ORDINANCE #2025-1222

TETON COUNTY, IDAHO

REPLACEMENT OF TITLE 7, CHAPTER 2

LAND DEVELOPMENT CODE FOR THE CITY OF TETONIA AREA OF IMPACT

Adopted December 22, 2025

AN ORDINANCE REPLACING TITLE 7, CHAPTER 2 OF TETON COUNTY CODE: THE AREA OF IMPACT AGREEMENT BETWEEN THE CITY OF TETONIA AND TETON COUNTY IDAHO. THIS AMENDMENT PURSUANT TO IDAHO STATE STATUTE 67-6526, THE AREA OF IMPACT OF THE CITY OF TETONIA TO INCLUDE AMENDING THE OFFICIAL ZONING MAP OF THE TETONIA AREA OF IMPACT, AMENDING THE LAND DEVELOPMENT REGULATIONS AND USES WITHIN THE AREA OF IMPACT BOUNDARY, ESTABLISHING PLANS AND OVERLAYS IN THE AREA OF IMPACT, ESTABLISHING ZONE DISTRICTS FOR PARCELS NOW REMOVED FROM THE AREA OF IMPACT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The purpose of this ordinance shall be to promote the health, safety, and general welfare of the people of the county and the area of city impact of the City of Tetonia by fulfilling the purposes and requirements of the Local Planning Act of 1975 and implementing the comprehensive plan for the county and the area of city impact of the City of Tetonia. Specific statements of purpose accompany selected provisions of this ordinance, but the comprehensive plan provides the full statements of the county's purpose and intent in planning and zoning activities.

WHEREAS, This title is adopted pursuant to the authority granted by the Local Planning Act of 1975 and the County's constitutional police powers. It fulfills the requirements of the Local Planning Act, and

WHEREAS, the updated legislation requires Counties to ensure compliance with the updated regulations by December of 2025;

WHEREAS, A public hearing was held before of the Board of County Commissioners, in the manner and the form as prescribed by the Ordinance and Statute, and after a public hearing by the Board of County Commissioners on December 22, 2025, the Board has made and does hereby make the following findings:

1) That the updated Area of Impact boundary, AOI zoning, and regulations within the AOI complies with updated State Statute 67-6526;

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF TETON, STATE OF IDAHO:

SECTION 1. That the official zoning map of Teton County shall be amended to assign as follows (See Exhibit A and Exhibit B) and enforced as such.

SECTION 2. That Title 7, Chapter 2 of the Teton County Code be amended and restated as follows (See Attachment Exhibit C) and enforced as such.

SECTION 3. All ordinances, resolutions or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

SECTION 5. The Tetonia AOI shall be reconsidered again on or before December 22, 2030.

APPROVED BY THE TETON COUNTY BOARD OF COMMISSIONERS, TETON COUNTY, IDAHO, this _____ day of December, 2025

_____
BRAD WOLFE, Chair

_____
DAN POWERS, Commissioner

_____
RON JAMES, Commissioner

ATTEST:

_____
Kim Keeley, Teton County Clerk

Published: _____



TETON COUNTY
LAND DEVELOPMENT CODE
CITY OF TETONIA AREA OF IMPACT

TITLE 7 CHAPTER 2 TETONIA AREA OF IMPACT

ADOPTED DECEMBER 22, 2025, EFFECTIVE JANUARY 14, 2026

TETON COUNTY TITLE 7 CHAPTER 2
CITY OF TETONIA AREA OF IMPACT LAND DEVELOPMENT CODE

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ARTICLE 1 ADMINISTRATION

7-2-1-1 Legal Provisions

A. Title

This document is the "Land Development Code for the City of Tetonia, Idaho's Area of Impact" and is referred to in this document as "this Code" or "Tetonia AOI code". The "Land Development Code" or "LDC" refers to the entirety of the Teton County, Idaho, Land Development Code, as amended. Unless otherwise defined in this Tetonia AOI Code, defined terms from the LDC have the same meanings herein. The Teton County Land Development Code applies in the Tetonia Area of Impact except for the following sections:

- LDC § 1-2 Zoning Districts Established
- LDC, Chapters 2 and 3, which are replaced in their entirety with the provisions of this Code.
- LDC § 5-4-2 (C) Table 7,
- LDC § 5-5 Scenic Resources
- LDC § 5-9 Signage

Appendix A has been added to this Code as a reserved section for the future development of Design Review standards applicable within the Tetonia Area of Impact.

B. Effective Date

This Tetonia AOI Land Development Code became effective on December XX, 2025 by Teton County Ordinance #2025-12XX.

C. Tetonia Area of Impact

As used herein, "Tetonia Area of Impact" refers to the area surrounding the City of Tetonia, pursuant to Idaho Code § 67-6526, as amended, which is shown as follows:

Update with finalized map after hearings

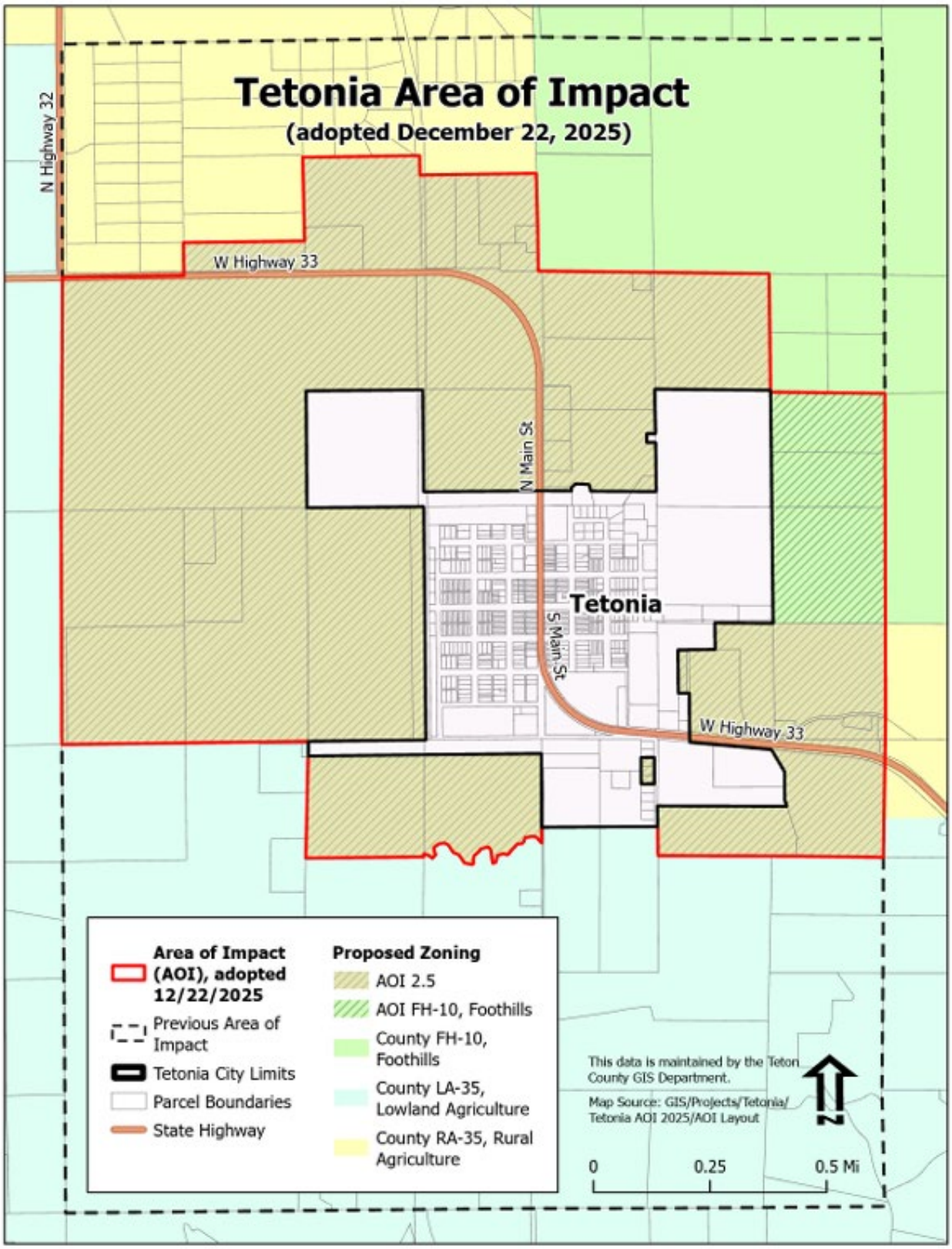
7-2-1-2 Zoning Districts Established

A. Generally

In order to implement this chapter of the Land Development Code, the unincorporated area of Teton County within City of Tetonia's Area of Impact is divided into the following *zoning districts* as established in Chapter 2 and as shown on the *official zoning map*.

B. *Zone Districts*

1. AOI-2.5: Area of Impact 2.5-acre Minimum lot size
2. AOI-20: Area of Impact 20-acre Minimum lot size
3. AOI-FH 10: Foothills Area of Impact
4. AOI-CIV: Civic-- Area of Impact


Tetonia Area of Impact
(adopted December 22, 2025)
N Highway 32
W Highway 33
N Main St
S Main St
Tetonia
W Highway 33
Area of Impact (AOI), adopted 12/22/2025
Previous Area of Impact
Tetonia City Limits
Parcel Boundaries
State Highway
Proposed Zoning
AOI 2.5
AOI FH-10, Foothills
County FH-10, Foothills
County LA-35, Lowland Agriculture
County RA-35, Rural Agriculture
This data is maintained by the Teton County GIS Department.
Map Source: GIS/Projects/Tetonia/Tetonia AOI 2025/AOI Layout
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0.5 Mi

ARTICLE 2 ZONE DISTRICTS

The Teton County *Comprehensive Plan* established a framework for future growth and *development* and a Future Land Use Map that shows the geographic distribution of desired future land uses. The *comprehensive plan* anticipates new commercial *development* and residential *subdivisions* will take place subsequent to annexation into the *City* of Tetonia. The following zoning districts support the implementation of residential and rural *zone districts* that are based on the *comprehensive plan*.

7-2-4-1Zone District Table

Table 1. Zone District Table

Zone District	Average Density	Min Lot Size	Min Lot Width	Min Front and Side Setbacks	Min rear Setback	Maximum Building Height
AOI- 2.5 acre Minimum lot size	--	2.5 acres	--	30'	40'	30' 60' for *agricultural buildings*
AOI- 20 acre Minimum lot size	--	20 acres	--	30'	40'	30' 60' for *agricultural buildings*
AOI – FH10	10 acres/Lot	1 acre	100'	30'	40'	30' 60' for *agricultural buildings*
AOI-CIV	-	7000 sq feet	70'	10'	10'	35' for *all buildings and structures*

7-2-4-2 AOI-2.5, Area of Impact 2.5 acre Minimum lot size

A. Intent

The intent of the AOI-2.5 Area of Impact – Zone 1 District is to accommodate single-family residences on a minimum of two and a half (2.5) acres. The AOI-2.5 District is intended to be located where existing platted *subdivisions* are located or where lots have been subdivided into similarly sized *parcels*. Small scale agriculture is allowed in the AOI-2.5 District such as keeping of livestock and crop production. The Idaho Right to Farm Act (Idaho Code Sections 22-4501 through 22-4506, as amended) may bar neighboring property *owners* from obtaining a legal judgement against normal agricultural operations.

B. Dimensional Standards

1. Minimum Lot Size – 2.5 acres
2. Minimum Lot Width – NA
3. Minimum Setbacks – 30 feet front and sides, 40 feet rear
4. Maximum *Building Height* – 30 feet, 60 feet for *agricultural buildings*

C. Uses

As specified in Chapter 3, Use Provisions.

7-2-4-3 AOI-20, Area of Impact 20 acre Minimum lot size

A. Intent

The intent of the AOI-20 Area of Impact-Zone 2 District is to permit agricultural purposes and activities. Residences are allowed on large agricultural parcels within the AOI. The standards of the AOI-20 District promote the continuation of farming and protect agricultural land uses from the encroachment of incompatible uses. Properties in the AOI-20 zoning district are located in areas where land is used for commercial agricultural production. The Idaho Right to Farm Act (Idaho Code Sections 22-4501 through 22-4506, as amended) may bar neighboring property *owners* from obtaining a legal judgement against normal agricultural operations.

One of the purposes of keeping these properties in agricultural use is that the land will be available and open for *development* as greenfield sites when it is appropriate to annex and *development* at *City densities*. Annexation would be most successful when *City development* is adjacent to the property. Leap-frog *development* is discouraged.

B. Dimensional Standards

1. Minimum Lot Size – 20 acres
2. Minimum Lot Width – NA
3. Minimum Setbacks – 30 feet front and sides, 40 feet rear
4. Maximum *Building* Height – 30 feet, 60 feet for *agricultural buildings*

C. Uses

As specified in Chapter 3, Use Provisions.

7-2-4-4 AOI FH-10, Foothills Area of Impact

A. Description

The Foothills (FH-10) *Zone District* is intended to ensure *development* is in harmony with mountainous and hilly settings that are at higher risk to wildfire and notable for wildlife values. FH-10 serves to provide limited residential *development* with an average *density* not to exceed **one (1) *lot* per ten (10) acres** in the foothills of the

Western, Southern, and lower elevation Northeastern portions of the valley. The intent for *development* in the FH- 10 is to maintain public access to state and federal lands; discourage scattered *hillside development* that requires remote *roads* and infrastructure; follow best practices to help prevent wildfires and minimize threats to life and property when wildfires do occur in the fire prone wildland interface; protect steep slopes; and preserve critical wildlife habitats such as wildlife migration linkage areas at the forest edge, and to protect native vegetation and scenic views of the foothills from the valley floor.

B. Dimensional Standards
   1. Minimum *Lot* Size – 1 acre
   2. Minimum *Lot* Width – 100 feet
   3. Minimum *Setbacks* – 30 feet front and sides, 40 feet rear
   4. Maximum *Building* Height – 30 feet for primary and accessory *structures*, 60 feet for *agricultural buildings*

A. Uses
   See Chapter 3, Use Provisions

7-2-4-5 CIV, Civic

A. Description

The Civic *zone district* is intended to provide for civic uses that serve the surrounding neighborhoods or produce intensive civic activities that do not readily assimilate into other zoning districts. The Civic zone is also intended to accommodate city properties housing water or wastewater systems, and the city Rodeo grounds to allow for reasonable and expected activities and events typically associated with Rodeo grounds or other civic and/or community uses.

B. Dimensional Standards
   1. Minimum *Lot* Size – 7,000 SF
   2. Minimum *Lot* Width – 70 feet
   3. Minimum *Setbacks* – 10 feet front and sides, 30 feet rear
   4. Maximum *Building* Height – 35 feet for primary and *accessory structures*, 60 feet for *agricultural buildings.*

C. Uses
   See Chapter 3, Use Provisions

ARTICLE 3 USE PROVISIONS

7-2-3-1 Classification of Uses

3-1-1 Definition of Use

Use means the purpose for which a site or *structure* is occupied or maintained. In order to regulate a variety of similar uses, use categories have been established. Use categories provide a systematic basis for assigning uses to appropriate categories with other similar uses. Use categories classify uses and activities based on common functional, product, or physical characteristics. There are three categories of uses: *principal*, accessory, and temporary. Commercial uses and high-*density developments* are encouraged to take place after annexation into the *City* of Tetonia. Many uses are not included in the use table for this reason. This is an intentional action to incentivize urban development within cities and to ensure that the comprehensive plan is being followed.

A. *Principal* Uses

A *principal* use is considered the primary use and may exist as the sole use of the property. More than one *principal* use may exist on a property. *Principal* uses may be permitted, limited, or special per the descriptions in Sections 3-2-1 and 3-2-2. A *principal* use not specifically listed is prohibited. If a proposed use is not listed in a use category, but is similar to a listed use, it may be considered as part of that use category. The following criteria must be used to determine whether a proposed use is similar to a listed use:

1. The actual or projected characteristics of the proposed use;
2. The relative amount of site area or floor area and equipment devoted to the proposed use;
3. The sales type;
4. The customer type;
5. The relative number of employees;
6. Hours of operation;
7. *Building* and site arrangement;
8. Types of vehicles used and their parking requirements;
9. The number of vehicle trips generated;
10. How the proposed use is advertised;
11. The likely impact on surrounding properties;
12. Whether the activity is likely to be found independent of the other activities on the site; and
13. Where a use not listed is found not to be similar to any other permitted use, the use is only permitted following an LDC Amendment per Section 4-1-4.

B. Accessory Uses

An accessory use is any use that is subordinate in both purpose and size, incidental to and customarily associated with an allowed *principal* use located on the same *lot*. The Use Table establishes allowed accessory uses by district. An accessory use not specifically listed is prohibited unless it is determined that the accessory use:

1. Is clearly incidental to and customarily found in connection with an allowed *principal* use;
2. Is subordinate to and serving an allowed *principal* use;
3. Is subordinate in area, extent, and purpose to the *principal* use served;

4. Contributes to the comfort, convenience, or needs of occupants, business, or industry in the principal use served;
5. Is located on the same *lot* as the *principal* use served; and
6. Where a use not listed is found not to be similar to any other permitted use, the use is only permitted following an LDC Amendment per Section 4-4.

C. Temporary Uses
A *temporary use* is a use that is in place for a limited period of time only.

7-2-3-2 Use Table

The use table establishes allowed uses by *zone district*. No *building* or *lot* may be used except for a purpose allowed in the district in which it is located.

3-2-1 Use Table Key

A. Permitted Use (P)
Indicates a use that is allowed or permitted by right in the respective district. The use is also subject to all other applicable requirements of the LDC.

B. Limited Use (L)
Indicates a use that is allowed in the respective district, by Planning Administrator approval per Section 4-3 herein, subject to specific use and dimensional standards. The locations of the relevant use standards are found in the definitions in Sections 3-3 to 3-10. The use is also subject to all other applicable requirements of the LDC.

C. Special Use (S)
Indicates a use that may be allowed in the respective district only after recommendation by the Joint P&Z and approval by the BoCC as set forth in Chapter 4. Special uses are subject to all other applicable requirements of the LDC, including any applicable use standards, except where the use standards are expressly modified as part of the approval process.

D. Uses Not Permitted (--)
Indicates that a use that is not allowed in the respective district.

3-2-2 Use Table (*Table 2*)

Use Category/Specific Use	AOI-2.5	AOI-20	AOI- FH-10	AOI CIV	Definition/ Standards
Key: P = Permitted L = Limited Use S = Special Use -- = Use Not Permitted					
Principal Residential Uses					Section 3-3
Dwelling Unit, Primary	P	P	P	C	Section 3-3-1
Group Residence	P	P	P	C	Section 3-3-2
Short Term Rentals	L	L	L		Section 3-3-3

Use Category/Specific Use	AOI-2.5	AOI-20	AOI- FH-10	AOI CIV	Definition/ Standards
Key: P = Permitted L = Limited Use S = Special Use -- = Use Not Permitted					
Principal Agricultural Uses					Section 3-4
Agricultural Auction Facility	--	L	L	P	Section 3-4-1
Agricultural Building	P	P	P	P	Section 3-4-2
Agricultural Operations	P	P	P	P	Section 3-4-3
Aquaculture	--	L	--	--	Section 3-4-4
Beekeeping, Commercial	--	L	--	--	Section 3-4-5
Beekeeping, Backyard	P	P	P	--	Section 3-4-6
Livestock Processing, Commercial	?	?	-	S	Section 3-4-7
Principal Public/Infrastructure Uses					Section 3-5
Cemetery, Public	S	S	S	P	Section 3-5-1
Cemetery, Private	L	L	L	--	Section 3-5-2
Club or Lodge	--	S	S	P	Section 3-5-3
Conservation Area	P	P	P	P	Section 3-5-4
Hospital	--	S	-	P	Section 3-5-5
Park-n-Ride Facility	--	L	-	S	Section 3-5-6
Places of Worship	S	S	S	P	Section 3-5-7
School, Secondary (College or University)	--	S	--	P	Section 3-5-8
School, Secondary (Trade or Vocational)	--	P	--	P	Section 3-5-9
Utilities, Major	S	S	S	S	Section 3-5-10
Utilities, Minor	P	P	P	P	Section 3-5-11
Principal Commercial Uses					Section 3-6
Animal Care, Domestic	S	S	S	S	Section 3-6-1
Bed and Breakfast	L	L	L	--	Section 3-6-2
Daycare	S	S	S	S	Section 3-6-3
Garden Center	--	L	L	--	Section 3-6-4
Golf course	--	S	--	S	Section 3-6-5
Horse Stable, Riding Academy, Equestrian Center	S	S	S	--	Section 3-6-6
Nursery	P	P	P	--	Section 3-6-7
Shooting Range, Indoor	--	L	L	S	Section 3-6-8
Special Event Facility	S	S	S	?	Section 3-6-9

Use Category/Specific Use	AOI-2.5	AOI-20	AOI-FH-10	AOI CIV	Definition/ Standards
Key: P = Permitted L = Limited Use S = Special Use -- = Use Not Permitted					
Principal Industrial Uses					
Agriculturally Related Food and Beverage Processing Facility	S	S	S	--	Section 3-7-1
Solar Energy System, Small Scale	L	L	L	L	Section 3-7-2
Wind Energy System, Small-Scale	L	L	L	L	Section 3-7-3
Wireless Communications, Amateur Radio Operator Tower	L	L	L	L	Section 3-7-4
Wireless Communications, Building-Mounted	L	P	P	P	Section 3-7-5
Wireless Communication Tower	L	L	S	S	Section 3-7-6
Principal Recreational Uses					Section 3-8
Park, Recreation Field	P	P	S	P	Section 3-8-1
Shooting Range, Outdoor	--	S	--	S	Section 3-8-2
Recreation, Motorized	S	S	S	P	Section 3-8-3
Accessory Uses					Section 3-9
Accessory Building/Structure	P	P	P	P	Section 3-9-1
Accessory Dwelling Unit, Attached	L	L	P	--	Section 3-9-2
Accessory Dwelling Unit, Detached	L	L	L	--	Section 3-9-3
Agritourism	--	S	--	--	Section 3-9-4
Employee Housing	--	S	--	P	Section 3-9-5
Home Business	P	P	P	--	Section 3-9-6
Home Daycare	L	L	L	--	Section 3-9-7
Home Industry	L	L	L	--	Section 3-9-8
Food Service, Accessory	--	L	--	--	Section 3-9-9
Temporary Uses					Section 3-10
Exempt Temporary Uses	P	P	P	P	Section 3-10-1
Temporary Uses/Events	L	L	L	P	Section 3-10-2
Temporary Portable Storage Containers	L	L	L	P	Section 3-10-3
Temporary Structures as Living Quarters	--	L	L	P	Section 3-10-4
Food Vending, Outdoor	L	L	L	P	Section 3-10-5

7-2-3-3 Principal Residential Uses

3-3-1 Dwelling Unit, Primary

A. Defined

A residential *structure* designed and constructed for occupancy by one (1) household and located on a *lot* or separate *building tract*, having no physical connection to a *building* on any other *lot* or *tract*. Primary *dwelling uni*ts contain at a minimum: a permanent kitchen, bathroom facility, and sleeping area. A primary *dwelling unit* may be a *manufactured home*.

B. General Use Standards

All *dwelling units* shall adhere to dimensional standards required by the *zone district* in which it is located.

3-3-2 Group Residence

A. Defined

A primary *dwelling unit* that includes a group residence in which eight (8) or fewer unrelated *perso*ns with developmental disabilities or elderly *persons* reside and who are supervised at the group residence in connection with their disability or age-related infirmity. Disabilities include mental or physical impairment and are protected under the Fair Housing Act.

Resident staff, if employed, need not be related to each other or to any of the *persons* with disabilities or elderly *persons* residing in the group residence. No more than two (2) of such staff shall reside in the *dwelling* at any one time.

B. General Use Standards

1. Parking shall be provided for residents, employees, and visitors per Section 5-6.

3-3-3 Short-Term Rentals

A. Defined

The use of a primary or secondary *dwelling unit*, or some part thereof, for rental or occupancy for sleeping or lodging for terms of thirty (30) consecutive days or less, in exchange for a fee or other similar consideration.

B. Limited Use Standards

The following are required in order to safeguard the public health, safety, and general welfare in order to protect the integrity of residential neighborhoods in which short-term rentals or vacation rentals operate:

1. All short-term rentals shall be legal residential *dwelling units* consisting of habitable space.
2. All parking for guests, visitors, and residents of the unit shall be contained on-site. Camper trailers, boat trailers, utility trailers, transport trailers, or any other type of trailer shall be parked on-site and shall not be parked in the rights-of-way. Off-site parking is not allowed.
3. Upon the submittal of a short-term rental business permit, and its associated fee, it will be determined if the rental can be supported by the capacity of the wastewater treatment system. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
4. The use of Camping and/or RVs for short term rental must be only in the instance when a renter comes with their own Camping equipment and/or RVs cannot be provided by

the property owner. Occupancy of any Camping units and/or RVs shall not exceed the number of tenants specified on the short-term rental business permit.

5. Quite hours must be observed between 8:00 p.m. to 8:00 a.m.
6. No *special events* shall be held that include additional guests beyond those staying at the short-term rental without first obtaining a Type 1 *temporary use* permit per Section 3-10.
7. Trash in plastic bags shall not be placed outside of garbage receptacles and where applicable, animal and pest-proof garbage receptacles must be used. Trash must be removed from the site regularly.
8. Smoke detectors, carbon monoxide detectors, and fire extinguishers shall be installed, tested, and maintained per the manufacturer's instructions and in conformance with the occupancy types specified by the International Residential Code.
9. All property *owners* within two hundred (200) feet of the short-term rental property shall be sent written notice, which includes the name and phone number of the contact *person* for the short-term rental, thirty (30) days prior to the commencement of initial short-term rental activity.
10. The address and basic property access directions shall be posted on the inside front door for all short-term rental property.

C. Permit Required

All short-term rentals require a Short-Term Rental Registration with the *Planning Department* to verify the use standards have been met prior to the use being approved. A *building* inspection may be performed prior to permit issuance.

7-2-3-4 Principal Agricultural Uses

3-4-1 Agricultural Auction Facility

A. Defined

A sales establishment at which farm-related merchandise or livestock is sold to the highest bidder on a monthly or more frequent basis.

B. Limited Use Standards

1. All operations shall be conducted within a fully enclosed *building*.
2. All storage of materials, products, or equipment shall be within a fully enclosed *building* or in an open yard screened with a Type A *Buffer* per Section 5-7, *Buffers*, Screening and Fencing.
3. All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3.

3-4-2 Agricultural Building

A. Defined

A *structure* designed and constructed to store farm implements, hay, grain, poultry, livestock, or other horticultural products. *Agricultural buildings* shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

B. General Use Standards

1. The maximum height limitations for an *agricultural building* for agricultural uses such as a

silo, granary, or barn shall be no taller than sixty (60) feet.

2. No part of any *building* or *structure* in which animals are housed can be closer than fifty (50) feet from any property line, except property owned or occupied by an *owner* or operator of the facility.

3-4-3 Agricultural Operation

A. Defined

An activity or condition that occurs in connection with the production of agricultural products for food, fiber, fuel, grain, and other lawful uses, and includes, without limitation:

1. Construction, expansion, use, maintenance and repair of an agricultural facility;
2. Preparing land for agricultural production;
3. Applying pesticides, herbicides or other chemicals, compounds or substances labeled for insects, pests, crops, weeds, water or soil;
4. Planting, irrigating, growing, fertilizing, harvesting or producing agricultural, horticultural, floricultural and viticultural crops, fruits and vegetable products, field grains, seeds, hay, sod and nursery stock, and other plants, plant products, plant byproducts, plant waste and plant compost;
5. Breeding, hatching, raising, producing, feeding, boarding, and keeping livestock, dairy animals, swine, fur-bearing animals, poultry, eggs, and other animals, animal products and animal byproducts, animal waste, animal compost, and bees, bee products, and bee byproducts (Beekeeping further described in Sections 3-4-5 and 3-4-6);
6. Transporting agricultural products to or from an agricultural facility;
7. Noise, odors, dust, fumes, *light* and other conditions associated with an agricultural operation or an agricultural facility;
8. Selling agricultural products on-site, including on-farm auctions, or at a farmers or roadside market;
9. Participating in a government sponsored agricultural program.

B. General Use Standards

1. In accordance with the Right to Farm Act (I.C. 22-4503), after an agricultural operation, agricultural facility, or expansion thereof has been in operation for more than 1 year and was not a nuisance at the time it began or was constructed, it shall not be or become a nuisance due to any changed conditions in or about the surrounding nonagricultural activities.
2. The above shall not apply when a change in operation results in a *violation* of codified standards for public health and safety.

3-4-4 Aquaculture

A. Defined

The farming of fish, crustaceans, mollusks, aquatic plants, algae, and other organisms. It involves cultivating freshwater and saltwater aquatic populations under controlled conditions for commercial uses.

B. Limited Use Standards

1. Required proof of license from the Idaho State Department of Agriculture.
2. Aquaculture facilities shall not be constructed in or across any natural streambed, *lake*, or other *watercourse* containing wild fish.
3. Any dam constructed to divert water into a facility must not restrict the free and uninterrupted passage of fish in the *stream*.
4. All water inlets to facilities must be screened in order to prevent wild fish from entering the facility and keep farmed fish from escaping.
5. Operations must minimize adverse impacts from noise, *light*, and *glare* on nearby properties to the extent feasible.
6. Discharges into surrounding waters of any waste material from the aquaculture operation shall be prohibited.

3-4-5 Beekeeping, Commercial

A. Defined

The tending of beehives and the production or processing of bee products for operations of sixteen (16) hives or larger.

B. Limited Use Standards

1. Required proof of registration with the Idaho State Department of Agriculture.
2. No colony shall be permitted within any *setback*.
3. Notification of operation shall be sent by permit applicant to all property owners within five hundred feet (500') of the hive or colony. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the Planning Department.
4. Minimum *lot* size of one (1) acre with a maximum of two (2) colonies per acre.

3-4-6 Beekeeping, Backyard

A. Defined

The tending of beehives and the production or processing of bee products for operations with fifteen (15) or less hives as associated with a primary *dwelling unit*.

B. General Use Standards

1. Minimum *lot* size of one (1) acre, with a maximum of two (2) colonies per acre.
2. All colonies must be *setback* at least thirty (30) feet from all *lot lines*.
3. Each beekeeper shall ensure that a convenient source of water is available at all times to the bees.

3-4-7 LIVESTOCK PROCESSING, COMMERCIAL

A. Defined

The process of rendering material of an animal and processing it into finished products such as hide, skin, grease, meat, bones, or parts thereof for commercial uses.

B. Special use standards

1. Required proof of license from the Idaho State Department of Agriculture and the US Department of Agriculture.
2. All activities shall be conducted within an enclosed *building*.
3. Noise shall not exceed seventy (70) decibels at the property boundaries.

4. All *buildings* shall be adequately vented.
5. Odors or fumes shall not be detectable beyond the walls of the *building* where the processing services are conducted.

7-2-3-5 Principal Public and Infrastructure Uses

3-5-1 Cemetery, Public

A. Defined

The use of public or quasi-public property as a burial place for human or animal remains using earth interments, a mausoleum for vault or crypt interments, or a columbarium for interments of cremated remains, or any combination of these. This includes rural cemeteries as defined in I.C. Title 27 Chapter 2.

B. Special Use Standards

1. All State and Federal regulations and requirements shall be met.
2. The *structures* shall not exceed thirty-five (35) feet in height.
3. *Structures* shall not be closer than one hundred (100) feet to any property boundary. An above ground mausoleum or columbarium shall provide a fifty (50) foot wide vegetative screen along the property lines adjoining other *parcels*, according to the *screening* standards in Section 5-7.
4. No earth internments shall be placed within one hundred (100) feet of any existing well providing water for either human or animal consumption or within one hundred (100) feet of surface water.
5. The minimum *lot* size for a cemetery is fifteen (15) acres and the minimum *lot* size for a mausoleum without a cemetery is five (5) acres.
6. Vehicles are prohibited from parking on an access *road* or drive, and one (1) *parking space* is required per four hundred (400) square feet of sales or office area. Temporary parking on interior drives is permitted for grave site ceremonies.
7. Hours of operation shall be from dawn to dusk.
8. Access shall be via a County or State maintained *road*.

3-5-2 Cemetery, Private

A. Defined

A private cemetery or private burial ground is a burial place for human remains on private property using earth interments, a mausoleum for vault or crypt interments, or a columbarium for interments of cremated remains, or any combination of these.

B. Limited Use Standards

1. The location of a private burial ground shall be described by metes and bounds on the deed of record in order to give notice to lien holders, successors in title, and the public at large that the *lot* contains private burial grounds. The *owner* of the *lot* or *parcel* containing the private burial grounds shall record such deed prior to any interment of human remains thereon. If a *lot* or *parcel* containing private burial grounds is sold, the seller of the property must disclose to the buyer the existence of the private burial grounds.
2. No earth internments shall be placed within one hundred (100) feet of any existing well

providing water for either human or animal consumption or within one hundred (100) feet of surface water.

3. No earth internments shall be within one hundred (100) feet of any *building*.
4. Construction of a mausoleum, columbarium, or any monument or grave marker on a private burial ground shall comply with all applicable *building* code requirements and *building setbacks* of the underlying zoning district.
5. All private burial grounds shall comply with all state requirements, including but not limited to I.C. Sections 39-260 (registrations of deaths), 39-268 (final disposition of dead bodies), and 39-269 (disinterment), and I.C. Title 54, Chapter 11 (Morticians, funeral directors, and embalmers), and the relevant sections of the Idaho Administrative Code (IDAPA).

C. Limited Use Standards for Interment and Removal

Each interment or removal of human remains in a private burial ground shall meet the following standards:

1. Interment or removal of human remains in a private burial ground may occur only under the direction of a licensed mortician and pursuant to the requirements of I.C. Title 54, Chapter 11.
2. Non-cremated human remains buried beneath the surface of the ground may not be buried in a manner so that any portion of the outside surface of the container of the remains is less than forty-eight (48) inches below the surface of the ground.
3. Each container of human remains buried beneath the surface of the ground shall be indicated by a permanent visible marker or monument. The marker or monument should be placed as soon as practicable after the remains are interred.

D. Disestablishment of Private Burial Grounds

A private burial ground, once established, may be disestablished by the *owner* of the property. To disestablish a private burial ground, the *owner* must do all of the following:

1. Arrange to remove and properly re-inter any human remains interred in the private burial grounds.
2. Remove any markers or monuments that indicate the presence of human remains.
3. Remove, demolish, or convert to another permitted use any mausoleum or columbarium, constructed on the private burial grounds.
4. File a new deed of record indicating that the private burial ground has been disestablished.

E. Penalties

Pursuant to I.C. Section 19-5304, the court may order a prior *owner* of land who did not record the existence of a private burial grounds on that the land and who did not disclose the existence of the private burial grounds to the buyer of the land prior to selling the land, to pay reasonable costs of disinterment and reinternment of any human remains thereon.

3-5-3 Club or Lodge

A. Defined

A day-use facility used for associations or organizations of an educational, recreational, or social character, not operated or maintained for profit. Representative organizations include but are not limited to Elks, Veterans of Foreign Wars, or Lions.

B. Special Use Standards
   1. All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3(F)
   2. Hours of operation shall be limited to the hours of 8:00 am to 10:00 pm daily
   3. All lighting and illumination of outdoor facilities shall be turned off no later than 10:00 pm.
   4. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
   5. Structures used for the purpose of a Club or Lodge shall not exceed a maximum of 10,000 square footage of *building* footprint.

3-5-4 Conservation Area

A. Defined

A *tract* of land that is legally protected in order to ensure that wildlife habitat, scenic vistas, natural features, cultural heritage, biota, recreation, agriculture, or public access are preserved. May include recreation trails, greenways, conservation *easements*, conservation resource protection properties, and nature preserves.

3-5-5 Hospital

A. Defined

An institution devoted primarily to the maintenance and operation of facilities for the medical or surgical care of patients, including hospice, but distinguished from a nursing home by offering primary short-term rather than long-term care.

3-5-6 Park-n-Ride Facility

A. Defined

A parking lot that allows commuters and other people to leave their vehicles and carpool or transfer to a bus for the remainder of their journey to a common destination.

B. Limited use standards
   1. All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3F.
   2. Vehicles may be left in the parking lot during the day and must be removed at the end of the day.
   3. Overnight parking is not allowed and facilities shall not be staffed with security personnel.

3-5-7 Places of Worship

A. Defined

A permanent facility that is constructed for conducting organized religious services.

B. Special use standards
   1. Minimum *lot* size for a place of worship shall be one (1) acre.
   2. *Buildings* must meet the height requirements for the Zoning District in which the place of worship is located.
   3. *Vehicular parking* shall be provided entirely on-site in compliance with Section 5-6-3(F) for all visitors, volunteers, and employees.
   4. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.

3-5-8 School, Secondary (College or University)

A. Defined

A facility of higher education having authority to award associate and higher degrees. Includes satellite campuses, research stations, farms, field camps, and similar properties associated with educational functions. Does not include full college or university campuses with dormitories or living facilities.

B. Special Use Standards

1. The minimum *parcel* size for a college or university shall be consistent with underlying zoning.
2. *Vehicular parking* shall be provided entirely on-site in compliance with Section 5-6-3(F) for all visitors, volunteers, and employees.
3. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.

3-5-9 School, Secondary (Trade or Vocational)

A. Defined

A facility having a curriculum devoted primarily to industry, trade, or other vocational-technical instruction.

B. Special Use Standards

1. The minimum *parcel* size for a trade or vocational school use is consistent with underlying zoning.
2. *Vehicular parking* shall be provided entirely on-site in compliance with Section 5-6-3(F) for all visitors, volunteers, and employees.
3. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.

3-5-10 Utilities, Major

A. Defined

Including aeration facility, electrical substation, electric or gas generation plant, filter bed, transmission towers, waste treatment plant, water pumping facility, water tower or tank.

B. Special use standards

1. Minimum *lot* size for a major utility shall be two (2) acres.
2. A Type B *Buffer* per Section 5-7 must be established around the perimeter of all major utility facilities
3. All storage of materials, products, or equipment in an open yard shall be screened so that the materials stored are not visible within one thousand feet (1,000') of the property lines. Where topographic conditions make effective *screening* impractical so as to create an unnecessary hardship, the Board of Zoning Appeals may consider a *variance* from this *screening* requirement.
4. If the County determines that any *road* associated with a facility in this use category is inadequate for the expected quantities of traffic, especially with respect to heavy truck

traffic, the *applicant* shall be required to improve and maintain the *road(s)* to a standard acceptable to the County. An *improvement* and Maintenance Agreement between the *applicant* and the County shall be required to assure that the *road(s)* used by the operation will be appropriately improved and maintained.

5. Property/facility shall be maintained so as to ensure the health, safety, and welfare of the public are preserved.
6. Materials associated with the major utility shall not be carried onto adjoining properties.

3-5-11 Utilities, Minor

A. Defined

Includes on-site stormwater retention or detention facility, neighborhood-serving telephone exchange, water/gas/electric/telephone/cable transmission lines or ditches, water and wastewater pump station or lift station, gas gates, reservoir, control *structure*, drainage well, water supply water well, and minor water treatment plant (serves 150 or fewer connections).

B. General Use Standards

1. All stormwater retention or detention facilities shall follow the General Development Standards in Chapter 5, provide adequate overflow and discharge facilities and be constructed at a maximum 3:1 slope.
2. All equipment necessary for *utilities* listed in the definition above shall be housed in proper *enclosures* or *buildings*.
3. All utility *enclosures* shall meet *setbacks* of the Zoning District in which the *enclosure* is located.
4. All utility *enclosures* shall be screened per Chapter 5-7-4.

7-2-3-6 Principal Commercial Uses

3-6-1 Animal Care, Domestic

A. Defined

A facility designed or arranged for the care of animals. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter and rehabilitation, cattery, commercial kennel and dog day care. Animal care does not include agricultural uses of breeding, raising, or keeping of livestock or other animals as defined in Section 3-4-3.

B. Special Use Standards

1. All outdoor exercise areas and runs must be fenced for the safe confinement of animals.
2. A one-hundred-foot (100') separation shall be maintained between the area and *structures* where animals are housed and any property line.
3. All *vehicular parking* shall be provided entirely on-site in compliance with Section 5-6-3.
4. A Type A *Buffer* per Section 5-7 must be established along any outside areas used to exercise, walk, or keep animals that abuts a ground floor residential use.

3-6-2 Bed and Breakfast

A. Defined

A primary *dwelling unit* which is *owner*-occupied where short-term lodging is provided through the rental of rooms to the general public for compensation, with common dining and cooking facilities.

B. Limited and special use standards (Limited use for up to three (3) rooms or units, special use for four (4) to eight (8) rooms or units).
   1. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
   2. The Bed and Breakfast must maintain the residential character of the neighborhood by including physical characteristics indicative of a residential area such as residential-scaled *building* features, landscaped *yards*, and porches.
   3. No business, storage, or warehousing of material, supplies, or equipment is allowed outside.
   4. One parking stall for each bedroom must be provided on-site for all residents, visitors, guests, and employees.
   5. *Signs* advertising the Bed and Breakfast are limited to one unlit wall *sign* no larger than three (3) square feet in area.
   6. Central dining facilities shall be provided for guests.
   7. Guest units shall not have cooking or eating facilities.
   8. Any food service must be reviewed and approved by the Teton County Fire Marshal.
   9. The applicant will need provide verification of a food license or a proved exemption from EIPH.
   10. The Bed and Breakfast shall comply with all requirements of the local *fire district*, the state health department, and other public agencies exercising jurisdiction over the establishment or operation.

3-6-3 Daycare, Group or Center

A. Defined

Daycare center includes a facility providing care and supervision for compensation during part of a twenty-four (24) hour day, for thirteen (13) or more children not related by blood, marriage, or legal guardianship to the *person* or *persons* providing the care, in a place other than the children's own homes.

Group day care includes care and supervision for compensation during part of a twenty-four (24) hour day for seven (7) to twelve (12) children not related by blood, marriage, or legal guardianship to the *person* or *persons* providing the care, in a place other than the children's own homes.

B. Special use standards
   1. All daycare facilities shall be licensed by the Idaho Department of Health and Welfare prior to providing daycare services and shall maintain all licensure requirements.
   2. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
   3. A parking and/or drop-off area shall be designated entirely within the property and shall not depend upon the use of public or *private roadways* for parking or drop-offs. The drop-off parking area should accommodate three vehicles at one time, not including the vehicles of the residents or staff.

4. Group daycare facilities are subject to inspections by regulatory state and local agencies, including Teton County Fire and Rescue and Teton County *Planning Department*, to ensure compliance with all applicable regulations.

3-6-4 Garden Center

A. Defined

A business that sells plant material (trees, shrubs, flowers) garden equipment, garden tools, *landscape materials*, fertilizers, soil, seed, and associated supplies.

B. Limited Use Standards

1. Minimum lot size of ten (10) acres.
2. Customer and employee parking shall be provided entirely on-site.
3. Greenhouses shall be located a minimum of fifty feet (50') from *road rights-of-way* and any property zoned or used for residential purposes.
4. Vehicles, nursery products, and other materials shall be located and stored on-site and within applicable *building setbacks* for the *zone district*.
5. Storage of materials, except plants, shrubs, and trees, shall be located to the rear or in the *side yards* of a *building.* A Type B Buffer per Section 5-7 must be established around the perimeter of all vehicle and equipment storage yards.

3-6-5 Golf Course

A. Defined

A *tract* of land laid out with at least nine (9) holes for playing golf and improved with tees, greens, fairways, putting greens, and hazards. A golf course may include a clubhouse, shelters, and a driving range as accessory uses.

B. Special use standards

1. Minimum *lot* size of eighty (80) acres.
2. Sales and rental of golf equipment may be allowed as an accessory use.
3. All accessory *structures* shall be located no closer than one hundred (100) feet to a residential property.
4. Outdoor recreation areas associated with a country club shall be located no closer than fifty (50) feet of any property line.

3-6-6 Horse Stable, Riding Academy, Equestrian Center

A. Defined

A facility used primarily for the care, breeding, boarding, rental, riding or training of horses or for the teaching of equestrian skills.

B. General and Limited Use Standards

1. Minimum lot size shall be ten (10) acres.
2. All piles of feed or bedding shall be located at a minimum of fifty (50) feet away from any public right-of-way or adjacent property.
3. Manure piles shall be stored for removal a minimum of two hundred (200) feet from any public right-of-way or adjacent property and removed from premises at least one (1) time per week and/or harrowed into an agricultural field or composted on-site.
4. Accessory dwelling units will be permitted to house on-site workforce.
5. All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3(F).

6. Hours of operation shall be limited to the hours of 8:00 am to 9:00 pm daily
7. All lighting and illumination of outdoor riding facilities shall be turned off no later than 9:00 pm.

3-6-7 Nursery

A. Defined

A place where young trees and plants are raised.

B. General Use Standards

1. Employee parking shall be provided entirely on-site.
2. Vehicles, nursery product, and other materials shall be located and stored on-site and within applicable *building setbacks* specified for the associated zone district.
3. Greenhouses shall be located a minimum of fifty (50) feet from *road* rights-of-way and from any property zoned or used for residential purposes.
4. Storage of materials, except plants, shrubs, and trees, shall be located to the rear or in the *side yards* of a *building* (if applicable) and screened from *road* views.
5. Sale of goods grown on-site may be provided on-site as an accessory use, not as a retail storefront but rather as a farmers or roadside market.

3-6-8 Shooting Range, Indoor

A. Defined

A commercial facility with an indoor firing range with targets for archery, rifle, or handgun practice.

B. Limited Use Standards

1. Minimum *lot* size of one (1) acre.
2. All related activities shall be housed completely within an enclosed *structure* and designed with full consideration for safety and noise factors involved in the type of use. Noise immediately outside the *structure* shall measure no louder than seventy (70) decibels.
3. The *applicant* shall provide written documentation that the proposed target backstops conform to the standards for indoor ranges per the Environmental Protection Agency (EPA).
4. At a minimum, there shall be one *parking space* per firing position which meets the dimensional requirements of Section 5-6-3.

3-6-9 Special Event Facility

A. Defined

A facility used by groups of people to congregate temporarily for such purposes as education, meditation, spiritual renewal, meetings, conferences, social gatherings, seminars, or weddings and which may provide meals, services, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meals or overnight accommodations.

B. Special use standards

1. Minimum *lot* size for special event facilities shall be five (5) acres
2. All *vehicular parking* shall be provided entirely on-site in compliance with Section 5-6-3.
3. All surface parking areas must be landscaped in accordance with Section 5-6, Driveways, Parking, and Access.
4. Hours of operation shall be limited to the hours of 8:00 am to 10:00 pm daily

5. All lighting and illumination of outdoor facilities shall be turned off no later than 10:00 pm.
6. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
7. A Type A *Buffer* per Section 5-7 must be established along all *lot lines abutting* a ground floor residential use.
8. Approval for food service must be reviewed and approved by the Teton County Fire Marshal.
9. The applicant will need to provide verification of a food license or a proved exemption from EIPH.
10. The special event facility shall comply with all requirements of the local *fire district*, the state health department, and other public agencies exercising jurisdiction over the establishment or operation.
11. The *Fire District*, Public Health District, and Teton County *Planning Department* shall be permitted to perform inspections as in any other business.
12. A permanent *structure* on a foundation shall be required for all special event Facilities to house restrooms, food preparation, and *sanitation facilities* at a minimum.
13. A commercial kitchen facility requires additional review and approval from EIPH. Applicant is responsible for any fees associated with reviews.
14. There shall be no overnight lodging at any special event Facility.
15. Special events which meet the descriptions of Section 3-10-2 require a Temporary Use permit.

7-2-3-7 Principal Industrial uses

3-7-1 Agriculturally Related Food and Beverage Processing Facility

A. Defined

Facility used for the washing, sorting, juicing, dehydrating, milling, pasteurizing, cooking, canning, bottling, packaging, or storage of agricultural produce harvested on the premises or on property owned or leased by the facility owner. The establishment may offer sales of facility related products, and on-site consumption of free samples with no associated seating area, when permitted by the State. This use shall not include the processing of industrial hemp fiber, fermenting, distilling, or mixing of agricultural produce to produce alcoholic beverages, baked goods, or slaughtering of livestock.

B. Limited Use Standards

1. Minimum *lot* size for food and beverage processing facilities shall be one (1) acre.
2. All operations shall be conducted within a fully enclosed *building*.
3. The use cannot be noxious or offensive by reason of vibration, noise, emission of dust, fumes, gas, odor, or smoke, beyond the confines of any *building*.
4. All storage of materials, products, or equipment shall be within a fully enclosed *building* or in an open yard screened with a Type A *Buffer* per Section 5-7.
5. All *vehicular parking* shall be provided entirely on-site in compliance with Section 5-6-3.

3-7-2 Solar Energy System, Small Scale

A. Defined

Small scale solar energy systems shall be used primarily as an accessory use for on-site, private purposes and may be roof or ground mounted. Limited Use Standards for Roof Mounted Systems:

1. May not extend above the ridgeline of the roof the system is mounted on.
2. May not extend more than one foot above the roof surface measured perpendicularly from the sloped roof surface.

B. Limited Use Standards for Ground Mounted Systems
   1. Shall adhere to *setbacks* required by *zone district.*
   2. Shall not exceed a height of twenty-five (25) feet.
   3. A Type A *Buffer* per Section 5-7 must be established along all *lot line*s where an *abutting* a ground floor residential use is within three hundred (300) feet of the system.

3-7-3 Wind Energy System, Small-Scale

A. Defined

A small-scale wind energy system is used to generate electricity for private use. This includes, but is not limited to, storage, electrical collection and supply equipment, transformers, service, and access *roads*, and one or more *wind turbine*s. Large scale commercial wind farms are not permitted.

B. Limited Use Standards
   1. Prior to installation, all small-scale wind energy systems shall obtain a *building* permit from Teton County.
   2. The construction and operation of all such proposed wind energy facilities shall be consistent with all applicable local, state, and federal requirements, including but not limited to all applicable safety, construction, environmental, electrical, communications, and aviation requirements.
   3. *Wind turbines* shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the wind energy facility.
   4. The wind facility and associated equipment shall not produce a broadband sound level more than ten decibels (10 dBA) above ambient.
   5. Any wind energy facility which has reached the end of its useful life or has been abandoned shall be removed. When the wind energy facility is scheduled to be decommissioned, the *applicant* shall notify the County by certified mail of the proposed date of discontinued operations and plans for removal. The *owner*/operator shall physically remove the wind facility no more than 150 days after the date of discontinued operations. At the time of removal, the wind facility site shall be restored to the state it was in before the facility was constructed or any other legally authorized use. More specifically, decommissioning shall consist of:
      a. Physical removal of all *wind turbines*, *structures*, equipment, security barriers and transmission lines from the site.
      b. Disposal of all solid and hazardous waste in accordance with local and state waste disposal regulations.
      c. Stabilization or re-vegetation of the site as necessary to minimize erosion. Teton County may allow the *owner* to leave landscaping or designated below-grade foundations to minimize erosion and disruption to vegetation.

3-7-4 Wireless Communications, Amateur Radio Operator Tower

A. Defined

A facility for the provision of radio waves or wireless service used for personal, non-commercial radio licensed by the Federal Communications Commission.

B. Limited Use Standards

1. An amateur radio operator tower may not exceed forty-five (45) feet in height.
2. The tower must be located so that no part of the antenna or its elements encroaches within the required side or rear *setbacks* or within ten (10) feet of any *easement* for overhead electric distribution or transmission lines.
3. Maximum tower height is measured to the tallest point of the supporting tower and does not include the antenna mast or antenna elements affixed to the tower.
4. No more than two (2) towers are allowed on a *lot* with the second tower being no more than thirty-five feet (35') in height.
5. A request for a *building* permit must be accompanied by a copy of a valid Amateur Radio Operators license issued by the Federal Communications Commission.

3-7-5 Wireless Communications, Building-Mounted

A. Defined

Any antenna attached or affixed to a *building* or roof, or other type of *structure* not originally intended to house such a facility.

B. Limited Use Standards

1. *Building* and antenna combined shall not exceed forty-five (45) feet in height.
2. Shall not interfere with the safe operation of traffic control or public safety equipment.
3. Shall not interfere with sight lines or clear zones for transportation or pedestrians.
4. Shall not interfere with compliance with the Americans with Disabilities Act or similar federal or State standards regarding pedestrian access or movement.
5. Shall maximize the use of *building* materials, colors and textures designed to blend with the *structure* to which it may be affixed and/or to harmonize with the natural surroundings. This shall include the use of stealth or concealment technology as may be required by the County.

3-7-6 Wireless Communication Tower

A. Defined

Any mast, pole, monopole, lattice tower, or other *structure* designed and primarily used to support antennas for commercial purposes.

B. Limited Use Standards

1. It must be demonstrated that it is necessary to erect the tower at the proposed location and due to one or more of the following reasons:
    a. The planned equipment would exceed the structural capacity of existing or approved *structure*, and those *structures* cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost.
    b. The planned equipment would result in technical or physical interference with or from other existing or planned equipment, and the interference cannot be prevented at a reasonable cost.

c. There is no appropriate existing or pending *structure* to accommodate the planned equipment.
d. Other technical reasons that make it impractical to place equipment planned by the *applicant* on existing or approved *structures*.

2. Height shall not exceed forty-five (45) feet.
3. All new communications towers must be constructed with excess capacity for co-location. Any *owner* of a telecommunications tower must allow other telecommunications providers to install or co-locate antennae or facilities on their towers. Co-location is subject to mutually agreeable terms and conditions negotiated between the parties.
4. Landscaping consistent with a Type A *Buffer* per Chapter 5, Section 7 must be established along the base of the facility to screen the mechanical characteristics.
5. No signals, *lights*, or illumination is allowed on a tower unless required by the Federal Aviation Administration or other applicable authority.

C. Abandoned Tower
1. The Administrator will require removal of any abandoned or unused tower by the tower *owner*/operator within thirty (30) days after notice from the Administrator. A tower is considered abandoned if use has been discontinued for one hundred eighty (180) consecutive days.
2. Where a tower is removed by an *owner*, the *owner* must restore the area to the condition existing prior to the placement of the tower.

7-2-3-8 Principal Recreational Uses

3-8-1 Park, Recreation Field

A. Defined

An area used for outdoor play or recreation, often containing recreational equipment such as slides, swings, climbing frames, ballfields, soccer fields, basketball courts, swimming pools, and tennis courts. May include both *passive* and *active recreation*.

B. Use Standards
1. All *vehicular parking* shall be provided entirely on-site in compliance with Section 5-6-3.
2. Hours of operation shall be limited to the hours of 8:00 am to 10:00 pm daily.
3. All lighting and illumination of outdoor facilities shall be turned off no later than 10:00 pm.
4. All swimming pools will need safety fencing in accordance with State regulations.

3-8-2 SHOOTING RANGE, OUTDOOR

A. Defined

A commercial facility with an outdoor firing range with targets for rifle, shot gun, handgun, or archery practice.

B. Special use standards
1. Minimum lot size of forty (40) acres.
2. Shall be located at least two (2) miles from any incorporated city limit.
3. The range shall be designed to accommodate required surface danger zones (as defined by the Department of the Energy) which do not extend across traveled roads, navigable waterways, railroads, or other similar areas.
4. The surface between the targets and the firing line shall comprise grass or low growing groundcover and be free of any hard surface such as paving, rocks, or other ricochet-producing material.

5. The range shall be designed and located so no spent projectile ammunition travels off-site (does not include casing).

3-8-3 RECREATION, MOTORIZED

A. Definition

A *tract* of land used for motorized vehicles for recreation purposes such as a motocross or snow mobile racetrack.

B. Special use standards

1. Shall be located at least 4 miles from any incorporated city limit.
2. All racetracks shall be located such that the noise at the property line does not exceed seventy (70) decibels.
3. Hours of operation shall be limited to between 8:00 am and 10:00 pm.
4. All parking shall meet the dimensional requirements of Section 5-6-3

7-2-3-2 Accessory Uses

3-1-2 Accessory Building

A. Defined

A *building* or *structure* not used for human habitation the use of which is customarily accessory to and incidental to that of the *principal* use located on the same *lot* and that is used as a tool or storage shed, or similar use.

B. General Use Standards

1. All *accessory buildings* shall adhere to dimensional standards required by the *zone district* in which it is located.
2. All *structures* over two hundred (200) square feet in floor area require a *building* permit.

3-1-3 Accessory Dwelling Unit, Attached

A. Defined

An attached *accessory dwelling unit (ADU),* or secondary *dwelling*, shall be a completely independent residential living unit for one household, attached to the primary *dwelling* with a separate exterior entrance. An *ADU* must contain its own permanent kitchen, bathroom facility, and sleeping area.

B. Limited Use Standards

1. Only one (1) *ADU* shall be allowed per *parcel* or *lot*.
2. Two (2) *vehicular parking spaces* shall be provided entirely on the property for the unit.
3. The maximum size of an *ADU* shall not exceed 1500 square feet.
4. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.

3-1-4 Accessory Dwelling Unit, Detached

A. Defined

A detached *accessory dwelling unit (ADU),* or secondary *dwelling*, shall be a completely independent residential living unit for one household, on the same *parcel* of land as the primary *dwelling unit*. An *ADU* must contain its own permanent kitchen, bathroom facility, and sleeping

area.

B. Limited Use Standards
   1. Only one (1) *ADU* shall be allowed per *parcel* or *lot*.
   2. Two (2) *vehicular parking spaces* shall be provided entirely on the property for the unit.
   3. The maximum size of an *ADU* shall not exceed 1500 square feet on parcels 7.5 acres or larger.
   4. The maximum size of an *ADU* shall not exceed 1200 square feet on parcels over 2.5 acres up to 7.5 acres.
   5. The maximum size of an *ADU* shall not exceed 900 square feet on *parcels* 2.5 acres or smaller.
   6. Detached *ADU*s shall be located in accordance with required *setbacks* per the associated zone district.
   7. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.

3-1-5 Agritourism

A. Defined
Any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities including, but not limited to, farming, ranching, historic or cultural activities, on-site educational programs, recreational farming programs that may include horseback riding, and fee fishing. An activity is an agritourism activity whether or not the participant paid to participate in the activity.

B. General limited & special use standards
   1. All agritourism activities must be secondary to an "Agricultural Operation" as defined per 3-4-3 above.
   2. If land has been leased to a qualified "Agricultural Operation", only the Operators shall have the right to conduct agritourism activities, Land Lessors who are not actively farming or ranching themselves do not qualify.
   3. Warning *Signs* must be posted per Idaho State Statute Title 6, Chapter 30 Idaho Agritourism Promotion Act to include the following:

      WARNING

      Under Idaho law, there are risks associated with agritourism, which could lead to injury or death. You are assuming these risks. Section 6-3004, Idaho Code.

   4. Regardless of the on-farm activity, all guest parking must be on-site and meet the dimensional requirements of Section 5-6-3.
   5. No motorized vehicles shall be rented to guests or driven off private property by guests unless moving between unconnected *parcels* for an agricultural activity or tour.
   6. Where activity requires the use of public lands, the Operator must have permission from the appropriate agency.
   7. All hunting and fishing activities shall require applicable permits & licenses from Idaho Fish and Game and or the Idaho Outfitters and Guides Association, (IOGA) licensing board.

3-1-6 Employee Housing

A. Defined

An accessory *dwelling* occupied by persons principally employed at or engaged in the operation of a business or related by blood, marriage, adoption, or otherwise to persons employed at or engaged in the operation of business.

B. Special Use Standards

1. Minimum lot size shall be five (5) acres in all zone districts excluding the IR district.
2. There shall be a maximum of five (5) *dwelling units* per business, not applicable to home occupations or home industries.
3. *Dwelling units* for employee housing shall be located on the same site as the business operation.
4. *Dwelling units* shall be designed in a *cluster*. For the purposes of these regulations, *cluster* means there must be a minimum of two (2) *dwelling units* on the parcel and the average distance between *dwelling units* is less than fifty feet (50').
5. Employee housing units shall be occupied by employees only and not available for rental, except to employees. Number of employees per unit shall not exceed number of bedrooms.
6. Dwelling units shall not be short term rented, they shall be restricted to long term rental for employee/workforce housing.
7. Maximum *building* size shall be per Section 3-9-2 and 3-9-3.
8. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.

3-1-7 Home Business

A. Defined

A home business is an accessory nonresidential use that provides a service or product and is conducted wholly within a primary or accessory *dwelling unit*. Home businesses are intended to be at a residential scale; once they grow to the point where they no longer meet the use standards below, they can no longer be characterized as a home business.

B. General Use Standards

1. The use of the *dwelling unit* for a home business must be clearly incidental and subordinate to its use for residential purposes, and under no circumstances change the residential character of the *building*.
2. All storage of materials, products, or equipment associated with the home business shall be within a fully enclosed *building.*
3. No equipment or process may be used that creates excessive noise (over 70 decibels at the property line), vibration, *glare*, fumes, odors, or electrical interference.
4. No display of products may be visible from the *public road*.
5. The home business must be conducted by a *person* residing on the premises and may employ no more than two (2) people commuting to the premises.
6. All home businesses shall provide a minimum of two (2) and maximum of four (4) *parking spaces* on-site. Vehicles shall not park in the *public right-of-way*.
7. Storage space and the operation of the business inside the *dwelling* cannot exceed twenty

five percent (25%) of the living space within the *dwelling*.

8. Not more than fourteen (14) clients a day are permitted to visit the home business. At least two (2) parking spots above standard residential parking requirements must be provided on-site, but the business must not exceed four (4) parking spots total.
9. The delivery of materials may not exceed trucks larger than 18,500 GVW.
10. Retail sales of goods must be entirely accessory to any service provided on the site (such as hair care products sold as an accessory to hair cutting).
11. *Signs* advertising the home business are limited to one unlit wall *sign* no larger than 3 square feet in area.

3-1-8 Home Daycare

A. Defined

A home daycare provides care and supervision for compensation during part of a twenty-four (24) hour day, for six (6) or more children not related by blood, marriage, or legal guardianship to the *person* or *persons* providing the care, in a place other than the child's or children's own home or homes. A home daycare takes place wholly within a primary or accessory *dwelling unit*.

B. Limited Use Standards

1. A home daycare is not required to be licensed with the Idaho Department of Health and Welfare. However, a home daycare may voluntarily elect to be licensed by the *Department*.
2. The use of the *dwelling unit* for a home daycare must be clearly incidental and subordinate to its use for residential purposes, and under no circumstances change the residential character of the *building*.
3. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
4. A parking and/or drop-off area shall be designated entirely within the property and shall not depend upon the use of public or *private roadways* for parking or drop-offs.
5. The *dwelling unit* in which care is provided must have at least two unobstructed exits with not less than thirty-two inches (32") clear exit width and not less than six feet eight inches (6'8") exit height. Sliding patio doors will be accepted as a required second exit.
6. Sleeping rooms must have at least one (1) emergency egress window that meets local *building* code requirements and is operable from the inside or an unobstructed exit.
7. Smoke detectors, carbon monoxide detectors, and fire extinguishers shall be installed, tested, and maintained per the manufacturer's instructions and in conformance with the occupancy types specified by the International Residential Code.

3-1-9 Home Industry

A. Defined

A home industry is an accessory, light industrial use that is conducted in a non-industrial district. It must be clearly incidental and subordinate to the primary residential use of the property. Examples include welding shop, bakery, woodworking, or manufacturing of goods. Home industries are intended to be at a residential scale; once they grow to the point where they no longer meet the use standards below, they can no longer be characterized as a home industry.

B. Limited Use Standards

1. The use of the primary *dwelling unit*, accessory *dwelling unit*, or *accessory building* for a home industry must be clearly incidental and subordinate to the use of the property for residential purposes, and under no circumstances change its residential character.
2. The home industry must be conducted by a *person* residing on the premises.
3. Minimum *lot* size for home industry uses shall be two (2) acres.
4. All operations shall be conducted within a fully enclosed *building*.
5. The home industry must not *adversely affect* the residential and agricultural uses in the zone where it is located.
6. No equipment or process may be used that creates excessive noise, vibration, *glare*, fumes, odors, or electrical interference.
7. No display of products may be visible from the *road*.
8. Retail sales of goods must be entirely accessory to the industrial use provided on the site.
9. At least 1.5 parking stalls per on-site employee for the industry must be provided on-site.
10. All storage of materials, products, or equipment shall be within a fully enclosed *building* or in an open yard screened with a Type A *Buffer* per Section 5-7.
11. All by-products, including waste, must be effectively confined to the premises or legally disposed of off the premises so as to avoid air and water pollution caused by the industry.
12. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
13. The home industry must be conducted by a *person* residing on the premises and may employ no more than two people commuting to the premises.

3-1-10 Food Service, Accessory

A. Defined

The preparation and serving of food and beverages as a supporting service to primary permitted uses such as a *club or lodge*. Food services may include outdoor dining.

B. Limited Use Standards

Accessory food service sales are subordinate to the primary business function.

7-2-3-9 Temporary Uses

3-1-11 Exempt Temporary Uses

A. The following uses shall not require a *temporary use permit*:

1. Estate or real estate sales involving the property or items from the property where the sale is held.
2. Garage, *yard*, or rummage, sales provided the sales event is on a Rural/Residential zoned property and it lasts no longer than three (3) consecutive days. No more than six (6) sales events are allowed on the same residential property within a single calendar year.
3. Social gatherings with less than fifty (50) people in attendance where the function or event involves the owner of the property and where no monetary consideration or fees for such use of the property or attendance is involved. These exempted events may include those events taking place upon the grounds of a private residence or upon the common areas of a *subdivision* or multifamily residential *development* for which no admission or rental fee or other charge is assessed.

3-1-12 Temporary Uses/Events

A. Defined

Temporary uses are uses that have a temporary duration which are not so recurring in nature as to constitute a permanent use.

1. Type 1 (Minor) *Temporary Uses*
    a. Any *temporary use* that is not considered an exempt *temporary use*, a Temporary Portable Storage Container, or Temporary *structures* as Living Quarters. Examples include wedding receptions, or other *special events* lasting three (3) days or less where a monetary consideration or fees for such use of the property or attendance is involved, or the event is held on public property or that of a short-term rental and contractors' construction yards, trailers, or mobile homes that are used as a temporary residence or office during construction.

2. Type 2 (Major) *Temporary Uses*
    a. A Type 2 *Temporary Use* is any Type 1 Use that proposes any of the following:
        i. *Road* closures or detours
        ii. Food or alcohol vending (including food trucks)
        iii. Medical or security presence will be provided
        iv. One hundred (100) or more expected visitors
        v. The use of public property, such as schools, parks, or County *Roads.*
        vi. Events that last more than one (1) day but less than seven (7) days in a thirty (30) day period and are limited to two (2) events per year on the same property.

3. Type 1 and Type 2 *temporary uses* require a *temporary use permit*, as outlined in Section 4-6.

3-1-13 Temporary Portable Storage Containers

A. Defined

A container designed and rented or leased for the temporary storage of commercial, industrial, or residential household goods that does not contain a foundation or wheels for movement. This does not include construction trailers which have a separate permit process.

B. Limited Use Standards
1. Containers are permitted for a maximum of ninety (90) consecutive days, once per calendar year.
2. Contractors' construction yards, trailers, or mobile homes that are used as a temporary residence or office during construction are exempt from the maximum timeframe and shall receive a Type 1 permit.
3. No more than two (2) containers are permitted at any one time.
4. No container may be more than ten (10) feet in height, or more than two hundred (200) square feet.
5. Any *person* wishing to utilize a container longer than ninety (90) calendar days may apply for an extension for up to an additional ninety (90) days or apply for a *building* permit to make the container a permanent, accessory *structure*.
6. Containers cannot be located in any required *setback* and must be located completely on

the *owner*'s *lot*, and no part of any container may be located in the *public right-of-way*.

3-1-14 Temporary Structures as Living Quarters

A. Defined

Non-winterized *structures* such as yurts, RVs, *tiny homes* on wheels, park models, and seasonal cabins that do not meet the *building* code requirements for *habitable space* are not considered to be primary living quarters.

B. Limited Use Standards

1. Temporary *structures* are not allowed as living quarters for more than ninety (90) days in a single calendar year. Any *structure* that is used more than ninety (90) days in a single calendar year must have sanitary waste disposal and water service.
2. Only one (1) temporary *structure* may be used as a living *structure* per *lot*. Two (2) or more such *Structures* would be required to meet the regulations for *campgrounds* per Sections 3-8-1 through 3-8-5.

3-1-15 Food Vending, Outdoor

A. Defined

The serving or vending of food and beverages as an accessory use. Example includes food trucks.

B. Limited Use Standards

1. Outdoor food vendors shall be located on developed *lots* as an accessory use.
2. Signage for outdoor vendors shall be limited to *signs* placed directly on the vehicle or cart used in connection with the business.
3. An outdoor food vendor shall be situated on a *lot* in such a manner that no aspect of its operation shall impede vehicular, pedestrian, or bicycle circulation. A vendor shall not located where there is limited capacity for parking at recreational facilities.
4. Outdoor food vendor shall apply for a Type 2 *temporary use permit.*

ARTICLE 4 APPLICATION PROCEDURES

7-2-4-1 Overview of Application Processes

Chapter 4 of the Teton County Land Development Code applies in the Tetonia Area of Impact.

ARTICLE 5 GENERAL DEVELOPMENT STANDARDS

7-2-5-1 General

5-1-1 Chapter 5 of the Teton County Land Development Code applies in the Tetonia Area of Impact except for LDC § 5-4-2, § 5-5, and § 5-9, which are replaced in their entirety as specified in the following sections of this Code.

5-1-2 LDC § 5-4-2, regarding Riparian Buffers, is replaced in its entirety as follows**:**

Riparian Buffers

All physical *development,* development activities and use, except those specified in Section 5-4-2-D, is required to be set back from specified resources as shown in Table 7. The area within the *setback* is defined as the Riparian *buffer*.

Table 7. Riparian Buffers

Resource	Setback Distance (A)	Measured From (B)
Stream or Creek Creek	100'	Ordinary high water mark
~~Teton River~~	~~200' (not anticipated to encounter the Teton River~~	
Wetland 1	100'	U.S. Fish and Wildlife National Wetland Inventory boundary
Wetland 2	50'	Site specific *wetland delineation* approved by U.S. Army Corps of Engineers
Lake or Pond	50'	Ordinary high water mark
FEMA Floodplain buffer	50'	Outer edge of designated Floodplain Zone A (100 Year)

5-1-3 LDC § 5-5, regarding Scenic Resources Protection, is replaced in its entirety as follows**:**

Scenic Resource Protection

A. **Intent**

The intent of this section is to preserve and protect the scenic corridor within the Tetonia Area of Impact, and scenic resources along *highway* corridors by ensuring that the location, scale, and appearance of *buildings*, *structures*, and *development* preserves the rural character of the area by limiting visual intrusion retaining long vistas of the mountains and fields, and preserving existing native vegetation.

B. **Applicability**

These standards apply to all *applications* and permits for physical *development* located within five hundred (500) feet of Idaho State Highways 31 and 33 within the Tetonia Area of Impact. Permits to develop within the Scenic Corridor may be approved administratively if all development standards are met. At the discretion of the Planning Administrator, any applications that do not fully meet standards will

require a public meeting to review the application with the Planning and Zoning Commission who will act as the decision-making body.

C. **Scenic Corridor Overlay Standards**

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

    a. Building envelopes shall be established and located so that existing topography and natural vegetation, such as ridges, hills, and existing trees, will screen buildings from view from Highway 33 to the maximum extent feasible.

    b. Where existing topography and natural vegetation cannot be used to screen buildings, building envelopes should be located at the rear or side edge of an open meadow or pasture, or at the foot of a hill or ridge, rather than in the middle of a meadow, pasture, or hillside.

    c. Building envelopes shall be located so that no portion of a building up to thirty (30) feet tall shall be visible over the ridge of the hillside on which it is located when viewed from Highway 33. The applicant shall submit a sight line analysis in sufficient detail to confirm that this standard has been met.

3. Access to Highway 33: Any new access on to a State Highway shall require approval of the Idaho Transportation Department. Projects shall be designed to limit access onto State Highways to a single location, when no other access is feasible.
4. Screening: Landscaping shall be used to screen the view of any resource extraction sites, outdoor storage areas, outdoor trash collection areas, satellite dishes over two (2) meters in diameter.
5. Inoperable equipment: No inoperable equipment shall be stored outside of a building. For the purposes of this section "Inoperable equipment" shall be defined as**:** Any vehicle or piece of machinery that, due to disrepair, damage, or other cause, cannot function as designed.
6. Re-vegetation: The applicant shall re-vegetate all areas disturbed by grading or cut-and-fill activity with plants similar to those on the remainder of the development site as each stage of grading is completed, and no later than one (1) year after construction.

D. **Submittals**

Site plan must be submitted, which shall include:

1. All proposed and existing structures,
2. Setback from right-of-way of state highway or Ski Hill Road shall

be clearly labeled,

3. Building envelopes,
4. Existing and proposed off-street parking areas,
5. Exterior elevations of primary structures visible from state highway or Ski Hill Road,
6. Description of building materials.
7. Complete application
8. Latest recorded deed to the property
9. Affidavit of Legal Interest (if applicable)
10. Submit a detailed landscaping plan along with application materials in efforts to limiting visual intrusion from the highway
11. Height of landscaping must meet at least half of the height of proposed structure.Label/list all plant species (preferably native plants).

5-1-4 LDC § 5-9, regarding Signage, is replaced in its entirety as follows**:**

Signage

A. **Intent**

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

B. **Applicability**

No *sign* may be erected, altered, refurbished or otherwise modified after the effective date of the LDC except in accordance with the requirements of this Section.

C. **Signs Placed Along State Highways**

The following regulations apply to *signs* along State Highways 31 and 33. Federal regulations control outdoor advertising along these scenic byways per Title 23, Section 131 of the United States Code.

1. No new outdoor advertising *signs* shall be constructed within six hundred fifty feet (650') of the right-of-way of these and visible from State Highways 31 and 33.
2. Only State Approved Single Business *off-premise outdoor advertising signs*, State Approved Multi- business *signs*, State

Approved Point of Interest *signs*, and State Approved Tourist Oriented Directional *signs* are permitted. These are *signs* that meet State of Idaho Transportation Department dimensional and design standards, are located in the state highway right-of-way, approved by ITD, and must be supplied/installed by ITD (per examples below). Teton County should be notified when an *application* is made to ITD.





D. **Signage Standards**

1. General Signage Requirements: It is the intent of these requirements to encourage interesting, quality signs. Sign materials and overall appearance should complement building architecture and colors.

    a. Monument signs, wall signs, and free hanging signboards shall be the approved sign styles.

    b. Sign illumination shall be in accordance with the provisions of this Title. Internal illumination is prohibited for all signs.

    c. A wall sign may be flat or perpendicular to the wall.

    d. 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.

    e. 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.

    f. 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.

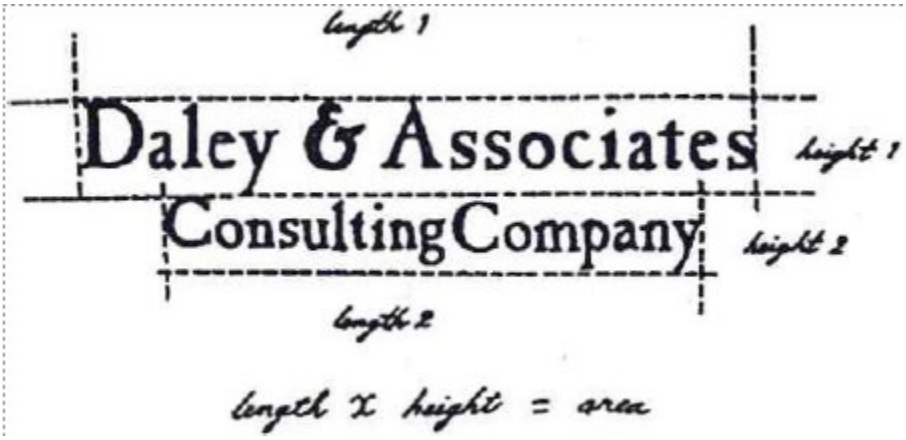
2. Wall Signs:

    a. 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.

b. 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.

c. 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:



d. 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:



3. Monument Signs:

    a. Monument signs located shall not exceed four feet (4') in height (including the solid base).

    b. 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.

    c. A double-faced monument sign is permitted.

    d. 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.

    e. 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 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.

    f. 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.

4. 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.

5. 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.

6. Special Portable Signs: Special portable signs, which are used on an ongoing daily basis throughout the year may be permitted by the county if the following criteria is complied with:

    a. Special portable signs shall require a design review application and planning and zoning commission approval.

    b. Special portable signs shall be unique in character. Materials shall be weatherproofed and shall be properly maintained.

    c. Illumination for special portable signs is prohibited.

    d. No more than one special portable sign shall be permitted for any business.

    e. Special portable signs shall be a maximum of sixteen (16) square feet.

    f. Special portable signs shall be a maximum of five feet (5') in height.

    g. 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.

    h. 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.

    i. 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.

    j. Special portable signs shall be moved inside of the building at the end of each business day.

7. 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.

E. NONCONFORMING SIGNS

All signs in the City of Tetonia Area of Impact permitted after 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.

F. **PROHIBITED SIGNS**

The following types and styles of signs shall be prohibited within the City of Tetonia Area of Impact. Prohibited signs are subject to removal by the county 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 basic 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, pole attachments, mobile 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.

G. **TEMPORARY SIGNS**

1. 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.

2. 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 w.11 sign for a new business.

3. 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.

4. 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.

ARTICLE 6 SUBDIVISION DEVELOPMENT STANDARDS

7-2-6-1 General Provisions

Chapter 6 of the Teton County Land Development Code applies in the Tetonia Area of Impact.

CHAPTER 7 DEFINITIONS

Chapter 7 of the Teton County Land Development Code applies in the Tetonia Area of Impact.

APPENDIX: A - CITY OF TETONIA AREA OF IMPACT - SUPPLEMENTAL SPECIFICATIONS

"DESIGN REVIEW STANDARDS AND PROCEDURES"

Reserved