

Comprehensive Plan Update
Public Comment on the May 2010 Planning Commission Draft
5/7/2010-5/28/2010

General Comment on Entire Plan

Cindy Hill Stone 5/24/2010 7:27

Ladies and Gentlemen,

I find the revision of the original comp plan draft to be an amazing task and I think you should all pat each others backs (Group hug).

I do find two obvious oxymorons.

1. Density Bonus-----existing development potential. (Manage Growth)
2. Workforce housing -----regardless of employment. (Housing needs)

I feel Theme 8 is a heroic endeavor but not enforceable in this plan. It can only be achieved through education.

Save Historic Jackson Hole 5/26/2010 14:44

Theme 2 Manage Growth-

One potential conflict is Policy 2.3.e which limits discretion in land use decisions, but then says "regulations and incentives will be performance based." At least it does say the "intent and limits of the incentives will be clearly stated." Unless incentives are clearly defined, they are discretionary. The statement that "If small town, rural character is to be preserved, human needs must be provided within existing development potential" seems pretty clear, but in the Housing Theme it mentions giving limited density bonuses. This conflict should be resolved. Policy 2.1.d talks about transferring density from the rural county and converting non-Residential potential into residential potential in town. No mechanism is proposed or an audit system to be sure this is not abused. Indicator 1 basically says we will follow the LDRs. Is that what the JP& Z C, meant? It seems redundant, like promising to stop at red lights.

Theme 4 Meet our Community's Housing Needs-

Generally this Theme seems confusing and in need of some clarification. The definition of workforce housing as "all housing occupied by people living in the community year round regardless of deed restrictions or employment" is very confusing and vague. We would ask the JP& Z C to confirm that this is what they recommended. Policy 4.3.b to "allow density increases for restricted workforce housing in target areas of town" is in conflict with Theme 2 managing growth. Even if "Base density allowances will have to be set low enough to allow for density bonuses that do not increase residential development potential," it is difficult to understand how this will maintain the goal of no net increase in total Town and County development potential. We ask the JP& Z C to confirm that the goal for indicator 1 is to increase the percentage of workforce housed locally. Our understanding was the goal was to stay above 65% but not necessarily to keep increasing the percentage. It is unrealistic to expect it to increase forever.

Theme 5 Provide for a Diverse and Balanced Economy-

Although the Theme talks about "Developing a better economy without building a bigger economy" indicators for skier days, National Park visitation, monthly lodging occupancy rates, airport enplanement, and local domestic product are all targeted to increase. This seems to be in

conflict with principle 5.2 which says “Economic development will occur within the growth management policies of the community - with the primary goal of improving the local economy not necessarily physically expanding it.”

Theme 6 Develop a Multi-Modal Transportation Strategy-

Policy 6.3.c: to “Review land use proposals and decisions against their transportation network impacts” Is not necessary if total development potential in Town and County is limited. Instead the plan should review what transportation network is needed to service the development potential that is allowed. The goal to increase Level of Service for all modes in indicator 7 seems to conflict with other statements to discourage vehicle use.

Theme 8 Energy Conservation-

This is a new Theme which has not been reviewed so our comments are more general. Principle 8.4 misses an important way to reduce energy which is to build smaller public buildings and not build unnecessary public buildings. Consider requiring larger buildings to have higher energy efficiency. Policy 8.5.c suggests pursuing methane capture in the landfill. Is this possible since we do not operate the landfill in Sublette County? Is the goal of indicator 2 to reduce the number of carbon neutral buildings in 2030? How will indicator 4, per capita miles driven be measured? Indicator 7 seems to be a goal, and should be restated. The draft does not discuss efforts to reduce idling, which is a topic the Town has been working on.

Sara Adamson 5/27/2010 11:51

As a professional in the field of historic preservation, I'd like to add my personal support to this draft of the Comprehensive Plan, specifically section 3.6 for its recognition of the importance of historic preservation in promoting heritage tourism and economic development. Our historic buildings may be humble, but they meet nationally-recognized criteria for historic significance. And while they may not be as old as historic structures in other communities, they are the oldest buildings we have, and if we don't allow them to survive to 100 years, they will never be 300 years old.

I also support Theme 8 and its recognition of the sustainability of reusing existing buildings, a practice that further supports the local economy by putting more construction dollars in the pockets of local construction laborers than new construction, while reducing waste. Thank you for leading the county in recognizing that recycling buildings is as important as recycling cans and bottles, if not more so.

Joe Albright 5/27/2010 12:25

On line, I was reading what I believe to be the latest rewrite of the comp plan. I'd like to comment on what I believe is an omission.

Unless I missed it, I believe the comp plan draft doesn't state what the population of Teton County is today and what it was 10 and 20 years ago.

Nor do you state what the population is estimated to be in 2030 or 2050 if the coming decades the new comp plan is fully implemented. I really believe that is a glaring hole in the draft. I urge you and the planning commissioners to let the people know the overall impact on population of your various changes you have approved.

I believe that the 1994 comp plan did include the 1990 Teton County population . I don't see how we could exclude population from our basic planning document.

Thanks to everyone for all their work on this.

Teton County Historic Preservation Board 5/27/2010 15:46

On behalf of the Teton County Historic Preservation Board (the Board) I am writing in strong support of the Planning Commission's Teton County/Jackson May 7, 2010 Draft Comprehensive Plan. Specifically, the board supports the careful consideration paid to the community's cultural resources in the plan's emphasis on the role that preserving heritage plays in maintaining community character, promoting economic development, and by promoting sustainable practices through the reuse of existing structures (found in Themes 3 and 8).

The value of our historic resources is sometimes less obvious than in older communities, but Jackson Hole does have historic buildings that meet nationally-recognized criteria for historic significance. The town and county were designated a Preserve America Community by the Advisory Council for Historic Preservation, a Federal agency, in 2009, identifying Jackson Hole as a cultural asset important to the nation. The county is home to over 350 structures listed on or eligible to the National Register of Historic Places, and the area contains many more potentially eligible sites and structures that have yet to be evaluated.

The Board supports the current draft of the Comprehensive Plan, which clearly articulates the importance of these nationally-recognized resources through policies 3.6a, b, and c and provides for their consideration during the planning process. We applaud the plan's support for the mission of the Teton County Historic Preservation Board to identify and protect these resources. The plan, as drafted, is also consistent with the existing town Preservation Ordinance (15.38.020).

This plan also acknowledges the core value of preserving the community character of Jackson Hole. Community members polled in the Lake Research Partner's 2007 survey ranked preservation of community character as the second most important goal of the comprehensive plan (shown by the support of 90% of respondents). The character of any community is inextricably linked with an understanding of its roots, and with the built environment that represents those roots. When asked what defines community character, this Board has found many residents mention historic resources such as the town square, Mormon Row, the Wort Hotel, Jackson Drug, and the valley's historic ranches. We support the plan's goal of guiding development in a way that is respectful of that heritage.

In terms of economic development, that heritage is critical to attracting heritage tourism, a valuable asset to the valley's economy. Studies have shown tourists who travel to historic sites stay longer and spend more money each day of their trip than other types of tourists. Those are economic benefits this community reaps simply by preserving what we already have, and they are benefits we endanger if we do not protect our heritage. Historic preservation promotes economic development in another critical way. As opposed to new construction, in a project reusing an existing building, whether it is historic or just old, more of the construction dollars go to labor than to materials, keeping those dollars circulating in the community.

Lastly, we applaud the plan for its recognition of the sustainability of the reuse of existing buildings (Theme 8). Green building professionals estimate it takes from thirty-five to fifty years for a new building - even an energy efficient, LEED-certified building - to recoup the embodied energy lost when an existing building of its size is demolished. The embodied energy in an existing building is equivalent to five to fifteen gallons of gasoline per square foot. New construction also creates significant waste - waste that constitutes 25% of the nation's municipal waste stream. The Jackson Hole community is passionate about reuse and recycling. The Board supports the current draft of the Comprehensive Plan for clearly articulating the connection between building reuse and sustainability.

We appreciate your consideration of our comments and hope that we can continue to provide feedback for this important planning document.

Sincerely,

Jesse O'Connor
Teton County Historic Preservation Board President

Kathy Tompkins 5/28/2010 10:26

I just wanted to say thanks so much to all of the planning commissioners for all the hard work and long hours put in to get the plan going in the right direction. I echo what SHJH and Rich Bloom submitted for comments. The contradictions about staying within our growth limits and bonus densities need to be addressed. Put more bite in the growth watchdog end of it. Implement an environmental commission, define better, workforce housing with emphasis on not going below 65% instead of increasing growth by increasing workforce percentage that can live and work in the valley (the dog chasing its tail syndrome). Remember that some people do choose to live somewhere else and come to work here.

The FLUP is going to be the key to a successful comp plan. Get the planning commissioners review and recommendations to the county commissioners before the election to get their stance and then we can get going on the FLUP. Thanks again.

Frank and Patty Ewing 5/28/2010 13:46

After careful reading of comments submitted by Armond Aciri, rather than restating them we endorse his comments emphasizing the following:

Theme 1: The emphasis which recognizes protecting wildlife as primary is based on the overwhelming public input. This emphasis in Theme 1 must influence all other themes in the plan. Wildlife and open space protection is the most important value in the community.

Theme 2: Delete in policy 2.4.e "regulations and incentives will be performance based." That is discretionary, and incentives and discretionary tools should be eliminated. Theme 2 still does not address the cost of growth to the community. I repeat my comments of 2/16/2010, growth should pay its own way, not the community, and this should be the overriding dictum for managing growth. Build out should be clearly identified and provide guidance in policy creation. Growth rate regulation should be implemented to slow the impacts of development to natural resources and community infrastructure.

Theme 4: Clarify definition of workforce housing. Policy 4.3.b is very troublesome because it allows density bonus for target areas in town. No net increase in total Town and County development potential. The comments submitted by Rich Bloom are very clear, and we support those comments. Workforce housing should be provided in greater proportion by commercial development and include a mix of rental and ownership options. Commercial development potential should be limited with sensitivity to building design, community character, and not exacerbate the need for workforce.

Theme 6: The more growth, the bigger the buildings, whether residential or commercial, the more energy needed and consumed.

May 28, 2010

Town of Jackson & Teton County Planning Commissions

cc: Alex Norton

Re: May 2010 Draft – “Themes and Policies” section of the Jackson/Teton County Comprehensive Plan
Submitted via email to Alex Norton

Dear Commissioners,

On behalf of the Jackson Hole Conservation Alliance, thank you for the opportunity to comment on the May 2010 draft of the “Themes and Policies” section of the Jackson/Teton County Comprehensive Plan. **We really appreciate your hours and hours of time over the last year to improve the plan; in numerous ways, the new draft represents a significant improvement over the April 2009 draft. However, to be clear, we believe there are a number of outstanding issues with this draft section of the plan, many of which relate to previous votes you took or ideas that have already been presented to you but were never discussed or voted upon.** With this in mind, we will not reiterate all of these points at this time. **Our comments are specifically framed within the recommended structure for public comment for this round of planning commission review, and will therefore be brief.** We anticipate that many of our concerns will be addressed during the upcoming review by elected officials.

Also, over the last several years, members of the public, including the Conservation Alliance, have submitted extensive, detailed input to help shape our community’s next comprehensive plan, including suggestions for ways to improve the various drafts. **You already have a lot of information in the public record that should help you determine to what extent the draft section you are forwarding on to elected officials is truly representative of the community’s vision and the original intent of this planning process – to improve our existing plan.**

Below are comments related to the Future Land Use Plan, the overall review process, Theme Eight, the Administration Chapter, inconsistencies and key areas of contradiction organized by theme, and new ideas.

Future Land Use Plan (FLUP) & Review Process

While we understand your decision to defer review of the Future Land Use Plan at this point, it is critical that you clarify your intentions for the upcoming FLUP review process. Specifically, please clarify whether you think elected officials should “formally act upon” or adopt the “Themes and Policies” section of the plan prior to your review of the FLUP. **Based on how the plan was structured,** it appears that the FLUP is intended to be the predictable piece of the overall plan to guide future decisions and that it should be considered as a formal section of the plan, not something separate from it. Until the draft plan is considered and reviewed for consistency in its entirety, no single portion of it should replace our existing plan.

Because the document in its entirety has not been reviewed, many of the really hard questions remain unanswered. Specifically, the FLUP – a 65-page portion of the plan – includes considerable narrative on what types of development and conservation efforts are appropriate across the valley’s 25 districts. It provides wide ranges of expected development potential for newly proposed land-use types, and perhaps most significantly, includes a table that identifies the priorities (theme-wise) that will take precedence in each of the districts. It appears, based on the way the plan was structured, that the review of the FLUP will be the part of the planning process that will test everyone’s understanding of the themes and policies that are being brought forward. For example, are the policies in the May 2010 draft clear enough, predictable enough, etc., to direct clear, effective land development regulations?

Also, while we appreciate that you, as planning commissioners, are not going to undertake a line-by-line review of the plan, we believe it is critical to acknowledge how important this step will be prior to

adoption of the plan. Based on our organization's decades of history in participating in reviews for individual applications in both the town and county, one thing is clear: the details and specific wording within our community's comprehensive plan matter a lot, because decision makers rely heavily on the Comp Plan for direction. At a minimum, a line-by-line analysis, including legal review, should occur well before plan adoption to ensure the proposed wording is clear enough to meet the community's desired intent. Prior to concluding this phase of your review, please provide recommendations regarding this step of the process – who should do a line-by-line review and when – to assure the public this critical step will be undertaken at some point.

Theme 8

Please refer to both the written comments that we submitted on April 12, 2010 and the May 28, 2010 memo, included as an attachment.

Administration

Please refer to the written comments that we submitted on April 1, 2010.

Theme-By-Theme Analysis

While significant strides have been made, below are several key topics that would benefit from additional clarification to eliminate potential contradictions or inconsistencies. In general, and as we have expressed throughout this process, many of the policies in the draft are too broad and as a result leave the door open for diverse interpretations. In a number of cases, because the text is so abbreviated for certain policies, the context or rationale, which can help to more clearly provide guidance for land development regulations, is absent. We expect the elected officials to address this central issue of the draft plan – the shift to a far less detailed comprehensive plan than the existing plan.

In short, **we have identified many of the topics below with the primary goal of this process in mind – to increase predictability for landowners, decision makers, and other members of the public in future land use decisions.** As a result, the basic contradiction is, in some cases, the policies' failure to be consistent with the overarching goal of the new plan – to improve upon and lessen the uncertainties and unpredictability of our current plan.

Theme One: Practice Stewardship of Wildlife, Natural Resources and Scenic Vistas

Inconsistencies and Potential Contradictions

- This theme lacks the detail typically necessary (such as recent data and the scenic policy-related illustrations that exist in our current plan) to guide strong land development regulations for wildlife and scenic resource protection.
- Even though wildlife is stated as the highest priority of the community, and the new plan is supposed to ensure greater predictability and accountability, no expected timelines are identified to carry out the actions or strategies that would increase our chances of actually protecting wildlife.

Theme Two: Manage Growth Responsibly

Inconsistencies and Potential Contradictions

- This theme includes vague, contradictory language regarding caps on development potential. (In some instances, it is unclear whether the implied goal for density neutrality supercedes policies related to density increases.)
- Several questions remain regarding references to potential transfers of development.
- Policies regarding the proposed future pattern of development for commercial development have the potential to be contradictory in some cases (the draft calls for both centralizing and dispersing commercial development).

Theme Three: Uphold Jackson as "Heart of the Region"

Inconsistencies and Potential Contradictions

- To ensure growth is not for growth's sake, the intent of "growth neighborhoods" in town, specifically as it relates to unrestricted "workforce housing" should be clarified – See summary of theme four for discussion regarding "**workforce housing.**"
- If the "character and charm" of the Town are not more adequately defined, success in protecting

them will be difficult to achieve. (The draft's approach to character is less defined than our existing plan.)

Theme Four: Meet Our Community's Housing Needs

Inconsistencies and Potential Contradictions

- **This chapter needs a lot of work. If significant changes are not made to this chapter, it alone could undermine all the improvements made to the new draft over the last year.** Switching the focus to “workforce housing” without adequate inclusion of “affordable housing” criteria and specificity has made this chapter’s principles and policies unnecessarily confusing and vague. In general, there is awkward wording throughout the entire chapter.
- Policy language is inadequate for setting and meeting a 65% quantitative goal.
- Currently proposed policies, which have some good and reasonable intentions, need more detailed description to ensure no loopholes are being created. (Examples include requiring “mitigation on a sliding scale” and promoting that “small, local entrepreneurial businesses should be exempt from requirements.”)
- The chapter appears to be largely based on the myth that smaller, free-market homes function as accessible, affordable homes for the workforce. (This idea rarely holds true in resort communities, and has not been demonstrated to hold in this community in the long term.)

Theme Five: Provide for a Diverse and Balanced Economy

Inconsistencies and Potential Contradictions

- The indicators, as in all chapters, need a lot of work. (None of them include baseline data, and some of the goals are questionable given the goals of the chapter.)
- Some sections of the draft plan contradict this theme’s goal of an economy not dependent on growth and expansion.

Theme Six: Develop a Multi-Modal Transportation Strategy

Inconsistencies and Potential Contradictions

- The role of Appendix K (existing transportation chapter) needs to be clarified to avoid confusion in the future.
- This theme currently lacks the level of analysis that accompanies a comprehensive plan. Prior to consideration and adoption of the FLUP section of the plan, considerably more analysis should be required.
- This theme needs to reconcile County-preferred and Wyoming Department of Transportation Level of Service (LOS) standards.

Theme Seven: Provide Quality Community Facilities, Services and Infrastructure

Inconsistencies and Potential Contradictions

- This theme needs to clarify concurrency review requirements, given that the following language was removed, “project the infrastructure and public facilities needed for the buildout and future development pattern.”
- Policies need to be refined to ensure that the chapter goals are realistic and able to be implemented (rather than just a wish list), particularly given the role of the FLUP section.

Appendix I: Buildout and Numbers

Inconsistencies and Potential Contradictions

- Anytime a new document is to be released during this process that refers to the findings of the Buildout and Employee Generation task forces, the members of the task forces should have the opportunity to review the document before it’s released. And, as we have stated before, we believe it is critical when presenting numbers to always attach information regarding the assumptions that were used to arrive at those numbers. Appendix I should include a list of assumptions. This would help to alleviate confusion for the public regarding the development potential associated with the new draft, and make things clearer for planners and community members who will refer to these numbers in the future.
- The descriptions with the table, particularly the reference to a cap “+ light industrial and + local convenience commercial” should be consistent with the policy language regarding caps. (In both the town and county, when is additional local convenience commercial and light industrial

- permitted beyond the “caps”?)
- Also, ultimately, actual existing baseline allowances should be used to determine potential development, not figures that include many assumptions (including those for redevelopment).

New Ideas

It is unclear how you will specifically define and address “new ideas” in your review. Over the last year, **the public (both in written form and in verbal testimony) introduced a number of new ideas and suggestions on which votes were never taken by planning commissioners.** At this point, we assume any ideas that were previously brought forward in public comment will not be considered “new ideas” (regardless of whether a vote was taken related to these ideas), and will therefore not be considered during this phase of your review.

To provide one broad, comprehensive “new idea” for this plan, we recommend that you identify a comprehensive priority list of strategies to be incorporated into the text of the new plan (or you should make a recommendation that the elected officials develop this list as part of their review). Currently, the independent chapters include a number of strategies unique to each theme, but the draft plan, as a whole, doesn’t prioritize them in relation to one another. (For example, the 1994 Plan included a list at the end of the first chapter that identified the top issues that needed immediate attention upon adoption of the plan. A similar, but more specific approach with timelines, would be good to take with this new plan.)

Closing Thoughts

Based on our review of the new “Themes and Policies” section, we believe there have been some great steps in the right direction, but there are still a lot of remaining questions and issues that need to be clarified prior to adoption of a new comprehensive plan. The key factors of this uncertainty include:

- 1) There are many outstanding issues associated with the FLUP section. (It is structured to be a section of the plan, not something separate from our comprehensive plan.)
- 2) Some of the policies’ language is broad and vague, leaving potentially very diverse interpretations in the future when drafting land development regulations. (There are a number of issues that still need to be reconciled at some point, some of which can only be done at a more detailed level than the level at which the issues have been reviewed to date.)
- 3) Many of the tasks are still ahead of us that should play a role in the FLUP section discussion, such as an updated Natural Resources Overlay and Scenic Resources Overlay. And,
- 4) There are several key topics within the plan that should be more representative of the information gained in years of public input. However, again, to respect the structure of your review not to reconsider topics, we will emphasize these topics again as the draft gets forwarded to elected officials.

Thank you for your consideration of these comments. Again, we really appreciate your dedication of time and energy throughout this planning process and all the efforts you have made on behalf of our community.

Sincerely,



Kristy Bruner
Community Planning Director



Becky Tillson
Community Planning Associate

Theme 2: Manage Growth Responsibly

Shawn Ankeny 5/20/2010 15:17

Please do not deny homeowners the right to build a stand alone Guest House. Several people I know have recently bought their lots knowing that they would be able to build a guest house on the property eventually. I believe that if Guest Houses are no longer allowed, main houses will become that much larger, and that much more noticeable in the landscape. To be able to build a small Guest House and a moderately sized house breaks up the mass and creates smaller scale structures, which have a more quaint feel, like those of the olden days of Jackson Hole. I do not believe that eliminating Guest Houses will help wildlife in any way. Instead, it seems like eliminating them would take away coveted rights of the landowner to build on the land they own. I would rather not see Jackson turn into a place of 8000 sf houses. The fabric and beauty would benefit from grouped smaller scale structures.
Thank you for your consideration!

Robert E. Moore Jr. 5/21/2010 5:38

Dear Planning Commission,
I expect that you use this forum to gauge popularity of particular issues as it is convenient, though be it misleading. One should be aware that not everyone has the time or ability to follow your latest endeavor. I fall into this forementioned group having to rely on our local news media which is obviously biased. I just thought to clear my conscious I needed to add my two cents by speaking out against eliminating ARU's. Any more infringements than have already been inflicted by yourselves and your staff upon property owners in this valley is just plain wrong.
Thank you for your service and your time.

Susan Shepard 5/21/2010 19:50

I am opposed to the elimination of the option to build guest houses that exists under current law. I would like to build one to house my adult children who are struggling with the economy right now. It could later be rented out to a couple who need reasonably priced housing. Also, it will impact second homeowners who bring a great deal of revenue (hence Jobs, charity and business support) to our valley.
I am sending a more comprehensive letter outlining my concerns.

Charlie Ross 5/24/2010 13:50

I think that guest houses should be allowed in the new comp plan.

Christy Gillespie 5/24/2010 14:07

In regards to: " Policy 2.1.a, lines 6 and 7, where it reads, "accessory residential units associated with residential uses will not be allowed." As a realtor in this valley and property owner I'm extremely disappointed that the planning commission for even considering this. Guest houses create jobs in the valley and provide housing. In a time when the economy is already in a downturn and builders are out of work - is this really the right time for you take an anti-growth policy on guest houses? Not to mention, all the other services industries that will be affected by this - architects, landscapers, cleaners, etc.

Jack Delay 5/24/2010 14:21

Dear trusted representatives,

I write to voice my serious concern and opposition to Policy 2.1.a, specifically the proposition that accessory residential units will not be allowed. The caretaker or guest apartments are a sought after feature for many of our residents as well as new buyer's looking to put down roots at some level in the community and have been a long accepted element in county residential properties. It was a key feature for me when I bought my home.

I am not certain what reasoning led to this provision in the plan but I would be happy to debate it or provide further comment as I'm confident I would find it flawed.

In no uncertain terms I oppose this provision.

Thank you for your attention in this matter.

Tom Hunter 5/24/2010 14:31

The elimination of guests homes in your draft proposal is arbitrary and will irrevocably damage the marketplace for high end homes. Restrictions such as this at this time will kill what's left of the golden goose. Please reconsider this portion of your draft plan.

Edie Lewis 5/24/2010 14:31

Dear Teton County representatives,

I write to voice my serious concern and opposition to Policy 2.1.a, specifically the proposition that accessory residential units will not be allowed. The caretaker or guest apartments are a sought after feature for many of our residents as well as new buyer's looking to put down roots at some level in the community and have been a long accepted element in county residential properties.

In no uncertain terms I oppose this provision.

Thank you for your attention in this matter.

Madeleine Emrick 5/24/2010 15:03

I really object to the elimination of guest houses in this new proposed plan. Our world is changing very rapidly and as a lot of us age we may need assisted living. I think that guest houses will be a great way to be able to stay in our homes and have someone providing us care. I also think many guest houses become beautiful spaces for living for many who cannot afford to buy properties. I know many caretakers who live very happily in these guest houses. If you want to limit growth limit future development but do not change what was once allowed. Thanks, Madeleine

John Hanlon 5/24/2010 16:02

Re: Theme two on managing growth responsibly:

I feel it is unwise to take away the guest house in the county. They should be added to the town and long term rental allowed too. When housing is tight and prices are high is one way the locals can pay their mortgage. It allows more quality to lives of people who live here. Some are turned away because they can't pay a mortgage in this high priced community.

Another advantage to guest houses is that they allow people to come and visit without having to actually move here so the impact on the community is lessened.

A third benefit they provide is that if locals can rent guest houses then we will have less need for bigger apartment and condo complexes. If there are several hundred seasonal summer workers in the area and many of them are renting in various apartment complexes those place start looking like fraternity row. (just go by Ponderosa village on Friday evening in the summer time - you'll see). But if seasonal workers are renting a guest house behind a private home there will not be a "keg

party" there because the owner would never allow it. This translates to less disturbance calls to the sheriff/police too.

A fourth benefit is that it leaves other housing available, thus lessening the demand to build more publicly subsidized housing by Teton county.

Please keep guest houses in the plan.

Darren Kleiman 5/25/2010 9:17

I wish to voice my OPPOSITION to section 2.1.a of the most recent draft of the Comprehensive Plan, specifically as it pertains to ARUs. The proposed legislation stating "...accessory residential units associated with residential uses will not be allowed." will have unintended consequences beyond anyone's imagination. While control of density in theory is a good idea, this is NOT the right way to achieve the goal.

Commissioners, vote NO on the Comp Plan or you'll be out of a job next election.

Bomber Bryan 5/25/2010 9:32

TC Planners and Commissioners,

I am strongly against the proposed language in the Draft Comp Plan that defines the inability to construct future ARU's. This is not the answer to managing growth in Teton County. What exists is history, and fo-forward management has to do with future allowable deeds (residential development) and proper mitigation policies.

Thank you for your time and consideration.

Chad Budge 5/25/2010 9:36

If the elimination of guest houses is being considered, I am extremely opposed to that.

Rob DesLauriers 5/25/2010 11:12

Eliminating a property owner's right to build a guest house (Policy 2.1.a.) is equivalent to a taking of rights. It is inappropriate and unfair. Please remove. Thank you.

Nancy Clancy 5/25/2010 12:30

Eliminating guest houses is absurd and there is no reason for it.

Tom Evans 5/25/2010 12:48

I am not in favor of taking away the accessory residential unit associated with residential uses in Teton County. I find it interesting that this is being considered. I have a guest house and I use for guest and friends and it is a wonderful addition to our household. It allows me the opportunity to also use if for staff and or employees without taking up any housing needs in the balance of the county. I don't see what the purpose is to not allow guest houses other than wanting to take jobs away from architects, contractors and landscape companies or for that matter eliminate future housing of employees in the valley.

By disallowing you are continuing to increase the demand for housing and in return will increase the amount of rent someone will have to pay. You need to be more proactive in this economic climate and not take away a potential job that does no harm in keeping the accessory units in place as it currently is in the master plan.

Ken Mahood 5/25/2010 14:01

I am opposed to removing the provision for accessory residential units associated with residential

uses in the county. This is the wrong approach and should not be adopted.

Brett Bennett 5/25/2010 16:15

I oppose the elimination of guest houses as noted in Policy 2.1.a.

Guest homes are an integral component to the employee housing base. The elimination of future guest homes would reduce the capacity for the valley to absorb future housing needs, would require more "affordable housing blocks" to be built and would increase commuter traffic from Star Valley and Teton Valley.

Chris Jaubert 5/25/2010 16:19

I strongly disagree with Section 2.1.a of the Comprehensive Plan. It border line attempts to diminish our freedoms as land owners more so than the current FAR regulations. The current regulations atleast allow individuals to decide how they want to develop their own land (to a degree) but still controls the FAR. I think if someone wants to build a 3000sf Main house and then a 4000sf Guest House, they should be allowed to do so. The proposed method is just one step closer to the government completely dictating (and limiting) what we can build on our own land. The next step will inevitably be to cut down the allowable square footage of the one allowed building unit thus mandating that we all live in cabins. If the intention is to limit the amount of "building" per square acre, then just decrease the allowable square footage per unit, not the allowable number of units. Personally I think the current system is more than restrictive enough to accomplish the goal.

Phil Stevenson 5/25/2010 17:29

I strongly object to the language contained in Policy 2.1.A which states,in part, "...accessory residential units associated with residential uses will not be allowed". This would appear to be a direct prohibition on guest houses, which I believe would be a huge mistake. More than almost anywhere else in the country, when you live in Jackson, people want to come and visit, often for weeks at a time. For those who can afford them, a guest house is a gracious way to house visitors, and I don't see how they in any way are harmful to the citizens of Teton County, especially when they are limited to 1,000 square feet.

Mark S. Dalby 5/25/2010 18:42

I firmly disagree with removing the option to build ARU's (Accessory Residential Units) on our land and in our community. For many, this provides another means of income to help support our families. Additionally, it provides low income housing for families in need of living space, which is extremely limited for our workforce. With the further expansion of the airport, which drives our growth bringing financial stability to our local economy, this seams a mistake.

There should be incentives for ARU's to help our community.

Landowner's should have the power to choose.

Steven Bohl 5/26/2010 6:33

Good Morning,

We completed the construction of our guest home last May. We also had a building permit approved for our main home, however, do to economic changes we have postponed the main house construction for a year or two. Our property address is 5235 Fish Creek Rd, Wilson.

As you can imagine, if we lose the ability to build a main house, with the exclusion of an accessory structure provision, this would dramatically impact our property. We complied with the maximum of 1,000 sq ft for a guest house in anticipation of building the main house.

We have owned homes in the Jackson area for over 10 years and are planning on retiring in the area in two- three years with the completion of the main house. We bought this lot specifically for the building of the guest home and main home as proven by our approved building permits. Please consider this unique situation and not significantly impact our property value.

Todd Lamppa 5/26/2010 7:41

Regarding any changes to the allowance of having a guest house or mother in law apartment, I believe it would be unfair to property owners if the county prohibited the right to have a place for guests or family members to reside. Let each development decide during the development process whether or not it is appropriate to have guest homes or apartments within the project, but dont take away the right for the whole county.

Penny Gaitan 5/26/2010 9:37

To Whom It May Concern:

With regards to the current draft of the Comprehensive Plan, I am very concerned and opposed to the Policy 2.1a, especially the proposition that future constructions of accessory residential units not being allowed. I have a 3 acre piece of property with home and plan to build a guest house for one of my children to be able to move back to the area and live in Jackson Hole. I haven't had the ability to do it yet, but that was the purpose of the purchase years ago. This ability to put a guest home on property has been allowed use for years and I would like to see that continued. I do not understand why it was even considered to change this regulation, but I definitely oppose this change.

Thomas Ward 5/26/2010 10:06

The transfer of density from county to town seems ill considered as well as a thinly veiled piece of political gerrymandering.

It will remove housing stock that is often utilized by caretakers (tax paying working types) as well as eliminating the prospect of some construction opportunities for general contractors (also tax paying working types).

The proposed amendment does not outline how these density credits will be transferred. An ARU in the county is 1000sf for a private residential development and 850sf for a commercial development. Neither of these floor areas would qualify as an affordable/employee housing unit as outlined by the housing authority, so if these are to be combined, how? This should be outlined in the proposed amendment. I did not see whether or not his would apply to new developments or be applied retroactively to all lots eligible for an ARU. These specifics should be worked out prior to being proposed for approval. I am certain that our elected county officials would require the points above, but I felt compelled to comment myself.

Barry Cox 5/26/2010 10:16

Planning Commission,

I strongly object to the comprehensive plans intent to not allow accessory residential units, guest houses.

Garnett Smith 5/26/2010 15:23

I hear the new plan has a provision stating that "accessory residential units associated with residential uses" will be prohibited. If this means there will be no guest houses allowed I am opposed to that.

I am the owner of 2 lots in 3 Creek Ranch and if guests houses are not allowed then I think the value of these lots will decline.

I purchased these lots with the idea that guests houses were allowed. If you grandfather existing owners that is one thing, but if you plan on applying this moratorium to existing owners I feel it will result in the taking of a right that was in the purchase price and would result in a diminution of value.

Bitsy Smith 5/26/2010 15:27

Although I am in favor of limiting growth in the county, I would like to make a comment regarding the estate lots at 3 Creek Ranch. These lots are 2 1/2 to 3 acres in size and were sold with the understanding that a guest house could be built on the lot if the owner desired to do so.

I think this could devalue the property, and hope that your proposal would only effect lots that are smaller in size.

Bitsy Smith

3 Creek Ranch Board of Directors

Carol Linton 5/26/2010 16:02

Commissioners and Planners,

I have been a Jackson homeowner since 1987. I have lived in three different areas of the valley, bought and sold 5 times. My husband is a fourth generation Wyomingite; he owns a Wyoming business that has just celebrated its 50th year. I am telling you this because I am trying to impress that we are not "newcomers" to the valley.

Eliminating guest houses in the Valley is not in your realm to impose. If the CCR's of a subdivision allow it, and the property is of a size to allow it, then you are taking away an individual's property rights. Why not put a restriction that it must be within a certain distance from the main home (clustering which you are fond of)? Clustering guest homes to main homes is the right solution. Eliminating guest homes from lots that allow them is just plain wrong.

Jake Ankeny 5/27/2010 7:41

I stand in strong opposition to the elimination of the ARU from the Comprehensive Plan and future LDR's. People have reduced their main residence sizes to allow for future, potential ARU's. I can only imagine their disbelief, frustration and potential litigation that would come from such an action. You should also strongly consider who has benefited from ARU's, namely caretakers, mothers-in-law, family members, etc. This is too severe of an action to take in these down economic times as well.

Linda Hanlon 5/27/2010 10:07

Dear Representatives,

I am writing to express my serious concern and opposition to Policy 2.1.a, specifically the proposition that accessory residential units will not be allowed. The caretaker or guest apartments are a sought after feature for many of our residents and have been a long accepted option in residential properties in the county.

I am a Realtor with JH Sotheby's International Realty and I live in the county. I do not support this proposition.

Thank you for your attention in this matter.

Matt Faupel 5/27/2010 15:16

If guest houses are considered AR units then this is a terrible idea. Guest houses do not have the issues that you are trying to mitigate with AR units being rented, etc. They are essentially guest bedrooms that are private. They can also provide housing for caregivers, nannies and caretakers who you are now saying either need to live off site or in the home of the owner. This is simply an unneeded restriction and a large right taken away from a landowner.

If enforcement is the issue, fix the issue, do not avoid the issue, fix it and do not penalize those who are not the issue.

Kristin Vito 5/27/2010 15:36

Dear County Commissioners:

I am opposed to the ban on future guest homes in the county. Most guests houses are used for just guests or caretakers. Eliminating future accessory units will eliminate caretakers from being able to live close to their work and will eliminate guests from staying with friends and family. I do not believe that this is the intention of the ban.

Thank you for your time,

Karen Parent 5/27/2010 21:56

I strongly believe that eliminating the option to build separate, free-standing guest houses is a mistake. The opportunity to have a separate "outbuilding" helps to reduce and minimize the bulk and scale of larger homes.

Furthermore, guest houses help provide housing for caretakers/employees on these properties.

Why would the county remove this tool in the new comp plan? This tool has not created a problem - so why take the option away? It makes no sense.

Kim & Bob McGregor 5/27/2010 22:25

Sirs,

I just heard that one of the new provisions of the new comp plan draft is the elimination of guest houses. New I haven't thought this through completely since I just found out about this today and comments are due tomorrow. However, on the face of it this seems completely backwards and counterproductive. Think about it. Who uses guest houses?

- 1- Guests (temporary visitors)
- 2- Relatives (children trying to make it in Jackson, or parents now living in the guest house)
- 3- Renters
- 4- Caretakers

Now we obviously want to continue to allow people to have guests. And we all know how hard it is for children to continue to live in the valley once they are out of the house, this is one way to facilitate this transition and keep families together in Jackson.

So what about renters and caretakers? Guest houses are small, by regulation. So renters (and caretakers) are consequently also small: young couples, singles, maybe a new small family.

People who have a hard time making it in Jackson. The very people we are building affordable housing for and worrying about providing rentals for (Witness the Town's moratorium on condominium conversions last year). This is not the type of population increase we are concerned about. This is the type of population increase we are trying to encourage--working people.

One of the main concerns and goals of the plan is that Jackson go forward as a viable, balanced, and sustainable community. These are the people and this is the housing we need. Not new subdivisions where people with money can drive up the overall cost of living in Jackson.

Concentrate on limiting that kind of growth, and leave this kind of affordable housing alone.
Thank you,

Jennifer Reichert 5/28/2010 11:01

Dear Teton County Commissioners,

We are saddened and appalled to learn that guest houses would now not be allowed on properties.

Fifteen years ago my husband and I purchased a 4.5 acre parcel south of town. Ten years ago, we began building and moved into our home. In the past two years we just finished our basement. Now, we are trying to save to add a guest house. We live in a neighborhood where maybe 1/3 of our neighbors have guest homes and bought here because of the ability to have a guest home for future needs. We have parents who may have future health issues or needs that would require close or live in type care. Some of our neighbors have guest houses, we would like the same opportunity for our property.

We greatly appreciate your efforts to look at maximizing wildlife conservation and minimizing impact. However creating a blanket moratorium on guest houses does not seem fair or just to the private property rights of individuals and landowners in Teton County. There does not appear to be any regard to the size of the lot or the homeowner's immediate neighborhood.

Thank you,

Virginia Mahood 5/28/2010 12:14

I am opposed to eliminating guest houses under the current draft of the comprehensive plan. Specifically under policy 2.1.a, lines 6 and 7, where it states, "...accessory residential units associated with residential uses will not be allowed." Guest houses are a vital element of our community. They provide affordable housing for employees and a means for a homeowner to subsidize their mortgage through rentals. The construction of guest homes also provides much needed work for the construction industry. What guest houses provide greatly outweigh their impact on the environment. If a homeowner needs a guest home and they are banned under the current plan, they will be forced to buy adjacent land to develop that site for their needs. Please do not exclude "accessory residential units" from the comp plan.

Patricia Smith 5/28/2010 14:23

To Whom It May Concern:

I believe that the comprehensive plan should not exclude people from being able to build guest homes.

Francesca Paolucci-Rice
Richard Rice
1960 South Park Ranch Rd
Jackson, WY 83001

May 27, 2010

Teton County Planning Commission:

Paul Dunker, Mark Newcomb, Forrest McCarthy, Tony Wall, Peter Stewart
via e-mail to: planningcom@tetonwyo.org

Town Planning Commission:

Barbara Allen, Paul Nash, Dana Buchwald, Michael Pruett, Ben Read, Jamie Walter
via e-mail to: Jeff Noffsinger, Contact Planner: jnoffsinger@ci.jackson.wy.us

Board of County Commissioners:

Hank Phibbs, Ben Ellis, Andy Schwartz, Leland Christensen, Paul Vogelheim
via e-mail to Sandy Birdyshaw, Office Manager: sbirdyshaw@tetonwyo.org

Jackson Mayor and Town Council

Mark Barron, Mark Obringer, Bob Lenz, Melissa Turley, Greg Miles

via e-mail to: Asst. Administrator, Roxanne DeVries Robinson: robinson@ci.jackson.wy.us

County Planning Director, Jeff Daugherty : jdaugherty@tetonwyo.org

Town Planning Director, Tyler Sinclair : tsinclair@ci.jackson.wy.us

Regarding: Jackson / Teton County Comprehensive Plan Revision
Elimination of Guest Houses / ARUs

Dear Commission and Board Members,

We are writing to express our strong opposition to the proposal to eliminate guest houses/accessory residential units (which, for simplicity I will refer to below as ARUs) from allowed development in Teton County. We believe ARUs, now each limited to a maximum floor area of 1000 square feet, are important for many permanent residents and second homeowners.

We own property in an area generally referred to as South Park Ranches, a development of 2.5 acre tracts, in which there are currently a significant number of ARUs. (We do not have ARU on our property.) The majority of ARUs in South Park Ranches, as I believe is the case in most areas our community where permanent residents predominate, are utilized as: private living spaces for out-of-town family and friends who come for extended visits; quarters for aging parents; transition or permanent housing for children who could not otherwise afford to live in the valley; housing for caregivers in households with seriously ill family members; and/or living quarters for nannies for single parent households, or for families where both parents have demanding work schedules.

For second homeowners, a core segment of our tourist based economy, ARUs serve as an important source of caretaker employee housing, as well as a valued amenity allowing large families and groups of friends to comfortably visit the valley at the same time.

The current land development regulations (LDRs), adopted in 1994, did not originally allow the rental of guest houses. However, it is our understanding that one of the factors (along with a concern for creating more options for employee housing) resulting in the

Page 2 of 2
May 27, 2010
Letter Re: Jackson / Teton County Comprehensive Plan Revision
Elimination of Guest Houses / ARUs

LDR amendment that transformed guest houses into ARUs (permitted for rental) was the difficulty of enforcing the non-rental status of guest houses. Removing ARUs or guest houses with non-rental status from allowed uses under the Land Development Regulations would not preclude the development of attached and detached recreation rooms or sleeping areas, which would easily and likely often be converted effectively into guest quarters again resulting in many enforcement and regulation compliance issues.

We understand the concern over the growth potential of Teton County, but the goal of providing for smart growth should not be achieved in a manner that creates unnecessary hardships on important segments of the community.

Thank you for your consideration.

Sincerely,
Francesca Paolucci- Rice

Richard A. Rice

HAWKS & ASSOCIATES, LC

ATTORNEYS AT LAW



May 27, 2010

VIA US MAIL AND EMAIL

Jeff Daugherty, Teton County Planning Director
P.O. Box 1727
200 South Willow Street
Jackson, WY 83001

RE: COMMENT ON DRAFT COMPREHENSIVE PLAN

Dear Jeff:

I represent Jackson Ranch Associates, LLC in their capacity as the developer of the 3 Creek Ranch and they have retained my services specifically to comment on Policy 2.1.a of the Draft Comprehensive Plan.

As you are aware, the Ranch and Estate Lots at 3 Creek Ranch were approved by Teton County for development with a residential structure and an accessory residential unit. For the most part, the Ranch and Estate Lots at 3 Creek, while sold to end purchasers have not been developed. It is my client's expectation that Policy 2.1.a, if adopted, will NOT affect the Ranch and Estate Lots at 3 Creek Ranch since it is a previously approved development and that all future residential development on the Ranch and Estate Lots will allow a primary residence and accessory residential unit, subject of course to the terms of the development permit and other regulations.

If it is the County's intention to eliminate accessory residential units for previously approved developments, we believe this would constitute an unconstitutional taking of land without fair compensation and would therefore strongly object to the same. If it is the County's intention to apply Policy 2.1.a to future developments only, my clients objection remains as they believe accessory residential units are a necessary component of sound community plan.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Christopher Hawks", written over a horizontal line.

Christopher Hawks, PC
Hawks & Associates, LC

cc: Jackson Ranch Associates

Susan Margaret Shepard
PO Box 1148 • Wilson, Wyoming 83014
susanshepard@bresnan.net

May 20, 2010

The Teton County, Wyoming Planning Commission
The Town of Jackson, Wyoming Mayor and Town Council
The Joint Town and County Planning Commission

RE: Draft Joint Town and County Comprehensive Plan
"Unintended Consequences"

Dear Representatives:

With personal fidelity to the overall goal of protecting wildlife and our incredible natural beauty through a reframing of our comprehensive plan, I also understand that every major decision made in such planning will have "unintended consequences." Wise planning should welcome serious discussion of the consequences of regulatory decisions.

I refer in this letter to the proposed elimination of "residential ARUs," i.e., "Accessory Residential Units," or "Guest Houses." I understand that 53% of those attending a recent public meeting strongly supported such elimination. I wonder if they and others supporting such a change have considered the unintended consequences?

While even home owning residents of more modest means will be affected by this change, it does appear that this proposal seems directed toward second homeowners to discourage them from coming here. I urge you, our commissioners and councilors, and the citizens of Jackson Hole to consider the following:

- There are more than 150 "official" charities in our valley, an unbelievable number for an area of our size, that support underserved and needy people, the homeless, sick and hungry. Many are funded in large part by current and former second homeowners who have "fallen in love" with Jackson Hole.
- Jobs in our valley are increasingly scarce in this recession-battered time. It would be hard to overstate the positive effects of second homeowners on our local economy, even if the construction workers who build their residences are not included.

Take for example just one family that spends a few weeks here winter and summer and employs two garden workers twice weekly in summer, snow removal workers in winter, a caretaker (who lives in their ARU with his family), a handyman, weekly cleaners, fishing guides, etc. This couple also donates heavily to several JH charities. Consider then, the many jobs created by them and other second homeowners. Along with the Tetons and National Parks, second homeowners are prime engines of job creation.

Virtually every job here is due to the trickle down effect of money spent by tourists and second homeowners. Could we have a national award-winning weekly newspaper laden with advertisements without the purchasing power of second homeowners, or world-class skiing and outdoor recreation, shops, businesses, a good hospital, restaurants? A short drive over the hill or to Idaho Falls or Star Valley will illustrate how difficult things are without a strong local engine of job creation.

- The Center for the Arts and National Wildlife Museum are remarkable achievements for a small valley. They were paid for and supported in part by generous donations from current and former second homeowners.
- The Grand Teton Music Festival receives strong support from second homeowners. These days nearly every mountain resort has one, but ours is world class and widely considered among the finest in the nation.
- Despite the perception of some locals that second homeowners are all jet-setting dilettantes, and while some certainly are, most JH second homeowners are more like those who worship in my church. "In love" with our valley, they donate substantially to the church and local charities. They love and value being here and many bring their children and grandchildren for quality family time.
- Finally, and importantly, in addition to guest houses for second homeowners, those built by residents of more modest means can under current law be rented out or occupied by family members struggling with recession fallout. It is incomprehensible to consider taking away the option to build onto our own properties during a major recession.

We CAN have limited growth, create affordable housing, protect our wildlife and the incredible character of our valley, and discourage further large development without making it impossible for my middle class family and others like us to live here. Thoughtful planning can demonstrate that these concepts are not mutually exclusive and can be achieved without wreaking havoc on a fragile economy or biting the hands that feed us. Those who espouse extreme measures to "take back our valley" and who also claim to speak for "the people," will succeed only in destroying the ability of most of us to have gainful employment in Jackson Hole.

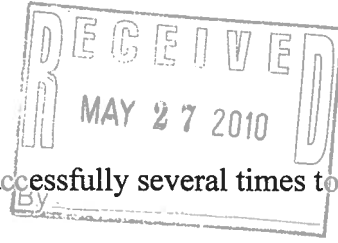
And yes, I have seen the crop of bumper stickers admonishing us to "Need Less." The unintended consequences of even well meaning decisions may adversely affect life in Jackson Hole far into the future. We could end up with much less to need less of.

Yours sincerely,



Susan Shepard
Wilson

May 27, 2010



The following are the comments which we tried unsuccessfully several times to send via the Commission web sight.

We are adamantly opposed to the proposal within the comprehensive plan which would **prohibit accessory residential units associated with residential uses**. We strongly endorse Susan Shepherd's thoughtful and articulate letter which details the consequences (intended and unintended) of such a myopic effort. We are not *Johnny Come Latelys* to Teton County having resided here and been in business here for nearly 30 years. We have seen the *good*, the *bad* and the *ridiculous*, including this effort, of county planning. This proposal demonstrates a lapse in common sense. The reality is that there are and will be a very **small** percentage of residences with guest houses. The message, however, is **huge**. It is negative, unwelcoming and woefully short sighted. We respectfully request the commissioners to consider the concerns of so many of us and eliminate this proposal from the comprehensive plan.

Thank you,

Maggie & Dick Scarlett
PO Box 12139
Jackson, WY 83002
3150 West Wilderness Lane
Wilson, WY 83014

Theme 4: Meet Our Community's Housing Needs

Comprehensive Plan Comments – 5.7.2010 Draft

Theme 4: Meet Our Community's Housing Need

I have read the May 7, 2010 draft and have decided to submit comments only on Theme 4 as it has the most disconnects from the other chapters, your joint votes and also where we have been heading in workforce housing solutions as a community the last number of years as well as the current Town and County LDR's.

I will focus only on those areas that I think do not represent your votes via other chapters - or fully represent the intent of the votes on this theme that you took. Recognize that the questions asked by staff to the joint planning commissions greatly influenced the votes and what they meant. I hope you will review the intent of some of your votes recognizing this limitation – without feeling it is in anyway “revisiting” any of the votes. This is an important point as you will see from my comments that follow.

Although my input is informed from my long history of creating workforce rental housing in the private sector (TSS), 30 plus years living in this county, well known community organizing – not only on planning issues but also advocating for workforce housing, and my current nine month involvement as a member of the Town/County Housing Blue Ribbon Panel – I am commenting solely as an individual.

Workforce Housing definition page 53:

- Your votes, all of our LDRs and the work of the last years by our community have defined this as [housing for our workforce](#).
 - This new definition of *“all housing occupied by people living in the community year-round regardless of deed restriction or employment.”* - is very, very problematic! Workforce housing is tied to employment period – whether in deed restricted or free market housing units – whether owned or rented – whether seasonal or year-round. Please clarify that workforce housing – is for the workforce.
 - See my discussion later on how this focus on workforce housing then [achieves secondarily the other goals](#) of social diversity, sense of community and generational continuity that you have identified.
 - Also an emphasis for incentives can be more weighted for year-round and/or emergency service workers - without changing the definition of workforce housing in this manner by dropping all employment requirements as part of the definition and solely focusing the definition on year-round employees when seasonal employees remain a critical need for our economy – and community.

Why This Theme is Addressed and other areas throughout the theme:

- The key issue here is that [supporting the goal of at least 65% of our workforce living locally will result in the other three bullets being achieved](#) – socioeconomic and demographic diversity, generational continuity and a sense of community.
 - It needs to be clear that the reason we are focusing on the plan is [to address workforce housing goals](#) – and that will achieve these other three bulleted goals – not the other way around!
 - The way staff interpreted your votes (and how they constructed the votes themselves) – we are left with whether we should incent or mitigate for retirees, generational continuity – or for our workforce? It is for workforce housing that this theme is addressing – but to be consistent with your votes – the other goals of diversity, generational continuity and sense of community will be achieved by this statement of ideal and focus on what we are intervening on (workforce housing – your votes also on priority for year-round employees and emergency service workers) through regulation, mitigation, exactions and incentives.
 - It is currently the greatest flaw in this theme – and what I am suggesting is not inconsistent with your votes.
 - This is also found in Principle 4.1 – which should be rewritten to focus on workforce housing which then leads to achieving the other three bulleted reasons for this effort.

- [“Catch-up”](#) – is clearly not something we have talked about since identifying the goal of housing at least 65% of our workforce locally. This is old language and dated thinking from the 2005 Housing Needs Study that predated our establishment of a realistic and achievable goal of no less than 65% of our workforce being housed locally.
 - Since we are at 70% plus, and have never dipped below 67% - the discussion has focused on [“keeping up”](#).
 - I want to point out that you never took a vote on these two terms.
 - It is a [gigantic leap](#) to now say we want to achieve 100% of our workforce living locally – the financial and regulatory implications of that are simply draconian and unachievable. [I would strongly recommend removing all references to “catch-up”](#).
 - Again this is mentioned under “A Residential Workforce - page55 – *“The community’s goal is to increase the percentage of the workforce living locally, improving the existing situation.”*
 - This again is Theme four’s second greatest weakness and will do great harm to our affordable housing efforts if it is included as written. It must be made clear [that we will not be incenting for a goal above 65% of our workforce living locally](#) - or our collective work over the last number of years will have all gone to waste. You need to clarify that the focus is [not falling below 65% - for our workforce – living locally](#).
 - This is a very important point and I [cannot emphasize it enough!](#) My suggestion I also believe falls within the votes you did take – it is simply of matter of using more precious language in the plan.
- The statistics [staff states on page 53 in the first paragraph, are not updated to the reality of the last two plus years](#) where 1,800 workers have been lost in just over a year and housing prices have retreated 30-40% from 2007 highs along with rents, increased vacancies, total houses for sale and distressed sales.
 - To be fair in this section you need [to direct staff to bring this section current](#). The Teton County Housing Authority has more current statistics, and possible language, as it is something the Blue Ribbon Panel has been working on.

Within Current Development Potential Concepts

- There are numerous examples where the [density portion of any incentives conflicts with the votes from other themes – especially in Theme 1 and 2](#). It is addressed in one or two occasions in this Theme 4 but generally it should be clear that any targeted growth areas in town, density tools etc. – [exist only within the overall Town County potential](#) – simply this language needs to line up with Theme 2 where any up zone is tied to a [County down zone](#), or conversion of Town [commercial to residential](#). As Theme 4 reads currently, this concept is not consistently or clearly stated.
- Again from my in-depth understanding of workforce housing issues – the [need for the next ten years is quite modest](#) – in the neighborhood of a few hundred units – especially given the economic and affordability (both rental and ownership) impacts of the last two plus years. Your votes from the other themes should tie to this reality and the constraints you have put through votes and language in Theme 1 and 2 about [working within the current overall development potential](#).

Since this is meant as constructive criticism – and the points I have addressed are very concerning to me and the community – I wanted to close with some balancing comments. Overall the new draft, especially Theme 1 and 2 as well as 3 – are a tremendous improvement from the draft of last April 2009. I want to thank the planning commissions and staff for all of your work. Although there are some sections in the other themes I wanted to address – I limited myself to these fairly large disconnects and unclear intent found in Theme 4.

In closing - thank you for all the hours you have spent on this process – it is appreciated. I will not be able to attend the next public meeting so hope all of you give my comments due consideration and attention.

Rich Bloom – submitted solely as an individual

Theme 5: Provide for a Diverse and Balanced Economy

Jackson Hole Chamber of Commerce 5/28/2010 8:31

We congratulate the Town and County planning staffs and planning commissions on an improved Comprehensive Plan. The following are our comments on Theme 5, "Provide for a Diverse and Balanced Economy":

GENERAL:

(1) Change Policy 5.1.b to 5.1.c, change Policy 5.1.c to 5.1.d, and add the following policy as Policy 5.1.b: Title = "Strengthen community orientation of tourism economy." Explanation = "Jackson Hole and Teton County should appeal to a broad range economic demographic. A continued and new focus on middle class families should be integrated into our plan. Family visitation has been central to the success of our community's tourism economy. Left unattended, current economics are driving new commercial development towards high-end business that is unaffordable for many families. In order to continue to attract families, commercial development policy will support affordability for visiting families. The policy and tourism goal of providing a high level of services and amenities is not limited to high-end development and high priced services."

(2) Add the following as Policy 5.2.d: Title = "Orient economic development towards community self-reliance." Explanation = "As the community strives towards energy efficiency and other means of economic self-reliance, the community should promote the recruitment, formation, and growth of businesses that support our goals of self-reliance. Such "green" businesses would be consistent with our community's orientation towards balancing economic, social, and environmental interests and concerns and create "green collar" jobs for our community. Our community's tourism economy would be strengthened by the attraction of discriminating travelers who select Jackson Hole as their destination of choice because of our community's economic development orientation and progress towards energy efficiency and self-reliance."

(3) Revise the last sentence in Principle 5.3 to read, "Economic diversity in Teton County will focus on creating a network of small locally owned, operated, and supported businesses consistent with the community's stewardship, social, cultural and arts, and heritage goals."

Theme 8: Energy Conservation

Nancy H Taylor 5/18/2010 2:19

Comments on Theme 8. Thank you very much for adding Theme 8 to the draft Comprehensive Plan. It is crucial that it be included as part of our planning process.

I would suggest that the word "Renewable" be used instead of "alternative" when you are speaking about energy, particularly where it is used as a theme heading. The word "alternative" implies that it is a practice that is on the fringe. The use of renewable energy needs to become mainstream for all of our citizens, even those who frown on "alternative" options for their lifestyle.

The use of wind as a renewable resource for energy generation is really not a viable source for Teton County. We don't want to discourage the use of home wind turbines as they becomes more viable in the future, but at this time we do not have enough wind to make wind energy cost effective.

It might be worth mentioning solar thermal or the heating of hot water from solar panels, as it is a very cost-effective way to heat water with a very short pay-back period.

There was a Green Building Action Team which was a branch of the EEAB that drew up Green Building Guidelines for residential housing. We spent several years drawing up these guidelines and it would be good if they were incorporated into the LDRs connected to Theme 8. Please talk to Jesse Stover in the Building Department. There also needs to be some financial incentive to encourage green building for residential and commercial development.

The Energy Mitigation Regulations need to be mentioned with more emphasis, as the size of 2nd and 3rd vacation homes does a great deal to increase the carbon footprint of Teton County.

There was also a community 10X10 effort headed by Sarah Mitchell. We drew up several suggestions for education and retrofitting which could be mentioned in Theme 8.

Thank you for your consideration. I would be happy to answer any further questions on this theme.



Jackson Hole Conservation Alliance
(307) 733-9417 • www.jhalliance.org

April 12, 2010

Town of Jackson and Teton County Planning Commissions
Cc: Town of Jackson and Teton County Planning Staffs
Re: Proposed Theme Eight: "Energy Conservation"
Submitted via email to Alex Norton

Dear planning commissioners and planning staff,

On behalf of the Jackson Hole Conservation Alliance, thank you for the opportunity to comment on the proposed Theme Eight of the draft Comprehensive Plan, "Energy Conservation." Conceptually, we fully support the writing, adoption and implementation of this proposed theme. As suggested by some of the planning commissioners in the April 8 hearing, we also support that the new theme have a broader intent to address climate change and adaptation issues.

Included below are our comments regarding this theme, the first of which pertain to the existing Principle 1.3 and related policies, strategies and indicators, followed by several comments regarding what we believe should be added to this theme.

Amendments to existing plan principles/policies: *(please refer to our comments on Theme One for more contextualized explanations)*

1. Energy conservation on a broad level is an essential goal. However, in terms of the statement in Principle 1.3 about "lower energy bills," it is important to remember that it is safe to assume that *energy costs will significantly increase once total energy demand in Teton County approaches a certain level*. While reducing energy demand per capita is a necessary and essential policy, it is clear that the amount of development proposed within this plan will dramatically increase total energy demand, and therefore energy costs, despite how much is reduced per capita.
2. Policy 1.3c: Incentives should also be provided for reuse and/or recycling of materials in existing structures prior to razing.

Questions/Additions to a proposed Theme Eight:

1. The role of climate change with regard to our wildlife populations, water quality and conservation, and economy are not yet adequately addressed in Principle 1.3. There needs to be more language specific to the Greater Yellowstone Ecosystem *within the dynamic context of a changing climate*. In addition, the policies in this theme should speak to what it means to be a gateway community committed to the stewardship of two premier national parks and one of the last relatively intact ecosystems in North America, specifically in terms of the example that we set for visitors.
2. *Conservation of energy is fiscally responsible; it is arguably the biggest cost savings measure that this community can take*. Language to prioritize energy conservation beyond land use pattern and standards for new construction should be included. We need to set aggressive energy conservation goals and then carry them forward; this could include goals for the interim while larger changes are being implemented.
3. Air and water quality are essential to the health of the ecosystem, economy and community. Any and all growth and development will negatively impact these resources, so it will be important to continue to commit to mitigating those impacts.

4. *Education of the public will be a critical component of the success of the goals of this theme.* For example, developers and contractors could receive materials and information during the building permit review process regarding best building practices (green building). The more conversation about efficiency and conservation that takes place, the more likely people are to amend their behaviors.
5. In the energy audit conducted by the JHESP, it was determined that *transportation is the number one CO2 (carbon dioxide) producer in Teton County.* In most communities across the country, buildings are the number one CO2 producer, followed by transportation. But, here in Teton County, including the airport, transportation is the largest contributor. This must be addressed in Theme Eight beyond what policy 1.3b and c mention, and be at least mentioned in Theme Six.
6. This theme should mention the concept of the responsibility of individuals and communities to act locally to reduce our impacts on the changing global climate.
7. In the creation of the indicators for this theme, it will be important to include both numerical and narrative descriptions of baseline conditions, or measurable starting points.

Thank you again for your continued work on this Plan and for your attention to these comments. We also encourage you to seriously consider the recommendations made to this body by other external groups and commissions whose exclusive, or at least primary, charge is energy efficiency and related policy considerations. In the writing of these comments, we also referred to several other community plans from across the country; we are by no means the first community to consider the incorporation of a broad definition of “energy conservation” into our community’s planning and vision document. We urge you to consider examples from other communities as well. Lastly, we applaud your efforts at including the important concepts of energy efficiency, climate responsible strategies and energy conservation into this Comp Plan. In addition to upholding the original intent to weave the concept of sustainability throughout the themes and policies, having a chapter directly related to sustainable community development will strengthen the overall Plan.

Sincerely,



Kristy Bruner
Community Planning Director



Becky Tillson
Community Planning Associate



Jackson Hole Conservation Alliance
(307) 733-9417 • www.jhalliance.org

May 28, 2010

Town of Jackson and Teton County Planning Commissions
Cc: Town of Jackson and Teton County Planning Staffs
Re: Theme Eight: “Energy Conservation”
Submitted via email

Dear planning commissioners and planning staff,

On behalf of the Conservation Alliance, thank you for your attention to this memo regarding the May 7 draft of Theme Eight of the draft Comprehensive Plan. We understand that this theme, because it is new, will be reviewed differently than the other themes, and so have included the following broad, overarching comments.

What it did well:

1. It generally introduces many important topics into our planning process – from awareness of global climate change to concrete steps we can take on a local level and our responsibility to the larger ecosystem;
2. It focuses on ecosystem adaptation in the face of a changing climate;
3. It mentions possible changes to the ways we treat building materials and encourages “reuse, repurposing and renovation of existing buildings and building materials”;
4. It encourages non-chemical methods for cleaning our drinking water;
5. It has started a list of indicators to measure our success.

Needs improvement/still to do:

1. The definitions of sustainability in the Vision chapter and Theme Eight should be reconciled;
2. The field of energy efficiency and sustainable living (from building standards to waste reduction and disposal) is constantly evolving and advancing. A mention of a commitment to keeping up with technological advances would strengthen the theme in the long run;
3. The timeline for implementation of some of the larger strategies can end up being quite protracted. In the interim, it would be appropriate to pursue some “low-hanging fruit” strategies, such as supporting existing groups and energy conservation efforts, adopting an idle-free ordinance and continuing the legacy of the 10X10 initiative;
4. When discussing disposal of waste, it is also important to discuss waste reduction strategies;
5. Looking forward, the plan could benefit from a policy committing to exploring economically feasible ways to expand the diversity of items that can be recycled locally;
6. As with most of the other indicators throughout the plan, there is no baseline data included in the plan yet. We cannot measure reductions or increases without knowing the starting points. We need to set concrete and measurable goals;
7. Lastly, clarification of the role of this theme in relation to the others would be helpful. One of the original intents of this planning process was to weave the concept of sustainability throughout the plan. But, seemingly in an effort to give “sustainability” a broader and more prevalent role in the plan, planning commissioners voted to give it its own chapter. Even so, sustainability and energy conservation should play a role in this plan that is slightly different than that of the other themes. It should continue to be woven throughout the rest of the themes, even if it is merely

through additional references to other topics. Regardless of the exact form of this theme, it would be beneficial to discuss its role.

We would like to reiterate that we appreciate the inclusion of this theme into the overall plan. It encompasses some very valuable and forward-thinking concepts and is an excellent addition to the plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristy Bruner". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kristy Bruner
Community Planning Director

A handwritten signature in black ink, appearing to read "Becky Tillson". The signature is cursive and somewhat stylized, with a long horizontal stroke at the end.

Becky Tillson
Community Planning Associate

Administration



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?