

Proposed Temporary Freeze Resolution

Justification:

Prior to adoption of a resolution freezing some residential development types on May 6, 2008, residential growth in Teton County was outpacing the community's comprehensive planning process. The Town Council and County Commission recognized in 2006 that the current comprehensive plan is outdated and needs revisions. The community is currently undertaking the comprehensive planning process that is considering substantive shifts in future development to protect wildlife habitat and migration routes, open space and affordable housing. The comprehensive planning process allows the community to consider the cumulative effects of development under the current plan and adjust the plan to address unanticipated adverse effects of the current plan. Key elements of the new comprehensive plan are anticipated to include overlay maps for zoning and guidance on appropriate affordable housing mitigation rates.

The new plan should be completed in mid 2009. A draft land use plan for the county was released in mid May 2008 and a draft of the themes and policies of the comprehensive plan was released in early June 2008. Public comment has been gathered on those drafts as well as a land use plan for the town. A draft of the entire comprehensive plan is expected to be released for public review in early 2009.

Since 2000, approximately 2000 new housing units have been approved for development or are in the county planning process without a cumulative consideration of impacts on affordable housing, traffic, economic factors, or updated rural and suburban planning principles. From the time when the comprehensive plan process was initiated in 2007, over 1,000 units were proposed for the South Park area alone. Those conditions appeared to be creating an unsustainable balance of the costs of new residential development on other community values, including affordable housing, traffic, public transportation infrastructure, and planning principles that discourage green-field development and suburban sprawl.

Also, the recent numbers and complexity of development applications for large tracts require substantial planning staff time for review and management of the public approvals process, distracting from the time needed to oversee and contribute to the community's comprehensive planning process.

The comprehensive planning process requires options for the community to balance competing goals. New subdivisions and zone changes approved without guidance from the new plan may yield unsustainable and disconnected development, resulting in a disservice to the property owners and a diminution of other important public resources that the plan attempts to protect.

A continued freeze in large lot subdivisions and zoning changes is the only effective means to allow the community to complete a plan for sustainable growth that protects public resources.

The Board of County Commissioners therefore resolves as follows:

Commencing on the effective day of the Resolution and, unless extended or repealed prior thereto, terminating September 1, 2009 or when the Board of County Commissioners adopts the Comprehensive Plan update, whichever is earlier, the following are prohibited:

1. Development Plans for Affordable Housing Planned Unit Developments (PUD-AH), Planned Resort Planned Unit Developments (PUD-PR) and new subdivisions using Planned Residential Developments (PRDs) on lands more than 20 acres, except for those allowed by an approved Master Plan, Sketch Plan, or Final Development Plan.
2. Amendments to the official zoning district map that encompass more than 20 acres of land that increase residential density beyond that allowed by right under the current Land Development Regulations or allowed by an approved Master Plan, Sketch Plan, or Final Development Plan.
3. Enabling applications that would precede either of the above applications.

Reasonable exceptions that do not compromise the justification and basis for the freeze resolution may be approved by the Board of County Commissioners.