



## Rural Areas LDR Update

### September 9, 2013 PC/BCC Workshop on Rural Area Concepts

#### Summary of Comments and Questions

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On August 9, 2013 concepts for updated LDRs in the rural areas of the community were released for public review. Public comment was taken on the concepts at drop-in workshops, through an online workshop, at individual meetings with stakeholders, and through phone calls and emails.

On September 9, 2013 the Board of County Commissioners and Teton County Planning Commission met to review the concepts for the rural area LDRs. Staff presented the concepts along with the public comment that had been received on each of the concepts. As Staff presented each comment, County Commissioners and Planning Commissioners asked questions and provided their comment and concerns. Below is a summary of the issues identified by the two boards.

- Concern that there will be more opportunity for public comment and a question about when the first chance for public comment in the meeting process will be. (Paul V.)
- Comment: Don't fix what isn't broken. Make sure you're looking at every piece of the regulations and tweak where needed rather than overhauling something that is generally working (for example, don't overhaul the NC-SF) (Phibbs in absentia)
- Is the NC-SF except from all wetland and habitat protections?
- Concerns with altering PUD zoning: What are the specific issues in the PUD regulations that Staff is trying to change? What if someone wants to redevelop a property in a built-out neighborhood and suddenly finds there are new setbacks in place? Is it possible to create a zoning district where setbacks for all these old PUDs are the same amount? Does the County have the right to create new zoning districts to already approved and built PUDs? (Ducker)
- Is the PRD tool going to still be available in the new LDRs and how will it relate to the new zoning? (Duncker)
- Why aren't dude ranches included in the list of allowed preservation uses? (Russell)
- What are the minimum lot sizes of properties in CN-1 and CN-2 zones and where does the figure of 35 acres come from? (Newcomb)
- What is the current difference between CN-1 and CN-2? (Russell)
- Comment that CN-2 conditional uses should include schools because there aren't enough places to put a school in this County now. (Russell)
- Comment that the community asks for predictability based on existing regulations rather than new regulations and that it is not advisable to make dramatic changes to areas where people rely on a certain level of predictability. (Allen)
- Comment that 5% impervious surface to site area in the CN-1 zone seems confining (Allen)
- Comment that institutional uses like summer camps should be considered on a case-by-case basis in CN-1 zoned districts. (Duncker)

- Does Staff envision someone moving a home in a PUD to make it more clustered or prohibiting someone from adding on to their home? Concerned the new regulations will create a lot of nonconformities. (Allen)
- Concerned with the administrative nightmare of making changes that aren't included in PUD covenants. (Allen)
- Concern rezoning PUDs because PUD land-owner expectations are in place based on their prior negotiations with the County. (Hammer)
- Comment that the term "lots" doesn't apply to PUDs and that "building sites" is a more appropriate term. (Hammer)
- Comment that it is not feasible to apply the same zoning to all PUDs and suggest going back to the rules that were created as a result of the initial PUD approval negotiations. (Duncker)
- Comment that "urban, suburban and ex-urban" are helpful terms as opposed to "complete neighborhoods" (Hammer)
- Are existing PRD subdivision threshold regulations changing from 23.3 to 35 based on base site area? Comment that if the regulation refers to 35 acres of base site area, it would severely damage what the Board has seen as a pattern of conservation in those areas. (Allen)
- Why not use gross site area for both the 23.3 and 35 figures in the PRD subdivision regulations? (Duncker)
- If CN-1 zones are 50 acres or less, how would they fit into subdivision regulations? (Russell)
- Where does the Land Trust weigh in on PRD subdivision regulations and how and the County encourage more conservation easements? (Duncker)
- What did the public want to see as a threshold if 140 acres aren't enough? (Paul V.)
- Regarding noncontiguous PRD's, why isn't there an option to have more transferrable development units? (Duncker)
- Didn't the Board vote down funding for the TCSPT? (Allen)
- Comment that the TCSPT doesn't seem like a funding source dedicated to the purpose of open space and seems redundant given the fine job already done by the Land Trust. (Russell)
- Wouldn't an agricultural property owner want to take advantage of transferred development rights without keeping a building lot? Isn't that the perfect example of someone who would want to transfer all their development rights in exchange for some cash and couldn't the County process those kind of requests on a first-come-first-serve basis? (Duncker)
- How would the TCSPT be funded without a dedicated funding source and would they purchase land right away? (Russell or Allen?)
- Request that basements be better defined to delineate between day-lighted basements and those without light. Comment that it doesn't make sense to include basements in the square footage count of a home. (Russell)
- Is the public concerned about square footage in addition to Staff and the Board? (Allen)
- Comment that the LDR Update process is getting unnecessarily complicated. For example, obtaining conservation easements through the PRD tool has led to unhappy customers. We may be trying to control things that would have happened on their own through existing incentives. The threat of a 12

acre parcel isn't going to happen based on the value of existing areas.

The appraisal results will be valuable information that should be obtained before drafting the new regulations. (Allen)

- Concern about correlating the County's updated regulations with what is going on in the Town, creating enough incentive to move density to Town and anticipating what the end result of those density transfers looks like. (Allen)
- Comment that in exploring noncontiguous PRD s, some of the results from the online comment tools are the opposite of what is expected in terms of less is more and more is less. There is a need to look at the benefit of incentives and how they relate to the rest of the regulations.
- Why does developing fewer larger houses in the rural areas of the community improve the County's ability to meet its workforce housing goals? (Hammer)
- Comment that the County needs to have some incentive to build lower cost housing, but isn't sure how to do that without taking advantage of the incentives offered to noncontiguous PRDs. Large property owners don't want to develop and get involved with the County or Town whether they have property in Town or not. They are looking for something to present to potential buyers. (Hammer)
- Comment that because of current property valuations, the County has divorced itself from the possibility that we could have a quid-pro-quo PUD concept or a transfer development concept that would provide workforce housing for anyone that makes even the median local income. The County should provide more local housing opportunities for the middle class. (Newcomb)
- Comment that the County should not discuss density being transferred to Complete Neighborhoods without having the Town present. (Duncker)