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C L A R I O N

MEMORANDUM

To: Teton County Board of Commissioners

From: Clarion Associates

Date: October 12, 2007

RE: Planned Unit Development Audit

This document includes Clarion Associates' audit of the Teton County Idaho Planned Unit Development (PUD) Ordinance (Title 9, Chapter 7 of the Teton County Code), as well as other portions of the subdivision regulations, the Teton County zoning regulation, and the comprehensive plan as they relate to PUDs. It is intended to serve as a baseline document for use by the Board of County Commissioners, the Planning and Zoning Commission, and the PUD Working Group appointed by the Board to identify issues and suggest directions for future revisions to the PUD. We recommend that this document be made available to the public.

Because the detailed audit document is quite lengthy, we have placed it in an appendix to this document. We recommend that readers review Part I (Introduction) and Part II (Possible Areas for Improvement) as a background to the PUD Working Group's effort improve the operation of PUDs in Teton County. Those who would like a more detailed review of section-by-section audit findings should read the appendix.

In general, we recommend that the work of the PUD Working Group be organized to address the issues identified in Part II of this memorandum. However, if stakeholders or members of the public identify additional issues and the Working Group agrees that those issues should be addressed, then the Working Group's agenda could be expanded to cover those issues.

In organizing an audit of existing policies and regulations, the first question to ask is "an audit against what?" Shortcomings, gaps, and inconsistencies in one set of documents can only be identified by comparing them to other documents addressing similar issues. In this case, we have audited Teton County's regulations applicable to PUDs against:

- **The Teton County Comprehensive Plan.** We evaluated whether the PUD regulations reflect the intent and requirements of the comprehensive plan and whether they include adequate tools to implement the comprehensive plan in proposed new development.

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- **Those Principles of Smart Growth that are meaningful in smaller, rural counties.** Although many principles of Smart Growth are inapplicable or very difficult to apply in rural counties (such as light rail transit-oriented development and vertically mixed land uses), other principles do apply (such as preserving farmland, directing growth to cities, and offering a variety of housing choices). While there is no legal requirement that zoning or PUD regulations reflect Smart Growth approaches, it often advances understanding of zoning issues to discuss whether or not they should apply.

As noted above, this document is organized into a background discussion of PUDs in general and discussion of possible improvements. The list of possible improvements in Part II does not reflect Clarion's recommendations, but a list of areas from which the PUD Working Group can choose those changes that would make the most difference to the future of Teton County.

I. Background

A. The Purpose of Planned Unit Developments

Planned Unit Developments are essentially negotiated zoning "deals" that supersede the zoning and subdivision regulations that would otherwise apply to each piece of property. They were originally designed to insert flexibility into the zoning and subdivision process – usually by allowing smaller lots or greater density/intensity of development in return for the provision of additional development quality or community amenities. This increased development quality could mean more open space, better located open space, more landscaping and buffering, higher building design standards, more resource conservation or environmental protection, or almost anything that the local government wanted to encourage. PUDs are essentially a license to seek a deal that will give landowners more of what they want in return for giving the county more of what it wants.

This is an important point – basic levels of development quality are generally included in standards zoning districts or subdivision regulations (or sometimes in freestanding environmental or design regulations). PUDs were not designed to allow flexibility to applicants who only intended to meet those baseline standards – they were intended to be used when applicants were willing to do more than the baseline requirements in return for flexibility in other areas.

Teton County's PUD regulation is consistent with this approach in that it offers higher density development in return for amounts of open space in excess of what would otherwise be required. However, the current regulations address some of these issues in fairly general ways, and with relatively few objective standards to guide decision-makers. The draft "Gateway" PUD regulation is also consistent with the approach, although it aims to broaden the list of benefits to the county beyond just additional open space to address the identification and protection of existing conditions and natural resources (including slopes and soil types; natural drainage channels; vegetative cover types; view corridors/scenic features; wildlife corridors, feeding areas, fencing, and other wildlife issues; water quality/wetland areas, floodplains, floodways; and other unique site characteristics). Both the current regulations and the draft Gateway PUD ordinance also address allow "incidental land uses", which are defined as "incidental components which are inconsistent with the underlying land use zones".

B. Common Structure of PUD Regulations

Commonly, PUD regulations are structured to address both issues of design and development quality and community benefits (discussed above) and issues of procedure (application, review, approval, and amendment). More specifically, PUD ordinances usually cover the following topics:

1. Purpose Statement (for each type of PUD)
2. Definition of Terms (if necessary – these should ideally be integrated into the definitions section of the zoning or subdivision ordinance)
3. Procedures
 - a. Application (including a requirement to identify/map natural resources and sensitive lands, and a determination of completeness before processing)
 - b. Stages of approval (some require a concept approval and/or a general plan approval before the final plan approval)
 - c. Requirements for evaluating impacts of the proposed development (for example, traffic, water, drainage, sensitive lands, fiscal, scenic, and wildlife impacts) and to propose mitigation of those impacts as part of the application.
 - d. Criteria for review and approval / findings required for approval
 - e. Documents required to protect open space (if necessary)
 - f. Development agreement to govern phasing, timing, improvements, or contributions of land or facilities
 - g. Future amendments
4. Permitted Uses

Many PUDs do not change the permitted or conditional uses available to landowners under their existing base zoning, but when uses are allowed to vary the ordinance needs to address that topic
5. Density / Intensity / Open Space
 - a. Maximum density / intensity permitted
 - b. Open space or amenities required to earn density
 - c. Rural clustering standards (if applicable)
6. Design and Development Standards
 - a. Waivers of base development standards (lot sizes, height, setbacks, parking, etc.) in return for additional community amenities or quality.
 - b. Sensitive land / natural resources standards (which may include wetland and riparian setbacks, water quality protection, steep slope regulations, wildfire regulations, wildlife habitat and corridor protection, defined view corridors, color controls to reduce visibility and site planning criteria governing placement of the home on the site)
 - c. Landscaping / fencing / parking / sign controls
 - d. Community amenities that should or must be included in order for waivers of development standards to apply, which can include road improvements,

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- habitat protection or enhancement, contributions to public services or facilities, community centers, trails, etc.)
 - e. Infrastructure standards (if different than other forms of development)

The Teton County PUD ordinance (Title 9, Chapter 7 of the County Code) generally addresses topics 1 (Purposes) and 5 (Density/Intensity/Open Space). Topics 2 (Definitions) and 3 (Procedures) are covered elsewhere in the subdivision regulations – which is not surprising, since PUDs are a form of subdivision in Teton County. Topics 4 (Permitted Uses) and 6 (Design and Development Standards) are covered partly in the zoning regulations and partly in the subdivision regulations.

Taken as a whole, however, the Teton County PUD regulations are fairly weak. Although they generally address basic areas of PUD regulation, they offer very few specifics of what additional quality or community amenities the county needs to receive in return for use of the PUD tool. In fact, the only significant amenity is additional open space. As noted in the structure outline above, many communities require and receive more community benefits in return for these discretionary approvals. As the materials in section II and the Appendix illustrate, there is plenty of favorable intent language that would support regulations and incentives to achieve other comprehensive plan goals, but very few specific lists, objective standards, or detailed criteria that PUD applications need to meet. Given that most of Teton County's development occurs through the PUD process, it is very important that this tool be strengthened.

C. PUDs Located in Subdivision Regulations

Most cities and counties place their regulations within their zoning regulations, but Teton County has chosen to locate them in the subdivision regulations. There is nothing wrong with this approach, however. PUDs have always had a part-zoning-and-part-subdivision character. They often include provisions related to (1) density/intensity of development (normally a zoning matter), (2) open space (which can be covered in either zoning or subdivision), and (3) development/environmental standards (which can also be covered in either zoning or subdivision). Where PUD regulations appear in the zoning regulations they make clear that the subdivision regulations are modified as required to implement the negotiated "deal". Similarly, it is clear that Teton County's intent is that a PUD approved under the subdivision regulations also modifies the zoning that would otherwise apply to the property (although it may be wise to state this more explicitly). Indeed, the permitted density/intensity of development could not be altered unless Teton County's "density-based" subdivision regulations were effective to modify the A/RR-2.5 and A-20 density limits.

D. Heavy Use of PUDs in Teton County

PUDs are very heavily used in Teton County. In fact a greater percentage of potential development sites are processed through the PUD process in Teton County than in almost any jurisdiction where Clarion has worked. Although the county zoning regulations list nine different zoning districts available for use, it appears that virtually all development in the county occurs in just two zones (A/RR 2.5 and A-20). Creating new building sites in those two zones occurs through either the standard subdivision process (Title 9 of the Teton County Code) or through the PUD approach to subdivision described in Chapter 7 of the subdivision regulations. More than half of the platting in the county takes place through the PUD process rather than through

“standard” subdivisions. Three different types of PUDs are available – (1) RCI (Residential-Commercial-Industrial), (2) Small, and (3) Density-Based. Virtually all PUD development applications, however, are in the Density-Based PUD category.

The dominant role of PUDs in development proposals in Teton County is summarized in Table 1 below.

Teton County Land Divisions by Type and Acreage										
Type	A20			A2.5			Other			Total
	Pre-2002	2002-2007	Sub-Total	Pre-2002	2002-2007	Sub-Total	Pre-2002	2002-2007	Sub-Total	
Townsite	0	0	0	100	41	141	323	251	574	715
Small Subdivision	319	40	359	357	88	445	278	98	376	1180
Std. Subdivision	223	354	577	6546	4542	11088	1750	980	2730	14395
PUD	38	5982	6020	432	1155	1587	63	192	255	7862
Total	580	6377	6957	7435	5826	13260	2415	1521	3936	24152

A second way to look at this data is to look at each cell as a percentage of all the activity in that zone district. That data is reflected below.

Teton County Land Divisions by Type as a Percent of all Land Division Acreage										
Type	A20			A2.5			Other			Total
	Pre-2002	2002-2007	Sub-Total	Pre-2002	2002-2007	Sub-Total	Pre-2002	2002-2007	Sub-Total	
Townsite	0	0	0	1	0	1	8	6	14	
Small Subdivision	5	1	6	3	1	4	7	2	9	
Std. Subdivision	3	5	8	49	34	83	44	26	70	
PUD	1	85	86	3	9	12	2	5	7	
Total	9	91	100	56	44	100	61	39	100	

The above two tables show that the most common form of land division over time has been standard subdivisions. Standard subdivisions are responsible for 59% of the acreage divided over time (14,395 out of a total of 24,152 acres divided). However, most of this activity has been in the A-2.5 and “other” zone districts – 83% of A-2.5 land divisions and 70% of “other” zone district divisions have been through the standard subdivision process. And most of the land divided has been in the A-2.5 and “other” categories (17,196 out of 24,152 acres).

In the A-20 zone district, in contrast, a full 86% of land divisions have been through the PUD process. Overall, A-20 divisions represent 29% of all acreage divided so far (6,957 out of 24,152 acres), but the vast majority of those acres have been divided through the PUD process. These numbers are skewed, however, by the large size of the River Run development, which is responsible for the vast majority of PUD activity in the A-20 zone district. River Run by itself accounts for about 23% of the acreage divided so far.

If we focus on experience in the last five years, these two tables also show that use of PUDs is increasing in almost all categories. In spite of the fact that standard subdivisions have been heavily used in the A-2.5 and “other” zone districts, during the last five years almost three times as many acres of A-2.5 land and “other” land have been divided through PUDs than through

standard subdivisions. When we compare pre-2002 activity to 2002-2007 activity, the percentage of acres divided through the PUD process rose from 6% to 20% in A-2.5, from 3% to 13% in “other” zoned land, and from 7% to 94% in A-20.

This tendency towards heavier use of the PUD mechanism is confirmed by an analysis of pending subdivision applications. Teton County currently has applications pending for subdivision of about 1,400 acres of land, and 40% of that acreage is being divided through the PUD process. Approximately 200 acres of the pending divisions are in the A-20 zone district, and 100% of those applications are using the PUD process. A full 34% of the A-2.5 zone district proposals are PUD applications.

It is very unusual to see PUDs used to this extent. The norm is for PUDs to be used as exceptions rather than as the predominant form of development. In some counties, the heavy use of PUDs might indicate that the requirements for “standard” subdivision are onerous or unworkable. However, Teton County’s standard subdivision provisions are in fact fairly simple, and the fairly high level of standard subdivision activity confirms that the standard tools are not being avoided. Rather it appears that the PUD ordinance is being used primarily because it offers very significant additional density and the opportunity for clustering that density through the investment of very little additional time and expense and without the need for significant additional analysis, quality, or community amenities.

The heavy use of Teton County’s high reliance on PUDs as a vehicle for development approval makes it even more important that the PUD does a good job of implementing the comprehensive plan (if it does not, then there is almost no chance of the comprehensive plan being implemented).

E. Comments from Stakeholders and the Public

Prior to Clarion Associates’ first visit to Teton County, we circulated a questionnaire asking general questions about what was right and wrong with the Teton County development regulations. That questionnaire did not focus on PUDs, but allowed for responses to address PUD issues. We have now received numerous completed questionnaires (as well as some thoughtful longer letters addressing the questionnaire issues). Several comments addressed either PUDs or issues related to PUDs. Some of the more representative comments are summarized below.

- Standards and definitions are “not quite clear enough in the PUD development criteria”
- “PUD seems like only avenue of development being sought lately and its density too vague”
- Environmental assessments and regulations need to be clarified so all info there for review about environmental issues which affect us all.”
- “PUD ordinance is too vague on open space and incidental uses.”
- “Densities are too high in rural areas and need to be reduced.”
- “The current PUD lacks clear language about agricultural uses, wildlife habitat, and cost of services.”
- “The current PUD does not create an incentive for good design and appropriate density.
- Substantive standards are “too vague – using open space which doesn’t seem like open space to me to gain a density bonus.”

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- Substantive standards are “not rigid enough – what about protecting scenic and environmental resources
 - “County and city infrastructure must be a consideration as the valley grows. How are we to pay for roads, clean water, and all other issues of a rural community?”
 - “I am particularly alarmed at the open space descriptions including spaces such as between houses when we should be considering animal habitat.”
 - “The standards and definitions in the code are sufficiently clear and specific to any reader who wants to read the code.”
 - “The code is clear and criteria are clearly spelled out for approval of all applications that have to do with land use issues.”
 - “The code is not too rigid. The comprehensive plan and the ordinance actually strike a balance between being too rigid and too loose.”
 - “Water law, wildlife law, air quality law are all either the domain of the State or Federal Government. The only thing the county can do is follow the procedures set out by these government entities.”
 - “The problem [with the PUD] is not the process. It is the densities in the county ordinances.”

II. Possible Areas for Improvement

This section of the memorandum contains a summary of the detailed audit findings shown in the appendix. To identify areas for possible PUD improvements, Clarion Associates reviewed all relevant policies and actions in the comprehensive plan against the existing county regulations applicable to PUD applications, review, and approval. In addition, we identified Smart Growth principles applicable and relevant to rural counties and compared those principles to the existing county regulations applicable to PUDs. The result is a very lengthy and very detailed listing of each instance where a policy, action, or principle is either reflected or not reflected in the county regulations – and that is found in the appendix. We then summarized those lists by consolidating all the comments related to the strength or weakness of an existing Teton County regulation (or a finding that there were no applicable regulations) in this section of the report. This section II contains the same basic information contained in the Appendix, but is reorganized by Teton County code sections rather than by comprehensive plan policies or Smart Growth principles.

We emphasize that Clarion Associates is not recommending that Teton County make all of the changes listed in the table below. The list is included to help focus attention on specific regulations and possible improvements, but discussions about which ones make sense for Teton County should occur in the PUD Working Group, with the final decision being made by the Board of County Commissioners.

The detailed audit findings in the appendix show that the Teton County Comprehensive Plan includes a wide variety of policies and implementation actions intended to guide PUD decisions. The implementation actions range from studies to be completed -- to ordinances to be drafted or adopted – to factors to be considered in planning and development review. The appendix material also shows that there is significant overlap between those principles of Smart Growth applicable to rural counties and the policies and actions endorsed by the comprehensive plan. While there are several principles of Smart Growth already reflected in the plan (such as the

policy of directing higher density growth towards existing cities), several others are mentioned only briefly (such as mixed use) or not at all (such as distinctive, walkable communities).

While several interviewees recommended that the Teton County Comprehensive Plan be strengthened in different areas, and others stated that more detailed provisions suggested by the comprehensive plan study groups should have been included in the plan itself, those recommendations are beyond the scope of this Audit. Our primary focus is on whether the goals and policies of the comprehensive plan relevant to PUDs are being implemented by the Teton County Code – and particularly in the zoning ordinance and subdivision ordinance. Our secondary focus is on whether those general principles of Smart Growth applicable to rural counties and consistent with the comprehensive plan are being implemented by the Teton County Code.

Our conclusion is that the county's PUD regulations are fairly weak and that there are many areas where guidance in the comprehensive plan and principles of Smart Growth are not being implemented effectively in the PUD process, including:

- Comprehensive plan policies that are not reflected in zoning and subdivision regulations;
- Intent statements in the zoning and subdivision chapters that are not reflected in substantive regulations;
- Zoning and subdivision regulations that lack the level of detail or objective standards necessary to guide the review and decision-making of the Planning Director, the Planning and Zoning Commission or the Board of County Commissioners; and
- Specific new ordinances or ordinance amendments called for in the comprehensive plan that have not yet been drafted.

Over the past year, several landowners and citizens in Teton County have devoted time and thought to some of these issues, especially as they related to the Gateway area – generally the areas zoned A-20 located in the northwest part of the valley. The result of their efforts was a draft “Gateway PUD” ordinance that was submitted to the Planning and Zoning Commission for review and then to the Board of County Commissioners for action. While the draft Gateway PUD ordinance addresses many more comprehensive plan policies than the existing zoning and subdivision regulations related to PUDs, the level of detail and the specificity of standards and guidelines in that draft are generally not adequate to guide decision-making on specific applications. While the draft document identifies standards (intended to be binding) and guidelines (intended to be advisory), some of the standards are not objective or measurable, and some of the guidelines are too vague to give objective guidance (such as “promote sensitively scaled structures”). In general, our recommendation is to use the draft Gateway PUD ordinance as a source of information about intentions for rural PUDs in at least part of the county and then work to refine the standards and guidelines to be more objective and effective.

The appendix materials make clear that many of the comprehensive plan policies and implementation actions have overlapping content (i.e., some of the land use policies are very similar to the natural resource policies). Just as importantly, many existing zoning and subdivision regulations could – if strengthened – help implement more than one comprehensive plan policy. Since improvements to some regulations may help achieve several important plan policies, it is important to identify those regulations where improvements would make the most difference. Our recommended areas for improvement are summarized in the table below.

The table covers not only regulations contained in the PUD section (Title 9 of Chapter 7), but also regulations contained elsewhere in the subdivision regulations and zoning ordinance that are applied to PUD applications, reviews, and decisions.

Possible Areas for Improvement in PUD-Related Regulations		
1. Revisions to Existing Zoning/Subdivision/PUD Regulations	Possible Improvements	Would Implement Policies on (CP=Comp Plan) (SG=Smart Growth)
<p>Chapter 7: Areas of City Impact Provides separate rules for application of zoning and subdivision regulations in Areas of City Impact for Victor, Driggs, and Tetonia; but the requirement that the “more restrictive provision governs” may require non-urban densities in ACI areas.</p>	<p>This chapter is not very effective at encouraging higher density growth near cities. Draft standards that allow higher densities in ACI areas and application of city zoning and subdivision standards in those areas.</p>	<p>CP-Land Use CP-Housing SG-Direct Growth</p>
<p>8-5-2-B: HS (Hillside) Overlay Limits height to 25 ft. for lands designated on map 4 unless a cluster is approved; requires PUD approval for all applications on land with slope greater than 15%. Allows PZC and county engineer to determine location and number of units, but does not provide standards. Provisions do not match 9-6-4 (Hillside PUDs), and unclear whether either area is mapped.</p>	<p>Confirm that affected areas are mapped and consistent.</p> <p>Remove height limits and incorporate them in strengthened skyline development controls.</p> <p>Draft more objective standards and tailor them to specific hazard conditions.</p> <p>Integrate 8-5-2 and 9-6-4.</p>	<p>CP-Hazardous Areas SG-Preservation</p>
<p>8-5-2-C: WL (Wetlands) Overlay Applies to mapped lands within 400 feet of 20 listed water bodies. Provides that development may occur with approval of Corps of Engineers and District 7 Health, but open space may be required, setbacks must be met, and clustering is recommended. Applicants for lands along Teton River must do a PUD, and clustering is required if necessary to preserve critical open space. Does not cross-reference nutrient pathogen ordinance or provide development standards.</p>	<p>Confirm that maps of affected are up-to-date, and they include known wetlands more than 400 feet from listed water body.</p> <p>Cross-referenced and ensure consistency with maps referenced in 9-6-3- Nutrient Pathogen Study ordinance.</p> <p>Draft objective standards for water body setbacks.</p> <p>Clarify whether clustering requirements only applies to land along Teton River</p>	<p>CP-Natural Resources CP-Community Design SG-Preservation</p>
<p>8-5-2-D: SC (Scenic) Overlay Scenic overlay district applies to highways 31, 32, 33 and Ski Hill Rd to a depth of 330 ft. with 50 ft. setback. Allows development review so that new development does not conflict with comprehensive plan and does not impair investment in and occupation of facilities in the scenic corridor. Broad and open-ended list of factors includes</p>	<p>Goal of scenic corridor regulation should be to protect views for all residents and visitors – not just to avoid impairment of investment.</p> <p>Scenic corridors need to be redefined to identify defined views from defined locations in order to protect rural/scenic images of the county.</p>	<p>CP-Natural Resources CP-Transportation CP-Community Design</p>

Possible Areas for Improvement in PUD-Related Regulations

landscaping, site layout, and effect of sensitive areas – but no objective standards	Objective standards should be developed to guide location, appearance, and buffering of development within the defined corridors.	
9-1-3-E: Purposes of Subdivision Subdivision purpose statement does not mention availability or adequacy of schools, but does mention drainage (the zoning purpose statement in 8-1-3 mentions schools but not drainage)	Make 8-1-3 and 9-1-3 purpose statements parallel to cover all potential public service and facility impacts. Draft objective standards for mitigation required at different levels of impact	CP-Schools
9-2-2: Definition of Riparian Area Riparian areas are comprised of vegetative and wildlife areas adjacent to perennial and intermittent streams and creeks and the Teton River.	Strengthen definition to parallel state and federal law definitions.	CP-Natural Resources CP-Hazardous Areas
9-2-2: Definition of Committee This regulation authorizes appointment of a committee to provide technical review on 10 different topics, but the list does not include scenic views or wildlife habitat.	Revise definition to include expertise in scenic views and wildlife habitat.	CP-Land Use CP-Natural Resources CP-Community Design SG-Preservation
9-4-4-B: Street and Road Locations Requires that roads be in property relation to topography of the site	Draft objective standards for road design on different degrees of slope	CP-Hazardous Areas CP-Community Design SG-Preservation
9-5-2-B: Road Improvement Standards Requires that developer pay for street improvements “adjacent and required” by development.	Clarify whether this includes obligation to improve non-adjacent streets where need for improvements is caused by applicant’s development	CP-Transportation SG-Direct Growth SG-Compact Growth
9-5-2-D: Bicycle Path Improvement Standards Authorizes the county to require bike paths with or separated from roadways, but does not provide standards.	Draft objective standards for when on-street and off-street bike paths will be required.	CP-Transportation CP-Recreation
9-5-2-F: Drainage Improvement Standards Requires that subdivisions have “an adequate drainage system but does not provide objective standards as to what is adequate.	Draft objective standards for drainage systems to protect streams, wetlands, and water quality	CP-Land Use CP-Natural Resources
9-5-2-G: Water and Sewer Improvement Standards Requires that subdivision water and sewer systems meet applicable regulations of state, district 7 health, and DEQ (if any) for water and sewer systems. Only	Draft objective standards to require central water and/or sewer systems for PUDs above threshold sizes and/or densities.	CP-Land Use CP-Natural Resources SG-Compact Growth
9-6-2 Large Subdivisions Subdivisions with 6 or more lots must submit information on public services to be provided, estimated tax revenues to be generated, suggested means of financing	Draft objective standards for mitigation required at different levels of impact.	CP-Schools CP-Public Services CP-Transportation SG-Direct Growth SG--Compact Growth

Possible Areas for Improvement in PUD-Related Regulations

<p>services if not covered by taxes, and impact analysis on public facilities.</p>		
<p>9-6-3-B: Areas of Critical Concern Provides that hazardous or unique areas “may” be designated on comprehensive plan map 5. For lands shown on map 5, applicant must prepare a natural resources inventory; evaluate impacts on natural resources, aesthetics & water quality; proposed methods to mitigate impacts; and identify unavoidable impacts. The term “natural resources” is not defined. [Draft Gateway PUD language defines natural resources and expands review, and requires mitigation, but does not provide standards]</p>	<p>Draft a definition of natural resources covered.</p> <p>Require (rather than allow) listing of areas of critical concern.</p> <p>Draft objective standards for mitigation required at different levels of impact</p>	<p>CP-Natural Resources CP-Hazardous Areas CP-Public Services SG-Preservation</p>
<p>9-6-4: Hillside Subdivisions and PUDs Requires consideration of 10 factors in approval of hillside subdivisions, but does not provide objective standards for approval, denial, or mitigation. Definition of skyline is weak – skylines must be defined as viewed from a defined location. Unclear whether provisions are consistent with 8-5-2-B HS overlay provisions.</p>	<p>Draft objective standards for mitigation required at different levels of impact.</p> <p>Ensure consistency with zoning hillside overlay standards in 8-5-2-B</p> <p>Improve definition of skyline/ridgeline development for 9-2-2 (definitions).</p>	<p>CP-Land Use CP-Hazardous Areas SG-Preservation</p>
<p>9-6-5: Floodplain Subdivisions and PUDs Lists application requirements for land shown on comprehensive plan map 8 Establishes performance standards and authorizes Board to limit development to safe areas.</p>	<p>Draft objective standards to implement performance standards.</p>	<p>CP-Natural Resources</p>
<p>9-7-6: PUD Densities and Open Space Establishes densities and open space requirements for Density-Based and RCI PUDs. Densities are high for rural areas, and open space requirements relatively low for rural areas. Board has authority to approve open space provided. [Draft Gateway PUD provides an alternative approach, but densities still fairly high].</p>	<p>Revise PUD densities and open space requirements to better reflect the rural character of the county, the policy to locate higher density developments near cities, and to protect scenic views and natural resources. Gateway PUD draft contains some language to be considered.</p>	<p>CP-Land Use CP-Natural Resources CP-Community Design SG—Preservation SG—Housing</p>
<p>9-7-7: PUD Location of Open Space States that PUD open space shall generally be located on-site (unless Board approves off-site) and is encouraged to be contiguous with existing adjacent open space, but does not provide open space location standards. 9-7-2 PUD intent statement includes minimizing impacts on farming, but that is not reflected in open space location criteria. [Draft Gateway PUD provides better standards]</p>	<p>Draft objective standards for location of open space to reinforce comprehensive plan goals to protect farming, scenic view corridors, rural character, habitat areas, and stream corridors and wetlands.</p>	<p>CP-Land Use CP-Natural Resources CP-Community Design SG-Preserve SG-Housing</p>
<p>9-7-9: PUD Clustering Describes clustering (allowing smaller</p>	<p>Draft objective standards for rural clustering to protect farming, protect</p>	<p>CP-Land Use CP-Natural Resources</p>

Possible Areas for Improvement in PUD-Related Regulations		
individual lots in return for more common open space) and states that PUD units should ordinarily be clustered but does not provide development standards for clusters. 9-7-2-F PUD purpose statement includes compact development patterns, but that is not reflected in the clustering regulations. [Draft Gateway PUD provides better guidelines on this topic, but not standards].	scenic view corridors, protect habitat areas and migration corridors, and protect stream corridors and wetlands, and prevent skyline development. Consider mandatory clustering requirements.	CP-Community Design SG-Compact Growth
2. Drafting of New Zoning/Subdivision Regulations	Possible Improvements	Would Implement Policies on
Property Rights The policy statement is not reflected in specific standards or regulations to protect against unauthorized "takings" of property rights.	Draft "beneficial use determination" procedure to provide administrative remedy if application of regulations inadvertently results in potential taking of private property.	CP-Property Rights
Economic Development Policies emphasize the importance of Grand Targhee resort expansion and generation of jobs in general, but do not provide specific standards or criteria for evaluating commercial and industrial applications.	Draft objective standards and criteria for evaluation of economic benefits and location of applications for commercial and industrial uses.	CP-Economic Development
Development Impacts 8-1-3-A zoning purpose statement includes avoiding adverse impacts on and public expenses for water, sewer, public safety, emergency services, and educational facilities. 9-1-3-D and 9-1-3-E subdivision purpose statements include providing adequate water, transportation, drainage, and sewer facilities and avoiding scattered subdivision that would create adverse impacts on and public expenses for water, sewer, drainage, transportation, or other public services.	Draft objective standards for facility capacities and requirements for mitigation of impacts.	CP-Public Services SG-Direct Growth SG-Compact Growth
Transfer of Development Rights Although called for in the comprehensive plan and included as a place-holder in the subdivision regulations, this ordinance has not been drafted.	Draft TDR ordinance to encourage transfer of development density from rural areas towards Areas of City Impact, from more hazardous towards less hazardous areas, and from more sensitive towards less sensitive land.	CP-Land Use CP-Natural Resources CP-Hazardous Areas CP-Community Design
3. Clean Up Issues	Possible Improvements	Clarity
8-1-2 and 9-2-2: Definitions of PUD Definitions in zoning and subdivision regulations do not match.	Place definition in subdivision regulations, with cross-reference in zoning regulations	Clarity
9-2-2: Definition of Committee This definition contains an operating provision (i.e. authority to appoint the committee and the scope of its work)	Substantive provisions should be moved to 9-3 Procedures for Approval.	Clarity

Possible Areas for Improvement in PUD-Related Regulations		
Applicability of Zoning Standards Zoning standards are intended to be applicable to subdivisions and PUDs, but there is no clear statement of that fact.	Clarify that standards and criteria in chapter 8 apply to chapter 9.	Clarity
Maps The comprehensive plan references several maps, but it is unclear whether they all exist and are updated/accurate.	Ensure that all maps referenced in the comprehensive plan are available and accurate.	Clarity
4. Strengthen PUD Review Practices	Possible Improvements	Would Implement Policies on
6-8: Fire Protection Requires all new subdivisions to get a wildland/urban interface assessment and receive recommendations	Ensure that fire protection requirements are coordinated with drainage and water quality requirements (especially as they relate to fire ponds)	CP-Hazardous Areas
9-2-2: Definition of Committee	Technical committee can be appointed by Board upon recommendation of PZC to evaluate 9 topics and make recommendation to Use this power more often on applications with potential impacts on roads, water, sewer, vegetation, noise, solid waste, recreation, open space, schools, law enforcement, and fire protection	CP-Schools CP-Land Use CP-Natural Resources CP-Hazardous Areas CP-Transportation CP-Recreation CP-Community Design SG-Preservation SG--Compact Growth
9-3-3-A: Subdivision Application Materials Required List includes plat and plan, checklist, fee, landscaping plan, fire district approval, water rights availability, building envelopes, public improvement plans, and "any other required materials".	Give Planning Director authority to develop lists of application materials for various types of applications. Develop full list of application materials needed to evaluate impacts on comprehensive plan policies or to carry out Implementation Actions listed above.	CP-Schools CP-Land Use CP-Natural Resources CP-Hazardous Area CP-Public Services CP-Transportation CP-Recreation CP-Special Areas CP-Community Design
9-4-10: Subdivision Restrictive Covenants Subdivision applicants are required to submit restrictive covenants that address maintenance of landscaping and open space, lighting controls, and right-to-farm protections.	Draft model restrictive code provisions for each topic and require inclusion in documents submitted and recorded.	CP-Land Use CP-Natural Resources CP-Community Design
9-5-2-K: Public Lands Access Requires applicants to maintain or improve access to public lands as required by PZC or the Board, but does not provide standards to guide PZC decisions. If land is adjacent to public lands, applicant may be required to provide public access.	Draft standards to guide PZC decisions as to when to require access or improved access. Require mapping of adjacent public lands in application. Include duty to provide and maintain public access in recorded covenants or ordinance.	CP-Natural Resources CP-Recreation

APPENDIX: DETAILED AUDIT FINDINGS

PART A: Audit Comparing Teton County Comprehensive Plan to PUD Regulations

This section of the Audit compares comprehensive plan policies and implementation steps related to PUDs with the regulations contained in the PUD ordinance.

Audit Comparing Comprehensive Plan to PUD Regulations		
Number	Policy or Implementation Step	Status Under Current PUD Ordinance
Property Rights		
Policy 3	The land use ordinance and actions of Teton County, including the policies, restrictions, conditions, and fees, shall not violate private property rights, shall minimize adverse impact on property values and minimize technical limitation on the use of property consistent with state and federal constitution and statutory law. Implementation is implicit in and mandated by state and federal law.	
Schools		
Policy 1	Planning decisions and efforts must emphasize providing infrastructure and services to the growing population and provide the means for growth to pay its way. Growth trends over the past decade and growth projections for the coming decade indicate that providing infrastructure and services will be a bigger challenge than attracting new residents and businesses.	8-1-3.A: Zoning purpose statement includes avoiding adverse impacts on schools and unnecessary public expense; 9-1-3 is parallel but does not mention schools. 9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate schools and make recommendation to PZC.
Policy 2	Assure adequate school facilities for a growing student population.	9-5-1: List of required public improvements does not mention schools.
Policy 4	Past and projected future growth trends are providing for significant increases in the local tax base. However, the existing tax and fee structures appear to be providing weak funding for required infrastructure and service improvements.	9-6-2: Subdivisions of more than 6 lots must submit statement of impacts on schools, estimated tax revenues, how to close financing gap, impact on pub facilities, and how to mitigate that impact.
Economic Development		
Policy 1	It is intent of the comprehensive plan to encourage orderly growth.	9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.
Policy 2	Grand Targhee Ski Resort is recognized to be of great	

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
	economic importance to the economy. The county planning should complement and maximize economic opportunities for commercial support of this facility. County planning should consider the impact of values important to tourism.	
Policy 3	One of the county's prime economic values is the attraction of a rural, small town lifestyle, magnificent views, clean air and water, and abundances of outdoor recreational opportunities. Development and land use proposals that support and balance these values with desirable growth should be encouraged.	
Policy 4	Employment opportunities are vital to a sound local economy. Support proposals that provide a variety of jobs for existing and future work forces without sacrificing quality of life.	
Land Use		
Policy 1	Protect open space throughout the county. Enhance the mechanisms available to incorporate the same in developments.	Chapter 7: Areas of City Impact requires joint review of regulation amendments and development approvals. Since stricter standard applies, the lower/more rural standard will generally apply; this regulation is not a strong tool for moving density closer to the cities.
Policy 2	The scenic corridor is valued and view corridors should be maintained and protected. Guide development along the county's highways so that a sense of open space is protected. It is recognized that views across the valley from the main transportation routes are integral to the rural experience and a sense of open space in Teton Valley. It is desirable to maintain view corridors.	Driggs: comprehensive plan and zoning ordinance (but not subdivision regulations) apply. Tetonia: comprehensive plan and subdivision regulations of both city and county apply (silent on zoning ordinance), county administers, joint approval required for applications on non-agricultural uses. Victor: comprehensive plan and zoning ordinance of both city and county apply. County subdivision regulations apply, with joint approval required. 2.5 acre minimum lot size required unless within 1500 ft. of city, then 1 acre minimum applies, but application must meet city zoning standards and can be required to connect to utilities.
Policy 3	Accommodate new residential growth in the county using methods that preserve Teton Valley's pristine qualities and foster efficient provision of services. Concentrate higher-density development in the cities or in their areas of impact.	8-5-2-D: SC Scenic overlay district applies to highways 31, 32, 33 and Ski Hill Rd to a depth of 330 ft with 50 ft setback. Allows development review so that new development does not conflict with comprehensive plan and does not impair investment in and occupation of facilities in the scenic corridor. Broad and open-ended list of factors includes
Policy 4	Higher density developments should be located within or near	

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
	the cities or within or near their areas of impact. Developments in the unincorporated county may provide significant open space.	landscaping, site layout, and effect of sensitive areas – but no objective standards.
Action 3	Guide the placement of planned unit development open space so that natural, scenic, and other significant features are protected; meaningful open space tracts are created; and land use conflicts are minimized.	9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC. 9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).
Action 4	Amend the subdivision ordinance to encourage newly designated PUD open space to adjoin existing protected open space, and provide, to the extent feasible, visual access to open space.	9-4-8: County can require planting strips to screen incompatible features such as highways, railroad, commercial and industrial uses. 9-4-9: Requires preservation of existing landscaping and authorizes county to “request” more to enhance views, vistas or rural character.
Action 7	Encourage open space development along the scenic corridor adjacent to the highway or that open space shall be in the place most aesthetically pleasing and development most shielded from view from the highway.	9-4-10: Requires submission of restrictive covenants covering maintenance of open space and landscaping, lighting, and right-to-farm. 9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.
Action 9	The Planning and Zoning Commission should undertake a study to identify and protect view corridors and investigate methods of financing the same.	9-7-2-E: PUD purpose statement includes minimizing disruption to farming, ranching, and existing land uses. 9-7-2-I: PUD purpose statement encourages open space along scenic corridors or in most aesthetically pleasing areas where development is most shielded from view from scenic corridors. 9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs. PZC can determine and Board can approve location of open space. 9-7-7: States that required PUD open space should normally be located on site and is encouraged to be contiguous with other open space – but no location standards. 9-7-9: States that PUD units should ordinarily be clustered but does not provide clustering standards.
Action 1	Provide creative open space ownership mechanisms and require responsible open space management. Amend the subdivision ordinance to allow designated open space parcels to be platted as one or more large,	8-2-1 and 9-2-2: This definition appears to have been changed as stated in the comprehensive plan.

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
Action 2	<p>privately held lot or lots.</p> <p>Amend the subdivision ordinance and other applicable ordinances to include in the definition of open space the following features: Significant tracts of land not under residential, commercial, or industrial use. It may be productive uses including agriculture or low-impact recreational amenities such as greenbelt pathways, ball fields, and golf courses, or it may include sensitive environmental areas such as wetlands, riparian areas, steep hillsides and wildlife corridors. Streets parking areas, structures for habitation and the like shall not be included. Lawns, yards, gardens or similar outdoor features associated with homes, condominiums, apartments or businesses can only be included if such features are held or managed in common by all project residents. These shall be reviewed by the Planning and Zoning Commission based on design benefits and access to the general public.</p>	<p>8-2-1: This definition appears to have been changed as stated in the comprehensive plan.</p>
Action 5	<p>The Planning and Zoning Commission should begin the process of writing an ordinance, in accordance with state law, for the transfer of development rights. The development rights ordinance should include a provision for trading of development rights between areas and zones.</p>	<p>No action taken</p>
Action 12	<p>High density developments should have a central water system in the event they do not hook up to the city water system.</p>	<p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate water and sewer and make recommendation to PZC.</p> <p>9-5-2-G: Water and sewer systems are required to meet state standards, District 7 Health standards, and DEQ requirements, if any, but does not include thresholds or standards for central systems.</p> <p>9-5-2-H: Requires developer to provide perpetual maintenance and operation of water and sewer systems.</p>
Action 16	<p>The Planning and Zoning Commission will develop an ordinance to protect the skyline where appropriate.</p>	<p>9-2-2: Definition of "ridgeline" development is not adequate (does not identify viewpoints).</p> <p>9-6-4: Hillside subdivisions regulations require consideration</p>

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
		<p>10 factors, require extra reports, and adjust road standards, but do not provide other standards. Approach to skyline development is weak (does not define viewpoints).</p> <p>9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.</p>
Natural Resources		
Policy 1	Seed and encourage incentives, including but not limited to Federal Farmland Protection Program, Transfer of Development Rights as enacted in Idaho Code 22-4501 to help willing landowners keep their land in agriculture and work to conserve and protect open space and a rural sense of place recognizing that agriculture contributes to a rural way of life that is valued by the citizens.	<p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-4-10: Requires submission of restrictive covenants covering maintenance of open space and landscaping, lighting, and right-to-farm.</p> <p>9-7-2-E: PUD purpose statement includes minimizing disruption to farming, ranching, and existing land uses.</p>
Policy 2	Protect the County’s surface and groundwaters, wetlands and riparian areas through responsible development and incentives to help landowners conserve important water resources. This policy will apply to all surface waterways, underground waters, and areas shown as wetlands within the National Wetlands Inventory as prepared by the U.S. Fish and Wildlife Service in June 1993, and any updates of the National Wetlands Inventory that might be provided. The National Wetlands Inventory Map shall be used to update May No. 5 Critical Overlay Areas for waterway and wetland resources and shall be modified periodically to help reflect the current understanding of water resources as necessary.	<p>8-1-3-A zoning purpose statement and 9-1-3-E subdivision purpose statement include avoiding adverse impacts on and unnecessary public expense for water and sewer systems.</p> <p>8-5-2-C: WL wetlands overlay allows residential uses on uplands if Corps of Engineers agrees. Open space may be required, setbacks must be met, clustering is recommended, District 7 Health requirements, and Corps of Engineer standards for lot sizes, wells, sewers and building codes must be met. Requires a 400 ft. setback from 20 water bodies; unclear if it applies to disconnected wetlands. Applications along the Teton River must use PUDs. Clustering is required to preserve critical open space; unclear whether this applies only along Teton River. There is no cross-reference to the nutrient pathogen study requirements.</p> <p>9-2-2: Definition of riparian area is weak – not consistent with most state and federal definitions.</p> <p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, environment, water, and sewer, and make recommendation to PZC.</p>
Policy 7	As development occurs, consideration should be given to the wise and beneficial use of water to assist in recharging the aquifer.	<p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p>
Action 3	Revise the wetlands inventory map.	
Action 5	Ensure that development respects the integrity of streams, stream channels, and riparian areas.	9-5-2-F: Requires that subdivisions have an “adequate” drainage system but does not provide standards.

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
		<p>9-5-2-G: Water and sewer systems are required to meet state standards, District 7 Health standards, and DEQ requirements, if any, but does not include thresholds or standards for central systems.</p> <p>9-5-2-H: Requires developer to provide perpetual maintenance and operation of water and sewer systems.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p> <p>9-6-3-C: Nutrient pathogen ordinance addresses surface and ground water quality. Unclear if referenced map is consistent with wetlands map referenced in Chapter 8.</p> <p>9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.</p> <p>9-7-2-G: PUD purpose statement includes allowing development to proceed on constrained sites.</p>
Policy 4	Conserve and protect esthetic values including scenic open spaces, quiet neighborhoods, dark night skies, clean air, safe communities, and accessible public lands.	<p>8-1-3-E: Zoning purpose statement includes excellence and creativity for open space and natural beauty.</p> <p>8-5-2-D: SC scenic overlay district applies to highways 31, 32, 33 and Ski Hill Rd to a depth of 330 ft with 50 ft setback.</p> <p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC.</p> <p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-4-8: County can require planting strips to screen incompatible features such as highways, railroad, commercial and industrial uses.</p> <p>9-4-9: Requires preservation of existing landscaping and authorizes county to “request” more to enhance views, vistas or rural character.</p> <p>9-4-10: Requires submission of restrictive covenants covering maintenance of open space and landscaping, lighting, and right-to-farm.</p> <p>9-4-12: Imposes lighting controls for “dark skies.”</p>

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
		<p>9-5-2-J: Street lights may be required at intersections and if required must meet utility standards and dark sky standards.</p> <p>9-5-2-K: Requires that subdivisions maintain or improve existing access as required by PZC, but does not provide standards. Subdivisions adjacent to public lands may be required to provide public access.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p> <p>9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.</p> <p>9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs. PZC can determine and Board can approve location of open space.</p> <p>9-7-7: States that required PUD open space should normally be located on site and is encouraged to be contiguous with other open space – but no location standards.</p>
Policy 5	Encourage the conservation and protection of important plant, fish and wildlife habitats.	<p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC.</p> <p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-4-10: Requires submission of restrictive covenants covering maintenance of open space and landscaping, lighting, and right-to-farm.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p> <p>9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.</p> <p>9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs. PZC can determine and Board can approve location of open space.</p>

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
		<p>9-7-7: States that required PUD open space should normally be located on site and is encouraged to be contiguous with other open space – but no location standards.</p> <p>9-7-9: States that PUD units should ordinarily be clustered but does not provide clustering standards.</p>
Action 1	Provide and protect rights to reasonable passage to all public land.	<p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-5-2-K: Requires that subdivisions maintain or improve existing access as required by PZC, but does not provide standards. Subdivisions adjacent to public lands may be required to provide public access.</p>
Action 7	If sensitive areas are identified by government agencies, encourage open space to be placed in those areas.	<p>8-1-3-E: Zoning purpose statement includes excellence and creativity for open space and natural beauty.</p> <p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-4-9: Requires preservation of existing landscaping and authorizes county to “request” more to enhance views, vistas or rural character.</p> <p>9-4-10: Requires submission of restrictive covenants covering maintenance of open space.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p> <p>9-7-2-G: PUD purpose statement includes allowing development to proceed on constrained sites.</p> <p>9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs. PZC can determine and Board can approve location of open space.</p> <p>9-7-7: States that required PUD open space should normally be located on site and is encouraged to be contiguous with other open space – but no location standards.</p>
Hazardous Areas		
Policy 1	Encourage incentives to reduce the threat of wildfire to private property and human life within Teton County.	6-8: Requires all subdivisions to get a wildland/urban interface assessment and to include Fire District recommendations in development approvals.
Action 1	Support the Teton County Fire District in the process of adopting a wildfire mitigation plan. These	9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate fire protection and make recommendation to PZC.

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
	regulations will be the implementation of wildfire prevention and management.	<p>9-3-3: Application materials list includes a fire report.</p> <p>9-5-2-I: Subdivisions must meet requirements of the International Fire Code and Fire District requirements.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required. Unclear if fire danger areas are included in Critical Areas map.</p> <p>9-7-2-G: PUD purpose statement includes allowing development to proceed on constrained sites.</p>
Policy 2	Encourage incentives that work to reduce the threat of personal injury, loss of life, and/or damage to private property from flooding.	<p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required. Unclear if flood-prone areas are included in Critical Areas map.</p> <p>9-6-5: Establishes additional application requirements and performance standards – but not objective standards – for development in floodplain, and gives Board authority to limit development to safe areas.</p> <p>9-7-2-G: PUD purpose statement includes allowing development to proceed on constrained sites.</p> <p>Unclear whether floodplain map is accurate.</p>
Policy 3	Encourage incentives that work to reduce the risks that avalanches, mudslides, landslides, and steep slopes pose to private property within Teton County.	8-5-2-B: HS hillside overlay is weak – height limits are not related to hazards and not effective to prevent skyline development. 15% slope controls appear to be uncoordinated with 20% slope controls in 9-6-4 hillside subdivisions. PZC and county engineer are authorized to decide number and location of units, but no objective standards. Unclear whether slopes are mapped accurately.
Action 2	Amend the subdivision and zoning ordinances to address regulations and standards for areas with unstable slopes and landslide or avalanche hazards.	<p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC.</p> <p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts</p>

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
		<p>natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required. Unclear if geohazard areas are included in the Critical Areas map.</p> <p>9-6-4: Hillside subdivisions regulations require consideration 10 factors, require extra reports, and adjusts road standards, but do not provide other standards. Unclear if standards are consistent with those in 8-5-2-B.</p> <p>9-7-2-G: PUD purpose statement includes allowing development to proceed on constrained sites.</p>
Action 3	Amend appropriate ordinances so that development within areas identified as hazardous areas are carefully designated and regulated so as to minimize the potential for human injury, damage to personal property and natural resources.	<p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p> <p>9-7-2-G: PUD purpose statement includes allowing development to proceed on constrained sites.</p>
Public Services and Utilities		
Policy 2	Ensure public utility expansion does not have a significant negative impact on the county’s scenic views or individual property rights.	<p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-4-8: County can require planting strips to screen incompatible features such as highways, railroad, commercial and industrial uses.</p>
Action 5	The use of underground lines to distribute power is encouraged and is required within developments.	<p>9-5-2-E: Requires undergrounding of utilities in subdivisions and PUDs.</p>
Action 6	New electric utility services are encouraged to be provided within the current rights-of-way for major trunk lines. Substation expansion is encouraged to be confined to existing substation locations.	<p>9-6-2: Subdivisions of more than 6 lots must submit statement of impacts on schools, estimated tax revenues, how to close financing gap, impact on pub facilities, and how to mitigate that impact.</p>
Action 1	Endorse the fire district’s 10-year plan to provide quality fire protection throughout the county.	<p>9-5-2-I: Subdivisions must meet requirements of the International Fire Code and Fire District requirements.</p>
Action 11	Within the parameters of IDWR and as technology will allow, encourage all measures available to enhance the underground aquifer.	<p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate water, sewer, and environment, and make recommendation to PZC.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p>

Audit Comparing Comprehensive Plan to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
Action 12	Provide economic incentives for new developments of specified size and density to provide central water systems for household and fire protection use. Plan these systems, in conjunction with other developments within the immediate region, and where possible consolidate into regional integrated water supply and distribution systems.	<p>8-1-3-A zoning purpose statement and 9-1-3-E subdivision purpose statement include avoiding adverse impacts on and unnecessary public expense for water and sewer systems.</p> <p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate water and fire protection, and make recommendation to PZC.</p> <p>9-5-2-G: Water and sewer systems are required to meet state standards, District 7 Health standards, and DEQ requirements, if any, but does not include thresholds or standards for central systems.</p> <p>9-5-2-H: Requires developer to provide perpetual maintenance and operation of water and sewer systems.</p> <p>9-5-2-I: Subdivisions must meet requirements of the International Fire Code and Fire District requirements.</p> <p style="background-color: yellow;">Gateway PUD Draft addressed this</p>
Action 15	Communications towers should be placed to minimize visual impacts.	<p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds “any other required materials”).</p> <p>9-4-8: County can require planting strips to screen incompatible features such as highways, railroad, commercial and industrial uses.</p>
Transportation		
Policy 1	Teton County roads should be updated to meet the needs of the growing population.	9-1-3-E: Subdivision intent statement includes avoiding scattered subdivision that would result in a lack of transportation or public services.
Action 1	The County should support the highway department’s Teton County Transportation Plan 2020 as outlined in Chapter 6 including the roadway Design Standards per Table 6-1 and the proposed functional classifications per map 6-1.	<p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate roads and make recommendation to PZC.</p> <p>9-3-3-A: List of required application materials does not cover traffic impact analyses, but is open-ended (adds “any other required materials”).</p>
Action 2	The project descriptions listed as Table 6-4 in the Teton County Transportation Plan 2020 have been revised to break down the list into priorities of short (1), medium (2), or long (3) term action. These were arrived at based on current and expected road use serving areas of present development and foreseen growth. Road improvements should occur in compliance with the following table (see Comp Plan p 43)	<p>9-5-2-B: Requires that the developer pay for road improvements “adjacent and required” by the development. Unclear if it covers non-adjacent roads required to serve the development.</p> <p>9-6-2: Subdivisions of more than 6 lots must submit statement of impacts on schools, estimated tax revenues, how to close financing gap, impact on pub facilities, and how to mitigate that impact.</p>
Action 4	The existing scenic corridor should	8-5-2-D: SC scenic overlay district applies to highways 31,

Audit Comparing Comprehensive Plan to PUD Regulations		
Number	Policy or Implementation Step	Status Under Current PUD Ordinance
	be provided with view corridors and pullouts.	32, 33 and Ski Hill Rd to a depth of 330 ft with 50 ft setback. 9-3-3-A: List of required application materials does not cover scenic overlay analysis, but is open-ended (adds "any other required materials"). 9-4-9: Requires preservation of existing landscaping and authorizes county to "request" more to enhance views, vistas or rural character.
Policy 2	When economically feasible, the Teton Valley Trails and Pathways' long range plan should be supported.	
Action 8	Encourage the development of multi-use pathways and separate them from major roadways where possible. Encourage developments that are adjacent to or in the area of a planned pathway to participate in building a section or contributing to the costs of development and maintenance. Pathways should be funded primarily through grants or private sources.	9-3-3-A: List of required application materials does not trails or trail plan, but is open-ended (adds "any other required materials"). 9-5-2-D: Authorizes the county to require bike paths with or separated from roadways, but does not provide standards.
Recreation		
Policy 1	Protect and allow the use of the natural recreational assets of Teton County.	9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC.
Policy 4	Encourage the preservation of the serene environment of the Teton River and other streams and access to them.	9-3-3-A: List of required application materials does not include stream access or setbacks, but is open-ended (adds "any other required materials").
Action 3	Require setbacks large enough and population density low enough along the Teton River and its tributaries to maintain their pristine character.	9-4-8: County can require planting strips to screen incompatible features such as highways, railroad, commercial and industrial uses. 9-4-9: Requires preservation of existing landscaping and authorizes county to "request" more to enhance views, vistas or rural character. 9-4-10: Requires submission of restrictive covenants covering maintenance of open space and landscaping, lighting, and right-to-farm. 9-4-12: Imposes lighting controls for "dark skies." 9-5-2-D: Authorizes the county to require bike paths with or separated from roadways, but does not provide standards. 9-5-2-K: Requires that subdivisions maintain or improve existing access as required by PZC, but does not provide

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Number	Policy or Implementation Step	Status Under Current PUD Ordinance
		standards. Subdivisions adjacent to public lands may be required to provide public access. 9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required. 9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.
Policy 3	Encourage the development of a countywide system of both motorized and non-motorized trails and pathways when economically feasible.	9-3-3-A: List of required application materials does not cover trails or trail plan, but is open-ended (adds "any other required materials"). 9-5-2-D: Authorizes the county to require bike paths with or separated from roadways, but does not provide standards.
Action 1	Adopt the trails and pathways organization map, to be funded by private sources, on an advisory basis for proposed trails and pathways for multiple shared use.	
Action 2	Support responsible plans to develop a network of additional trails and pathway systems, for diverse users, to the extent feasible.	
Action 4	Preserve and maintain public access to public lands, rivers, streams, and other recreational amenities.	9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC. 9-3-3-A: List of required application materials does not cover access but is open-ended (adds "any other required materials"). 9-4-8: County can require planting strips to screen incompatible features such as highways, railroad, commercial and industrial uses. 9-5-2-K: Requires that subdivisions maintain or improve existing access as required by PZC, but does not provide standards. Subdivisions adjacent to public lands may be required to provide public access.
Special Areas or Sites		
Policy 1	Encourage preservation of the area's historic sites and buildings.	9-3-3-A: List of required application materials does not address historic issues, but is open-ended (adds "any other required materials").
Action 1	Assist in the preservation of historic sites and structures by encouraging the use of the Federal and State historic preservation programs.	

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Number	Policy or Implementation Step	Status Under Current PUD Ordinance
Housing		
Policy 2	Encourage opportunities for diversity in housing choice and affordable housing availability.	<p>Chapter 7: Areas of City Impact provides separate rules for application of zoning and subdivision regulations in Areas of City Impact for Victor, Driggs, and Tetonia; but the requirement that the “more restrictive provision governs” may require non-urban densities in ACI areas.</p> <p>8-1-3-C: Zoning purpose statement includes allowing a variety of housing types and densities.</p>
Policy 3	High-density developments should be within the cities and city impact areas whenever possible.	
Action 2	Zone areas that encourage housing diversity and encourage higher density units within the cities and their areas of impact.	
Action 3	Monitor housing affordability indices and consider affordability when adopting zoning and subdivision regulations.	
Community Design		
Policy 1	Encourage the preservation of scenic vistas, open space, mountains, forests, night skies, and wetlands.	<p>8-1-3-E: Zoning purpose statement includes excellence and creativity for open space and natural beauty.</p>
Policy 2	Encourage the preservation of the county’s rural character.	<p>8-5-2-C: WL wetlands overlay allows residential uses on uplands if Corps of Engineers agrees. Open space may be required, setbacks must be met, clustering is recommended, District 7 Health requirements, and Corps of Engineer standards for lot sizes, wells, sewers and building codes must be met. Requires a 400 ft. setback from 20 water bodies; unclear if it applies to disconnected wetlands. Applications along the Teton River must use PUDs. Clustering is required to preserve critical open space; unclear whether this applies only along Teton River.</p>
Action 1	Encourage the preservation of the mountain, forest, rural, and small town atmosphere and appearance of the county by control of land use and structures.	<p>8-5-2-D: SC scenic overlay district applies to highways 31, 32, 33 and Ski Hill Rd to a depth of 330 ft with 50 ft setback.</p> <p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC.</p> <p>9-3-3-A: List of required application materials does not address lighting, forests, or active farming, but is open-ended (adds “any other required materials”).</p> <p>9-4-8: County can require planting strips to screen incompatible features such as highways, railroad, commercial and industrial uses.</p> <p>9-4-9: Requires preservation of existing landscaping and authorizes county to “request” more to enhance views, vistas or rural character.</p> <p>9-4-10: Requires submission of restrictive covenants covering maintenance of open space and landscaping, lighting, and right-to-farm.</p>

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Number	Policy or Implementation Step	Status Under Current PUD Ordinance
		<p>9-4-12: Imposes lighting controls for "dark skies."</p> <p>9-5-2: Street lights may be required at intersections and if so must meet utility and dark sky standards.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p> <p>9-6-3-C: Nutrient pathogen study required in WL wetland areas defined in referenced map. Unclear if this matches the wetlands map associated with the Wetlands overlay in Chapter 8.</p> <p>9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.</p> <p>9-7-2-E: PUD purpose statement includes minimizing disruption to farming, ranching, and existing land uses.</p> <p>9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs. PZC can determine and Board can approve location of open space.</p> <p>9-7-7: States that required PUD open space should normally be located on site and is encouraged to be contiguous with other open space – but no location standards.</p> <p>9-7-9: States that PUD units should ordinarily be clustered but does not provide clustering standards.</p>

PART B: Audit Comparing Relevant Smart Growth Principles to PUD Regulations

In addition to reviewing the Teton County PUD regulations against the policies and implementation steps listed in the comprehensive plan, we have reviewed the regulations against general principles of Smart Growth applicable to low density rural areas. Although Clarion Associates' contract with Teton County calls for a Smart Growth audit, during our initial interviews there was a concern that discussions of Smart Growth be clearly tailored to reflect Teton County's rural character, small population, and that "urban" solutions may not be appropriate. The policies and actions listed below are taken from (1) a draft Policy Audit Tool prepared by the Smart Growth Leadership Institute, (2) a draft Code and Zoning Audit Tool prepared by the same group, (3) a Smart Growth Scorecard prepared for Camden County, Maryland, (4) an evaluation of Smart Growth development standards in Montgomery County,

Maryland, and (5) an American Planning Association PAS memo (No. 512) on Smart Growth Audits.

Audit Comparing Smart Growth Principles to PUD Regulations		
Number	Policy or Implementation Step	Status Under Current PUD Ordinance
Collaboration:		
Community and Stakeholder Collaboration		
1	Adopt comprehensive plans and CIPs prior to land use regulations.	
2	Provide a process for public participation in drafting and adopting the comprehensive plan and land use ordinances.	
Predictability:		
Predictable, Fair, and Cost Effective Development Decisions		
1	Comprehensive plans and development regulations should be consistent with each other.	
Direct Growth:		
Direct Development Towards Existing Communities		
1	Establish an urban growth boundary and encourage development within that boundary; discourage development outside the boundary or ensure that densities are low to avoid urban impacts and service demands.	Chapter 7: Areas of City Impact provides separate rules for application of zoning and subdivision regulations in Areas of City Impact for Victor, Driggs, and Tetonia; but the requirement that the “more restrictive provision governs” may require non-urban densities in ACI areas.
2	Discourage sprawl generating subsidies (e.g. funds for construction of roads or extension of utilities to outlying areas).	9-1-3-E: Subdivision intent statement includes avoiding scattered subdivision that would result in a lack of transportation or public services.
3	Establish regulations that require new urban growth to be coordinated with provision of infrastructure capacity.	9-5-2-B: Requires that the developer pay for road improvements “adjacent and required” by the development. Unclear if it covers non-adjacent roads required to serve the development.
4	Favor the use of existing infrastructure over new, and require that new development is either self-paying or requires conscious subsidization.	9-6-2: Subdivisions of more than 6 lots must submit statement of impacts on schools, estimated tax revenues, how to close financing gap, impact on pub facilities, and how to mitigate that impact.
Preservation:		
Preserve Open Space, Farmland, Natural Beauty, and Environmental Critical Areas		
1	Avoid development in critical areas such as wetlands, fish and wildlife conservation areas, frequently flooded areas, high water table areas, and geologically hazardous areas, and provide adequate setbacks from such areas and from streams and rivers.	8-2-1 and 9-2-2: Include definitions of cluster housing. 8-5-2-C: WL wetlands overlay allows residential uses on uplands if Corps of Engineers agrees. Requires a 400 ft. setback from 20 water bodies; unclear if it applies to disconnected wetlands. Applications along the Teton River must use PUDs. Clustering is required to preserve critical open space; unclear whether this applies only along the Teton River.
2	Do not allow development on steeper slopes.	
3	Allow cluster development to avoid	8-5-2-B: HS hillside overlay is weak – height limits are not

Audit Comparing Smart Growth Principles to PUD Regulations

Number	Policy or Implementation Step	Status Under Current PUD Ordinance
	<p>sensitive areas and promote land use efficiency.</p>	<p>related to hazards and not effective to prevent skyline development. 15% slope controls appear to be uncoordinated with 20% slope controls in 9-6-4 hillside subdivisions. PZC and county engineer are authorized to decide number and location of units, but no objective standards. Unclear whether slope condition is mapped accurately.</p> <p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC.</p> <p>9-3-3-A: List of required application materials does not cover many topics addressed by regulations, but is open-ended (adds "any other required materials").</p> <p>9-4-10: Requires submission of restrictive covenants covering maintenance of open space and landscaping, lighting, and right-to-farm.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p> <p>9-6-3-C: Nutrient pathogen ordinance addresses surface and ground water quality. Unclear if referenced map is consistent with wetlands map referenced in Chapter 8.</p> <p>9-6-5: Establishes additional application requirements and performance standards – but not objective standards – for development in floodplain, and gives Board authority to limit development to safe areas.</p> <p>9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.</p> <p>9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs. PZC can determine and Board can approve location of open space.</p> <p>9-7-7: States that required PUD open space should normally be located on site and is encouraged to be contiguous with other open space – but no location standards.</p>
4	<p>Establish mechanisms such as transfer of development rights (TDR) and financial incentives to protect, preserve, and maintain</p>	<p>No action taken</p>

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Number	Policy or Implementation Step	Status Under Current PUD Ordinance
	natural assets.	
5	Establish open space and farmland protection programs.	<p>9-4-10: Requires submission of restrictive covenants covering maintenance of open space and landscaping, lighting, and right-to-farm.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p> <p>9-7-2-E: PUD purpose statement includes minimizing disruption to farming, ranching, and existing land uses.</p> <p>9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs. PZC can determine and Board can approve location of open space.</p> <p>9-7-7: States that required PUD open space should normally be located on site and is encouraged to be contiguous with other open space – but no location standards.</p>
5	Encourage or require open space connectivity with adjacent open space areas, and with the open space/trail element of the comprehensive plan, to enhance habitat value and perceived open character.	<p>8-1-3-E: Zoning purpose statement includes excellence and creativity for open space and natural beauty.</p> <p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC.</p> <p>9-3-3-A: List of required application materials does not address open space, but is open-ended (adds “any other required materials”).</p> <p>9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.</p> <p>9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs. PZC can determine and Board can approve location of open space.</p> <p>9-7-7: States that required PUD open space should normally be located on site and is encouraged to be contiguous with other open space – but no location standards.</p>
7	Define and protect view corridors.	<p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC.</p> <p>9-4-9: Requires preservation of existing landscaping and</p>

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Number	Policy or Implementation Step	Status Under Current PUD Ordinance
		<p>authorizes county to “request” more to enhance views, vistas or rural character.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p> <p>9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.</p>
8	Require that proposed development respect the site’s original topography and highlight existing natural features.	9-3-3-A: List of required application materials does not address topography, but is open-ended (adds “any other required materials”).
9	Include environmentally-sensitive storm water drainage design and management.	<p>9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendation to PZC.</p> <p>9-4-10: Requires submission of restrictive covenants covering maintenance of open space and landscaping, lighting, and right-to-farm.</p> <p>9-5-2-F: Requires that subdivisions have an “adequate” drainage system but does not provide standards.</p> <p>9-6-3-B: Applicants whose land is in a Critical Area (map 5) must do a natural resources inventory and evaluate impacts natural resources, aesthetic, and water quality. Included natural resources are not defined, and mitigation is not required.</p>
10	Use agricultural or large lot zoning to discourage development on prime farmlands.	9-7-2-E: PUD purpose statement includes minimizing disruption to farming, ranching, and existing land uses.
11	Establish minimum open space requirements in most zone districts.	9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs. PZC can determine and Board can approve location of open space.
Distinctive Communities:		
Distinctive, Attractive Communities with a Strong Sense of Place		
1	Support or strengthen the character of existing neighborhoods and enhance the sense of neighborhood identity.	<p>9-4-8: County can require planting strips to screen incompatible features such as highways, railroad, commercial and industrial uses.</p> <p>9-7-2-D: PUD purpose statement includes clustering of development to protect scenic areas, wildlife habitat and migration corridors, and riparian areas, and to avoid skyline development.</p>
2	Include places for interaction among residents, such as parks, community centers, schools,	

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Number	Policy or Implementation Step	Status Under Current PUD Ordinance
	commercial areas, and churches.	
3	Preserve historic structures.	9-3-3-A: List of required application materials does not address historic resources, but is open-ended (adds “any other required materials”).
Compact Growth:		
Compact Building Patterns and Efficient Infrastructure Design		
1	Require that developed area footprints are as small as reasonably possible.	9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, environment, water, and sewer, and make recommendation to PZC. 9-7-2-F: PUD purpose statement includes compact development.
2	Connect infrastructure and transportation decisions to land use planning.	9-1-3-E: Subdivision intent statement includes avoiding scattered subdivision that would result in a lack of transportation or public services.
4	Require that proposed development not result in overloading existing or planned capacity of roads, schools, or infrastructures and that it contributes to needed long run expansions of those facilities caused in part by the development.	9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate recreation, open space, and environment, and make recommendations to PZC. 9-3-3-A: List of required application materials does not address school capacity or traffic impact analysis, but is open-ended (adds “any other required materials”). 9-5-2-B: Requires that the developer pay for road improvements “adjacent and required” by the development. Unclear if it covers non-adjacent roads required to serve the development. 9-6-2: Subdivisions of more than 6 lots must submit statement of impacts on schools, estimated tax revenues, how to close financing gap, impact on pub facilities, and how to mitigate that impact.
5	Encourage site planning for solar/energy efficiency and natural drainage systems.	9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate environmental issues and make recommendation to PZC. 9-5-2-F: Requires that subdivisions have an “adequate” drainage system but does not provide standards.
Mixed Use:		
Reduce Driving for Work and Shopping		
1	Designate and zone appropriate areas for mixed-use development.	9-7-5: Allows PUDs to have 2% incidental uses.
2	Allow for home/office uses in residential areas.	8-2-1: Includes definitions for accessory dwelling units, secondary (detached) residential structures, home occupations, and home businesses.
Transportation Options		
Offer a Variety of Transportation Choices		
1	Link land use and transportation choices at the local and regional	9-2-2: Technical committee can be appointed by Board on recommendation of PZC to evaluate roads and make

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Number	Policy or Implementation Step	Status Under Current PUD Ordinance
	and regional levels.	
2	Locate new development, especially public facilities, in areas supported by a balanced transportation network.	recommendation to PZC.
3	Where public transportation systems exist, encourage or require that development adjacent to transit routes provide walkable access to transit stops.	9-3-3-A: List of required application materials does not address pedestrian routes, but is open-ended (adds "any other required materials").

Housing Options:

Allow a Range of Housing Opportunities

1	Provide opportunities for a wide range of housing types (including live/work units and accessory dwelling units).	8-1-3-C: Zoning purpose statement includes allowing a variety of housing types and densities. 8-2-1: Includes definitions for accessory dwelling units, secondary (detached) residential structures, home occupations, home businesses, and standard definition of manufactured home.
2	Allow minimum lot sizes and house sizes low enough to accommodate all income groups.	
3	Allow a wide range of lot sizes, housing types, and lot configurations within each subdivision/neighborhood.	8-2-1 and 9-2-2: Include definitions of cluster housing. 9-4-7: Allows flag lots subject to PZC and Board approval.
4	Allow manufactured homes by right in at least one zone district.	9-4-10: Requires submission of restrictive covenants and allows them to include minimum buildable area requirements and mobile home protections. 9-7-6-A and B: Establish density & open space standards for Density-Based PUDs and RCI PUDs, and have no restrictions on minimum lot sizes. 9-7-9: States that PUD units should ordinarily be clustered but does not provide clustering standards.

Walkability:

Encourage Walkable, Close-knit Neighborhoods

1	Allow for narrow street widths to promote walkability and bicycle friendliness.	8-2-1: Defines rural major and minor arterial roads widths at 80 ft.; rural minor collector road, collector street, and frontage street widths at 60 ft.; minor street and private street widths at 50 ft. (9-2-2 subdivision definitions say private street can be 30 ft.).
2	Connect sidewalks to amenities such as parks and open space.	
3	Ensure pedestrian connectivity between adjacent neighborhoods.	9-4-6: Where blocks back onto A street or natural area boundary, the block length cannot exceed 1500 ft. 9-4-11: Sets access requirements based on length of blocks and whether land is in high hazard area.
4	Limit block length to promote interconnectivity and shorter trips.	
5	Establish a multi-use trail system or other non-motorized public access to amenities.	9-5-2-D: Authorizes the county to require bike paths with or separated from roadways, but does not provide standards.