Tetonia Planning & Zoning Commission

Meeting Minutes

8/13/2025

P&Z Commissioners present: Sharon Fox, Brandon Wood, and Josh Weltman
City Representatives: Ashley Koehler (via phone), Contract Planner, Jacque Beard, City Clerk
Public/Applicants: Hanna Palmer, Gaylan Hellyer, Gary Rammell, Annie Rammell

Special Meeting

Commissioner Fox called the meeting to order at 7:05pm

1. **Approval of Meeting minutes of 7/7/25**

Commissioner Wood made a motion to approve the minutes of 7/7/25. Commissioner Weltman 2nd. Motion approved.

2. **Temporary Use Permit-Tribe Artist Collective Annual "Roll It Out" Event**

Ashley Koehler, contract planner, described the event as a repeat of the past 2 years. The event would close down the east block of Central Ave to make space for the event and vendors. Koehler recommended approval of the event with the 4 conditions in the Report. It was identified that conditions #2 and #3 were met with a parking plan submitted. The applicant, Michelle Walters, commented that she asked the LDS church for permission for extra parking. City Council approved the road closure so condition #3 has been met as well.

Commission Wood made a motion to approve the Temporary Use Permit for Tribe Artist Collective "Roll It Out" Printmaking Festival with the following conditions:

1. **Standards from Public Works for adequate signage and barricades for Central Ave shall be used.**
2. **All vendors shall have proper permits from the Health District (if selling food) or from the City for retail sales.**

Commissioner Fox 2nd the motion. Motion approved.

3. **Flag Ranch Subdivision in the Area of Impact- Public hearing**

Koehler presented this project for a 15-lot subdivision located in the Tetonia Area of Impact. Any decision on the subdivision also requires review by the Tetonia City Council, Teton County P&Z Commission and final decision by the Board of County Commissioners. Koehler summarized the points in the Staff Report and called out sections to be discussed and the recommendations, including the plat showing a road connecting to the north, building envelopes, and designating the open space on the plat.

The applicant, Kevin Mayberry, responded that the road easement requests are okay and will do. They will also add the note on the plat about the open space being restricted from development. One issue is the requirement for the building envelopes. The slopes are already in the open space and he couldn't see a 30' house over a ridgeline unless someone was standing right in front of it, so

does not foresee that a house would project. If the only reason that building envelopes are recommended is to avoid ridgelining, then they don't see that that would be required.

Commissioner Fox asked if there is an objection by the applicant to have building envelopes.

Kevin responded that there was a wildlife study done by Biota. It suggested to keep natural sagebrush areas untouched. So that is the open space along the eastern side that goes up the hill. On the northern side where there is another hillside, that area is not farmed so it is going to be open space. The applicant contended that with the open space shown, they feel they met the requirements of not building on the hillside.

Public hearing opened.

Gary Rammell- Asked about what is open space and what areas are eligible for farming.

The applicant responded that right now the property is in Barley fields and 5-6 acres open sagebrush to support sage grouse habitat. The slopes are below 10% outside of the open space and are below the County requirements of their limit of 30% slope max. The applicant further explained that there is no one lot that is open space, instead the open space is incorporated into each lot.

Ann Ramell- Asked about the open space and the road connections. Also concern about traffic and the need for an additional turn lane.

Discussion on the need for a traffic study and identified that the City Code does not have a specific trigger for a traffic study based on the number of lots.

Discussion on wildlife there and the deer. The applicant confirmed that the development will use wildlife friendly fencing.

Koehler summarized the public comment letter from Ann Rammell email sent on Aug 7th and her objection to the residential use being incompatible to her slaughterhouse next door.

Gary Rammell that owns the lot nearby and expressed that his operation includes loud machinery.

Public hearing closed.

Commissioner Wood stated that he would like to see the wildlife study. Commissioner Fox hopes that the County will keep a Building envelope requirement. The Wildlife study was submitted to County and when the hearing is held by the County.then it can be addressed then.

Commissioner Fox stated that she has been to the property. There is an elk herd known to frequent there, but we do have land use rights and if the applicant is developing within the Code then we need to do our best to review if it meets the Code. Commissioner Fox stated that she does not see anything that prevents this project from moving it forward.

Commissioners discussed their concerns for the slaughterhouse next door and desire to make this concern known to the County during their review. The city can't deny someone from using their land because th person across the street was there first. So discussion resulted in the recommendation that building envelopes be used so that homes are separated from that use.

Commissioner Weltman made a motion to recommend approval of the subdivision based on the finding that the proposal meets the Code requirements if the following items are addressed:

1. **Building envelopes shall be used for Lots 1, 2 & 4-11 so that homes are not constructed on the higher slopes. 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. *And Building envelopes shall accommodate for the proximity of the lots to the adjacent businesses***
2. **The Development Agreement shall include an ownership and maintenance plan for the common areas, open space, and road.**
3. **The Open Space shown on the plat shall be labeled to the effect that no development, including outbuildings, roads or grading may be constructed in the open space.**
4. **A cross-access easement to benefit the property to the north shall be shown on the plat.**
5. **The pathway along 7000N should be discussed with the County in regards to easements and/or construction requirements with the subdivision.**

Commissioner Fox 2nd the motion. Motion passed with all in favor.

Discussion on the timing for renegotiating the AOI and zoning. Once the application has been submitted, the city and county can't change the zoning in that process for this property.

4. Request for Reconsideration- Seasonal Vendor - Food Truck Court

Koehler summarized the project history stating that P&Z approved the Design Review for the Seasonal Food Truck Court at last month's meeting, but the applicant questioned the expiration that was cited in the Notice of Decision. A Request for Reconsideration was submitted to get clarification from the P&Z Commission on the approval term of this project. Koehler commented that each time when a business license for a seasonal food truck is submitted at this location, P&Z can determine that the Design Review requirement has been satisfied as long as no changes were made to the Site Plan. Koehler asked P&Z if their interpretation is that P&Z wants the Design Review requirement to be satisfied with the July 2025 decision or does P&Z interpret that it is subject to Design Review every year. Regardless, an amendment to the Code may be in order to clarify this requirement and timeline.

The applicant and owner, Jon Barlow, discussed at the July meeting that if the owner has to come in every 180 days for Design Review, he will make it clear that he will not move forward with the project. The electricity to the site is a significant expense. He has others waiting and interested, but needs additional electrical capacity. Between what he has been quoted from Fall River it is the most significant cost and he will not move forward if this expires every 180 days. This was discussed in July and he circled up with 5 or 6 people in the meeting that the decision to expire in 180 days was not included in the motion.
Legal counsel for the applicant, Kathy Spitzer, stated that the conditions were listed correctly, but the expiration period was added to the Notice of Decision by the Staff and is legally invalid and has no legal basis. She asks that the City remove this sentence from the Notice of Decision. We all agree that the seasonal vendors are subject to licensing requirements every 180 days, but the Site Plan itself for Design Review should not have to occur every 180 days. The applicant cannot afford the engineering fees and legal fees and stated her opinion that this is an abnormal requirement that she has not seen in another city.
The applicant's team agreed that the Code should be amended to be clear. Title 9 Ch 12 does not mention anything about temporary. Seasonal implies that it is regular and comes every season.

Commissioners asked the applicant what he would do if he wants to change the Site Plan. He responded that he would come back for another Design Review and acknowledged that is what we would be required to do.

Commissioners stated that every 180 days allows the applicant to make any changes at those intervals. Commissioners expressed their desire for his business to succeed and their agreement to support it. This timeline gives you an opportunity every 180 days to review to consider snow removal or fencing.
Spitzer rebutted that there is nothing in the Code that limits this to 180 days, only that the vendors can't operate more than 180 days.
Commissioners confirmed that any other vendor has to come to us for permission.

Koehler clarified that if there are no changes to the Site Plan and proposed use of the site, then P&Z could consider that interpretation. The Design Review may be used for future seasonal food trucks as long as all conditions of that approval are met and no changes to the Site Plan.

Commissioner Weltman made the motion to revise the Notice of Decision's expiration date to specifically refer to the vendor expiration.
Commissioner Wood 2nd the motion. Motion passed.

Koehler clarified further that she will amend the Notice of Decision to revise the expiration to be subject to vendors. Design Review will be considered satisfied if all conditions met and no changes are made to the Design Review site plan.

5. Public hearing- Floodplain Ordinance
Koehler presented the request from FEMA and the State Floodplain Coordinator for the City to adopt a Flood Damage Prevention Ordinance. The city does not currently have one and that is because prior to the city expanding its boundary and earlier floodplain maps, there was no part of the floodplain inside city limits. The State has provided a model ordinance to go along with the new FIRM (Flood Insurance Rate Map) for each city and the County to adopt. The Ordinance is boiler plate so it has been tailored to refer to Tetonia. Koehler also gave an update that the FIRM maps prepared by FEMA are subject to a separate review and public comment period which may not be completed until Feb 2026.
Public hearing opened. No public comment. Public hearing closed.

Commissioner Fox made a motion to recommend approval of the Floodplain Code Amendments as shown in the attachment to the Report. Commissioner Wood 2nd the motion. Motion passed unanimously.

6. Work Session- Area of Impact Code Amendments

Koehler described the table on the Memo that outlined the main changes from the current AOI agreement and the proposed. City Council reviewed this same information last night and summarized their comments, including the comment that the city's subdivision standards and process be more urban that the County, not have a joint P&Z Commission, and to keep the Imapct Area boundary large. Commissioners discussed the importance that the city be developed before the AOI and ensure that the city standards also apply and include the sewer/water easements. Koehler described the proposed AOI boundary map showing areas to be removed. Commissioners commented that if the city can't serve that big of an area, then why keep it in the AOI. It's confusing for landowners to see their land included, but

to find out that it's not feasible that it can be serviced easily. P&Z requested a map showing the city boundaries with a 1000' radius shown. Discussion concluded around water availability concerns.

Commissioner Wood made a motion to adjourn the meeting. Commissioner Weltman 2nd the motion. Meeting adjourned at 8:33pm.