

Caretaker's Residences are Density

The Caretaker's Residence classification no longer exists in Bridger Canyon zoning, but prior to the 2020 update, it was clear that a Caretaker's Residence was a dwelling requiring density rights. By definition, a Caretaker's Residence was a Dwelling Unit, and there were (and remain) multiple references indicating that Dwelling Units, single family residences, and development rights are synonyms, each requiring a 40-acre area to meet density requirements.

- 3.16 Caretaker's Residence: Dwelling unit for a person that takes care of the house or land of an owner who may be absent.
- 3.25 Dwelling Unit: A group of inter-related rooms having living, sleeping, cooking, and complete sanitary facilities.
- 3.55 Single Family Dwelling: A detached building designed for, or occupied exclusively by, one family and including the necessary domestic help thereof.
- 4.1 ... *Number symbol after PD indicates the allowable density of dwelling units in terms of acres per dwelling unit.
- 6.2 ... One single-family detached dwelling on each 40-acre parcel. ...
- 11.2 a. One dwelling unit per forty (40) acres.
- 13.2.b. Development Rights: The potential for the improvement of a parcel of real property, measured in dwelling units, existing because of the zoning classification of the parcel.

Any interpretation that a Caretaker's Residence is not density is invalid, as that would contradict the plain language of the Zoning Regulation above. Furthermore, common sense dictates that a parcel with a primary residence and a caretaker's residence has two Dwelling Units, potentially occupied by two different parties, with twice the traffic, septic and water requirements and other impacts. This provides for density inconsistent with the General Plan. If there is any doubt, one can refer to the General Plan, page 21:

The intent of the Zoning Regulation is to regulate and promote orderly development of the area. Agricultural preservation is a primary goal which is to be accomplished by limiting development to one (1) dwelling unit per 40 acres or one (1) dwelling unit per twenty (20) or ten (10) acres with a planned unit development except as provided in the Bridger Bowl Base Area. The forty (40) acre minimum lot size, except as allowed through a planned unit development, is based on limiting population so that the capacity of the two (2) lane highway is not exceeded.

One may also consult the stated purpose of the regulations:

- 2.1 Purposes: To promote health, safety, and general welfare and to:
 - a. prevent overcrowding;
 - b. avoid undue population concentration;

The logic here is clear. (1) A Caretaker's Residence is, by definition, a Dwelling Unit. (2) A parcel is entitled to one Dwelling Unit per 40 acres. Approval of a Caretaker's Residence should require at least 80 acres (or a little less, given the parcel size roundoff rules in the regulation), or a density transfer from an adjoining parcel in a PUD.

This interpretation is also consistent with the purpose of a Caretaker's Residence. A small parcel lacks any plausible requirement for a full-time caretaker. There are no cows to hay, few fences to mend, and no large ag equipment to maintain. These concerns are especially pointed if the Caretaker's Residence becomes a rental, separate from the Primary Residence. In that case, it is hard to see how this classification is not merely a blatant evasion of the density provisions in the zoning regulation and general plan.