

390 Residential Rezone Release Memo

The purpose of this document is to provide an overview of the new zoning and zoning map proposal from Teton County Planning Staff for Subarea 12.2: 390 Residential. This document is intended to assist the public in understanding and evaluating staff's proposal. This residential rezoning process consists of two parts, processed as distinct but related applications:

1. The proposal of a new, single-family residential zone for the County Land Development Regulations (LDRs): Neighborhood Residential-1 (NR-1); (AMD2020-0004)
2. The proposal to apply the new NR-1 zone to properties in Subarea 12.2: 390 Residential; (ZMA2020-0003)

Background

With the adoption of the 2012 Jackson/Teton County Comprehensive Plan, the community established a vision for its future and each of its designated Character Districts. Since the adoption of the 2012 Comprehensive Plan, the community has been engaged in implementing that vision. One of the tools of implementation is the use of zoning in the County Land Development Regulations (LDRs), which regulates development on private lands in the County. Specifically, zoning regulates use (*what you can build*), shape (*where and how big can you build*), and density (*can you subdivide*). In 2016, County Staff created new Character Zones for the rural areas of the County; these zones are forward-looking and seek to implement and achieve the vision and goals of the 2012 Comprehensive Plan. These Character Zones replaced the Legacy Zoning which had been established throughout the County in 1994. Now, County Staff is working to develop Character Zoning for the remaining areas of the County, called Complete Neighborhoods. Subarea 12.2 390 Residential is the first Complete Neighborhood area that will be rezoned.

What does the Comprehensive Plan say about Subarea 12.2 390 Residential?

- Identified as a Stable subarea, meaning no significant change to the existing character is necessary
- Conservation and Residential Form; 1-5 acre lots, 2 story height, residential use
- Predominance of landscape over built form
- Buffer waterbodies, wetlands, and riparian areas from development
- Design for wildlife permeability
- "Characterized primarily by detached single family homes, including homes occupied long-term by the workforce."
- "Non-residential development should be directed into the Aspens/Pines Commercial Core (Subarea 12.1) to the extent possible."

Existing Conditions

The subarea is largely developed and is comprised of properties under 10 acres with primarily single-family residential uses. The existing legacy zoning in place in the subarea is mostly Neighborhood Conservation (NC-TC), with seven Business Conservation (BC-TC) and Rural (R-TC)-zoned properties. Many of the lots in the subarea predate the County Land Development Regulations.

What's Wrong with the Current Zoning?

- Many of the current NC-TC standards are successful in achieving the goals and vision of the Comprehensive Plan for the subarea. Staff is proposing to maintain those standards; in fact, very little is proposed to change between the NC-TC and NR-1 zones.

- The BC-TC and R-TC zoning allows for higher-intensity, non-residential uses, which the Comprehensive Plan advises should be directed to the Aspens/Pines Commercial Core
- The community desires simple and predictable zoning based on desired future character. The NC-TC is unnecessarily complicated and makes it difficult and/or costly for property owners and residents to determine what they can do on their property.
- The current NC-TC zoning is based on standards from the 1994 LDRs and 1978 Land Use Map that have been carried forward. Consequently, some of the standards are complicated and do not reflect current conditions in the County.

Proposed Neighborhood Residential-1 (NR-1) Zone

Staff has developed a new zone, called Neighborhood Residential-1 (NR-1), to be applied to this subarea and potentially other areas of the County, where it is determined appropriate. The NR-1 is a low-density residential zone designed for application in Stable subareas where the existing development pattern and character is generally intended to remain intact.

- Purpose: Allow exercise of property rights while preserving wildlife permeability and predominance of landscape over built form
- Use: Primarily Detached Single-Family Residential
- Density: 3-acre minimum lot size for future land division
- Maximum Floor Area and Maximum Site Development: Largely unchanged but with added flexibility for properties encumbered by road easements, water, and dedicated open space.

Staff determined that a 3-acre minimum lot size for land division is appropriate for this location, following the direction of the Comprehensive Plan for the subarea and considering the importance of protecting water quality, maintaining wildlife permeability, and limiting additional traffic impacts in the area. While the area is now in the vicinity of the Wilson Sewer District, many properties in the area are on individual septic systems and connection of any future lots to sewers cannot be guaranteed. With ground water quality a concern in the County, a 3-acre minimum lot size limits increase in septic facilities in the area. Research and discussions with Wyoming Game & Fish Department indicated that larger lot sizes and limiting density are key elements in supporting wildlife permeability.

Staff has produced a zoning comparison table which compares the major development standards between the NR-1 zone and the NC-TC zone. The table also describes the potential impact of the changes on NC-TC-zoned residential properties in the 390 Residential Subarea.

Depending on current site development, floor area and use, properties zoned BC-TC in the subarea may become non-conforming when rezoned to NR-1. The Teton County LDRs have specific nonconformity standards, which in many cases are similar to the BC-TC standards, for these situations.

Proposed Changes to the Zoning Map

In addition to developing the NR-1 zone, staff is proposing to apply the zone to properties in Subarea 12.2 390 Residential through a Zoning Map Amendment process. The boundaries of each subarea are “fuzzy”, and staff has proposed the zoning map changes based on the following logic:

- Lots in the subarea that were rezoned to new Rural Character zones as part of the 2016 Rural Rezone process retain their current zoning (R-3)

- Lots in the Aspens, Aspens Commercial Core and Teton Pines are not part of this zoning map amendment but will be considered in a future zoning effort
- The Millward Redevelopment, which was created and designed as a Planned Unit Development (PUD), will continue to be regulated by the PUD approval that established it. The underlying zoning will be updated to NR-1
- Zoning was applied to follow parcel lines