signs is prohibited.
 4. No more than one special portable sign shall be permitted for any business.
 5. Special portable signs shall be a maximum of sixteen (16) square feet.
 6. Special portable signs shall be a maximum of five feet (5') in height.
 7. Signs shall only be permitted on, or on the sidewalk adjacent to, the parcel on which the business is located and shall not be permitted on any other parcel except that any multitenant site shall have the sign on the site and not on any other site.
 8. Special portable signs on a public sidewalk abutting the business's parcel may be permitted if a minimum of five feet (5') of unobstructed walkway for pedestrians is provided.
 9. Any sign in a driveway or street sight vision triangle shall be a maximum of thirty two inches (32") high measured from the driveway or street.

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10. Special portable signs shall be moved inside of the building at the end of each business day.
- H. Sign Illumination: The planning and zoning commission shall find that any illuminated sign permitted under the specific regulations within this article is designed such that brightness levels are controlled to assure a soft, subtle effective light.

9-12-06-3 : NONCONFORMING SIGNS

All signs in the entire city on the effective date hereof shall conform to this article upon any structural change to the sign, sign base, or building to which it is attached, or upon any change in the face of the sign for the business to which such sign pertains.

9-12-06-4 : PROHIBITED SIGNS

- A. The following types and styles of signs shall be prohibited within the entire city and city impact area. Prohibited signs are subject to removal by the city at the owner or user's expense.
1. Moving, revolving, intermittent, oscillating, animated, or flashing signs.
 2. Portable, interior illuminated, exterior signs.
 3. Roof signs.
 4. Wall signs that extend above the parapet wall.
 5. Permanent reader board signs in excess of twenty (20) square feet are prohibited.
 6. Signs purported to be, or which are, an imitation of, or resemble an official traffic sign or signal, or which bear the words "stop", "danger", "warning", or similar words in a manner potentially causing confusion with such official signs or signals.
 7. Signs which by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or radio equipment vehicle, or signs which obstruct the visibility of any traffic or street sign or signal device.
 8. Signs or displays, chasing or scintillating lights, flares, bubble machines and similar devices containing elements creating sound or smell.
 9. A-frame, sandwich board, sidewalk, banner, pennant and similar signs except as may be permitted on a temporary basis as approved by the planning and zoning commission.
 10. Signs (including window signs) identifying, or advertising activities, products, businesses or services, which have been discontinued, shall be prohibited.
 11. Signs or posters, which are visible from a public way and are tacked, pasted, or otherwise affixed to or upon the walls of buildings, trees, poles, posts, fences, hydrants, bridges, or other structures.
 12. Signs identifying a home occupation or home business in a multifamily dwelling consisting of three (3) or more units.
 13. Portable signs, including A-frame signs, banners, sandwich signs, curb signs,

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pole attachments, mobile signs, but not including real estate open house signs.

14. No sign shall be permitted which is not related to the property upon which it is located, or to the activity being conducted thereon.
15. Searchlights.
16. Billboards.
17. Beacons and strobe lights.

9-12-06-5: TEMPORARY SIGNS

- A. Signs for temporary vendors shall comply with all the requirements herein except that any temporary vendor sign shall be permitted for the entire length of time that the temporary vendor is in operation.
- B. A business identification banner, or similar sign, may be permitted on a temporary basis, not to exceed one hundred twenty (120) days, during approval and construction of any wall sign for a new business.
- C. A business identification A-frame, sandwich board or similar sign, may be permitted on a temporary basis, not to exceed one hundred twenty (120) days, during approval and construction of any monument sign for a new business.
- D. Political signs shall be permitted on private property and may be placed or erected no sooner than sixty (60) days before the election and must be removed within ten (10) days after the date of the election.

9-12-06-6 : SIGNS ON CITY OWNED PROPERTY

- A. No person shall erect a sign upon any property owned or controlled by the city without first having procured a lease of the property from the city. Before any lease shall be granted for the erection and maintenance of a sign upon property of the city, a site review application shall be required with any additional information, which the zoning administrator shall deem necessary to carry out the purposes and intent of this article.
- B. In the event that any sign is erected or maintained in violation of the provisions of this section, the city may direct the removal of such sign. In the event the lessee deems such removal to be without cause, they may, within thirty (30) days after such direction, make written appeal to the city council. The findings of the city council, after notice to the lessee and due hearing, shall be final. (Ord. 2008-8)

TITLE 9 LAND USE CODE – CHAPTER 10 ZONING REGULATIONS

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: ACCESSORY USE STANDARDS
- 9-10-06-5: SUPPLEMENTARY REGULATIONS
- 9-10-06-6: HOME OCCUPATION
- 9-10-06-7: MULTIPLE USE DISTRICT
- 9-10-06-8: ANIMAL REGULATIONS
- 9-10-06-9: COMMUNICATION FACILITY REGULATIONS
- 9-10-06-10: 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.
 4. 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 constructed after 1976.
 3. The hitch, axles and wheels must be removed and the foundation facia 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

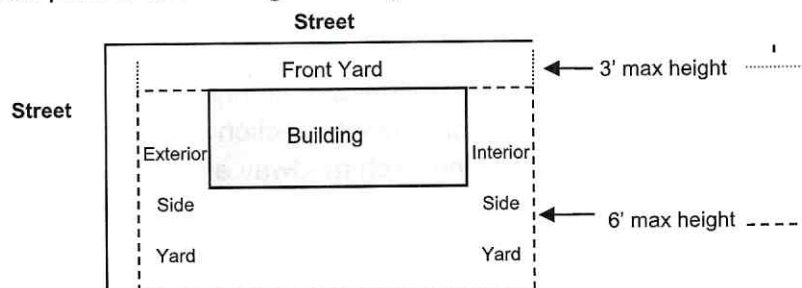
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 - 2. An accessory building or group of buildings shall not cover more than twenty percent (20%) of the rear yard (excluding side yards).
 - 3. Maximum height shall be 20 feet.
- B. Clear View of Intersecting Streets: Clear vision triangle shall be 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.
- C. 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

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provided and maintained on the commercial property abutting its side yard and/or rear yard line.

- D. 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.
- E. 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.
- F. 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 (1) year. A one-year extension may be granted by the city council.
 2. Temporary Dwelling: One (1) 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:
 - a. One temporary structure or RV may be used as necessary for construction purposes when associated with a residential building permit and for a period not to exceed one (1) year.
- G. Fences, Walls and Hedges: Fences, walls and hedges are permitted in any yard or along the edge of any yard to a height of six feet (6'); provided, that no fence, wall or hedge along the front sides of any front yard shall be over three feet (3') in height. On a corner lot, the fence may be placed along the property line along the exterior side yard of the lot from the back boundary line to the front of the house. No fence, wall or hedge shall be placed within a right-of-way

Corner Lot:



- H. Property Boundaries: The property owner shall be responsible for establishing property lines.

9-10-06-6: HOME OCCUPATION