



# Manage Growth Responsibly (Theme 2)

## *Statement of Ideal*

***Limit growth to established development allowances while encouraging preservation of open spaces and existing neighborhoods.***

1, 2, 3, 4

### **What does this theme address:**

- 2.1 – Residential Growth Management**
- 2.2 – Nonresidential Growth Management**
- 2.3 – Predictability**
- 2.4 – Natural Hazards**
- 2.5 – Regionalism**
- 2.6 – Intergovernmental Coordination**

### **Why is this theme addressed?**

The community continues to believe that preservation of community character, with an emphasis on the natural environment, is more important than promoting growth. Effective preservation of our community character requires clear policies regarding the preferred future for our existing neighborhoods and remaining undeveloped lands. Development that is not predictably managed to enhance community character will degrade it.

<sup>1</sup> Rec 67: (County 5-0, Town 7-0) Remove all pictures, but keep diagrams, boxes, etc.

<sup>2</sup> Rec 122: (County 2-3, Town 7-0) Create a predictable land use plan based on community values with buildout numbers compiled to determine consistency between community goals and land use policies.

<sup>3</sup> Rec 123: (County 3-2, Town 0-7) Determine an end state buildout and implement it through a defined land use plan.

<sup>4</sup> Rec 299: (County 3-0, Town 5-0) The 1/22/10 rewrite of Theme 2 generally reflects the previous votes and discussion of the Joint Planning Commissions

Areas in the town and county that are already developed define the built character of the community. Over the past fifteen years the largest threat to the character of many of these existing neighborhoods has been increased density and intensity of development that creates the need for and/or provision of additional housing. Additive density/intensity not only threatens character, but also limits wildlife permeability through the built environment, and adds to the cumulative impact the human population of the Town and County has on the Greater Yellowstone Ecosystem. If small town, rural character is to be preserved, human needs must be provided within existing development potential.

The natural component of the community's small town, rural character is the remaining undeveloped lands, which have great ecological, scenic, and economic value to the entire community. Outside of existing developed areas, the community continues to desire minimal, if any, development. However, a state statute that allows creation of 35 acre parcels without review by the County limits the County's ability to manage growth through regulation. These 35-acre ranchettes are valuable and easy to create but are inconsistent with the community's goal to preserve large open spaces for their ecological and scenic value. To achieve the community's ideal of preserving undeveloped lands as perpetual open space, land owners need to be able to achieve value from a development that also preserves large amounts of open space and clusters development out of ecologically sensitive and scenic areas, near existing development.

Past efforts to find solutions that achieved community goals and worked for land owners granted land owners flexibility in the proposal of developments and elected officials discretion in their review. However, over the past 15 years flexibility and discretion have caused more community debate than community benefit. The community now desires predictability. Land owners, neighbors, and the general public want more confidence regarding what will be approved or denied in a given area. Creating this predictability will require cooperation between not only town and county jurisdictions but also neighboring state and federal land managers and neighboring communities. Without intergovernmental cooperation, jurisdictions will continue to be forced to react to the impacts generated by other jurisdictions and predictability will deteriorate.

Finally, growth must be managed in the Town and County to protect the health safety and welfare of residents and visitors. The natural features that make Teton County so beautiful, also pose serious natural hazards. Regulation of development to protect against these hazards is necessary to ensure the safety of future generations.

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## Principles and Policies

### Principle 2.1<sup>6</sup>—The Town of Jackson is the only appropriate location for future residential density increases

*Density increases change community character and impact wildlife and open space wherever they occur. However, density increases in the unincorporated county have a greater impact on wildlife, open spaces, and neighborhoods than density*

<sup>5</sup> Rec: 292: (County 4-0, Town 4-0) Remove all "What the Community Said About this Theme" boxes; instead reference appendices regarding public comment

<sup>6</sup> Rec 128: (County 2-3, Town 3-4) There should be density bonuses for the provision of workforce housing.

increases in Town. Residential density increases above existing base levels are only appropriate in the County in exchange for permanently protected open space. Density increases in targeted growth areas of Town<sup>7</sup> will not increase overall development potential, but are appropriate in exchange for decreased nonresidential potential or as transfers of County residential development.

### Policy 2.1.a: Limit base development rights to those allowed today<sup>8,9,10</sup>

Preservation of existing neighborhoods is one of the primary goals of the community's growth management policies. The Town and County will each limit their own overall base residential development potential to 2009 levels as defined by the Buildout Taskforce assumptions (see Appendix I).<sup>11,12</sup> Additionally, County residential properties will be limited to only one unit – accessory residential units associated with residential uses will not be allowed.<sup>13</sup> Additive growth that increases development potential without direct exchange for defined community benefit will not be permitted under this plan. Density increases will be performance based,<sup>14</sup> predictable, and designed to achieve the specific community goals defined by the policies of this Principle.<sup>15</sup>

**Additive Growth** increases development potential without a direct exchange for defined community benefit

### Policy 2.1.b: Preserve existing county neighborhoods<sup>16,17</sup>

To residents and visitors alike, the current allowable development pattern of places such as Teton Village, the Aspens, Wilson, and northern South Park are representative of the community's small town, rural character. Additional development potential in these areas would have a greater cost to the neighborhood character they embody than any community benefit it could provide. Development allowances in these areas and other county neighborhoods such as Hoback and Kelly will remain at existing levels, and density bonus incentives will not be allowed in these areas.

<sup>7</sup> Rec 310: (County 5-0, Town 6-0) Revise 1/22/10 rewrite 2.1c, and other areas in Theme 2 to state clearly that increased residential development potential is allowed within Targeted Growth Areas in Town

<sup>8</sup> Rec 150: (County 3-0, Town 2-3) Base property rights in the County should be the minimum level of development.

<sup>9</sup> Rec 134: (County 2-3, Town 0-6) As a concept, include a cumulative growth cap in the Plan.

<sup>10</sup> Rec 234: (County 2-1, Town 3-2) Cap residential development in the Town at existing base allowances unless there is a commensurate reduction in the county or a conversion of non-residential to residential

<sup>11</sup> Rec 121: (County 4-1, Town 3-1) Limit development in the County to current base (by right) zoning with allowance for as yet to be determined incentives for conservation easements through acquisition and the use of PRDs and TDRs

<sup>12</sup> Rec 171: (County 3-2, Town 4-2) Maintain existing potential outside of the areas formerly known as nodes and add PRD options

<sup>13</sup> Rec 153: (County 2-1, Town 3-2) Residential ARUs, in the County should be eliminated.

<sup>14</sup> Rec 130: (County 5-0, Town 7-0) Density bonuses should be performance based.

<sup>15</sup> Rec 124: (County 5-0, Town 6-0) There should be density bonuses for community values.

<sup>16</sup> Rec 147: (County 3-0, Town 6-1) Eliminate Wilson, Aspens, Teton Village, and northern South Park as nodes appropriate for increased development potential

<sup>17</sup> Rec 172: (County 4-1, Town 4-2) Maintenance of the existing residential and nonresidential pattern allowed today is the desired land use pattern in the areas formerly known as nodes

## Policy 2.1.c: Allow residential density bonuses in order to conserve open space<sup>18,19,20,21,22</sup>

Permanent conservation of open space furthers the community's goals of rural character, wildlife habitat, natural resource and scenic vista preservation.<sup>23,24</sup> Because state statute limits the community's ability to reduce rural development, clustered density bonuses will be allowed in exchange for the donation of permanent conservation easements and clustering of development. While conservation of all properties in the unincorporated county is important and encouraged;<sup>25</sup> the community values conservation of large, contiguous open spaces over smaller, disconnected conservation easements.<sup>26</sup> Similarly, Teton County will encourage that development resulting from bonuses be clustered outside of crucial wildlife habitat and scenic corridors, adjacent to existing development.<sup>27,28,29,30,31,32,33,34</sup>

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<sup>18</sup> Rec 121: (County 4-1, Town 3-1) Limit development in the County to current base (by right) zoning with allowance for as yet to be determined incentives for conservation easements through acquisition and the use of PRDs and TDRs

<sup>19</sup> Rec 151: (County 3-0, Town 5-0) Use of on-site PRDs should be included as a policy in the Comp Plan

<sup>20</sup> Rec 167: (County 3-2, Town 5-1) There should not be a policy regarding cumulative PRD potential, development potential will be determined as a function of achieving the stated program objectives as determined above

<sup>21</sup> Rec 152: (County 3-0, Town 2-3) Include a policy limiting the use of on-site PRDs to a maximum multiplier of 3 units per 35 acres

<sup>22</sup> Rec 157: (County 3-2, Town 3-3) Maintain current PRD basis and multipliers

<sup>23</sup> Rec 125: (County 5-0, Town 6-1) There should be density bonuses to incentivize conservation easements for wildlife habitat

<sup>24</sup> Rec 126: (County 5-0, Town 7-0) There should be density bonuses to incentivize conservation easements to protect scenic resources.

<sup>25</sup> Rec 171: (County 3-2, Town 4-2) Maintain existing potential outside of the areas formerly known as nodes and add PRD options

<sup>26</sup> Rec 162: (County 3-2, Town 7-0) Site area (status quo) – larger multiplier for larger sites – should be a basis for the PRD

<sup>27</sup> Rec 163: (County 4-1, Town 4-3) Development location – larger multiplier for clustering on-site of off-site development potential in a desired area should be a basis for the PRD:

- Outside crucial habitat areas (i.e. NRO, certain habitat types)
- Outside scenic areas (i.e. SRO)
- Adjacent to existing development

<sup>28</sup> Rec 159: (County 2-3, Town 2-4) All the bases for PRD multipliers listed in the staff report should be included for consideration in the Plan

<sup>29</sup> Rec 160: (County 1-4, Town 2-5) Direct staff to develop two PRD tools – onsite and offsite – to incent the conservation of high priority lands (as defined by Game and Fish Memo, NRO, SRO) and direct the transfer to more appropriate areas

<sup>30</sup> Rec 164: (County 3-2, Town 2-5) Habitat value – larger multiplier for conservation of higher value habitat (could be determined by EA, NRO mapping, other) – should be a basis for the PRD

<sup>31</sup> Rec 165: (County 1-4, Town 2-4) Scenic value – larger multiplier for conservation of more scenic land – should be a basis for the PRD

<sup>32</sup> Rec 166: (County 1-4, Town 1-5) Property value equity (see 10/30/09 discussion from Ben Read) – multiplier defined on a case-by-case basis for desired transfers, so that development potential in the receiving area is equitable to the development potential of sending areas – should be a basis for the PRD

<sup>33</sup> Rec 144: (County 2-2, Town 1-4) TDRs are a viable option to include in the Plan.

<sup>34</sup> Rec 312: (County 3-0, Town 5-0) Principle 2.1.c from 1/22/10 rewrite: remove the last sentence related to TDR's

## **Policy 2.1.d: Allow additional residential units in exchange for allowed commercial floor area in Town<sup>35, 36</sup>**

The development of commercial floor area in the Town of Jackson generates employees who need housing and consequently creates demand for residential growth. Converting allowed nonresidential floor area to residential floor area addresses both the supply and demand side of this issue without impacting the relationship between the built and natural environment in the Town. Additive floor area will not be offered as incentives for these conversions;<sup>37</sup> however, conversions will be allowed within existing base floor area allowances in targeted growth areas of Town<sup>38</sup> and encouraged to be designed to provide workforce housing.

## **Policy 2.1.e: Allow development of County residential potential in Town<sup>39</sup>**

This Plan promotes conservation of large contiguous open spaces for their wildlife, scenic, and natural resource values as well as the concentration of population in Town as a part of the "Town as Heart of the Region" concept. The most effective way to achieve both of these goals without adding any cumulative development potential is to allow residential units to be built in Town that could otherwise have been built in the County. As mechanisms permit, development potential that could be built in the County will be transferable on a one-to-one basis into targeted growth areas of Town.<sup>40</sup>

## **Policy 2.1.f: Allow housing for critical service providers**

Housing for critical service providers is a priority of the publically funded housing program.<sup>41</sup> Especially in the case of volunteer service providers, having critical service employees located significant distances from their response areas increases response time and reduces the efficiency of service delivery. On-site housing for critical service providers will be allowed as an exception to the cap on residential development.<sup>42</sup>

## **Policy 2.1.g: Promote infill and redevelopment in Town over development in the County**

Transferring county development potential into town incrementally effects the distribution of development at buildout in a positive manner. To have additional positive effect on the development pattern in the short-term, this Plan promotes redevelopment and infill for the town as a trade-off and a preference to leap-frog or sprawling development in the unincorporated county in all possible situations.

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<sup>35</sup> Rec 127: (County 4-1, Town 7-0) There should be density bonuses to incentivize conversion of nonresidential use into residential use

<sup>36</sup> Rec 234: (County 2-1, Town 3-2) Cap residential development in the Town at existing base allowances unless there is a commensurate reduction in the county or a conversion of non-residential to residential

<sup>37</sup> Rec 236: (County 3-0, Town 5-0) Using density bonuses to encourage the conversion of nonresidential use to residential use should be achieved through changes to the FLUP and zoning

<sup>38</sup> Rec 310: (County 5-0, Town 6-0) Revise 1/22/10 rewrite 2.1c, and other areas in Theme 2 to state clearly that increased residential development potential is allowed within Targeted Growth Areas in Town

<sup>39</sup> Rec 234: (County 2-1, Town 3-2) Cap residential development in the Town at existing base allowances (~1780 units) unless there is a commensurate reduction in the county or a conversion of non-residential to residential

<sup>40</sup> Rec 310: (County 5-0, Town 6-0) Revise 1/22/10 rewrite 2.1c, and other areas in Theme 2 to state clearly that increased residential development potential is allowed within Targeted Growth Areas in Town

<sup>41</sup> Rec 349: (County 4-0, Town 6-0) Housing for critical service providers (to be defined later) should be prioritized in our housing program

<sup>42</sup> Rec 348: (County 4-0, Town 6-0) Critical service provider housing should be allowed on-site as an exception to caps on residential development

## Principle 2.2—Maintain nonresidential development potential allowed today<sup>43</sup>

Existing nonresidential development potential will allow the community to have a strong economy throughout the life of this Plan. However, to meet the community's economic sustainability goals additional light industry is appropriate. To meet the community's social, economic, and transportation goals additional local convenience commercial in close proximity to residences is also appropriate.

### Policy 2.2.a: Maintain nonresidential development potential allowed today

The Town and County will each limit their own overall nonresidential development potential to base 2009 levels as defined by the Buildout Taskforce assumptions (see Appendix I),<sup>44,45</sup> except as otherwise allowed in this Principle. Neither the Town nor County will approve expansions of the land area designated for Planned Resorts nor the nonresidential development potential within existing Resorts<sup>46, 47</sup> except as otherwise allowed in this Principle.

### Policy 2.2.b: Promote light industry

Light industrial uses struggle to compete for leasable floor area with industries that need less room and make more money. In order to achieve the economic sustainability described in Theme 5, the Town of Jackson and Teton County will continue to conserve areas for light industrial use and identify additional areas where this use is appropriate.<sup>48,49,50</sup> Additional nonresidential potential for light industry uses in Town will not increase Town nonresidential potential.<sup>51</sup> In addition to indentifying additional areas for light industry use, the County will provide opportunities for light industrial home businesses that fit the character of their residential surroundings

<sup>43</sup> Rec 173: (County 5-0, Town 6-0) County nonresidential development should be addressed in Theme 2

<sup>44</sup> Rec 235: (County 3-0, Town 3-2) Cap nonresidential development in the Town at existing base allowances (~3.6 million sf)

<sup>45</sup> Rec 172: (County 4-1, Town 4-2) Maintenance of the existing residential and nonresidential pattern allowed today is the desired land use pattern in the areas formerly known as nodes

<sup>46</sup> Rec 174: (County 4-1, Town 6-0) There should be no expansion of the land area designated as Resort (Teton Village, Jackson hole Golf and Tennis, Snake Firever Sporting Club (Asotria), Grand Targhee)

<sup>47</sup> Rec 302: (County 3-0, Town 4-0) Recommendation 174 limiting land area expansions of Resorts applying to County Resorts (Teton Village, Golf & Tennis, Snake River Sporting Club, and Grand Targhee) should also apply to Snow King – the only Planned Resort in Town

<sup>48</sup> Rec 179: (County 5-0, Town 4-0) Staff should research and bring back additional light industrial areas for consideration by the Commissions and the public as part of Theme 2

<sup>49</sup> Rec 227: (County 3-0, Town 3-1) Expand the Gregory Lane light industrial area into the state owned (school district) lands to the north. In order to facilitate this, the current sports fields would need to be relocated elsewhere. Along with this expansion the current roadways and other infrastructure would need to be improved.

<sup>50</sup> Rec 306: (County 3-0, Town 4-0) Enabling locations for new light industrial land in 1/22/10 rewrite Policy 2.2.b is adequate; identification of specific locations is an issue to be addressed when the FLUP is discussed

<sup>51</sup> Rec 300: Expansion of light industrial activity in Town must still respect the overall cap on Town nonresidential potential

while allowing for community desired light industrial space.<sup>52</sup> Additional light industry in the County may increase County nonresidential development potential.

### **Policy 2.2.c: Cluster County nonresidential development**

Dispersed nonresidential development throughout the unincorporated County threatens the preservation of existing neighborhoods. Centrally locating County nonresidential development preserves the character of residential neighborhoods and facilitates public transit by clustering destinations of travel. County nonresidential development should be clustered in existing locations where nonresidential character already exists. Existing nonresidential uses that are inconsistent with the surrounding neighborhood character will be encouraged to redevelop in a manner that is more consistent with the community goal of preserving the surrounding neighborhood.<sup>53,54,55</sup>

### **Policy 2.2.d: Encourage local convenience commercial in appropriate areas<sup>56</sup>**

Local convenience commercial in proximity to residential development promotes alternate modes of transportation and increases social interactions in neighborhoods. Reductions in traffic that result from residents being able to walk to services reduce the likelihood of vehicle wildlife collisions and the need for road expansion. The Town will allow local convenience commercial uses to be located in residential areas if such commercial services do not already exist within walking distance and do not increase Town nonresidential potential.<sup>57</sup> The County will preserve existing local convenience commercial opportunities in proximity to residential development as they exist in areas where they already exist.<sup>58,59,60</sup> Within the Planned Resort district at Teton Village an increase in the nonresidential potential for local convenience commercial floor area will be allowed in exchange for the elimination of a commensurate amount of potential lodging or short-term rental floor area.<sup>61,62,63</sup> Additional incentives that do not increase County nonresidential potential will be created for the provision of local convenience commercial within the Planned Resort district at Teton Village.<sup>64,65</sup>

<sup>52</sup> Rec 178: (County 5-0, Town 4-0) Identify Hog Island (highway frontage south of South Park Bridge) as a home business area for light industrial uses by right with sensitivity to the gateway treatment.

<sup>53</sup> Rec 180: (County 5-0, Town 4-0) Nonresidential use outside of the Resorts, Light Industrial areas, and areas formerly identified as nodes should be addressed district by district in the Future Land Use Plan

<sup>54</sup> Rec 181: (County 1-4, Town 3-1) Existing “non-conforming uses” should be encouraged/allowed to be maintained and in some districts expanded to address community character and vitality

<sup>55</sup> Rec 307: (County 1-2, Town 0-5) 1/22/10 rewrite Policy 2.2.c regarding nonresidential uses located in residential neighborhoods is not only applicable to the County but also the Town

<sup>56</sup> Rec 220: (County 3-1, Town 6-0) Revise the definition of an active mixed use neighborhood to be: a ¼ to a ½ mile walking area that generally includes all municipal utilities (water, sewer, and storm sewer), schools, a variety of housing types, and recreational amenities. These areas should also include local convenience commercial where compatible with surrounding neighborhood character and uses. These areas should be connected by full “complete streets” with sidewalks in addition to transit.

<sup>57</sup> Rec 301: (County 3-0, Town 4-0) Allowance for local convenience commercial in mixed-use neighborhoods in Town must still respect the overall cap on Town nonresidential potential

<sup>58</sup> Rec 147: (County 3-0, Town 6-1) Eliminate Wilson, Aspens, Teton Village, and northern Shouth Park as nodes appropriate for increased development potential

<sup>59</sup> Rec 172: (County 4-1, Town 4-2) Maintenance of the existing residential and nonresidential pattern allowed today is the desired land use pattern in the areas formerly known as nodes

<sup>60</sup> Rec 307: (County 1-2, Town 0-5) 1/22/10 rewrite Policy 2.2.c regarding nonresidential uses located in residential neighborhoods is not only applicable to the County but also the Town

<sup>61</sup> Rec 175: (County 4-1, Town 5-0) There should be no expansion of allowed non-residential floor area in designated Resorts unless it is exchanged for residential floor area

### **Policy 2.2.e: Maintain lodging in existing defined areas**

Potential for lodging and short-term rental development is important to the community's tourism economy, but is not consistent with many of the community's existing neighborhoods. Lodging and short-term rental use will continue to be limited to areas within the existing Lodging Overlay in Town and existing Town and County Planned Resorts.<sup>66,67,68</sup> This allows for lodging and short-term rental in areas where guests can access tourist-orientated amenities without a vehicle while protecting the remainder of the community from expansion of tourist related amenities.

### **Principle 2.3—Conservation and development will occur in a predictable pattern with a predictable character<sup>69</sup>**

*The community has expressed a strong desire that this Plan clearly depict what the implications of its policies regarding conservation and development will look like on the ground. Predictability in the location and intensity of development will be achieved through clear definition of both general and locally appropriate character, and continued monitoring of development patterns so that policies and implementation can be modified to best achieve the community's goals.*

### **Policy 2.3.a: Maintain rural character in the unincorporated County<sup>70,71</sup>**

In the unincorporated county the community's goal is to maintain rural character. Rural character is not only defined by development pattern, but also the relationship of the built and natural environment. This ratio is

<sup>62</sup> Rec 303: (County 3-0, Town 4-0) 1/22/10 rewrite Policy 2.2.a allowance for the addition of nonresidential potential in any Resort if a commensurate amount of residential potential is eliminated should only apply to Teton Village

<sup>63</sup> Rec 304: (County 3-0, Town 4-0) 1/22/10 rewrite Policy 2.2.a allowance for the addition of nonresidential potential of in Teton Village if a commensurate amount of residential potential is eliminated should only allow an increase in local convenience commercial for a decrease in lodging or short-term rental

<sup>64</sup> Rec 176: (County 4-1, Town 5-0) In designated Resorts local oriented nonresidential use should be incentivized to reduce the impact on transportation and wildlife.

<sup>65</sup> Rec 305: (County 3-0, Town 4-0) 1/22/10 rewrite Policy 2.2.d incentivization of local convenience commercial in Teton Village must respect the cap on Resort nonresidential development

<sup>66</sup> Rec 224: (County 2-1, Town 5-1) Generally maintain the lodging potential and areas allowed today (existing lodging overlay) for the following purpose: 1) Concentrate lodging in the downtown to preserve the remainder of the Town from lodging 2) Create a pedestrian oriented environment that allows visitors to experience the Town without the need to utilize an automobile 3) Maintain sales tax revenue from lodging uses

<sup>67</sup> Rec 172: (County 4-1, Town 4-2) Maintenance of the existing residential and nonresidential pattern allowed today is the desired land use pattern in the areas formerly known as nodes

<sup>68</sup> Rec 307: (County 1-2, Town 0-5) 1/22/10 rewrite Policy 2.2.c regarding nonresidential uses located in residential neighborhoods is not only applicable to the County but also the Town

<sup>69</sup> Rec 46 (County 4-0, Town 7-0) Focus on a predictable, measurable plan

<sup>70</sup> Rec 183 (County 5-0, Town 4-0) Community Character should maintain a focus on our rural land use character in areas outside of the Town of Jackson as a key principle of the Plan as discussed in the '94 Plan as a ratio of open space to structure

<sup>71</sup> Rec 184 (County 2-3, Town 3-1) Community character should be based partly on bulk, scale and density of future structures being compatible with existing neighborhoods in areas outside of the Town of Jackson

important to wildlife stewardship and limitation of cumulative impacts from development. Throughout Teton County, future development will focus on maintenance of a predominance of the natural environment over the built environment and promotion of areas with no built environment at all. Structure size will continue to be limited as it has been since 1994.<sup>72,73,74</sup>

### **Policy 2.3.b: Fit the contextual scale and design of existing development in Town**

In Town, this Plan promotes conversion of nonresidential floor area into residential, transfer of County potential into the Town, and infill and redevelopment in Town over development in the County.<sup>75</sup> In order for these land use goals to be achieved without negative impacts to community character, development in Town must be consistent with existing contextual scale and design. Theme 3 – Uphold Jackson as “Heart of the Region” – defines the characteristics of areas in Town appropriate for preservation and areas targeted for growth.<sup>76</sup> The Future Land Use Plan more specifically identifies these areas and the character of development appropriate within them.

### **Policy 2.3.c: Balance future conservation and development patterns using the Future Land Use Plan (FLUP)**

The FLUP establishes a predictable guide for land use types and locations based upon the policies of this Plan. The FLUP is a “picture” of the implementation of the policies in this Theme and the other Themes, describing in more detail the location-specific character and implementation appropriate throughout the town and county.<sup>77</sup> Areas identified as appropriate for increased development are the only areas where such requests are appropriate. Areas not identified as appropriate for increased development are intended only for base development or clustered development in association with conservation.<sup>78</sup>

### **Policy 2.3.d: Develop neighborhood plans**

Detailed neighborhood plans should be developed to guide development in Jackson and individual county neighborhoods. The Future Land Use Plan chapter provides more detailed character and implementation direction for each of the various town and county neighborhoods than the general policies of this Theme or Theme 3. However, in some areas more detailed neighborhood plans will be necessary to ensure the successful implementation of community planning efforts.

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<sup>72</sup> Rec 186 (County 4-1, Town 4-0) Community character protection should maintain residential home size limitations (8,000 square feet/10,000 square feet max.)

<sup>73</sup> Rec 185 (County 3-2, Town 2-2) Community character regulation should consider allowing increased home sizes above the existing 8,000/10,000 square foot limit as an incentive to obtain conservation easements

<sup>74</sup> Rec 187 (County 0-5, Town 0-4) Consider further limiting home sizes in areas of critical wildlife habitat

<sup>75</sup> Rec 184 (County 2-3, Town 3-1) Community character should be based partly on bulk, scale and density of future structures being compatible with existing neighborhoods in areas outside of the Town of Jackson

<sup>76</sup> Rec 310: (County 5-0, Town 6-0) Revise 1/22/10 rewrite 2.1c, and other areas in Theme 2 to state clearly that increased residential development potential is allowed within Targeted Growth Areas in Town

<sup>77</sup> Rec 182 (County 5-0, Town 4-0) Community Character should be defined by district as part of the Future Land Use Plan

<sup>78</sup> Rec 147 (County 3-0, Town 6-1) Eliminate Wilson, Aspens, Teton Village, and northern South Park as nodes appropriate for increased development potential

### **Policy 2.3.e: Limit discretion in land use decisions<sup>79,80</sup>**

Discretionary land use regulations and incentives provide flexibility for land owners and the ability for the community to achieve public benefits as opportunities arise, but they do not provide predictability. In the future, discretionary planning tools will be limited. Regulations and incentives will be performance based; where development is not allowed by right, the intent and limits of the incentivized or conditional development will be clearly stated.

### **Policy 2.3.f: Monitor<sup>81</sup> conservation and development annually<sup>82</sup>**

Measuring the realization of the community's vision is critical to ensuring the Plan's effectiveness and predictability. The town and county (with the assistance of other local agencies and organizations) will monitor whether ongoing conservation and growth management efforts are achieving the principles and policies of this Plan, and whether growth and development is occurring consistent with the Future Land Use Plan.<sup>83,84</sup> Indicators in every Theme will be evaluated annually or at five year increments in order for the community to identify successes and failures and propose necessary changes to Plan policies, the FLUP, and/or Plan implementation.<sup>85</sup> The Administration Chapter details the joint town and county process by which all amendments to this Plan and the Future Land Use Plan shall be considered; and includes specific criteria by which all amendments shall be considered to ensure all plan principles and polices are consistent.

## **<sup>86</sup>Principle 2.4—Limit development in naturally hazardous areas**

*Development in hazardous areas threatens the health, safety and welfare of the people inhabiting the development. Steep slopes, poor soils, avalanche chutes, floodplains, dense forests and areas along fault lines offer unique opportunities for interaction with the environment, but when natural events do occur in these areas they can be disastrous.*

### **Policy 2.4.a: Protect development against flooding**

Flooding can cause serious damage to property and threaten public safety. Development in the 100-year floodplain and floodway will be in compliance with the Teton County Floodplain Management Resolution to minimize risks to human safety and to structures.

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<sup>79</sup> Rec 130 (County 5-0, Town 7-0) Density bonuses should be performance based incentives

<sup>80</sup> Rec 131 (County 1-4, Town 4-3) Density bonuses should be discretionary incentives

<sup>81</sup> Rec 75 (County 3-2, Town 6-1) Begin each policy with an action verb

<sup>82</sup> Rec 46 (County 4-0, Town 7-0) Focus on a predictable, measurable plan

<sup>83</sup> Rec 133 (County 3-2, Town 0-6) As a concept, include a rate of growth cap in the Plan

<sup>84</sup> Rec 134 (County 2-3, Town 0-6) As a concept, include a cumulative growth cap in the Plan

<sup>85</sup> Rec 199 (County 4-0, Town 3-1) Conservation alliance 11/12 Action #5: Add language that clearly explains how indicators will be used to draft and amend land development regulations. Language should be added that explains how a science-based monitoring program will be further developed with appropriate agencies and partners. A baseline column, with quantifiable documentation of existing conditions, should be added to all indicator tables in the new Plan.

<sup>86</sup> Rec 47 (County 4-0, Town 7-0) Relocate Principle 1.4 and associated strategies and indicators

### **Policy 2.4.b: Protect development against avalanches and landslides**

An avalanche can easily displace a building or trap occupants inside. Development within 100-year avalanche paths will be limited. Where development does occur within an avalanche path, mitigation measures will be installed. Recent storm events have also shown the destructive power of landslides. Development in potential landslide paths will be avoided or mitigated.

### **Policy 2.4.c: Prohibit development on steep slopes**

Development on steep slopes decreases the stability of the slopes leading to erosion and landslides. In addition, the level of disturbance required to develop steep slopes has a disproportionate impact on natural resources. Slope development also poses difficulties for emergency access. The town and county will prohibit new development on natural slopes of greater than 25%. Development on lesser slopes will be required to employ best management practices<sup>87</sup> in slope stabilization, erosion control, and stormwater management. Impacts will be reduced by minimizing disturbance and adapting development to fit the topography rather than modifying the topography to accommodate development.

### **Policy 2.4.d: Limit development on poor soils**

Development on poor soils threatens the integrity of structures, encourages erosion and landslides, and may cause groundwater contamination if septic systems are used in such areas. Development on poor soils will be avoided.

### **Policy 2.4.e: Protect development against seismic activity**

Teton County is located in a seismically active area. Strict adherence to building code recommendations for the size of seismic events possible in this area will continue.

### **Policy 2.4.f: Protect development against wildfire**

Surrounded by National Forest, private lands throughout Teton County are susceptible to wildfires. The mapped Wildland Urban Interface will continue to be updated and refined and development in such areas will be required to mitigate for wildfire hazard

### **Principle 2.5—A regional perspective should be considered in all local planning decisions**

*A key to successful future growth management in Teton County will be incorporating a regional perspective in all decisions. Decisions made in Teton County have impacts on transportation, natural resources (air, water, wildlife), workforce housing, and waste management throughout the greater region.<sup>88</sup>*

<sup>87</sup> Rec 87 (County 2-2, Town 4-2) Define and clarify “Best Practices” usage throughout document

<sup>88</sup> Rec 132 (County 5-0, Town 6-0) The concept of regionalism should be considered in the Plan pertaining to the impacts our decisions have on transportation, natural resources (air, water, wildlife), workforce housing, and waste management in the greater region

### **Policy 2.5.a: Cooperate with regional communities and agencies on land use decisions**

The ability of the Town of Jackson and Teton County to achieve the priorities of this Plan specifically related to wildlife stewardship, transportation issues, and workforce housing is intertwined with our ability to cooperate and communicate with our neighboring communities, counties, and State and Federal agencies. Specifically, the town and county will need to foster improved cooperation on issues affecting the entire region with Teton County in Idaho and Lincoln County in Wyoming.

### **Policy 2.5.b: Strive not to export impacts on wildlife, housing and transportation to other jurisdictions in the region**

The town and county will consider the impact(s) of all land use decisions on the entire region not just locally. The town and county will work with neighboring jurisdictions and state and federal agencies to develop common goals related to growth management in the region in order to achieve solutions that work to the benefit of all.

### **Policy 2.5.c: Maintain control over our own destiny related to resource stewardship, community well-being, and economy**

In attempting to realize our community vision, the community recognizes that exporting solutions to our issues not only burdens other communities but makes us more reliant on them. We will work to find mutually beneficial solutions for all communities and agencies in the region, but the Town of Jackson and Teton County will also ensure that we are not dependent on other communities in meeting our community's vision.

## **Principle 2.6—Continue intergovernmental coordination to achieve growth management**

*The cornerstone of this Plan is continued coordination between the Town of Jackson, Teton County, and state and federal agencies with shared interests in the region. Coordination is especially critical to address issues that do not stop at political boundaries, such as transportation, development patterns and growth, open space and resource protection, energy consumption, economic development, and efficient provision of necessary facilities and services.*

### **Policy 2.6.a: Continue town/county coordination to address growth management and issues of mutual concern**

This Plan recognizes that Teton County and the Town of Jackson are two jurisdictions with a single vision. They will continue coordinated efforts to implement this Plan's principles and policies to address issues related to:

- Natural resource conservation;
- Growth and development (including annexation criteria);
- Workforce housing;
- Transportation;
- Open space and trails;

- Energy conservation;<sup>89</sup> and
- Other issues of mutual interest.

### **Policy 2.6.b: Coordinate with state and federal agencies to implement this Plan**

The Town of Jackson and Teton County will continue to coordinate with state and federal government and their various agencies to implement the aims of this Plan and shared interests.

### **Policy 2.6.c: Do not make land use decisions for revenue purposes**

Commercial sales tax is a major revenue source for both local governments, and these funds are distributed on a per capita basis; however, the Town of Jackson and Teton County should undertake local land use planning based on the goals of this Plan rather than to capture a greater revenue share.

### **Policy 2.6.d: Adopt and use annexation criteria to guide appropriate town expansion**

The Town of Jackson will consider cooperative annexations of county properties based upon consideration of the following criteria:

- The property is a logical extension of town;
- The property could be adequately served by utilities, police, fire, and road maintenance;
- If property is in the NRO it will remain as such; and
- All public improvements off-site and on-site will be constructed and financed in accordance with town standards.

## **Strategies<sup>90</sup>**

The Town of Jackson and Teton County will undertake the following strategies to implement the policies of this theme. The town and county should periodically update strategies as tasks are completed or when additional action is necessary, based on monitoring of the Theme's indicators.

### **Strategy 2.1: Amend Land Development Regulations and Zoning Maps to be consistent with the Future Land Use Plan and Policies of this Theme**

- Update Town and County residential zoning and development allowances
  - Retain base zoning allowances
  - Allow density increases for critical service worker housing
  - Create regulations for transferring units from the County into Town
  - Create regulations for converting nonresidential potential into residential potential in Town
  - Rewrite Planned Residential Development (PRD) tool based on Policy 2.1.c criteria
  - Prohibit density increases other than the PRD in the County
  - Prohibit Accessory Residential Units associated with residential development in the County
- Update Town nonresidential zoning and development allowances
  - Retain base zoning allowances

<sup>89</sup> Rec 50 (County 4-0, Town 7-0) Add a Theme: Energy Conservation – and have Staff compile principles and policies that belong in the new theme and relocate Principle 1.3 into the new theme

<sup>90</sup> Rec 188 (County 5-0, Town 4-0) Direct staff to revise Theme 2 strategies and indicators to reflect the revisions to the text of the chapter with indicator goals reflecting policy not the Future Land Use Plan

- Prohibit nonresidential development potential increases in Town
- Identify locations for additional light industry in Town and reduce the nonresidential development potential in other areas to accommodate
- Identify appropriate locations for local convenience commercial in Town and reduce the nonresidential development potential in other areas to accommodate
- Update County nonresidential zoning and development allowances
- Retain base zoning allowances
- Identify appropriate locations for additional light industry in the County
- Create regulations and incentives for the development of light industry home businesses in appropriate locations in the County.
- Remove barriers and create incentives where appropriate for the location of local convenience commercial in the Town of Jackson and County Resorts

#### **<sup>91</sup>Strategy 2.2: Map natural hazard areas**

- Study and map avalanche and landslide areas.
- Update and refine the Urban Wildland Interface maps.
- Update steep slopes maps.

#### **Strategy 2.3: Support Joint Efforts and Intergovernmental Cooperation**

- Consider a joint town and county staff person to monitor the Comprehensive Plan Indicators and implementation of its vision, principles, policies, and strategies.
- Coordinate with governmental and non-governmental agencies and members of the community to implement the Comprehensive Plan in a mutually-beneficial manner.

## **Indicators<sup>92</sup>**

The community will use<sup>93</sup> the following indicators to monitor achievement of this theme's values. Planning staff will compile the best available data from any appropriate agencies on each indicator in the period stated below and present the methods and results to the public and appointed and elected officials as detailed in the Administration chapter of this Plan. With indicator data as a guide, amendments to Plan policy or implementation may be pursued.<sup>94</sup>

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<sup>91</sup> Rec 47 (County 4-0, Town 7-0) Relocate Principle 1.4 and associated strategies and indicators

<sup>92</sup> Rec 188 (County 5-0, Town 4-0) Direct staff to revise Theme 2 strategies and indicators to reflect the revisions to the text of the chapter with indicator goals reflecting policy not the Future Land Use Plan

<sup>93</sup> Rec 139 (County 2-3, Town 4-1) Under "indicators" heading in all Themes: change "will use" to "should consider using"

<sup>94</sup> Rec 199 (County 4-0, Town 3-1) Conservation alliance 11/12 Action #5: Add language that clearly explains how indicators will be used to draft and amend land development regulations. Language should be added that explains how a science-based monitoring program will be further developed with appropriate agencies and partners. A baseline column, with quantifiable documentation of existing conditions, should be added to all indicator tables in the new Plan.

Responsible Growth Indicators	Baseline <sup>95</sup>	Goal	Review Period
1. Residential and non-residential development and redevelopment by district	Appendix I	Consistent with Plan policy	1 yr
2. 10 year rate of residential and nonresidential growth by jurisdiction		Consistent with historical trends	1 yr
3. Acres conserved per PRD development	48 ac. (2008)	increase	1 yr
4. % of PRD units added in the NRO or SRO	76% (2007)	decrease	1 yr
5. % of floor area allowed for residential or nonresidential use that is used residentially		increase	5 yr
6. Local light industrial opportunities		increase	1 yr
7. Local convenience commercial opportunities in mixed-use neighborhoods		decreased ADT	5 yr
8. Average size of a home under construction by jurisdiction		no increase	1 yr
9. Length of land use decision making process		decrease	1 yr

<sup>95</sup> Rec 199 (County 4-0, Town 3-1) Conservation alliance 11/12 Action #5: Add language that clearly explains how indicators will be used to draft and amend land development regulations. Language should be added that explains how a science-based monitoring program will be further developed with appropriate agencies and partners. A baseline column, with quantifiable documentation of existing conditions, should be added to all indicator tables in the new Plan.

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