

# RURAL AREA LDRS: PROGRESS REPORT ON KEY CHANGES

## Zoning Concepts

	WHAT?	WHY?	REACTION	OPTIONS	
	AUGUST 2013 Proposed Concept	MAY 2012 Comp Plan Direction	MAY 2013 Scoping Phase Direction	AUGUST - SEPTEMBER 2013 Comments on Concepts	Alternatives Moving Forward
<b>CHARACTER-BASED ZONING</b>	<p>Move away from zoning based on when and how a lot was platted toward zoning based on existing and future character</p>	<ul style="list-style-type: none"> <li>• Zone for future character while respecting existing character</li> </ul>	<ul style="list-style-type: none"> <li>• Utilize character-based zoning with some performance standards and use-specific zones, move away from zoning based on past approvals</li> <li>• Explore cross-lot clustering</li> <li>• Explore stewardship requirements</li> <li>• Review and revise use allowances</li> </ul>	<ul style="list-style-type: none"> <li>• Not much difference between concept zones</li> <li>• No need to change existing zoning</li> <li>• Need more focus on evolution toward future character</li> <li>• Institutional use should/should not be allowed in rural area zones</li> <li>• Zone names are misleading/confusing</li> </ul>	<ul style="list-style-type: none"> <li>• Overall Concept                             <ul style="list-style-type: none"> <li>- Go back to acknowledgment and performance-based zoning</li> <li>- Move forward with the concept of character-based zoning</li> </ul> </li> <li>• Institutional uses                             <ul style="list-style-type: none"> <li>- Only allow institutional uses in complete neighborhoods</li> <li>- Allow some institutional uses in existing subdivisions near complete neighborhoods</li> <li>- Go back to allowing institutional uses to be located in rural areas opportunistically</li> </ul> </li> <li>• Cross-lot clustering                             <ul style="list-style-type: none"> <li>- Small setbacks to allow clustering</li> <li>- Variable setbacks to require clustering</li> <li>- Utilize NRO to achieve desired landscape-level clustering</li> </ul> </li> </ul>
<b>NC-SF ZONING</b>	<p>Move away from NC-SF zoning that focuses on preserving 1978 allowances, toward zoning that respects existing character and physical development potential but prohibits 3-acre subdivision and applies NRO protections</p>	<ul style="list-style-type: none"> <li>• Zone for future character while respecting existing character</li> <li>• 35-acre maximum density rather than 3-acre subdivision</li> <li>• Improved natural resource protection rather than exemptions from natural resource protections that did not exist prior to 1994</li> </ul>	<ul style="list-style-type: none"> <li>• Character-based zoning rather than acknowledgment zoning</li> <li>• Review maximum density</li> </ul>	<ul style="list-style-type: none"> <li>• How many NC-SF lots would lose subdivision potential? (45-90)</li> <li>• Need to allow some 10 or 5-acre zoning to transition from complete neighborhoods to rural areas</li> <li>• Least consistent with Comp Plan vision</li> <li>• Not going back to rural, need flexibility for evolution</li> <li>• No need to change NC-SF</li> </ul>	<ul style="list-style-type: none"> <li>• Small lot subdivision                             <ul style="list-style-type: none"> <li>- Acknowledge subdivision potential granted in 1994; or</li> <li>- Move forward with the concept of 35-acre maximum base density</li> </ul> </li> <li>• Natural Resource Exemptions                             <ul style="list-style-type: none"> <li>- Exempt lots based on when they were created; or</li> <li>- Exempt lots based on relative critical value to health of native species</li> </ul> </li> <li>• Evolution                             <ul style="list-style-type: none"> <li>- Create 1-to-1 reconfiguration/transfer options</li> </ul> </li> </ul>

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<b>REPLACE PUDS</b>	Move away from unique standards for individual PUDs, toward a single zoning district that credits the open space included in PUDs but standardizes development allowances for more predictable buildout and amendment of developments	<ul style="list-style-type: none"> <li>• Predictability in development</li> <li>• Zone for future character while respecting existing character</li> </ul>	<ul style="list-style-type: none"> <li>• Character-based zoning rather than acknowledgment zoning</li> </ul>	<ul style="list-style-type: none"> <li>• No need to change NC-PUD</li> <li>• Rezoning will unnecessarily change the rules on existing lot owners</li> <li>• Confusion over intent and application of concept</li> <li>• Consider applying new zoning to all small lots, not just PUDs</li> <li>• Predictability is handled by eliminating discretionary tools, this is not needed</li> </ul>	<ul style="list-style-type: none"> <li>• Assign a base zoning district to PUDs that would apply in the case of an amendment; or</li> <li>• Move forward with the concept of a single district to replace the PUDs                             <ul style="list-style-type: none"> <li>- Standardize certain use and physical development limitations – leave other subdivision specific requirements to HOAs; or</li> <li>- Establish special multipliers/standards by PUD similar to existing approach</li> </ul> </li> </ul>
<b>MULTIPLE RURAL ZONES</b>	Move away from a single Rural zone toward multiple zones that address the existing and desired future character of the various rural areas of the community	<ul style="list-style-type: none"> <li>• Zone for future character while respecting existing character</li> </ul>	<ul style="list-style-type: none"> <li>• Review use allowances and bulk and scale</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory and Conditional uses should have stronger requirements for rural character consistency</li> <li>• Not much difference between concept zones</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory and Conditional uses                             <ul style="list-style-type: none"> <li>- Allow more accessory and conditional uses on larger sites to discourage sale of 35-acre lots; and/or</li> <li>- Stronger accessory and conditional use requirements to protect residential character</li> </ul> </li> </ul>
<b>USE-SPECIFIC ZONES</b>	Move away from zones based on 1994 use, such as the BC or NC-MHP, and toward addressing use-specific standards in the context of character-based zones	<ul style="list-style-type: none"> <li>• Direct nonconforming uses toward desired future character</li> </ul>	<ul style="list-style-type: none"> <li>• Move away from acknowledgment zoning</li> <li>• Address use through performance standards</li> <li>• Review use-based zoning</li> </ul>	<ul style="list-style-type: none"> <li>• What will be the impacts of new zoning on BC?</li> </ul>	<ul style="list-style-type: none"> <li>• BC                             <ul style="list-style-type: none"> <li>- Rezone all BC properties, making existing uses nonconforming where applicable;</li> <li>- Leave some BC properties in Buffalo Valley, Moose, Kelly zoned BC for now until an appropriate zone is established; or</li> <li>- Leave all BC properties zoned BC for now and address them later</li> </ul> </li> <li>• NC-MHP                             <ul style="list-style-type: none"> <li>- Treat MHP as a development option (like a PRD) that is allowed in some places, and treat existing mobile home parks as a nonconforming development option; or</li> <li>- Leave all NC-MHP properties zoned NC-MHP for now and address them later</li> </ul> </li> </ul>

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## Zoning Concepts (continued)

	WHAT? AUGUST 2013 Proposed Concept	WHY? MAY 2012 Comp Plan Direction	WHY? MAY 2013 Scoping Phase Direction	REACTION AUGUST - SEPTEMBER 2013 Comments on Concepts	OPTIONS Alternatives Moving Forward
<b>BASEMENTS</b>	<p>Include basements in the calculation of the maximum size of a dwelling unit. Basements would remain exempt from floor area ratio calculations.</p>	<ul style="list-style-type: none"> <li>Continue to limit house size to protect character and limit impacts</li> </ul>	<ul style="list-style-type: none"> <li>Retain house size limits</li> <li>Review bulk and scale limitations</li> </ul>	<ul style="list-style-type: none"> <li>Support/oppose inclusion</li> <li>Basement floor area is more energy efficient than above ground floor area</li> <li>Will force development above ground</li> </ul>	<ul style="list-style-type: none"> <li>Go back to exempting basements from maximum house size, allowing a larger house if the bulk is hidden; or</li> <li>Move forward with concept of including basements in the maximum house size limit</li> </ul>
<b>SOUTH PARK</b>	<p>Move away from Suburban zoning and Suburban PRD in Northern South Park, toward treating all of South Park as a rural area with 35-acre base zoning and noncontiguous PRD potential</p>	<ul style="list-style-type: none"> <li>Northern South Park should develop at complete neighborhood density, but only after Town infill or as a result of direction of units out of a rural area</li> <li>Conservation development incentives should include quality open space rather than 25% open space in the back yards of subdivision lots</li> </ul>	<ul style="list-style-type: none"> <li>No specifics</li> </ul>	<ul style="list-style-type: none"> <li>Northern South Park needs its own zoning that acknowledges its Comp Plan status</li> <li>An area plan for South Park would be a better solution</li> <li>Create an overlay designation that allows for a master plan that achieves the Comp Plan vision</li> <li>Base zone all of Northern South Park at the Suburban density</li> <li>Suburban PRD does not achieve community goals</li> </ul>	<ul style="list-style-type: none"> <li>Suburban                             <ul style="list-style-type: none"> <li>Rezone and apply the new conservation development incentives;</li> <li>Leave suburban zoning and allow the 4 unit per acre density without requiring the 25% open space;</li> <li>Go back to the existing Suburban zoning and Suburban PRD until a later date; or</li> <li>Incorporate the suburban potential into one of the alternatives below</li> </ul> </li> <li>Northern South Park                             <ul style="list-style-type: none"> <li>Move forward with the concept of zoning with one of the bases and relying on the PRD and Enhanced PRD for direction of units;</li> <li>Create an area plan;</li> <li>Create a zone to acknowledge the potential discussed in the Comp Plan; or</li> <li>Create an overlay that allows for a large scale master plan discussion</li> </ul> </li> </ul>

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## Conservation Development Incentive Concepts

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<b>BETTER THAN 1 PER 35</b>	All conservation incentives or allowances should be better for wildlife than 1 per 35 development	<ul style="list-style-type: none"> <li>Conservation development incentives should be better for wildlife than 1 per 35 development</li> </ul>	<ul style="list-style-type: none"> <li>Review and update the PRD tools</li> </ul>	<ul style="list-style-type: none"> <li>If the development isn't desired by the landowner it's not an incentive</li> <li>Desire for conservation easements because they provide:                             <ul style="list-style-type: none"> <li>Permanency</li> <li>Management</li> <li>Consolidation of physical development and use</li> <li>Voluntary compliance</li> </ul> </li> <li>Conservation easements are not worth any additional development</li> <li>1 per 35 is not that bad for wildlife</li> </ul>	<ul style="list-style-type: none"> <li>What is better than 1 per 35 with no conservation easement?                             <ul style="list-style-type: none"> <li>Nothing;</li> <li>More floor area + conservation;</li> <li>Family compound + conservation;</li> <li>Density in a rural area + conservation;</li> <li>Density in a complete neighborhood + conservation</li> </ul> </li> </ul>
<b>STEWARDSHIP</b>	Introduction of stewardship requirements as part of the open space standards for conservation developments	<ul style="list-style-type: none"> <li>Conservation development incentives should be better than 1 per 35 for wildlife</li> </ul>	<ul style="list-style-type: none"> <li>Explore stewardship requirements</li> <li>Review and update the PRD tools</li> </ul>	<ul style="list-style-type: none"> <li>Introduce rating system to ensure quality conservation</li> <li>Need conservation easement standards to make projects with Jackson Hole Land Trust easier</li> </ul>	<ul style="list-style-type: none"> <li>Develop standards that mesh with land trust desires;</li> <li>Eliminate PRD option in zones such as Suburban and AC where open space cannot provide value; and/or</li> <li>Increase TCSPT to take PRD easements</li> </ul>
<b>GUESTHOUSE BONUS</b>	Identification of the guesthouse bonus (formerly referred to as the non-subdivision PRD) as a separate development option from the subdivision PRD. Only allow an additional 5,000 sf per 35 acres.	<ul style="list-style-type: none"> <li>Conservation development incentives should be better than 1 per 35 for wildlife</li> </ul>	<ul style="list-style-type: none"> <li>Review and update the non-subdivision PRD</li> </ul>	<ul style="list-style-type: none"> <li>Least support of any incentive as better than 1 per 35</li> <li>This is the only tool producing easements</li> <li>Don't make unnecessary changes</li> <li>Don't reduce the allowed development</li> <li>Landowner wants flexibility in design</li> <li>Rewards 35-acre development</li> <li>Impact on housing not worth the conservation</li> <li>The more cross-lot clustering the better</li> </ul>	<ul style="list-style-type: none"> <li>Better than 1 per 35?                             <ul style="list-style-type: none"> <li>Make it easy and desirable, the conservation is worth it; or</li> <li>Allow with sufficient clustering, minimal development, sufficient stewardship provisions</li> </ul> </li> <li>Allowed development                             <ul style="list-style-type: none"> <li>Equivalent of 3 units per 35;</li> <li>Equivalent of 2 units per 35; or</li> <li>Move forward with concept of additional 5,000 sf, additional guesthouse of not more than 5,000 sf per 35</li> </ul> </li> <li>Threshold                             <ul style="list-style-type: none"> <li>23.3 acres base site area; or</li> <li>35 acres gross site area</li> </ul> </li> </ul>

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	WHAT? AUGUST 2013 Proposed Concept	WHY? MAY 2012 Comp Plan Direction	WHY? MAY 2013 Scoping Phase Direction	REACTION AUGUST - SEPTEMBER 2013 Comments on Concepts	OPTIONS Alternatives Moving Forward
<b>PRD SUBDIVISION</b>	<p>Increase the threshold for a PRD subdivision to 140 acres, and consolidate the PRD subdivision options into a single tool that grants 3 units per 35 acres in exchange for 75% open space</p>	<ul style="list-style-type: none"> <li>• Conservation development incentives should be better for wildlife than 1 per 35</li> <li>• Direct development out of rural areas</li> </ul>	<ul style="list-style-type: none"> <li>• Review and update the subdivision PRD</li> <li>• Review base site area and other natural resource performance standards</li> </ul>	<ul style="list-style-type: none"> <li>• More options yield more easements</li> <li>• A managed subdivision is better than an unmanaged 35-acre development</li> <li>• Allow flexibility in design</li> <li>• Increase open space ratio</li> <li>• Reduce/increase the threshold</li> <li>• Fewer PRDs is fine for wildlife, but bad for scenic protection</li> </ul>	<ul style="list-style-type: none"> <li>• Better than 1 per 35?</li> <li>• Threshold: <ul style="list-style-type: none"> <li>- 140 acres of base site area;</li> <li>- 140 acres of gross site area; or</li> <li>- Go back to lower thresholds</li> </ul> </li> <li>• Density: <ul style="list-style-type: none"> <li>- 3 per 35; or</li> <li>- Vary the density based on the value or amount of open space</li> </ul> </li> </ul>
<b>NONCONTIGUOUS PRD</b>	<p>Allow for a noncontiguous PRD that retains 1 unit per 35 acres in a rural sending area with increased clustering and conservation if the receiving area is in a complete neighborhood</p>	<ul style="list-style-type: none"> <li>• Conservation development incentives should be better for wildlife than 1 per 35</li> <li>• Direct development out of rural areas, into complete neighborhoods</li> </ul>	<ul style="list-style-type: none"> <li>• Review and update the noncontiguous PRD</li> <li>• Implement the idea of an enhanced PRD that gives a greater bonus for better conservation or development design</li> <li>• Review base site area and other natural resource performance standards</li> </ul>	<ul style="list-style-type: none"> <li>• Need a tool for 1-to-1 transfer</li> <li>• Make transfer as easy as possible, give options</li> <li>• When receiving areas get maxed out more will be identified, leading to sprawl</li> <li>• PPLP is better for encouraging transfers</li> <li>• Will work if multiplier is set where people will use it</li> <li>• Reduce/increase threshold</li> <li>• Not better than 1 per 35 if you leave 1 per 35 in conservation area</li> </ul>	<ul style="list-style-type: none"> <li>• Better than 1 per 35? <ul style="list-style-type: none"> <li>- What trade-off is worth the conservation easement?</li> <li>- Is a PUD option with a large threshold a better approach?</li> </ul> </li> <li>• Amount of development <ul style="list-style-type: none"> <li>- Leave 1 per 35 in conservation area;</li> <li>- 9 per 35 total;</li> <li>- Determine total by character of receiving area</li> </ul> </li> <li>• Threshold <ul style="list-style-type: none"> <li>- Same as subdivision PRD; or</li> <li>- Based on a certain amount of complete neighborhood development that makes it work</li> </ul> </li> </ul>

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## Other Tools

	WHAT? AUGUST 2013 Proposed Concept		WHY? MAY 2013 Scoping Phase Direction	REACTION AUGUST - SEPTEMBER 2013 Comments on Concepts	OPTIONS Alternatives Moving Forward	
<b>AGRICULTURE PROMOTION</b>	Enhance agriculture promotion tools by separating the definition of agriculture from exemption thresholds, clarifying the applicability of provisions to the entire agricultural site, and making agricultural accessory uses easier		<ul style="list-style-type: none"> <li>• Make continuation of agriculture easy</li> </ul>	<ul style="list-style-type: none"> <li>• Retain agricultural assessment</li> <li>• Review and update agricultural allowances, exemptions, and accessory uses</li> </ul>	<ul style="list-style-type: none"> <li>• Agriculture can't have any barriers to continuation, it doesn't generate enough money</li> <li>• Need a better transition/buffer between agriculture and residential uses</li> <li>• Strongly supported as consistent with Comp Plan</li> <li>• Raise threshold for exemptions</li> <li>• Address balance of exemptions and accessory uses with desired character</li> <li>• Enforce wildlife-friendly fencing</li> </ul>	<ul style="list-style-type: none"> <li>• Exemption/Accessory Use Threshold                             <ul style="list-style-type: none"> <li>- Increase to 140 acres (PRD);</li> <li>- Decrease to 35 acres (tax); or</li> <li>- Leave at 70 acres</li> </ul> </li> <li>• Accept the benefits of agriculture along with the lack of control</li> <li>• Tighten wildlife-friendly fencing exemptions</li> </ul>
<b>SCENIC PRESERVE TRUST</b>	Dedicate resources to the Teton County Scenic Preserve Trust (TCSPT) to publicly support conservation easements, pursue conservation easements, and reach out to private land trusts and the public to increase conservation		<ul style="list-style-type: none"> <li>• Pursue non-development conservation efforts</li> <li>• Establish a funding source for open space</li> </ul>	<ul style="list-style-type: none"> <li>• Review and update the TCSPT</li> <li>• Support donated conservation easements and private land trusts</li> <li>• Explore a purchase of development rights program</li> <li>• Do not explore a funding source at this time</li> </ul>	<ul style="list-style-type: none"> <li>• Opinion on benefit polarized</li> <li>• Leave easements to the JHLT</li> <li>• Don't force taxpayers to support TCSPT</li> <li>• TCSPT is needed to support open space in Comp Plan interest</li> </ul>	<ul style="list-style-type: none"> <li>• Outsource all TCSPT functions;</li> <li>• Leave TCSPT resources at a minimum;</li> <li>• Dedicate resources to TCSPT to pursue easements and purchase development rights;</li> <li>• Dedicate resource to TCSPT to steward existing easements;</li> <li>• Dedicate resource to TCSPT to provide stewardship education;</li> <li>• Dedicate resources to TCSPT to accept PRD or other small easements</li> </ul>