



## Joint Planning Commission Meeting Agenda Documentation

**PREPARATION DATE:** July 22, 2009

**MEETING DATE:** July 30, 2009

**SUBMITTING DEPARTMENT:** Town & County Planning

**DEPARTMENT DIRECTORS:** Tyler Sinclair & Jeff Daugherty

**PRESENTER:** Tyler Sinclair & Jeff Daugherty

**SUBJECT:** Draft Comprehensive Plan Review

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### STATEMENT/PURPOSE

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

### BACKGROUND/ALTERNATIVES

Upon the release of the draft Comprehensive Plan in April 2009, the Town/County held 9 public meetings to educate, answer questions and direct the community on how to comment on the draft plan. To date the Town and County have received extensive public comment on the draft plan in order to begin discussion. In addition, the Stakeholders Advisory Group (STAG) has met four (4) times to discuss the plan and have provided a list of recommendations/discussion points for Planning Commission consideration. Furthermore, the Town/County held an initial joint meeting on June 9, 2009 to receive verbal comment on the entire draft plan. Additionally, the Teton County Planning Commission held a round table discussion, received additional comment on June 23, 2009, and subsequently met to review and provide directives on the draft plan on June 29, 2009. Finally, on July 9, 2009, the Joint Commissions met to determine the preferred joint review process and ground rules for review of the draft plan.

The general structure of the joint meetings going forward will be to discuss specific topics/chapters of the plan at each meeting in order to thoroughly review all topics and ultimately recommend changes to the plan for consideration by the elected officials. The specific topics to be addressed at this meeting are as follows:

- Overall Structure of the Plan
- 2009 Jackson/Teton County Community Vision

Staff has been asked to provide the following information prior to each meeting in order to facilitate Commission discussion.

## **All Public Comment on Agenda Items**

Staff has provided all public comment related to the two (2) discussion items for the meeting organized by topic as an attachment to this report. Staff notes that due to the breadth of these first two topics all comments that were submitted that could not be easily classified into a particular chapter/topic have been provided as well.

## **Planning Commission Comments/Discussion Points**

All commissioners have been asked to provide discussion points for consideration by fellow commissioners prior to the meeting. This summary in no way limits topics or ideas that may be discussed at the meeting. The County Planning Commissioners at their meeting on June 29, 2009 discussed individual comments and produced a list of 35 directives for the entire plan. In order to bring the two commissions to the same point in their joint review staff has attached all individual Commissioner comments from both the Town and County for the topics on the agenda. Although this may be somewhat repetitive for the County Planning Commissioners, it will be helpful to ensure all discussions and ideas are provided for the benefit of all commissioners and the public.

Following are the directives from the County Planning Commission from their June 29, 2009 meeting on the agenda topics for consideration (all 35 directives are attached):

- 1) This document lacks three major studies that are necessary to establish and justify a basis for the policy therein. These analyses should have been performed before the drafting of a new plan – and doing so before going any further would be the recommended approach. Fiscal reasons make it impractical to do so now so it is imperative for the new plan to require that all three studies be commissioned as soon as they are economically feasible and that the results be incorporated into the document when it undergoes a one-year review. The studies to be completed are:
  - a) a countywide EA for all private land in Teton County,
  - b) a study to establish the rationale for a % of workforce to be housed locally, and
  - c) a comprehensive documentation of the development potential in all 12 County districts and all 13 Town districts broken down by zoning district with a separate column for Accessory Residential Units.
- 2) All indicators of success must have a realistic action plan that relies primarily on outside sources for secondary data. Staff should work with other agencies and organizations to develop a plan for these indicators.
- 3) Amend the Vision Statement. Three possible new statements are:
  - a) Preserve and protect the area's ecosystem, natural resources, quality of life and community character in a sustainable and predictable manner.
  - b) Preserve and protect the area's unparalleled natural ecosystem while meeting the community's human needs in an environmentally responsible manner that celebrates instead of degrades this significant and unique place on the face of our shared planet.
  - c) Be an environmentally, socially, and economically responsible community.
- 28) Add an 8<sup>th</sup> Theme titled "Energy Conservation" that addresses the community's desire to be climate responsible and that will assure the ability of local utilities to service future development.

***Please note that all Planning Commissioner comments are provided verbatim as an attachment to this report.***

## **Stakeholders Advisory Group (STAG) Recommendations**

In September 2007, twenty community leaders were invited to participate in the Comprehensive Plan update process as the Stakeholder Advisory Group (STAG). The purpose of the STAG was to assist the Planning Team and to act as a sounding board for ideas and concepts before presenting to the public. Meetings of the STAG were open to the public to observe but questions and comments were reserved to only members of the STAG. Meeting summaries from these meetings are available at [www.jacksontetonplan.com](http://www.jacksontetonplan.com). Recently, the STAG met three times to review and provide recommendations/discussion points on the draft plan to the Planning Commissions. The summary provided below was prepared by a small subgroup of the STAG upon the completion of the review of the document by the group.

*The consensus of the group was that Vision should not rank Themes 3-7 in priority order. Rather, these Themes compose the human element of the Plan that collectively should be balanced with Theme 1 (Wildlife and Natural Resources). Some believe that it is this human element that is the responsibility of government and that an overarching "Human Needs" Theme is needed that focuses on the health, safety, and welfare of the community. Graphically, this recommended balance could be illustrated more fully with a teeter-totter image. Theme 2 (Managing Growth Responsibly) would function as the balancing point with Theme 1 to the left and Themes 3-7 to the right. Theme 2 is the toolbox for balancing wildlife priorities with the human elements of the community.*

*The group felt that stronger definitions were needed for terms such as natural resources, workforce housing, etc.*

*Another area of discussion was the concept of regionalism. The group agreed that while not exporting impacts is important it has to be balanced with the reality that the community cannot meet all its needs locally. The group acknowledged that regionalism is a broad concept that does affect all themes in the Plan. The definition of regionalism should be well articulated and more clearly defined.*

### **Staff Recommended Discussion Points**

The following section will serve two purposes. The first will be to allow staff to identify any discussion points in addition to those listed above to be considered as part of the Commission review. The goal is to ensure that all considerations and alternatives have been addressed prior to final recommendations to the elected officials. The second will be to identify items that have been brought up in previous meetings related to future topics for Commission review. It is anticipated that items will be identified in meetings that are not related to the topic scheduled for that agenda; when this occurs staff will record these items for discussion at a future meeting and provide them under this section for consideration by the Commissions at the appropriate time. Also as the commissions make changes that affect other topics, staff will identify the items that need to be discussed as a result.

### **Overall Structure of the Plan**

- None at this time

### **2009 Jackson/Teton County Community Vision**

- None at this time

### **ATTACHMENTS**

- Town & County Planning Commission Comprehensive Plan Meeting Protocol
- Town & County Planning Commission Comprehensive Plan Review Process
- Planning Commission Comments/Discussion Points

- Teton County Planning Commission Directives from June 29, 2009
- Stakeholders Advisory Group Memorandum dated June 17, 2009
- All Public Comment on the agenda items

### LEGAL REVIEW

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

### SUGGESTED MOTIONS

#### **Town Planning Commission**

I move to continue Item 09-030 to July 30, 2009 at 5:30 pm at the Teton County Board of County Commissioner Chambers.

#### **Teton County Planning Commission**

I move to continue Item AMD 09-0017 to July 30, 2009 at 5:30 pm at the Teton County Board of County Commissioner Chambers.

## **Town & County Planning Commission Comprehensive Plan Meeting Protocol**

The following points are the Comprehensive Plan review process agreed to at the July 9, 2009 Joint Town/County Planning Commission meeting.

### **1. Joint Town/County Meeting Process**

The joint planning process is not a State mandate it is a community mandate. The Town and County have committed voluntarily to a joint planning process in order to have one Plan that is applicable across jurisdictional boundaries because the values of this community extend beyond jurisdictional boundaries. Technically one recommendation will come from the Town and one from the County but practically, we are one community and therefore voluntarily commit to going through the planning process jointly.

### **2. Approved Review Process**

Both the Town and County voted to adopt the process proposed by the chairmen (as attached) as a general structure for the joint review of the Comprehensive Plan moving forward.

### **3. Meeting Ground Rules**

The joint planning commissions agreed on the following ground rules to govern the meetings moving forward:

- All meetings will be joint meetings of both Commissions unless jointly determined otherwise
- Meetings will be roundtable discussions with Larry Hamilton and/or Michael Pruett acting as facilitators and participants
- Read all information provided by staff and public comment prior to coming to the meeting
- Speak only when recognized by the Chair acting as facilitator
- Be respectful of all opinions and perspectives
- Meetings will be every Thursday from 5:30-9:00 in the County Commissioners Chambers beginning July 23, 2009
- All suggestions to be voted on will be recorded electronically by Staff along with a record of the vote
- The Ground Rules will be flexible in order to achieve overall objectives

### **4. Clarification of the Voting Structure in Meetings**

All votes will be taken as a vote of the entire membership of both Commissions at one time with Staff recording individual member decisions for the official record. The intent is to create a community recommending body without distinction between Town/County representation. As noted above staff will track the voting preference of individual members so that it can be reported to elected officials for their review. Recommendations will be represented in the document as follows:

- Approved by both commissions – incorporated into the document
- Approved by one commission –indicated on the document, but not in the text (annotation, etc.)
- Denied by both commissions – listed separately

### **5. Town/County Staff Role and Meeting Reports**

The role of the Town/County staff is to assist the Planning Commissions in formulating recommendations on any portion of the draft plan as requested. Staff will also be available to explain – not defend – the rationale behind the content of the current draft in order to inform discussion. A staff report will be available at 5:00 pm the Friday preceding each meeting. Planning commissioner comments on the topic of the meeting are due to Staff by 9:00 am the Thursday preceding the meeting. Staff reports will include:

- All public comment on the topic
- STAG recommendations on the topic
- Planning Commissioner comments on the topic
- Staff recommended discussion items; from broad to specific

## **Town & County Planning Commission Comprehensive Plan Review Process**

### **Objectives:**

- To provide transparency in the process
- To allow for public comment, feedback and input along the way
- To include the public more in the process
- To take the time we need to recommend a successful plan
- To provide flexibility in the process while still moving forward in an efficient manner
- Incorporate workshops into the process to gain public feedback
- To provide a more informal format to the process that allows for good dialog

### **Draft Process:**

#### **Meeting #1 – Round table workshop format**

- 3 hours PC discussion and formation of ideas and recommendations on topic
- PC provide recommendations (if prepared to do so)
  - Motions would be put on display for all to see
- Limited public comment
- Continue items and motions until next meeting for public review

#### Make Recommendations open to the public

- Staff prepares a report or makes modifications to the Plan and a summary of recommendations for placement on website prior to next PC meeting
- Allow the public to prepare and make comments on PC recommendations

#### **Meeting #2 - Round table workshop format**

- 30-60 minutes Public comment on the PC recommendations from the previous meeting
- PC discussion and finalization of recommendations on topic
- 3 hours PC discussion and formation of ideas and recommendations on topic
- PC provide recommendations (if prepared to do so)
  - Motions would be put on display for all to see
- Limited public comment
- Continue items and motions until next meeting for public review

#### Make Recommendations open to the public

- Staff prepares a report or makes modifications to the Plan and a summary of recommendations for placement on website prior to next PC meeting
- Allow the public to prepare and make comments on PC recommendations

#### **Meeting #3 - Round table workshop format**

- 30-60 minutes Public comment on the PC recommendations from the previous meeting
- PC discussion and finalization of recommendations on topic
- 3 hours PC discussion and formation of ideas and recommendations on topic
- PC provide recommendations (if prepared to do so)
  - Motions would be put on display for all to see
- Limited public comment
- Continue items and motions until next meeting for public review

#### **Public Workshop - Round table workshop format**

- Review Recommendations to date
- 3-4 hours Public workshop with joint PC's to gauge feedback and input from public on the recommendations to date

## **Planning Commission Comments/Discussion Points Teton County Planning Commission**

The following comments have been provided by members of the Teton County Planning & Zoning Commission for the July 30, 2009 joint meeting with the Teton County Planning Commission to discuss the Comprehensive Plan update.

### **Comments on the Draft Comp Plan, from Forrest McCarthy**

#### Community Vision

Be an Environmentally, Socially, and Economically Responsible Community.

#### Wildlife and Natural Resources

- a) The primary focus should be on conserving the 7% or 3% (which is it?) of Teton County that local governments have jurisdiction.
- b) The Conservation of Wildlife and Natural Resources should be the primary goal for the entire county including any “districts.”
- c) Conduct a county wide environmental assessment that focuses on the 7% of Teton County that is privately owned.
- d) Develop more site specific wildlife and natural resources objectives.
- e) Include Section 3010.A (1994 Plan) Natural, Wildlife, Agriculture, and Scenic Resources.
- f) Acknowledge the importance of Scenic Resources and restore relevant language from the 1994 plan including the Scenic Resource Overlay.
- g) Working with government and private entities propose a data base system that compiles data on wildlife habitats and corridors, landcover, wetlands and other pertinent environmental data. The data will be compiled within a Geographic Information System and made readily available to the public.
- h) Recognize that abundant wildlife, daily interaction with nature, and panoramic scenic vistas are central to the quality of life of Teton County residents.
- i) Recognize that abundant wildlife, interaction with nature, and panoramic scenic vistas are central to the quality of the visitor experience and the foundation of our local economy.
- j) Update the NRO and identify areas to be prioritized for conservation easements.
- k) Update the NRO and identify important buffer areas and area that need to be wildlife permeable.
- l) Recognize that even areas outside the NRO have wildlife and natural resource value.
- m) Recognize that any and all growth in the valley impacts both wildlife and natural resources.
- n) Climate related sustainability policies will be included in an independent theme.
- o) Include an Environmental Impact Statement for the Plan.

#### Responsible Growth

- a) Reduce the total population build-out number from the 1994 plan.
- b) Remove all planning mechanisms that do not meet the goal of predictability:
- c) PRD; AHPUD and PMUD.
- d) Develop a Growth Management Quota System that does not exceed a 1% growth rate that includes both commercial and residential growth and does not violate Wyoming State Laws. The Allotment System will factor conservation easements, workforce housing, green building, and public facilities including bike paths, community recycling centers and dog parks.

- e) Develop a system for Transferable Development Rites that will shift development from rural County areas to the town of Jackson.
- f) Require all future development, commercial and residential, mitigate its workforce housing
- g) to the extent necessary to maintain the determined percentage of the county's workforce.

#### Workforce Housing

- a) Re-define "workforce housing" to only include workers directly contributing to the local economy or providing civic services.
- b) Determine what amount of workforce housing is necessary to mitigate for the development that has already been approved but not built, and the projected loss of workforce housing as people retire, to meet desired goal of housing 65% of the workforce.
- c) Develop a portfolio of methods for meeting these housing needs that includes rentals, shared equity loans and tax incentives for self imposed housing deed restrictions (Principle 4.3).
- d) Identify and zone specific locations to provide the remaining work force housing.
- e) c) Fund these projects through a SPET and real estate transfer tax (Strategy 4.1) so that the projects do not need to be subsidized by density up-zones for free market homes.
- f) Recognize that responsible growth is a critical component in achieving the goal of housing 65% of the workforce.
- g) Workforce housing will not be used to justify zoning changes other than the areas identified in this plan.

#### Transportation

- a) Develop an aggressive transportation scheme that encourages active transportation and mass-transit that is wildlife friendly.
- b) Work with regional organizations, other communities, National Parks and National Forests to develop regional mass-transportation options that will service commuters, visitors, and recreationists.
- c) Develop a Transportation Improvement Program that will accomplish the mode shift goals, and represents a master summary of the transportation components of the improvement programs developed by each agency and department (2002 Comp Plan Page 8-47).
- d) Provide a list of Potential Transportation Network Projects including:
  - West Broadway 5-Way Main Street Project: roads, sidewalks, bike lanes, a complete street project.
  - WY-22 and West Broadway Pathway
  - New START Transit Center
  - Sidewalks in Town and mixed use villages
  - Hoback-Jackson South Project (Complete Street - highway, pathway, wildlife mitigation, river recreation access, and transit needs)
  - Wildlife highway crossings.
- e) Develop paid parking system in town to both encourage the use of mass-transit and to provide funding for START and Pathways.
- f) Establish other dedicated funding sources (Strategy 6.1) that may include SPET and/or Bed Tax.
- g) Set a goal that alternative modes of transportation will account for 50% of all Jackson Hole trips (bus, bike, foot, ride-share, TDM ) by 2030.
- h) Include a Transportation Impact Statement.

#### Jackson

- a) Wildlife and Natural Resource Protection remain the priority. Cumulative regional impacts to water, air, transportation, and public lands will be considered.

- b) Takes full responsibility for housing all new employees it generates.
- c) Continues to be the primary locale for civic amenities.

#### Economy

- a) Encourage a Sustainable Economy not Dependant on Growth
- b) Encourage non-consumptive economic economies based on outdoor oriented activities where the primary product is an experience.
- c) Discourage a highly consumptive economy based on development, real estate, and high-end amenities.
- d) Include Section 3010.B (1994 Plan) Tourism Resources from the 1994 Plan.

#### Energy Conservation

- a) Develop climate/energy sustainability as an independent theme.
- b) Reduce energy consumption. Require efficient building and remodeling with green building codes and incentives developed by the U.S. Green Building Council.
- c) Develop a viable active transportation, ride share, and regional mass-transportation system.
- d) Develop renewable energy sources. This would include both active and passive solar, geothermal, and purchasing regional wind and hydroelectric power.
- e) The transition to renewable energy sources and alternative transportation shall not conflict with wildlife conservation.

#### Community Facilities and Infrastructure

- a) Support a County wide waste reduction and recycling program. Identify and establish permanent community recycling centers.

#### Indicators

- a) All indicators of success must have a realistic action plan that relies primarily on outside sources for secondary data.
- b) Work with other agencies and organizations to develop a plan for these indicators.

#### Administration

- a) Change the name of the Teton County Planning and Development Department to the Teton County Planning and Conservation Department and staff it accordingly.
- b) Change the Name of the Teton County Planning Commission to The Teton County Planning and Conservation Commission and fill it accordingly.

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### **Comments on the Draft Comp Plan, from Paul Dunker**

1. First of all, we need to decisively quantify the total number of dwelling units currently allowed in each of the Districts identified in the current Draft, using only base zoning district allowances without density bonuses of any kind. I envision a detailed Excel spreadsheet divided into different Districts (per the current draft,) with subcategories for each of the anticipated or current zoning districts within that District. ARU's currently allowed by right should be included as a separate column adjacent to the base dwelling unit number, with an additional column for the total. This comprehensive Buildout Spreadsheet can then be used to establish the Total Buildout allowed by the 1994 Comprehensive Plan without density bonuses. This number shall be the Total Buildout for all of Teton County, and shall not be increased, except in the single circumstance I will describe later. Throughout the Comprehensive Plan, whatever its final incarnation, the word "buildout" should be used to

describe the future development that gets us to this number. "Growth" should refer to future development beyond that buildout. I think I understand the reasoning behind omitting ARU's from the county numbers while including them in the town numbers, but this inconsistency needs to be eliminated. The Total Buildout number may still include some or all of these ARU's, or there may be some provisional inclusion of ARU's, but whatever the Total Buildout number is, it must be clearly and unequivocally illustrated by the spreadsheet.

2. An Annual Growth Rate Cap must be established along with a mechanism for administering development or building permit approvals in order to enforce that cap, so that we can truly "Grow Slow, Grow Smart." I suggest we start the conversation with an Annual Growth rate Cap of 1% per year. Though the details must still be worked out, and there may be exceptions to the actual number of building permits allowed under this Annual Growth Rate Cap (for example, single family homes being built by single families rather than speculative builders,) Implementation of this measure should insure that we don't reach Total Buildout for about 100 years. It also represents only a modest downsizing of the growth rate we've actually been experiencing for the last few years. It is unclear to me at the moment whether there should be a 1% cap for commercial projects and a 1% cap for residential projects, if the cap should be 1% total, or if there should be some proportion of commercial and residential permits allowed which actually exceeds 1%, these are areas which clearly need some investigation. It is also unclear to me how the current growth rate of 1.2% per year would get us to Total Buildout in only 30-40 years instead of 80 years (page I-3.)
3. It has also become clear that much more information related to the county's extensive and varied wildlife habitat needs to be assembled and incorporated into a much more detailed and location specific (presumably organized by District) Natural Resources Overlay, or set of Natural Resource Overlays. This set of geographic overlays should include not only the presence of "focal species" mentioned in the current Comp Plan Draft, which would serve as the only basis for mapping the entire NRO in the current Draft, but should include the habitat and vegetative cover types data listed in the Wyoming Game & Fish comments document dated 6/26/09. In general, I find this document to be very useful and on-target, and support the inclusion of most of the recommendations contained within it, especially the notion of including site specific buffer zones between NRO boundaries adjacent to potential areas of increased density. I do however, disagree with one suggestion in this document, that the updated NRO should be used to establish where potential density nodes should occur. I believe the specific nodes included in the current plan are generally appropriate as they're location is based on already existing patterns of increased density and/or commercial activity. These areas, to a greater or lesser extent are already nodes. It is paramount that any future development in and around these nodes be wildlife permeable, and strong, specific language to that effect must be included in the Comp Plan. An updated NRO also needs to connect disparate areas of the current NRO in order to acknowledge the nature of wildlife movement throughout the valley. Where distinct sections of the updated NRO are bisected by current development patterns or traffic corridors, appropriate locations for wildlife movement through or across these developed areas should be identified for potential future highway over or underpasses, or potential purchase by the county itself. A funding source for such purchases must also be investigated and identified.
4. As an overall planning concept, I strongly support the idea of limiting development in the county's rural areas and concentrating future buildout in already established (or potentially newly created) nodes. This is of course, a balancing act dependant on the state mandated development potential of Teton County's rural lands, 1 unit per 35 acres. Since the development potential of our rural lands is the largest contributor to our Total Buildout

number, and the preservation of our open spaces and wildlife habitat (largely located on undeveloped privately owned rural properties) our number 1 priority, it makes sense to try to shift the development potential out of the rural zone towards already established density nodes throughout the county, and I feel the current draft is on-target in that respect. I also think I understand the motivation for Policy 2.1, allowing rural development only in the rural zone and town level development only in the nodes, but I strongly disagree with the concept. The motivation for this policy would seem to be concentrating the development potential extracted from rural lands in the smallest possible footprint within the nodes. This policy completely disregards the existing character of the already established nodes themselves, and needs to be revised so that proposed densities remain in character with the already established bulk, scale & character of the already existing nodes. Open space and wildlife habitat are not the only things worthy of preservation in Teton County. Limiting Total Buildout to state mandated minimum will help reduce the amount of density which needs to be shifted to the nodes, but will most likely have an adverse effect on the potential for landowners to place conservation easements on rural properties. Since the community's number 1 priority is and has always been conservation, this end result is not ideal.

I would therefore like to investigate the possibility of enacting Transfer of Development Rights (TDR) ordinances aimed at mandating and facilitating the shift of development potential from rural lands to appropriate nodes within the town and county, an idea which I have suggested repeatedly during the course of our discussions on the Comp Plan which has never been given any serious consideration as far as I can tell. I have been told repeatedly that this strategy is "too difficult to achieve" or "too hard to figure out." I'm not suggesting it would be an easy solution to achieving the seemingly conflicting goals of shifting development away from rural lands while still encouraging landowners to encumber their properties with permanent conservation easements, it won't. But if TDR regulations do have the potential to accomplish both of these goals, isn't it worth whatever time and effort it takes to seriously consider them? I'm no expert on this so I suggest we take the remaining \$1,100. budgeted for consultants to aid in our Comp Plan update and invite an expert in this concept to walk us through the process and help us brainstorm how this might work for our particular situation at another workshop focused on the issue of encouraging conservation easements on rural properties while limiting their buildout potential at the same time. Obviously, representatives of the Jackson Hole Land Trust and other conservation organizations would also be invited to participate. This is a very complicated scenario, and it will be very difficult to sort through all of the nuances and legal constraints, but there is a chance it can work to accomplish our community's most valued goals and protect the property rights of the individuals and families in whose debt we as a community already are for their historic stewardship of much of the open space we in Teton County all cherish. I also think Policy 1.6.c "Recognize agriculturalists for their stewardship" is weak and insignificant compared to the community's debt to these individuals and families as it is currently written.

The scenario I'm running through my head goes something like this: Let's say we craft Land Development Regulations (LDR's) which limit the development potential in the Rural Zone to the state mandated 1 DU/35 acres, we eliminate current density bonuses, and mandate rather than incentivize clustering using a sliding scale relative to the size of the property. This reduces our Total Buildout to the minimum that exists under our current regulations, and guarantees a significant amount of open space on properties on which the owner wants to allow a limited number of houses, (for their children for example.) At the same time, we enact ordinances which allow the conversion of those 1DU/35 acre state mandated development rights to (2) or (3) Transferable Development Rights which can only be used in

town or in established nodes, and require permanent conservation easements. Based on the information received at our recent workshop, this should provide a large enough financial incentive for a conservation minded landowner to give up those development rights and grant a permanent conservation easement on the property, sell those TDR's to an "in town" developer, or some combination of the two options (build a few clustered houses on one parcel, sell the the TDR's. on the rest.) I realize that this is a simplified description of a very complicated process, but it seems to me to be worth investigating, as I can think of no other way to accomplish both goals; limiting Total Buildout by lowering development in the Rural Zone to 1DU/35 acres, as well as incentivizing conservation easements. This is the single circumstance I referred to earlier which would increase the Total Buildout number for the county above what is currently permitted, but this increase is directly tied to the granting of permanent conservation easements on rural lands, a tradeoff I believe a majority of the community would support.

5. Quantify and identify appropriate locations for Public/ Semi-Public community infrastructure and amenities throughout the county for schools, Start bus facilities, public parks (including a dedicated dog park,) and a landfill site to accommodate the trash generated by this community and currently shipped to Sublette County. If we are truly committed to the concept of "sustainability within our regional context," we need to acknowledge and confront the hypocrisy of exporting our trash to outlying communities. Teton County needs to deal with the waste it generates within its own borders. Without actually confronting the amount of trash we generate, we'll never be motivated to reduce it, because as it is today it simply "goes away." I realize this is a very unpopular issue, so all I am suggesting is that we include some language which at least plants the seed for future regulations, such as:

Policy 1.3.e: Increase recycling and composting

The disposal of solid waste in a landfill involves not only long term decomposition but also long distance transportation **or necessitates the construction of a landfill within Teton County. The construction of a landfill within Teton County would be consistent with the goals outlined in the Community Vision and Sustainability chapters of this document.** The community will increase opportunities for recycling, reuse, and composting to minimize the solid waste that must be hauled to a landfill.

6. Revise the Vision Statement, the founding principal upon which the Comp Plan is based. I suggest the following:

The 2009 Jackson/Teton County Community Vision Statement: **"Our number one goal: Preserve and protect the area's unparalleled natural ecosystem while meeting the community's human needs in an environmentally responsible manner which celebrates instead of degrades this significant and unique place on the face of our shared planet."**

I believe a statement such as this one more accurately exemplifies the predominant sentiment of our local community and alludes to Teton County's rightful place as an environmental leader within the larger context of the Greater Yellowstone Ecosystem, and holds us up as an example to the rest of our increasingly interdependent global community. This statement needs to state unequivocally our commitment to what remains of the wild, natural world within the boundaries of this arbitrary jurisdiction as well as the implications our decisions and actions have on the health of the planet as a whole. As a community, we have a unique opportunity to lead by example, and the global exposure to export our shared values and influence opinions around the world. We need to embrace this opportunity and step up to the challenge of leadership without compromise.

I have now, and will have more input and suggestions to offer Staff, the Board of County Commissioners, our counterparts on the Town of Jackson Planning Commission, the Jackson

Town Council and the public in general as this process continues. This document outlines a few of the most important issues that I feel need to be addressed in a Revised Comprehensive Plan more in line with the community's as well as my own opinions, and represents a starting point only in the conversation that I hope will result in a plan acceptable enough to all interested parties to be forwarded to our Board of County Commissioners and Town Council for their review and ultimate adoption.

I also strongly believe that whatever the form our ultimate recommendations to staff evolve into, these recommendations MUST be made by a Joint Planning Commission speaking with one voice. The worst possible outcome to this process would be the adoption of two different Comprehensive Plans, one for the county and one for the town. This outcome would represent a Fragmented Plan rather than a Comprehensive Plan, and I personally resolve to do everything within my power to prevent that from happening.

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### **Comments on the Draft Comp Plan, from Tony Wall**

I move to remand the 2009 draft for the Teton County Comprehensive Plan to the County Planning Director and his staff and that they amend that document in accordance with the following directives and those that may be added prior to a final vote by this board. Only those directives that receive the approval of a majority of this board will go forward. It is the recommendation of this commission that staff complete these changes within a time period not to exceed one month and then resubmit the amended document for review by this board, and that the joint process with the Town of Jackson Planning Commission resume immediately thereafter on a schedule mutually acceptable to both boards.

- 1) this document lacks four major studies that are necessary to establish and justify a basis for policy therein:
  - A) a countywide EA for the purpose of redefining the NRO
  - B) a fact-based study to establish the rational nexus for a % of workforce housing
  - C) an economic feasibility/impacts study
  - D) an independent analysis of the current quantities of commercial and residential development and of the potential for both in the current and draft plans

These analyses should have been performed before the drafting of a new plan – and doing so before going any further would be the recommended approach. Fiscal reasons make it impractical to do so now so it is imperative for the new plan to require that all four studies be commissioned as soon as they are economically feasible and that the results be incorporated into the document when it undergoes a one-year review.
- 2) AMEND the Vision Statement on pg. 7:  
IT READS: “Preserve and protect the area’s ecosystem and natural resources and meet the community’s human needs in a sustainable and predictable manner”  
REWRITE: “Preserve and protect the area’s ecosystem, natural resources, quality of life and community character in a sustainable and predictable manner”
- 3) Make Theme # 1 “To promote stewardship of wildlife and natural resources” the guiding and primary theme in ALL county districts.
- 4) Rewrite the “Statement of Ideal” for Theme 2.  
IT READS: “Meet the human needs of the community in locations identified for development”

REWRITE: “Manage growth and the rate of growth based on preservation of the community values of character, wildlife protection and quality of life”

- 5) Add an 8<sup>th</sup> Theme titled “Energy” that addresses the community’s desire to reduce our cumulative carbon footprint and that will assure the ability of local utilities to service future development
- 6) REDUCE the total population build-out number from the 1994 plan by:
  - A) Limiting the PRD to a maximum bonus of 3 units per 35 acres with these conditions:
    - 1) that should the IRS remove the deduction for conservation easements the maximum density will revert to 1/35
    - 2) that there be 85% easement-dedicated open space with a 3X bonus
  - B) Remove ALL “nodes” from the draft plan.
  - C) Remove all residential up-zones county- and city-wide and return all lands to the base zoning in the 1994 plan.
- 7) REMOVE any and all INCREASES (from the 1994 Plan) in commercial development rights and prohibit any and all expansion of the resort zones (Theme 2)
- 8) Legislate predictability by removing ALL incentive-based development mechanisms: the AHPUD and the PMUD (Theme 2)
- 9) SET a growth rate cap for COMMERCIAL and RESIDENTIAL development at the national average (currently the US “natural” growth rate is .6%) with a maximum not to exceed 1%. (Theme 2)
- 10) Before making it the template for all future development, establish a rational nexus for the stated goal of housing 65% of the workforce or change it to one that has been determined in a more scientific manner (Theme 4)
- 11) Require that ALL future development, commercial and residential, be mitigated for employee generation (EGU) to the extent necessary to maintain the goal of housing an as yet to be determined % of our workforce – and that it must be produced ON SITE. This workforce housing mitigation MUST NOT INCREASE the build-out number – rather it must be PART of the build-out projection (Theme 4)
- 12)
  - A) Determine the amount of workforce housing for un-built but entitled county residential development that is needed to meet our stated goal and put those units, but no more, in the NW corner of South Park (District #12.) at a density no greater than 9 units/acre, and with a permanent conservation belt around it to prevent future expansion. Mandate that these units will be deed-restricted in nature and evenly distributed through categories 1-6 (Theme 4)
  - B) Restore the remainder of un-platted S. Park to rural zoning (3/35 maximum) to protect its wildlife values and scenic vistas (see the 2009 “Summary of Wildlife and Scenic Resources” report prepared by the JHCA) (Theme 1)
- 13) Exchange the fairgrounds property (District 19) in town for property in S. Park (District 12) in an area separated from residential development and with its own egress/ingress from hwy 89. Move the FAIR and the RODEO and START to this property in District 12 , and build high-density RENTAL housing in District 19, where it belongs, to mitigate for the employees generated by recent commercial development built, approved and in the pipeline in town.

Seventeen-plus acres, at a minimum of 24 units per acre, would result in more than 400 units of badly needed entry-level RENTAL housing in an APPROPRIATE location.

- 14) Provide for PERMANENT solid waste recycling sites throughout the county (Theme 7)
- 15) Provide for under- and over-passes and speed reductions in heavy volume wildlife-crossing areas (Theme 1)
- 16) Remove all exemptions to the wildlife friendly fencing ordinances and make removal of unfriendly fencing retroactive throughout the county (Theme 1)
- 17) Require that a minimum of four votes by both the PC and the BCC are necessary to pass any VARIANCE or MAJOR DEVELOPMENT plan (Theme 2)
- 18) Require that ALL future construction (residential and commercial) meet the green building standards of LEED silver (or equivalent) by writing those standards into our building codes (Theme 8: Energy)

## **Planning Commission Comments/Discussion Points Town of Jackson Planning Commission**

The following comments have been provided by members of the Town of Jackson Planning & Zoning Commission for the July 30, 2009 joint meeting with the Teton County Planning Commission to discuss the Comprehensive Plan update.

### **Comments of the Draft Comp Plan, from Ben Read**

I'm still very much in the mode of listening to people, both trying to find the balance points between various and often conflicting objectives on the one hand and looking at the aspects of the commons that any land use plan that's done in this era should aspire to acknowledge and protect.

I believe that this draft plan does a superb job of presenting theme statements and bringing to the fore a complex, blended vision of the valley's future that's honest and balanced. And with a reduction of the growth nodes, the comprehensive plan revision is nearly complete in my opinion, thus allowing us to turn to the LDRs that will support it.

The overall reduction in build out potential to something close to today's 'current potential' as defined in the appendices is reasonable in my view during what's described as a revision of the comp plan, because there are ways with zoning to aggregate into nodes (at a much lower level than currently proposed) some of the growth potential that interferes with wildlife conservation and other preservation objectives.

More than most places, Jackson Hole belongs to its publics, so the normal accommodations for growth that planning anticipates should be 'doled out' in smaller increments than this draft envisions.

The other commons that Jackson Hole is part of is global in the context of our share of those carbon emissions that are produced here but ingested everywhere, so I would also support the addition of a statement into the Policy 1.3 area that reads something like, "Acknowledging that local land development activities and prosperity contribute disproportionately on a per capita basis to global carbon emissions, new sustainability initiatives to support better energy efficiency standards will be explored, developed, implemented and funded."

In closing, for me, the crux of the plan is in the Futures Map and Appendix I, and it's to these topics (in a more detailed analysis than is possible here) that I hope much of the planning commission's discussions will be directed.

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### **Comments of the Draft Comp Plan, from Geneva Chong**

Overall, the Plan should be edited and managed for consistency within and between themes. This would bring key concepts to the fore, clarify key concepts, and reduce redundancy. For example, the discussion and treatment of the use of conservation easements to reduce development in rural areas and conserve wildlife habitat and scenic vistas – my understanding is that the plan wants conservation easements to be a tool/incentive, but if rural areas are down-zoned, then the incentive to use conservation easements is removed (see letter from the Jackson Hole Land Trust). Related to this topic, discussion of desire for a funding source to purchase open space or easements (presumably by the public/local government) appears once but not again in later discussion of conservation easements. Another example would be discussion of transportation and the "complete streets" approach. Complete Streets is mentioned in passing at one point, but it should really be up at the top related to reducing impacts on wildlife, neighboring communities,

etc. There could be a reorganization/focus/summary around key concepts/tools that span multiple themes (conservation easements, complete streets, sustainability, etc.)

Specific comments follow, but please remember that they remain in the context of my overall comments above.

Introduction:

- Remove the word “future” and just go with the defined life-span of the plan (10-15 years). The future is now.
- If my overall comment is addressed, this could help refine the organization of the plan and ensure that Themes 1 & 2 are the overarching themes throughout the entire plan (as the public is calling for).

Vision:

- p. 8. “Balancing Community Values” states that “With this plan the community has refined the tools that it sees as the most effective way to implement our community vision.” As I understand it, the “tools” are defined in the LDRs. However, the “tools” I mentioned above – conservation easements, complete streets plan, etc. **SHOULD** be called out and emphasized in the Plan because they provide unifying concepts.
- P. 13. Example: Theme 6: Develop a Multi-Modal Transportation Strategy – mention complete streets here. Make a commitment to a real transportation plan that includes everything from a sidewalk plan to animal crossings (town and county). **AND SHOULD ALSO BE IN THEMES 1, 2, 3, 4, AND 7.**

Theme 1: Promote Stewardship of Wildlife and Natural Resources:

Overall: As part of regional context/efforts, mention the Greater Yellowstone Coordinating Committee’s (GYCC) various conservation efforts/initiatives (e.g., climate change impacts, regional transportation, green building standards, etc.).

Overall: Call for a wildlife stewardship plan in the LDRs (or as an appendix to this Plan if that is more appropriate – similar to the Pathways plan?). This would be like the complete streets concept only focused on wildlife – and not limited to the NRO.

Overall: A financial/personnel commitment will need to be made to this theme. The volunteer Environment Commission will be a start, but they will need staff support and the capacity to fund activities/research.

- p. 17. Example where conflicting statements occur regarding conservation easements, trade-offs (increased development in town and reduced development in rural areas) and down-zoning in rural areas.
- P. 18. Policy 1.1.a. Protect focal species and habitats – **DO NOT LIMIT TO THE NRO.**
- P. 18. Policy 1.1.b. **FUNDING MECHANISM????**
- P. 18. Policy 1.1.c. Again, specify **NOT** limited to the NRO. For example addressing of transportation impacts (roads, airport) are not limited to the NRO (and need to be managed cumulatively e.g., in conjunction with complete streets and a wildlife stewardship plan).
- P. 19. Policy 1.1.d. Include conservation easements in list of tools.
- P. 19. Policies 1.1.e. f. and g. These will require monitoring/evaluation to ensure that objectives are being met. If not, changes need to be made, and if yes, then learn to repeat successful actions (adaptive management).
- P. 21. Principle 1.3. Call out potential LDR tools (e.g., the Energy Mitigation Plan – EMP, green building codes, international energy/building codes, etc.).
- P. 24. Principle 1.6. How fund 1.6.a.? How incentivize conservation easements?

- P. 25. Strategies – 1.1. This will need funding/staff in addition to volunteers. 1.2. Map animal interaction areas (not limited to the NRO) such as road-crossings, conflict areas (e.g., bears) and use to minimize impacts (e.g., roads, airport, pets, etc.).

Theme 2: Manage Growth Responsibly

Overall: REALLY NEED A TRANSPORTATION/COMPLETE STREETS EMPHASIS THROUGHOUT.

- p. 30. Policy 2.1.a. Conservation easements?
- P. 30 Policy 2.1.b. Complete streets mentioned, Hoback not – remove from node discussion or include Hoback consistently.
- P. 33. Policy 2.3.b. First place really talk about conservation easements, but have been contradicted in other places (e.g., if down-zone). NEED TO EDIT FOR CONSISTENCY/LINKAGES.
- P. 34. Policy 2.4.b. Good place to mention GYCC efforts.
- P. 36. Strategy 2.1. Need to reconcile zoning and conservation easements.
- P. 36. Indicators. Include acres in conservation easement.

## REFRAMING THE COMP PLAN

**Nancy Shea, Town Planning Commissioner**

**The Vision:** Preservation and protection of the area’s beauty, open space, wildlife and natural resources is the top priority of our community.

**The Challenge:** How do we meet the community’s human needs while preserving and protecting the area’s ecosystem and natural resources?

**Goal:** Move toward a steady-state economy<sup>1</sup> that does not depend upon growth in quantity for its prosperity.

**Sustainable Communities:** Communities that improve the quality of human life while living within the carrying capacity of supporting ecosystems. (IUCN/WWF/UNEP, 1991)

***Seven Strategies for achieving the vision:***

**STRATEGY ONE:** Consistently Monitor Wildlife Populations and Natural Resources

**STRATEGY TWO:** Review Planning Decisions in the context of their Cumulative Impact

<sup>1</sup> ...“steady state economy” connotes constant populations of people (and, therefore, “stocks” of labor) and constant stocks of capital. It also has a constant rate of throughput; i.e., energy and materials used to produce goods and services. Neither economic growth nor economic recession is sustainable; therefore, the steady state economy remains the only prospect and the appropriate policy goal for the sake of ecological sustainability.

**STRATEGY THREE:** Focus the Town of Jackson as the model for our Sustainable Community Development

**STRATEGY FOUR:** Focus New Growth on Meeting Community's Housing Needs

**STRATEGY FIVE:** Move toward a Steady-State Economy

**STRATEGY SIX:** Reduce the Need for continued Expansion of Transportation Corridors

**STRATEGY SEVEN:** Balance Quality of Life with Expanded Community Services, Facilities, and Infrastructure

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### **Comments of the Draft Comp Plan, from Lisa daCosta**

#### Requests for Additional Data

I would like a census of unbuilt lots and undivided large parcels in the county. I would like to know 1) how many unbuilt lots remain in the county in existing subdivisions, and 2) among the large undeveloped tracts, A) how many have already been platted for 35 acre parcels and how many unbuilt lots that represents and B) how many large parcels remain to be platted and C) how many additional 35 acre tracts are possible from those parcels.

I would like a census of all animal road kills in Teton County over the 2007-2008 and the 2008-2009 winter seasons. I want to know 1) location, 2) animal type, 3) what kind of vehicle hit it (individually car or truck, commercial truck, public vehicle.) In particular, I want to know what percentage of animal kills in the last two seasons were due to the START buses.

#### Organizational Structure

I believe the document can be simplified and its themes consolidated into four elements

- 1) Promote Wildlife and Natural Resources
- 2) Manage Growth Responsibly
- 3) Uphold Jackson as Heart of the Region
- 4) Provide Quality Community Facilities, Services and Infrastructure

#### Introduction

Under the section Planning over the Past Decade, I think you should open the section by repeating the language in the first paragraph under the 1994 Plan section.

“As 2005 grew to a close, residents and community leaders in Teton County recognized the need to once again confront the community's concerns about unfettered growth. Rapid growth was

still diminishing the small town values and western heritage cherished by so many, despite the existence of the 1994 Plan and its attached LDR's. Growth had actually ACCELERATED from the 80s to the 90's and into the 21st century and represented the greatest failing of the 1994 Plan, which did nothing whatsoever to slow the rapid growth that was the community's greatest concern."

All references to seven themes should be changed to reflect how ever many themes the combined boards think are appropriate.

## VISION

Under the Sustainability checkmark section which appears on page 8 of the draft, I would suggest the following changes:

"The concept of sustainability within the context of the community's vision delineates that:

All decisions should be sensitive to the preservation and protection of the Greater Yellowstone Ecosystem and the area's natural resources;

Ecosystem and open space preservation may be adversely affected by state entitlements to 35 acre subdivision, which cannot be controlled or managed by the county or its residents;

The impact of local decisions must be understood in a regional context as the remaining 48,000 acres of privately-owned, non-deed restricted land develops in the future."

I would also recommend

- 1) abandoning the idea of future development nodes any where other than Teton Village and town of Jackson.
- 2) integrate Community Housing Needs in Town as Heart and Quality Infrastructure.
- 3) abandon any discussion of diverse and balance economy. The economy will be whatever it needs to be to make money for the community, and is beyond our ability to plan.
- 4) Multi-Modal Transportation moves to Infrastructure.

## **Comments of the Draft Comp Plan, from Barbara Allen**

Re the question of what is missing: Will agree with the county commissioners on the need for this

- (1) Updated natural resources mapping and environmental studies
- (2) Basis for housing 65%

The bullet points for my comments:

- Take the Future Land Use Map off the table for the purpose of these discussions. We cannot currently endorse a map that we may find needs to be dramatically changed.

Likewise, it may reduce the anxiety of the public right off the bat to know that we have heard their concerns regarding this document and are pulling it from discussion until the plan is reworked.

- Rework the Visions Statement so that the bullet points are “visionary” not so specific and not with so much background information. I think the basics of the vision statement are flawed in their approach and trying to accomplish too much.

For example, the beginning of Theme I, in my opinion, does a better job of representing community values and vision in its first paragraph than does the actual Theme I Vision Statement. The Vision Statement should be guiding principles...not specific approaches. The specifics should be addressed in each chapter.

Suggested beginning to Vision Statement: “Most members of the community live in the area because of the unparalleled access to wildlife, natural and scenic resources and recreation. As such, our most important goal is the preservation, *enhancement* and protection of these natural and wildlife resources.”

I think that the word “enhancement” should be added to any mention of preservation and protection of wildlife, scenic and natural resources. Likewise...I believe the word “scenic” should be added as part the list of natural, *wildlife* and scenic resources.

Likewise, I think a paragraph like the following is appropriate: “Teton County values the clear air, water and night sky as well as the scenic vistas and recreation opportunities that the outdoors provides. We value fish and wildlife for hunting and fishing, but also for viewing and recognize that maintaining and enhancing wildlife habitat is key to sustain these resources. Land Use Planning results in the right type of growth for the county including open spaces through clustering, wildlife friendly development that allows for animal movement across the landscape and setbacks appropriate densities and other mitigations in critical areas.”

- Truly prioritize. I do not believe this document currently accurately represents the responses I saw in the public meetings. I think that phrases like “a majority” of participants or respondents needs to be replaced with some statistics. I quote the Fremont County Plan regarding same “The broad goals & policies that drive a plan must be determined by the community and should reflect the values and vision of its residents. The feeling of “community” evident in most successful counties exists in part because of a defined vision. Such a community vision helps create the sense among citizens that they are in control of their future. “

#### What’s Missing:

Theme I – Promote Stewardship of Wildlife and Open Spaces – Is insufficient

The Vision Statement: “Preserve and protect the area’s ecosystem and meet the community’s human needs in a sustainable and predictable manner” is insufficient and nebulous. Meeting the human needs is not definitive. In every meeting it was apparent that the wildlife and open spaces were valued about human needs. This sentence should have the word “enhance” along with preserve and protect.

I don’t like the definition of sustainable as referenced in the Vision Statement:

“Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.” -- neglects to include other impacts and only refers to impacts on “future generations to meet their own needs.”

I think there is a basic flaw in the writing of the vision statement. A vision statement is an ideal not the specifics that are included in this document. Specifics should be addressed in each Theme not in the Vision. The Vision should be the lofty goal not the précis-like paragraphs that exist within the Vision Statement. They should be basic guiding principles to which future planners etc can refer when making decision about the Land Development Regulations etc.

**THE VISION SHOULD BE THE BASIC GOALS AND VALUES....NOT THE SPECIFICS INCLUDED HERE**

I do not agree that the Themes need to identify things like areas for nodal development etc. Nodal Development could be a suggestion as to how to accomplish certain goals.

## **Teton County Planning Commission Directives from June 29, 2009**

### **General**

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- 1) This document lacks three major studies that are necessary to establish and justify a basis for the policy therein. These analyses should have been performed before the drafting of a new plan – and doing so before going any further would be the recommended approach. Fiscal reasons make it impractical to do so now so it is imperative for the new plan to require that all three studies be commissioned as soon as they are economically feasible and that the results be incorporated into the document when it undergoes a one-year review. The studies to be completed are:
  - a) a countywide EA for all private land in Teton County,
  - b) a study to establish the rationale for a % of workforce to be housed locally, and
  - c) a comprehensive documentation of the development potential in all 12 County districts and all 13 Town districts broken down by zoning district with a separate column for Accessory Residential Units.
- 2) All indicators of success must have a realistic action plan that relies primarily on outside sources for secondary data. Staff should work with other agencies and organizations to develop a plan for these indicators.

### **Vision**

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- 3) Amend the Vision Statement. Three possible new statements are:
  - a) Preserve and protect the area's ecosystem, natural resources, quality of life and community character in a sustainable and predictable manner.
  - b) Preserve and protect the area's unparalleled natural ecosystem while meeting the community's human needs in an environmentally responsible manner that celebrates instead of degrades this significant and unique place on the face of our shared planet.
  - c) Be an environmentally, socially, and economically responsible community.

### **Theme 1**

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- 4) Amend the title of Theme 1 to: "To promote stewardship of wildlife, natural resources, and scenic vistas".
- 5) Designate areas appropriate for under- and over-passes and speed reductions in heavy volume wildlife-crossing areas.
- 6) Remove all exemptions to the wildlife friendly fencing ordinances and develop penalties for failure to remove existing unfriendly fencing throughout the county.
- 7) Include the language from Section 3010.A of the Land Development Regulations with changes to indicate that tourism is one base of our economy, to delete specific statistics, and replace "Land Development Regulations" with "Comprehensive Plan".
- 8) Recognize that abundant wildlife, daily interaction with nature, and panoramic scenic vistas are central to the quality of life of Teton County residents; and the quality of the visitor experience and the foundation of our local economy.
- 9) Recognize that any and all growth in the valley impacts both wildlife and natural resources.

### **Theme 2**

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- 10) Rewrite the "Statement of Ideal" for Theme 2 to read: "Manage buildout and the rate of growth based on preservation of the community values of character, wildlife protection and quality of life".

- 11) Reduce the total potential build-out allowed by the 2009 Plan to the total build-out under the 1994 Regulations without any density bonuses:
  - a) Beyond that base build-out consider: (for the purpose of encouraging conservation easements)
    - i) Limiting the PRD to a maximum bonus of 3 units per 35 acres with these conditions:
      - (1) that should the IRS remove the deduction for conservation easements the maximum density will revert to 1/35
      - (2) that there be 85% easement-dedicated open space with a 3X bonus; and
    - ii) Investigating the possibility of enacting a Transfer of Development Rights program aimed at mandating and facilitating the shift of development potential from rural lands to appropriate locations within the town and county. A possible program would mandate clustering at a 1/35 gross density for on-site development and encourage transfer of development rights into appropriate locations by providing a multiplier allowing the conversion of one development right in the Rural zone to 2 or 3 TDR's in a receiving area. Use of these multipliers would be an exception to the capping of buildout at the base densities allowed by the 1994 Regulations.
  - b) Remove all "nodes" from the draft plan. Large areas should not be generally described as appropriate for increased development potential. Areas for increased development potential should be more site specific, but can be located next to existing services and infrastructure if it respects the existing development character of the area.
- 12) Remove all increases in commercial development rights (from the 1994 regulations) and prohibit any and all expansion of the resort zones and the establishment of any new resorts.
- 13) Legislate predictability by removing all incentive-based development mechanisms except for those that encourage conservation easements as discussed in directive 11)a). Workforce housing will not be used to justify zoning changes other than those areas needed to address existing shortages as discussed in Directive 17.
- 14) Set a growth rate cap or a growth management quota system for commercial and residential development and define what historic growth rates have been.

#### **Theme 4**

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- 15) Require that all future development, commercial and residential, be mitigated for employee generation (EGU) to the extent necessary to maintain the goal of housing an as yet to be determined % of our workforce locally – and that it must be produced on site. This workforce housing mitigation shall not increase the build-out number – rather it must be provided for within existing base property rights.
- 16) More narrowly define "workforce housing".
- 17) Determine the amount of workforce housing necessary to mitigate for the development that has already been approved but not built, and the projected loss of workforce housing as people retire, to meet the desired goal of housing the to be determined percentage of the workforce locally. Then, identify and zone enough specific locations to provide the needed housing and consider funding the construction of that housing through a SPET and real estate transfer tax (Strategy 4.1) so that projects do not need to be subsidized by density up-zones for free market homes.
- 18) Place more emphasis on Principle 4.3 and the idea of developing a portfolio of methods for meeting our housing needs that includes rentals, shared equity loans and tax incentives for self imposed housing deed restrictions.

#### **Theme 5**

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- 19) Encourage a sustainable economy not dependant on growth.
- 20) Include the language of Section 3010.B of the Land Development Regulations replacing “Land Development Regulations” with “Comprehensive Plan”.

#### **Theme 6**

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

#### **Theme 7**

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- 26) Provide for permanent solid waste recycling sites throughout the county.
- 27) Quantify and identify appropriate locations for Public/ Semi-Public community infrastructure and amenities throughout the county for schools, START bus facilities, public parks (including dedicated dog parks) and a landfill site to accommodate the trash generated by this community and currently shipped out of Teton County. The construction of a landfill within Teton County would be consistent with the goals outlined in the Community Vision and Energy Conservation chapters of this Comprehensive Plan.

#### **Theme 8 (new)**

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- 28) Add an 8<sup>th</sup> Theme titled “Energy Conservation” that addresses the community’s desire to be climate responsible and that will assure the ability of local utilities to service future development.
- 29) Require that ALL future construction (residential and commercial) meet the green building standards of LEED certified, GYF, or equivalent third party certification, by writing those standards into our building codes.
- 30) Develop a viable active transportation, ride share, and regional mass-transportation system.

- 31) Mandate use of renewable energy sources for all public projects.
- a) This would include both active and passive solar, geothermal, and purchasing regional wind and hydroelectric power.
  - b) The transition to renewable energy sources and alternative transportation shall minimize conflict with wildlife conservation.

**FLUP**

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- 32) Make Theme 1 the guiding and primary theme in ALL town and county districts. Even areas outside the NRO have wildlife and natural resource value.
- 33) Exchange the fairgrounds property (District 19) in town for property in S. Park (District 12) in an area separated from residential development and with its own egress/ingress from hwy 89. Move the Fairgrounds, Rodeo, and START to this property in District 12, with the intent of building workforce housing in District 19 that will mitigate for the employees generated by already approved non-residential development in Town.
- 34) Develop more site specific wildlife and natural resource objectives.

**Administration**

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- 35) Change the name of the “Teton County Planning and Development Department” to the “Teton County Planning and Conservation Department” and the name of the “Teton County Planning Commission” to the “Teton County Planning and Conservation Commission”; and staff and fill the newly focused department and commission appropriately.

# Memo

To: Jackson Town Council and Planning Commission, Board of Teton County Commissioners and Teton County Planning Commission

From: Stakeholder Advisory Group

Date: 6/17/2009

Re: Comprehensive Plan Update Recommendations

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In September 2007, twenty community leaders were invited to participate in the Comprehensive Plan update process as the Stakeholder Advisory Group (STAG). The purpose of the STAG was to assist the Planning Team and to act as a sounding board for ideas and concepts before presenting to the public. Meetings of the STAG were open to the public to observe but reserved for questions and comments by members of the STAG. Meeting summaries from these meetings are available at [www.jacksontetonplan.com](http://www.jacksontetonplan.com).

The composition of the group was not intended to be representative of the population; it was designed ensure that varied and numerous interests had a voice in the planning process. The group worked to identify issues that have widespread support and issues that need additional thought consideration. The following is a list of representatives that volunteered considerable time to the planning process:

Laurie Andrews, Conservation Easements  
Jake Ankeny, Construction  
Jerry Blann, Resorts  
Franz Camezind, Wildlife Protection/Conservation  
Rob Cheek, Commercial Real Estate  
Kniffy Hamilton, National Forest  
Anne Hayden-Cresswell, Affordable Housing  
Darrell Hoffman, Community Character/Preservation  
Bland Hoke, Real Estate Development/Past Planning Perspective  
Kelly Lockhart, Ranching/Large Land Owner  
Brad Mead, Ranching/Large Land Owners/Legal  
Tim O'Donoghue, Commerce  
Sean O'Malley, Engineering/Pathways  
Scott Pierson, Planning/Development  
Aaron Pruzan, Recreation  
Pam Shea, Education  
Deb Sprague, Social Services  
Loren Wilson, Agriculture/Alta/Large Land Owner

A second STAG meeting was held in November 2007. The group reviewed materials from the "Working Vision" exercise and the Mapping and Visual Preference exercise, which were conducted at the second community workshop.

A third STAG meeting was conducted in January 2008 to discuss four growth management scenarios and review the results of the Keypad Polling Exercise.

The fourth STAG meeting was held in May 2008 to review information that was collected at the Town Planning and Design Charette and a preliminary draft of the County Land Use Map and Preferred Land Use Plan.

Two more STAG meetings were conducted in October and November 2008 to discuss the Themes and Policies of the plan and to seek input on drafting the Future Land Use Plan.

Recently, the STAG met on May 7, 14, and 28 and June 3 of this year to discuss the draft of the Comprehensive Plan update. This broad based group of community leaders were charged with offering recommendations to the Planning Commissions and elected officials about the Plan's content.

The following is summary of the issues discussed by the group.

### Introduction and Vision

The consensus of the group was that Vision should not rank Themes 3-7 in priority order. Rather, these Themes compose the human element of the Plan that collectively should be balanced with Theme 1 (Wildlife and Natural Resources). Some believe that it is this human element that is the responsibility of government and that an overarching "Human Needs" Theme is needed that focuses on the health, safety, and welfare of the community. Graphically, this recommended balance could be illustrated more fully with a teeter-totter image. Theme 2 (Managing Growth Responsibly) would function as the balancing point with Theme 1 to the left and Themes 3-7 to the right. Theme 2 is the toolbox for balancing wildlife priorities with the human elements of the community.

The group felt that stronger definitions were needed for terms such as natural resources, workforce housing, etc.

Another area of discussion was the concept of regionalism. The group agreed that while not exporting impacts is important it has to be balanced with the reality that the community cannot meet all its needs locally. The group acknowledged that regionalism is a broad concept that does affect all themes in the Plan. The definition of regionalism should be well articulated and more clearly defined.

### Theme 1 Wildlife and Open Space Preservation

The 1994 Plan recognized the importance of agriculture in the community. This Theme should better acknowledge ag preservation and ag preservation should be enhanced as a strategy in this theme by promoting meaningful incentives for conservation easements.

The group thought more emphasis should be placed on obtaining conservation easements to protect natural resources and open space by inserting it as its own principle.

The group agreed that connectivity of open space is important. Open space preservation does not necessarily equate to preserving wildlife migration corridors. Further explanation of what open space means and the importance of connectivity should be incorporated in this theme. To accomplish this, future regulation should maintain enough residential density to allow for clustering in appropriate areas while providing essential conservation easements in identified crucial habitat areas or migration corridors. The group agreed that the indicator on conservation easements obtained needs to focus on analyzing open space connectivity and that while it can be compiled every year trends will only be seen in a 5-year period.

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

## Theme 2 – Manage Growth Responsibly

The group discussed the viability, practicality, and necessity of a growth rate cap or overall growth cap. Some members of the group felt the market will control the rate of growth and the current rate is manageable. Others felt that triggers, overall caps, 5 year caps, infrastructure triggers, or rate caps are necessary for managing growth. However concern regarding implementation and a lack of successful examples in other communities were identified in the discussion. The greater concern is the total number of persons that could be housed in the valley at the expense of diminishing the quality of life. Annual monitoring of the indicators does a good job of providing benchmarks for the community to evaluate.

The consensus of the group was to leave in incentives/density bonuses for open space and workforce housing where appropriate if they are directly tied to those community benefits; however, there was no agreement on who should pay for this.

Consensus of the group was that incentives should not be discretionary. They should be performance based. Incentives that are currently discretionary that were specifically discussed were the PMUD, PRD, and AH-PUD development options. There was further discussion of eliminating the PMUD all together or at least amending the tool to reflect the FLUP.

The group recommended including language about bulk and scale for nonresidential buildings to maintain community character.

Some of the group suggested that a policy be added in this theme that controlling growth is needed as a part of protecting wildlife, natural resources, and open space; however, others felt that the market would control the rate of growth and the current rate is manageable.

Members of the group recommended inserting an indicator about the planning process and whether the length of the application process is effective and efficient.

## Theme 3 Town is Heart

The group suggested that more clarity should be given to the definition of community character as it pertains to town and felt that tightening the language in Principle 3.5, Recognize the importance of civic spaces and social functions as a part of maintaining a sense of community, would achieve that goal.

The group felt strongly about the inclusion of the relevance of Flat Creek in this theme as a community amenity.

The group discussed possible mischief in the balance of private property rights and redevelopment opportunities with the historic preservation policies of Principle 3.6. It was suggested that there are few truly historical properties in the community and that redevelopment should not be deterred by individual views on what is historic.

Consensus of the group was that incentives should not be discretionary. They should be performance based. Incentives that are currently discretionary that were specifically discussed were the PMUD, PRD, and AH-PUD development options.

The group recommended including language about bulk and scale for nonresidential buildings to maintain community character.

## Theme 4 Housing

The group wanted to know the current profile of the 65% of workers living locally in terms of free market, deed restricted, and rental units. The consensus of the group was that the Plan should not establish a goal of housing 65% of the workforce locally without a better understanding of the current

condition. Further, the group felt that the definition of working in the community should be refined to clarify whether retired workforce and live/work is included in this percentage.

There was a strong consensus from the group that the Theme should have a much stronger emphasis on rental housing in order to achieve the 65% goal.

The group agreed that the Plan should be clear that the 65% housing goal is not a recommended mitigation rate.

The group discussed the realistic implementation and prioritization of Principle 4.3 regarding preserving the existing housing stock due to the high acquisition costs and resale requirements on homeowners.

The group was uncomfortable with the use of the term “all” in Policy 4.1.a in discussion of who the community is committed to housing.

#### Theme 5 Balanced Economy

The group unanimously recommended elimination Policy 5.1.d and Strategy 5.2 regarding small business subsidies. The group was not supportive of non-residential rent control.

The group did not feel that the policies of Principle 5.1 actually supported the principle of maintaining a strong and diverse economy.

The group discussed a strategy of trying to become the first “green” resort community as a way to differentiate us from our peers and market ourselves. This idea could be defined by the community at a later date.

There was agreement in the group that the 1994 Plan encouraged us to further our status as a resort community. Recognizing the importance of tourism to our local economy, the Comp Plan should better emphasize the value in promoting our community as a tourist destination to maintain economic vitality.

Generally, the group felt that economic development efforts should focus on fostering non-consumptive industries; however, the term “non-consumptive” needs to be better defined.

Some of the group suggested that the language in this theme should strive for economic stability, while others thought that growth is sustainable. Some felt the plan should encourage full employment, while others were not comfortable with that as a goal, and felt employment should only be used as an indicator of economic health. The group suggested adding the unemployment rate as an indicator

The general consensus of the group was that diversifying our economy is difficult, but should not be discouraged. The local economy is resort and tourist based and we are not trying to transform economy.

Some in the group recommended developing an economic development initiative or task force to develop a strategy to address strengths and weaknesses in our local economy. Others felt that function was adequately performed by the Chamber of Commerce.

The group stated that the Plan should recognize that while we talk about being a “community first and a resort second” that we are, in fact, a resort community.

The group felt that both economic and environmental factors should be considered when making findings to approve development applications.

#### Theme 6 Transportation

The consensus of the group was that Level of Service D and the current level of congestion will hurt the tourism economy. The group indicated that the community should not aim for failing. The group felt that intersection improvements at the “Y” in addition to the Tribal Trails Connector could aid in traffic circulation for residents and visitors alike.

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

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

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

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

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

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

#### Theme 7 Community Facilities

The group felt strongly that maintaining expected levels of service in the community would strike a balance between human needs and protecting wildlife and preserving open space. Thus, they felt this theme should be given a very high priority. However, in the Intro Chapter the group agreed that Themes 3-7 should be grouped together under the heading of “human needs” and be balanced with wildlife and natural resource protection through growth management.

The group suggested reprioritizing the services in Policy 7.1a. First priority should include Police/Fire/EMS, Schools, Utilities/Infrastructure, and Medical Care. The second priority would be Library, Parks & Recreation, Public Transportation, Weed Pest Management/ Arts/Culture, Human Services, and Child Care.

Some members of the group felt that it was important to identify the services that will be needed given the growth allowed by the Plan.

#### Future Land Use Plan

General discussion occurred about buildout numbers being overstated or understated based on a number of factors, however no consensus was reached as to the accuracy of the numbers.

The group suggested a projection of the amount of square footage on Public/Quasi-Public Lands in the buildout analysis

The group generally felt that churches and other privately owned Public/Quasi-Public uses should be classified in other land use classification to provide guidance if the existing units were ever redeveloped.

The group believes the Plan needs a better definition of the term “local convenience commercial.” However, the group could not reach consensus on the traffic reduction achievable through implementation of the local convenience commercial concept.

The group agreed that the Plan also needs a better explanation of the redevelopment expectations for Mixed Use Visitor Orientation classification, should existing uses cease.

The group agreed that the key issues of each district need to be more explicitly identified and discussed within each district page.

The group agreed that in the rural districts agricultural operations should be given some flexibility in order to house their employees on site.

#### District #1 – Alta

The group's primary recommendation was designating enough land for future community facilities to remove some reliance on Idaho jurisdictions.

The group agreed that maintaining residential density allowances are important in rural areas to allow for the dedication of conservation easements.

#### District #2 – Buffalo Valley

The group agreed that maintaining residential density allowances are important in rural areas to allow for the dedication of conservation easements.

#### District #3 – Gros Ventre/Kelly

The group recommended looking closer at the buildout range due to the Wild and Scenic rivers designation.

The group agreed that maintaining residential density allowances are important in rural areas to allow for the dedication of conservation easements.

#### District #4 - North of Town

The group agreed that local convenience commercial near Golf & Tennis within existing entitlements to reduce trips to town is appropriate.

The group agreed that maintaining residential density allowances are important in rural areas to allow for the dedication of conservation easements.

#### District #5 – Eastbank

The group agreed that maintaining residential density allowances are important in rural areas to allow for the dedication of conservation easements.

#### District #6 – Westbank

The consensus of the group was to make improvements to Highway 390 before allowing additional development in this corridor. Further, the group recommended that more specific traffic solutions should be identified in this district.

The group agreed that maintaining residential density allowances are important in rural areas to allow for the dedication of conservation easements.

The group acknowledged that without more local convenience commercial near the Aspens to reduce trips to town, traffic increases on Hwy 390 will cause additional congestion.

#### District #7 – Hog Island/Game Creek

The group agreed that maintaining residential density allowances are important in rural areas to allow for the dedication of conservation easements.

#### District #8– Canyons/Hoback Canyon

The group agreed that maintaining residential density allowances are important in rural areas to allow for the dedication of conservation easements.

#### District #9 – Teton Village

Group discussed balance of additional local convenience commercial with need to complete Hwy 390 infrastructure improvements before additional development.

#### District #10 – Aspens

The majority of the group felt that Aspens should remain a node because it has the components of a node today. However, additional development potential should not be allowed until Hwy 390 is redesigned and the transportation impacts of additional development are understood. The Future Land Use Map should be revised to address this change.

#### District #11 – Wilson

The consensus of the group was that Wilson should remain a node because it has the components of a node today. However, a more realistic development potential should be developed based on Fish Creek, wetlands, existing CC&Rs, community character, and Highway 22. The Future Land Use Map should be revised to incorporate this additional level of detail.

#### District #12 – South Park

The consensus of the group was that this was an appropriate place for expansion of the town development pattern, but no consensus was reached on how much development should occur. Some in the group felt that the increase in density should be similar to the Cottonwood Park area. Some members of the group believed that the whole district should be planned comprehensively. Some believed the district should be broken into a node district (north) and a rural district (south).

The group recommended a statement about connectivity of pathways and roadways to existing and future neighborhoods. Consensus was reached about highlighting future north-south and east-west thoroughfares in the north half of the district.

#### District #13 – West Jackson

The group recommended that the Tribal Trails Connector be included in a more comprehensive traffic system study of all of West Jackson (Hwy 22, the “Y”, High School Rd. South Park Loop). General discussion occurred regarding the local vs. collector character of Tribal Trails and the original intent of the road.

The group agreed that the Tribal Trail connector should not increase traffic congestion on High School Road. The group also discussed the appropriateness of traffic calming to reduce traffic impacts on local residents.

The group felt that a better definition of “local convenience commercial” was needed in light of possible Tribal Trails construction and desire not to attract trips to this area.

#### District #14 – Southern Hillside

The group recommended including a definition of Complete Streets that would consider sidewalks, traffic calming, reduce neighborhood speed limits and other applicable multi-modal encouragements.

Another recommendation was that the Wildlife Theme should move up in the priority order since the district provides connectivity from Karns Meadow.

The group suggested inserting a statement about redevelopment of the Public Works Facility if should be relocated in the future. The future land use should be designated as residential.

#### District #15 – East Jackson

The group recommended including a stronger statement about the importance of the hospital campus and accommodating future expansion of their facilities and supporting uses in the area. In addition Community Facilities due to the location of the hospital should be moved up the Theme prioritization due to health, safety, and general welfare concerns of the community.

Some of the group felt that wildlife permeability needed more emphasis in this district. Others stated that the wildlife access was strategically designed to discourage wildlife permeability in residential neighborhoods and to direct wildlife to around the built environment (i.e. Elk Refuge fencing).

#### District #16 – Town Square

The group agreed that workforce housing was not appropriate in the Town Square Overlay. Language should be revised to reflect this sentiment.

Parking should be provided as a public common amenity to give pedestrian orientation to the district.

The group discussed the feasibility of lodging due to the two story limit, but didn't want to preclude lodging necessarily.

Group discussed design standards versus guidelines trying to get to predictability, but understanding differences in style.

The group agreed that building height should be limited to two-stories as recommended in the plan.

#### District #17 – The "Y"

The consensus of group was to modify the language in the Plan to be more positive by encouraging two to three story mixed use buildings rather than discouraging single story, single use buildings..

The group felt document was weak on details of "Y" intersection redesign especially the multi-modal issue and suggested pedestrian overpasses.

The group felt that Single Family Mixed north of Broadway should be changed to Single Family Low.

#### District #18 – Karns Meadow

The group felt strongly that wildlife movement from East Gros Ventre Butte to Karns Meadow needs to be addressed immediately in this district through overpass, or funneling to a wildlife crossing, or other method.

The group discussed the impact of multi-family land use classification on wildlife in Karns Meadow, but no consensus was reached.

#### District #19 – Rodeo Grounds

A straw poll was taken on whether the rodeo grounds and public works facility should be moved out of town to make room for a public park and medium to high density residential. The majority of the group supported the relocation of these facilities.

The group supported classification of the neighborhood north of Rodeo Grounds as Single Family Mixed.

District #20 – Southeast Jackson

The group generally agreed that the lodging overlay should not be removed on East Broadway.

District #21 – North Cache

The group felt strongly about the inclusion of the relevance of Flat Creek in this district by enhancing the creek corridor as a community benefit.

Regarding the Forest Service Property, several members suggested that residential uses should be preferred over non-residential. They felt this was a good location to locate workforce housing.

District #22 – South Highway 89

No Comment

District #23 – Central Business District

The majority of the group agreed with to expanding the lodging overlay to include the south side of Pearl from Cache to Willow.

The group supported a three story max but had concerns about street wall, overall building height, sky planning, and overall bulk and scale in this district. The group recommended including language about the maximum building size.

The group was supportive of all proposed expansions to the lodging overlay.

District #24 –South Cache

Group was supportive of general pedestrian connection vision and specific use mix and bulk and scale proposed for this district.

District #25 – Snow King

No Comment