



Valley Advocates for Responsible Development

Growing Pains in the New West

When the moratorium was enacted at the end of March and then retracted in early May, we heard a lot about what we don't want – whether it be loss of natural spaces and inadequate services on the one hand or government overreaching into the realm of private property rights on the other. While Teton Valley will always (I hope) be uniquely Teton Valley, the kind of growth pains we are experiencing are not unique to our community. In fact, our combination of growth pressures and debates over how our community will respond are typical in what many are calling the “New West.”

The New West is characterized by, among other things, economies in transition from ranching and farming to recreation, tourism and real estate. Rapid growth is often poorly planned growth, and that is a challenge for communities attracting large influxes of real estate investment, second homeowners as well as new permanent residents who are looking for a more laid-back lifestyle with year-round access to recreational amenities. The presence of a developing ski resort in our community is yet another element that puts us in the company of many other

towns across the West.

The dialogue about what we don't want is an important one, though sometimes the tone of that dialogue and the way it pits people against one another in a small community can be painful. In order to know where we want to go, however, it is necessary to go through the stage of recognizing what we don't want. The fact that other communities have experienced our growing pains means we can learn from what others have done well and choose strategies to maximize the benefits of growth, such as economic prosperity, while doing our best to address the negative ramifications, such as loss of open spaces, community character and a growing shortage of affordable housing.

In this newsletter we provide several case studies that are instructive for us here in Teton Valley. These are examples of how other communities have responded to challenges similar to what we are facing. By looking at other communities we can find answers to many of our questions: How can we help create economically viable options for farmers and ranchers who want to stay in the agricultural industry, particularly when the

community values the beauty and character provided by farms and ranches, and its economic connection to property values? How do we maintain vibrant towns that will be the economic engines of our valley? And, are there ways to encourage compact development patterns that don't undermine the unique landscape of Teton Valley? All of these questions are ultimately about preserving our unique community assets while having growth that pays for itself and generates wealth for our whole community.

Are the communities we look at without their drawbacks? Certainly not. While these case studies provide tangible examples of strategies that could work in our valley, no community is perfect. Do the case studies presented apply perfectly to our situation? No, but nonetheless they are ideas that we can learn from and apply to our own particular situation. I believe that looking at measures of success elsewhere is inspiring and gives us hope. And I think we would all agree that we could all use a dose of inspiration and hope.

—Kathy Rinaldi,
Executive Director



in this issue

- Buffer Zones1
- Sell Your Ranch.....2
- Downtown Lessons3
- Summer Music Event4
- Yard Sale.....4
- Spring Fund Drive.....4

Towns Benefit from Buffer Zones

– a transition-area case study

Amanda De Rito



The buffer zone between Palisade and Grand Junction preserves this view of a landmark feature.

Rapid growth pressures have led to many recent annexations by our county's three cities. Although annexations are an important tool for growing cities, if they are not well thought out they can lead to an erosion of community identity, loss of the natural areas and working farms and ranches that define our valley, and cost more to our communities in terms of public services. Fortunately, our county is not the first area to face issues related to planning for growth. Victor, Driggs, and Teton can look to many other examples when deciding how to promote development within their cities, while keeping sprawl at bay.

After several years of rapid growth, Mesa County in Colorado, as well as the three cities within Mesa County, decided to address con-

cerns created by poorly planned growth. The Mesa County Community Separator project was born in 1998 when the County formed intergovernmental planning agreements with its three cities (Fruita, Grand Junction, and Palisade). By collaborating to create buffer zones between the cities, communities hoped to preserve the identity of their cities, promote fiscal responsibility, support agricultural operations, and maintain the rural landscape that helped to demarc the cities. Like Teton County, Mesa County is a mix of agricultural lands, urban centers, and outdoor recreation destinations. The local culture dictated that the county and cities look for incentive-based solutions to curbing sprawl, rather than unilaterally down-zoning properties.

The intergovernmental planning agreements designated cooperative planning areas (shown in the map on page 3) between the three communities. These cooperative planning areas are approximately 1 mile wide, and act as buffer zones in separating the cities, as well as provide corridors for the migration of wildlife. The agreements between the cities and the county provide that unless they have mutual consent of all parties, the cities will not annex land, extend sewer service or other city services, or change zones in a way that would undermine the goals of the county's comprehensive plan. The agreements also require Mesa County

— **BUFFER** continued on page 3



VARD, PO Box 1164, Driggs, ID 83422

Non-Profit Org
US Postage
PAID
Driggs, ID
Permit #39



Valley Advocates for Responsible Development

MISSION: To advocate for the private, public and civic actions that will result in the responsible development and sustainable use of natural resources (water, land, wildlife and air) in Teton Valley.

Office Hours—
M-TR 9:00am-4:00pm
Friday by appointment

Office Address—
355 North Main
Driggs, ID 83422

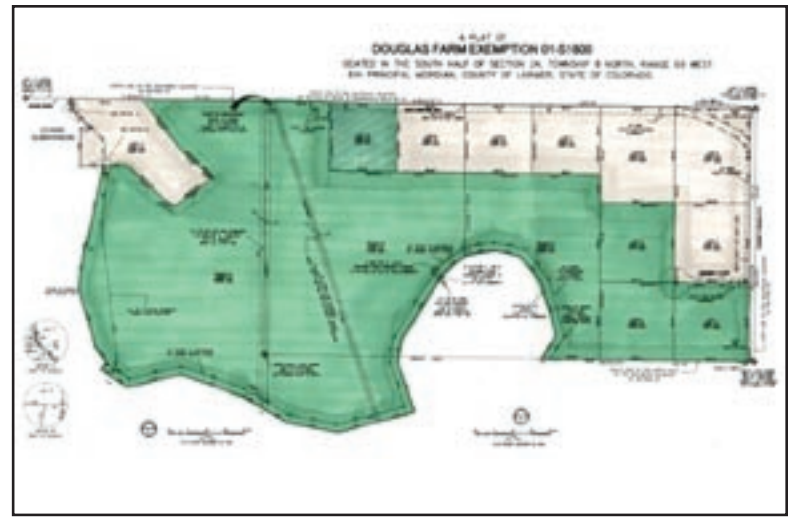
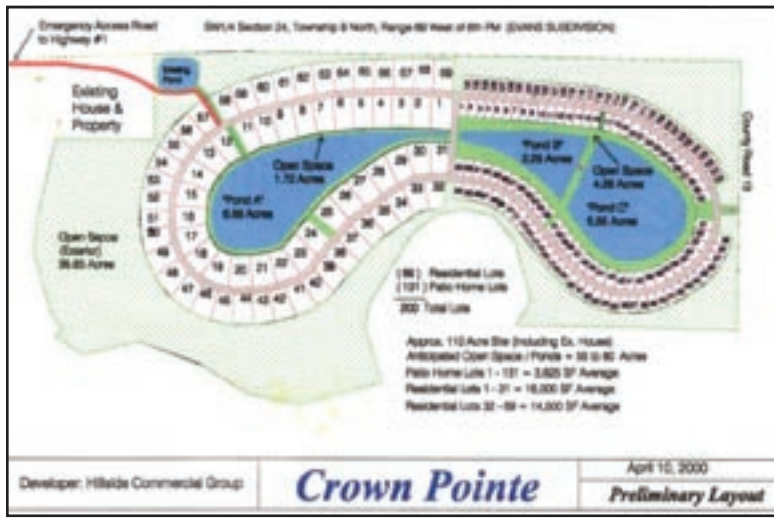
Mailing Address—
PO Box 1164
Driggs, ID 83422

208.354.1707 ph
208.354.1709 fax
www.tetonvalleyadvocates.org

Staff—
Kathy Rinaldi, Executive Director
Sandy Mason, Program Director
Amanda De Rito, Program Associate
Kim Billimoria, Communication & Development Director
Ian Tuttle, Education & Outreach Director

Board—
Georgie Stanley, Board President
Kris Ciesinski, Board Secretary
Susie Work, Board Treasurer
Jeff Carter
Richard Danforth
Dave Hensel
Dan Powers
Kathy Spitzer
Dave Work

//////
The goal of Larimer County's Rural Land Use Program is to help farmers get the most value from a few houses so that they don't feel like they have to sell and create a big development if they don't want to.
//////



Here are two plans for the same piece of farm land. The first shows a subdivision design typical of a suburban area. The second illustration shows the RLUP plan with a few lots developed while the majority of the land remains a working farm. Source: Rural Land Use Center, Larimer County, CO

Sell Your Ranch and Keep It Too – a rural land use case study

Kim Billimoria

Larimer County, located at the northern end of the Colorado Front Range, may seem like a far cry from Teton Valley. However, Larimer County is no stranger to our current challenges of rapid growth and conversion of farm and ranch land into residential subdivisions. Between 1987 and 1992 Larimer County lost 35,000 acres of farm and ranch land to development. The county responded with a multi-pronged approach to preserving rural and natural areas.

One part of this approach is the Rural Land Use Program (RLUP), which is managed by its own county office, The Rural Land Use Center. In a nutshell, the RLUP allows landowners to develop their property without a lengthy subdivision application process through the Planning and Zoning office, provided the landowners maintain two thirds of their land in agriculture or open space. The RLUP does not take away the existing zoning or revoke the by-right 35-acre parcel that Colorado state law allows without any county land use review. The program's director, Jim Reidhead, describes the program as "a way to sell your ranch and keep it too."

Under the RLUP, a landowner of 70 acres or more (neighbors can combine land to reach the 70-acre minimum) are granted two home sites per 35 acres, on the condition that the home sites are placed on one third of the land. The remaining land is put into a conservation easement or protective covenant and cannot be developed for a minimum of 40 years.

Director Reidhead works with "farmers and ranchers who don't wake up in the morning with a desire to develop their property but have an economic imperative." The goal of the RLUP is to help farmers get the most value from a few houses so that they don't feel like they have to sell and create a big development if they don't want to. This goal is reflected in the way the process is structured. For example, the application fees due to the county are comparable to those for a subdivision, but are not due until the lots are sold. This makes it easier for farmers who would like to create home sites as part of their estate planning without having to pay the fees until they are ready to sell.

Unfortunately in Teton County many farmers and ranchers do feel that their choices with regards to development are all or nothing: keep farming at an economic loss or sell everything to be developed. The one development tool that is supposed to preserve natural areas, the Planned Unit Development, has such a weak definition of open space and allows such high bonus densities that the result is anything but the preservation of working farm and ranch lands. In fact, it actually allows for more density than a conventional subdivision! Changing the PUD is a first step that our county must take if we are serious about rural character as a community asset, but perhaps we could also consider something like the RLUP process of Larimer County.

The RLUP process is less complicated than a full development process and follows a series

of flexible guidelines as opposed to rigid rules. Director Reidhead describes it as more of a negotiated process with a lot of time spent talking around kitchen tables. The landowner works closely with the RLUP director, discussing all aspects of what it means to develop the land in question and what the incentives will be for the landowner. Together they develop a memorandum of understanding about the proposed project, which is used to solicit feedback from various agencies, such as the fire department. Neighbors are also informed and invited to an informal meeting to review the plan and give input. For the most part, the program relies on the landowner's knowledge of his lands for choice of home sites, although most of the normal county regulations apply, such as 300-foot buffers from running water and restrictions on building in a floodplain.

Once all the feedback is incorporated into the preliminary plan, the plan goes to The Rural Land Use Center's Rural Land Use Advisory Board for recommendation and then directly to the Board of County Commissioners for preliminary approval. The plan also has to go through a final plat approval and a Final Development Agreement is drawn up.

Although the RLUP process is much easier than the regular subdivision application process, some landowners thought it was still too complicated. In 2000 Larimer County responded by introducing a more expedited administrative process that skips the neighborhood meeting and some of the review agencies. The expedited process, however, is only available to landowners who want to develop even fewer home sites than that allowed under the regular RLUP process.

The RLUP projects created over the last 10 years are still in existence, demonstrating that the arrangement has met the needs of landowners and the community. Director Reidhead is sure that without the Rural Land Use Program, many landowners would have sold to developers. While some have criticized the plan for the fact that it allows for twice the number of home sites as the one per 35-acre development right, it also provides an alternative to full-scale development at much higher densities. This program allows landowners and the county to find a middle ground that satisfies both the community vision for preserving open space and rural community character, while recognizing and validating the economic realities faced by ranchers and farmers. It doesn't meet the needs of every landowner's situation, but by having this tool at their disposal, the county is able to maximize opportunities for preserving meaningful open space in the form of working farms and ranches.

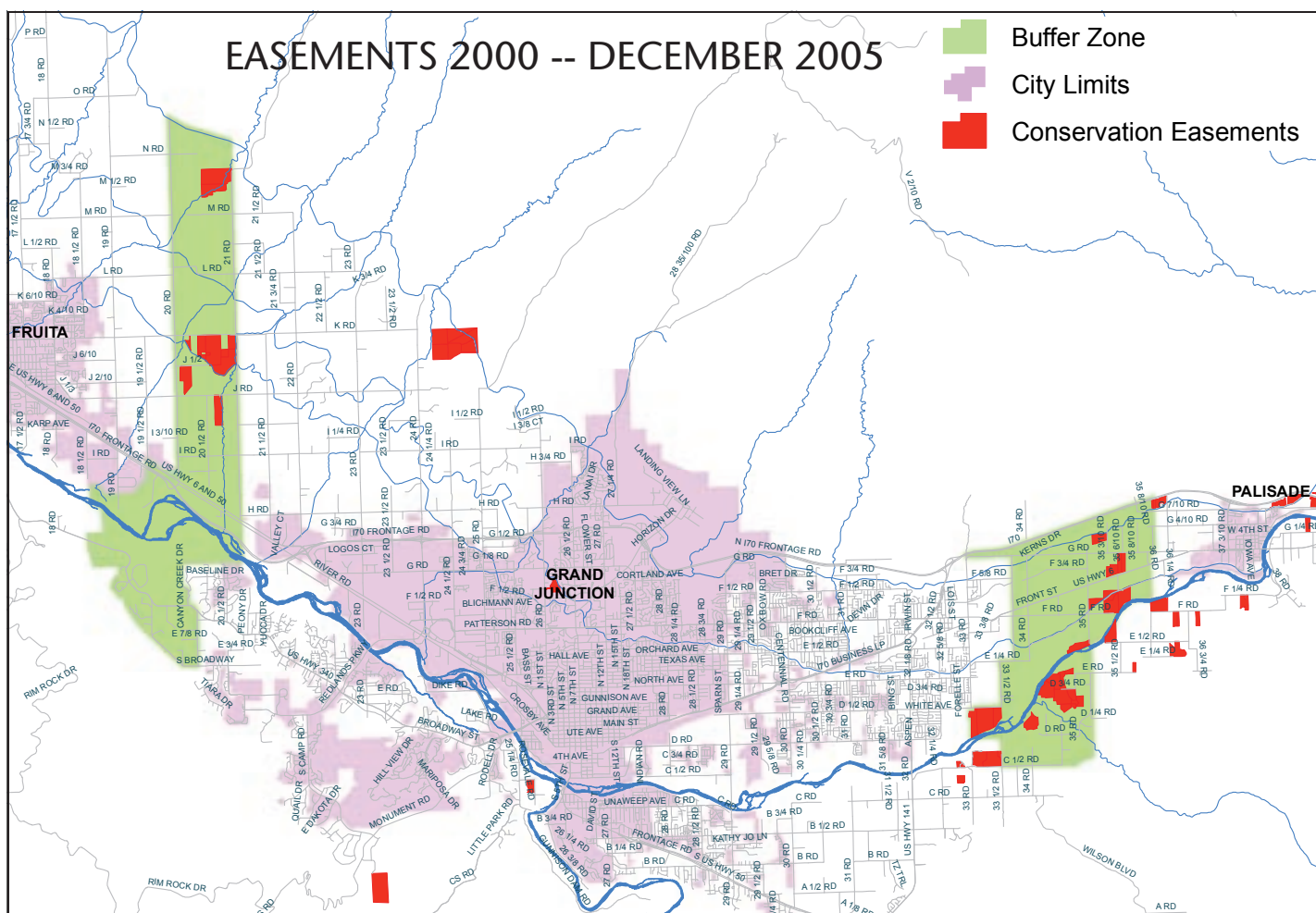
Between 1996 and 2006, 52 projects were approved through Larimer County's Rural Land Use Program, totaling 10,676 acres. To think about what the community has gained in terms of preserving agricultural land as a community asset, and what the landowners have gained from being able to develop, consider the following:

GAIN TO THE COMMUNITY:

7,897 acres have been protected from further development and 1,710 less lots have been created than allowed on the same acreage through subdividing.

GAIN TO THE LANDOWNERS:

The ability to develop twice as many home sites as is their automatic development right, yet through an easier process than subdividing. They are able to benefit from the development potential of their land while continuing to farm or ranch most of it. In addition, the home sites created under the RLUP have fetched a premium because of the protected lands around them.



Buffer zones between the towns of Mesa County with conservation easements are actively pursued by local government.

BUFFER cont. from page 1

to provide notice to the cities whenever making land use decisions involving the cooperative planning area.

Although the buffer zones between the cities helped demark the cities, planners felt that the underlying zoning of approximately 1 unit per 5 acres would not be enough to provide a check on urban sprawl and provide meaningful open space between the cities. Mesa County worked with the cities to develop a program to acquire conservation easements on lands between the cities. Each of the governmental entities contributes funding to the conservation easement program, and this funding provides a staff position at Mesa Land Trust solely to pursue conservation easements on behalf of the county and cities. A representative from each government entity sits on an advisory committee that guides the purchase of conservation easements, which have so far preserved 1,000 acres from development.

VARD

Lessons in Downtown Development – a downtown case study

Ian Tuttle

All around the country there are plenty of examples of towns that have gone through growth cycles similar to ours and have used the momentum to create unique places that make their residents proud. Billings, Montana, has grown steadily over the last decade and that growth has been used to develop the downtown into a buzzing cultural and economic center.

Billings native Linsey Hayes, who now lives and works in Driggs says of Billings:

“Downtown used to be a big transportation hub, but it just died in the recession in the ‘80s. All the development went west to strip-malls. Since then the city has brought in a farmer’s market, great tree plantings, street art, and they’ve widened the sidewalks and created places for people to hang out downtown. Now there are a lot of great restaurants and shops that weren’t there before the public improvements were made.”

Although the city of 100,000 is considerably larger than the cities in Teton Valley, and has not experienced growth rates as high as Teton County’s, all growth brings challenges. The lessons



Downtown Billings is surrounded by protected open space.

<http://ci.billings.mt.us/Gallery/gallery1.html>

learned in Billings can be very helpful here in Victor, Driggs, and Teton. The director of Billings’s planning department, Candi Beaudry, shared with us some of the city’s experiences in guiding downtown development.

Lesson 1: Plan for Annexations

Annexation is the process of incorporating county land into the city limits. When it annexes property, a city usually commits to providing services to the newly incorporated land, and property owners pay city taxes in exchange for the increased levels of service. When

annexations happen in an ordered, gradual progression, the city and residents benefit. If, however, the city annexes too much property too quickly, the quality and reliability of services to all residents may be threatened. Lately the city of Victor has been aggressively annexing numerous large parcels slated for subdivision. As of publication time, Victor has annexed or is in the process of annexing over 700 acres into the city. The city of Driggs recently annexed approximately 70 acres of the Huntsman Springs development. Large-scale annexations present the opportunity for increased tax revenues, but also bring significant burdens with the extension of new services.

The city of Billings offers an innovative solution to the annexation problem. A phased annexation map shows a clear timeline for annexing land surrounding the current city limits, and the planning and zoning commission only supports annexation petitions that comply with the annexation map. The map provides the framework for predictable, fair, ordered growth from the city center outward. It identifies real estate that land speculators can expect to develop as city projects, thereby cutting down on haphazard developments around the city fringe.

Lesson 2: Develop a Capital Improvements Plan to Support New Development

Billings’s annexation map is used in conjunction with the city’s Capital Improvements Plan (CIP). The CIP outlines major public projects that need to be constructed or upgraded in the near future to accommodate existing and anticipated residents. By limiting the area of annexable land, Billings planning staff can use their CIP to identify, with a great degree of certainty, the areas within their city that have the greatest needs.

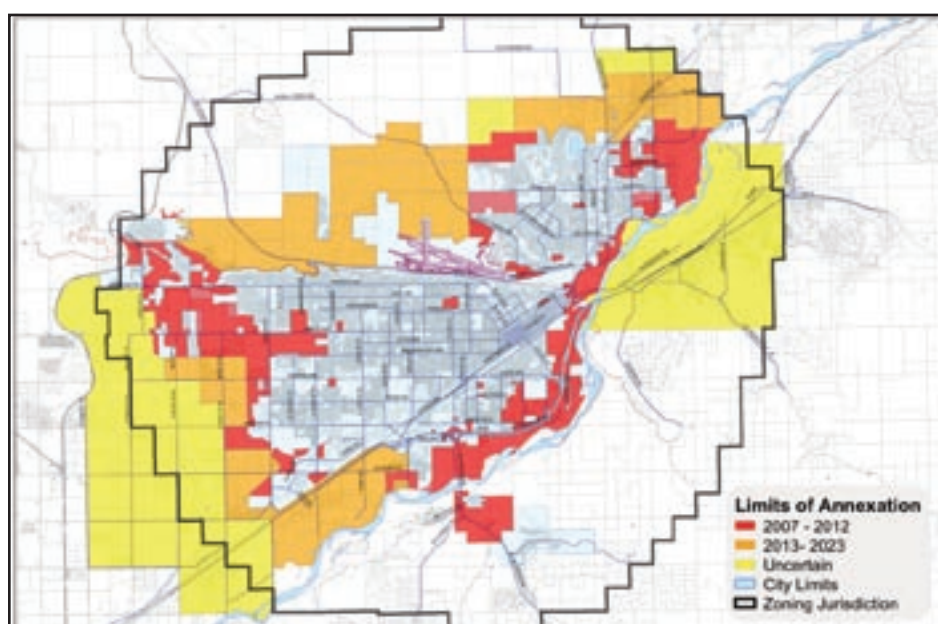
Here in Teton County, ID, all three cities, as well as the county, have yet to adopt CIPs. The absence of a CIP impairs the cities and county in their efforts to dedicate funds appropriately, leading to more last-minute decisions that end up costing our taxpayers more money in the long-run. The good news is that both Victor and Driggs are working on CIPs and the county is in the process of hiring a firm to help develop one for the county. With CIPs in place, Driggs and Victor will be better able to steer funds towards the cities’ most pressing capital needs.

Lesson 3: Create Tax Increment Finance Districts

Tax Increment Finance Districts (TIF districts) are areas designated within a city to receive special, focused funding for public upgrades in order to encourage new development where it is currently cost-prohibitive. A TIF district is not a tax increase. Rather, the area within the district is assessed for a base-line tax value, and any new value added to that area is taxed separately under the TIF. All revenues from the TIF are reinvested exclusively within the TIF district.

The city of Billings has used TIF districts with great success for almost 30 years. The city uses TIF funds to improve streetscapes, upgrade roads

— **LESSONS continued next page**



City of Billings Phased Annexation Map



Miller Sisters' One For The Ditch Headlines Music Event on June 22

This is another reminder to mark your calendar for our third annual summer music celebration. Friday, June 22 is the day, from 5-10pm, and the Knotty Pine is the place. We hope to have as beautiful an evening as last year and to relax in the sun and then dance under the stars. However, in the event of rain we'll be inside the Knotty.

The Miller Sisters have a well-deserved reputation for rocking a crowd and we're excited to present their new band, One for the Ditch. This event is geared for all ages and early in the evening we'll have kid-friendly magic performed by the renowned magician Great Scott.

Cover for the event is \$15 for general admission and \$10 for members. Kids under 12 are free if accompanied by an adult. There will be an outdoor bar and great Knotty Pine food available for purchase. A portion of all sales will be donated to VARD.

So come out for a good time, to meet friends and make new ones, to support VARD and to find out more about what we are doing to preserve our quality of life in Teton Valley through responsible development education and advocacy. **VARD**



Proposed downtown improvements in Concord, NH, include pedestrian-friendly features such as trees and widened sidewalks, as well as three-story buildings to allow a greater concentration of people to live and work downtown.

www.concord2020.org

LESSONS cont. from page 3

and city utilities, and provide public amenities that attract more people downtown. For the downtown TIF district, TIF funds help improve the business environment, which in turn stimulates business development and brings greater revenue into the TIF district. TIF districts thereby become a self-supporting cycle.

The city of Driggs has an Urban Renewal District that uses a TIF structure. Driggs's district was established 2 years ago and currently generates about \$40,000 a year. That figure is expected to increase dramatically as some new developments are completed. These funds will be reinvested within the district to improve Main Street, rebuild Depot Street, Wallace Avenue, and 1st Street, and improve parking lots for downtown shopping. Increased private investment typically follows this kind of public investment, and the revenue stream will only grow larger.

An example of how investment in our downtowns fuels more business development is the work done on Driggs's Little Avenue a few years ago. In this case, landscaping and sidewalks were paid for with a one-time resort tax, rather than a TIF district, but the outcome is the same. A few years after the public investment was made, new businesses have located along the attractively designed street. With Teton County's rapid rate of growth, such innovative funding strategies can help our towns keep pace with infrastructure and improvement needs, thereby attracting more

income-generating development into their downtowns.

Lesson 4: Increase Downtown Densities

A common mantra in city halls across the country is, "Growth cannot be stopped." While it is true that change is inevitable, growth can certainly be directed to some places and discouraged in others. In order to maintain the compact, people-friendly towns that we currently enjoy, we all need to be comfortable with greater downtown densities, which in turn will direct development into town instead of along the highway or the outskirts of towns. Billings, for example, allows for much higher densities in their downtown than our cities do. Our communities and outdoor amenities will continue to draw more residents, many of whom would prefer to live in and around town amenities. Accommodating more people in town in turn boosts the economic viability of downtown and helps preserve the rural landscapes throughout the rest of the valley.

Lesson 5: Cooperate with the County

The city of Billings seeks to steer growth downtown in order to strengthen the urban core and to protect open and undeveloped land surrounding the city. However, Mrs. Beaudry cited the lack of consistency between Billings's development codes and the county codes as a big obstacle to this goal. The lesson learned is that finding a way to work cooperatively with the county on plans for land surrounding town is imperative if a town is to make the most of growth. See the Mesa County case study for an example of this kind of cooperation. **VARD**



YARD SALE

355 N Main
Driggs
Saturday, July 7
9am - noon

Summer is yard sale season! This year VARD will be hosting a yard sale on Saturday, July 7th, from 9 to noon on the lot behind our office and Guadalajara Restaurant. Come check us out for good finds at great prices. All proceeds from the yard sale will go to VARD. If you'd like to donate items towards the yard sale, please give us a call at least a week in advance: 208-354-1707.

2007 Spring Fund Drive Biggest Ever!

A heartfelt thank you to everyone who gave through our Spring Fund Drive! So far we have raised \$116,000 from 106 donations, pledges and matches. VARD truly has a great group of members and supporters. We really need and appreciate your monetary donations. Thank you also to those of you who give your time and energy, working with us for sustainable land use practices here in Teton Valley. This spring we've seen many of you attending meetings, writing letters to your decision makers and the local paper, calling us with questions and showing up at the office to engage us in debate about growth and land use policy in our community. Once again – **THANK YOU!** **VARD**

Get Involved • Become a Member TETON VALLEY NEEDS YOU!

name _____

address _____

city _____

state _____ zip _____

e-mail _____

MEMBERSHIP LEVELS

- Member..... \$25-\$49/year
- Supporter..... \$50-\$99/year
- Friend..... \$100-\$249/year
- Patron..... \$250-\$499/year
- Sponsor..... \$500-\$999/year
- Benefactor..... \$1000+/year

Members will receive meeting invitations, regular newsletters and e-mail updates.

PLEASE RETURN THIS FORM AND YOUR CHECK TO: **VARD** P.O. Box 1164, Driggs, ID 83422

VARD IS A NONPROFIT 501 c3 ORGANIZATION. DONATIONS ARE TAX-DEDUCTIBLE.