



Model Development Code User Handbook

April 2015



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Introduction

The Teton View Region Model Code is intended to serve as a stand-alone code that can be calibrated to replace a community's existing development regulations. It also serves as a resource for those who are not yet ready to replace their entire code, but might want to resolve a specific development regulation issue in a “best practice” way. This Handbook helps those who choose to use a part or all of the Model Code understand the calibration changes that may be required in their community to right-size the Model Code for their place.

The first part of this document covers how three local communities approached their adoption of this Model Code (Teton County, Driggs and Victor, Idaho). Following that, an explanation of specific changes to be considered during calibration of the code to meet your community's needs are described.

Next is a description of “lessons learned” while working on the project – some thoughts from the creators of the Model Code that may assist future planners and decision-makers to understand both the overall project and the resulting Model Code.

The final component of this document is a link to the Greater Yellowstone Framework for Sustainability (Local Government edition). This seminal document, produced on behalf of the 26 counties in 4 states that surround Yellowstone Park, provides additional insight into the “best practices” that served as the basis for the Model Code. The table in this section provides a cross-reference between the credits available under the Framework and the Model Code text. The intent is to ensure that communities understand they may access credits under the Framework through use of the Model Code language for the specific listed issues.

The Model Code document is posted at www.tetonvalleycode.org for anyone to use. The original InDesign files and graphics are included as well, and may be modified for local use.

Happy coding !

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Part 1: Local Community Calibration

Teton County, Idaho

Topic areas to be modified:

In the revision process of the model code we will need to ensure that the new ordinance will meet the goals of the Comprehensive Plan we recently adopted. We will need to make sure the Administrative portion (Article 14) adequately meets the land division options for our community. We will review the Use table and definitions (Article 10) to ensure the unique uses we see in our County are included and addressed properly. We will ensure the Measurements and Exceptions section (Article 2) can be clearly understood and applied by the community. Finally, we will be modifying the Rural Districts (Article 3) to align with the comprehensive plan, surrounding communities and a vision the Planning & Zoning Commission has been working on.

Procedures to change:

We will need to review the procedures section to ensure several things. One, we have been out of compliance with a rather new addition to the Idaho Local Land Use Planning Act, the reconsideration of a final decision. Each community and attorney has a slightly different take on what this complicated new section of code means. We will need to ensure that the Model Code meets our Prosecuting Attorney's opinion. We will also review the procedures for each type of application. There is a fine balance we need to find with providing ample oversight to a project, but not being burdensome either. Currently some applications require five public hearings, and a simple modification to a plat may require four public hearings. This is excessive, but only requiring one may be too little for our community. We need to find a balance between ideal procedures and existing procedures.

Process for change and adoption:

Teton County has been working on the adoption of a new zoning code of almost a year and a half. It started with a review of the Comprehensive Plan and the current Zoning/Subdivision ordinances. The Planning & Zoning Commission identified several "issue areas" where we needed to focus our energy on in a new code. From there, the Planning & Zoning Commission identified a zoning "type" and land division options. These two items were intended to be the backbone of our new code, and incorporated into the Model Code. Once we started receiving portions of the Model Code, the Planning & Zoning Commission reviewed each section and worked with staff to develop a "Summary of Changes" for each Article, which outlined the changes from the existing code, highlighted how it was in compliance with the Comprehensive Plan and what was taken from the old code. Once we have a working draft of the text, we intend to take it to the public and educate them of the changes and receive feedback.

Once major revisions are made to the text, we will transition to the map and focus on the "lines of the map" which will dictate where each zoning district is applicable. Once we have worked with the public on the text and the map we will then start the public hearing process and work towards adoption.

- *Jason Boal, Planning Administrator*

Driggs, Idaho

Topic areas to be modified:

City of Driggs planning staff and Planning & Zoning Commission have been diligently reviewing the Model Code to identify areas for modification to ensure it is properly tailored to our City. Specific modifications include simplifying how height is measured and not relying on both existing and finished grade because of the evenly flat topography of Driggs and the additional expense for the homeowner. More significant changes relate to the Allowed Use Table and modifying permitted and conditional uses to acknowledge current land uses and better address land use issues and concerns in Driggs. Changes to the street cross-sections are modified to match cross-sections for streets that were designed by the City Engineer to classify Driggs' street types.

Procedures to change:

The only procedural change would be a revision to the format of Article 14 (Administration) from a Q&A, which is useful for the public but not so for staff, which needed an application process from start to finish in one place. Staff has worked with Teton County and the City of Victor to incorporate the state statute process and application submittal requirements for all the permit types and subdivisions for Staff to better administer the Code.

Process for change and adoption

Staff is relying heavily on the Planning & Zoning Commission to review each concept, definition, and process for the entire Code. Work Sessions are being held at the end of each Planning & Zoning Commission meeting and special meetings have been held monthly to work through the Code. Each chapter is reviewed at a time, with examples for how the Code would be applied in Driggs, how it differs from our current Code, and staff suggestions for modifications.

After the Planning & Zoning Commission meetings, staff meets with planners from Teton County and Victor to compare changes to the chapters so we will have codes that are mostly uniform across the region, except for the presence of some districts and changes to the Allowed Use Table. Open Houses have been used throughout the process to include public input on the earlier drafts and to present the format of the new Code. Once Planning & Zoning Commission and staff have reviewed all of the chapters, public hearings will be scheduled with Planning & Zoning Commission to formally consider the revised Code and gather additional public comment. Public hearings will also be scheduled with City Council who will ultimately decide the final version that gets adopted.

- Ashley Koehler, Planning and Zoning Administrator

Victor, Idaho

Topic areas to be modified:

With a full and complete draft code in hand, the City of Victor will now extract some of the finer details from our existing code that have worked well over the years and reflect the character of our community and insert them into the new code. This includes details such as a list of trees and shrubs developed for our city by an arborist, and some specifically prohibited types of signs in our existing sign ordinance, and existing codified duties of the Planning and Zoning Administrator.

The City of Victor will also blend the standards from the Public Works Specification Manual with the standards for streets, parking, and access in the Model Code, and then update the Public Works Specification Manual to incorporate the innovative new best practices surrounding complete streets and right sized streets.

The City of Victor will also look intently at the use provisions and will likely make adjustments that reflect the current character and future desires of certain allowed uses. Finally, the City of Victor will ensure frequently referred to definitions from our existing code are transferred to the new code that is adopted.

Procedures to change:

The City of Victor will confer with Teton County and Driggs to adopt the same, or very similar, application procedures. Due to the lack of recent development (based on the recession), the public and developers have not expressed strong favor or opposition to existing procedures. Therefore, the City of Victor is interested in aligning with neighboring entities in this regard so that land development in Victor is not more complicated, or wildly different, for private property owners, developers and real estate agents who would like to develop in Victor.

Process for change and adoption:

Victor, Idaho first had to update the Comprehensive Plan -- specifically the Land Use Chapter and Future Land Use Map -- prior to adopting the new code. The city conducted extensive public outreach to update the Future Land Use Map and Land Use chapter, with the result being overwhelming public support for compact, walkable, mixed use development in the downtown, space for light manufacturing, and a variety of residential densities.

Over the past year, the Planning & Zoning Commission has been reviewing the draft code text, and has been becoming familiar with the palette of zoning districts developed for the city. Now that the updates have been made to the Comprehensive Plan, the Planning & Zoning Commission will draft a new zoning map for the City, and fine-tune the text based on comments and ideas discussed over the past year of review.

PART 1: LOCAL COMMUNITY CALIBRATION

The City plans to release the full code text for public review first, to be followed by a draft zoning map. This will allow the public to first become familiar and understand the types of development the new code will allow, and the differences from the City's existing code.

After the education and outreach on the code text the draft zoning map will be released for public comment, so that residents, business owners, and owners of undeveloped land can give input on the location of specific zoning districts.

The City will create a series of educational newsletters covering development topics, such as "accessory dwellings", "mixed-use development", "infill", etc, and may also host "lunch and learns" on such topics. Victor, in conjunction with Teton County and Driggs, will also employ a new website developed specifically for public outreach regarding adoption of each entity's new code. The website will link to an online .pdf mark-up/commenting tool where the public can give comment on the text of the new code as well as see comments submitted by others, and the website will link to an "existing / proposed" zoning map that is integrated into the County GIS system.

Due to the overwhelming support for compact, walkable development, the City anticipates being able to hold a public hearing for the code text and the zoning map in tandem. However, the City is amenable to adopting the text first and a map as a second step if the process of "drawing lines on the map" becomes contentious.

After the City zoning is in place, the City intends to then amend the Area of Impact Agreement that exists between the City and the County. Currently, County zoning and process apply in the Area of Impact. Since the County is working toward adopting a version of the code based on the Model developed for the Teton View Region as well, the City and County will negotiate whether some 'city' districts could be adopted in the Area of Impact, where the urban growth boundary/utility extension boundaries should be set, and so forth.

- Brittany Skelton, Planning and Zoning Administrator

Part 2: Calibrating the Code

1. Legal Considerations

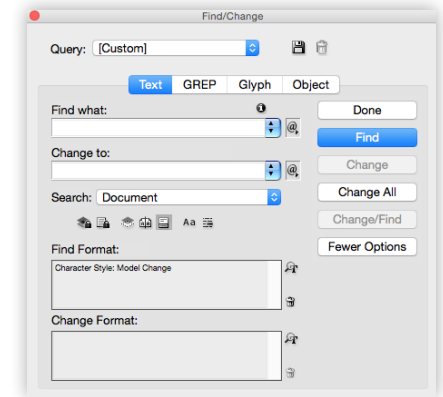
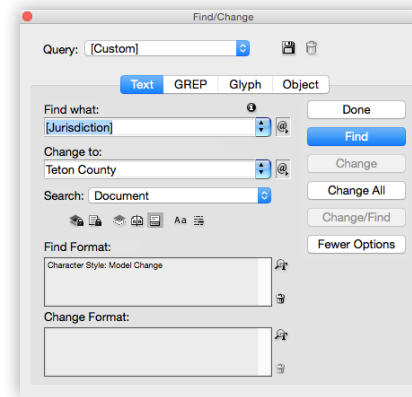
The model code has been set up under the enabling legislation available in Idaho. If you choose to use the model code in another state, please have a land use attorney in your state review the material for consistency with your state's legislation. This is particularly true for the administration elements of the model code.

2. Replace the [Terms]

Where a generic term is used in the model code, it must be replaced with your community's equivalent. See examples below.

[TERM]	EXAMPLE
[Jurisdiction]	Teton County
[Governing Body]	City Council
[Planning & Zoning Commission]	Planning Commission
[Administrator]	Planning Director
[Location]	Driggs Municipal Building

Don't forget to insert the effective date in Sec. 1.1.5.



Use the Find/Change tool to locate and replace generic terms. Be sure to also use the Find Format tool to search for the "Model Change" style without specifying any search terms in order to locate other generic terms not mentioned in the chart.

3. Modify the Purpose and Intent

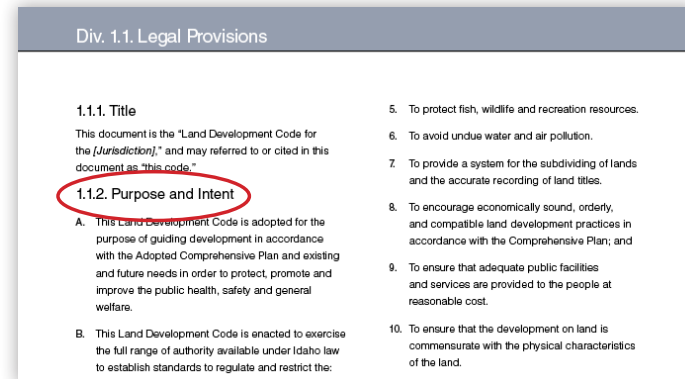
If your community has an adopted Comprehensive Plan, search the plan for concepts that provide guidance as to the purpose and intent of your regulations. Change the language in Sec. 1.1.2. to reflect your plan and its intent.

4. Select Your Districts

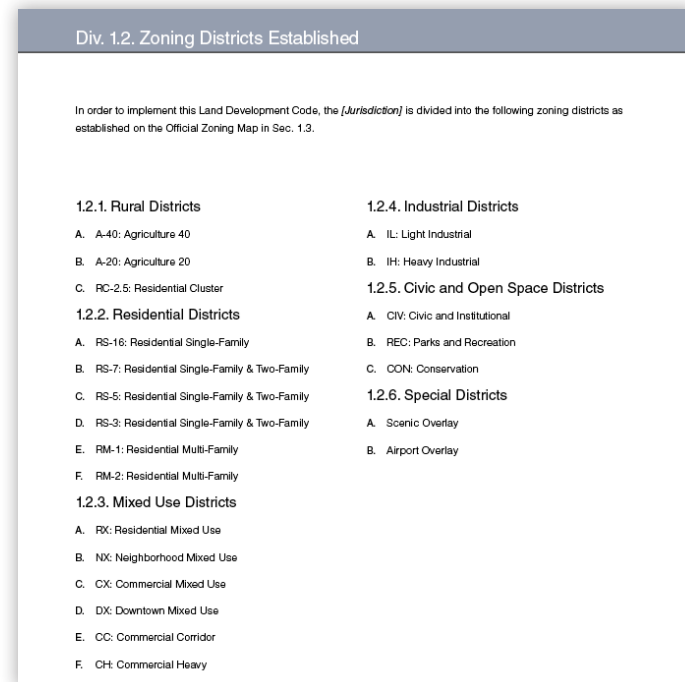
Pick the districts you need in your community from those offered in Div. 1.2. and Articles 3 through 7. You may never need the Rural Districts in your city, for example. If this is the case, then the entire Chapter may be deleted from the model. Remember that some districts may not be applied on the map today – keep them in the text if you think they may be useful in the future.

When selecting districts, review the Intent statement for each district in Articles 3 through 7 to determine whether it seems to match your community's existing or desired development pattern. Remember that applying a district with different metrics (such as lot area or height) may make some existing development nonconforming. Feel free to “tweak” the districts as needed if you prefer to avoid making existing development nonconforming. For example, the RS-5 District allows 5,000 square foot detached single-family lots. If your community has previously used 5,500 square foot lots, then modify this metric to match your existing development pattern.

This model code also assumes that civic uses such as government buildings and places of worship will be located in their own CIV District when they are found in residential areas. If your community has a higher tolerance for these uses blended into residential areas, this district can be deleted, and civic uses added into the residential portions of the use table in Chapter 10.



Change Sec. 1.1.2 to reflect your community's Comprehensive Plan and it's intent.



Select the districts your community needs from Div. 1.2. and from Articles 3 through 7. Add your existing overlay districts that are not handled through the model code.

Note specifically that in many communities, a true agricultural district may set the allocation of development rights at 1 unit per 160 acres or greater. This type of district ensures that only minimal development will occur in agricultural areas. Add a district like this to your code if agricultural preservation is a key policy goal.

Your Comprehensive Plan may also provide guidance on open space and other metrics that are applied by zoning district. To the extent possible, these specific numbers should be backed up by policies in the plan, such as setting out the key areas to be protected throughout your jurisdiction on a map.

You can also change the building types allowed in a chosen district. If you prefer not to include side-by-side duplexes in your community, simply remove this building type from the district in Articles 3 through 7, and make sure you modify the Building Type pages in Article 8.

One final note: if your community includes an Area of City Impact, then the county's regulations and the city's regulations in this area should mirror one another, so that the transition from county zoning to city zoning is easy! It is a “best practice” to think of the Area of City Impact boundary as a utility extension boundary, where the City commits to extending utilities as far as the boundary, but no further. This allows urban growth to be contained in the city, while the county remains rural. This boundary should change over time to accommodate additional growth.

Div. 4.2. RS-7: Single-Family & Two-Family

4.2.1. Intent



4.2.2. Lot Dimensions



Description
RS-7 is primarily intended to accommodate single-family detached houses with a minimum lot size of 7,000 square feet. Additional building types are allowed that include backyard cottage, cottage court, duplex and attached houses. RS-7 should be applied in areas where the land use pattern is predominantly single- or two-family that is serviced by central water and sewer facilities or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed.

Building Type	See also Div. 8.2
Detached house	see also Div. 8.2
Backyard cottage	see also Div. 8.2
Cottage court	see also Div. 8.2
Duplex: side by side	see also Div. 8.5
Duplex: townhouse	see also Div. 8.6
Attached house	see also Div. 8.7

Lot

Lot	Area	Width
Detached house	7,000 SF min	65' min
Flag lot	7,000 SF min	30' min
Backyard cottage	7,000 SF min	65' min
Cottage court	1,200 SF min	30' min
Duplex: side by side	8,000 SF min	70' min
Duplex: back to back	8,000 SF min	65' min
Attached house	4,500 SF min	35' min

Coverage
Lot coverage: 60% max

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Div. 8.1. Building Type Descriptions

Building Types Allowed by District

Building Type	Districts
Detached House: A building type that accommodates one dwelling unit on an individual lot with yards on all sides.	RD-7, RD-7.1, RD-7.2, RD-7.3, RD-7.4, RD-7.5, RD-7.6, RD-7.7, RD-7.8, RD-7.9, RD-7.10, RD-7.11, RD-7.12, RD-7.13, RD-7.14, RD-7.15, RD-7.16, RD-7.17, RD-7.18, RD-7.19, RD-7.20, RD-7.21, RD-7.22, RD-7.23, RD-7.24, RD-7.25, RD-7.26, RD-7.27, RD-7.28, RD-7.29, RD-7.30, RD-7.31, RD-7.32, RD-7.33, RD-7.34, RD-7.35, RD-7.36, RD-7.37, RD-7.38, RD-7.39, RD-7.40, RD-7.41, RD-7.42, RD-7.43, RD-7.44, RD-7.45, RD-7.46, RD-7.47, RD-7.48, RD-7.49, RD-7.50, RD-7.51, RD-7.52, RD-7.53, RD-7.54, RD-7.55, RD-7.56, RD-7.57, RD-7.58, RD-7.59, RD-7.60, RD-7.61, RD-7.62, RD-7.63, RD-7.64, RD-7.65, RD-7.66, RD-7.67, RD-7.68, RD-7.69, RD-7.70, RD-7.71, RD-7.72, RD-7.73, RD-7.74, RD-7.75, RD-7.76, RD-7.77, RD-7.78, RD-7.79, RD-7.80, RD-7.81, RD-7.82, RD-7.83, RD-7.84, RD-7.85, RD-7.86, RD-7.87, RD-7.88, RD-7.89, RD-7.90, RD-7.91, RD-7.92, RD-7.93, RD-7.94, RD-7.95, RD-7.96, RD-7.97, RD-7.98, RD-7.99, RD-7.100
Backyard Cottage: A small self-contained accessory dwelling unit located on the same lot as a detached house but physically separated.	RD-7, RD-7.1, RD-7.2, RD-7.3, RD-7.4, RD-7.5, RD-7.6, RD-7.7, RD-7.8, RD-7.9, RD-7.10, RD-7.11, RD-7.12, RD-7.13, RD-7.14, RD-7.15, RD-7.16, RD-7.17, RD-7.18, RD-7.19, RD-7.20, RD-7.21, RD-7.22, RD-7.23, RD-7.24, RD-7.25, RD-7.26, RD-7.27, RD-7.28, RD-7.29, RD-7.30, RD-7.31, RD-7.32, RD-7.33, RD-7.34, RD-7.35, RD-7.36, RD-7.37, RD-7.38, RD-7.39, RD-7.40, RD-7.41, RD-7.42, RD-7.43, RD-7.44, RD-7.45, RD-7.46, RD-7.47, RD-7.48, RD-7.49, RD-7.50, RD-7.51, RD-7.52, RD-7.53, RD-7.54, RD-7.55, RD-7.56, RD-7.57, RD-7.58, RD-7.59, RD-7.60, RD-7.61, RD-7.62, RD-7.63, RD-7.64, RD-7.65, RD-7.66, RD-7.67, RD-7.68, RD-7.69, RD-7.70, RD-7.71, RD-7.72, RD-7.73, RD-7.74, RD-7.75, RD-7.76, RD-7.77, RD-7.78, RD-7.79, RD-7.80, RD-7.81, RD-7.82, RD-7.83, RD-7.84, RD-7.85, RD-7.86, RD-7.87, RD-7.88, RD-7.89, RD-7.90, RD-7.91, RD-7.92, RD-7.93, RD-7.94, RD-7.95, RD-7.96, RD-7.97, RD-7.98, RD-7.99, RD-7.100
Cottage Court: A building type that accommodates 5 to 9 detached dwelling units organized around an internal shared courtyard.	RD-7, RD-7.1, RD-7.2, RD-7.3, RD-7.4, RD-7.5, RD-7.6, RD-7.7, RD-7.8, RD-7.9, RD-7.10, RD-7.11, RD-7.12, RD-7.13, RD-7.14, RD-7.15, RD-7.16, RD-7.17, RD-7.18, RD-7.19, RD-7.20, RD-7.21, RD-7.22, RD-7.23, RD-7.24, RD-7.25, RD-7.26, RD-7.27, RD-7.28, RD-7.29, RD-7.30, RD-7.31, RD-7.32, RD-7.33, RD-7.34, RD-7.35, RD-7.36, RD-7.37, RD-7.38, RD-7.39, RD-7.40, RD-7.41, RD-7.42, RD-7.43, RD-7.44, RD-7.45, RD-7.46, RD-7.47, RD-7.48, RD-7.49, RD-7.50, RD-7.51, RD-7.52, RD-7.53, RD-7.54, RD-7.55, RD-7.56, RD-7.57, RD-7.58, RD-7.59, RD-7.60, RD-7.61, RD-7.62, RD-7.63, RD-7.64, RD-7.65, RD-7.66, RD-7.67, RD-7.68, RD-7.69, RD-7.70, RD-7.71, RD-7.72, RD-7.73, RD-7.74, RD-7.75, RD-7.76, RD-7.77, RD-7.78, RD-7.79, RD-7.80, RD-7.81, RD-7.82, RD-7.83, RD-7.84, RD-7.85, RD-7.86, RD-7.87, RD-7.88, RD-7.89, RD-7.90, RD-7.91, RD-7.92, RD-7.93, RD-7.94, RD-7.95, RD-7.96, RD-7.97, RD-7.98, RD-7.99, RD-7.100
Duplex: Side by Side: A building type that accommodates two dwelling units on an individual lot separated vertically side by side that share a common wall.	RD-7, RD-7.1, RD-7.2, RD-7.3, RD-7.4, RD-7.5, RD-7.6, RD-7.7, RD-7.8, RD-7.9, RD-7.10, RD-7.11, RD-7.12, RD-7.13, RD-7.14, RD-7.15, RD-7.16, RD-7.17, RD-7.18, RD-7.19, RD-7.20, RD-7.21, RD-7.22, RD-7.23, RD-7.24, RD-7.25, RD-7.26, RD-7.27, RD-7.28, RD-7.29, RD-7.30, RD-7.31, RD-7.32, RD-7.33, RD-7.34, RD-7.35, RD-7.36, RD-7.37, RD-7.38, RD-7.39, RD-7.40, RD-7.41, RD-7.42, RD-7.43, RD-7.44, RD-7.45, RD-7.46, RD-7.47, RD-7.48, RD-7.49, RD-7.50, RD-7.51, RD-7.52, RD-7.53, RD-7.54, RD-7.55, RD-7.56, RD-7.57, RD-7.58, RD-7.59, RD-7.60, RD-7.61, RD-7.62, RD-7.63, RD-7.64, RD-7.65, RD-7.66, RD-7.67, RD-7.68, RD-7.69, RD-7.70, RD-7.71, RD-7.72, RD-7.73, RD-7.74, RD-7.75, RD-7.76, RD-7.77, RD-7.78, RD-7.79, RD-7.80, RD-7.81, RD-7.82, RD-7.83, RD-7.84, RD-7.85, RD-7.86, RD-7.87, RD-7.88, RD-7.89, RD-7.90, RD-7.91, RD-7.92, RD-7.93, RD-7.94, RD-7.95, RD-7.96, RD-7.97, RD-7.98, RD-7.99, RD-7.100
Duplex: Back to Back: A building type that accommodates two dwelling units on an individual lot separated vertically with one unit located directly behind the other unit that share a common wall.	RD-7, RD-7.1, RD-7.2, RD-7.3, RD-7.4, RD-7.5, RD-7.6, RD-7.7, RD-7.8, RD-7.9, RD-7.10, RD-7.11, RD-7.12, RD-7.13, RD-7.14, RD-7.15, RD-7.16, RD-7.17, RD-7.18, RD-7.19, RD-7.20, RD-7.21, RD-7.22, RD-7.23, RD-7.24, RD-7.25, RD-7.26, RD-7.27, RD-7.28, RD-7.29, RD-7.30, RD-7.31, RD-7.32, RD-7.33, RD-7.34, RD-7.35, RD-7.36, RD-7.37, RD-7.38, RD-7.39, RD-7.40, RD-7.41, RD-7.42, RD-7.43, RD-7.44, RD-7.45, RD-7.46, RD-7.47, RD-7.48, RD-7.49, RD-7.50, RD-7.51, RD-7.52, RD-7.53, RD-7.54, RD-7.55, RD-7.56, RD-7.57, RD-7.58, RD-7.59, RD-7.60, RD-7.61, RD-7.62, RD-7.63, RD-7.64, RD-7.65, RD-7.66, RD-7.67, RD-7.68, RD-7.69, RD-7.70, RD-7.71, RD-7.72, RD-7.73, RD-7.74, RD-7.75, RD-7.76, RD-7.77, RD-7.78, RD-7.79, RD-7.80, RD-7.81, RD-7.82, RD-7.83, RD-7.84, RD-7.85, RD-7.86, RD-7.87, RD-7.88, RD-7.89, RD-7.90, RD-7.91, RD-7.92, RD-7.93, RD-7.94, RD-7.95, RD-7.96, RD-7.97, RD-7.98, RD-7.99, RD-7.100
Attached House: A building type that accommodates two attached dwelling units located on two separate lots that share a common wall along a lot line.	RD-7, RD-7.1, RD-7.2, RD-7.3, RD-7.4, RD-7.5, RD-7.6, RD-7.7, RD-7.8, RD-7.9, RD-7.10, RD-7.11, RD-7.12, RD-7.13, RD-7.14, RD-7.15, RD-7.16, RD-7.17, RD-7.18, RD-7.19, RD-7.20, RD-7.21, RD-7.22, RD-7.23, RD-7.24, RD-7.25, RD-7.26, RD-7.27, RD-7.28, RD-7.29, RD-7.30, RD-7.31, RD-7.32, RD-7.33, RD-7.34, RD-7.35, RD-7.36, RD-7.37, RD-7.38, RD-7.39, RD-7.40, RD-7.41, RD-7.42, RD-7.43, RD-7.44, RD-7.45, RD-7.46, RD-7.47, RD-7.48, RD-7.49, RD-7.50, RD-7.51, RD-7.52, RD-7.53, RD-7.54, RD-7.55, RD-7.56, RD-7.57, RD-7.58, RD-7.59, RD-7.60, RD-7.61, RD-7.62, RD-7.63, RD-7.64, RD-7.65, RD-7.66, RD-7.67, RD-7.68, RD-7.69, RD-7.70, RD-7.71, RD-7.72, RD-7.73, RD-7.74, RD-7.75, RD-7.76, RD-7.77, RD-7.78, RD-7.79, RD-7.80, RD-7.81, RD-7.82, RD-7.83, RD-7.84, RD-7.85, RD-7.86, RD-7.87, RD-7.88, RD-7.89, RD-7.90, RD-7.91, RD-7.92, RD-7.93, RD-7.94, RD-7.95, RD-7.96, RD-7.97, RD-7.98, RD-7.99, RD-7.100
Fourplex: A building type that accommodates 4 to 8 dwelling units vertically or horizontally integrated.	RD-7, RD-7.1, RD-7.2, RD-7.3, RD-7.4, RD-7.5, RD-7.6, RD-7.7, RD-7.8, RD-7.9, RD-7.10, RD-7.11, RD-7.12, RD-7.13, RD-7.14, RD-7.15, RD-7.16, RD-7.17, RD-7.18, RD-7.19, RD-7.20, RD-7.21, RD-7.22, RD-7.23, RD-7.24, RD-7.25, RD-7.26, RD-7.27, RD-7.28, RD-7.29, RD-7.30, RD-7.31, RD-7.32, RD-7.33, RD-7.34, RD-7.35, RD-7.36, RD-7.37, RD-7.38, RD-7.39, RD-7.40, RD-7.41, RD-7.42, RD-7.43, RD-7.44, RD-7.45, RD-7.46, RD-7.47, RD-7.48, RD-7.49, RD-7.50, RD-7.51, RD-7.52, RD-7.53, RD-7.54, RD-7.55, RD-7.56, RD-7.57, RD-7.58, RD-7.59, RD-7.60, RD-7.61, RD-7.62, RD-7.63, RD-7.64, RD-7.65, RD-7.66, RD-7.67, RD-7.68, RD-7.69, RD-7.70, RD-7.71, RD-7.72, RD-7.73, RD-7.74, RD-7.75, RD-7.76, RD-7.77, RD-7.78, RD-7.79, RD-7.80, RD-7.81, RD-7.82, RD-7.83, RD-7.84, RD-7.85, RD-7.86, RD-7.87, RD-7.88, RD-7.89, RD-7.90, RD-7.91, RD-7.92, RD-7.93, RD-7.94, RD-7.95, RD-7.96, RD-7.97, RD-7.98, RD-7.99, RD-7.100

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Div. 8.5. Duplex: Side by Side

8.5.1. Description



Definition
A building type that accommodates two dwelling units on an individual lot separated vertically side by side that share a common wall.

Districts Allowed
RD-7, RD-7.1, RD-7.2, RD-7.3, RD-7.4, RD-7.5, RD-7.6, RD-7.7, RD-7.8, RD-7.9, RD-7.10, RD-7.11, RD-7.12, RD-7.13, RD-7.14, RD-7.15, RD-7.16, RD-7.17, RD-7.18, RD-7.19, RD-7.20, RD-7.21, RD-7.22, RD-7.23, RD-7.24, RD-7.25, RD-7.26, RD-7.27, RD-7.28, RD-7.29, RD-7.30, RD-7.31, RD-7.32, RD-7.33, RD-7.34, RD-7.35, RD-7.36, RD-7.37, RD-7.38, RD-7.39, RD-7.40, RD-7.41, RD-7.42, RD-7.43, RD-7.44, RD-7.45, RD-7.46, RD-7.47, RD-7.48, RD-7.49, RD-7.50, RD-7.51, RD-7.52, RD-7.53, RD-7.54, RD-7.55, RD-7.56, RD-7.57, RD-7.58, RD-7.59, RD-7.60, RD-7.61, RD-7.62, RD-7.63, RD-7.64, RD-7.65, RD-7.66, RD-7.67, RD-7.68, RD-7.69, RD-7.70, RD-7.71, RD-7.72, RD-7.73, RD-7.74, RD-7.75, RD-7.76, RD-7.77, RD-7.78, RD-7.79, RD-7.80, RD-7.81, RD-7.82, RD-7.83, RD-7.84, RD-7.85, RD-7.86, RD-7.87, RD-7.88, RD-7.89, RD-7.90, RD-7.91, RD-7.92, RD-7.93, RD-7.94, RD-7.95, RD-7.96, RD-7.97, RD-7.98, RD-7.99, RD-7.100

8.5.2. Lot and Placement



8.5.3. Height and Form



Lot	Height
Area	Set by district
Width	Set by district
Ground units per lot	2 min / 2 max
Coverage	Set by district
Lot coverage	Set by district
Building and Structure Setbacks	Set by district
Primary street	Set by district
Side street	Set by district
Side Yarder	Set by district
Rear	Set by district
Build to Zone (BTZ)	Set by district
Building facade in primary street (BTZ (% of lot width))	Does not apply
Building facade in side street (BTZ (% of lot width))	Does not apply

Height	Pedestrian Access
Principal building	3 stories / 35' max
Accessory structure	24' max
Ground floor elevation	2' min
Entrance facing primary street	Required
Building Elements Allowed	
Balcony	see Sec. 8.16.3
Porch	see Sec. 8.16.6
Stoop	see Sec. 8.16.7
Parking Location	
Front/corner yard restrictions	see Sec. 8.17.2
Garage door restrictions	see Sec. 8.17.1

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To remove an allowed building type from a district, first remove the building type in the applicable district (located in Articles 3 through 7). Then modify the building type pages in Article 8 by removing the district tile in question from Building Type Descriptions chart and on the individual building type pages.

5. Do I Need Any Overlay Districts?

If your community already has an overlay district for some reason, consider whether the intent of that district can be met using the model code. If not, it should be added to Article 9. Special Districts. In addition, you may want to apply the Scenic Overlay to some of the major roads in your community. This district has design standards intended to ensure the character of roads is protected as new development occurs.

The Scenic Overlay is established to protect open views along the road. If your Comprehensive Plan specifically identifies protection of specific elements (such as views to a waterfall, a special peak, or other place-specific element), consider expanding the Scenic Overlay to achieve the protection of your specifically-identified views.

There are several other common overlay districts that may be appropriate for your community, including Historic and Airport. Each state historic preservation office (SHPO) offers model historic preservation tools. The Federal Aviation Administration provides a sample overlay for control of development near airports. Either of these tools can easily be added as Special Districts, if needed.

Article 9 - Special Districts

Div. 9.1. Scenic Overlay District	9-2
9.1.1. Established	9-2
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9.2.2. General Provisions	9-8
9.2.3. Administration	9-8
9.2.4. Permit Procedures	9-9
9.2.5. Standards	9-11
9.2.6. Variance and Appeal Procedures	9-11

Existing overlay districts whose intent is not met in the model code should be added to Article 9.

6. Review the Uses Allowed

The model code offers a use table that regulates uses by zoning district. You can always change whether a use is allowed or not in a specific district. If you think it might be acceptable, but want to conduct additional review before approving the use, consider designating it a Special Use. This will ensure a public hearing before approval, and the option to add conditions to the use to ensure compatibility. If there is an additional condition you want to always apply to a use, then designate it a Limited Use on the table, and add that condition as a design standard at the cross-referenced location for that use.

For rural counties, many of the uses in the use table may not be appropriate at all. If you are a county without Areas of City Impact where urban uses are allowed, please edit the use table to fit your districts only.

Use Category Specific Use	A-40	A-20	RC-2.5	RS-16	RS-7	RS-5	RS-3	RM-2	RM-3	RX	NX	CX	DX	CC	CH	IL	IH	CIV	REC	CON	Definition/ Standards
All medical, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	--	--	Sec. 10.5.3.A
Hospital	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	--	--	P	--	--	Sec. 10.5.3.B
All office, except as listed below:	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	--	--	--	--	--	Sec. 10.5.4.A
Bail bonds	--	--	--	--	--	--	--	--	--	--	--	S	S	S	S	P	P	--	--	--	Sec. 10.5.4.B
Call center	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	--	--	Sec. 10.5.4.C
All outdoor recreation, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	Sec. 10.5.5.A
Campground, travel trailer park, RV park	P	P	P	P	P	P	P	P	P	--	--	P	--	P	P	--	--	--	S	--	Sec. 10.5.5.B
Horse stable, riding academy, equestrian center	L	L	L	L	L	L	L	L	L	--	--	L	--	--	L	--	--	--	--	--	Sec. 10.5.5.C

While editing the use table, designate a use "Special" to require review, and designate a use "Limited" to apply an additional condition. Add that condition at the location cross-referenced.

7. Review the Development Standards

Every community has a different approach to development standards such as parking, landscaping and lighting. Feel free to “tweak” these standards when you apply them in your community. This includes parking ratios for vehicles and bicycles, the need for zoning district boundary buffers, the dimension of planting areas and the plant materials required.

8. Review the Sign Regulations


While the sign regulations in the model code (Div. 11.3) reflect “best practice,” it is possible your community will desire larger or smaller signs, more or less types of signs or similar revisions. Be extra careful in amending this Division, since there are free speech implications associated with regulating signs. For example, this sign section does not allow off-premises signs such as billboards. Consult an attorney familiar with development regulations if you are modifying these requirements.

9. Review the Street Cross-Sections

While the street cross-sections in the model code (Div. 12.4) reflect “best practice,” it is possible your community has different engineering standards. The streets may be “tweaked” as needed to reflect your local standards. Not every street type may occur in your community. Each local community should have additional public works standards that provide the additional detail necessary to ensure streets are not just planned appropriately, but constructed correctly.

Minimum Number of Bicycle Spaces			
Use	Required Spaces (min)	Use	Required Spaces (min)
Residential Uses		Industrial Uses	
	0.5 per unit up to 2 bedrooms, plus 0.25 per additional bedroom	All heavy industrial	None required
Multi-family (5 or more units)		All light manufacturing	1 per 7,500 SF, 2 min
All other household living	None required	All research and development	1 per 7,500 SF, 2 min
All group living (7 or more residents)	0.125 per bed	All resource extraction	None required
All social service	None required	All vehicle service and repair	1 per 7,500 SF, 2 min

Adjust parking ratios and other development standards to fit your community.



Width	
Right-of-way width	52' min A
Back-of-curb to back-of-curb	28' B
Streetscape	
Utility easement	3' min C
Sidewalk	6' min D
Planting area	6' min E
Curb and gutter	2' F
Travelway	
Parallel parking/travel lane	12' G
General	
Walkway type	Sidewalk
Planting type	Tree lawn
Tree spacing	40' o.c. avg
Parking type	Parallel: alternate sides

“Tweak” the metrics in the street cross-sections in Div. 12.4. to reflect your local standards.

10. Add Resource Protection

The various divisions in Resource Protection (Chapter 13) are all optional. If your community desires skyline view protection, hillside and steep slope protection, invasive vegetation management, wildfire hazard mitigation, wildlife feeding or wildlife habitat protection standards, these sections are available. Each one stands alone, and can be adopted without requiring any other portion of the model code but should be developed in coordination with the appropriate resource management agencies. Where possible, the Comprehensive Plan should provide additional detail (especially maps) that explain where these resources are found.

11. Review the Procedures

If you have already searched and replaced the [Terms] in the model code, you have completed most of the changes to the review procedures. It is important to support your procedures with application materials that state how many copies and what information is needed for each application type. These application packets should be made as easy to understand as possible – functioning like a checklist of required materials for the application package.

Using Only One Piece of the Model Code

Feel free to use any or all of the model code, but understand that portions of the model code work together. Think carefully before using just one portion of the code – does it require definitions from another part of the code? Are there other code materials needed in support of the material you selected?

Article 13 - Resource Protection			
Div. 13.1. Flood Hazard Reduction	13-2	Div. 13.5. Grading	13-16
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13.1.4. Standards for Zones with Base Flood Elevations	13-3	Div. 13.7. Wildlife Hazard Mitigation	13-16
13.1.5. Standards for Zones Without Base Flood Elevations or Floodway (A Zones)	13-3	13.7.1. Design Standards	13-16
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Article 14 - Administration			
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14.1.1. What Annual Development Agreements?	14-3	14.1.2. What if an Application is Denied?	14-14
14.1.2. What if an Application is Denied?	14-3	14.1.3. What Happens After Approval?	14-14
Div. 14.2. State Statutes	14-4	Div. 14.6. Variance	14-19
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14.2.2. Review Process	14-4	14.6.2. Who Approves Variance?	14-19
Div. 14.3. Common Review Provisions	14-5	14.6.3. Who May Request a Variance?	14-19
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14.3.2. Application Requirements	14-5	14.6.5. How is Notice Provided?	14-19
14.3.3. Public Notice Requirements	14-6	14.6.6. How is a Request for a Variance Reviewed?	14-19
14.3.4. Public Meeting/Workshop	14-6	14.6.7. What Approval Criteria Are Used?	14-19
14.3.5. Notice of Decision	14-7	14.6.8. What if a Request is Denied?	14-19
14.3.6. Appeals	14-7	14.6.9. What Happens After Variance Approval?	14-19
Div. 14.4. Amendments	14-8	14.6.10. How Long is a Variance Valid?	14-19
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14.4.4. How Do I Submit an Application?	14-8	14.7.3. What Actions Are Not Subdivisions?	14-19
14.4.5. How is Notice Provided?	14-8	14.7.4. Who Approves the Subdivision?	14-19
14.4.6. How is an Application Reviewed?	14-8	14.7.5. What is a Lot Split?	14-19
14.4.7. What Approval Criteria Are Used?	14-8	14.7.6. What is a Minor Plat?	14-19
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Select any optional Resource Protection divisions that your community desires. Review the procedures to ensure replacing the [Terms] has made all necessary changes

Part 3: Lessons Learned

The following insights are the opinion of Code Studio, and may not reflect the opinions of the various communities involved in the Teton View Region Model Code.

In Lightly Populated Areas, Regionalism is Critical

During the course of the Teton View Region Model Code project, a number of elements that became significant parts of the planning and zoning discussion were identified that have a regional component. First and foremost is the intertwined economy of the region. Many households have jobs in other communities in the region, due to the sparse nature of the population. The natural resource issues and tourism issues are also clearly regional in nature. But more important than all of this is the need for the communities in these lightly populated areas to pull together, sharing ideas, staff capacity, talented leaders, and the energy necessary to make sound planning and zoning decisions. Thinking regionally means communicating among the various levels of government (especially local governments communicating with each other, but also state and federal government – especially the agencies regulating state and federal lands).

Good Planning Must Precede Good Zoning

While this Model Code represents “best practices” in planning and zoning at present, as with all tools, it is in the application that it shines. The application of zoning districts on a map that implements local planning policy is one key to successful management of future growth and change. With limited resources, it can be problematic to prepare updated plans, but without such plans, new zoning is often a battle to adopt and implement. When zoning can be directly linked to consensus-based community plans, it becomes an enabler of good development, not a barrier to the community’s ideas.

Let Towns be Urban and Counties be Rural

At the beginning of this project, Code Studio subscribed to the generally-accepted principle that zoning should allow for a transition of densities from the most urban places to the most rural. This transition of densities is often reflected in lot sizes for residential use, ranging from urban lots measured in thousands of square feet to rural lots measured in acres.

However, Code Studio has come to the conclusion (after studying land use throughout the Teton View Region) that some low residential densities, often allowed on the urban fringe, are both a burden in terms of their cost to service and can choke off the growth of the city in a compact, fiscally positive way. The long-standing model of towns with sharp edges adjacent to agricultural and natural resource lands is sound public policy, good for public health (compact places are more walkable), and fiscally sensible.

This lesson is important enough that it is worth restating: Tapering the intensity of land use from the edge of a healthy town out to the truly empty “wide-open spaces” bleeds the built community of essential vigor while destroying the appearance, function and character of the surrounding lands. Though it may be considered old fashioned by some, the best arrangement for rural areas is to live and shop in town and farm or recreate outside of town. Healthy rural areas are islands of community vitality in a sea of rural tranquility.

Apply Your Area of City Impact as a Utility Service Boundary

In negotiating an Area of City Impact (where the county and city plan and regulate together), consider including only those lands the City intends to provide with urban utilities and zone for urban intensity. If these areas are likely to remain rural or agricultural for some time to come, work with the County to establish the correct rural zoning, and do not include them in the Area of City

Impact. There should be a sense that land within the Area of City Impact is entitled to services from the City (which often represent a substantial financial burden to provide when the land is not contiguous to other developed land).

Have a Local Land Use Attorney Review Your Code

In spite of careful review of the state statutes, there are many issues about local land use law that cannot be understood without a good local land use attorney. In the case of the Model Code, we decided to engage a well-respected land use attorney from Idaho to provide legal review of the draft document. This review revealed a variety of administrative issues that had to be corrected in the draft, including some nuances not easily understood without following recent case law and activity on the part of the state legislature. We highly recommend engaging a competent local land use attorney in your state before modifying the administrative elements of the code.

- Lee Einsweiler, Principal, Code Studio

Part 4: The Ecosystem Context

Aligning with the Greater Yellowstone Framework for Sustainable Development: Intents, Requirements and Submittals for Local Governments Version 2.0.

The original Greater Yellowstone Framework for Sustainable Development (GY-Framework) was created in 2006-2007 in response to intense development pressure on communities surrounding Yellowstone and Grand Teton national parks. The planning phase for this initiative was launched in 2006 with a pledge from the U.S. Green Building Council (USGBC) for their support. With this affirmation, the Yellowstone Business Partnership (YBP) mobilized regional leaders in the fields of architecture, construction, land use planning, and community design who advocate more sustainable approaches to building and development. Over a nine-month period, more than 80 volunteers helped design a regional rating system that includes and goes beyond the application of LEED green building standards – a system that makes economic and environmental sense for the Yellowstone-Teton region and rewards real leadership.

The timing of the GY-Framework pilot phase launch occurred at the height of the Great Recession; this proved detrimental to development in general and to YBP's pilot efforts. Of the original 13 pilot projects, most projects were put on hold, stalled indefinitely, or ceased to exist. Only three projects submitted for and were awarded certification:

- » Lake General Store (Yellowstone National Park)
- » Tower General Store (Yellowstone National Park)
- » Mountainside Village (Victor, Idaho)

The construction lull afforded the opportunity to shift the GY-Framework focus from private development projects to local government jurisdictions to encourage more sustainable development across the Greater Yellowstone region. In working with the pilot projects, YBP discovered that many existing city and county regulations ran counter to sustainable development principles. YBP brought together volunteers from three states, including planners, elected officials, and agencies, to help draft the following local government requirements for GY-Framework certification.

Version 2.0 of the Greater Yellowstone Framework for Local Governments is a product of the recent HUD Sustainable Communities Planning Grant and thus may serve as a tool for interested cities and counties. Optional certification under the GY-Framework will be delayed until a new certifying body is identified to replace YBP, which dissolved at the end of 2014. Until that time, the document is available as a reference for public use and appears in Appendix A. of the Teton View Regional Plan for Sustainable Development.

PART 4: LINK TO THE GREATER YELLOWSTONE FRAMEWORK

CATEGORY		IMPLEMENTED THROUGH
PROJECT PLANNING AND INVESTMENTS		
Prerequisite 1	Comprehensive Planning and Spirit of Place	Planning
Credit 1	Region-Based Accredited Professional	Human Resources Policy
Credit 2	Qualified Professional - Cultural Resources	Human Resources Policy, Historic Preservation Ordinance, Comprehensive Plan Element
Credit 3	Local/Regional Business Support	Purchasing Policy
Credit 4	Sustainability Investments	Capital Improvements Programming, Finance
Credit 5	Continuous Improvement (Ongoing Compliance Plan)	Planning
LAND USE AND CONSERVATION		
Prerequisite 1	Future Land Use Element	Planning
Credit 1	Sensitive Resources	Zoning, Subdivision
Credit 2	Slopes	Zoning, Subdivision
Credit 3.1	Views: Visual Quality	Planning, Zoning, Subdivision
Credit 3.2	Views: Night Sky	Zoning
Credit 4	Minimize Natural Hazards	Zoning, Subdivision, Building Code
Credit 5	Density/Intensity and Open Space	Zoning, Subdivision
Credit 6	Site Reuse	Planning, Zoning, Subdivision
Credit 7	Land Conservation	Human Resources Policy, Zoning, Subdivision
BIODIVERSITY		
Prerequisite 1	Co-existing with Wildlife	Planning, Intergovernmental Coordination, Zoning, Subdivision
Credit 1	Preservation of Aquatic Resources	Planning, Zoning, Subdivision
Credit 2	Surface and Ground Water Conservation	Utility Policy + Fees, Zoning, Subdivision
Credit 3	Habitat Conservation and Connectivity	Planning, Zoning, Subdivision
Credit 4	Vegetative Management	Zoning, Subdivision
Credit 5	Habitat Restoration and Enhancement	Planning, Zoning, Subdivision
Credit 6	Fence Siting and Materials	Zoning, Subdivision
Credit 7	Domestic Animal Management	Municipal Code
CULTURAL AND HISTORICAL VALUES		
Credit 1	Cultural Resource Conservation and Management	Human Resources, Planning, Historic Preservation
Credit 2	Conservation of Cultural/Historic Structures	Planning, Historic Preservation
Credit 3	Historically Appropriate New Construction	Historic Preservation
Credit 4	Cultural/Historic Interpretation and Documentation	Historic Preservation

CATEGORY		IMPLEMENTED THROUGH
RECREATION RESOURCES		
Prerequisite 1	Recreation Master Plan	Planning, Zoning, Subdivision
Credit 1	Carrying Capacity	Planning
Credit 2	Maximizing Recreation Opportunity	Planning, Capital Improvements Programming
Credit 3	Public/Private Land and River Access	Planning, Zoning, Subdivision
Credit 4	Outdoor Ethics and Education	Education
BUILT ENVIRONMENT		
Prerequisite 1	LEED Prerequisites	Public Policy
Prerequisite 2	Capital Improvements Plan	Planning, Budgeting
Credit 1	Optimize Energy Performance	Public Policy
Credit 2.1	Green Building Programs: Participation and Compliance	Public Policy
Credit 2.2	Green Building Programs: LEED Certification	Public Policy
Credit 3	Materials Efficiency	Green Building
Credit 4	Outdoor Spaces	Public Policy
Credit 5	Size of Residential Dwellings	Zoning, Subdivision
PUBLIC SERVICE AND INFRASTRUCTURE		
Prerequisite 1	Life Safety Code Compliance	Municipal Code
Prerequisite 2	Water Planning	Planning, Zoning, Subdivision
Credit 1	Shared Services: Energy/Waste Efficiencies	Zoning, Subdivision
Credit 2	Renewable Energy: Expanded Use	Public Policy
Credit 3	Carbon Emissions Reduction	Public Policy
Credit 4	Electrical Load/Demand Efficiency	Utility
Credit 5	Water Use Efficiency	Planning, Public Policy, Municipal Code
Credit 6	Water Quality	Utility
Credit 7	Waste Management: Reduce & Recycle	Utility, Public Policy
Credit 8	Snow Plan	Public Works, Municipal Code
Credit 9	Utility Construction and Resource Management	Utility

CATEGORY

IMPLEMENTED THROUGH

TRANSPORTATION AND CONNECTIVITY		
Prerequisite 1	Transportation Plan	Planning
Credit 1	Complete Streets & Alternative Transportation	Zoning, Subdivision, Public Works
Credit 2.1	Efficient Vehicles: Fleets	Public Policy
Credit 2.2	Efficient Vehicles: Alternative Fuels	Public Policy
Credit 3	Trails, Walkability, and Pathways	Zoning, Subdivision
COMMUNITY VITALITY		
Prerequisite 1	Community Engagement	Public Policy
Prerequisite 2	Affordable Housing	Planning
Credit 1	Diversity of Housing Types	Zoning, Subdivision
Credit 2	Rewarding Sustainable Operations	Public Policy
Credit 3	Mixed Use/Employment Opportunities	Zoning, Subdivision, Education
Credit 4	Public Spaces: Availability and Access	Planning, Zoning, Subdivision
SPECIAL CREDIT OPPORTUNITIES (NOT INCLUDED IN PROJECT TOTAL)		
Credit 1	Exceptional LEED Performance	Public Policy
Credit 2	Sustainable Agriculture	Zoning, Subdivision
Credit 3	Site Development for Extraction Projects	Zoning, Subdivision
Credit 4	Other Innovations	--