

Article 12 Streets and Public Improvements

Article 12 - Street and Public Improvements

Div. 12.1. General Provisions	12-2	Div. 12.4. New Streets	12-9
12.1.1. Applicability.....	12-2	12.4.1. Intent.....	12-9
12.1.2. Phasing.....	12-2	12.4.2. Applicability.....	12-9
12.1.3. Performance	12-2	12.4.3. Street Tree Planting	12-9
12.1.4. Acceptance.....	12-2	12.4.4. Private Streets	12-9
12.1.5. Warranty	12-2	12.4.5. Street Names.....	12-10
12.1.6. Easements.....	12-2	12.4.6. Streetlights.....	12-10
12.1.7. Development Name.....	12-3	12.4.7. Street Types.....	12-10
12.1.8. Survey Monuments.....	12-3	12.4.8. Local Streets.....	12-11
12.1.9. Homeowners Association.....	12-3	12.4.9. Collector Streets	12-13
12.1.10. Postal Delivery System.....	12-3	12.4.10. Accessways	12-15
12.1.11. Streets/Right of Way Vacation	12-3	12.4.11. Fire Code Compliance	12-17
Div. 12.2. Blocks, Lots, Access	12-4	Div. 12.5. Utilities	12-18
12.2.1. Intent.....	12-4	12.5.1. Access to Public Utilities	12-18
12.2.2. Blocks.....	12-4	12.5.2. Water Supply	12-18
12.2.3. Block Measurement.....	12-4	12.5.3. Wastewater	12-18
12.2.4. Street Layout	12-4	12.5.4. Electric and Telecommunications.....	12-18
12.2.5. Gated Streets	12-5	12.5.5. Fire Protection	12-18
12.2.6. Lots.....	12-5	Div. 12.6. Parks	12-19
12.2.7. Subdivision Access.....	12-5	12.6.1. Intent.....	12-19
12.2.8. Dead End Streets	12-6	12.6.2. Applicability.....	12-19
12.2.9. Street Alternatives	12-6	12.6.3. Required Improvements.....	12-19
Div. 12.3. Existing Streets	12-7	12.6.4. Required Standards	12-19
12.3.1. Applicability.....	12-7	12.6.5. Dedication & Maintenance.....	12-20
12.3.2. Sidewalk and Street Trees Required	12-7	12.6.6. In-Lieu Contributions	12-21
12.3.3. Reimbursement from Future Development.....	12-7		

PZC Public Review Draft - August 2016

12.1.1. Applicability

- A. This Division applies to all development in Teton County.
- B. No buildings, structures, lots, or sites in whole or in part, may be erected, constructed, moved, enlarged, developed, or structurally altered until all required plans, profiles and specifications have been reviewed and approved by Teton County or other governmental approving agency.
- C. No services or utilities may be extended or furnished to any development until the applicant has installed the improvements specified in this Code or guaranteed their installation as provided for in this Division.
- D. All streets and public improvements must conform with all adopted Teton County standards.

12.1.2. Phasing

- A. Streets and public improvements may be constructed in phases, provided a phasing plan is approved as part of a development agreement.
- B. Each phase must stand alone, meeting all the requirements of this Land Use Development Code without the need for improvements in later phases.

12.1.3. Performance

- A. Streets and public improvements shall be completed and accepted by Teton County prior to a request to record all or a part of any subdivision plat or issuance of a building permit for any site plan, whichever first occurs. A performance bond, escrow account or irrevocable letter of credit must be established, prior to commencement of the work, in an amount of 125% of the estimated construction cost of the improvements with conditions satisfactory to Teton County.
- B. Where the Planning Administrator determines that landscaping in the public right-of-way cannot be installed due to inclement weather conditions, a performance bond in the amount of 125% of the

value of the landscaping must be provided to Teton County. The landscaping improvements must be installed within 12 months of issuance of the conditional letter of acceptance.

12.1.4. Acceptance

Streets and public improvements will not be officially accepted until a letter from the project engineer has been received notifying Teton County that the improvements have been completed as approved and then the improvements are inspected by Teton County, corrections are made in the field and on the approved construction drawings, a reproducible copy of the as-built drawings is provided to the Public Works Director and the warranty required in Div. 12.1.5. is provided to Teton County.

12.1.5. Warranty

- A. All streets and public improvements must have a warranty guaranteeing the work against defects for a period of 2 years from the date of final acceptance.
- B. If the improvements are constructed at different times, then the guarantee must continue until 2 years from the date of final acceptance of the improvement last completed.
- C. The warranty must list Teton County as a beneficiary.
- D. A warranty surety must be provided in an amount of 10% of the estimated value of the warranted improvements. The surety must expire 6 months after the expiration of the warranty period.

12.1.6. Easements

- A. Easements must be provided in locations and dimensions required by Teton County in order to:
 - 1. Allow for adequate storm drainage facilities;
 - 2. Allow for proper installation of water and sewer lines, whether immediately proposed or necessary for adequate service in the future;
 - 3. Allow for shared-access between properties;

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4. Allow for adequate transit facilities and access;
5. Allow for adequate pedestrian and bicycle access;
6. Allow for adequate right-of way for street types;
7. Allow for adequate public access;
8. Allow for adequate slope for roadway construction; and
9. Allow for snow storage.

- B. Easement widths will be specified by Teton County as necessary to accommodate existing and future needs as well as construction and repair of facilities.

12.1.7. Development Name

The proposed name of a development shall be approved by Teton County to ensure it is not a duplicate or too closely approximate, phonetically, the name of any other development.

12.1.8. Survey Monuments

Survey monuments must be installed in accordance with Idaho Code section 50-1303 at all corners, angle points, and points of curve and all street intersections.

12.1.9. Homeowners Association

In residential developments, common areas, private streets and stormwater management facilities associated with the development must be maintained by a homeowners association unless the facilities are dedicated to and accepted by Teton County. Documents of homeowners association creation (including articles of incorporation, by-laws, covenants and related documents) must be submitted to the Planning Administrator at the time of Preliminary Approval.

12.1.10. Postal Delivery System

One or more cluster box units (CBU), approved for use by the USPS, must be provided for residents in new residential developments with of 5 units or more. No mailboxes may be located in a sidewalk or right-of-way as to impede pedestrian or vehicular traffic.

12.1.11. Street/Right of Way Vacation

- A. Applications for vacation of a public right-of-way alley or easement must comply with Idaho Code §. 50-311.
- B. Applications for vacation of streets, alleys, or easements must be submitted to the Administrator. The Administrator and Public Works Director jointly, will have discretion and authority to refer a vacation application to the Board. The Board will consider the following items in making their decision:
1. The application and statements of the applicant and such other information as may come before it with regard to the proposed vacation or dedication.
 2. The interests of the adjacent property owners and public utilities.
 3. Conformance of the proposal with the Comprehensive Plan.
 4. The future development of the neighborhood.
 5. That the public right-of-way, alley, or easement no longer serves a public purpose.
- C. In considering a street, alley or easement vacation, the Board will establish a date for public hearing and give such notice as required by law. The Board will hear and consider the public testimony, applicant testimony, recommendations of staff, public purpose, and any other information.
1. Any vacation to be granted by the Board will be supported by findings that the right-of-way in question is no longer needed for public use.
 2. Should the Board approve the application, in the case of public right-of-way, alley, or street, the County will pass an Ordinance vacating the same. Said vacation will become effective upon enactment of the Ordinance pursuant to Idaho Code.

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12.2.1. Intent

- A. The intent of the block perimeter and connectivity regulations is to provide a well-connected street network.
- B. Large blocks with limited connectivity discourage walking, contribute to street congestion and add driving distance that can negatively impact emergency services. New streets should be designed to consider future development.
- C. The access regulations are intended to provide safe and convenient vehicular and pedestrian access between adjacent developments and to lessen traffic congestion. Pedestrian, bike and vehicular access should be safe, direct and convenient.
- D. Access points to County roads require Access Permit approval. Teton County recognizes the Local Highway Technical Assistance Council Manual for Use of Public Right of Way Standard Approach Policy for access guidelines.

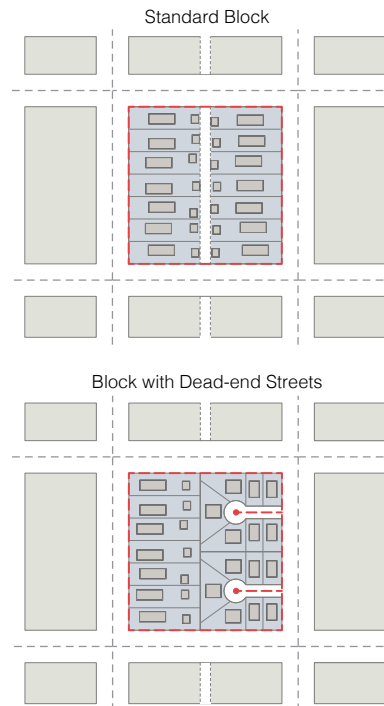
12.2.2. Blocks

The following table establishes the maximum block perimeter by district. In the event that a single block contains more than one zoning district, the most restrictive requirement applies.

District	Block Perimeter (max)
Rural Districts	Not Applicable
Residential Districts	
RS-16	5,000 feet
RS-7, RS-5, RS-3, RM-1, RM-2	4,000 feet
Mixed Use Districts	
RX, NX, DX, CC, CH, IX	3,000 feet
Industrial Districts	
IL, IH	6,000 feet
Civic and Open Space Districts	Not Applicable

12.2.3. Block Measurement

- A. A block is bounded by a public or private street (not including an alley).
- B. Block perimeter is measured along the edge of the property adjoining the public or street, except for the measurement of dead-end streets, which are measured from intersecting centerlines.



- C. The Public Works Director may modify the block perimeter requirements when steep slopes in excess of 25%, waterways, railroads, preexisting development, conservation areas, open space or easements would make the provision of a complete block infeasible.

12.2.4. Street Layout

- A. Blocks intended predominantly for single-family development must have sufficient depth to provide for 2 tiers of lots. Double frontage lots are not allowed.
- B. Streets must be aligned to join with planned or existing streets.

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- C. Street jogs with centerline offsets of less than 125 feet are not allowed.
- D. All street intersections must approximate right angles but in no case at less than 70 degrees.

12.2.5. Gated Streets

Gated public streets are not allowed. Gates installed on private streets serving more than one lot must comply with the following:

- A. No gate may be installed within public right-of-way;
- B. Plan approval and access/encroachment permit must be obtained prior to installing any gates. Gates must not prohibit public access to any areas dedicated to public use;
- C. Each gate must provide for queuing under Div. 11.1.6 and emergency vehicle access;
- D. Gates must be removed if private streets are to become public; and
- E. Gates may be denied by the Public Works Director based on traffic conditions and overall community-wide connectivity needs.

12.2.6. Lots

A. Lot Frontage

Every new lot must abut a public or private street, access easement, or a courtyard specifically for a cottage court building type (see Div. 8.4).

B. Lot Dimensions

Lots that are occupied or are intended to be occupied must conform with the lot size, lot width and lot depth requirements provided under Articles 3 through 7.

12.2.7. Subdivision Access

A. General

1. When land is subdivided, parcels must be arranged and designed so as to allow for the potential of future streets, if deemed necessary by the Public Works Director.
2. No subdivision may be designed to completely eliminate street access to adjoining parcels of land without current street access.
3. All subdivisions must provide at least one entrance/exit to a public or private street.
4. The subdivision must provide all necessary easements for ingress and egress for police, fire, emergency vehicles and all operating utilities.

B. Stub Streets

1. Stub Required

- a. Where a subdivision adjoins unsubdivided land, stub streets within the new subdivision may be required to be installed.
- b. The stub street right-of-way, surface, and/or curbing must extend to the boundary of the abutting property to the point where the connection to the anticipated street is expected.
- c. Where a stub street is provided, a barricade using a design approved by the Public Works Director may be constructed at the end of the stub street, pending the extension of the street into abutting property. A sign noting the future street extension must be posted.
- d. Reimbursement from the future development may be possible. (See Div. 12.3.3)

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2. Connecting to an Existing Stub Street

If a stub street exists on an abutting property, the street system of any new subdivision must connect to the stub street to form a through street.

3. Exception

The Public Works Director may eliminate the requirement for a stub street or require pedestrian only access when:

- a. Steep slopes in excess of 25%, waterways, railroads, preexisting development, conservation areas, open space or easements would make the provision of a stub street infeasible; or
- b. An industrial use is located adjacent to a proposed residential subdivision.

12.2.8. Dead End Streets

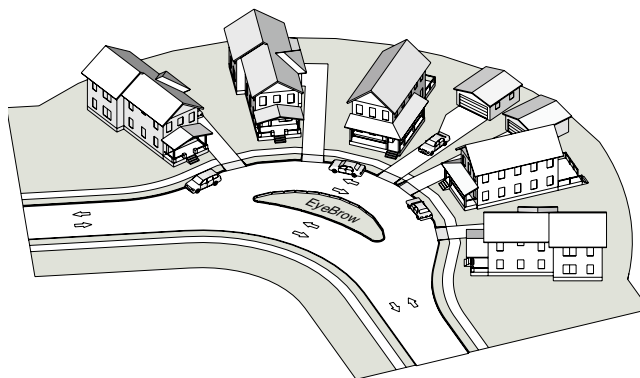
- A. In all districts, dead end streets and driveways must provide an opportunity for emergency vehicles to pass every 400 feet. Pullouts for emergency vehicles must measure at least 35 feet in length and 8 feet in width. An approved turnaround is required for emergency vehicles to be able to reverse their direction at the end of the dead-end street or driveway. Turnarounds must adhere to the current International Fire Code and approved by the Teton County Fire District.
- B. The maximum length is measured along the centerline of the street from the center of the intersection to the center of the turnaround.

12.2.9. Street Alternatives

The following alternatives may be approved at the time of subdivision approval.

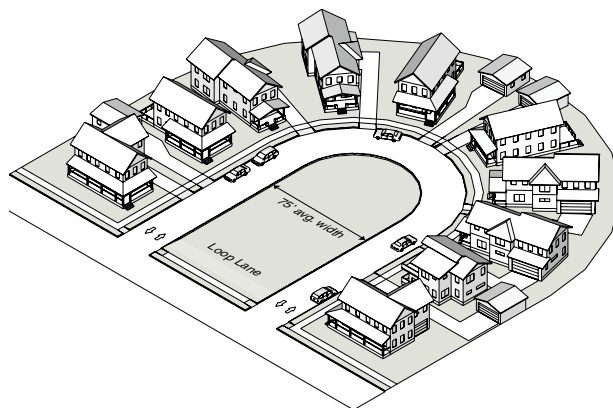
1. Eyebrow

An eyebrow is a rounded expansion of a street beyond the normal curb line. An eyebrow must have a landscaped island.



2. Loop Lane

A loop lane is a two-way street, no portion of which may be more than 250 feet in length. The interior landscaped area must have an average width of at least 75 feet.



- A. The applicant must provide for perpetual maintenance of the landscaped area in the Eyebrow, or Loop Lane through a homeowners association.

12.3.1. Applicability

When a building or site is increased in gross floor area or improved site area cumulatively by more than 25%.

12.3.2. Sidewalk and Street Trees Required (Non-Rural Zones)

- A. A building or site with frontage on a existing street that does not have sidewalks and street trees that meet the width and planting standards of Div.12.4, must be brought into compliance prior to the issuance of a Certificate of Compliance.
- B. The appropriate sidewalk and tree planting configuration will be selected by the Planning Administrator based on the variety of options presented in Div. 12.4. Modifications to these typical cross-sections may be made by the Planning Administrator.

12.3.3. Reimbursement from Future Development

Public works improvements shall be paid for by the developer(s). Future development by adjacent landowners that will benefit by the use of the public improvements set forth in this division shall pay their pro rata share as outlined below.

A. Compensation:

Circumstances where the original developer may be compensated by adjacent land owners for a portion of the cost for these improvements:

- 1. Any adjacent landowner that develops frontage along or immediately adjacent to any public improvements, whose development would be benefited from connecting onto or accessing additional public easements or rights of way, shall be required to share costs with the original developer.

- 2. Compensation from adjacent land owner:
Where an adjacent land owner may benefit from the installation of public improvements, the developer may contact the adjacent land owner and solicit participation in the costs for such improvements. If an agreement for sharing development costs can be reached, it shall be in writing and shall be submitted by the developer initially responsible for the facilities, as part of the development agreement with the Preliminary Plat.

B. No Participation from Adjacent Land Owners:

When adjacent land owners choose not to participate, then the original developer may be entitled to compensation from adjacent land owners when they develop as follows:

- 1. Letter of Notification & Cost Estimate:
 - a. The original developer must file a letter of notification with the County indicating his intent to be considered for reimbursement of a portion of the costs of the public improvements required by this ordinance.
 - b. The letter of notification and an estimate of the costs for public improvements to be installed by the Developer shall be filed with the County Planning and Building Department not later than approval of the Final Plat by the Board of County Commissioners. The cost estimate may include land acquisition, roads, water and sewer, irrigation and canals and other such costs of construction for required public improvements.
 - c. The letter of notification shall be used by the County to alert adjacent land owners of record, of their responsibility to the original developer.

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- d. The failure to submit the letter of notification and cost estimate by the approval date of the Final Plat by the Board of County Commissioners shall constitute a waiver by the original developer to the right to request reimbursement as outlined in this division of the Code.

C. Future Development; Pro Rata Share:

Future planned developments that would use the public improvements shall not be approved by the County until the new developer agrees in writing to adequately compensate the original developer or legal agent for a pro rata share of the costs of public improvement. Determination of the pro rata shall be based on the following:

1. Roads, Length of frontage, for example, if two (2) landowners shared the same length of road on both sides of the street, the cost would be shared equally.
2. Number of lots per subdivision, for example, cost for water or sewer lines shall be based on cost of construction of pipelines and relocation of irrigation pipe lines and canals that are have shared use by both developments, the cost being shared equally.

D. Reimbursement to Original Developer:

Reimbursement to the original developer would be one hundred percent (100%) of the pro rata share during the first five (5) years following construction of the improvements, cost would then be depreciated ten percent (10%) per year thereafter, and no pro rata share would be due after (10) ten years following the initial construction, unless a specific agreement was developed and agreed to that extended this time frame.

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12.4.1. Intent

- A. The intent of this Division is to provide a palette of street types and design elements that reflect the character of different areas within Teton County.
- B. Further details about roads constructed in Teton County can be found in the "Highway & Street Guidelines for Designs and Construction in Teton County".
- C. The regulations provide adequate accommodations for vehicles, cyclists, and pedestrians.
- D. Teton County supports the use of context sensitive design solutions and complete streets and will review projects on a case-by-case basis for conformance with these concepts.
- E. The street typical cross-sections displayed in this Division provide a guide to balancing the needs of all modes of travel. Modifications to these typical cross-sections may be made by the Public Works Director.
- F. The appropriate typical street cross-section will be selected by the Public Works Director based on both engineering and land use factors, including anticipated vehicle volumes.

12.4.2. Applicability

- A. When constructing a public or private street or reconstructing an existing street- sidewalks, bike lanes, drainage and street trees must be installed and constructed in accordance with this Division.
- B. The standards for the construction of drainage improvements, sidewalks, bike facilities and streets must be in accordance with the specifications established by Teton County.
- C. Existing streets may continue serving existing development in their current configuration; however, they must not be extended or substantially rebuilt except in conformance with this Division.

- D. Applicants must dedicate sufficient right-of-way to Teton County for streets, drainage and sidewalks. Typical street right-of-way widths are illustrated in this Division.
- E. The Public Works Director may require turn lanes, and additional right-of-way beyond that shown in the applicable street typical cross-section to accommodate these lanes may be required.
- F. Off-site improvements may be required based on the findings from a Traffic Analysis as required in the Property Development plan found in Article 13.

12.4.3. Street Tree Planting

- A. Unless otherwise noted below, all trees planted in accordance with this Division must be shade trees.
- B. Where overhead utilities exist, one under-story tree planted every 20 feet on center, on average, must be substituted for each required shade tree.
- C. All required street trees must meet the design, installation and maintenance requirements of Div. 11.2.6.

12.4.4. Private Streets

- A. All private streets must be constructed to equal or exceed the standards for public streets and must be approved by the Public Works Director.
- B. A public Right-of-Way may be required to be dedicated to the public, however this does not imply the road will be publicly maintained.
- C. A Final Plat or Site Plan that contains private streets must clearly state that such streets are private streets.
- D. All private streets must be treated as public street rights-of-way for purposes of determining required development and dimensional standards.
- E. In residential subdivisions where private streets are proposed, the Public Works Director may require a public street for inter-parcel connection and cross-access may also be required.

12.4.5. Street Names

- A. New streets must be named so as to provide continuity of name with existing streets and to prevent conflict with identical or similar names in other parts of Teton County.
- B. Streets lying on approximately the same line must have the same name unless the intervening space between the separate parts is greater than 1,000 feet.
- C. Street names must be approved by Teton County.

- 4. Pedestrian Passage
- 5. Multi-Use Trail
- 6. Recreational Road

12.4.6. Streetlights

Streetlights, when installed, must be installed in accordance with Teton County adopted standards and specifications.

12.4.7. Street Types

All new or extended streets must meet the requirements of the following street types, except as modified by the Public Works Director consistent with the intent above. The street types are generally based on traffic volumes, Teton County "Highway & Street Guidelines for Designs and Construction", and neighborhood design.

A. Local Streets

- 1. Area of Impact Local
- 2. Local

B. Collector Streets

- 1. Major Collector
- 2. Minor Collector

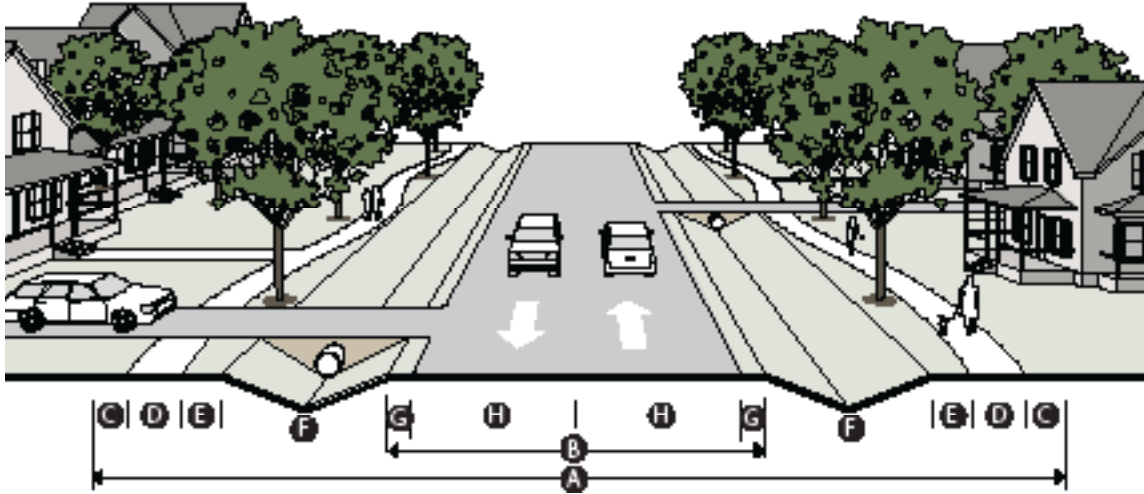
C. Accessways

- 1. Alley
- 2. Access Easements
- 3. Driveway

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12.4.8. Local Streets

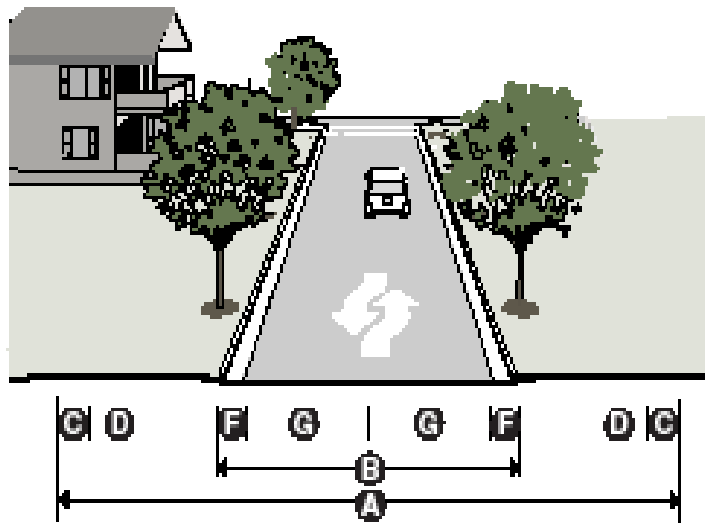
A. Area of Impact Local



Traffic Counts		
Daily Average Trips	<150	
Width		
Right-of-way width	64' ' min	A
Road width	22'	B
Streetscape		
Utility easement	3' min	C
Sidewalk	5' min	D
Planting area	5' min	E
Drainage	10' min	F
Travelway		
Grassed Shoulder	1'	G
Travel lane	10'	H
General		
Tree spacing	50' o.c. avg	
Parking type	None	
Speed Limit	25 mph	

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B. Rural County Local

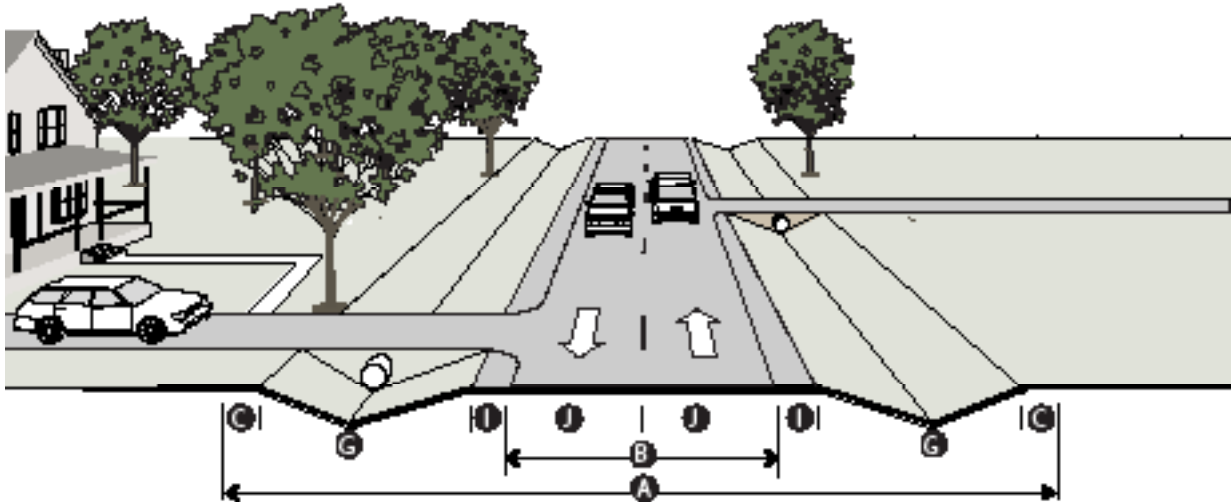


Traffic Counts		
Daily Average Trips	<150	
Width		
Right-of-way width	60' max 50' min	A
Road width	9' min	B
Streetscape		
Utility easement	3' min	C
Drainage Ditch	6' min	D
Shoulder	2'	E
Travelway		
Travel lane	9'	F
General		
Speed Limit (MPH)	25-35	
Parking type	Not Permitted	
Tree Spacing	50' o.c. avg.	

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12.4.9. Collector Streets

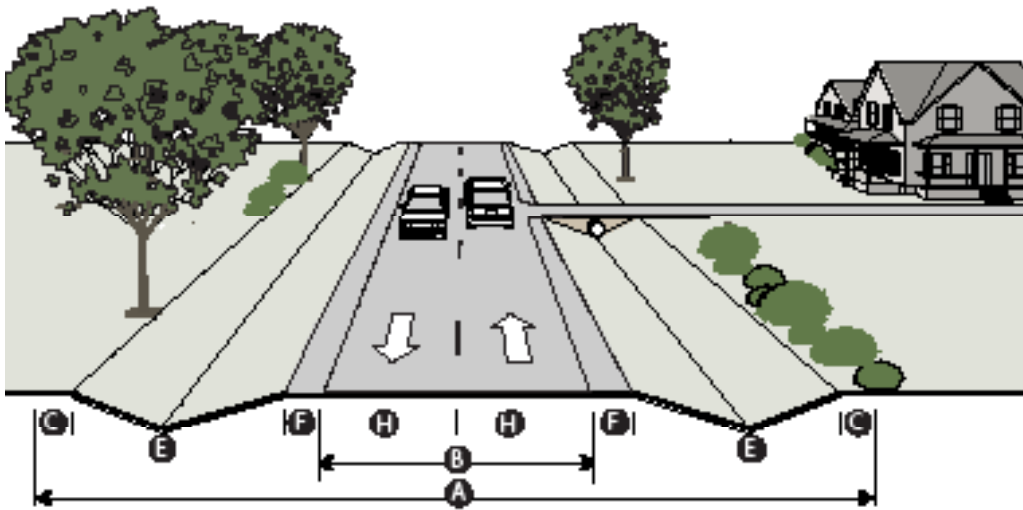
A. Major Collector



Traffic Counts		
Daily Average Trips	400+	
Width		
Right-of-way width	60' min	A
Road width	28'	B
Streetscape		
Utility easement	3' min	C
Drainage	10' min	D
Travelway		
Shoulder	4'	E
Travel lane	11'	F
General		
Tree spacing	50' o.c. avg	
Parking type	None	
Speed Limit	45-55 mph	

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B. Minor Collector

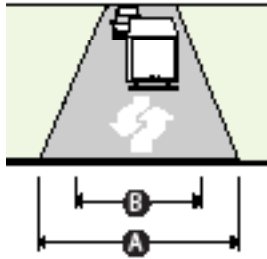


Traffic Counts		
Daily Average Trips	150-400	
Width		
Right-of-way width	' 60' min	A
Road Width	24'	B
Streetscape		
Utility easement	3' min	C
Drainage	10' min	E
Shoulder	2'	F
Travelway		
Travel lane	10'	H
General		
Tree spacing	40' o.c. avg	
Parking type	None	
Speed Limit	35-45 mph	

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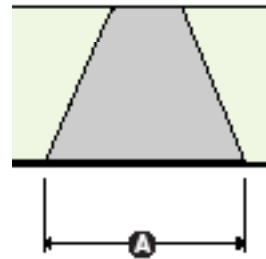
12.4.10. Accessways

A. Alley



Traffic Counts		
Daily Average Trips	<80	
Width		
Right-of-way width	24' min	A
Lane width	20' min	B
General		
Speed Limit (MPH)	5-10 mph	
Parking type	Not Permitted	

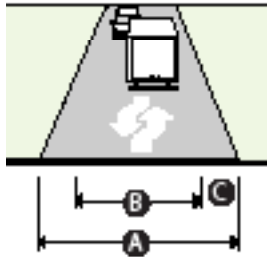
B. Access Easement



Traffic Counts		
Daily Average Trips	<80	
Width		
Right-of-way width	20' min 40' max	A

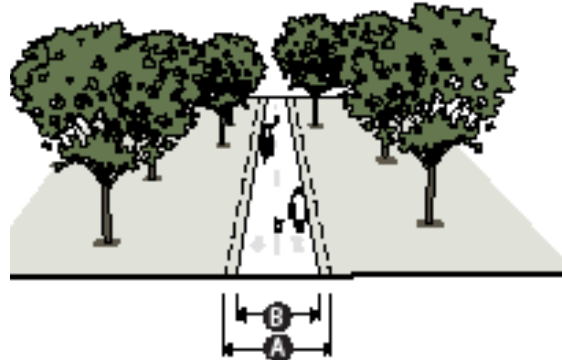
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D. Driveway



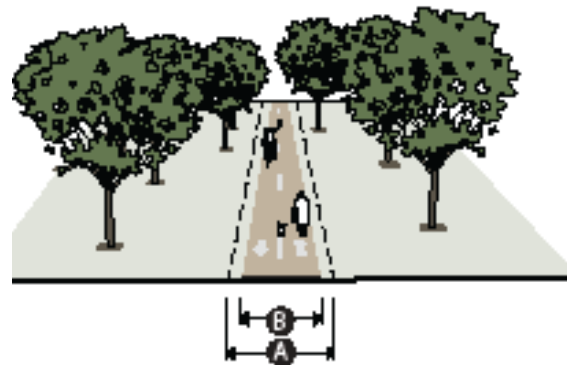
Traffic Counts		
Daily Average Trips	<150	
Width		
Right-of-way width	20' min 40' max	A
Travelway width	12' min	B
Streetscape		
Clear Zone	2'	F
General		
Surface Slope	2%	
Speed Limit (MPH)	5-10 mph	
Parking type	Not Permitted	
Pullouts	Every 400'	
Approved Turn Around	>150'	
Grade	<10%	
Vertical Clearance	13'6"	

E. Pedestrian Passage



Width		
Public access easement	20' min	A
Travelway		
Paved area	10' min	B

F. Multi-Use Trail



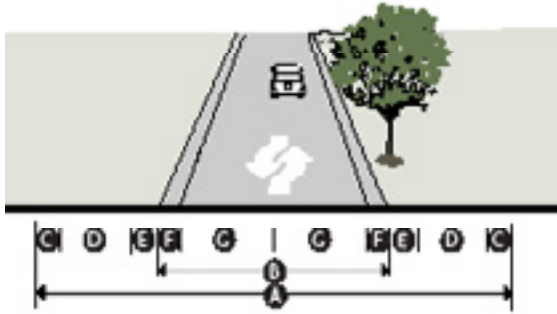
Width		
Right-of-way width	20' min	A
Travelway		
Paved/gravel surface width	10'	B

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G. Recreational Road

12.4.11. Fire Code Compliance

In addition to the above standards, all roads must be designed to meet the standards set forth by the International Fire Code and adopted by the Teton County Fire Protection District.



Traffic Counts		
Daily Average Trips	<150	
Width		
Right-of-way width	40' min 50' max	A
Road width	14'-18'	B
Streetscape		
Utility easement	3' min	C
Drainage Ditch	5'-12'min	D
Shoulder	2'	F
Clear Area	3'	
Travelway		
Travel lane	6'-8'	G
General		
Speed Limit (MPH)	15-25 mph	
Parking type	Not Permitted	
Surface Slope	2%-4% (depending on material)	

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12.5.1. Access to Public Utilities

All developments within Teton County limits must be connected to public utilities when utilities are within 1,000 feet and the appropriate city approves the connection. The costs of connection, including any necessary extension of mains or expansion of capacity, is the responsibility of the developer.

12.5.2. Water Supply

- A. When a development is located within Teton County limits, the developer shall make every effort to connect to the public water system and install all water lines required to provide water supply to every lot within the development.
- B. Any lot not connected to the public water system meet all state requirements for the use of individual water wells. Individual wells require the approval of the Idaho Department of Water Resources.

12.5.3. Wastewater

- A. When a development is located within Teton County limits, the developer shall make every effort connect to the public sewer system and install all sewer lines required to provide sewer service to every lot within the development.
- B. Any lot not connected to the public sewer system must meet all state requirements for the use of individual septic tanks or community sewer systems. Individual septic systems require the approval of Eastern Idaho Public Health, District 7.

12.5.4. Electric and Telecommunications

- A. Electric service and telecommunication service to each new lot is required for all new developments.
- B. Within the development, all new utilities installed to serve the development must be placed underground.

- C. Utilities must be underground from the point they enter the development.
- D. Ground mounted transformers must not be located in the public right-of-way.

12.5.5. Fire Protection

1. Adequate fire protection must be in accordance with the International Fire Code and the "Teton County Fire Protection District Fire Protection Resolution for Subdivisions" as adopted by the Teton County Fire Protection District.
2. The location and specifications of fire protection facilities required to serve the development must be approved by the Teton County Fire Protection District.

PZC Public Review Draft - August 2016

12.6.1. Intent

For new subdivisions consisting of 14 or more dwelling units, without regard to the number of phases within the subdivision, the Developer shall set aside or acquire land are within, adjacent to, or in the general vicinity of the subdivision for park space, as part of the open space acreage.

12.6.2. Applicability

- A. Parks shall be set aside in accordance with the following formula:
- B. $P = X$ multiplied by 0.0277 where "P" is the parks contribution in acres and "X" is the number of dwelling units, including condominium units and accessory dwelling units, contained within the plat. Where multi-family lots are being platted with no fixed number of units, "x" is the maximum number of residential units possible within the subdivision based on current zoning regulations.
- C. Where a parcel of land is owned or otherwise controlled, in any manner, directly or indirectly,
 1. By the same individual(s) or entity(ies), including but not limited to corporation(s), partnership(s), limited liability company(ies) or trust(s), or
 2. By different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where:
 - a. Such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies), or
 - b. The same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies),
- D. Multiple subdivisions of said parcel that cumulatively result in fourteen or more dwelling units, are subject to the provisions of this ordinance, and shall provide

the required improvements subject to the required standards at or before the platting or development of 14 or more dwelling units.

12.6.3. Required Improvements

Improvements for parks shall be based on size and be considered either a Mini Park (between one-quarter acre and one acre), or a Neighborhood Park (between one acre and ten acres).

A. Mini Park:

Minimum improvements: finished grading and ground cover, trees and shrubs, picnic table, trash container(s), park bench(es). All parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used.

B. Neighborhood Park:

Minimum improvements: finished grading and ground cover, large grassy areas, trees and shrubs, sheltered picnic table(s), trash container(s), park bench(es), parking as required by ordinance, and one or more of the following: play structure, restrooms, an athletic field, trails, hard surface multiple use court (tennis or basketball courts), or gardens that demonstrate conservation principles. All parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used.

PZC Public Review Draft - August 2016

12.6.4. Required Standards.

Land proposed to be dedicated for recreation purposes shall meet identified needs and standards contained within the Teton County Recreation/Public Access Master Plan. All parks, green space, and trails shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):

- A. Shall provide safe and convenient access, including ADA standards.
- B. Shall not be gated so as to restrict access.
- C. Shall not be configured in such a manner that will create a perception of intruding on private space.
- D. Shall be configured in size, shape, topography, and improvements to be functional for the intended users.
- E. Shall not create undue negative impact on adjacent properties and shall be buffered from conflicting land uses.
- F. Shall not create undue demands on services.
- G. Shall require low maintenance, or provide for maintenance or a maintenance endowment.
- H. Shall not conflict with the use or planned use of parks recreation facilities.
- I. Shall be connected in a useful manner to other recreation opportunities. Preserved green space within proposed developments shall be designed to be contiguous and interconnecting with adjacent green space (both existing and potential future space). The following criteria for connections shall be met.
 1. The developer shall define a meaningful pedestrian circulation system for each development, which connects to the major trail system, parks, and community assets.
 2. Subdividers shall install such trails as required by ordinance and according to County standards (Div 12.4.10.C).
 3. The developer shall construct all trails through and abutting their developments identified in the Teton County Recreation/Public Access Master Plan. Such trail improvements shall be undertaken at the same time as other public improvements are installed within the development, (i.e., grading with site grading and paving with street or parking lot paving). Deviation from this timing requirement may be allowed only when deemed beneficial for the project, and approved by the Board.
 4. The County may permit easements to be granted by developers for trail corridors identified in the Teton County Recreation/Public Access Master Plan, thereby allowing the developer to include the land area in the determination of setbacks and building density on the site.

12.6.5. Dedication and Maintenance

All park land shall be dedicated in accordance with Div. 3.7.3 upon completion. Pursuant to Div. 12.1.6 of this , parks shall be guaranteed and maintained by the developer for a period of two years. Any privately owned and maintained park or recreation space (by the future residents or business owners of the subdivision) must meet the following:

- A. Land area shall not be occupied by non-recreational buildings and shall be available for the use of all the residents or employees of the proposed subdivision.
- B. The use of the private green space shall be restricted for park, playground, trail green space or recreational purposes by recorded covenants which run with the land in favor of the future owners of the property within the tract and which cannot be modified without the consent of the Board.

PZC Public Review Draft - August 2016

- C. The proposed private green space shall be reasonably adaptable for use for such purposes, taking into consideration such factors as size, shape, topography, geology, access and location of the private green space land.
- D. The facilities proposed for such purposes are in accordance with the provisions of the recreational element of the Comprehensive Plan and the identified needs and standards contained within the Teton County Recreation/Public Access Master Plan.
- E. The private ownership and maintenance of the green space shall be adequately provided for by written agreement.

12.6.6. In-Lieu Contributions

After receiving a recommendation by the Planning and Zoning Commission, the Board may at their discretion approve and accept voluntary cash contributions in-lieu of park land dedication/park improvements, which contributions must be segregated by the County and not used for any other purpose other than the acquisition of park land and/or park improvements. The fee structure for cash contributions for acquisition of park land shall be the appraised value of the required land area at the time of the application. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant. The fee structure for park improvements, including all costs of acquisition, construction and all related costs, shall be based upon the estimated costs of an approved improvement provided by a qualified contractor and/or vendor.