

The Jackson Hole Conservation Alliance's detailed written comments regarding the second draft of the Jackson/Teton County Comprehensive Plan (released in April 2009) are all available via <http://www.jhalliance.org/library.htm#comments>.

The following document includes our verbal comments made in Spring 2010 regarding the review process.

Re: Theme Seven and Final Plan Review Process

*Below are the comments Kristy Bruner, Community Planning Director, verbally presented at the **March 18, 2010** Hearing.*

Thanks for the opportunity to comment. You have already seen our written comments on Theme Seven. We really hope that these fundamental concerns are put on the table for discussion. However, our verbal comments tonight are primarily targeted to the need to discuss and clarify the next steps of the planning commission review process, which you touched on last week.

We have not spoken to the process for some time, but last week was a turning point. The public, or the portion that has remain engaged, has been patient and working within the process that was laid out, including the shift to not actually review the April 2009 draft, but instead to review broad questions presented by staff. While we have questioned whether this is really what joint hearings (rather than workshops) should entail, we understood the rationale for wanting to focus on the big picture **AT THIS POINT**, and not the details of the plan, particularly given the shape that the 2009 draft was in. While the process to date of course can't be changed, we think there are a number of items related to the final review process that you can proactively act on to make it more effective and of benefit to the public. Overall, we speak to the process because of our direct concern with the end product. If the process suffers, the final product, our community's plan, will suffer.

With that in mind, we would request that you set aside adequate time, if not tonight, on April 1 to outline remaining tasks for your joint commission. While we fully appreciate the difficulty of setting exact dates/timelines, we see no reason why your tasks, or a process description cannot be clearly identified. **This is important for making the process more understandable for the public.** Basic questions should be on the table at this time, particularly given recent suggestions that your review is almost over. Some examples include: Will the joint planning commission review a list of inconsistencies before staff finishes the chapter rewrites, or will the rewritten drafts be released for public review prior to a review of inconsistencies? How long will the public have to review a

full draft before your final hearings? Will planning commissioners revote on items, or will a list of inconsistencies along with the rewritten drafts (based on original votes) be forwarded to elected officials?

Now, for a couple specific concerns.

First, as you discuss your final review, you need to talk about the Future Land Use Plan (FLUP).

Last week, you discussed Chapter 8, but you didn't discuss whether you will be discussing the role of the FLUP prior to review by elected officials. For months, we have expressed a concern about the need to clarify this.

Perhaps particularly for those of you who are new, I'm not sure if you realize the potential consequences, implications and intended role of the FLUP in the Comp Plan overall. As the FLUP maps are designed now, they are the key predictable element to guide future decisions, specifically directing which priorities/themes will take precedence in specific land use decisions (by district) in the future. At a minimum, prior to an initial review by elected officials, it is critical for you as a joint board to discuss, in a meaningful way, whether you agree with the intended function and role of the Future Land Use Plan. From the beginning, we have expressed concern about the disconnect between highly-specific, parcel-level looking maps and the broader visionary function of a Comprehensive Plan. At the broad level, it's important to understand how this plan is going to work, and how integral the FLUP maps are to the structure and design of the entire plan.

Second, we see room for improvement, for the benefit of the public, in this latter phase of the plan's review. To be frank, based on recent hearings, it is increasingly disappointing to see how little public/community preferences and comment are being referred to. Perhaps this is an unfortunate side effect from your review being so far removed from years of energized public comment. Too infrequently do we hear a mention of public vision, or incorporation of many citizens' and organizations' ideas into the plan. (For example, somehow the initial review of the economy chapter was completed without sufficiently noting or considering ideas from the Chamber of Commerce, or for example, the housing chapter was completed without mention of comments from organizations such as Habitat for Humanity.) It's difficult to know whether the rewrites will include any of this, if you didn't take votes on the points raised.

Perhaps some of you did not participate in the years when substantial public comment was compiled from workshops, open houses, phone and webmail surveys, etc., but we really believe that it is critical that as boards, you do not lose sight of the overall effort for this to be the community's plan. With this in mind, and to provide an example from last week's meeting, I'll briefly speak to some of the disappointing comments about revisiting resort development language. The public has made it very clear that caps should be placed on resort developments and that additional resort development is not a community priority. Polls showed a 77-82% agreement with caps (while only 11-13% thought that additional resort development was appropriate.) It would be great to see this public

opinion incorporated and acknowledged more in your discussions. It's also interesting that the recent vote to repeal the resort zone wasn't even mentioned. Backpedaling on issues of clear importance to the public is concerning.

Discussions also continue to point to what seems like a common misunderstanding. There seems to be a perception that by capping resort development, no additional potential is possible, when in fact millions of square feet of commercial and residential development in resort zones are still going to be built beyond what is seen on the ground. It's critical to understand the extent of how much development potential has already been approved but not yet built in these areas. It is absolutely essential to have the necessary and correct information when discussing these issues.

At the end of the day, our request is that you try to keep the best interests of the public and the community in mind during your individual debates – the preferences they have, and how this plan adequately implements these preferences – not just your own.

We don't mean for this to sound exceptionally harsh, and your hours of work are much appreciated. But we believe to make the upcoming final review process as effective and productive as possible for everyone involved, you should devote adequate time to preparing and clearly outlining your objectives for your final steps to advance a positive plan for our community. Don't forget that these weekly meetings are intended to be hearings for a draft document that will have huge implications for the future of Teton County and Jackson. The public needs to be given an opportunity to review and respond to what your process has resulted in. Thank you.



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Re: Final Review Process & Theme Six: Develop a Multi-Modal Transportation Strategy

Below are the comments Kristy Bruner, Community Planning Director, verbally presented at the April 1, 2010 Hearing.

Thanks for the opportunity to comment tonight. We will try to be brief, given that you have already received our written comments on the transportation theme, and that you have a lot to discuss on your agenda tonight, including the clarification of the process moving forward.

Review Process

We appreciate staff's outline of procedural items to vote on regarding the process – and would like to request one more key clarification because it is important to make the process as understandable as possible for the public.

Based on staff's outline, I have a few quick points.

First we would request that you allow for a written comment period of a minimum of three weeks to give the public the time to understand the changes, as it is fairly safe to assume that an essentially **new** document is going to be released. We also believe it is important for you as commissioners to have at least two weeks to submit your discussion points after public comment ends. In terms of public comment and the hearing format, we would also ask that points brought up in verbal and written public comment be available as discussion items within your process. This is absolutely essential.

Regarding a line-by-line review, while we recognize that staff does not recommend that these boards do a line-by-line review of the document, it is important to identify who will be doing such a review, and when they will be doing it. (Will refining the document on a detailed level take place during the elected official review?)

Regarding staff's bullet point about the Vision and Introduction... this question itself deserves some attention. The original design of this process was that the Community Vision should guide the individual themes and policies and the rest of the plan –Considerable time was spent in the early part of the review to make sure the vision was clear enough to guide the review of the rest of the plan. We should stick with this original design – which is a fundamental basic of comprehensive planning.

With regard to the FLUP, we believe that there are other options other than those listed. One being that at a minimum you discuss **the role** of the FLUP, and how it is structured to function with the themes and policies of the comp plan. You don't necessarily need to review the individual district maps and characterizations, but a recommendation, for example, on whether you agree with incorporating the highly detailed nature of the

FLUPs, etc.. as part of a comp plan is an important broad planning question. As we have stated, it's important to not oversimplify the role of the FLUP as simply a step between the themes and the land development regulations. It is intended to be the element of the plan that actually makes it predictable. With that in mind, we hope you at least briefly discuss the intended purpose and need of the FLUP before sending a plan to elected officials.

Before concluding with our comments on the review process, we request that you vote on another item, which is a central question to the process – Is your intent for staff to do another rewrite based on new ideas, reconsiderations and reconciliations that you identify & vote on in the June hearings prior to sending a plan to elected officials? If so, will you expect to do another review of that before it goes to the electeds or will you just send forward a list of ideas/ reconsiderations etc. that you hope electeds look at along with the draft you expect to release on April 30? If the draft is to change considerably, it will be important for the public to have an adequate understanding of what those changes look like before the elected officials begin their review. In summary, **What products do you expect to see come out of the hearings in June and do you expect to review them again before the elected officials?**

Theme Six

With regard to theme six, we raised a number of key issues in written comment that we hope are addressed. We also encourage you to incorporate much of the public's suggestions, including many of the thorough comments provided by Friends of Pathways.

We would also urge these boards to consider what the transportation consultants brought to the table last week. As indicated, the draft theme six is a starting point, but is by no means as complete or as useful as Chapter 8 of the 1994 Plan is. All in all, there was some excellent debate, and consensus, when the consultants were in town, and we hope that you will build on that tonight with your recommendations.

Lastly, the Alliance and the Chamber are working on an update of the 1993 Effective Population study. If your meetings do not extend past next week, we will get a report to you through the planning staffs. In the next couple of weeks, and prior to your final review, this information will be available.

Thanks for your consideration of our comments and for your hard work.

Re: Final Review Process, Theme Six: Develop a Multi-Modal Transportation Strategy, and Administration

Below are the comments Kristy Bruner, Community Planning Director, verbally presented at the April 8, 2010, Hearing.

Thanks for the opportunity to comment. You again have a lot on your agenda this evening, so I will just make some brief comments.

Theme Six

With regard to theme six, we raised a number of key issues in written comment that we hope are addressed in addition to the questions outlined by staff for tonight's hearing. First, we would like to see the incorporation of a policy regarding the importance of continued permanent conservation easements as a specific transportation strategy, as it is clearly outlined in our existing 1994 Plan. The new chapter should not remove the fundamental strategies that the 1994 Plan outlines to reduce traffic growth; therefore we request that you take a vote to reincorporate the language that we cited in our written comments regarding conservation acquisitions.

Second, we believe it is important to vote on incorporating language from the 1994 Plan about community character as it relates to transportation. Community character has been a central part of our community's transportation policies, and we believe a removal of focus on this element of community vision could have negative consequences for transportation decisions in the future. (It's also critical to remember that you voted early on to add community character to the overall vision statement – which was supposed to have implications throughout the chapters of the plan. At this point, it's unclear how staff is expecting to reintegrate community character criteria into the other chapters.)

In terms of transportation, character preservation can have very direct and meaningful implications for design choices as our community moves forward with projects. By defining the character we are trying to protect, as it specifically relates to transportation, it will help us when we are at the table with partnering agencies, asking for context-sensitive solutions that work within local character objectives. It's a major concern that the concept of character has been removed so significantly in the new plan. Again, we'd request that you take a vote to reincorporate, and build upon, 1994 Plan language regarding community character and transportation.

Review Process

Last week, we provided a lot of comments on the review process, so I won't reiterate all of them. But after looking at some of staff's questions for this week, we believe serious consideration should be given to the nature of the final product from the proposed June hearings. Particularly given that you will not be expected to review the rewritten versions

that may result from these hearings (as suggested in bullet point two), it is questionable to do yet another rewrite based on your June discussions. For the community to review an April 30 draft, and yet another draft (assumed to be available in July) before it gets sent to elected officials, who will actually make the final decisions, seems questionable.

Also, from a procedural standpoint, it seems that you would need to review and vote on the actual version that will be sent to elected officials. So, if you're not going to review the second version mentioned in bullet point two, then that product shouldn't be the final version moving forward to electeds. **With all this in mind, we would lean towards sending the April 30th version based on your preliminary review, upon which you can also submit your suggestions for new ideas and recommendations for reconsideration and reconciliation in a list form to elected officials to consult as they amend what will be the final plan.**

Theme 8 – Energy Conservation

We, along with other organizations, will be submitting written comments to staff on what types of policies should be included in this chapter. We think the incorporation of this chapter is extremely important, and look forward to seeing it as part of the April 30th version that will build upon the recommendations by the other organizations that have specialized expertise in energy conservation.

Administration

With regard to Administration, there are several critical items that you should discuss before completing your discussions on the chapter. We would just request that you review our written comments, particularly as they relate to the topics outlined by staff at the end of page eight of your staff report. Thanks.