

# Preliminary Findings Report: Teton County Land Use Code Analysis



April 8, 2014

Teton County Planning and Zoning Commission Meeting

# Introduction

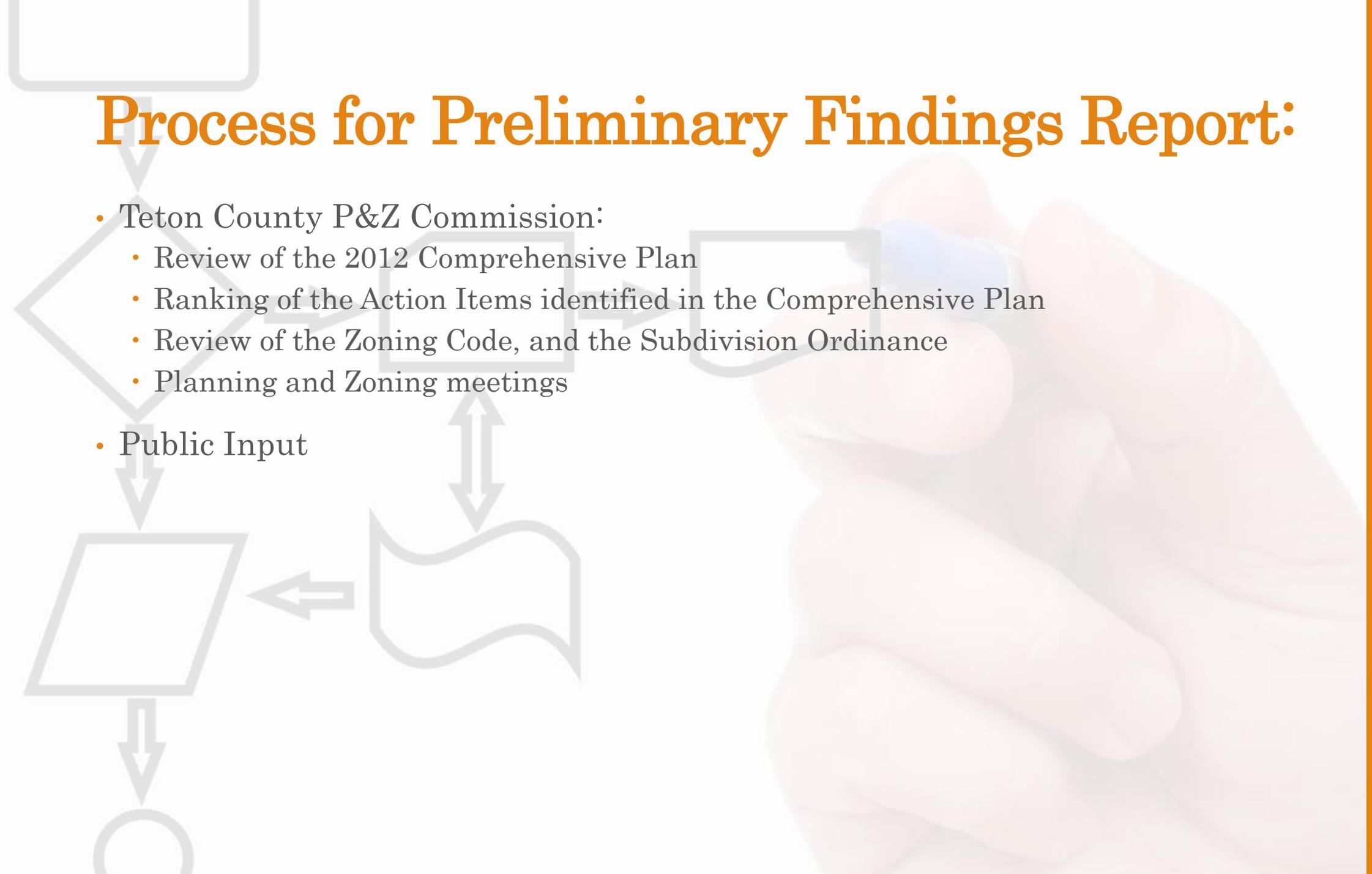
- 2010-2012- Extensive Comprehensive Plan re-write
- February 2012- The Western Greater Yellowstone Consortium starts a region wide project using a \$1.5 million HUD grant
- August 2012- Comprehensive Plan Adopted
- April 2013- Teton County hires consultant to draft Land Use Code
- November 2013- 1st draft of a Land Use Code was submitted to Teton County
- January 2014- P&Z start working on revisions to the Land Use Code

# Code Revision Process

1. Project Kick-Off and Orientation (December 2013) ✓
2. Issue Identification (January-March 2014) ✓
3. Existing Land Use Codes Analysis (January-March 2014) ✓        
  - 3b. Public Outreach (*March-April 2014*)

# Process for Preliminary Findings Report:

- Teton County P&Z Commission:
  - Review of the 2012 Comprehensive Plan
  - Ranking of the Action Items identified in the Comprehensive Plan
  - Review of the Zoning Code, and the Subdivision Ordinance
  - Planning and Zoning meetings
- Public Input



# What Was Heard:

Comp Plan Action Item Ranking by Teton County P&Z

											average	total
2	Zone changes to reflect the Framework Plan and encourage development of town neighborhoods adjacent to and within existing cities and reduce density in sensitive rural areas.	3	4	5	5	5	1	4	4	5	4	36
41	Vacate non-viable subdivisions; amend County Code to strengthen penalties for weed violations.	3	4	5	4	4	3	4	5	4	4	36
40	Consider amending the Subdivision Ordinance to allow Family Lot Splits and/or a Short Plat process.	5	4	4	4	2	5	2	5	4	3.9	35
5	Eliminate density bonuses that are inconsistent with surrounding zoning.	3	5	2	5	5	2	5	3.875	4	3.9	35
20	Revise ordinances to further protect water quality and quantity, require screening where appropriate, protect key habitat areas and view sheds, and reflect the land use framework along all natural waterways.	3	4	4	5	3	2	5	3.875	5	3.9	35
4	Encourage creative and new approaches to land development.	5	3	4	4	2	4	3	5	4	3.8	34
38	Create/amend ordinances and programs to promote Large Lot Subdivisions.	4	4	4	5	4	2	3	3	5	3.8	34
15	Define appropriate uses in Zones so that there is decreased reliance on the Conditional Use Permitting process and more predictability in land use decisions	5	2	3	3	3	3	4	5	5	3.7	33
28	Ensure developments have adequate supply of drinking water and ability for adequate wastewater treatment prior to approval.	3	4	3	5	1	2	5	5	5	3.7	33
12	Promote the formation of industry clusters in appropriate areas.	5	4	4	2	2	4	3	4	4	3.6	32
17	Write and enforce a new sign ordinance	5	1	4	4	4	2	5	4	3	3.6	32
21	Revise ordinances to specify low development density in sensitive wildlife habitat, riparian areas and wetlands.	3	3	3	5	5	2	3	4	4	3.6	32
22	Amend subdivision and zoning ordinances to use clustering and conservation easement purchase or lease.	5	2	5	4	3	2	3	5	3	3.6	32
42	Add provisions to County Code to regulate site disturbance as a means to prevent initial outbreaks of weed infestations.	2	3	4	3	3	1	4	5	3	3.1	31
11	Strengthen zoning ordinances to support live-work and home-based business	4	4	5	3	1	5	4	1	4	3.4	31
18	Identify view shed corridors and develop techniques to protect them	4	4	4	4	4	1	4	3	3	3.4	31
39	Explore open space funding options and voluntary incentives that would be oriented to the protection of open space and large farms.	3	4	4	3	4	2	3	5	3	3.4	31
1	Preserve and enhance recreational opportunities	5	4	4	3	1	2	5	3.375	3	3.4	30
27	Incentivize vacation of non-viable subdivisions in or near migration corridors or sensitive habitats.	5	3	3	3	3	3	3	2	5	3.3	30
35	Amend subdivision and zoning ordinances to use clustering and conservation easements that are purchased or leased.	4	3	4	4	4	1	2	5	3	3.3	30
37	Work with accredited land trusts to identify and negotiate development rights purchase and/or conservation easements	3	3	3	3	5	3	1	5	4	3.3	30
10	Incentivize utilization of existing business park locations.	4	3	3	2	3	4	4	4	2	3.2	29
23	Utilize tax incentives and fee structures to support land use framework.	4	2	4	4	2	2	3	5	3	3.2	29

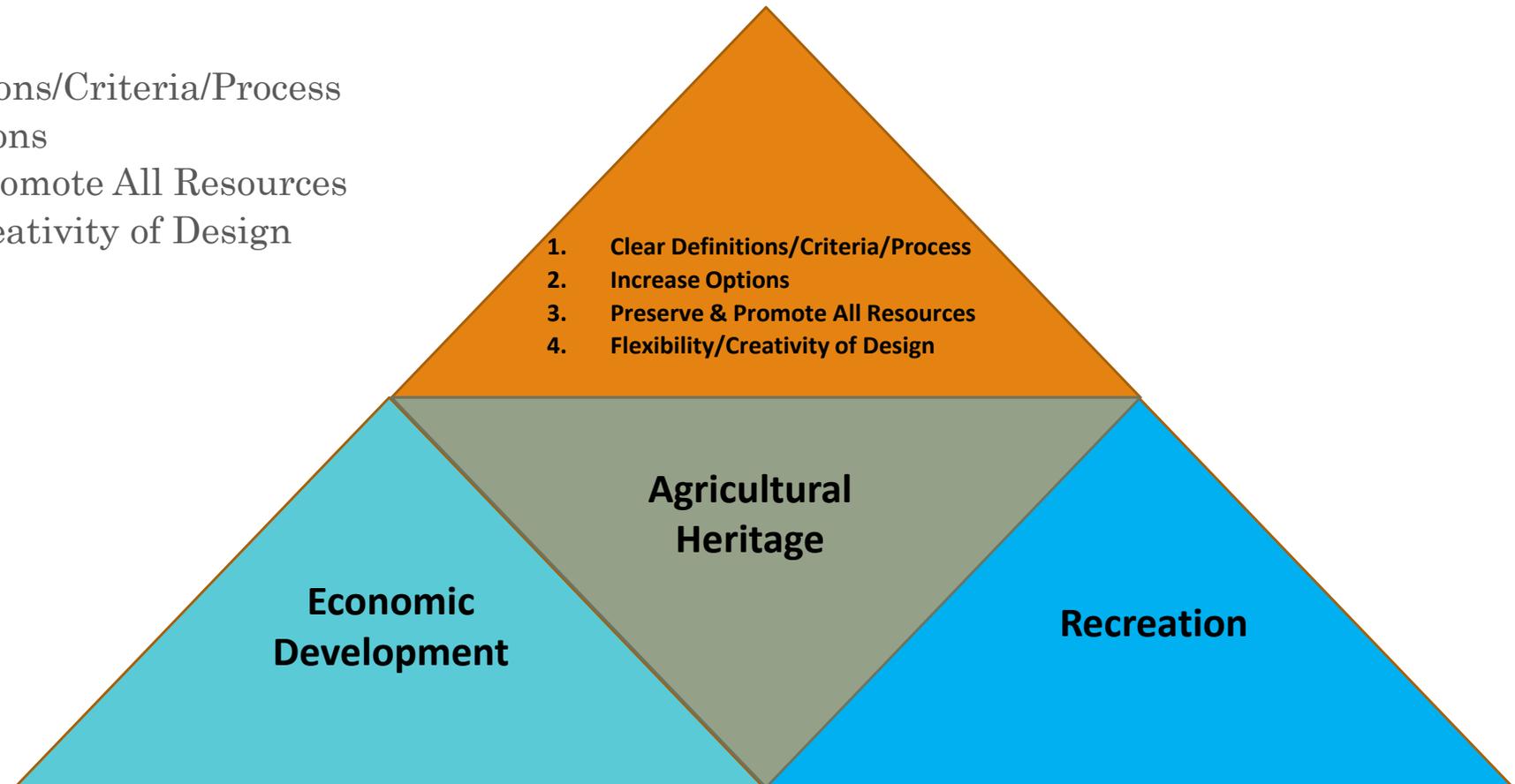
# What Was Heard:

- Foundation

1. The Agricultural Heritage of the Valley is key.
2. Recreational Opportunities are important for the Valley.
3. The Economic Development of the Valley needs to be a priority.

- Goals

1. Clear Definitions/Criteria/Process
2. Increase Options
3. Preserve & Promote All Resources
4. Flexibility/Creativity of Design

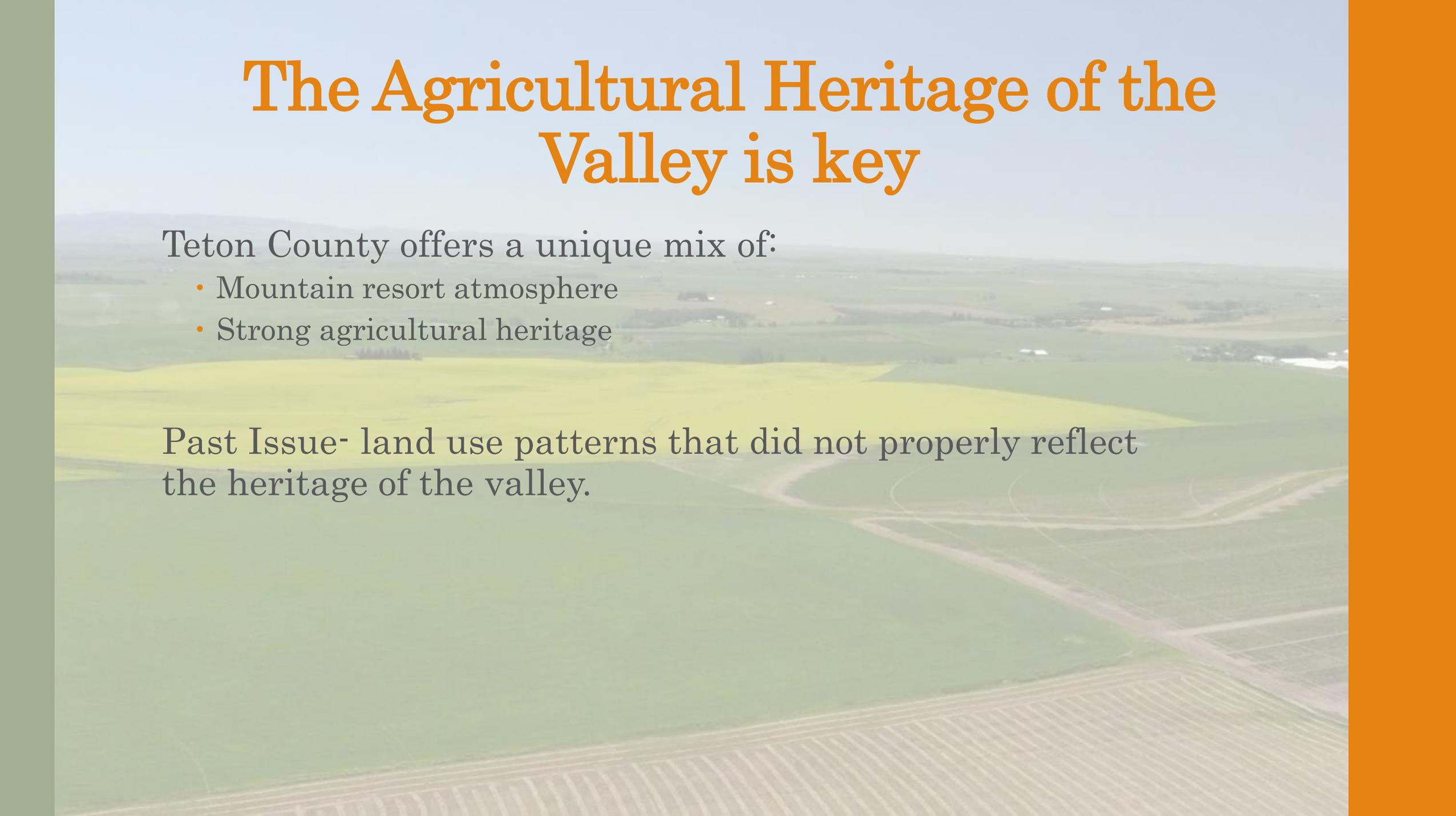


# The Agricultural Heritage of the Valley is key

Teton County offers a unique mix of:

- Mountain resort atmosphere
- Strong agricultural heritage

Past Issue- land use patterns that did not properly reflect the heritage of the valley.

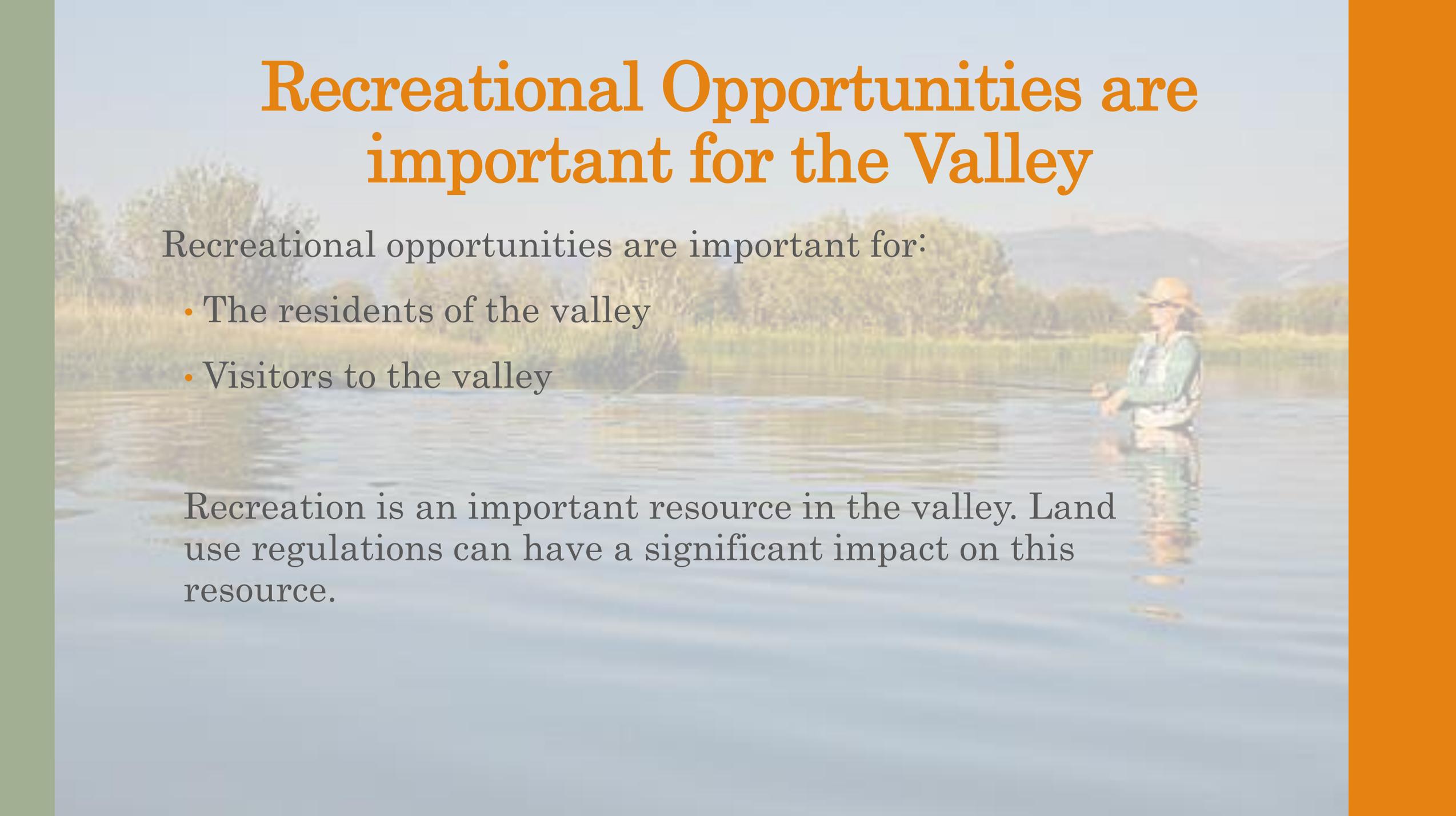


# Recreational Opportunities are important for the Valley

Recreational opportunities are important for:

- The residents of the valley
- Visitors to the valley

Recreation is an important resource in the valley. Land use regulations can have a significant impact on this resource.





# The Economic Development of the Valley needs to be a priority

A strong desire to create a diverse and healthy economy in the County is a community priority.

Land use regulations can play a key role in providing new opportunities to existing businesses as well as attracting new businesses to the valley.

# Goals with Substantial Agreement

1. The current Zoning Code is not always clear in regards to the process or the requirements.
2. The current Zoning Code does not provide a variety usable options for developing or dividing land.
3. The new code needs to do a better job of protecting and promoting the resources Teton County has.
4. The new code should allow for flexibility and creativity in the design.
5. The new code needs to provide a more useful mechanism for revising existing undeveloped subdivisions.

# 1. The Zoning Code is not always clear in regards to the process or the requirements.

Issues- Feedback has been that the code is difficult to interpret for:

- Public
- Developers
- Staff

Piecemeal changes

Goals-

- Clear definitions
- Clear requirements
- Clear process of approval

Steps-

- Review definitions (Have all definitions in one location, as opposed to spread throughout the code)
- Review procedures for each application
- Review requirements for approval (ensure they are accomplishing a purpose)

## 2. The Zoning Code does not provide a variety of usable options for developing or dividing land.

Issue- Two land division options for developing- a) the subdivision process or b) a one-time lot split.

### Goals-

- Utilize an incentive based approach to development
- Clarify and streamline process for development options
- Current base density MAY remain unchanged
- Current density MAY be the ceiling as opposed to the starting point

### Steps-

- Review current development options (Ag. Split, One-time only, & Subdivision)
- Define and develop “midrange” division options (Large Lot Split & Short Plat)

# 3. The new code needs to do a better job of protecting and promoting the resources Teton County has.

Issue- Current code has many “tools”, it is not always clear if the “tools” accomplish the intended goal

## Goals-

- Clarify what needs to be promoted and preserved
- Provide flexibility in promoting and preserving
- Allow each development to be “unique”

## Steps-

- Review what the intent is for each provision of the code
- Modify the code to focus on the desired outcomes

# 4. The new code should allow for flexibility and creativity in the design.

Issue- PUD ordinance creates a subjective process, while the Subdivision process creates a one size fits all approach.

## Goals-

Tie the requirements placed on the development with impact of the development

## Steps-

- Develop some “off the shelf” options
- Tailor the approval process around:
  - the historic use of the land
  - continued production of the land
  - the individual parcel

# 5. The new code needs to provide a more useful mechanism for revising existing undeveloped subdivisions.

Issue- Are current incentives for plat revisions working?

Goals-

Better incentives the plat revision process so that it is a more attractive option for under developed subdivisions.

Steps-

Review the plat amendment section of our ordinance and add additional incentives (financial, timing, and flexibility of requirements) if needed

# Areas of less consensus

- Wildlife Habitat Overlays
- Large Lot Splits
- Scenic Corridor
- Open Space

# Zoning Code Analysis

## Exiting Zones-

- A-20 Zone:
- A-2.5 Zone:
- C-1 Zone:
- C-2 Zone:
- C-3 Zone:
- M-1 Zone:

## Anticipated Zones-

- Commercial/Industrial/Manufacturing:
- Foothills 20:
- Foothills 2.5:
- Mixed Ag/Rural Neighborhood 20:
- Mixed Ag/Rural Neighborhood 2.5:
- Mixed Ag/Wetland 20:
- Mixed Ag/Wetland 2.5:
- Rural Ag 20:
- Rural Ag 2.5:
- Rural Neighborhood 20:
- Rural Neighborhood 2.5:
- Town Neighborhood 20:
- Town Neighborhood 2.5:

# Zoning Code Analysis

## Commercial zones-

- coordination between the County and each of the cities will be needed
- Understanding of commercial property inventory (existing and potential)
- Understanding of uses that “belong” in the cities and “uses” that belong in the county
- Develop incentives for areas of the county that are zoned for commercial/manufacturing/industrial to attract businesses there

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  - 3b. Public Outreach (*March-April 2014*)
4. Outline of new Land Use Code (*May-June 2014*)
  - 4b. Public Outreach (*July-August 2014*)
5. Code Drafting (*July- December 2014*)
  - 5b. Public Outreach (*July-December 2014*)
6. Land Use Code Revisions, Adoption and Implementation (*January- April 2015*)
7. Draft Zoning Map (*April- June 2015*)
  - 7b. Public Outreach (*May-July 2015*)
8. Zoning Map Revisions, Adoption and Implementation (*June- August 2015*)

# Summary

- Start of the Land Use Code revision process
- No lines on the map at this point
- Preserve and Promote our resources- (Agricultural, Cultural, Economic, Historic, Natural and Recreational)
- Incentive based approach

## Goals with Substantial Agreement

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## Zoning Code Analysis

- Further exploration is needed in using existing Densities with Comprehensive Plan areas.
- Some commercial uses may belong in the county, but Teton County and the cities need to work together in identifying the uses and the location for those uses.