



COMPREHENSIVE PLAN

Rewrite of the Teton County Comprehensive Plan

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Prepared August 13, 2012 for the Board of County Commissioners

Public Hearing of August 23 & 24, 2012

APPLICANT: Teton County Planning Department

APPLICABLE CODE: State Statute 67-6508: *It shall be the duty of the planning or planning and zoning commission to conduct a comprehensive planning process designed to prepare, implement, and review and update a comprehensive plan, hereafter referred to as the plan. The plan shall include all land within the jurisdiction of the governing board. The plan shall consider previous and existing conditions, trends, compatibility of land uses, desirable goals and objectives, or desirable future situations for each planning component. The plan with maps, charts, and reports shall be based on the following components as they may apply to land use regulations and actions unless the plan specifies reasons why a particular component is unneeded.*

REQUESTS: Adopt a new Comprehensive Plan for our community that is based on broad public input and will guide our community to a prosperous, well-planned future.

APPLICABILITY: County-wide

BACKGROUND: The current draft of the Comprehensive Plan has been in the works since before May 17, 2010 when the Planning Department and the Board of County Commissioners hosted a “Comp Plan Kick-off Meeting.” Since then, there have been thousands of hours of volunteer time that members of the community have donated to the process. Volunteers included subcommittee and core committee members, members of the public who have attended meetings, open houses or other events, community members who have written comment letters and letters to the paper and many other activities that people have done because they care about the Teton County community and the content of the Comprehensive Plan.

The BOCC appointed a Plan for Planning Committee (P4P) which consisted of Aaron Driggs, Bret Cooke, Dahvi Wilson, Darryl Johnson, Jeff Potter, Kendall Jolley, Kevin Owyang, Sal Lazalde and Shawn Hill. This group designed the public input process, helped screen the consultant candidates, and wrote and distributed the original questionnaires that determined the topics at the forefront of the Teton Valley community’s mind. This group also made recommendations to the BOCC for subcommittee and core committee appointments.

PLAN DEVELOPMENT:

The Comprehensive Plan meets the requirements of State Statute by addressing the 16 required content areas (many of these are addressed in the Appendices): property rights, population, school facilities, economic development, land use, natural resources, hazardous areas, public services, facilities and utilities, transportation, recreation, special areas or sites, housing, community design, agriculture, implementation, and national interest electric transmission corridors. The plan will be heard at two public hearings and noticed accordingly. The County has gone above and beyond these minimal requirements by providing multiple opportunities for public involvement, by concentrating the plan on issues and topics that are of great concern to its residents, and by providing an open and transparent plan development process. See memo from Prosecutor Spitzer for her legal analysis of the plan.

The plan was developed around five content areas that were determined to be important to the citizens of Teton County via an online questionnaire, outreach meetings and a mail-in questionnaire conducted by the P4P. A subcommittee for each of these five content areas was formed as was a core coordinating committee that consisted of the chair of each subcommittee and five at-large members of the public, including a representative from the Planning and Zoning Commission. The subcommittee members were on the frontlines of public outreach. They were responsible for talking to their neighbors to get public opinion on aspects of the plan such as the vision statement. The subcommittee members reviewed all public comments and it was their responsibility to make sure the public comment was adequately incorporated into the plan. The chore of the core committee was to review all subcommittee work and make sure all the pieces of the plan fit together coherently. The core committee also reviewed public comment and acted as general oversight for the plan's development.

The plan's foundation is the vision statement. Each subcommittee spent hours refining their vision statement. There is a lot of consensus on the vision statement and it underpins the rest of the plan. Goals and policies are based on the vision statement and the framework map is based on the vision, goals and policies. Finally, the implementation plan outlines direct steps that the community can take to realize the vision statement.

SIGNIFICANT CHANGES THAT PZC RECOMMENDS:

“Preserve” changed to “nurture and maintain:” It was recommended to change the word “preserve” to “nurture and maintain” in the Agricultural and Rural Heritage subcommittee vision statement. Because this is in the vision statement and the foundation upon which the plan was created, the Planning & Zoning Commission (PZC) did not take this suggestion lightly. It was felt that this change might help garner support for the plan without significantly changing its meaning. See the definition of nurture in the appendix as, “Support and encourage significant characteristics and qualities.”

Commercial uses confined to cities: After discussions with the planners from Driggs and Victor, it was determined that they are concerned about any language that might promote development in the County before the infill of the cities. For this reason, they recommended keeping all commercial uses inside the cities with a few exceptions that would go in the “Industrial/Research” areas. The City of Victor would further like to clarify that the Industrial/Research areas are not “within” the Town Neighborhoods, but rather near and adjacent to them. A suggested resolution would be to change the language of the first sentence of “Industrial/Research” areas on page 27 to, “These areas are separate from the town neighborhoods and have low visibility from the scenic corridor and tourist centers.”

Language concerning School District 401: Superintendent Woolstenhulme requested that we include language that makes it clear that the public school system is an entity separate from the County and accountable to the state, and not to local government.

Invasive Species: The PZC wanted to address the County’s weed problem and provide provisions to *prevent* infestations in addition to dealing with infestations after they already exist. The PZC is recommending language that would address disturbed lands with the intent to prevent weed infestations.

Reduce the supply of future, potential lots: The PZC changed the statement that had been proposed by the Economic Development Subcommittee from, “Reduce future potential supply of residential lots by 75%” to, “Create a more sustainable supply of future potential residential lots based on projected population growth.” The PZC was uncomfortable with a solid number in this statement as the rest of the plan (for the most part) does not contain hard numbers. The Commission debated this language quite a bit (see minutes from the PZC Public Hearing of July 10). The intent is for a “bold” and “significant” reduction of future lot supply. The intent was that economic sustainability will not be achieved until lot demand comes closer to matching lot supply. The demand will be based on future population growth; the supply will be based on what already exists and the potential lots that may be created at some time in the future. To begin to match lot supply with lot demand, it will be necessary to reduce the future potential lot supply as Teton County can fill the project population growth with the current supply of lots. Obviously, it is not practical (nor desired) to stop all growth in the County, but reducing the potential to add more lots to the current glut makes economic sense. The subdivision lots that currently exist and are in good standing with the County would not be affected.

Eliminate density bonuses: The PZC also recommends adding a bullet that will eliminate the aggressive density bonuses that are awarded in the current PUD ordinance. They felt that the intent of the plan was that density bonuses would get a developer to the underlying zoning densities, but not allow more dense developments than what is allowed in the zone. “Eliminate density bonuses that are inconsistent with surrounding zoning” was a bullet added to the Key Actions in the Economic Development section that would lead to a healthy real estate market.

Heavy industrial definition: The PZC wanted to allow a spot in the county for “heavy industrial,” but the cities were concerned about heavy industrial uses close to towns in the Industrial/Research areas. To compromise, the PZC is recommending a definition of heavy industrial that is “lighter” than the national definition of heavy industrial. This definition, more or less, is used in Teton County, WY.

OTHER ISSUES:

Scenic Corridor: The Plan includes provisions for continuing the scenic protections around the main highway system and Ski Hill Road. The Plan does not recommend what those protections ought to be nor does it recommend how wide the corridor ought to be. Those details will be worked out when the zoning code is approved for the scenic corridor. The Economic Development subcommittee felt that maintaining the scenic corridor is an important aspect of the Teton County economy and that by not protecting it, the community is throwing away an opportunity to attract new residents and visitors. To be clear, there is no part of the Plan that recommends or even implies that all development rights would be removed from the scenic

corridor. The intent is to ensure that the development that does occur in the scenic corridor is done in a way that is consistent with our community values such as rural and agricultural heritage.

Wildlife Habitat Overlay: The Plan recommends strengthening the provisions within the Wildlife Habitat Overlay. The current code only acknowledges a wildlife habitat overlay when a subdivision is under review (i.e. not for building permits or other smaller projects). At present, the code requires that a Natural Resources Analysis be done when a subdivision is proposed in the overlay. The intent is for this plan to provide stronger provisions of when the overlay will apply and what regulations will accompany it, however, those regulations will be determined during the approval of new zoning code.

Development Densities: This Plan does not specify specific development densities, but rather refers to them generally as low and medium. Again, specifics will be determined in the code writing, subject to approval of the Board.

GENERAL:

Generally, staff thinks this plan is a document that was produced based on intense community conversation and upholds our broad values as a community. It is staff's recommendation that you approve this Comprehensive Plan as recommended by the Planning & Zoning Commission, or a document whose intent is very close to the recommended document.

BOARD OF COUNTY COMMISSIONER ACTIONS:

- A. Approve the Comprehensive Plan with the changes you articulate.
- B. Deny the Comprehensive Plan. This course of action is not recommended. It is recommended that you work on the draft until it is in a form that can be approved. Not approving some form of the document does two things in particular: 1) it negates thousands of hours of work that community volunteers have donated, and 2) it puts the County in limbo with a current plan that is out-of-date and unsuccessful.
- C. Continue to a future BOCC public hearing with reasons given as to the continuation or need for additional information.

Staff suggests the following motion:

Having found that Comprehensive Plan meets the letter and intent of the Idaho State Statute 67-6508, I move to approve the Comprehensive Plan as presented in the track-change document in the staff report with the following changes: [reiterate all changes with page number and the text change].