

## **Teton County Planning Commission motion made June 29, 2009**

The motion was made Commissioner Wall and seconded by Commissioner McCarthy, but a vote was continued to July 9, 2009 to allow for discussion of the motion and the directives therein with the Town of Jackson Planning Commission.

### **Motion:**

Remand the 2009 draft for the Teton County Comprehensive Plan to the County Planning Director and his staff and that they amend that document in accordance with the following directives. It is the recommendation of this Commission that staff complete these changes with a progress update to follow within a time period not to exceed one month and then resubmit the amended document for review by this board, and that the joint process with the Town of Jackson Planning Commission resume immediately thereafter on a schedule mutually acceptable to both boards.

### **General**

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- 1) This document lacks three major studies that are necessary to establish and justify a basis for the policy therein. These analyses should have been performed before the drafting of a new plan – and doing so before going any further would be the recommended approach. Fiscal reasons make it impractical to do so now so it is imperative for the new plan to require that all three studies be commissioned as soon as they are economically feasible and that the results be incorporated into the document when it undergoes a one-year review. The studies to be completed are:
  - a) a countywide EA for all private land in Teton County,
  - b) a study to establish the rationale for a % of workforce to be housed locally, and
  - c) a comprehensive documentation of the development potential in all 12 County districts and all 13 Town districts broken down by zoning district with a separate column for Accessory Residential Units.
- 2) All indicators of success must have a realistic action plan that relies primarily on outside sources for secondary data. Staff should work with other agencies and organizations to develop a plan for these indicators.

### **Vision**

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- 3) Amend the Vision Statement. Three possible new statements are:
  - a) Preserve and protect the area's ecosystem, natural resources, quality of life and community character in a sustainable and predictable manner.
  - b) Preserve and protect the area's unparalleled natural ecosystem while meeting the community's human needs in an environmentally responsible manner that celebrates instead of degrades this significant and unique place on the face of our shared planet.
  - c) Be an environmentally, socially, and economically responsible community.

### **Theme 1**

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- 4) Amend the title of Theme 1 to: "To promote stewardship of wildlife, natural resources, and scenic vistas".
- 5) Designate areas appropriate for under- and over-passes and speed reductions in heavy volume wildlife-crossing areas.
- 6) Remove all exemptions to the wildlife friendly fencing ordinances and develop penalties for failure to remove existing unfriendly fencing throughout the county.

- 7) Include the language from Section 3010.A of the Land Development Regulations with changes to indicate that tourism is one base of our economy, to delete specific statistics, and replace “Land Development Regulations” with “Comprehensive Plan”.
- 8) Recognize that abundant wildlife, daily interaction with nature, and panoramic scenic vistas are central to the quality of life of Teton County residents; and the quality of the visitor experience and the foundation of our local economy.
- 9) Recognize that any and all growth in the valley impacts both wildlife and natural resources.

## **Theme 2**

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- 10) Rewrite the “Statement of Ideal” for Theme 2 to read: “Manage buildout and the rate of growth based on preservation of the community values of character, wildlife protection and quality of life”.
- 11) Reduce the total potential build-out allowed by the 2009 Plan to the total build-out under the 1994 Regulations without any density bonuses:
  - a) Beyond that base build-out consider: (for the purpose of encouraging conservation easements)
    - i) Limiting the PRD to a maximum bonus of 3 units per 35 acres with these conditions:
      - (1) that should the IRS remove the deduction for conservation easements the maximum density will revert to 1/35
      - (2) that there be 85% easement-dedicated open space with a 3X bonus; and
    - ii) Investigating the possibility of enacting a Transfer of Development Rights program aimed at mandating and facilitating the shift of development potential from rural lands to appropriate locations within the town and county. A possible program would mandate clustering at a 1/35 gross density for on-site development and encourage transfer of development rights into appropriate locations by providing a multiplier allowing the conversion of one development right in the Rural zone to 2 or 3 TDR’s in a receiving area. Use of these multipliers would be an exception to the capping of buildout at the base densities allowed by the 1994 Regulations.
  - b) Remove all “nodes” from the draft plan. Large areas should not be generally described as appropriate for increased development potential. Areas for increased development potential should be more site specific, but can be located next to existing services and infrastructure if it respects the existing development character of the area.
- 12) Remove all increases in commercial development rights (from the 1994 regulations) and prohibit any and all expansion of the resort zones and the establishment of any new resorts.
- 13) Legislate predictability by removing all incentive-based development mechanisms except for those that encourage conservation easements as discussed in directive 11)a). Workforce housing will not be used to justify zoning changes other than those areas needed to address existing shortages as discussed in Directive 17.
- 14) Set a growth rate cap or a growth management quota system for commercial and residential development and define what historic growth rates have been.

## **Theme 4**

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- 15) Require that all future development, commercial and residential, be mitigated for employee generation (EGU) to the extent necessary to maintain the goal of housing an as yet to be determined % of our workforce locally – and that it must be produced on site. This workforce housing mitigation shall not increase the build-out number – rather it must be provided for within existing base property rights.

- 16) More narrowly define “workforce housing”.
- 17) Determine the amount of workforce housing necessary to mitigate for the development that has already been approved but not built, and the projected loss of workforce housing as people retire, to meet the desired goal of housing the to be determined percentage of the workforce locally. Then, identify and zone enough specific locations to provide the needed housing and consider funding the construction of that housing through a SPET and real estate transfer tax (Strategy 4.1) so that projects do not need to be subsidized by density up-zones for free market homes.
- 18) Place more emphasis on Principle 4.3 and the idea of developing a portfolio of methods for meeting our housing needs that includes rentals, shared equity loans and tax incentives for self imposed housing deed restrictions.

#### **Theme 5**

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- 19) Encourage a sustainable economy not dependant on growth.
- 20) Include the language of Section 3010.B of the Land Development Regulations replacing “Land Development Regulations” with “Comprehensive Plan”.

#### **Theme 6**

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- 21) Work with regional organizations, other communities, National Parks and National Forests to develop regional mass-transportation options that will service commuters, visitors, and recreationists, focusing on:
  - a) participation in the Yellowstone Business Partnership’s regional transportation cooperative and
  - b) ensuring public transportation from the airport.
- 22) Develop a Transportation Improvement Program (TIP) that will accomplish our mode shift goals and represents a master summary of the transportation components of the improvement programs developed by each Town and County agency and department. Pages 8-8 – 8-47 are a good source for the framework of the TIP. Establish dedicated funding sources (Strategy 6.1) with the intent of implementing the TIP.
- 23) Provide a list of Potential Transportation Network Projects including:
  - a) West Broadway 5-Way Main Street Project: roads, sidewalks, bike lanes, a complete street project
  - b) WY-22 and West Broadway Pathway
  - c) New START Transit Center
  - d) Sidewalks in Town and mixed use villages
  - e) Hoback-Jackson South Project (Complete Street – highway, pathway, wildlife mitigation, river recreation access, and transit needs)
  - f) Wildlife highway crossings.
- 24) Include consideration of a paid parking program in Town to both encourage the use of mass-transit and to provide funding for START and Pathways.
- 25) Include a Transportation Impact Statement based on projected growth.

#### **Theme 7**

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- 26) Provide for permanent solid waste recycling sites throughout the county.
- 27) Quantify and identify appropriate locations for Public/ Semi-Public community infrastructure and amenities throughout the county for schools, START bus facilities, public parks (including dedicated

dog parks) and a landfill site to accommodate the trash generated by this community and currently shipped out of Teton County. The construction of a landfill within Teton County would be consistent with the goals outlined in the Community Vision and Energy Conservation chapters of this Comprehensive Plan.

### **Theme 8 (new)**

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- 28) Add an 8<sup>th</sup> Theme titled “Energy Conservation” that addresses the community’s desire to be climate responsible and that will assure the ability of local utilities to service future development.
- 29) Require that ALL future construction (residential and commercial) meet the green building standards of LEED certified, GYF, or equivalent third party certification, by writing those standards into our building codes.
- 30) Develop a viable active transportation, ride share, and regional mass-transportation system.
- 31) Mandate use of renewable energy sources for all public projects.
  - a) This would include both active and passive solar, geothermal, and purchasing regional wind and hydroelectric power.
  - b) The transition to renewable energy sources and alternative transportation shall minimize conflict with wildlife conservation.

### **FLUP**

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- 32) Make Theme 1 the guiding and primary theme in ALL town and county districts. Even areas outside the NRO have wildlife and natural resource value.
- 33) Exchange the fairgrounds property (District 19) in town for property in S. Park (District 12) in an area separated from residential development and with its own egress/ingress from hwy 89. Move the Fairgrounds, Rodeo, and START to this property in District 12, with the intent of building workforce housing in District 19 that will mitigate for the employees generated by already approved non-residential development in Town.
- 34) Develop more site specific wildlife and natural resource objectives.

### **Administration**

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- 35) Change the name of the “Teton County Planning and Development Department” to the “Teton County Planning and Conservation Department” and the name of the “Teton County Planning Commission” to the “Teton County Planning and Conservation Commission”; and staff and fill the newly focused department and commission appropriately.