



Joint Planning Commission Meeting Agenda Documentation

PREPARATION DATE: April 2, 2010
MEETING DATE: April 8, 2010

SUBMITTING DEPARTMENT: Town & County Planning
DEPARTMENT DIRECTORS: Tyler Sinclair & Jeff Daugherty
PRESENTERS: Tyler Sinclair & Jeff Daugherty

SUBJECT: Draft Comprehensive Plan Review

STATEMENT/PURPOSE

The purpose of this item is to continue joint review by the Town and County Planning Commissions of the draft Comprehensive Plan dated April 3, 2009.

BACKGROUND/ALTERNATIVES

The specific topics to be addressed at this meeting are as follows:

- Theme 6 – Develop a Multi-Modal Transportation Strategy
- Process for Completion of Comp Plan Update Review
- Theme 8 – Energy Conservation (Hopes and Dreams exercise)
- Administration Chapter

Public Comment on Agenda Items

No public comment has been received regarding the process for completion of the Comp Plan Update Review.

Public comment received since the April 1, 2010 staff report regarding Theme 6 is attached. Staff has previously provided all other public comment on Theme 6. Please contact staff for additional copies.

No public comment has been received regarding Theme 8.

Public comment received since April 13, 2009 regarding the Administration Chapter is attached.

STAG Recommendations

Theme 6

The consensus of the group was that Level of Service D and the current level of congestion will hurt the tourism economy. The group indicated that the community should not aim for failing. The group felt that

intersection improvements at the “Y” in addition to the Tribal Trails Connector could aid in traffic circulation for residents and visitors alike.

The group suggested a stronger emphasis on Strategy 6.7 by replacing the word “Research” with “Establish” a Regional Transportation Authority.

The group recommended adding the word “underpass” to wildlife crossing in Project #4 on the list of potential transportation network projects.

The group also recommended stronger statements about the significance of the airport to the community and the impacts that it generates.

The group agreed that “Complete Streets” and “Context Sensitive Solutions” need to be defined.

The group agreed that a wildlife crossing strategy for West Broadway needs to be identified and called out in the Plan.

The group felt that while the multi-modal goals were important, bike safety and bike mobility issues should be specifically acknowledged and considered.

Theme 8

Policy 1.3.c needs to acknowledge the regional, national, and international factors involved in achieving the goal of reducing greenhouse gases associated with buildings and the possible unintended consequences of future regulation.

Planning Commission Comments/Discussion Points

Theme 6

Following are the directives from the County Planning Commission from their June 29, 2009, meeting identified as relevant for consideration in Theme 6:

21. Work with regional organizations, other communities, National Parks and National Forests to develop regional mass-transportation options that will service commuters, visitors, and recreationists, focusing on:
 - a) participation in the Yellowstone Business Partnership’s regional transportation cooperative and
 - b) ensuring public transportation from the airport.
22. Develop a Transportation Improvement Program (TIP) that will accomplish our mode shift goals and represents a master summary of the transportation components of the improvement programs developed by each Town and County agency and department. Pages 8-8 – 8-47 are a good source for the framework of the TIP. Establish dedicated funding sources (Strategy 6.1) with the intent of implementing the TIP.
23. Provide a list of Potential Transportation Network Projects including:
 - a) West Broadway 5-Way Main Street Project: roads, sidewalks, bike lanes, a complete street project
 - b) WY-22 and West Broadway Pathway
 - c) New START Transit Center
 - d) Sidewalks in Town and mixed use villages
 - e) Hoback-Jackson South Project (Complete Street – highway, pathway, wildlife mitigation, river recreation access, and transit needs)
 - f) Wildlife highway crossings.
24. Include consideration of a paid parking program in Town to both encourage the use of mass-transit and to provide funding for START and Pathways.

25. Include a Transportation Impact Statement based on projected growth.

Following are comments from individual Planning Commissioners regarding Theme 6.

Tony Wall

I think it foolish to try to set transportation policies, goals and their attendant strategies and indicators before we have our future land-use plan in place. It is naive to think that all (or even most) of the recommendations we have made as a joint board regarding future growth and development (where and how much) will necessarily be accepted by our electeds and memorialized in the new plan. So I would suggest that for now we give Theme 6 only cursory review to see if we agree on some of the basic goals going forward (complete streets, private traffic reduction) - but then come back to finish it up AFTER the joint political bodies make the final land-use decisions. To try to put in place an extensive traffic plan without knowing exactly what you're planning FOR is a classic case of cognitive dissonance. Why torture this issue to death now only to find out soon afterward that it will need to be re-worked to fit an altered landscape?

Paul Dunker

Commissioner Dunker's comments are attached to the staff report.

Forrest McCarthy

1. Statement of Ideal:
 - a) "Town of Jackson and Teton County residents and visitors will be able to safely, efficiently, and economically move into, within, and out of the county by a variety of transportation choices that comprise an interconnected, multi-modal system based on conservation of energy, enhancement of public health, and fuels that are clean and renewable. The transportation system will allow for viable populations of all native species, the preservation of natural scenic vistas, and the safe, unimpeded movement of wildlife."
2. "Why is this theme addressed" needs to include:
 - a) Environmental impacts of transportation (climate change, air/water/noise pollution)
 - b) Energy issues, including goals to reduce use of fossil fuel and promoting alternative fuels.
 - c) Public health impacts of auto-centric transportation (obesity, diabetes, cardio vascular disease)
 - d) Economic impacts to JH of a changing world, where the cost of oil will continue to rise.
3. Goals
 - a) Complete the pathways system.
 - b) Greatly improving the pedestrian walkways in Jackson and all the mixed use villages.
 - c) Make every street a complete street that serves all the users.
 - d) Expand the START system, making it viable for more of the community and adding new routes and stops in Wilson, the Airport, National Parks, Teton Pass, Snake River Canyon that connect to a regional transportation system.
 - e) Work collaboratively on transportation projects with WYDOT, Bridger-Teton National Forest, and Grand Teton National Park.
 - f) Use the best of alternative fuel technology to minimize the carbon footprint of Jackson Hole's transportation system.
 - g) Developing a high level of expertise in successful participation in federal funding for transportation projects.
4. Be a leadership in the new Linx regional transportation system.
5. Provide a list of Potential Transportation Network Projects including:

- a) West Broadway 5-Way Main Street Project: roads, sidewalks, bike lanes, a complete street project.
 - b) WY-22 and West Broadway Pathway
 - c) New START Transit Center
 - d) Sidewalks in Town and mixed use villages
 - e) Hoback-Jackson South Project (Complete Street - highway, pathway, wildlife mitigation, river recreation access, and transit needs)
 - f) Wildlife highway crossings.
6. Develop paid parking system in town to both encourage the use of mass-transit and to provide funding for START and Pathways.
 7. Set a goal that alternative modes of transportation will account for 50% of all Jackson Hole trips (bus, bike, foot, ride-share, TDM) by 2030.
 8. Include a Transportation Impact Statement.

Review Process

Following are the comments from individual Planning Commissioners regarding the process for completion of review of the draft Comprehensive Plan update.

Tony Wall

Rewriting each chapter separately as we have done in the past (and then presenting and performing a final re-review of each one separately) would simply encourage a repetition of our past errors. These chapters (Themes) should be reviewed in a COMPREHENSIVE manner - recognizing their respective places in and influences on the document as a whole. By taking separate chapters out of the context of the whole and treating them as free-standing theses we have missed the point - and failed to recognize how they are interrelated. What we need is gestalt/synergy - but what we've created is quite the opposite. I would suggest that we don't start our final re-reviews until the entire draft (minus Theme 6) has been re-written to reflect our recommendations (and released to and reviewed by the public) - and that then we can continue with a Theme-by-Theme review that would consider every policy and strategy in the context of the WHOLE document.

Theme 8

Following are the directives from the County Planning Commission from their June 29, 2009, meeting identified as relevant for consideration in Theme 6:

28. Add an 8th Theme titled "Energy Conservation" that addresses the community's desire to be climate responsible and that will assure the ability of local utilities to service future development.
29. Require that ALL future construction (residential and commercial) meet the green building standards of LEED certified, GYF, or equivalent third party certification, by writing those standards into our building codes.
30. Develop a viable active transportation, ride share, and regional mass-transportation system.
31. Mandate use of renewable energy sources for all public projects.
 - a) This would include both active and passive solar, geothermal, and purchasing regional wind and hydroelectric power.
 - b) The transition to renewable energy sources and alternative transportation shall minimize conflict with wildlife conservation.

Staff Follow Up and Discussion Points

Theme 6

Based on the March 23, 2010 workshop and previous discussions of the Planning Commissions, Staff has provided below a set of suggested questions to begin discussion of Theme 6. As always, this is not an exhaustive list and the Commissions are free to amend or add to the list, as you deem appropriate. The objective of staff is to assist the Commissions in recommending changes to the draft Theme 6 as proposed. The intent of staff in developing these questions was to encourage Commissioners to begin your discussions with broad level concepts and ideas regarding the community's transportation system goals. The purpose of discussion of this Theme is to provide direction for future transportation system design, not determination of the proper design.

At the April 1, 2010 meeting the planning commissioners asked the Transportation Advisory Committee (TAC) to investigate possible opportunities for increasing redundancy in our transportation system and sites for wildlife crossings. The TAC will give a presentation of their findings at the meeting. Additional questions stemming from their findings may be proposed for your consideration by the TAC at the meeting.

1. At the April 1, 2009 meeting the commissions voted to incorporate all of Friends of Pathways' recommendations except the proposed mode share goals on page 4 (rec. 358). How would the commissions like to address mode share goals?
 - Incorporate the Friends of Pathways proposed mode share goals
 - Meet or exceed the mode share goals of the 2000 Transportation Plan
 - Achieve a 10% shift to alternate modes (April draft)
 - Other
 - The Theme should not include a mode share goal
2. The April 2009 draft identifies seven strategies to implement the general policies of the Theme; the Transportation Advisory Committee identified additional strategies (listed below). Are there any additional strategies the community should implement going forward?
 - Institute a community-wide Transportation Demand Management (TDM) plan
 - Update Chapter 8, the Pathways Master Plan, and the Transit Development Plan based on land use decisions
 - Other
3. The Transportation Advisory Committee and other local transportation experts have volunteered to help staff and the PC to establish measurable Indicators to measure Theme 6 success. How should the Theme 6 indicators be handled?
 - Direct staff – with the help of the TAC and other local transportation experts – to amend the indicators sections to be consistent with the policy changes recommended by the commissions
 - Discuss and compile additional indicators of successful realization of the commissions' vision for Theme 6
 - Other

Review Process

As the preliminary review of the individual themes concludes, the commissions asked Staff to identify the procedural items that need to be decided for the upcoming final review of the themes as a collective document.

- **Completion of Preliminary Review** – Staff anticipates that completion of preliminary review of document will take place on the following dates: 4/1, 4/8, 4/15 (if needed), 4/22 (if needed). The items remaining for preliminary review are:
 1. Completion of Theme 6 – Transportation
 2. Review of Administration Chapter
 3. Theme 8 Hopes and Dreams Brainstorm
 4. Effective Population Presentation.
- **Release of Revised Draft** – Staff anticipates being able to release the entire redline document on April 30. If preliminary review extends beyond April 15, the release date will have to be moved back. A clean copy will also be released as was the case with the rewrite of Themes 1 & 2.

Staff has identified the following procedural issues that need to be discussed prior to final review of the collective document:

- **Written Public Comment** – Staff recommends that the public and Planning Commissioners categorize their comments into following:
 1. New ideas – organized by Theme
 2. Desired Reconsiderations – organized by Theme
 3. Items for Reconciliations across Themes

Upon release of the rewritten draft how long should the public have to comment? Staff anticipates publishing all public comment for review at the end of the comment period. Assuming the redline is released on April 30, due dates are in parentheses

- 2 week public comment period (5/14)
 - 3 week public comment period (5/21)
 - Other length public comment period
- **Planning Commission Discussion Topics** – Based on your own review of the rewritten draft and review of public comment, Staff suggests that the Planning Commissioners submit topics they would like to discuss for publishing in the staff report for the first finalization meeting. Staff suggests that topics for discussion be organized into the same three categories as public comment.
 1. New ideas – organized by Theme
 2. Desired Reconsiderations – organized by Theme
 3. Items for Reconciliations across Themes

How long do Planning Commissioners need following public comment to submit your proposed discussion points?

- 1 week following public comment (5/21 or 5/28 - for a 5/27 or 6/3 meeting)
 - 2 weeks following public comment (5/28 or 6/4 - for a 6/3 or 6/10 meeting)
 - Other
- **Hearing Format** – Staff recommends that the finalization hearings have the following general structure. Staff does not recommend going through the entire document line by line.
 1. Affirmation or clarification of staff's rewrite of each theme

2. Discuss new ideas and reconsiderations by theme
3. Discuss items that need to be reconciled between themes

To remain productive and efficient in the review and avoid repeating discussion that has already occurred during preliminary review, Staff recommends that planning commission members focus on taking action on items proposed for discussion prior to the meeting and included in the staff report.

What rules would the commissions like to put in place to structure discussion?

- Only allow discussion and voting on items in the staff report as provided prior to the meeting by commissioners and/or staff
- Allow discussion and voting on items in the staff report and additional items brought up in oral public comment
- Other
- Place no rules on the structure of the discussion

It is recognized that the membership of the planning commission has evolved throughout the process. Staff recommends that new members should be able to propose motions and vote however they desire.

- **Oral Public Comment** – The Planning Commission should establish ground rules for oral public comment. Options include:
 - Hear public comment at the beginning of each meeting
 - Hear public comment at the beginning of the first meeting only
 - Limit public comment to a certain block of time (max. 45 minutes per meeting currently)
 - Other
- **Final Product** – The April 1, 2010 meeting included discussion of the format of the product passed to the elected officials. It is staff’s understanding that the meetings on this redlined version will be the final meetings on the Themes. Given this understating, in what format would the commissioners prefer to pass the finalized Themes on to the electeds?
 - As a list of changes to the redline version produced following preliminary review
 - As a second redlined version based on final review (with no additional commission review)
 - Defer to elected officials to determine the format they would prefer
 - Other
- **Vision and Introduction** – The Vision and Introduction chapters have been reviewed previously, but their content is largely dependent upon the reconciliation of the entire document. Options for handling the Vision and Introduction chapters include:
 - Staff rewrites the chapters to reflect the finalized themes and policies following review of the rest of the document
 - Staff rewrites the chapters for review with rest of document
 - Other
- **FLUP** – The last consideration is reviewing the Future Land Use Plan (FLUP). Regardless of how the Commissions decide to handle the FLUP, staff suggests that the Themes need to be finalized before any work can be done and would recommend that Staff rewrite the FLUP based on the amended themes prior to review by the Commissions. Options for handling the FLUP include:
 - Complete the FLUP prior to certification of the Themes to the elected officials
 - Delay the FLUP discussion until the elected officials have adopted the Themes
 - Discuss the general purpose and format of the FLUP prior to certification of the Themes to the elected officials and defer detailed FLUP until the elected official have adopted the Themes

- Work on the FLUP between Planning Commission finalization of the Themes and elected official adoption of the Themes (staff will discuss the viability of this option at the meeting)
- Other

If the commissions choose to handle the FLUP prior to elected official finalization of the Themes, how would you like to structure the review following Staff's redline of the current draft districts?

- Joint review
- Individual review by jurisdiction
- Preliminary review by jurisdiction with joint finalization
- Other

Administration Chapter

The 1994 Plan lacks a defined process to revise and update the document. Recognizing this omission, the proposed draft includes an administration chapter which identifies the review process for amending the Vision, Themes, Policy, Administration, and Future Land Use Plan. While the community remains consistent in its vision, we must be dynamic in our implementation strategies. The purpose of this chapter is to give some structure to the ways in which the community will analyze and respond to contemporary challenges without threatening the viability and attainment of the community vision.

Each of the seven themes of this Comprehensive Plan contains a number of policies intended to guide future decisions. Each theme also contains a list of Strategies and Indicators intended to be used as an implementation guide. The Administration chapter discusses implementation of those theme specific policies, strategies, and indicators within the context of the entire plan, specifically:

1. Who is Responsible for Implementing the Comprehensive Plan;
2. How to Monitor progress of this Plan; and
3. How the Community will Respond to Changing Conditions?

Every year, the town and county Planning Departments, elected officials, and partnering agencies and organizations will analyze this Plan's strategies and indicators and implement any required changes. This will occur in two ways:

- Annual State of the Plan Report.
- Annual Work Plan.

Every five years, the town and county will conduct a more detailed community review of the Comprehensive Plan. Town and county planning staff will host public meetings to:

- Affirm the community vision and principles of the Plan;
- Present a progress report; and
- Facilitate discussion on desired Plan updates and amendments.

Staff is seeking general direction from the Planning Commission on the inclusion of the Administration Chapter and the prescribed process for review and amendments. Staff has not prepared any specific questions regarding this chapter, but as you review the chapter and public comment you may want to think about:

- Who should be authorized to propose amendment to the Plan/FLUP
- Frequency of Plan/FLUP amendment consideration
- Responsibility for specific strategies

ATTACHMENTS

- Theme 6 Recommendations to Date
- Theme 6 Hopes and Dreams
- Theme 6 Public Comment received since 3/26/10
- Theme 8 Public Comment received since 4/13/09
- Administration Chapter Public Comment received since 4/13/09
- Proposed April 15, 2010 Agenda

LEGAL REVIEW

Staff notes that Town and/or County legal representation will only be provided on an as needed basis, and legal counsel will not be attending every meeting. If commissioners have questions for the Town and/or County attorneys or would like to request that they be present at a meeting, please let staff know in advance.

SUGGESTED MOTIONS

Town Planning Commission

I move to continue Item P09-030 to April 15, 2010, at 5:30 pm at the Teton County Board of County Commissioner Chambers.

Teton County Planning Commission

I move to continue Item AMD 09-0017 to April 15, 2010, at 5:30 pm at the Teton County Board of County Commissioner Chambers.

**Jackson/Teton County Comprehensive Plan Update
Joint Planning Commission Recommendations Through 4/2/2010**

Topic: Theme 6: Develop a Multi-Modal Transportation Strategy

Approved Jointly

Rec. #	Recommendation	County	Town	Date
358	Incorporate entirety of Friends of Pathways' 3/18/2010 comments except for proposed mode share goals on page 4	5 - 0	5 - 0	4/1/2010
359	Theme 6 should state the community's transportation vision and values, so that they can be implemented through regulations and more detailed transportation planning and analysis in other documents (April draft structure)	5 - 0	5 - 0	4/1/2010
360	The commissions agree with Principle 6.1 (increase the share of trips made by alternate modes, especially transit by establishing a funding source for transit, shifting community behaviors, researching a Regional Transportation Authority, and interconnecting all modes of travel) as a general community transportation principle - with the exception that the policy should be to establish a Regional Transportation Authority not just research the idea.	5 - 0	5 - 0	4/1/2010
361	With the exception of any additive nodal development previously removed, the commissions agree with Principle 6.2 (reduce reliance on single occupancy vehicle (SOV) travel through concentration of development in a nodal land use pattern, prioritization of alternate mode solutions, requiring development to promote alternate modes, and discouraging SOV use) as a general community transportation principle.	5 - 0	5 - 0	4/1/2010
362	the commissions agree with Principle 6.3 (maintain a safe, efficient, interconnected, multi-modal transportation system through implementation of "Complete Streets", coordinated transportation planning efforts, concurrent land use and transportation review, reduced wildlife and scenic impact, and maximized redundancy) as a general community transportation principle.	5 - 0	5 - 0	4/1/2010
363	The commissions believe more emphasis should be placed on working with WYDOT to complete mutually beneficial projects	5 - 0	5 - 0	4/1/2010
364	The Plan should be clarify that each of the five projects identified as necessary in the April draft should be studied for full system improvement and pursued	5 - 0	4 - 1	4/1/2010
365	In addition to the five project identified in the April draft, the projects identified in the Pathways Master Plan and Transit Development Plan (START) should be incorporated by reference	5 - 0	4 - 1	4/1/2010

Approved Teton County

Rec. #	Recommendation	County	Town	Date
366	A north crossing should be identified in the list of projects to consider	4 - 1	0 - 5	4/1/2010
367	Language precluding consideration of a north crossing should be removed from the Plan	4 - 1	2 - 3	4/1/2010
368	Language precluding consideration of paving Spring Gulch road should be removed from the Plan	5 - 0	2 - 3	4/1/2010

2009 Comprehensive Plan Update
4/1/10 Theme 8 – Hopes and Dreams

- There is going to be general agreement on Theme 6

Theme 6 Philosophy

- FLUP should be informed by transportation reality without bogging down in minutia of design
- The needed analysis has been done, it is time to take action
- Theme 6 should be partly tabled until full analysis is complete
- Transportation discussion should follow, not lead land use discussion
- Consider transportation system implications on land use (ie what will a new road mean for surrounding lands)
- Can implement concepts of Theme 6 through updated analysis with updated Chapter 8 as an appendix
- No changes have been proposed to the land use pattern so no more analysis is needed
- Take the layups right now and address the more complicated questions in the future when policy is set and additional analysis is complete

Projects and Studies

- Need to continue to dream big and think about projects like a north crossing
- Need a travel study

Transportation Approach

- Multi-modal approach is important
- Need to take roadway/intersection improvement action
- Focus on Complete Streets
- Interconnectivity should be encouraged for all modes
- Need to address issues of safety and frustration for users of the transportation system
- There is no silver bullet answer

Intergovernmental Coordination

- Partner with WYDOT and Friends of Pathways for funding, planning, and efficiency
- Use WYDOT to improve our transportation system as much as possible

Public Comment

3/26/10 – 4/2/10

Theme 6: Develop a Multi-Modal Transportation Strategy

Comments - Theme 6 - Transportation

Excerpts from “**Comprehensive Plan – Defining Issues & Concepts – draft of 8/27/2007**” (this is on the Comprehensive Plan web site):

- The plan will “evaluate consequences of overall growth in the County (fiscal, environmental, social, infrastructure, transportation, public services, visual, etc.)”
- The plan will “model what the County might look like at “build-out”, and consider the implications for infrastructure needs, quality of life, and the environment.”
- The plan will “determine what our traffic infrastructure needs are for the future, in order to attain our vision for the valley.”
- The plan will “evaluate whether the Town and County can afford the public commitments in the Comprehensive Plan, and that revenue is greater or at least equal to the cost of services.”

So it is about time to be straight with the public and finally do this:

- To clarify my public comments of tonight: my argument was not that we need more data – but that the plan as presented did not inform the public of its consequences. The plan has mostly failed to accomplish any of the primary goals laid out in the initial defining issues and concepts above.
- Specifically commitments to multi-modal transit aside, we currently need – and over the next fifteen years will demand - dramatic expansion of - and additions to - our transportation systems. The expansion will be even greater unless we address commercial growth, second home development and preserve additional open space.
- Please be crystal clear with the public in Theme 6 and say both with our current land use plan, and especially with the incomplete and ill-conceived new draft use plan, the following will be needed:
 - A north bridge that will involve the use of eminent domain and the removal (via the courts) of what were to be permanent conservation easements. This will also further fragment and disturb wildlife movement and critical winter range.
 - The widening of HWY 390 (Teton Village road) to four lanes (plus center turn lane in places).
 - The widening of HWY 22 to four lanes and in places five – including through the town of Wilson.
 - The paving and widening of Spring Gulch road.
 - The construction of the Tribal Trails Connector with the resulting redirected traffic (other than local traffic) onto the already failing High School Road.
 - Despite these additions and improvements - a lower grade of service along several pinch points including the town center and the “Y”.
 - I would go on to estimate the fiscal impact of this transportation infrastructure. How will it be paid for – especially the portions that are a County (versus WYDOT) obligation?

I am not asking for more data. The issue is if we had been given the outline of these needed transportation improvements as promised - along with their environmental, quality of life and fiscal costs – we would certainly have had a very different dialog the last year on constraining build-out and its effective population.

It is not too late. Be straight up with the public on where we are headed – and let them and the electeds make an informed decision on whether this is the direction we want to head. Apart from base property rights, durable entitlements in existing resort zones, already approved town commercial and platted lots – we still have a lot to discuss. Meanwhile we will need to do serious improvements and some additions even with a concerted effort of reducing our end state of development. Don't get me wrong – I also strongly support all the multi-modal efforts in addition.

So when we asked for metrics early and often during the plan process – transportation improvement needs, build-out, effective population, other infrastructure needs and all of their fiscal costs – that was not a demand for more data before moving forward – but rather the frustration that we continue, after several decades, to make land use decisions without understanding their implications. This is simply backwards.

Respectfully, but with frustration - Rich Bloom

Public Comment

4/13/09 – 4/2/10

Theme 8: Energy Conservation

Policy 1.3.c: Reduce greenhouse gas emissions associated with buildings.

New construction will comply with energy conservation standards, use renewable resources, and reduce carbon emissions. **All new construction will require the use of Energy Star rated electrical appliances. In addition to** the town and county will pursue regulations, incentives, and allowances necessary to realize carbon neutral buildings by 2030. Publicly funded construction projects will lead by example in implementing this policy, but existing and new private developments should also work toward a reduction of emissions

Policy 1.3.d: Encourage water conservation

Use of the region's prized water resources in an unsustainable manner threatens the amount of water available for wildlife habitat, human consumption, and recreation. Although the community has numerous water resources, they are finite. Conservation of water is one approach to support sustainable resource use. **All new construction will require the use of EPA Watersense Labeled plumbing fixtures to facilitate resource conservation.**

Policy 1.3.e: Increase recycling and composting

The disposal of solid waste in a landfill involves not only long term decomposition but also long distance transportation. The community will increase opportunities for recycling, reuse, and composting to minimize the solid waste that must be hauled to a landfill. **Each new development in excess of 25 housing units will provide a curbside accessible space of not less than 1000 sq ft dedicated to central containers recycling.**

Public Comment
4/13/09 – 4/2/10
Administration Chapter

Topic	Comment	Author	Date
11 Administration	<p>Pleeaassee! Give me a break. Did you see the front page News and Guide article inspired by our learned planners (planners that you and I are taxed to pay)? It compared to their "neighborhood power point "meetings. It was smooth and creamy but they actually said nothing. They wouldn't say sh-t if they had a mouth full; and they do. So look at this. The comp plan is on line. If you can't bare that, go to Staples (I know I can't bare that either). Do it for the greater good. Each theme of the comp plan has an indicator which will tell us if things are getting out of hand. That sounds like a good thing, but where is the control. This is all an experiment and they have no control data. So when the water in my well or the moose in my field or the oxygen in my air or the fish in Flat creek get to what point, who says it's time to shut it down? Well, they do. The new comp plan indicators will tell you to check to see if there is consistency with the FLUP (Future Land Use Plan) and they, the planners, made that up. Yup, the FLUP is the planner's baby, not the valley's. This whole thing is a flup. On a lighter note, I signed the petition. I understood it, I was not under duress. There was a time in my life when I was picking up one kid from ski practice and dropping one off at drum lessons, trying to fit the grocery store in before I headed home to fix dinner, do the laundry and help with homework. A petition was an easy way for me to say, "Ya, I get it, but right now I have two kids that have a report due, and I still need to mow the lawn. I vote, therefore I assume that my elected officials will do the right thing." I'm wiser now.</p>	Cindy Hill Stone	6/5/09 0:00
11 Administration	<p>The community response to the proposed Comprehensive Plan [CP] has been uniformly one of disbelief and outrage, reactions that are well grounded as the CP has not been advanced in good faith. What should be a document of transparent communication has become, instead, one of co-opted equivocation. Behind the verbiage that "We listened to you", the reality of the draft CP is that it has become a case study in co-option by the undisclosed but indispensable parties of those who feed off the "growth for the sake of growth" machine and the mammonic power structure that finances them under the jurisprudential mandates of compounding usury. It has been deliberately formulated to ignore all the major concerns of the community such as minimizing future "growth", development, and commercialization, preserving scenic vistas and the ecology, and protecting wildlife habitat and migration corridors. And development in "nodes" rather than in more "open spaces", does not remedy these concerns, it exacerbates them. Furthermore, by advancing this agenda, the Planning Department [PD] that should provide a protective voice for the community has now become complicit in this co-option and a hostile witness. The relationship between the community, the PD, and the commissioners, is thus no longer communicative and responsive, but adversarial, and can only be remedied through the adoption of "Community Impact Analyses" [CIAs] as an integral part of both the CP and the Land Development Regulations [LDRs]. What is a CIA? It can best be viewed as a "Community 'Bill of Rights'" against the conduct of vested interests and local government determined to advance development agendas that clearly contravene the community's intent. A CIA provides the community a formal place at the table of development applications and the creation of development plans by requiring that: 1) An arm of the PD formally represents the community's interests in one of the steps in the planning and application processes that currently focus only on the imperatives of the "growth machine." 2) The PD's representation includes, but is not limited to, the identification and quantification of all cost and other externalities associated with any development plan or application. 3) The PD ensures that those costs and other impacts are formally internalized and capitalized into development costs rather than being surreptitiously foisted onto the community as a whole through self-serving proposals, unchallenged analyses, and rising costs and taxes. 4) Public concerns and comments are made part of a written public record requiring formal response rather than just being an abbreviated audio recording that is boxed away and ignored. In the same way that no legitimacy can attach to any adversarial legal proceeding that only recognizes the prosecution's evidence and permits no formal defense, the absence of a CIA in the development application and comprehensive planning processes similarly deprives these procedures of legitimacy. The CP must thus be recognized for it is — a co-opted framework to advance the undisclosed agendas of the development machine and the dictates of mammon and compounding usury that impel them. The CP, for example, supposedly embraces the concept of "Accountability" which is covered by an "Annual Review" of the Plan to elected officials only and a "report directly to the public" only "every 5 years". It does not even contemplate accountability for the impacts and externalities of individual applications on the community as a whole. On its face, therefore, the CP's gesture of "accountability" is presumptively disingenuous as it implicitly speaks to an accountability to the "growth machine" itself rather than the extent to which the planning process has protected and advanced community interests and intent. And the same can be said of the CP's equivocal use of the concept of sustainability" that needs to be supplanted with the idea of "regeneration". In other words, the language in the CP has intentionally side-stepped the community's protective intent in order to maintain the prerogatives for unbridled "growth". The initial draft of the Comprehensive Plan has also embraced the notion of a "Statement of Ideal" to describe a particular planning Theme". An "ideal", however, connotes some aspiration that is both elevated and worthy, but that is typically unattainable. In other words, an "ideal" is not a yardstick amenable to accountability, a concept grounded in reality and subject to verification. Adopting "Statements of Ideal" thus only serves to attenuate any meaningful community accountability on the part of the PD and commissioners, to wit: 1) It provides no basis for verifying the PD's and commissioners' compliance with community intent; 2) It provides a cover for developers and others feeding off the "growth machine" against community criticism and accountability and serves to conceal the continuing advancement of undisclosed development and mammonic agendas.</p>	Roger Elletson	5/18/2009 0:00

Topic	Comment	Author	Date
11 Administration	<p>3) And instead of requiring compliance with the CP, it uses equivocal language and contradictory assertions to allow the PD and elected officials to "Continuously improve upon the policies of the Comprehensive Plan" and thus effectively ignore the Plan at will.</p> <p>"Statements of Ideal" need to be replaced with "Statements of Community Accountability" that specifically delineate those elements and externalities of any theme, proposal or plan to which the community can hold the PD and commissioners accountable.</p> <p>In summary, as the CP recognizes, "it is essential that the community remains invested in the successful implementation of this Plan." And to make this community investment possible, CIAs need to become integral parts of the planning and development processes and included in both the CP and in the LDRs.</p>	Roger Elletson (cont.)	5/18/2009 0:00
11 Administration	<p>We totally agree with the following statements: "Where government and other organizations are falling short in the implementation of this Plan, the community will hold them accountable and take additional action as needed."</p> <p>"The collective input from all non-profits will be helpful in monitoring community perception of and satisfaction with this Plan." P.140</p>	Save Historic Jackson Hole	5/15/2009 15:52
11 Administration	<p>Administration:</p> <p>More detail needs to be provided on the frequency of amendments. The public cannot keep up with amendments that occur on a haphazard basis. Amendments should be reviewed on an annual basis. To repair the problem of haphazard and discretionary review of projects and amendments in the past, amendments should require a 4/5 vote of the appropriate jurisdictional body. This would keep amendments from eating a hole in the document.</p> <p>There should be a provision for public comment on amendments to occur at a time that is regular, convenient for the public, and disclosed to the public suitably in advance.</p>	Cathy Kehr	5/14/2009 14:48



April 1, 2010

Town of Jackson and Teton County Planning Commissions
Re: Administration Chapter
Submitted via email to Alex Norton

Dear Planning Commissioners,

On behalf of the Jackson Hole Conservation Alliance, thank you for the opportunity to comment on the April 2009 draft of the Jackson/Teton County Comprehensive Plan. Following are comments specific to the Administration chapter.

Overall, we really appreciate the efforts to add this chapter and incorporate a more clear commitment to enforcement of the community's comprehensive plan in the future. Based on a thorough review of our existing plan, it is clear that a major obstacle was not necessarily the existing policies or recommendations, but rather a lack of enforcement. Ultimately, a comprehensive plan is only as effective for a community as the willingness and ability to enforce it. Unfortunately, the current draft will not provide increased accountability (particularly without clear timelines for specific strategies).

Attached are line-by-line comments and suggestions for discussion related to administration of the plan. Listed below are the key points that we hope are addressed and clarified during your review of the chapter:

- Clear purpose and need for the Future Land Use Plan (FLUP), particularly as it relates to the proposed criteria for amendments to the FLUP - (The FLUP is too detailed in many ways, and lacks analysis to support what it proposes);
- Clear process for prioritizing strategies by elected officials on an annual basis, particularly as it relates to the need to make sure the highest community priorities are upheld on a comprehensive, long-term basis;
- Clear process for upholding the overall priority of a predictable community vision within the context of potential incremental amendments to the comprehensive plan and the FLUP (versus amendments to the land development regulations which this chapter does not address);
- Potential additional criteria for policy changes and adjustments to the new plan, including the FLUP.

As a concluding chapter of the plan, this chapter raises a central issue that has been discussed throughout this planning process. How much detail should a comprehensive plan address versus the subsequent land development regulations? And more specific to this chapter, how often should broader policies and vision statements outlined in the comprehensive plan be amended versus sections of the plan or land development regulations that actually involve implementation? While we support that the land development regulations are the more appropriate place for many of the details (such as specific development standards), it has been unclear how the FLUP portion of the draft comp plan (some of which is highly detailed) is to be linked with the draft's very broad-based themes and policies. This clarity is important in terms of deciding when and under what conditions (such as a completed analysis of transportation impacts) the community should adopt the FLUP, which currently includes parcel-level-looking maps for twenty-five districts in the town and county. If you choose to delay the FLUP discussion until a later date, it will be necessary to revisit, at some point, all of the statements regarding the FLUP, including those in the administration chapter.

Thank you for your consideration of these comments.

Sincerely,

Kristy Bruner
Community Planning Director

Becky Tillson
Community Planning Associate



Why Is an Administration Chapter Important?

This chapter is the dynamic work plan required for the implementation of the Comprehensive Plan. Although the community vision for the valley has not significantly changed over the past twenty years, the circumstances within which we implement the vision are in continual flux. We can not entirely anticipate future environmental, social, and economic challenges as we seek to be stewards of wildlife and natural resources and provide for the needs of the community. Therefore, while the community remains consistent in its vision, we must be able to be dynamic in our implementation strategies. This chapter gives structure to the ways in which the community will analyze and respond to contemporary challenges without threatening the viability and attainment of the community vision.

Implementation of the 1994 Comprehensive Plan lacked rigorous and consistent review of its strategies. Through this Administration Chapter, the community commits to a proactive, honest, and consistent analysis of the strategies, actions, and programs intended to realize the community vision.

Administration Chapter Purpose

Each of the seven themes of this Plan contains a number of policies intended to guide future decisions. Each theme also contains a list of Strategies and Indicators intended to be used as an implementation guide. This chapter discusses implementation of those theme specific policies, strategies, and indicators within the context of the entire plan, specifically:

1. Who is Responsible for Implementing the Comprehensive Plan;
2. How to Monitor progress of this Plan; and
3. How the Community will Respond to Changing Conditions.

Who is Responsible?

Implementation of the Comprehensive Plan is the responsibility of the entire community.² Elected officials, town and county Planning Departments, and other government and non-profit organizations have specific roles. The community is equally important to the success of the Comprehensive Plan. All decisions ultimately affect the community's ability to conserve natural resources and manage growth. Therefore, it is essential that the community remains invested in the successful implementation of this Plan. The concept of sustainability is a tool that the

community can use in order to evaluate individual and community actions.³

The Community

The Jackson/Teton County community plays an important role in the success of the Comprehensive Plan. Specifically, this Plan challenges each citizen to:

1. Make day-to-day decisions that are consistent with the policies of the Comprehensive Plan. Each member of the community is responsible for shifting his/her mode of travel, minimizing wildlife impacts, reducing resource consumption, finding workforce housing solutions, and supporting local businesses. If community members do not take responsibility for the implementation of this Plan, and encourage their peers to do the same, we will not achieve our community vision.
2. Stay involved in local government and monitor the decisions of elected officials, Planning Directors, and other governmental and quasi-governmental agencies. The citizens of Jackson/Teton County must stay involved in comprehensive planning efforts⁴. Where government and other organizations are falling short in the implementation of this Plan, the community will hold them accountable and take additional action where needed.

Town and County Planning Departments

The Town of Jackson and Teton County Planning Departments will administer this Plan. Planning Department staff is responsible for:

- Executing the strategies of the Plan;
- Monitoring the indicators;
- Processing amendments to this Plan;
- Annually reporting on the State of this Plan to elected officials;
- With direction from elected official, annually prioritizing the most important strategies⁵;
- Updating and amending this Plan as directed by the elected officials;
- Reporting directly to the public, every 5 years, on Plan achievements; and
- Reviewing land development regulations, zoning maps, and development plan

applications for consistency with this Plan.

Elected Officials

The Town Council and Board of County Commissioners are responsible for making decisions that are consistent with this Plan. They are responsible for allocating the necessary funding to implement the policies and strategies contained in this Plan.⁶ They are also responsible for working with neighboring jurisdictions to find regional solutions to transit and housing issues that have the least impact on the entire ecosystem and that maintain intergovernmental agreements for service provision. Elected officials should familiarize themselves with the contents of this Plan to ensure that the Plan remains an accurate reflection of the community vision. Each year, elected officials will be responsible for :

- Receiving and reviewing the State of the Plan report presented by staff; and
- Determining the two to seven priority strategies for implementation over the next year⁷.

Governmental, Quasi-Governmental, and Non-Profit Agencies and Organizations

Governmental, quasi-governmental, and non-profit organizations and agencies are responsible for working with town and county planners to find solutions to community issues, which are consistent with this Plan. These agencies and organizations will play a crucial role in data gathering in order to analyze indicators, analyze the success of strategies and to study the feasibility of proposed strategies⁸. The collective input from all non-profits will be helpful in monitoring community perception of and satisfaction with this Plan. Agencies and organizations are also responsible for working with each other to pool resources and find mutually beneficial solutions towards community goals associated with workforce housing, transit, and other community issues.

How to Monitor Progress of this Plan

Each theme of this Plan includes a number of strategies and indicators. The strategies represent a course of action for implementing the policies

outlined in the Plan. The statistical indicators in each chapter provide a gauge to evaluate success. Monitoring of the indicators provides a way for the community to both assess progress on the plan and to anticipate necessary policy and strategy changes. Monitoring will happen in two tiers—annual analysis and 5-year review.

Annual Analysis

Every year, the town and county Planning Departments, elected officials, and partnering agencies and organizations will analyze this Plan’s strategies and indicators and implement any required changes. This will occur in two ways:

- Annual State of the Plan Report. Each year, town and county planning staff (with input from government, quasi-government, and non-profit organizations) will compile the data necessary to analyze the indicators of the Plan. A status report (with a focus on community priorities) will be completed and presented to the joint town and county Planning Commissions and elected officials in April of each year.
- Annual Work Plan. Based on the State of the Plan Report and town and county Planning Commission recommendations, the joint elected officials will also establish the priorities for the next year. These priorities will be the focus of town and county Planning Staff for the next year and will receive more detailed review in the next year’s State of the Plan Report. Each year, about two to seven priority strategies will be identified depending on available resources.⁹

5-Year Review

Every five years, the town and county will conduct a more detailed community review of the Comprehensive Plan. Town and county planning staff will host public meetings to:

- Affirm the community vision and principles of the Plan;
- Present a progress report; and
- Facilitate discussion on desired Plan updates and amendments.

Town and county planning staff will report back to the joint Planning Commissions and elected officials on the results of the community

meetings. Elected officials and the joint Planning Commissions will provide direction regarding Plan updates and amendments. In years where a 5-Year Review occurs, the review will substituted for the annual analysis.

How the Community will Respond to Changing Conditions

This Plan is intended to be a dynamic document and may need to be amended and updated as community conditions change. Amendments may include improvements to the Future Land Use Plan to more effectively implement the land use policies of this Plan;¹⁰ and policy amendments required to realize the community vision.

Future Land Use Plan Amendments

Future Land Use Plan (FLUP) amendments may be periodically necessary to better implement the policies of the Comprehensive Plan and to respond to policy changes or adjustments. FLUP amendments can be requested by:

- the Town of Jackson or Teton County Planning Director,
- the town or county Planning Commission,
- the Town Council, the Board of County Commissioners, or¹¹
- any member of the public with a recognized interest in the subject land (either the owner of record or their authorized agent).

FLUP amendments shall not be processed concurrently with development plan applications that rely on a particular FLUP amendment. FLUP amendments will be reviewed and adopted according to the following procedure:

1. Application for an amendment by an authorized party.
2. Review of the proposal by town and county planning staff with a recommendation to the joint Planning Commission.
3. Public hearing before the Joint Planning Commission. Joint Planning Commission makes a recommendation regarding the application to the elected officials.
4. Town Council and Board of County Commissioners jointly hear the application.
5. Jurisdictional body approves, approves with conditions, or denies the application.

To approve a FLUP amendment, the appropriate jurisdictional body must make a positive finding that the proposed amendment:¹²

1. Better implements the community vision.
2. Is consistent with the principles and policies expressed in the Comprehensive Plan at a communitywide level.
3. Is consistent with priorities of the district in which it occurs.
4. Is a response to at least one of the following:

- a. The policies of the Comprehensive Plan are not being implemented by the current Future Land Use Plan.
- b. The community's characteristics have substantially changed, warranting a revision to the FLUP directly related to the change in characteristics.
- c. The values and priorities of the community have changed warranting a FLUP revision.

Vision, Theme, Policy, and Administration Amendments

Amendments to portions of the Comprehensive Plan other than the FLUP will also be periodically necessary to respond to changing community conditions and better implement the community vision. These amendments will be of a greater policy nature and have wider reaching local and regional implications. These amendments can be proposed by the town or county Planning Director, the town or county Planning Commission, the Town Council, the Board of County Commissioners or any member of the public.¹³ These amendments will be reviewed and adopted by the following process.

1. Application for an amendment by an authorized party.
2. Town and County Planning staff reviews the proposal and presents a staff report to the joint Planning Commission.
3. The joint Planning Commission holds a public hearing and makes a recommendation on the application to the elected officials.
4. The Town Council and Board of County Commissioners jointly hear the application.
5. Both bodies must approve, approve with conditions, or deny the application.

To approve a proposed vision, policy, or administration amendment, the Town Council and Board of County Commissioners will find that it:

1. Better implements the community vision.
2. Is consistent with the other policies and strategies of this Plan.
3. Responds to indications that at least one of the following situations exists:
 - a. The policies of this Plan are not being implemented.
 - b. The community's characteristics have substantially changed, warranting a revision to the Plan's policies directly related to the change in characteristics.
 - c. The values and priorities of the community have changed.

Jackson Hole Conservation Alliance comments

¹ This statement of ideal should include a goal that is more measurable than “continuously improve upon.”

² While we appreciate the broad intent of such a sentence, it is really important to also include more specific statements regarding responsibility associated with specific strategies if this new plan is to be more predictable, accountable and measurable. (This can occur within the theme-based chapters instead of the broader administration chapter.)

³ Perhaps this statement is left over from an earlier goal of the plan to integrate the concept of sustainability throughout the plan. As a whole, the concept of sustainability has a decreased role, particularly given that it is only primarily mentioned in the introduction and administration chapters. We hope that the new Chapter Eight will place greater emphasis on the concept.

⁴ In terms of responsibility on the part of the public, many people have found the comp plan process itself very difficult to remain involved in for a number of reasons, including a feeling that considerable public input has not been adequately weighed and incorporated. In terms of citizen involvement, how does this broader statement relate to more specific criteria outlined later in the chapter, specifically the criteria for requesting FLUP amendments (a general citizen or organization cannot do this)? Will the Future Land Use Plan include overlays, such as the NRO and SRO?

As we have stated before, it is critical to discuss the structure of the FLUP as the central predictable element of the plan. (For example, the proposed criteria for amendments appear to be the most restrictive for the FLUP.)

⁵ Additional clarification should be provided as to how prioritization will occur on an annual basis. While some flexibility on the part of elected officials to set priorities is important, it is also important to recognize that the community’s highest priority strategies will often require a commitment to long-term monitoring and should not be influenced by piecemeal decisions. It seems more appropriate for the plan to set broad priorities for implementation based on the long-term community vision, upon which more detailed projects will be selected by elected officials.

⁶ Even though the plan calls out specific policies and strategies, it is not based on fiscal analysis or the community’s ability to afford the actions called out in the plan. In short, no financial analysis was done to determine whether the proposed policies are feasible. As the community adopts strategies for implementation, fiscal considerations will be increasingly essential.

⁷ Similar to point (5), more clarification on priority-setting should be available, particularly since setting priorities was one of the key goals of this entire process. Do priorities have to be jointly agreed upon, or will the different jurisdictions set their own priorities? We raise this given the recent efforts to establish an Environment Commission, which has demonstrated how lowered priorities in one jurisdiction stall or prevent the highest priorities from being implemented in the other jurisdiction.

⁸ To what extent were agencies and organizations involved in establishing a framework for monitoring and identifying feasible indicators? Are indicators (across different themes) expected to be changed at a later date once a closer analysis is enabled and facilitated by other agencies?

⁹ As in point (7), two to seven priorities, per year, is a wide range. We understand the need to be flexible, based on availability of resources year-to-year, but where did this range come from? And, is this suggesting that if we don't have available resources, we won't pursue particular strategies, such as research and monitoring? If we are only committing, for example, to two of the many strategies outlined in the plan, are we really getting further along in terms of effective implementation? Some clarification would help. For a start, the plan should include a summary list of all strategies (that are now outlined specific to each theme) in order to generate and specify a comprehensive priority list.

¹⁰ The role of the FLUP maps is critical. This chapter suggests how critical a role they play in the overall plan. We believe that their structure and function must be critically analyzed and discussed, particularly since they are the piece that is supposed to add so much predictability to the implementation of the plan.

¹¹ To clarify, can a request be made by an individual commissioner or elected official, or does a majority have to make a request? As the text currently reads, it is unclear how the amendment can be requested. If an individual member of these bodies can make a request, it could be more clear by stating "a **member** of the town or county Planning Commission", rather than referencing the body as a whole. While of course amendments must be reviewed and adopted or denied by the entire body, it would be helpful to clarify the language regarding requests.

¹² Again, related to the FLUP, it is essential to discuss the role that the FLUP is intended to have in the overall new plan. This section of the plan regarding potential amendments raises a lot of questions about the appropriate balance between flexibility and predictability.

How do these amendment requests relate to the annual/five year reviews? What is the downside of setting a specific time each year (or during five-year reviews) that amendment requests to the comprehensive plan are permitted? This would allow a comprehensive look at proposed amendments, as opposed to piecemeal proposals. (**Amendment requests to a comprehensive plan should be approached much differently than changes to land development regulations.**) And, how will future amendments to the FLUP be processed in relation to amendments to zoning maps?

This amendment criteria raises the larger question of how proposed amendments to the FLUP maps are tied/linked to the broader goals of the comp plan, particularly criteria number three - "is consistent with priorities of the district in which it occurs."

¹³ Why can any member of the public propose a broad-reaching amendment to "vision, theme, policy and administration" but not a FLUP amendment?

AGENDA
JACKSON PLANNING AND ZONING COMMISSION
TETON COUNTY PLANNING COMMISSION
APRIL 15, 2010 – SPECIAL JOINT MEETING
5:30 P.M.

The meeting will be held in the Teton County Board of County Commissioners Chambers.
Agenda for the meeting is as follows:

PLEASE TURN OFF ALL CELL PHONES AND PAGERS DURING THE MEETING

CALL TO ORDER – Town of Jackson Planning Commission

ROLL CALL

CALL TO ORDER – Teton County Planning Commission

ROLL CALL

PUBLIC COMMENT (maximum 45 minutes)

OLD BUSINESS

1. Administration Chapter

NEW BUSINESS

MATTERS FROM STAFF (8:15)

1. Data Requests Update
2. Set Agenda, Date and Time for Next Joint Meeting(s)
3. Identify experts that should be contacted for future meetings
4. Other

MATTERS FROM COMMISSION

ADJOURN – TOWN OF JACKSON PLANNING COMMISSION

ADJOURN – TETON COUNTY PLANNING COMMISSION