TETON COUNTY, IDAHO | Board of County Commissioners

Written Decision for Wild Water Tetons West Experiential High School Conditional Rezone

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This is a written decision on the findings for the approval of the Zone Change Request by the Wild Water, INC, / Tetons West Experiential High School Conditional Rezone represented by Peter Poutiatine under Teton County Land Development Code ("LDC").

APPLICATION DATE:	June 22, 2026
APPLICANT & PROPERTY OWNER:	Peter Poutiatine & Charlie Sands
PROPERTY:	Teton County Parcel No. RP05N45E148505
PROJECT NAME:	Wild Water Tetons West Experiential High School Conditional Zoning Map Amendment
PURPOSE OF APPLICATION:	A request to change the zoning in the referenced parcel from RN-5 Rural Neighborhood, 5-ac avg density to IR Industrial Research

Applicable Standards and Criteria for Application Evaluation:

- Teton County Land Development Code, 4-5 Site Specific Zoning Map Amendment and Idaho Code 67-6511A.

F. Review Criteria

1. The recommendations of the PZC and the final decision of the BoCC on an application to amend the official zoning map, will be based on the following criteria:
   a. The Zoning Map amendment is not in conflict with the comprehensive plan.
   b. The Zoning Map amendment substantially conforms to the stated purpose and intent of the LDC.
   c. The Zoning Map amendment will reinforce the existing or planned character of the area.
   d. The Zoning Map amendment will not have a demonstrable adverse impact upon public service delivery by any jurisdiction or agency providing services in the County, including school districts.
   e. The subject property is appropriate for development allowed in the proposed Zoning District, including, if the application relates to a public-school facility, the impacts authorized for review under Idaho Code section 67-6519(3).
   f. There are substantial reasons why the property cannot be used according to the existing zoning.
   g. The map amendment does not have the effect of creating a regulatory taking under federal or state law, including, as applicable Idaho Code section 67-8001, et seq.
   h. The County and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.
   i. The Zoning Map amendment will not have a demonstrable adverse impact upon the natural environment, including air, water, noise, stormwater management, wildlife, scenic corridor views, and vegetation.
   j. The Zoning Map amendment will not have a demonstrable adverse impact on property in the vicinity of the subject property.
   k. The proposed change is consistent with the requirements of the Planning Act, including but not limited to matters related to manufactured housing, group housing, certain animal operations, sexually-oriented business, and use of surface and groundwater.

Procedural Background and Project Summary

Summary:
The applicants are requesting rezone of Teton County Parcel No. RP05N45E148505. The application proposes a zoning change from RN-5 Rural Neighborhood, 5-ac avg density to IR - Industrial Research. The applicant is requesting a site-specific zoning map amendment for 2301 N Hwy 33 in Driggs to establish a small, four-year private high school. The subject property, is identified as IR on the Future Land Use map in the County's Comprehensive Plan. The property is also in the Scenic Corridor Overlay (Type 2 Resource Area). The subject site includes a number of existing buildings primarily designed for previous commercial and manufacturing uses, but also includes a residential building.

Background
In 2024, the County renegotiated the Area of Impact (AOI) agreement with the City of Driggs in response to changes in state statutes that required reconsideration of both the outer boundaries of the AOI and the applicable land use plans and ordinances to be administered within the AOI. This process culminated in a Written Decision that reduced the Driggs Area of Impact in the vicinity of the subject parcel and removed these parcels from the AOI. As a result, it became necessary to assign a zoning designation authorized for use by the County outside of the AOI. At that time, the parcels were assigned the **RN-5 Rural Neighborhood, 5-ac avg density** zoning designation under the Teton County Land Development Code. Prior to the change the parcel was identified with M-1 light manufacturing zoning.

At the time of the final decision, the County's Land Development Code included provisions allowing for a request for reconsideration, as also authorized under Idaho Code § 67-6535(2)(b). However, the zoning designation assigned to the subject parcels was not formally challenged during that period.

The applicant has filed this application seeking to amend the zoning of the above-described subject Property. The Planning & Zoning Commission ("PZC") recommended approval on August 11, 2026, in a unanimous vote with the following motion.

Having concluded that the Review Criteria of a request for a zoning change found in the Teton County Land Development Code, Section 4-5, can be satisfied, I move to Recommend APPROVAL of a rezone of the Wild Water LLC property to IR Industrial Research as requested in the application materials submitted June 22, 2026 and subsequent updated material. *(PZC voted—YES: 6, NO: 0, and ABSENT: 1).*

Following the PZC recommendation, the Board of County Commissioners (the "Board" or "BoCC") reviewed the request on September 14, 2026.

NOTICE: Legal notices were posted in Teton Valley News on August 26 & September 2, 2026. A notification was sent via mail to surrounding property owners within a 300-foot buffer area on August 21, 2026. A notice was also posted on the property providing information about the public hearing on September 1, 2026.

HEARING DATE: September 14, 2026, and September 28, 2026 where it was CONTINUED to October 13, 2026 for the purpose of creating a development agreement to address issues of traffic safety, pedestrian access and utility suitability.

Board Members Present: Ron James, Brad Wolfe, and Dan Powers.

Applicant(s)/Representative(s) Present: Peter Poutiatine

Reasoning and Analysis

The Comprehensive Plan Framework map, AKA Preferred land use map, designates the parcel as Industrial/Research: These areas are separate from the Town Neighborhoods and have low visibility from the scenic corridor and tourist centers. Most of these areas are currently undeveloped and utility services are available. Desired future character and land uses for Industrial/Research areas include: * Light industrial * Heavy industrial at the appropriate scale and in appropriate locations * Cottage industries * Safe and convenient street and pathway connections to towns * Well maintained roadway connections to highways. Although this area is within the Scenic Corridor, it recognizes the existing historic uses of the site.

Peter Poutiatine submitted a request for rezoning along with payment of applicable fees on June 22, 2026.

The applicants are requesting that the parcel be zoned as IR Industrial/Research. The parcel is currently zoned RN-5 Rural Neighborhood, 5-ac avg density.

As the Board deliberated, the Board members identified concerns and felt the requested use would need to address several concerns with infrastructure and was appropriate to CONTINUE to October 13, 2026 for the purpose of completing a development agreement to address issues of traffic safety, pedestrian access and utility suitability.

Motion

At the Board meeting on October 13, 2026, the Board unanimously adopted the following motion, which was made by Commissioner Powers and seconded by Commissioner James:

> I move to Approve the development agreement for conditional rezone for the Wildwater Inc. whose tenant is the Project Teton West Experiential High School as presented.
>
> MOVER: Dan Powers
> SECONDER: Ron James
>
> AYES (3): Brad Wolfe, Ron James, and Dan Powers
>
> Adopted (3 to 0)

Conclusions

Having given due consideration to the application and materials presented, and to the criteria of approval called out in the staff report, the Teton County Board of County Commissioners hereby makes the following conclusions:

1. The proposed amendment to the zoning map is consistent with the criteria outlined in Teton County Land Development Code, 4-5 Site Specific Zoning Map Amendment

2. The proper legal requirements for advertising this public hearing have been fulfilled as required by Idaho Code, Title 67; Section, 67-6509 and procedural requirements for review have been met including review and recommendation by the Teton County Planning and Zoning Commission.

3. The conditional rezone development agreement addresses concerns the County identified for the proposed use of the site. Those concerns can be mitigated for the use when limited in its total number of students and faculty, with the conditions established in the agreement.

Accordingly, this application to amend the zoning of the subject Property (Parcel No. RP04N45E128100) to RN-5 Zoning (Rural Neighborhood 5-acre average density), as requested in the application materials submitted January 6th, 2026, and subsequently updated material, is hereby APPROVED.

_____ _____

Brad Wolfe — Date
Chair of Teton County Board of County Commissioners

NOTICE OF APPLICABLE RIGHTS

Applicants have a right to request a regulatory taking analysis of this decision pursuant to Idaho Code § 67 8003. Further, per Idaho Code § 67-6535, and in accordance with Idaho Rule of Civil Procedure 84, an applicant or an affected person has the right to seek review of this decision.

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of October 2026 I served a true and correct copy of the foregoing document upon the following:

_____

Clerk

SANDS, CHARLES E TRUSTEE [address redacted] [address redacted] Peter Poutiatine [email redacted] [X] Mailing [ ] Hand Delivery [ ] Fax [X] E-Mail [ ] Overnight Mail [ ] Courthouse Bo	