

Comprehensive Plan Update

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April 20, 2009

Jackson/Teton County Comprehensive Plan Planning Team
c/o Jeff Daugherty, Tyler Sinclair, Alex Norton, Jeff Noffsinger
cc: Town Council, Board of County Commissioners, Town & County Planning Commissions
Re: Comp Plan Update - Public Input Regarding Support for Overall Limited Growth Potential

Dear Planning Team,

On behalf of the Jackson Hole Conservation Alliance, thank you for the opportunity to provide comments regarding the Comp Plan Update. We appreciate your continued efforts on what is inevitably a very complex planning exercise for our community. At a future date, we will provide comments specific to the new draft released on April 13. However, this correspondence directly addresses the planning team's repeated assertions that our community did not voice support for a "no growth scenario". The team's conclusion is particularly concerning given that it appears to be used as such a strong basis for the direction of the new draft.

The Conservation Alliance respectfully disagrees with this analysis of public comment regarding preferred overall development potential for Teton County and the Town of Jackson. Below are comments to clarify our position.

1. **"No Growth" Scenario versus "Least Growth" Scenario**

First, based on our review, the public has never been asked questions regarding a "no growth" scenario during this public process. The title of the (assumed) scenario was "Scenario D: Least Growth Focus," and questions regarding *a rating of preferences for different scenarios* (A-D), to our knowledge, were asked only at one public meeting (January 2008). Also, since "no growth" and "least growth" have different meanings and consequences, it is important to distinguish between the two concepts.

2. **Polling indicates strong community support for the "Least Growth" Scenario & Limiting Growth**

Inaccuracies in scenario wording aside, polling did not indicate "a lack of community support" for this scenario as has been described in community presentations. Our review of the different sources of public input data indicates strong community support for limiting overall growth.

Following are some examples of data and resources that have led us to this conclusion.

a. Public Meeting - St. John's Episcopal Church, January 2008: Scenario Preferences

At the conclusion of the community presentation in January 2008, attendees were asked to rate their preferences for four scenarios.

%	Wildlife/ Conservation	Compact Centers & Housing	Jackson "Town as Heart"	Least Growth
Strongly like	50	21	40	40
like	32	21	34	13
neutral	5	9	12	11
dislike	7	19	12	17
Strongly dislike	6	30	2	19

Several conclusions can be drawn from this polling, particularly when looking at the assumptions of the various scenarios. However, in order to focus on the specific issue of this correspondence, the majority of the respondents (53%) either strongly liked or liked the "Least Growth" scenario. This is hardly "no support." And, given a substantial level of neutrality, only 36% of the public disliked this scenario. (In fact, a higher percentage of the public (49%) disliked the "Compact Centers & Housing" scenario, which interestingly most strongly resembles the preferred land use pattern of the new draft.)

Notably, the "Wildlife/Conservation" scenario, which was either strongly liked or liked by 82% of respondents, was described as follows: "This scenario would result in lower potential growth in Teton County, with limited or no expansion of county nodes... No additional development would occur in the South Park area, beyond that allowable under current zoning." While we recognize that a preferred scenario of the new draft may include different elements of various scenario descriptions, it appears misleading to imply that the public has voiced support for additional growth, rather than reduced or density-neutral land-use planning valley-wide. In general, to be successful, wildlife protection and habitat conservation would require "lower growth levels" as indicated in the "Wildlife/Conservation" scenario description.

b. Public Surveys - Public meeting, online, phone

Below are questions and responses from community polling that *most specifically* regard growth potentials.

- **Which goal do you think is higher priority for Jackson and Teton County?**

%	online	public meeting	phone
Limit overall growth in the valley	48.6	56.3	53.2
Build more deed restricted workforce/affordable housing	33.9	23.2	36.5
equally important	15.1	20	10.3

The highest percentage of respondents, in all cases, supports limiting overall growth as the higher priority.

- **Limit growth and development in the county overall, even if it reduces the ability to provide deed restricted workforce/affordable housing in the Valley.**

%	online	public meeting	phone
Strongly agree	27.3	40.7	20.4
agree	19.4	21.7	30.6
neutral	9.6	5.2	10.7
disagree	23.7	15.5	26.2
Strongly disagree	19.4	16.0	12.0

Across all surveys, more people agree with this concept than disagree.

- **Make zoning changes to eliminate all density bonus options (i.e., PUDs, ARUs,) to protect natural resources and rural character.**

%	online	public meeting	phone
Strongly agree	23.5	54.4	n/a
agree	21.3	15.4	
neutral	16.7	7.1	
disagree	18.3	11.5	
Strongly disagree	11.0	8.8	
Don't know	9.2	2.8	

A higher percentage of respondents support lowered development potential through the elimination of density bonus options.

- **The county's total buildout should be increased (e.g., allow more development overall) as an affordable housing strategy.**

%	online	Public meeting	phone
Strongly agree	10.9	8.7	13.9
agree	15.5	10.3	37.2
neutral	11.4	6.0	12.8
disagree	22.2	21.2	23.8
Strongly disagree	37.3	50.5	12.3
Don't know	2.8	3.3	

Few respondents agree with this statement in two surveys and 51% of respondents agree in the phone survey. Notably, only 8.7 – 13.9% of respondents "strongly agree".

- **Set a restriction on the amount of annual growth allowed (e.g., 1 or 2% increase per year).**

%	online	public meeting	phone
Strongly agree	26.1	35.2	16.5
agree	27.9	23.3	31.5
neutral	16.4	3.8	13.3
disagree	16.9	18.9	28.7
Strongly disagree	8.4	17.6	10.0
Don't know	4.4	1.3	

Across all surveys, more respondents agree with this strategy than those that disagree.

- **Limit development overall in rural parts of Teton County and limit redevelopment of Jackson.**

%	online	public meeting	phone
Strongly agree	20.3	32.0	19.9
agree	20.8	21.7	40.9
neutral	11.6	4.6	9.6
disagree	28.9	21.7	20.2
Strongly disagree	16.2	18.6	9.4
Don't know	2.7	1.6	

A significantly larger average of respondents support this concept (51.9 versus 38.3) across three surveys. Specifically, 41.1, 53.7, 60.8% agree and 45.1, 40.3, 29.6% disagree. In all cases, more respondents "strongly agree" than "strongly disagree".

- **Increase the provision of deed-restricted workforce/affordable housing as a priority over additional commercial or resort development.**

%	online	public meeting	phone
Strongly agree	41.3	50.8	33.4
agree	31.5	26.4	37.6
neutral	10.3	7.3	12.2
disagree	7.7	4.7	11.1
Strongly disagree	7.2	10.4	5.7
Don't know	2.4	0.5	

Specific to commercial development potential, this polling suggests very low community support for additional commercial development (particularly within the context of workforce/affordable housing shortages).

c. **Other Community Polling**

A number of recent written comments and a recent community survey suggest similar findings to those in the Comp Plan Update polling. Below are a couple of examples:

- **Summary of Public Comment Received Outside of Formalized Comment Processes**
According to agenda documentation prepared for the September 2008 JIM meeting, which included a “summary of comments received outside of formalized comment processes”, buildout was a top category in terms of frequency of submission. This frequency suggests a strong public concern about growth potentials. Recognition of the importance of this topic was confirmed in the planning team’s October 2008 newspaper ad summarizing public comment. The ad stated, in the second bullet point, that “buildout should be clearly identified and provide guidance in policy creation.”
- **Teton County Citizen Survey – October 2006 – National Research Center**
The survey included the following relevant finding:
The rate of population growth in Teton County was viewed as “too fast” by 73% of respondents, while 2% thought it was “too slow.”

In summary, based on our review, a sampling of which we have presented in this memo, we question the planning team’s implication that citizens have voiced support for a new “growth-based” Comprehensive Plan. It appears that there is strong public support for limiting or reducing development potential; this support should be reflected in the foundation, direction, and language of the plan. If there is other data available, please let us know.

Many in our community strongly believe that the sustainability of Jackson Hole does not depend on continued expansion of development potential. As we have stated, and will continue to clarify in our future comments on the new draft, **our community’s top priority, to protect wildlife, will not be achieved through a focus on development pattern alone. We must be willing to address, in a meaningful way, how the *amount* of development (residential and commercial) will affect our ability to uphold community priorities. Ultimately, we cannot grow our way out of growth-related problems.**

Please contact us with any questions, and thank you again for your efforts.

Sincerely,



Franz Camenzind
Executive Director



Kristy Bruner
Community Planning Director

Alex Norton

Subject: Comprehensive Plan & Growth
Attachments: oledata.mso

From: Karen Langenberg
Sent: Thursday, April 16, 2009 1:46 PM
Subject: Comprehensive Plan & Growth

Dear Commissioners & Council Members –

I'd like to comment on a statement made by Planning Director Jeff Daugherty at the Comprehensive Plan release Monday, April 13: "***We also heard that a no-growth plan was not a direction that the community wanted to go.***"

I am very familiar with the public comment provided over the summer, as well as the 3 survey results (conducted around the time of Teton Meadows' consideration).

Together, these inputs do not support Jeff Daugherty's claim, one I have heard him make several times in public forums. On the contrary, during the live sessions held over the summer, as well as in written form (as above), there has been substantial community feedback favoring reduced growth.

As one example, when Planning staff presented four alternate scenarios to the public Jan 30, 2008, stating the purpose, to 'help you prioritize values' and 'lead to [a] preferred plan', the 182 diverse community members present answered a number of questions. This included their overall assessment of the four scenarios:

Ranks	Focus	Strongly Like		Total Favorable	Dissatisfied	Strongly Dislike		Total Unfavorable
		Like	Don't Like			Dislike	Don't Dislike	
1	Wildlife/conservation	55%	32%	82%	7%	6%	0%	13%
2	Jackson 'Town as Heart'	49%	33%	73%	12%	2%	0%	14%
3	Least Growth	47%	13%	53%	17%	10%	0%	36%
4	Compact centers & housing	21%	24%	42%	18%	30%	0%	40%

Planning staff described the scenarios with the following key differences (listed in order of community preference):

#1. Wildlife/conservation (82% favorable)

Maximize wildlife habitat & resource protection above all other values
Reduce growth in county
Largest shift in population from county to town of all scenarios

#2 Jackson 'Town as Heart' (73% favorable)

Increase overall redevelopment and infill in town
Less growth in county centers
Concentrate affordable housing in town

#3 Least Growth (53% favorable)

Least amount of new growth overall in both town & county
Eliminate zoning options, purchase development rights
Develop in town at base levels only, less emphasis on affordable housing

#4 Compact centers & housing (42% favorable)

Emphasize locally-based 'centers' around the county and in town
Emphasize workforce housing in centers
Highest amount of residential growth in the county and overall

Although the scenarios were intended to prompt thinking and discussion more than anything, it seems to me the least-favored scenario (#4) is the one closest to Monday's Comprehensive Plan release. Even the least-growth scenario (#3) - the one Planning says we don't want - was preferred by us over scenario #4.

Subsequent surveys never asked the 'overall assessment' question, so we don't have these responses from the other surveys. However, community feedback has been consistent on the subject of growth across many inputs: it's not what we want. Growth is acceptable only if we HAVE to grow (to get affordable housing, or respect property rights). We don't WANT growth per se (even if it is responsible).

Don't we all have a responsibility to call the Planners on this?

Consequences

We have reached the point where the community should be presented with concrete tradeoffs. For example, if wildlife and natural resources are our top priority, then how much degradation of these values are we willing to accept, in favor of others? What will be the consequences of growth decisions?

Prioritizing the 'themes', as in the new release, is a start (although the priorities appear to be applied selectively). Transparency and directness are still lacking. We know it's hard to be specific. 'What-ifs' are still abundant. However, professional planners should be capable of spelling out the consequences of their own plan.

Let me take a stab (this is my hypothetical example – we can argue the specifics, but the point is we should have a reasonable picture of what we are agreeing to):

...If we accept 30% growth (residential & commercial) in 10 years, are we OK with 50% more vehicles on the road, 10 minutes' wait time at the Y, construction of the Hwy 22-89 connector & another road through South Park to Hwy 89, at least 2 more lights on Hwy 89 and at least one more on Hwy 22, that road widened through Wilson, the Teton Village road widened to 4 lanes, even more pressure on workforce housing due to the job-creating commercial growth (a big one), more residents recreating up Cache Creek, heading to the Pass and Village on powder days, and as for wildlife & natural resources, severely reduced migratory activity and loss of habitat in South Park (as well as other targeted areas), loss of open space for agricultural uses and views (reducing our Western character), no more trumpeter swans in the valley, 50% reduction of elk & moose numbers, bald eagle nest reduction, escalating water & energy costs, and more?

Or...if we make choices that limit growth, are there still ways to improve on two other important values: housing affordability and a balanced community/economy? Yes, there are. First, limited growth will over time reduce our continued workforce housing deficit (that arises from growth). There is community support for a permanent funding source, to address past housing shortfalls through purchase and preservation of existing housing. Despite how it may seem, we do not need to accept partnerships with private, for-profit interests, enticing them by increasing density beyond community standards (an approach that makes the problem worse, not better). The question then is: where will the money come from and who will provide it?

My questions to you as elected officials are:

Where do you stand on the issue of growth? Will you hold Planners accountable for telling the truth and spelling out consequences? Will you require the Comprehensive Plan to reflect the public's clearly stated desires, and prioritize reducing development potential (for less growth, not more)? Will you work directly to solve our pressing concerns (affordable housing, balanced community/economy), by identifying methods and funding sources that do not bring on the host of collateral impacts that growth does, and nobody wants?

Recommendations:

Let's be vivid. Let's know what we are agreeing to. Let's not misconstrue what the community wants.

Delete 'Responsible Growth' as a priority in the Comprehensive Plan. It isn't one. Our priorities are:

- Wildlife, Natural Resources, Open Space
- Workforce Housing
- Balanced Community/Economy

Achieve the above objectives while reducing build-out potential (both residential and commercial) and other forms of community growth. Call it:

- Reduced Build-Out/Growth Rate

(And prioritize it 2nd after Wildlife, Natural Resources, Open Space)

The rest of the named themes in the plan are strategies (possible ways to get there), so include Town as Heart, Community Facilities, and Transportation not as themes but as discussed options to help us achieve our top priorities as a community.

Karen K. Langenberg, MBA

Teton County Resident

cell: 610-291-9562

karen.langenberg@comcast.net

PO Box 7586
Jackson, WY 83001

May 7, 2009

VIA E-MAIL AND U.S. MAIL

Alex Norton
Teton County Planning Department
PO Box 1727
Jackson, WY 83001

Jeff Noffsinger
Town of Jackson Planning Department
PO Box 1687
Jackson, WY 83001

Re: 2009 Draft Jackson/Teton County Comprehensive Plan

Gentlemen:

The recently released draft of the proposed update to the Town of Jackson/Teton Comprehensive Plan fails to reflect the interests and concerns of the majority of the residents of our Town and County. The draft plan is based upon the false assumption that the community favors growth, and regrettably ignores the considerable public input you received identifying preservation of wildlife and open spaces, and favoring slow and controlled growth. I share these views; growth in our Town and County should proceed only slowly and carefully. Preservation of our open spaces and our wildlife should be highest priorities.

Our County officials and our Town officials are responsible for protecting this valley, its wildlife, its scenic vistas, and its uniqueness for all time. The draft Plan speaks to encouraging growth and development necessary to meet our community's human needs but there has been no demonstrated need for growth in our community. The public has told you just the opposite. Public input should provide the foundation and direction of the new Comprehensive Plan and should not be ignored, as you appear to have done.

I am absolutely opposed to a number of aspects of the draft Plan. It de-emphasizes the importance of scenic resources and does not contain a mechanism to permanently protect rural open space areas. The draft plan contemplates more than doubling the housing population in Jackson and Teton County, and more than doubling commercial space. Rather than responsibly attempting to address and reduce the severe shortfall of workforce housing in the area, these proposals will make this serious problem far worse. New residents and new workers will create additional demands for affordable housing, further compounding the existing shortage.

Infill within the Town should be the first priority before considering expansion into other nodes within the County. I strongly encourage you to reduce the recommended overall build-out of the Town and County and specifically define maximum build-out, so that only a slow, sustainable rate of growth would be encouraged.

As a resident of South Park, I am extremely concerned that the Plan proposes eliminating language from the previous Comprehensive Plan that called for permanent open space protection for portions of South Park and for protecting the scenic and wildlife values in the South Park area. Wildlife and natural resources have been and should remain a first priority in South Park. South Park contains important and irreplaceable wildlife, connectivity, and scenic values. If we do not protect them, they will be gone forever.

Residents of the Town and County dutifully attended your many meetings of residents and community groups and voiced a preference for slow growth. I am deeply troubled by the suggestion that input from individuals and interests you now refuse to publicly identify led to a conclusion that the public's mandate was for more growth.

Please revise the comprehensive plan to accurately reflect the will of the community and its residents and to properly plan to preserve this spectacular place in which we live.

Thank you for your consideration of these comments.

Very truly yours,



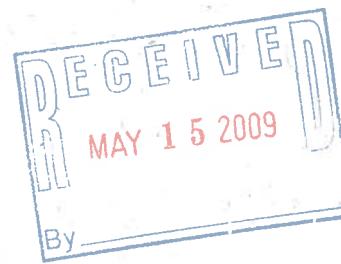
Andrew H. Salter

cc: Teton County Commissioners (via email)
Town of Jackson Town Council (via email)



555 EAST BROADWAY
POST OFFICE BOX 2897
JACKSON, WY 83001
TEL 307-733-4707
FAX 307-733-4144
web site
www.jhlandtrust.org
e-mail
info@jhlandtrust.org

May 14, 2009



Jeff Daugherty, Alex Norton
Teton County Planning and Development
P.O. Box 1727
Jackson, WY 83001

Tyler Sinclair, Jeff Noffsinger
Town of Jackson Planning & Building Department
P.O. Box 1687
Jackson, WY 83001

Re: Draft Plan Recommendations for Wildlife/Natural Resource Protection and Growth Management

Dear Planning Team:

Thank you for the opportunity to review and comment on the proposed Jackson/Teton County Comprehensive Plan. Our comments will focus on the wildlife/natural resources recommendations and the recommendations for growth management.

Resource Protection

We applaud the draft Plan's recognition that conservation of important wildlife and related habitat is this community's number one priority.

Although the Plan mentions that about 20,000 acres of private land have been permanently protected (by conservation easements), it is amazing to us that *no* mention is made of conservation easements as an important strategy for future habitat or migration corridor protection. In the long run we know of no more effective way to accomplish this goal than the use of conservation easements. The permanency provided by conservation easements, as opposed to zoning, is key to permanent protection of habitat and migration corridors.

We offer the following recommendation with respect to habitat and migration corridor protection:

Creation of a permanent funding mechanism, such as is proposed for affordable housing and transportation (both important but neither at the top of the list of goals for either the Plan or the community) for the purchase of conservation easements over critical wildlife habitat and migration corridors. The price of protecting such habitat has become prohibitive for private funding alone and contributions of conservation easements cannot be relied upon to protect critical properties. We believe that as the Plan's and the community's number one priority, meaningful funding of the protection of critical habitat is called for and should be a top priority.

Growth Management

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The draft Plan calls for a substantial shift in residential density from the rural areas to the Town and County "nodes." However, the Plan does not specify exactly how this shift in potential development will be accomplished.

We have two concerns with this aspect of the draft Plan. First, the proposed reduction in development potential in the rural areas may undermine the incentive for future contribution of conservation easements. Second, we are not convinced that density reduction through zoning alone is likely to accomplish the long-term protection of rural land.

We know from experience that existing rural development *potential* is a major factor in the willingness of landowners to donate conservation easements. This development potential represents a value that many landowners do not choose to realize through development, but will extinguish *permanently* through the contribution of conservation easements. Since 1994, when the County adopted the Planned Residential Development (PRD), over 10,000 acres of land have been protected by conservation easements held by the Jackson Hole Land Trust, compared with 5,000 acres during all the years prior to that.

As opposed to down-zoning, the reduction in density resulting from conservation easements is permanent; therefore, elimination of development potential in rural areas through a zoning change that may reduce incentives for the contribution of conservation easements may be counterproductive to the protection of rural land.

While we support the Plan's goal of protecting rural land, we are skeptical that *in the long run* mere zoning changes can accomplish more than a temporary deferral of rural development. Without the use of conservation easements, either through the current clustering provision or the non-contiguous transfer of density units, we fear that the Plan's goals for the rural areas of the County will fail and, worse than that, lay the foundation for increased density in the future.

In light of these concerns we offer two recommendations:

1. That rural development potential not be reduced. If it is, this will seriously undermine the existing incentives for the contribution of conservation easements.
2. That provisions for clustering and/or transfer of units be retained in the plan. These tools should be simple and easy to use. If open space and wildlife habitat are to be enhanced through conservation easements, it should not be discretionary and subject to political whims.

Please let us know how we might assist you in your consideration of these recommendations.

Sincerely,

Laurie Andrews
Executive Director

Peggy Gilday
Board President

cc: Town Council, Board of County Commissioners, Town and County Planning Commissions

Alex Norton

Subject: Comprehensive Plan
Attachments: Post Growth.pdf

From: MARC DOMSKY
Sent: Sunday, May 17, 2009 8:24 PM

To the Teton County Planning Commissioners,

First and foremost I have attached an article that I think should be read by all of those playing a role in the Update to the Comprehensive Plan. It was written by a Professor at the University of Washington and discusses the concept of Sustainable Growth. It is very apropos to the challenges we face as a community. I sent this once before but after reviewing the updates to the Comprehensive Plan I am not so sure it was read. Secondly, I would like to express my dissatisfaction with the direction of the update to the Comprehensive Plan. I have been to more than a couple meetings regarding the Comprehensive Plan and it was clear that the Community has ranked wildlife, scenic and natural resources, controlling growth and maintaining rural character as its highest priorities followed by preserving a diverse community. Again, I would strongly encourage you to read the attached article as it clearly demonstrates that sustainable growth is the path we should be following. I would request that all upzones be eliminated.

Sincerely,

Marc Domsky

“Post-Growthism”: From Smart Growth to Sustainable Development

Daniel M. Warner

As a planning concept, Smart Growth leads to a dead end. Planners and environmental professionals must help communities work toward a different planning theory predicated on the truth that, at some juncture, growth must stop. Impediments to achieving the necessary steady-state community are political, economic, legal, and ethical. Politically, most people do not want more growth, but growth happens because the pro-development community—buoyed by market forces—lobbies local government for pro-growth policies and because the pro-growth community often misrepresents the consequences of low or no growth. Economically, communities must move toward an economy of “relocalization” that promotes prosperity with growth. Legally, there are no insurmountable obstacles to the necessary (and inevitable) development of a steady-state economy that does not grow in quantity. Ethically, we must recognize that preserving a place from over-development is the right thing to do.

Environmental Practice 8:169–179 (2006)

Urban planners and environmentalists recognize that excessive growth—excessive population and economic growth—brings serious problems. Traffic congestion; air and water pollution; sprawl; loss of open space, wildlife habitat, and wetlands; and the loss of a community’s unique character or sense of “place” are the most familiar.

Smart Growth is a response to these problems. It may have started in Portland, Oregon, in the 1970s,¹ but in 1996, the United States Environmental Protection Agency and the

American Planning Association “joined 60 public interest groups across the United States to form Smart Growth Network, a nationwide coalition that coordinates efforts to promote Smart Growth. After its debut in October 2000, it rapidly became the focal point for advocacy on a series of issues confronting communities nationwide.”² The basic idea of Smart Growth is that growth should occur within or immediately around already existing urban areas. Smart Growth can allow communities to preserve open space, natural areas, and farmlands; maintain historic investments in cities; develop attractive, compact metropolitan areas with a decreasing emphasis on the automobile; create mixed-use neighborhoods so that people can walk to work, shopping, and entertainment; and maintain the unique character of neighborhoods and towns. Smart Growth’s antithesis is *sprawl*, “characterized by housing not located within walking distance of any retail [facilities].”³

Smart Growth has become very popular; it “continues to move forward across America with the increasing participation of the general public.”⁴ It has enjoyed “a rapid ascent” in acceptance by planners,⁵ and there are significant print- and Web-based resources about it. Smart Growth is not the long-term solution to the problems of environmental degradation or urban planning, however. Its shortcomings have become apparent.

Some libertarians and right-of-center groups simply dispute whether Smart Growth does what it says (that it tends to ease traffic congestion, address high housing costs, and make for stronger cities and more efficient government service provision).⁶ It is, of course, possible to interpret data in various ways, or to misinterpret it. For example, some say Oregon’s Smart Growth policies have driven housing prices up in Portland, while others dispute that claim.⁷ Others complain that Smart Growth is objectionable “social engineering” and an infringement of property rights.⁸ The larger group of critics, however, recognizes that “the

Affiliation of author: Department of Accounting (Business Legal Studies), Western Washington University, Bellingham, Washington

Address correspondence to: Daniel M. Warner, Professor, Department of Accounting (Business Legal Studies), MS 9071, Western Washington University, 516 High St., Bellingham, WA 98225; (fax) 360-650-4844; (e-mail) daniel.warner@wwu.edu.

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goals of Smart Growth are admirable, and the benefits—actual and potential—are substantial,”⁹ but that Smart Growth, in itself, is an “oxymoron”: it is impossible to grow forever.¹⁰ One authority has commented: “So smart growth is better than dumb growth, but it’s like buying a ticket on the *Titanic*. You can be smart and go first class or you can be dumb and go steerage but the end result is the same.”¹¹ When political pressure precludes further “densification” in urban areas, Smart Growth requires concentric expansion into the urban fringe, until it too becomes so densely populated that further expansion of the urban boundary is required. Ultimately, the urban centers will all run together and the landscape will be transformed into something resembling southern California.

In the short run, professional environmentalists, planners, and enlightened developers must push for Smart Growth. It is better than dumb growth; however, it is not smart, because its founding premise—“growth is inevitable”¹²—is wrong (who hasn’t heard that phrase?). *This* is correct: “At some juncture, growth will stop.” Longer-term, we must move beyond Smart Growth to sustainability, premised on the insistence that we learn to live in a steady-state society and really address the needs and rights of future generations. At some juncture, Smart Growth will give way to sustainable development, to “post-growthism.” Indeed, movement in that direction is occurring now and, almost certainly, environmental professionals and planners will see more such movement as, over time, the limitations of Smart Growth become more obvious.

There are four perceived and major impediments to achieving sustainable development, however. These impediments are (1) political, (2) economic, (3) legal, and (4) ethical.

Impediments to Effective Growth Control

Political Impediments

Recognize that most jurisdictions already have “lids” on the population that can be accommodated within them: that is, zoning. We can calculate the maximum population of any jurisdiction, given its present zoning. What makes growth possible is *upzoning*, which changes land use from less dense to more dense, from rural to urban. Therefore, if a jurisdiction wishes to control its growth, it can decline to upzone.

What prevents jurisdictions from declining to upzone is, apparently, a lack of political will, but not a lack of popular will. There is no general *popular* political pressure for population growth. Indeed, most people wish population growth would slow or stop: 60% of Americans in a 1994 poll felt that “the world is already overpopulated, and a majority believe the US should be actively involved in slowing worldwide population growth.”¹³ In accord, and also in 1994, 59% of Americans polled by Roper Starch thought the US population was too big.¹⁴ In Florida (1999), 76% of those polled thought that “continued population growth is a threat to Florida’s resource base, environmental health, and quality of life.”¹⁵ In Virginia, 54% of voters thought growth was eroding quality of life in 2000; 69% of Maryland voters thought so.¹⁶

One poll conducted by the National Association of Realtors found that “a majority of Californians—52%—felt population growth in their community should be discouraged.”¹⁷ Another poll showed 58% of Californians in favor of slowing development, “even if this meant having less economic growth.”¹⁸ Eben Fodor reported on a statewide 1999 survey in Oregon that found 95% of respondents thought Oregon’s population was too big or just about right; only 2% wanted it bigger. Portland area residents wanted government action to slow growth; 56% of Eugene, Oregon, residents thought growth was too fast.¹⁹

The Washington [State] Association of Realtors surveyed in 2000 and 2002 and found that *if* growth concerns are put up against the desire for a stronger economy, the economy wins. And it found that growth concerns are mostly about traffic congestion; solutions to the traffic problem would “relieve a significant amount of growth tensions.”²⁰ “Almost half” of the people polled said whether they approved or disapproved of growth “depends on the specific situation.” Residents in the Seattle and Vancouver regions slightly disapproved of growth, and residents of Yakima and Spokane “are somewhat more open to growth.”²¹ The Realtors’ survey is no endorsement for growth, and it seems predicated upon the dubious assumption that growth *will bring* economic prosperity and that it *can* go on indefinitely.

Another source reported that “[o]ver sixty percent of suburban [Washington State] voters favor ‘strong limits on development to protect quality of life,’ and that “[n]early half of King County [Seattle area] residents believe the county is growing ‘much too fast.’”²²

Attitudes in this author’s hometown of Bellingham, Whatcom County, Washington, are similar. The county’s

population grew 30.5% between 1990 and 2000 (compared to 21.1% statewide). Between 1990 and 2020, the county is expected to experience a 61% increase in population, to 270,518.²³ The county “Vision Statement,” generated after a major public participation process,²⁴ a professional survey of residents in the county’s major city (Bellingham),²⁵ and a scientific survey of county residents by a local university social scientist²⁶ all indicate that residents of this county believe growth is too much, too fast.

When the “system’s” insistence on promoting growth collides with the majority’s wish for low or no growth, significant community conflict arises. At a public meeting in the author’s hometown, officials explaining plans for up-zoning confronted unhappy citizens who “interrupted, shouted, booed, hissed and made thumbs-down gestures”; they burst out so angrily that the mayor threatened to have the police “eject people.”²⁷ The next day, another large crowd gathered, worried that a big upzone would “snarl traffic, decimate natural areas and destroy neighborhood character”; they yelled comments, derided, and booed at the developer.²⁸ At another meeting, they complained bitterly that a project would “decrease one of the reasons why we all saved and worked really hard to buy our homes here”; and some said that they’d “like to see the city serve more as an advocate for existing neighborhoods and less supporting this massive growth.”²⁹ Regarding yet another development on the city edge, residents said, “We’re definitely on the rampage,”³⁰ and week after week letters critical of the quantity and pace of development, and of the city planning director, appeared in the local press. The director resigned in October 2005.³¹ He was “hounded” out of office by outraged citizens.³²

It is not public opinion that drives growth, then; it is “the growth machine.” To begin with, the “Pro-Growthers” lobby local government very assiduously. Eben Fodor notes:

The engine of the growth machine is powered by the fortunes resulting from land speculation and real estate development. The primary business interests are the landowners, real estate developers, mortgage bankers, realtors, construction companies, and building suppliers. While these various players may disagree on some issues, they all have a common economic interest in promoting growth. They tend to be wealthy, organized, and politically influential in most communities.³³

Pro-growth businesses lobby local government in four ways so that land development becomes more profitable. They want (1) increased intensity of land use (upzoning), (2) reduced cost of development (reducing regulations, fees, and delays), (3) public resources diverted to support local

land development (new roads, sewers, etc.), and (4) stimulated demand for new development (economic development programs, tax incentives, etc.).³⁴ A PowerPoint presented at the International Builders Show in Las Vegas in January 2004 emphasized the need to “influence legislation/regulation” and “control elections.”³⁵

Second, Pro-Growthers often misrepresent the facts regarding growth (as detailed more fully below). Very generally, the Urban Land Institute, in a widely cited document, asserts as “Myth #1” that “smart growth is a code word for growth,” while the “fact” is that “smart growth recognizes that growth and development are both inevitable and beneficial.”³⁶ Inevitable means “incapable of being avoided or evaded,” but because growth must at some point stop, it will be avoided, and thus it is *not* inevitable. And it is *not* true that growth is “beneficial,” necessarily. Whether “growth is good” depends upon a number of factors.

The public is told that “growth is good,” even if it is not for most people. Planners and, in many cases, environmentalist professionals come to believe that growth is good, or at least inevitable and fruitless to resist—even if it is not and even if such a belief will, in time, become manifestly obviously mistaken. Some Pro-Growthers, unsurprisingly, see things differently. In their view, “Local planning staffs are working from a script written and financed by anti-growth groups . . .”³⁷ that “control the election of local officials.”³⁸

Certainly, most developers are not greedy entrepreneurs running roughshod over the public’s wishes and corrupting politicians. Developers are responding to the market. It must be observed, as Professor Douglas F. Dowd does in his book *US Capitalistic Development Since 1776*, that the capitalistic economic system demands “continuous expansion.”³⁹ Or, as Harvard theologian Harvey Cox puts it regarding “The Market”: its “First Commandment is ‘There is *never* enough’ . . . The Market that stops expanding dies.”⁴⁰

But endless growth is not sustainable, either globally or locally. Local governments traditionally show little interest in achieving and maintaining an optimal population size, because the Pro-Growthers have—traditionally—won the political battle. Their lobbying and representations must be countered by equally powerful lobbying and representations from the other side, in order for the popular will to express itself. This is beginning to happen, and it is particularly important to address growth issues *regionally*. There are at least two active “post-Smart Growth” groups, one in Virginia and one in Washington State.⁴¹ Both of them plan to expand their activities and work to spawn more like-

minded groups. They are meeting with considerable (unexpected) success in education, research, policy development, and advocacy. Both groups interact regularly with professional environmentalists and land use planners.⁴²

Economic Impediments

There is public support for less growth, but it is always tempered by fears, particularly in economic downturns (and never allayed by the Pro-Growthers) that we must “grow or die.” Recall the Washington Association of Realtors’ telling poll result: *if growth concerns are put up against the desire for a stronger economy, the economy wins.*⁴³ In other words, if the choice is between population growth and poverty, growth usually wins. The Washington Research Council (“the independent authority on taxes and efficient government”) claims:

By financing infrastructure projects that encourage economic vitality, accommodate growth, and provide the amenities that build better communities, communities will promote investments in job-producing private development and help to expand the tax base for other necessary public services and facilities.⁴⁴

The implication is that failing to accommodate growth (here, by *public* financing of infrastructure) will discourage economic activity and worsen communities: grow or die. Accommodating growth will “build better communities”; but better for whom, and by what measures? There are serious costs, many non-economic, *caused* by growth. The “growth-or-poverty” dichotomy is false.

It is *not* true that growth reduces the unemployment rate; it does increase the number of people employed, but obviously those jobs do not necessarily go to already-existing residents: the population increases, but the unemployment rate stays the same, and there is more congestion, more pollution, and so on.⁴⁵ (Indeed, in his seminal 1976 article, Harvey Molotch concluded that “the tendency is for rapid growth to be associated with higher rates of unemployment.”⁴⁶)

It is *not* true that there is a significant relationship between population growth and per-capita income. According to Edwin Stennett, “. . . the data strongly contradict any notion that higher population growth rates are important contributors to greater per capita economic prosperity.”⁴⁷

It is *not* necessarily true that growth provides needed tax revenue: although commercial and farmland properties pay their own way, residential development usually “brings in

less revenue for local governments than the price of servicing it.”⁴⁸ Or, again, the “revenue provided by 10 acres of residential land does not pay for all of the government services and expenditures associated with 10 acres of residential land.”⁴⁹

It is *not* true that growth restraint is the most significant factor in driving up the cost of housing.⁵⁰ Certainly, constraints on land supply affect housing prices, but “the growth management literature cannot prove a direct correlation between [growth constraints] and the rising cost of housing, and concedes that market forces may be the stronger factor.”⁵¹

It is *not* true that we have to “grow or die”: a “gross county product” may rise with increased population and consumption, but that does not mean people are better off. Endless growth is impossible and someday society will achieve a steady-state population, without “dying.”

And it is *not* true that developers “just want to operate in a free market.” Development is highly subsidized.⁵²

But merely pointing out that the traditional economic pro-growth rhetoric is flawed is unlikely to be enough. Our whole culture is based on daily commerce (business of all kinds) and informed with the insistence that growth and consumption are essential to our economic welfare. Until we change how we conduct such commerce, we have little chance of changing attitudes about growth. An engaging approach would build a compelling vision of what will happen if we continue as we have so far (not a good outcome) and then paint a compelling picture of a better future, demonstrating how communities can prosper without a need for continual population growth or increasing levels of consumption.

It is beyond the scope of this article to detail how to achieve “relocalization”; there are many resources on the subject (the Internet turns up at least 154,000 references). In readily available print, Michael Shuman’s *Going Local: Creating Self-Reliant Communities in a Global Age* is a good, realistic start that showcases successful, real-life examples. Shuman lists three “simple imperatives” to promote economic *development* without necessarily promoting *growth*:

- Stop destroying the quality of life to accommodate mobile corporations, instead nurturing community corporations that are dedicated to raising the quality of local life;

- Stop trying to expand economic activity through exports, instead striving to eliminate dangerous dependencies by creating new import-replacement businesses that meet people's needs; and
- Stop lobbying Washington for new dollops of federal pork, instead insisting on the legal and political power necessary to create a rich soil for homegrown enterprises.⁵³

“Relocalization” does not mean a community cuts itself off from the regional or global economy. “A self-reliant community simply should seek to increase control over its own economy as far as practicable”⁵⁴ by encouraging local investment and local consumption of locally produced goods, and by hiring local workers and using local inputs for production. This keeps money circulating locally, promoting the local welfare.

Planners, of course, do not drive the development picture, but local economic development plans can affect population growth rates. Nearly-identical policy goals inform growth management legislation in Oregon, Florida, Vermont, Georgia, Maine, Maryland, New Jersey, Rhode Island, and Washington. Each state requires its jurisdictions to adopt comprehensive land use plans containing provisions for protecting natural resources, improving or maintaining water quality, preserving forests and farmlands, preserving historic resources, preserving or creating open space, encouraging economic development, developing a multimodal transportation system, and preserving or creating affordable housing. Jurisdictions must implement regulations consistent with statewide goals.⁵⁵

Of interest here is the economic development plan (whether mandated or not). If it were designed to promote prosperity but discourage population increase, the county or city could plan for a smaller future build-out (smaller Urban Growth Areas, or UGAs). Where state-generated population projections force planning for ever-increasing UGAs,⁵⁶ the comprehensive plan likewise could be drawn to reflect less growth, while still comporting with the state mandate. Theoretically, a local economic plan can be devised that provides for no growth. The state could not then mandate UGA upzoning.

Legal Impediments

For present purposes, there are two categories of legal impediments to growth controls. First, some states effectively deny local jurisdictions the right to control their own zoning, by mandating upzones to accommodate population growth.⁵⁷ Second, there is a range of constitutional

arguments made against growth controls. The former problem is real; the latter is not, because the constitutional arguments against growth controls can be refuted.

Smart Growth legislation is itself a serious impediment to sustainable development. Oregon's seminal Land Conservation and Development Act⁵⁸ (1972) mandates that cities establish urban growth boundaries, discourages growth outside those boundaries, and requires that jurisdictions maintain an adequate land supply to accommodate estimated housing needs 20 years into the future.⁵⁹ Florida (1972 and 1986) mandates five- and ten-year plans to anticipate and meet the need for transportation, urban services (sewer, water, drainage, etc.), conservation, recreation, open space, and housing.⁶⁰ Washington's Growth Management Act provides that county comprehensive plans “shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period.”⁶¹ Maryland's 1997 act directs new development into “priority funding areas,” which receive state money.⁶² Under Tennessee's Growth Policy Act (1998), municipalities must “determine and report on the need for additional land suitable for high density . . . development”;⁶³ usage of that information is used to size the urban growth boundaries, until the next round of rezoning.

These provisions effectively remove local government zoning authority and force upzoning around the urban boundary. Of course, the acts were not passed to promote or stimulate growth—the market drives this growth—but jurisdictions cannot say no: if their populations are projected to grow, they must upzone (and assure infrastructure) to accommodate the growth. And their populations will grow, as long as theirs is a nicer place than the over-populated places from which newcomers migrate. State “adequate land-supply” rules are a serious, but not necessarily completely fatal, impediment to local jurisdictions' ability to control their own growth. To achieve real growth control, these rules should be changed and the growth management acts amended. Citizens should not be, and need not be, merely the market's victims. Kirkland, Washington, east of Seattle, has announced that once its current round of planning is over in 2022, it “simply will refuse to grow further.”⁶⁴

Constitutional Issues

Constitutional issues are raised against growth constraints. These constitute the second category of legal impediments to effective growth control. Four of them are taken up here: takings, substantive due process, procedural due pro-

cess, and the right to travel. (Others are identified by Michael C. Soules, such as unlawful delegation of power by the legislative body to an administrative body, such as a planning commission, and standing; these are of little importance for this analysis.⁶⁵)

The takings issue: The Constitution of the United States provides that the government shall not take private property for public use without just compensation.⁶⁶ The states have similar provisions. (Washington State's constitution provides, "No private property shall be taken or damaged for public or private use without just compensation having been first made."⁶⁷) The growth-management issue centers on the claim that growth constraints are a "taking."

There are three general "takings" possibilities. Two are not generally relevant to a growth management discussion. The first of these two involves "permanent physical occupation" of the land by the government, which always requires compensation.⁶⁸ It is not an issue for this growth-management analysis, because it is always a taking (although takings for roads, public service centers, and the like do facilitate growth). The second involves regulation that very severely restricts the owner's use of the land so that (s)he is "called upon to sacrifice all economically beneficial uses in the name of the common good."⁶⁹ Few, if any, growth-management restrictions on land use deny the owner all economically beneficial uses; that argument is rarely relevant.

The third (and most problematic) kind of "takings" are those in which *some* beneficial use is denied, but not all. According to legal precedent, "[t]he general rule at least is that while property may be regulated to a certain extent, if regulation goes too far it will be recognized as a taking."⁷⁰ So long as a person is left with a reasonable use of the affected land and the government regulation bears "a substantial relation to the public welfare," the regulation will stand.⁷¹

There certainly is no taking merely because a person had expected to make money from a piece of real estate but was denied the chance as a result of some government regulation. It is "quite simply untenable" that property owners could complain of a taking when they had "been denied the ability to exploit a property interest that heretofore they had believed was available for development."⁷² An owner's interest in making some economically beneficial use of his land is not "taken" when the jurisdiction refuses to upzone to accommodate population growth, and there is no recognized interest in the right to a profit from real

estate speculation. (In some situations landowners may be forced to make "good" economic use of their land, even if they would rather not. Valuing and taxing under-developed property at its "highest and best use" rate tends to force its development to that more lucrative use. The antidote is "current use" taxation, which preserves landscapes providing aesthetic, economic, and social benefits, such as farms, forests, and open spaces.⁷³)

Substantive due process: There is a complaint that growth restrictions violate substantive due process rights. The substantive due process requirement basically says that there are some things the government cannot take away from people, because to do so is prohibitively offensive to our sensibilities. On this basis, for example, the US Supreme Court struck down a state law prohibiting the teaching of a foreign language: "The acquisition of knowledge is part of the liberty possessed by every person and the state cannot constitutionally interfere with it."⁷⁴ Courts generally hold that there is no substantive due process violation in land use restrictions if (1) the regulation is aimed at achieving a legitimate public purpose, (2) it uses means that are reasonably necessary to achieve that purpose, and (3) it is not unduly oppressive to the landowner.⁷⁵

Procedural due process: The third constitutional complaint against growth-stopping plans might be that they deny procedural due process. The usual complaint is lack of notice provided to potentially affected persons. Such complaints are generally not successful.⁷⁶ It is not difficult for government officials to provide adequate notice to affected landowners. Growth-constraint laws, properly administered, will not violate anyone's procedural due process.

The right to travel: A fourth possible constitutional complaint is that growth-management regulations deny citizens the right to travel. The US Constitution does not specifically provide a right to travel, but that has been inferred from the document. The "fundamental right"⁷⁷ also applies to intrastate travel.⁷⁸

In 1976, the Supreme Court of California considered whether a local zoning ordinance (adopted by initiative), which prohibited issuance of further residential building permits in the city until local educational, sewage disposal, and water supply facilities complied with specified standards effectively, denied a right to travel. The court wrote:

Both the United States Supreme Court and this court have refused to apply the strict constitutional test to legislation,

such as the present ordinance, which does not penalize travel and resettlement but merely makes it more difficult for the outsider to establish his residence in the place of his choosing.

Most zoning and land use ordinances affect population growth and density. . . . As commentators have observed, to insist that such zoning laws are invalid unless the interests supporting the exclusion are compelling in character, and cannot be achieved by an alternative method, would result in wholesale invalidation of land use controls and endanger the validity of city and regional planning. . . . ‘Were a court to. . .hold that an inferred right of any group to live wherever it chooses might not be abridged without some compelling state interest, the law of zoning would be literally turned upside down; presumptions of validity would become presumptions of invalidity and traditional police powers of a state would be severely circumscribed.’. . . We conclude that the indirect burden upon the right to travel imposed by the Livermore ordinance does not call for strict judicial scrutiny. The validity of the challenged ordinance must be measured by the more liberal standards that have traditionally tested the validity of land use restrictions enacted under the municipal police power.⁷⁹

Justice Mosk dissented. He pointed to cases “from the more perceptive jurisdictions. . . [that] prevent municipalities from selfishly donning blinders to obscure the problems of their neighbors,”⁸⁰ and cited language from Michigan, Maryland, Connecticut, New Jersey, and Pennsylvania. The latter state’s supreme court, in striking down a Pennsylvania town’s refusal to “admit new residents ‘unless such admittance will not create any additional burdens upon government functions and services,’” held that no “township can stand in the way of the natural forces which send our growing population into hitherto undeveloped areas in search of a comfortable place to live. . . . A zoning ordinance whose primary purpose is to prevent the entrance of newcomers in order to avoid future burdens, economic and otherwise, upon the administration of public services and facilities cannot be held valid.”⁸¹

It is worth pondering the dissent’s contention that “no town can stand in the way of the natural forces” of growing population. It is not seen in nature that a population—or anything else—increases indefinitely. If a population grows, it necessarily consumes more resources; as growth continues, there are two possible outcomes. When a population reaches the limits of the physical capacity of the area (food, clean water, clean air, suitable habitat), it can level off; thereafter it stands in equilibrium because birth rates fall (this is called a characteristic of “K-selected species”—“K” being the abbreviation for carrying capacity). The other possibility is that the population “explodes past K, and then crashes to a low level. The resources may then be replenished to some extent, whereupon the population can

start all over again. This is a boom-and-bust cycle, and species that exhibit such patterns are called ‘r-selected.’”⁸²

The carrying capacity of human communities is best understood as determined by “social K,” or “the maximum numbers that can be supported at a given level of technology within a given social organization, including patterns of consumption and trade.”⁸³ As population increases, we humans pave over wetland areas, reducing the availability of clean water and killing off aquatic life. In the Florida Keys (a string of islands south of the tip of the Florida peninsula), the once-pristine waters are now seriously polluted from houseboats, shore development, and tourists.⁸⁴ Washington State’s Hood Canal, once famous for its fishing and shellfishing, is so polluted from human activity that it has turned into a “dead sea.”⁸⁵ We discharge ever-greater amounts of pollution into the air, reducing the availability of clean air. Eventually, of course, the environment will not be able to support the number of people making claim upon it, and the population will stop growing.⁸⁶

Ethical Impediments

Probably the most telling single complaint against growth control is that it will drive up the price of housing and squeeze out the poor and “young families”⁸⁷ and others whose well-being society ought to protect. As an economic argument this is mostly incorrect,⁸⁸ but it is also an *ethical* argument based on the ethical principle of justice: “. . . that all people be guided by fairness, equity, and impartiality.”⁸⁹ The question is this: Is it ethical for one community to adopt policies that effectively preclude others from buying into the “good life” enjoyed there?

If the consequence of business-as-usual is that *everything* reasonably habitable succumbs to equal and impartial pavement and urbanization, so that nobody has a non-urban lifestyle (even if they want it), is that ethical? It is not unethical for people to act so that the next generation (of humans or non-human living things) may enjoy a non-urban home-place, or at least have a choice. John Stuart Mill wrote in 1848:

If the earth must lose that great portion of its pleasantness which it owes to things that the unlimited increase of wealth and population would extirpate from it, for the mere purpose of enabling it to support a larger but not a better or happier population, I sincerely hope, for the sake of posterity, that they will content to be stationary, long before necessity compels them to it. . . . It is scarcely necessary to remark that a

stationary condition of capital and population implies no stationary state of human improvement.⁹⁰

The ethical theory of *justice*—equity or equal treatment for all—is inappropriate where its application continually erodes the *good* by distribution and attenuation, until nobody gets any at all. This is the worst kind of leveling: the uncaring equality of misery; everybody starves. The ethical theory of *utilitarianism* would better apply here: the greatest good for the greatest number over a long term. Moreover, a community that successfully reached a “stationary condition of capital and population” would be an example to others, so that they might emulate it.

“Progress” that results in overpopulation is not salutary; it is not only physically ruinous and impossible, it is psychologically damaging.⁹¹ If we have a democracy and we do not want to live in an anthill, what are we to do? Are we simply helpless victims of change? Fodor states, “The idea of unlimited, or forced, growth is repulsive. It implies a horrible sickness, like cancer.”⁹² At some juncture, the population of any county, any state, of the United States, of the world, must stop increasing; this is not disputable. The dispute comes in answering *when*. What is the point of endless urbanization?

Regarding the ethics of capitalism, urban planner Chris Williamson observes that market demand drives growth, but our system posits no ethical imperative *always* to accede to market demand: the market doesn’t price real estate for sale in national parks; it does not price babies for sale. If, through a legitimate democratic process, a community chooses no-growth over growth, that’s an ethical decision; we are “not obligated to meet market demand.”⁹³

What about this ethical question: Where are people to live, if jurisdictions successfully enact growth constraints? The population of the US grew by 13.2% from 1990 to 2000.⁹⁴ This author’s home county grew by 30.5%.⁹⁵ A starting point might be to observe that it is unethical to force one place to bear a disproportionate share of the population increase burden.

John D. Rockefeller III, in the 1972 letter of transmittal to President Nixon accompanying the *Report of the Commission on Population Growth and the American Future*, wrote:

We have looked for, and have not found, any convincing economic argument for continued population growth. The health of our country does not depend on it, nor does the vitality of business nor the welfare of the average person.”⁹⁶

In the generation since then, the US government has undertaken no systematic program for population control or even population planning. Who can doubt that the pressures of over-population will at some juncture become inescapably obvious? The ethical thing to do is address that concern. If the federal government will not do it and the state governments will not do it, then the ethical thing is to begin at the local level, insisting upon growth limits. If the impetus needs to come from the bottom up, so be it.

Summary and Conclusion

Smart Growth is cutting-edge land use planning theory for attractive places; it will, eventually, result in solid urbanization. This outcome is neither desirable nor sustainable; it is impossible. Smart Growth leads to a dead end.

There is a practical role for planners and environmental professionals as this realization gains currency. They must encourage the community to overcome the impediments that block movement to an operating theory predicated on the truth: that, at some juncture, growth must stop. People do recognize the peril of too much growth, but the impediments to achieving the necessary “stationary condition of capital and population,” as Mill put it, are political, economic, legal, and ethical.

The political impediment is not, generally, public animosity toward the idea of a “stationary condition,” as much as it is misapprehension of the consequences and ignorance of the possibilities. Insofar as this ignorance and misapprehension is fostered by those with a vested interest in perpetuating the idea that “growth is good,” they can be and are being countered.

If the choice is growth versus economic decline, growth will win. Therefore, enlightened professionals and community activists must work to make acceptable a vision of community prosperity not dependent upon population increase, and use that vision to inform local community development plans. This involves economic relocalization, a topic gaining respectful attention both academically and in the media in the last several years.⁹⁷ The economic arguments in favor of endless growth are misplaced. Growth does not usually decrease unemployment, reduce taxes, or—for the most part—pay for itself. Growth constraints are not a major factor in housing price run-up.

The most serious legal impediment to growth constraints is Smart Growth legislation that mandates upzoning to

accommodate future populations. That legislation is amendable. The constitutional arguments against growth constraints are generally invalid.

As to ethics, it does not require a degree in physics to understand that there cannot be infinite growth in a finite space. Yes, there are serious social, economic, environmental, and cultural problems inherent in developing and maintaining a steady-state society. But there are problems in developing and maintaining our currently prevailing “growth is good” society too, and *they are exactly the same problems*: social, economic, environmental, and cultural. Why do we evade the responsibility of moving toward sustainability? We foist it off on some future generation, as if it will be easier for them than for us. It will be more difficult, because their environment will be diminished. If at some juncture growth will stop anyway, why must we wait until much sorrowful diminishment has occurred? Our generation, our planners, and our professional environmentalists should have the courage to face the truth and insist that we begin creating the kind of economy and the kind of community that will be sustainable and fulfilling. It is an ethical imperative.

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59. Oregon Revised Statutes 197.296.

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Submitted February 3, 2006; revised July 13, 2006; accepted July 27, 2006.

Cultural Council



of Jackson Hole

Alissa Davies, Coordinator

Board Members

Emy DiGrappa
Don Kushner
Bronwyn Minton
Sarra Mossoff
Macey Mott
Erin Roy
Lisa Samford
Dimmie Zeigler

Member Organizations

Art Association of Jackson Hole
Central Wyoming College
Center for the Arts
Center of Wonder
Dancers' Workshop
Grand Teton Music Festival
Jackson Hole Chorale
Jackson Hole Chamber of Commerce
Jackson Hole Community Band
Jackson Hole Historical Society & Museum
Jackson Hole Music Experience
Jackson Hole Wildlife Film Festival
Jackson Hole Writers Conference
Jazz Foundation of Jackson Hole
National Museum of Wildlife Art
Off Square Theatre Company
pARTners
Riot Act
Teton County Library
Vista 360
Wyoming Highlanders

Contact

culturalcounciljh@gmail.com
307.690.4757
P.O Box 3706
Jackson, WY 83001

att: Town & County Planning Commission
c/o Town of Jackson
P.O. Box 1687
Jackson WY 83001

re: Town and County Comprehensive Plan

The Cultural Council of Jackson Hole is a 501(c)(3) non-profit corporation registered in the State of Wyoming and was formed to serve as a "clearing house" of applications for funding directed towards both the Town of Jackson and Teton County. The targeted applications are those submitted by organizations and individuals in regards to cultural and artistic endeavors. The Cultural Council has established a fair and impartial process by which all applications are considered and appropriately funded utilizing, in large part, Town and County subsidy.

It is in this role that the board members and various committee personnel of the Cultural Council have had the better part of 15 years to become intimately familiar with the artistic and cultural activities throughout our community. We have observed strengths and volatility, trends and growth; we've seen children graduate in to leaders and local grass roots arts organizations that initiate global impact. We've seen international dignitaries from dance companies, prominent authors and musicians, to the Secretary General of the United Nations take part in seminars and deliver keynote addresses, all as a result of the resourcefulness of the cultural arts organizations in Jackson Hole.

To say that the arts are thriving here and to derive that Jackson Hole has become, and will continue to grow as an "Arts and Cultural Destination" is clearly evident. In a community with less than 20,000 residents there is an 80,000 square foot Center For The Arts with more than a dozen full time organizations complete with staff and outreach programming. The Grand Teton Music Festival attracts artists worldwide and enjoys global recognition with significant local impact. Another crown jewel is our local art museum, to which the Federal Government has granted the official and elite designation as "National Museum of Wildlife Art of the United States." With these examples, and dozens more, there are abundant and inspiring opportunities for visitors and



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National Museum of Wildlife Art
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pARTNers
Riot Act
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Vista 360
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Contact

culturalcounciljh@gmail.com
307.690.4757
P.O Box 3706
Jackson, WY 83001

residents to both experience and contribute to the arts that celebrate our culture. The economic impact of the local arts industry is substantial with recurring evidence of positive net returns and continual reinvestment. Our figures, along with other estimates show more than 50,000 individuals are affected annually by cultural and arts spending in Teton County.

With the utmost respect, The Cultural Council of Jackson Hole, as appointed arbiter and eyewitness to the cultural and artistic phenomena of the region, recommends in the strongest possible manner that the joint Town and County Comprehensive Plan include language encouraging continued support and growth of the Arts in Jackson Hole, in addition to the concept of Jackson Hole as an "Arts and Cultural Destination." In doing so, those authorities having jurisdiction will see clearly the hearts, desires and intent among those framing the culture of our community.

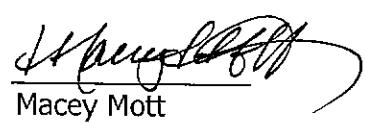
Signed on this day, May 14, 2009 by those board members as noted below and submitted to the Jackson Hole Comprehensive Plan process.

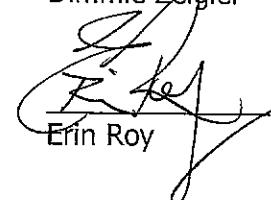

Sarra Mossoff

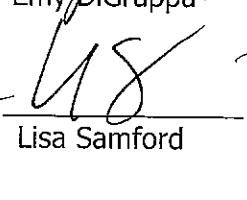

Bronwyn Minton

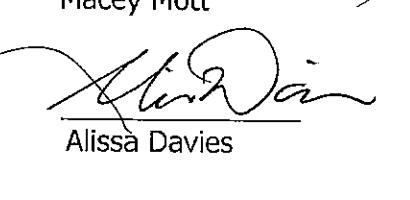

Dannie Zeigler


Emy DiGrappa


Macey Mott


Erin Roy


Lisa Samford


Alissa Davies

Alex Norton

Subject: Comprehensive Plan Comment - Jamie Dakis
Attachments: BnPScanner_ci_jackson_wy_us_20090515_163811.pdf

From: Judy Gordon
Sent: Friday, May 15, 2009 4:50 PM

Ms Dakis has asked me to convey the following message on her behalf.

The following are direct quotes from her:

The reason I am submitting this information is because there are over 30 Americans in Teton County with disabilities at present either unaware or unable to comment on the Comprehensive Plan. I come to represent their empty chairs.

These documents have been submitted by Jamie Dakis who is a Board Member of the Wyoming Self Advocacy Advisory Group representing herself with her personal comments with regard to the Comprehensive Plan and other Disabled Americans in Teton County.

Page one: This document represents a meeting that Jamie will attend this coming week with regard to what their needs are.

Page two: This document represents the only mission in town and the rising need of services
2009 Housing Survey: Self explanatory

**REGIONAL THAC MEETING**

Friday, May 15, 2009 10:32 AM

From: "Cathie Hughes" <swwrap@q.com>
To: "Theodore Izzo" <ozzi20005@yahoo.com>, "Jamie Dakis" <jamie_dakis@yahoo.com>, "JAMIE DASKIS" <dakiss44@hotmail.com>
Cc: "David Harrington" <davidha@tctwest.net>, "Regina Dodson" <regina.dodson@health.wyo.gov>, "June Schumacher" <june_schumacher@rswy.net>

Dear Ted & Jamie,

I would like to invite you to the next regional Transitional Housing Action Council (THAC) meeting to be held on Thursday May 21st at 11 a.m. While we usually meet twice a month, we will not be having our June 4th meeting as I will be out of town; thus our next meeting will not be until June 18th.

Please let me know if you can attend. We are looking forward to meeting you and are excited to be able to get started on this pinnacle opportunity.

Have a great day!

Cathie

Cathie L. Hughes, M.A., M.C.J.
Executive Director, SW-WRAP
Southwest Wyoming Recovery Access Programs

Providing Community Based Wrap-Around Services

P.O. Box 189, 280 Monroe Ave.
Green River, Wyoming 82935
e-mail: swwrap@q.com

307-875-2196 phone & fax

Services Offered:

- Nightly meals for
- Overnight Accommodations for 50+ persons (49 men / 6 women / children)
- Breakfast is available
- Showers, washing machine & dryer
- Chapel nightly -
- Fellowship and support for Addiction Recovery

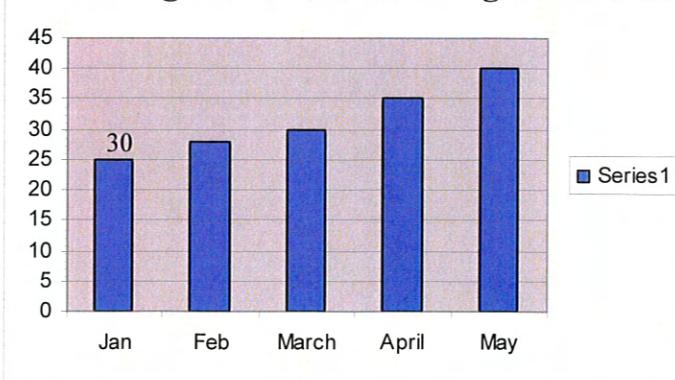
Who We Serve:

Recently Unemployed (loss of housing due to job loss)
Recently evicted due to various circumstances (family challenges,
Persons traveling to a new job / home
Stranded visitors (automobile breakdowns,
Chronically Homeless

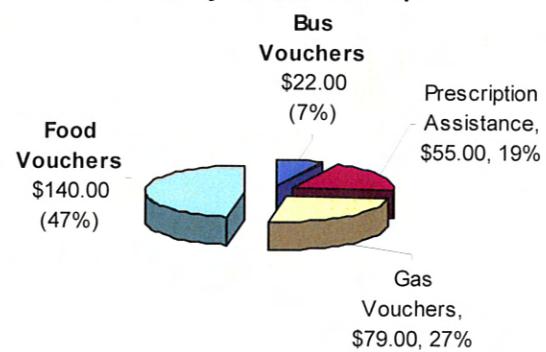
Wish List

- Food
- Clothing
- Cash
- Furniture (for Orville's Thrift Store)
- Soap, shampoo, toothbrushes, toothpaste, razors, toiletries, etc.

Average number of overnight visitors



Monetary Assistance - April



This survey was presented to Gov. Freudenthal
at the Starfish Awards in Cheyenne, WY., January, 2009

2009
HOUSING SURVEY

A Teton County
Research Project

Prepared by:

Theodore Izzo
Jamie Dakis

About the Researchers

Ted Izzo is a long-time resident of Jackson Hole, WY. He is employed in the retail sales industry, and specializes in security and loss prevention issues. His interest in Affordable Housing arises from his involvement in the community, and reflects his dedication to the needs of others.



Jamie Dakis is an artist and writer, and resides near Jackson Hole, WY. She is known for her scenic renditions of Teton County, and her wildlife portraits are popular with tourists and residents alike. Jamie is a WYSAAG Board member, and seeks to represent the underserved population of her community.



Jamie Dakis

Artist / Author

P.O. Box 8046

Jackson Hole, WY. 83002

email: jamie_dakis@gmail.com

About the Survey

In Teton County, Affordable Housing Advocates Jamie Dakis and Ted Izzo have collected over 40 Housing Surveys from residents of all ages and from diverse backgrounds.

Preliminary results reveal that the Housing options in Teton County may be severely limited for persons who are recovering from substance abuse issues, or who face the challenges of mental illness.

Executive Summary

By Jamie Dakis - The Teton County Housing Survey came about in answer to the on going problems of Affordable Housing for many constituents of Teton County. As a member of the community, I saw the need for progressive and on going advocacy that can be presented to Legislative members as well as Wyoming Health Department Research program representatives.

As a recently elected board member of the 2008-2009 WYSAAG (Wyoming Self Advocacy Advisory Group), I wanted to insure that positive implementation of this random survey information moves solutions forward that represent the needs of Teton County which is in a unique position for being a tourist area frequented each year as an attraction destination. The saying goes something like this: "Jackson Hole is a town where the billionaires are kicking out the millionaires."

It has been my hope that this survey notes that Wyoming still needs to address the populace of the homeless and those at high risk of becoming homeless as well as those who are merely on the edges of the community surviving along the fringes of society and are not being counted as the whole of Teton County.

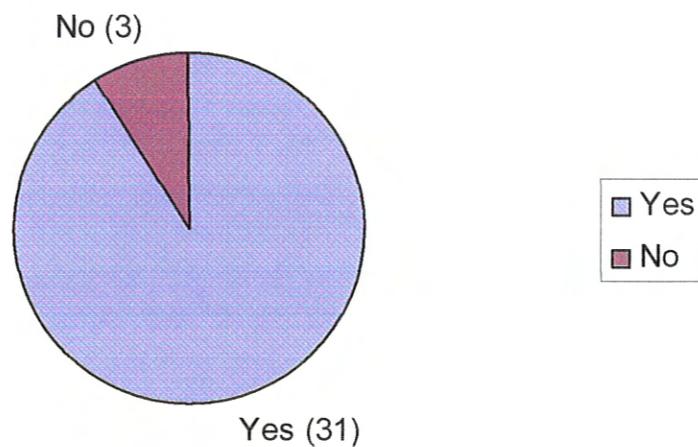
One of the most striking results of this survey was the fact that females with children who are not involved in domestic violence situations have absolutely no place to go other than the streets. Teton County has only one Homeless Mission which houses mostly Caucasian males between the ages of 28-50, who have for one reason or another become homeless. After interviewing survey subjects, I discovered there is a dire need for a non secular mission where everyone is allowed entrance regardless of gender, religious affiliation, or disabilities.

By Ted Izzo – I would like to see this survey become a document that will help consumers who are homeless or jobless. I would like to see those citizens getting more help getting into a job training program. I would also like them to have more options about where they can live, including offering more apartments and group home residences.

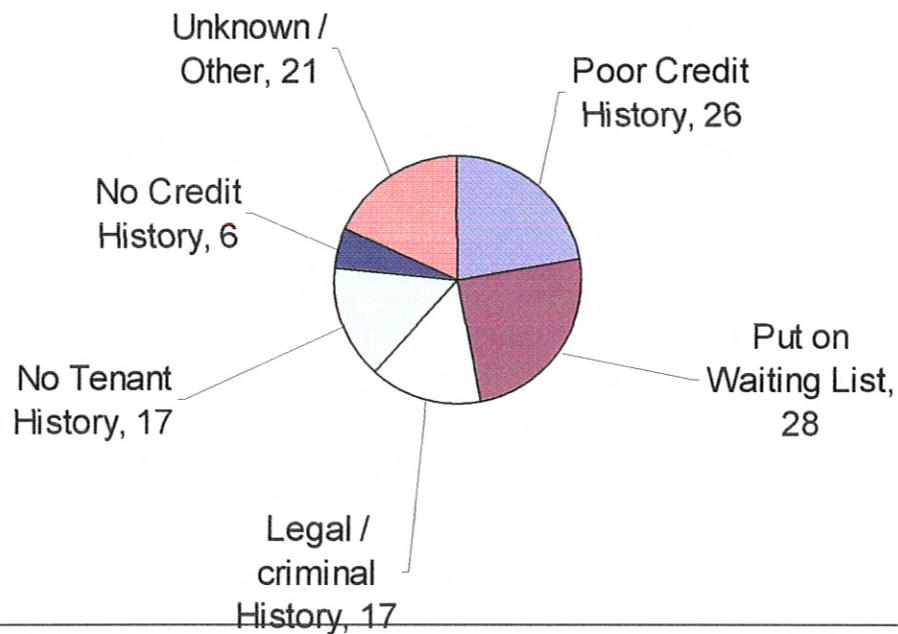
I have experienced homelessness myself. When I lived in California, I found myself living in a church shelter with no support services from the community. We had to go out on the streets and beg for food and money to pay the rent. When I was living in Arizona, I had a girlfriend who was bipolar, and she was unable to get help or assistance when she was in crisis, due to her lack of funds.

When I moved to Jackson, I began to work to see that this does not happen in Jackson. Finding safe shelter is one of the most important things a community can give its people. I want to continue working to support people in this way.

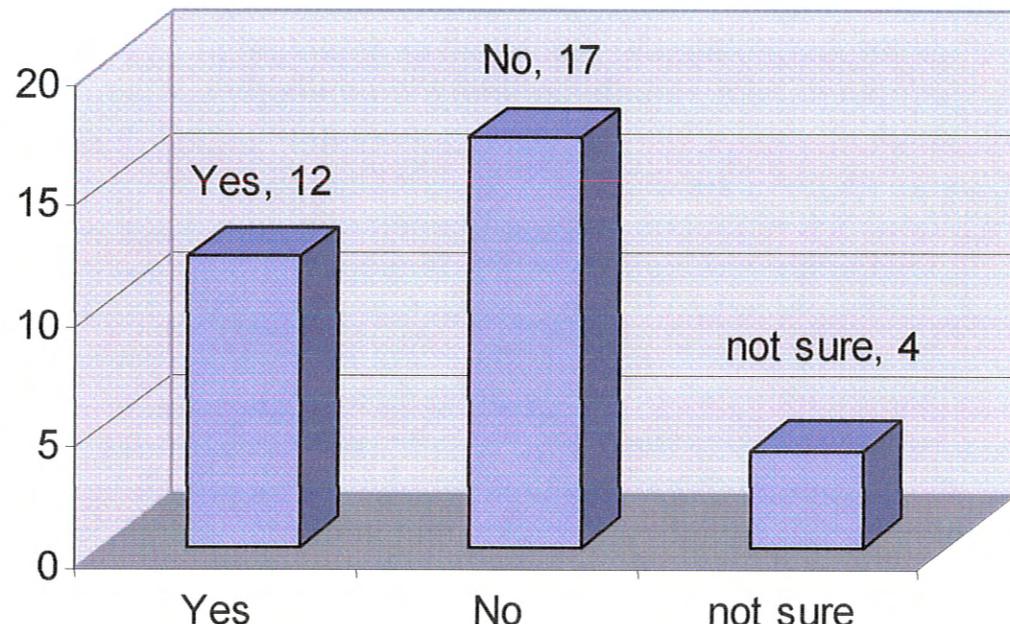
Denied Housing



Reason Housing was Denied

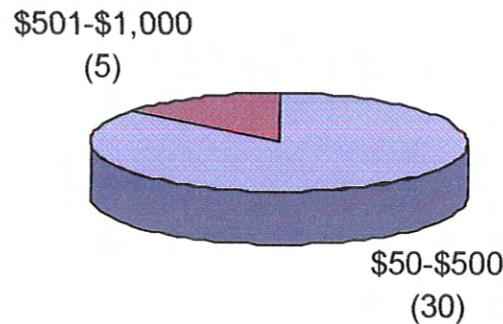


Would you be willing to live in a group home?

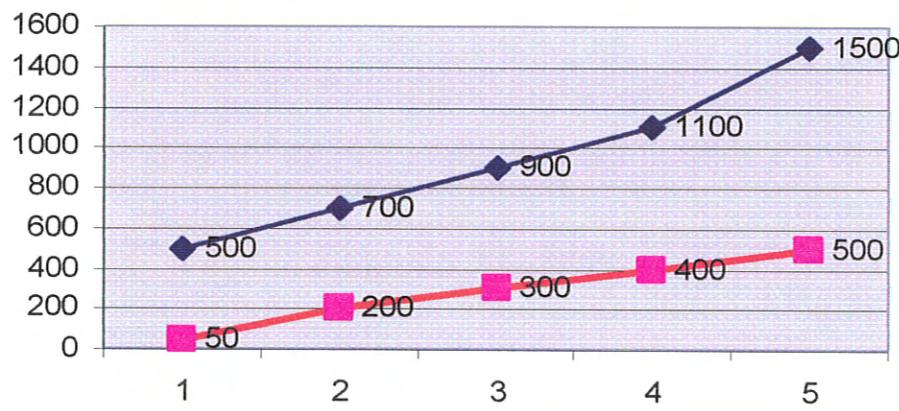


Note: Researchers spoke with respondents after the survey to get additional input regarding Group Living. It appears that many respondents had no previous exposure to the concept of Group Living, and believed they needed more information about this option. Because they were unsure about this particular environment, they frequently answered "No."

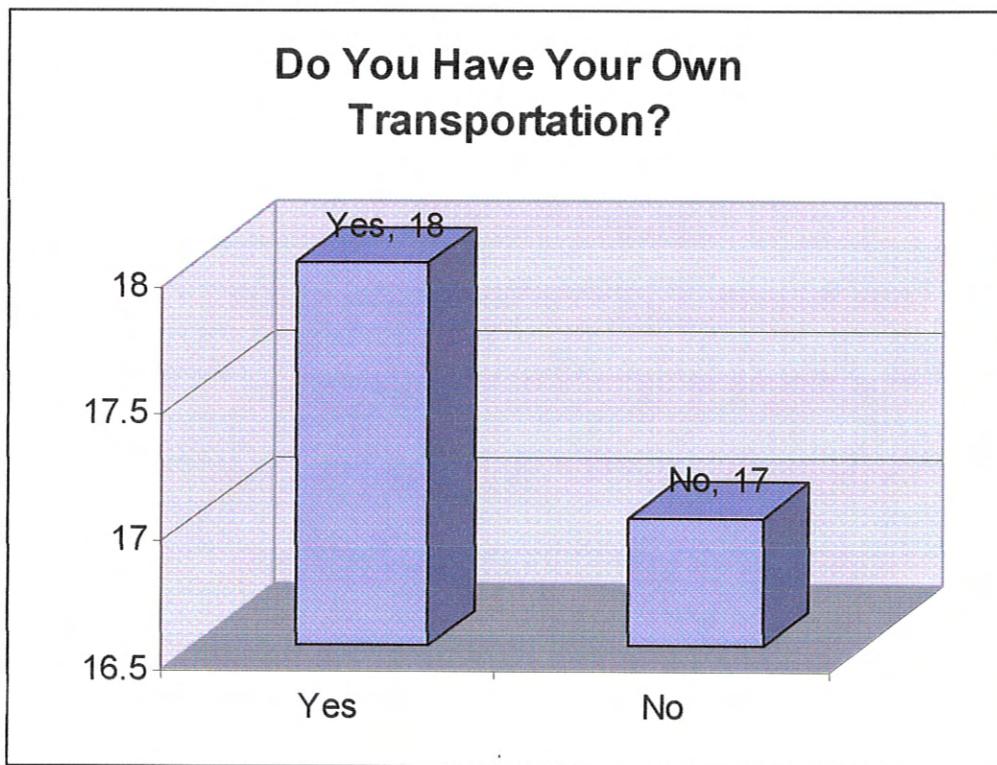
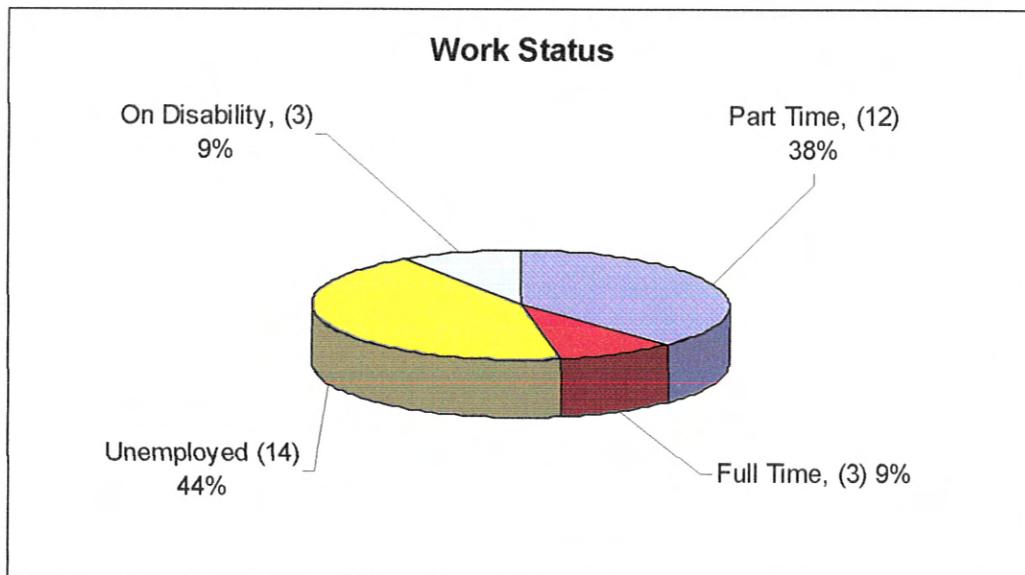
How Much Could You Afford For Rent? (Excluding Utilities)



Cost of Affordable Housing as compared to Average Amount of Rent Respondents can afford

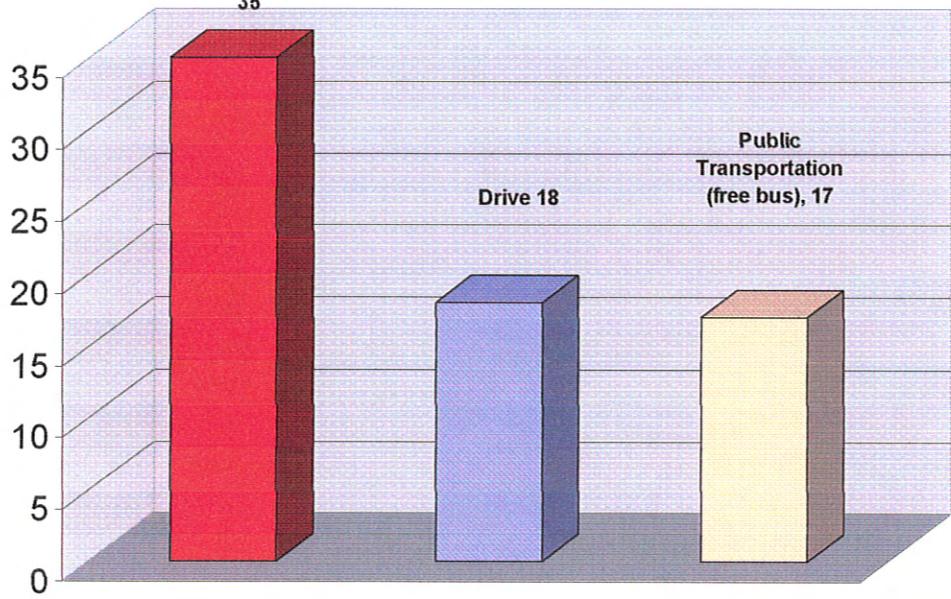


Researcher's Note: The monthly rental fees in Affordable Housing units located in Jackson Hole are typically priced far outside the ability of respondents to pay.

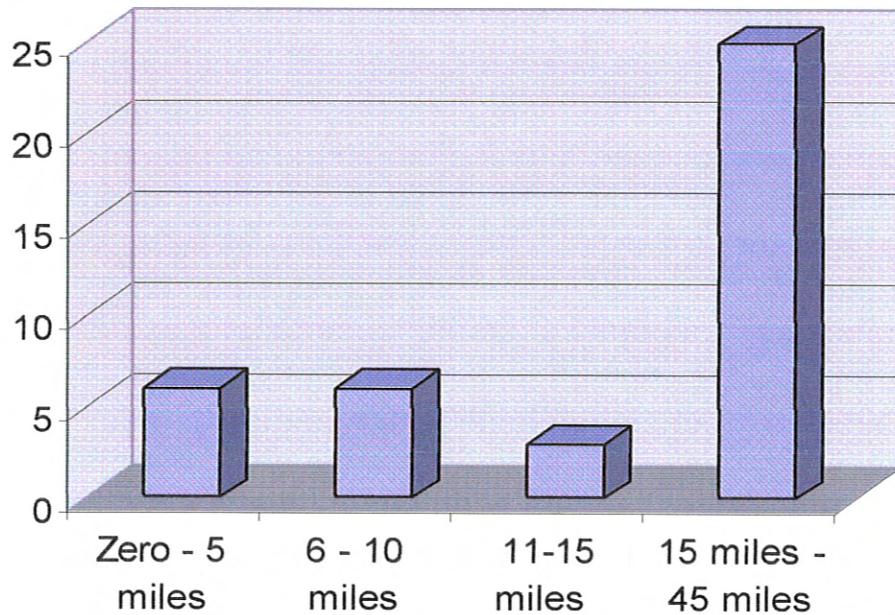


How Do You Get To Services in Jackson?

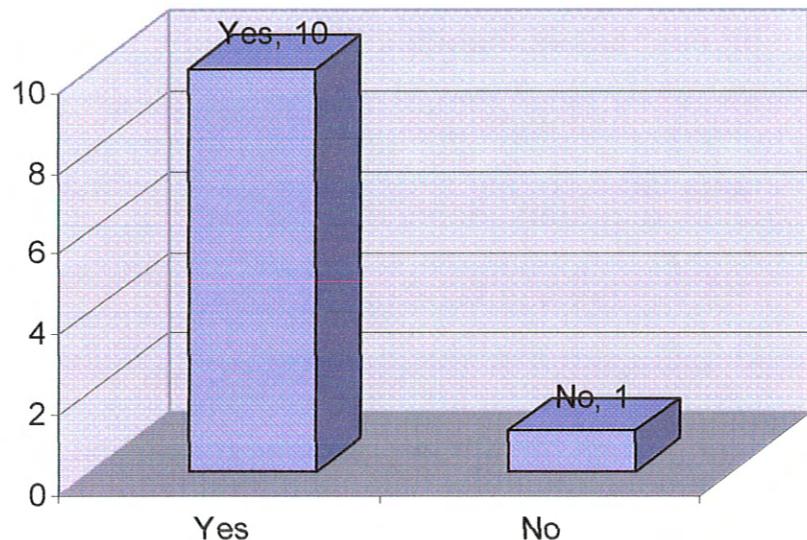
TOTAL
RESPONDENTS,
35



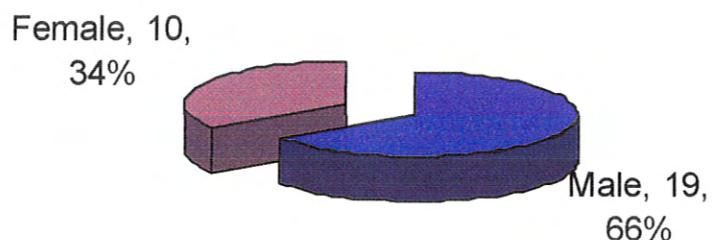
Miles to Drive to Work / Services



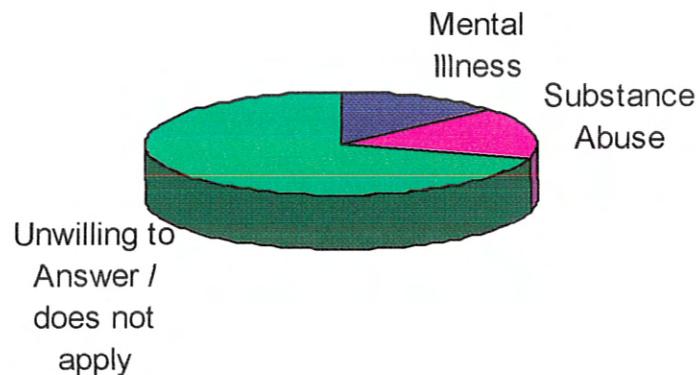
Do You Live on a Bus Route?



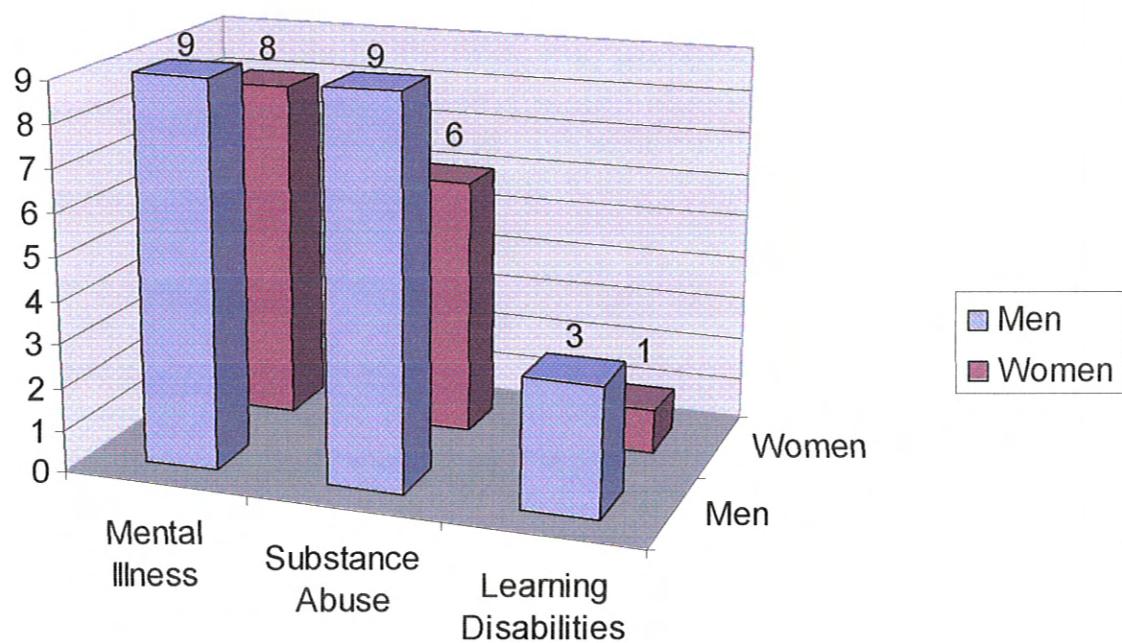
Gender of Respondents



Have You Been Diagnosed With:



Challenges of Respondents by Gender





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Terri Marino
Executive Director

May 15, 2009

Dear Members of the Jackson Town Council, Board of County Commissioners, and Planning Team:

Thank you for providing the opportunity to comment on the draft of the Jackson Teton County Comprehensive Plan. We commend our elected officials and the Planning staff for recognizing the need for this Plan update and for creating many opportunities for public input.

While our comments are on *Theme 4: Meet Our Community's Housing Needs*, we recognize and appreciate the interdependency of the themes and appreciate the inclusion of housing in many areas of the Plan. Although Habitat for Humanity's mission is clearly centered on housing, we look to carry out our work in a way that is consistent with community values. We recognize that providing workforce housing is one of several priorities in our community and we appreciate the current effort to find a sustainable balance among the priorities.

Summary

The key points of this letter are as follows:

- We support Theme 4's Statement of Ideal
- We support the concept of housing a diverse population of our workforce and the decision to not export our affordable housing and workforce to neighboring counties
- We would like acknowledgment that the greatest need for housing exists at the lower income levels
- The housing categories and criteria should be set by the Housing Authority
- We would like acknowledgement of the existence of substandard housing in our community
- We would like to see emphasized the importance of continuing to provide homeownership options (as opposed to solely rental) to Category 1 and 2 residents
- Residential mitigation and incentives should continue to be focused on Categories 1 through 3
- We support the strategies in Theme 4 and would like the following included:
 - Include "private housing agencies" as part of the solution (Strategy 4.2)
 - Include language that affordable housing will continue to be provided for people below median income

Statement of Ideal

We strongly support the Theme 4's Statement of Ideal, "Remain a community first and a resort second by ensuring that at least 65% of the community workforce lives in Teton County, Wyoming." This provides the housing programs with a publicly recognized goal to work towards and a way for the community to measure the success of the results. As 65% of a workforce living locally has often been referred to as the "tipping point" in other communities, the inclusion of the words "at least" establishes that 65% is the minimum target and an increase in that number, if achieved in balance with other community goals, is encouraged.

Principle 4.1

We support the general concept of Principle 4.1, "House a diverse population in a variety of housing types," and specifically Policy 4.1.a, "House all members of the community." This formal recognition of the value of economic diversity among residents provides guidance to housing organizations and updates to the Land Development Regulations. In addition, we are strongly in favor of Policy 4.1.e.'s statement, "Exporting our affordable housing and workforce to neighboring counties is not the community's solution for addressing our housing affordability issues." While it is important to identify solutions to our housing issues, it is equally important to identify which solutions we will not pursue.

We suggest two changes to Policy 4.1.b:

1. While the need for affordable housing spans a wide range of incomes, it is important to recognize that 66% of our households fall into Categories 1 and 2 according to the *2007 Teton County Housing Needs Assessment*. Policy 4.1.b currently reads, "As the value of land in the county has continued to rise, it is no longer just the lower-middle income segments of our workforce that cannot afford housing. With the median house price at 1,800% of the median income, even the upper-middle income segment is unable to afford housing..." That is a powerful statement that we support. However, on its own it could be interpreted that our focus should be shifting towards higher categories of housing at the expense of lower categories. As the Comprehensive Plan is intended to inform the Land Development Regulations, it is important to identify that the greatest need is still at the lower income levels and to state that our housing programs should be designed to serve the needs proportionally.
2. We believe the housing categories and criteria should be established only by representatives of the public interest, namely the Housing Authority. However, should private entities be included in the category and criteria setting, we respectfully request that as a housing organization, Habitat for Humanity be granted a formal role in providing input on such decisions.

General Issues to Address in Theme 4

In Theme 4 we would like to see acknowledgement of the substandard housing that many of our residents live in, possibly in the "Why is this theme addressed?" section. Through our family selection process, which includes visits to the homes of applicants, we are regular witnesses to homes with no heat, electrical problems, mold issues and lack of sufficient insulation. As a result of high rent prices for even these substandard units, overcrowding is also a widespread issue. Our experience is that many residents are unaware that these conditions exist in our community. By recognizing this fact in the Comprehensive Plan, it creates an opportunity to prioritize the needs of those living in substandard housing.

In addition, we feel it is imperative to recognize in this section the importance of continuing to provide *homeownership* options to the lower category households. Due to the high subsidy required to make units affordable at that level, there is temptation to direct our efforts towards creating affordable rental units for Categories 1 and 2 and to serve only the higher level categories with ownership units. While we believe that our community is in need of decent, affordable rentals for our workforce, we know that communities with high homeownership rates flourish for a number of reasons. If we do not provide material homeownership options at the Category 1 and 2 levels, we will continue to experience high turnover in jobs and reinforce the trend of exporting our workforce to neighboring communities that we are explicitly trying to change. Policy 4.4.a specifically calls out “incentives for the construction of rental units instead of ownership units.” We feel strongly that both rental and ownership should be encouraged and incentives should be provided for both.

While we understand that the distinction of categories will be addressed in the Land Development Regulations, we request that language be included in the Comp Plan that would inform those LDRs that relate to residential mitigation and affordable housing incentives to prioritize Categories 1 through 3. We would also like to see the split between categories be reflective of the current needs of the community.

Strategies

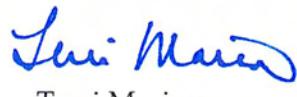
- *Strategy 4.1: Establish a dedicated funding source for workforce housing preservation and production.* We appreciate the recognition of the need for a dedicated funding source for housing. Without such, fulfilling the Statement of Ideal will become increasingly challenging.
- *Strategy 4.2: Establish a workforce housing action plan.* We request that “private housing agencies” be added to the third bullet that currently reads, “Seek opportunities to work cooperatively with governmental and quasi-governmental agencies, employers and developers to provide restricted workforce housing.” Private housing agencies such as Habitat for Humanity provide viable solutions and have successfully partnered with the Housing Authority, employers and developers in the past. Ideally, the housing agencies would work together to establish a workforce housing action plan.
- *Strategy 4.3: Update Land Development Regulations and the zoning maps.* We would like the third bullet, “Incentivize the preservation and creation of rental housing” to be modified to include homeownership housing. We would like to see the second bullet, which indicates that the limit for affordable housing will be increased to 200%, to include language that affordable housing will continue to be provided for people below median income in Teton County.
- *Strategy 4.4: Increase outreach and educational opportunities.* We feel encouraging partnerships and improving public perception are important tactics to increase the supply of workforce housing.

Updating this Plan and consolidating and incorporating public input is clearly an enormous job. We appreciate the thorough effort that has gone into this update thus far and look forward to reviewing the next iteration of the Plan.

Sincerely,



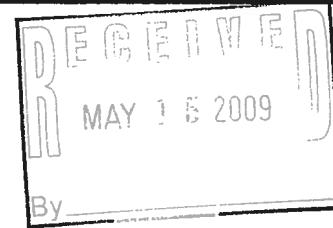
Peter French
President, Board of Directors



Terri Marino
Executive Director

Pete Jorgensen

From: Gary_Pollock@nps.gov
Sent: Monday, May 04, 2009 11:04 AM
To: pjorgensen@jorgensenassociates.com
Subject: Info You Requested



Hi Pete -

Mary asked me to send you some info regarding the airport EIS and our thoughts on the Comp Plan.

Regarding the discussion on preferential runway use, the best place to look in the DEIS is at the bottom of page 74, but you might also want to look at that other material between pages 72-77.

Regarding the comp plan, I had asked Alex Norton several months ago to include some specific language regarding Moose - Wilson Road. Although I am not finished reviewing the current draft, I have not seen the language in the sections where it would make the most sense for it to be. We will be making the same request in our written comments that are due on May 15. The language I suggested is as follows:

Transportation strategies will be sensitive to the needs of surrounding jurisdictions, including Grand Teton National Park. In light of the sensitivity of the Moose - Wilson Road to increases in traffic volume, the Town and County will coordinate with the National Park Service to ensure that in addressing transportation issues on Wyoming 390, additional transportation-related impacts are not created within the national park.

Hope this is useful.....

**Gary M. Pollock
Management Assistant
Grand Teton National Park
Ph: 307-739-3428; Fax: 307-739-3438**

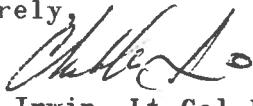
14 April 2009

To: Mr Jeff Daugherty
Teton County Planning Director

Subject: Comprehensive Plan Update

I will be unable to attend the meeting in Alta (April 21) on the comprehensive plan update. I hope nothing new has been added to the draft that would restrict the "BC" designation for the 3½ acres I own at the entrance of Teton Canyon which encompasses the Lost Horizon Restaurant. The District Boundary Amendment for commercial use was approved on 5 January 1984 ("VC" - visitor commercial). The attached letter of 20 July 2005 still reflects our thoughts on this matter.

Sincerely,


Chuck Irwin, Lt Col, USAF (Ret)
755 E. Ski Hill Road
Alta, Wyo 83414

Phone: 353 8226

20 July 2005

To: Planning Commission (July 25, 2005 meeting)

To: Teton County Commissioners (Aug 16, 2005 meeting)

Subject: Neighbor Notice for Application to Amend the Land Development
Regulations Pertaining to Business Conservation District (AMD 05-0007)

I reference your letter, subject as above, dated July 14, 2005. The wife and I established the Lost Horizon Dinner Club in 1976 and purchased the Teton Canyon Guest Ranch adjacent to our property in 1983. At that time we applied for commercial zoning for both properties and the District Boundary Amendment for commercial use was approved by the commissioners on 5 Jan 1984. At that time Mr Daniel Bowee, administrator of planning services said the two acres would permit a 40 unit motel. Since then I have been informed the property is limited to a 10,000 square feet structure. A small guest ranch existed on this property prior to 1970. Our last renters destroyed the main building beyond repair and we were forced to tear it down. I would still like to see a small unique lodge on this property.

I do not approve of any more restrictive regulations which in fact is down zoning. We have spent considerable time and money ⁱⁿ this area including the creation of Lake Nola, upgrade of water system, landscaping, and parking lot improvement.

Sincerely,



Chuck Irwin, Lt Co, USAF (Ret)
755 E. Ski Hill Rd.
Driggs, Idaho 83422

phone (307) 353-8226

2 Aug 2005

Dear Jim Darwiche,

I reference the above letter which I gave to Leeland Christensen on 21 July to give to you. I attended the planning commission meeting on 1 Aug and do not approve of the phibbs amendment and do not think there is a need for it. I strongly oppose any more restrictions on my property. Everyone present opposed the amendment with the exception of one.

On a ^{different} ~~different~~ subject, I understand there are four retail liquor licenses available in Teton County. Please let me know when the selection process is to begin so I can participate. Your assistance will be appreciated.

Sincerely,



P.S. The article in the Jackson Hole Daily gave me more information than

*Dear Council
and Planning*

HORTON SPITZER
P0B 1307
WILSON, WY 83014

Letter to the Editor

May 8, 2009

The Wilson school was filled with concerned neighbors to hear the planners tell us what may be in store for our special community. The universal sentiment was that the unique character of Wilson will be destroyed forever by the concepts as presented, particularly the tripling of the population. No mention was made of preserving the CHARACTER and VIEWSHEDS we all hold as reasons to live here. These features were given emphasis in the previous plan. Why have they been totally eliminated in this new proposal for the entire valley? These words seem to have been buried by academic planning definitions.

Also the proposed method of planning accountability with an annual review of decisions made by government officials during that year by the same officials who made the decisions is ludicrous. Such a review should include non governmental personnel, not those who instituted the decisions.

Lastly, why weren't the many thoughtful comments made by Wilsonites recorded and made a part of the public record. The rules not to record public comment were made by our government officials who work for us. We should require them to change this policy in the future. I feel insulted to have taken the time to participate in a public meeting and not have comments recorded. Is this an exercise in appeasing the public with little consideration to its input.

More work and changes need to be done to address the heartfelt concerns of our community before the Plan, as proposed, can be considered acceptable.

Horton Spitzer
Wilson

H.S. Spitzer

CLARENCE STEARNS

RECEIVED
MAY 13 2009

By

5-13-09

Post Office Box 255
Wilson, WY 83014-0255
USA

WITH REGARD TO WILSON PLANNING
HAVING LIVED IN WILSON FOR 60 YRS,
OWNING HUNGRY JACKS, THE POSTOFFICE
& SOME TIMES CALLED THE HONORAY
MAYOR, I THINK I HAVE A PRETTY GOOD IDEA
OF HOW MOST OF THE POPULATION FEELS.

THE VILLAGE OF WILSON IS TREASURED AS A SMALL
SETTLEMENT. MOST RESIDENTS MOVED HERE BECAUSE
OF THE SLOW PACE, FRIENDLYNESS & LACK OF DENSITY.
THUS THEY ARE POSITIVELY AGAINST DENSITY.

IN THE PLAN THE IMPORTANCE OF PRESERVING
THE ENVIRONMENT & WILDLIFE IS STRESSED. HOWEVER
NOTHING IS MENTIONED OF PRESERVING THE VILLAGE
FOR THE PEOPLE.

WE FREQUENTLY HAVE BEEN WARNED ABOUT A
MAJOR EARTHQUAKE. DID YOU TAKE THIS INTO
ACCOUNT WHEN PLANNING HIGH DENSITY FOR WILSON?
WHAT IF THE JACKSON LAKE DAM BREAKS? WILSON
IS 6' LOWER THAN THE SNAKE RIVER SO YOU KNOW
WHERE ALL THE FLOOD WATER WILL GO. WHEN THE
GROSSEVENTRIE DAM GAVE WAY, WILSON WAS UNDER
WATER.

THE POST OFFICE DEPT. SAYS THAT BECAUSE OF
THE DIKES I DONOT NEED FLOOD INSURANCE BUT
THAT I MUST HAVE EARTHQUAKE. THE INSURANCE
PEOPLE SAY I BETTER HAVE BOTH.

RAVEN IN A BIG SNOW ~~YEAR~~ WITH A LAKE FLOOD RUN OFF
FISH CREEK OVER FLOWS IT'S BANKS & THE WATER
RUNS BEHIND THE POST OFFICE.

I GIVE THE PLANNING DEPT. A LOT OF
CREDIT FOR DOING THEIR BEST IN THE PROBLEMS
THEY FACE & HOW THEY SETTLE THEM.

THANKS FOR LISTENING - GOOD LUCK &
BEST TO YOU,

Stearns

Teton County Planning
200 S. Willow
Jackson, Wyoming 83001

Box 362

Wilson, Wyoming

RECEIVED
May 20, 2009



Dear Director Daugherty,

Back in 1962, Stanley Resor said, "With future improvements Wilson would be the most beautiful little western town in the United States."

There are many of us today who feel that Wilson, Wyoming is just that. Unique. Special.

In July 1995 Wilson celebrated its 100th anniversary of its settlement. The Jackson Hole News wrote an editorial in commemoration. I kept it displayed in my little log cabin. Here is the last paragraph. [The piece was entitled "Thank God for a quirky small town"]

"Wilson is what Jackson Hole used to be — a low key, friendly community where you know your neighbors and help them out when times get tough. Tuesday's celebration at Owen Bricke Park across from the old red schoolhouse showed that spirit is still alive. Thank God for Wilson — and may it retain its independence and spunk for another century." JHN 7/5/95

Drove around Wilson and see that it is truly a lovely little town.

Sure, it can grow. But — "density bonuses", "mixed use redevelopment of the commercial core" and all the services required for another 500 or more homes? Spare us! Let us not become "anywhere, U.S.A."

— Surely the fault line which runs under Wilson must be shuddering at the image of fast-food places, possible three or four-story magni-buildings, apartment houses and other possible terrors all crammed around our friendly, beautiful little town.

Very sincerely,
Doris Plott, President..... 1976

To Town & County Planners: Comments submitted 5/15/09
Cottonwood Park District 13

Neighbors in the Cottonwood Park Subdivisions are concerned with some of the language written to describe our district and our neighborhoods. We find it surprising that of the seven individual themes identified through the process, four of them for district 13 have been defined almost identically. Although we feel strongly that "supporting the existing neighborhood" should be a priority, more weight should be placed on how each theme relates back to its original ideal, principles and how those work within the districts.

The use of Neighborhood as singular in the themes of this district is not really what is going on and does not represent this district or others effectively. Each district is made up of varying neighborhoods of sizes, types and uses. The clustering, feathering and linking of neighborhoods makes them relate to each other and causes a district to be unified.

We love our neighborhood and how it, with the other neighborhoods in our district, make them a great place to live. The individual designs, community services and circulation create a diverse yet whole district. The high density does leave something to be desired. Less density in our neighborhoods is important; please listen to the concerns and needs of many (older) citizen's, some of whom were born and raised in this valley, (scenic, wildlife, open space/migrant corridors; less crime, infrastructure needs, on and on!)

When reading the written text published in the draft plan we have the following comments:

1) Responsible Growth: We hope that the comp plan is using our districts neighborhoods as role models for future developments since we are almost built out. And since we are almost built out, responsible growth should not be District 13's first priority. The only future growth that may take place in our district is School growth which when designed needs to look further into its impact on the existing neighborhoods of our district. The huge Growth proposed in the neighboring District 12 in the NW corner of South Park is unnecessary and detrimental to district 13. The impact on the schools, roads, parks, scenic and natural resources of district 12 is

immeasurable. This proposed growth should be scaled back tremendously. Utilizing open, available lots within the town makes more sense.

2) Town as Heart: Continuing to "support" the mixed-use neighborhood is top priority for District 13. The proposed growth of neighboring districts as well as the school district and the impact of the possible Tribal Connector will all affect pro & con, our district's character and attraction for the working families that we are designed for. Proposing more density in the NW corner of district 12 before infilling the town proper does not support this theme. Twisting the theme to state "develop adjacent to" causes more infrastructures to be built instead of using the city roads and utilities already installed.

3) Transportation: Balancing the needs of the community and constructing the Tribal connector detract from our district. Protection of these impacts needs to be first and foremost. In addition, the traffic impact of the High School as well as 5 other schools that are currently serviced through our district and the proposed growth in the NW corner of South Park need to be equally listed. Prior to any new development, the existing problems have to be addressed. The school district needs to be engaged further to reduce the impact students are having on the neighborhood. The missed opportunity of reducing single car use and increase alternate modes of transportation needs further consideration & forethought. Also the lack of small parking areas where county residents can access the amenities and bus stops provided in this district cause damage to personal property.

4) Workforce Housing: District 13 is mainly work force housing already. We are mostly built out and therefore this theme is the least priority. However adding the proposed 1500 units of Work Force housing to the neighboring district 12 creates a concentration of this demographic in one area in the county. Designing pockets of work force housing in other locations in the county is more desirable and creates a more diverse community over all. Any density bonuses should only be granted if, in fact, the work force housing developed by the bonus benefits directly from it.

5) Community Facilities: Future growth of the schools in this area will impact the district as it relates to traffic congestion, parking locations, impervious parking

lots, and light pollution in the evenings and on weekends. Teton County Schools need to be looked at as a developer and held to the same standards of protecting existing neighborhoods as part of their future growth. In addition first responders of Fire & EMT should be considered as needing to have a home somewhere in our district especially when considering any future housing to be located in the NW corner of South Park. And finally new developments need to be required to create new parks within their neighborhoods and not tax the existing one found in District 13's. The proposed work on the high school "stadium" is a bit much in dollars and "improvements".

6) Wildlife Natural Resources: More and more wildlife is being directed into district 13 due to the growth and fencing/berming along South Park Loop Road which also detracts from our scenic vistas. The potential loss of a scenic corridor to the south due to future development and the blocking of the scenic view to the west is a great deterrent to all who live and travel through this district. Again the people who live and work here should be taken care of before future residents. District 13 should not have to sacrifice ("allowable trade offs for District 13" are the words from the planners) scenic views and wildlife to accommodate future workforce to the South.

7) Balanced Community & Economy: To maintain the existing residential neighborhoods as attractive places to live we should not and need not allow convenience commercial into the proposed housing directly to the south of us in the NW corner of South Park. The Smith's plaza is physically close enough, for both District 13 as well as the NW corner of South Park and it does not make sense economically to compete with a national chain for fuel and groceries.

Sincerely,



Claudia Gillette, 2001 Corner Cr. N, Box 40
Jackson, WY 83001

425 S. Jackson St.
P.O. Box 4216
Jackson, Wyoming 83001
May 6, 2009

Mr. Tyler Sinclair, Director
Town of Jackson Planning and Building Department
P.O. Box 1687
Jackson, Wyoming 83001

Dear Mr. Sinclair,

We have reviewed the April 3, 2009 Draft Jackson/Teton County Comprehensive Plan. Our main interest and concern with the draft plan are focused on **District 19: Rodeo Grounds**.

Concern 1: Inaccurate description of the area shown as Single Family Mixed-Type.

In the Draft Plan this area is described as follows: “The area classified as Single Family Mixed-Type currently consists of single family homes with accessory residential units and multifamily residential structures located at the periphery. The land use pattern in this area will continue to be dominated by single family residences (with and without accessory units) with some multi-family projects at the edge of the area.” This description implies that all residences include accessory residential units. In fact only a small percentage of homes in the proposed Single Family Mixed-Type area have accessory residential units. We believe there are less than six accessory residential units and of those only one is a stand-alone building (a partially converted detached garage). The reference to the multifamily residential structures would be correct and more informative by stating that a few multifamily residential structures are located at one corner of the area.

As currently written, this description creates a false image of the make-up and character of this neighborhood. This false image seems to provide the basis for the proposed classification of this area as Single Family Mixed-Type. An area consisting of two residential units on each lot and with Multifamily units on the edges of the area could logically be classified as Multifamily with little or no change to the area. This is not the make-up of the proposed Single Family Mixed-Type area in District 19: Rodeo Grounds.

Following is a suggested rewrite of the description of this area.

“The area classified as Single Family Low Mixed-Type currently consists primarily of single family homes, a few of which have with accessory residential units, and There are a limited number of multifamily residential structures located at one corner of the area the periphery. The land use pattern in this area will continue to be dominated by single family residences (some with and without previously developed accessory units) with a some multi-family projects at one corner the edge of the area.”

Concern 2: The classification of the Single Family area as Single Family Mixed-Type rather than Single Family Low.

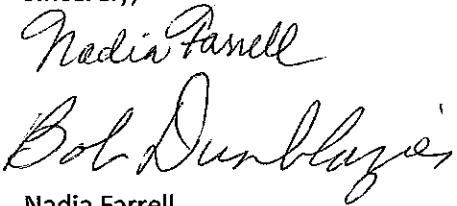
We agree that the Multi-Family classification for a portion of this District is appropriate considering its current uses, the District's status as a Town Targeted Growth District and the priority to Manage Growth Responsibly in this District. However, it does not seem appropriate to classify the Single Family area as Single Family Mixed-Type instead of Single Family Low. This neighborhood is primarily single family residences without accessory residential units (See Concern 1 above) and under the 1994 plan was identified as Neighborhood Conservation – Single Family. This neighborhood has been a stable and positive addition to the Town of Jackson for over 40 years.

If all or most of the homes had accessory residential units, the properties were falling into disrepair or the neighborhood was in need of redevelopment we would be in favor of a classification of Single Family Mixed-Type. Perhaps in 10 or 15 years during a five year Plan review a finding for the need for redevelopment might occur. At that time an amendment to the Plan could classify the area as Single Family Mixed-Type. However, at the present time, our neighborhood is strong, viable, stable and at least equivalent in size, quality, viability and stability to neighborhoods classified as Single Family Low in other Town Targeted Growth Districts - for example, the proposed Single Family Low residential area at Scott Lane and Snow King Avenue in District 17: The "Y". That neighborhood, like ours, is relatively small (~37 lots vs. ~46 lots) and is adjacent to areas classified as Multifamily.

Based on the above facts, we believe the Single Family area in District 19: Rodeo Grounds could and should be classified as Single Family Low. By doing so, the plan would preserve a viable, stable neighborhood while providing for additional managed growth in the larger Multifamily portion of the District.

We appreciate your consideration of our comments and look forward to the finalization of the Plan and the development of Zoning and Land Development Regulations needed to implement the Plan.

Sincerely,


Nadia Farrell
Bob Dunblazier

Nadia Farrell
Bob Dunblazier

cc: Town of Jackson Planning Commission
Mayor Mark Barron
Jackson Town Council

Save Historic Jackson Hole

PO Box 8205; Jackson, WY 83002 • Preserving Our Way of Life • Phone: 307-733-4392, Cell 699-0436



April 24, 2009

Copy to Alex Norton

Tyler Sinclair,
Planning Director, Town of Jackson

Jeff Daugherty,
Planning Director, Teton County

Subject: Jackson Teton County Comprehensive Plan draft dated April 3, 2009

Dear Sirs,

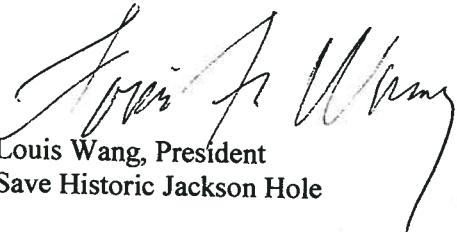
There is a marked difference between the draft Comp Plan now under review by the community and the data collected from the community over a prolonged period. It's perplexing, how did we get from a wildlife and open space focus to a thrust for growth and expansion? What changed?

This Comp Plan Update effort has always been billed as an open process. The community input is readily available with the various surveys and much documented public comment. Where is the other input? When was it collected? Who provided it?

The community deserves to know what planners considered in creating the Plan. Please assemble all the input so it can be independently reviewed. This is an official request made in the spirit of openness and full disclosure.

The Plan is so very different from the public input it reminds one of The Wizard of Oz – “Toto, I’ve a feeling we’re not in Kansas anymore.” We need and deserve process transparency.

Respectfully,



Louis Wang, President
Save Historic Jackson Hole

cc: County Commissioners
Town Council



Jackson Hole Conservation Alliance

Preliminary STAG Comments: Jackson/Teton County Comprehensive Plan April 2009 Draft

4/29/09

In brief, below are *some* of the key, broad issues that the Jackson Hole Conservation Alliance believes are important to address in the upcoming meeting. The Jackson Hole Conservation Alliance will be submitting line-by-line, detailed comments on the new draft prior to the planning commission hearings. During future comments, we will provide detailed recommendations for changes in policy language and the structure of the plan.

The current approach and key elements of the plan do not reflect the will of the community.

On October 15, 2008, the Planning Team placed an ad to confirm recognition of top community concerns voiced during public comment. Unfortunately, the new draft falls short in addressing them. See ad text below:

"The Comprehensive Plan Will Be Responding to Public Comment: What you said:

- Wildlife and open space protection is the most important value in the community.
- Buildout should be clearly identified and provide guidance in policy creation.
- Growth rate regulation should be implemented to slow the impacts of development to natural resources and community infrastructure.
- Workforce housing should be provided in greater proportion by commercial development and include a mix of rental and ownership options.
- Commercial development potential should be limited with sensitivity to building design, community character, and not exacerbate the workforce housing shortage.
- South Park should only develop at town level density in the northern portion in order to address the workforce housing needs of the community.
- Plan format should be more clear, concise, and user friendly. :

The current draft doesn't give appropriate attention to all factors (direct, indirect and cumulative impacts) that affect our ability to protect wildlife; buildout was not clearly identified and did not provide guidance in policy creation; growth rate regulation is identified as a step to take only if future monitoring indicates the need to do so; weaker language (than in the '94 Plan) is used to describe the relationships among different community issues/themes, particularly commercial development and workforce housing shortages; strong policies to limit commercial development are absent; proposed ranges for development in South Park far exceed the geographic scope presented in surveys and policies indicate sprawling development (north to south) for future planning in this district; and the plan format is not clear or user friendly given the map layouts and a number of vague and contradictory policies.

Other Key Issues:

- Amount of proposed development potential – residential and commercial – should be reduced.
- The impacts of commercial development are inadequately addressed in theme chapters. Drivers of growth-related impacts are underemphasized and inadequately described.
- Theme chapters, and the structure of the Future Land Use Plans inadequately address that our community must face, and answer, tough questions about carrying capacity (amount of overall development). As we increase the potential for direct, indirect and cumulative effects associated with human-related development impacts, there is a strong potential for crossing thresholds (in terms of survival of local wildlife populations).

- The meaning of Theme 2 “Managing Growth Responsibly” has changed significantly through this process.
- Geographic prioritizations (and district boundaries) in many node districts are highly debatable.
- The draft does not cohesively link different themes and policies. The Future Land Use Plans, as currently drafted, would not uphold the policies outlined in the draft.
- The draft rests on a number of assumptions that are not backed up with analyses. The draft suggests that the extent of development proposed within the nodes would have minimal ecological impact; however, we disagree, particularly given indirect and cumulative impacts.
- Permanent Conservation is a top priority of this community. We need to make sure that policies are in place to encourage permanent protection.
- There are MAJOR policy shifts from the '94 Plan to this new draft. The new draft reflects much more than an “update” of the '94 Plan. Key issues include: the lowered emphasis on scenic resources and rural character (in the county and town), transportation policies, and fundamental assumptions on the need for continued growth.
- Indicators need to be refined in all theme chapters.

Please Forgive me for typographical errors as I am not the most accurate typist in the world. I have made specific comments separately within the plan by use stickies and high lighting in the Adobe Acrobat document that I downloaded from the Jackson/County web site. The following is a summary document with an outline with the following headings: Summary of the Land Use Plan, Summary of the Comprehensive Plan followed by Introduction, Jackson/Teton County Community Vision, headings for each of the seven Themes and General Comments.

Summary of the Land Use Plan

The numerical results of residential units and commercial sq. ft. is the most revealing part of the information provided for reviewing the proposed plan. I have therefore presented my comments on the Future Land Use Plan first.

I have reviewed the Land Use Plan but plan to make only a few, but important, comments at this time. If the themes, policies and strategies change as a result of comments regarding the draft plan then the land use boundaries and other data will change substantially. In looking at the tables in Appendix I: page 1-2 and 1-3 the following growth is planned in residential areas and commercial areas:

Table A. Residential Units
(Data from Appendix 1: page I-2)

Location	2009 Existing Units	Future Maximum Units	% Growth	Growth in Units/ Year	Years to Buildout
County Rural Districts	4,900	3,500	71.43%	440	8
County Nodes	1,000	2,600	260.00%	220	12
Town	3,900	3,800	97.44%	540	7
Totals	9,800	9,900	101.02%	1,200	8

Note: The bold 8 at the right end of the total line is calculated by dividing 9,900 by 1,200.

Table B. Commercial Sq. Ft.
(Data from Appendix 1: page I-3)

Location	2009 Existing Floor Area in Sq. Ft.	Future Maximum Floor Area in Sq. Ft.	% Growth	Growth, in Sq. Ft./Year	Years to Buildout
County Rural Districts	1,580,000	2,410,000	152.53%	530,000	5
County Nodes	2,090,000	980,000	46.89%	230,000	4
Town	4,250,000	5,420,000	127.53%	1,170,000	5
Total	7,920,000	8,810,000	111.24%	1,930,000	5

Note: The bold 5 at the right end of the total line is calculated by dividing 8,810,000 by 1,930,000.

The upper range of Future Maximums from the Appendix I, Tables have been used in the above Tables A and B. If there is a range in numbers for growth and development, experience shows, it will be the maximum number that will be used.

Using the numbers from the Tables in Appendix I, indicates the Residential Units and Commercial Sq. Ft. will more than double in 8 years for residential and 5 years for commercial. This probably means the population will also more than double in 8 years.

What is the next step if this rate of growth does happen? I assume it would be time for another Comp. Plan to accommodate more residential and commercial growth by allowing more growth to Jackson, the nodes and the rural areas. Oh well, so what if we eliminate more wildlife habitat and open spaces that are now zoned rural. But wait, I thought preservation of wildlife and open space is supposed to be the number one goal for the proposed plan. The growth resulting from this plan seems to be paving the way **“for the death of Jackson Hole by density.”**

It has taken from 1889 the year of the first family settlers to Jackson Hole to now for the population to reach 20,000 + or -. Data in Tables A and B above would indicate that the population could double in about 8 years to about 40,000 + or - if the current version of the Comprehensive Plan is approved.

Summary of the Comprehensive Plan:

I have summarized my comments on the proposed Comp. Plan and they will follow. I do not want this summary, that was requested by the planning department, to preempt my specific comments that are included within the Introduction, Jackson/County Community Vision and Themes 1 through 7 of the Plan.

The latest version of the Jackson/Teton County Comprehensive Plan took a long time to produce. It was released to the advisory groups on about April 3 and the public on April 13. I am diligently reviewing the plan but it has been difficult to meet the time table set out in an email that I received as a member of the Stakeholder Advisory Group. The time schedule is April 24 for comments and May 7 for Stakeholder recommendations. I think the public and other advisory groups should have the same amount of time to read, digest and make comments on current version draft plan that was taken to produce it. If more time is not allowed the public comment and other advisory group comments will have been set aside.

I hope that Planners, Commissioners, Mayor and Councilors involved in this important document will give the advisory groups and the public more time to review, comment and make recommendations.

Following is a summary of my comments:

Introduction

My comments are included within the draft version the proposed Comprehensive Plan and will not be included in this summary.

Jackson/Teton County Community Vision

1. My only comment here is that it is a tall order to preserve the ecosystem and natural resources and meet human needs. Refer to my comments within the draft plan to see my specific comments and suggestions.

Theme 1 Promote Stewardship of Wildlife and Natural Resources

2. The Plan lacks adequate protection for wildlife (WL), natural resources (NS) and open spaces (OS).
3. Rural areas seem to be an inventory of land area reserved for the next planning process to happen in 5 to 15 Years, but not necessarily to accomplish this theme. Probably more like five years to an update or new plan with the extreme growth orientation of the current proposed plan.
4. No private land areas are set asides permanently for WL, NR and OS. The exception would be those private lands protected from development under conservation easements.

Theme 2 Manage Growth Responsibly

1. The Plan is growth oriented. There needs to be a slow rate of growth for commercial sq. ft. and for residential units.
2. Commercial land use should be reduced and the Lodging Overlay should be reduced rather than expanded. These reductions should be for land area and building ht.
3. The plan provides for the use of numerous density bonuses by PUD's, PRD's, the PMUD, AHPUD and other methods that simply mean more density. Density bonuses should not be allowed.

Theme 3 Uphold Jackson as "Heart of the Region"

1. A heart can only take so much overuse and it dies. I do agree with Jackson being the primary commercial use area, but the plan is allowing for too much density both in land area and building ht.
2. The idea sounds good but as planned it is not what the people who live in Jackson have clearly said they want.

Theme 4 Meet Our Community's Housing Needs

1. The Plan is driven by affordable/work force housing at public expense.
2. What we really need is affordable housing for people such as; school teachers, fire men and women, police, and other first responders. These people will continue to move to Lincoln County or Idaho unless the affordable housing in Jackson Hole meets the same living conditions they can get in these two areas. What they want is space, with a decent sized lot and a typical medium sized 3 bedroom single family house.
3. Workforce housing should all be rentals. People that are part of the workforce are generally seasonal and many will not remain in Jackson for the long term. Development of rentals would mean not dividing all buildings into condominiums.
4. Development of affordable and workforce housing should only be developed within new subdivisions with no density bonuses.

Theme 5 Provide a Diverse and Balanced Economy

1. It is important to identify the purely economic uses that create growth in Jackson Hole. Some of them are:
 - The plan is silent pertaining to the **airport** in terms of economic development and transportation needs. The **airport** is a factor in the development and use of large vacation homes. There is a sea of rental cars at the airport that generate much traffic.
 - **Lodging** and short term rentals allows more people to stay in Jackson Hole. Lodging is not much different from other residential use except rooms are used by different people each night or for a series of nights and days and they usually eat in restaurants. Lodging and restaurants create a need for affordable housing, workforce housing, create much air and ground traffic.
 - Area allowed for lodging need to be small in both land area and building ht.

- **Commercial** development creates a need for more housing of all types, more schools, more medical facilities, more utilities, more roads and increases traffic.
- **Real estate subdivision and development** in most cases is done for only economic interests and not for community need or with consideration for wildlife. The high end development of real estate requires intense and broad advertising to sell the product. This also creates growth of traffic and the need for workforce housing. The saying "build it and they will come" certainly applies to real estate development when sole purpose is for economic gain and not for actual housing needed for the community. The real estate market in Jackson Hole is at least nationwide or perhaps worldwide, but the bulk of development and marketing is not for local people.
- National Parks and National Forests create lots of visitors and traffic. Probably not much we can do about this, since they are public land.

2. Balancing the economy with wildlife, natural resources, open space and local community character is very important. The force of economic growth and the money it produces is more powerful than preserving wildlife, and local community character. Economic growth therefore, needs the most stringent regulations to keep it balanced with wildlife and community character.

Theme 6 Develop a Multi-Modal Transportation Strategy

1. I fully agree with an efficient system of mass transit. In order to have people to not use cars the mass transit system must be efficient and fast to move people from place to place. Providing for other types of transportation would have to be suppressed.
2. The Plan provides for simultaneous road expansion and mass transit. These are diametrically opposed components of a transportation strategy. If new roads are continually constructed and existing roads expanded people will probably continue to use cars instead of mass transit. We are a time oriented society and will use the fastest and most convenient way of moving around in Jackson Hole. If roads are allowed to become crowded and slower to get from place to place then mass transit then and only then will people choose mass transit.
3. The Plan is silent on a very big and significant part of transportation, which is the airport. There should be a separate policy and strategy to constrain airport expansion.

Theme 7 Provide Quality Community Facilities, Services, and Infrastructure

1. My comments and suggestions are minimal for this theme. The Statement of Ideal is covered in the policies and strategies.
2. One comment that is not in the plan but pertains to the proposed sewer line from Grand Teton Park to the Jackson sewage disposal plant. Increased density and growth follows sewer lines.
3. Extension of sewer lines allow for higher densities for Jackson and the County. The first treatment plant for Jackson was at the Northwest corner of the Karns Hillside Subdivision. for service to East Jackson. The next extension was to a site near the intersection of Gregory Lane and High School Road to provide for more density and growth for West Jackson, along Highway 89 and Gregory Lane. The third sewage disposal site is the current site at the South end of South Park which allowed more dense development and growth in Rafter J, Melody Ranch, Cottonwood Park, Spring Creek Ranch, and to accommodate more growth and higher densities on the Wet side of the Snake River.
4. Higher densities and growth follows sewer lines therefore, one way to limit growth is not to allow more extensions.

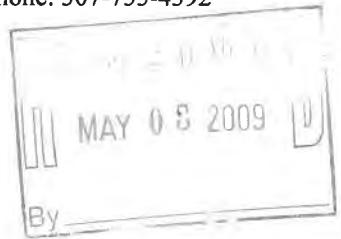
General Comments

1. The plan is long and cumbersome to read. It is broad non-specific and loaded with weasel-words. It should be more concise, more specific and allow no weasel-words. The plan is full of non specific words and phrases that leaves it open to many different interpretations
2. The outline of the plan is satisfactory, but I urge the Jackson and Teton County officials to give the public and the advisory groups more time and then amend the plan to match more closely to what the public wants.
3. The boundaries of the nodes; Jackson, Teton Village, Aspens/Teton Pines, and Wilson should not be allowed to expand in land area. Building heights should remain at no more than two stories and floor area ratios should be no more than 1.00.
4. I submitted detailed comments on the Jackson Land Use Plan several months ago. I have high expectations that you will thoroughly review and consider my comments on the Jackson Land Use Plan.
5. We now have paid advocates to develop and present real estate development proposals to both Jackson and/or County Officials including Planning Offices, Planning Commissions, Councilors, and Commissioners.
 - Paid advocates are usually called lobbyists. These lobbyists start the process of seeking approval well in advance, perhaps even multiple years, of a proposal reaches public awareness. During this period when the lobbyists are free of public reaction and comment there are, in all probability, commitments made by the Jackson and County Officials. This is probably the group outside of the public that is influencing this plan. If so they seem to be getting more attention than the public at large.

Save Historic Jackson Hole

Box 8205; Jackson, WY 83002 • Preserving Our Way of Life • Telephone: 307-733-4392

May 8, 2009



Tyler Sinclair,
Planning Director, Town of Jackson

Jeff Daugherty,
Planning Director, Teton County

Subject: Jackson Teton County Comprehensive Plan draft dated April 3, 2009

Reference: Letter of April 24, 2009 requesting access to all Comp Plan input

Dear Tyler and Jeff,

Two weeks ago I hand delivered a letter asking for access to “all of the input” to the Comp Plan Update. It was an “official request made in the spirit of openness and full disclosure.” So far there has been no response from either of you. This is disappointing as there is apparently much information available.

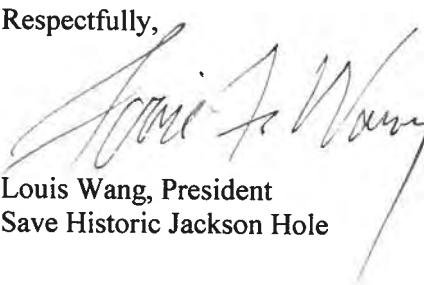
Jeff was quoted in the April 29 News & Guide as saying “information gathered by the planning team... was received from a variety of sources” and that “it was important for us to talk to other experts.” Fair enough, what was said and who said it?

Because the draft Plan differs so drastically from the public surveys and comment, folks want to know, if you didn’t follow the public’s input then whose input did you follow?

This letter is a renewal of our “official request” made two weeks ago. We are simply asking for access we are entitled to under the Wyoming Public Records Act.

We look forward to regaining the transparency now missing from the Comp Plan Update process.

Respectfully,


Louis Wang, President
Save Historic Jackson Hole

cc: County Commissioners
Town Council

Whadda ya mean, ‘There goes the rope’?



*Sometimes, even
the best laid plans
go awry.*

We're afraid that's what has happened with the Jackson/Teton County Comprehensive Plan.

Nearly a year after our community saw the first draft of the Comp Plan, a new draft was released in April 2009.

And while this draft plan looks good at first glance, a closer look shows that it lacks essential policies needed to ensure that it will do what our community has repeatedly said it wants the plan to do:

- Protect wildlife and open space
- Manage growth responsibly
- Provide workforce housing

The question is, do we want a plan that won't protect Jackson Hole's irreplaceable wildlife, scenery and community character?

Or do we want a plan that backs up its intentions with real solutions?

The choice is up to you.

Please, get informed and get involved. Read the draft plan. Read this flier. Discuss the Comp Plan with your friends. Share your thoughts with the commissioners and councilors who will vote on the plan, and do it soon.

Let's work together to create a Comp Plan that will do what our community wants.

Every voice counts. ■



Please help

It takes a community to find community solutions.

Dear friends of Jackson Hole,

As the Jackson Hole Conservation Alliance nears its 30th anniversary, we've been taking time to reflect on our role as one of the valley's oldest and most-respected grassroots organizations.

The Jackson Hole community has also had a similar chance to reflect during the ongoing Comprehensive Plan update process – to reflect on our community's values, on how the valley has changed over the years, and on creating a vision for the future.

As I look back at former Comp Plan processes I've been involved in – as a long-time resident, a board member of the Alliance and then in my role as Executive Director – I'm heartened to see that our community's desire to live in harmony with wildlife, protect scenic views, and preserve our irreplaceable natural resources has remained at the core of our shared values.

A group of concerned neighbors formed the Alliance in 1979 to help improve Teton County's first Comprehensive Plan – a government policy document that was so controversial, construction trucks ringed the courthouse in protest. In the end, the Alliance and the community at large stood up and voiced their support for developing the valley in a way that preserves the values we all treasure.

Over time, I've seen little change in the community values that were voiced in 1979, voiced again during the 1994 rewrite of the Comp

Plan, and then reiterated most recently in three government-sponsored surveys of community members. It's clear that this is a community that has been and is still willing to stand up for its wildlife, community character, scenery, environmental health and for its working families.

The issues we face today are much the same as they were in 1979, but the pressures are greater and the stakes are higher. That's why the Conservation Alliance is providing this publication. We want to share our thoughts with you about what we believe is one of the most important local decisions to be made by this generation.

This publication gives a preliminary analysis of a very complicated document. We hope it will help you understand what's at stake in this revision of our current Comp Plan, and that it will help you get involved in the community process, have informed discussions with your elected officials, and make constructive suggestions for improving the draft plan.

As history has shown us, it takes a community to find community solutions. And if any community can create solutions, this one can! Please get involved.

Sincerely,

Franz Camenzind, Executive Director
Jackson Hole Conservation Alliance

What's a Comp Plan?

A Comprehensive Plan is a long-range blueprint to guide the growth and development of a community according to the vision of the members of that community. Jackson and Teton County are currently operating under a Comp Plan that was passed in 1994. In 2007, the town and county began the process of updating the plan. Evaluating the current draft, available at www.jacksonetonplan.com, is the next step in that process.

And why should you care?

Growth proposed under the new Comp Plan draft could permanently degrade what makes Jackson Hole unique – our wildlife, open spaces, scenic vistas and community character.

Although it's hard to quantify the qualities of small-town life that we cherish and want to preserve, it's a fair guess that a large increase in numbers of buildings and people will result in a corresponding decrease in the quality of life and experience for all who live and visit here. Picture more traffic jams, longer lines at the post office and stores, higher taxes, fighting for parking spaces at trailheads and searching for solitude on crowded trails.

Since development on private lands has a direct, negative impact on the wildlife depending on them for survival, also imagine yourself looking for say, moose, and not finding any. Pretty scary, huh? Especially when you consider how much our community character and tourism-based economy depend on wildlife.

All of us who are privileged to experience Jackson Hole have an obligation to take care of it. Now, more than ever, it's time to join those who have worked for decades to keep this precious place a global treasure and demand a Comp Plan that will do what our community wants: Protect our irreplaceable wildlife, open spaces and character. ■

Gateway communities seeking to develop a vital local economy must ensure that growth and economic development don't come at the expense of their unique identity, quality of life, economic diversity, and fiscal well-being.... Without well-designed and publicly supported strategies to preserve their character and surroundings, gateway communities risk undermining the very assets responsible for their economic vitality and future potential.

– *“Balancing Nature and Commerce in Gateway Communities” by Jim Howe, Ed McMahon and Luther Propst*

Take a second look

Analysis of the new draft Comp Plan reveals major flaws.

The new draft of the Jackson/Teton County Comprehensive Plan states that "Preservation and protection of the Greater Yellowstone Ecosystem and the area's natural resources is the top priority of our community."

But a close look shows that the draft lacks essential policies needed to uphold its number one priority.

Without fundamental changes, the new draft Comp Plan will not protect Jackson Hole's irreplaceable wildlife, open spaces and community character.

The Conservation Alliance's detailed comments on the draft Comp Plan will be available shortly via www.jhalliance.org/issuescompplan.htm. Meanwhile, here's an overview of our major concerns:

- Despite its statements to the contrary, this draft does not represent the will of our community, which has repeatedly voiced what we want, and in what order:

- 1) Our irreplaceable wildlife and open space protected *permanently*.
- 2) Growth managed responsibly, to include *limiting growth* if that growth might harm wildlife and community character.
- 3) Long-term affordable housing solutions.

The new draft fails the community's mandate for it to consider the implications of buildout and evaluate the consequences of overall growth in the valley. *See related stories on Pages 4 and 6.*

- Intended as an update of the 1994 Comp Plan, the new draft has ended up a complete rewrite that has lost many of the protections of the '94 plan. *See Page 5.*
- The draft plan focuses too much on the location of future growth, and not enough on the community costs of the growth it proposes.
- The draft Comp Plan proposes too much development overall – up to 9,880 *new* residential units and 8.8 million *new* square feet of com-

mercial development in Jackson Hole. This would more than double the amount of development that's on the ground today. What impacts will that have on our wildlife and quality of life?

- The draft Comp Plan does not take an integrated approach to land use planning decisions. For example, it fails to acknowledge that the amount of commercial development it proposes will make our workforce housing shortage worse, not better. For instance, 8.8 million new square feet of commercial development will generate about 36,000 new jobs, which will in turn generate a demand for about 29,000 new workers. Where are they going to live? The draft also lacks evaluations of the impacts of the development it outlines.

- The draft contends that allowing significantly increased development in the Town of Jackson, Teton Village, The Aspens, Wilson and South Park will result in open space protection everywhere else, without harming wildlife. But all these areas have wildlife values. Not only that, the draft plan fails to include strong, clear policies to ensure that we'll actually get permanent protection for rural areas in return for increased density elsewhere.

Where does our community go from here? We've outlined some possible solutions on Page 7. ■

“...future generations will not complain that we protected too much land; rather they will wonder why we protected so little.”

– Conservationist George Wuerthner

COMMUNITY'S TOP PRIORITY: PROTECTING WILDLIFE

As part of the Comp Plan update process, planners conducted three public surveys early last year, consisting of a keypad poll of about 200 people who attended a Jan. 30 public meeting; an online survey offered during February and March that more than 950 people filled out; and a University of Wyoming phone and mail survey taken between Feb. 27 and April 14.



Keypad poll



Online survey

Which goal do you think is a higher priority for Jackson Hole?

1) Preserve wildlife habitat and corridors:	66.9%	55.0%	59.5%
or Build deed-restricted workforce housing:	15.4%	19.4%	20.7%
2) Limit overall growth in the valley:	56.3%	48.6%	53.2%
or Build deed-restricted workforce housing:	23.2%	33.9%	36.5%
3) Preserve wildlife migration corridors:	84.5%	75.3%	54.7%
or Add traffic capacity by widening roads:	6.2%	8.8%	26.3%

More development and population in the Town of Jackson is OK

- 1) If this means less development in the county:
Agree: 78.2% 66.1% N/A Disagree: 11.9% 19.9% N/A
- 2) If this means preserving agricultural and natural resource areas in the county:
Agree: 85.5% 78.5% N/A Disagree: 7.7% 11.7% N/A

(This last survey is considered the most statistically valid since all of its 584 respondents had been chosen at random.) The results, available at www.jackstontetonplan.com/surveys, all showed the highest community support for protecting wildlife and managing growth responsibly. Here's a sampling:



University of Wyoming survey

Stronger standards should be implemented to protect natural resources as part of new developments:

Agree: 87.0% 82.2% 80.4% Disagree: 7.1% 7.9% 11.4%

A funding source should be established to acquire open space or conservation areas for critical habitat:

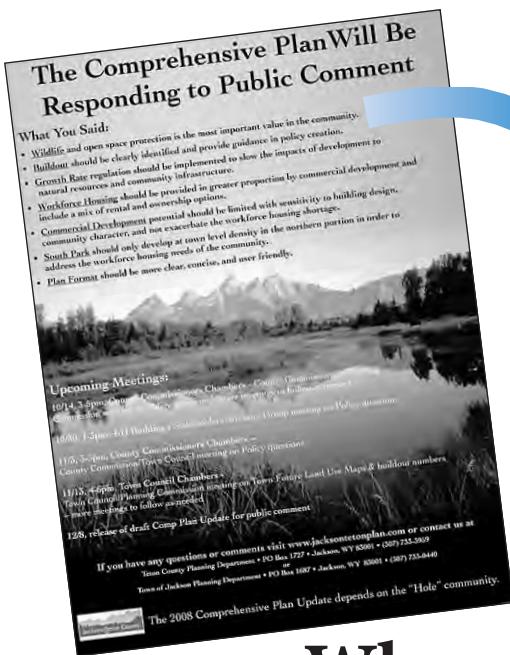
Agree: 78.0% 69.6% 59.8% Disagree: 13.8% 14.7% 29.1%

A restriction should be set on the amount of annual growth allowed (e.g., 1 or 2 percent increase per year):

Agree: 58.5% 54.0% 48% Disagree: 36.5% 25.3% 38.7%

The town and county should require a higher amount of deed-restricted workforce/affordable housing to be built as part of new developments:

Agree: 71.2% 69.7% 69.2% Disagree: 23.4% 19.9% 23.2%



The Comprehensive Plan Will Be Responding to Public Comment

What You Said:

- Wildlife and open space protection is the most important value in the community.
- Buildout should be clearly identified and provide guidance in policy creation.
- Growth Rate regulation should be implemented to slow the impacts of development to natural resources and community infrastructure.
- Workforce Housing should be provided in greater proportion by commercial development and include a mix of rental and ownership options.
- Commercial Development potential should be limited with sensitivity to building design, community character, and not exacerbate the workforce housing shortage.
- South Park should only develop at town level density in the northern portion in order to address the workforce housing needs of the community.
- Plan Format should be more clear, concise, and user friendly.

Teton County and the Town of Jackson ran this ad in the Oct. 15, 2008, *Jackson Hole News&Guide*, but the draft Comp Plan falls far short in its response to these comments.

Whose plan is this, anyhow?

Why are so many of the things people asked for missing from the new draft?

On April 8, 2009, Teton County Planning Director Jeff Daugherty was quoted in the *Jackson Hole News&Guide* regarding the draft Comp Plan: "At this point, it's the public's plan. Staff is listening. Public comment ends the day the commissioners adopt the plan."

A week later, the newspaper quoted Daugherty as follows: "The [community] surveys are not what the Comp Plan is based on.... [They] were an important element but not the only element."

These conflicting statements highlight confusion about the plan. Why are so many of the things the public asked for missing from the new draft Comp Plan?

For instance, it appears that much of the draft plan is based on a misperception that our community wants more growth than what's already allowed under our current Comp Plan. (See "Regarding growth" on Page 5 of this flier for examples.) But surveys conducted in 2008 and written public comments on the first draft of the Comp Plan indicate strong community support for *limiting* overall growth. (Visit www.jhalliance/issuescompplan.htm for a link to details.)

Community surveys also showed that protecting Jackson Hole's wildlife and natural resources is our number one priority. The new draft ranks this priority first in eight of the largest 25 districts that it divides the valley into, but ranks it fourth through seventh in the remaining 17 districts; last or next to last in 12 of them.

The new draft also lacks many of the items noted in the ad pictured above, such as clear buildout guidance policies and other tools to ensure responsible development. Likewise, at the start of the Comp Plan update back in 2007, planners spelled out a number of objectives, many of which the current draft fails to address. For example, a publication called "Defining Issues and Concepts" dated Aug. 8, 2007, states that some of the key goals were to: "Evaluate consequences of overall growth in the county (fiscal, environmental, social, infrastructure, transportation, public services, visual, etc.)"; "Model what the county might look like at buildout, and consider the implications

for infrastructure needs, quality of life, and the environment"; and "Evaluate whether the town and county can afford the public commitments in the Comprehensive Plan, and that revenue is greater or at least equal to the cost of services."

These types of analyses are lacking in the new draft Comp Plan, raising questions about its value as a planning tool.

Another problematic element is that the definition of what constitutes "responsible growth" appears to have changed over time, and for the worse (see below). What good is a primary goal if its meaning isn't clear? ■

What does "managing growth responsibly" mean? Depends on when you asked.

Fall 2007 to Winter 2008: In handouts used for community surveys, growth management objectives included: "Establish and define the 'end state' for development of the town and county and implement it through regulatory and programmatic approaches"; "Establish techniques and policies to maintain density neutrality as future changes are made"; and "Fully address the cost of growth... Future growth will pay for itself and avoid increasing the tax burden on the community."

June 2008: The first draft of the Comp Plan included this statement of ideal for managing growth: "Use lands in a way that meets needs of residents and visitors, while allowing for viable populations of all native species and the preservation of scenic vistas. Limit growth to that specified by this plan – directing most new growth into the town and communities." It also included phrases like: "Development will be balanced between the town and county and will strive for a buildout capacity number that is lower than what 2007 zoning allows."

April 2009: This is the new draft's responsible growth statement of ideal: "Meet the human needs of the community in locations identified for development." In its "Manage Growth Responsibly" chapter, the draft doesn't mention end states, buildout neutrality or future growth paying for itself. The draft also lacks strong predictability in the amount and types of growth it allows, and doesn't address the costs of that growth.

One step forward, two steps back?

New draft loses key protections of the plan it was meant to improve.

On Page 3 of the current draft of the Comp Plan, it reiterates that the new plan was meant to be an update, not a rewrite, of the 1994 Comp Plan: "In 2007, the town and county recognized the need for a Comprehensive Plan update to re-establish or reaffirm our community's col-

lective land use vision. Although many people thought that the vision expressed in the 1994 Plan still applied to the community, the majority believed that an increased focus on stewardship of the ecosystem and predictability in land use decisions would help guide implementation

of the 1994 Plan vision." However, a comparison of the 1994 Comp Plan with the current draft shows that much of the clear, strong language in the '94 version has been dropped – or replaced with something quite different – in the new draft. Here are some examples:

Regarding growth:

1994 Vision Statement, Page 5, Community Vision Chapter, 3rd bullet point: "Promote economic sustenance that does not depend on population growth."

1994 Guiding Principle 3 of 4, Page 6: "The intent of this Plan is to create conditions for a sustainable visitor-based economy not dependent upon growth, and an economy that reflects the unique small-town, Western commercial character of Jackson, and the outdoor recreational opportunities of Teton County as key components of the visitor experience."

2009 Vision Chapter, Page 8: "The concept of sustainability within the context of the community's vision delineates that...ecosystem preservation does not preclude growth and development necessary to meet our community's human needs."

2009 Vision Chapter, Page 11: "The community recognizes that growth must be managed in a responsible and sustainable manner in order to achieve the primary goal of Stewardship of Wildlife and Natural Resources. At the same time, the community recognizes that ecosystem preservation and protection does not preclude growth."

Regarding scenic resources:

The 1994 Comp Plan devoted a whole chapter to natural and scenic resources, categorizing them as distinct key assets of the community. It also placed the South Park district first in a list of the key areas to protect scenic resources and the Scenic Resources Overlay covers major sections of it.

The 2009 Draft Plan underemphasizes the importance of scenic resources. For instance, in the list of priorities for the South Park district outlined on Page 110, "Preserve scenic vistas and wildlife migration corridors" is ranked sixth out of seven.

Steps in the right direction: The new draft Comp Plan does make progress in several areas. Below are a few examples, and as we post our line-by-line comments at www.jhalliance.org/issuесompllan.htm, we'll summarize other positive policies in the new draft.

Focal species: The draft plan includes some important new language and policies for wildlife protection. For example, on Page 18, it notes the need to identify a broader set of focal wildlife species (to build upon the currently identified "species of special concern"), which should provide a better basis for monitoring ecosystem health.

Environment Commission: On Page 25, the new draft also calls for the establishment of an appointed volunteer Environment Commission

to help provide recommendations on wildlife-related issues in the county and research ways to address cumulative impacts.

Some long-term solutions for workforce housing: The new draft includes a number of strong policy recommendations under Theme 4 (Meet Our Community's Housing Needs), including an emphasis on preservation of workforce housing. For example, Policy 4.3a on Page 48 notes that deed-restricting existing homes "also avoids the environmental, social and economic impacts of new construction."

Other

The draft includes a number of strategies, such as the use of indicators, aimed at monitoring ecosystem health. It also includes new policies to promote sustainable use of resources. ■



NUMBERS MATTER

Despite unmistakable direction from the community that the new Comp Plan needs to include a comprehensive buildup analysis, it doesn't. (A buildup analysis evaluates what effects development allowed under the Comp Plan would have on our community.)

Planning is figuring out what needs to be done and how to do it. It can't be done well without data.

Could you plan a budget without knowing what your rent and groceries cost? Similarly, a good Comp Plan depends on having answers to "carrying capacity" questions, such as:

What's the ability of our natural resources (like wildlife and aquifers) and our built resources (roads, schools, etc.) to absorb population growth and related development without degradation?

Unfortunately, the new draft Comp Plan fails to provide these types of analyses.

Without them, we can't assess what effects the development proposed under the draft's future land use plans will have on our community (see sidebar below). Given the level of detail in the future land use plan maps, it's particularly troubling that there's no analysis of their impacts.

Some significant numbers the new draft does provide are inconsistent with previous planning documents. For example:

These numbers are from Comp Plan consultant Clarion Associates' "Existing Conditions Snapshot," handed out in January of 2008:

Existing development (2005) in Jackson & Teton County	Additional capacity for more development at 1994 Comp Plan "base zoning"
Approx. 11,300 housing units	1.9 million sq. ft. of commercial
9.5 million sq. ft. of commercial	

These numbers are from Pages I-4 and I-5 of the current draft's "Appendix I: Future Growth and Development." Planners say these numbers are more accurate:

Existing development (2009) in Jackson & Teton County	Additional capacity at '94 plan "base zoning plus land development regulations"	Total potential buildup (new draft plan)
Approx. 9,815 housing units	9,453 million sq. ft. of commercial	19,695 housing units
7,917 million sq. ft. of commercial		16,724 million sq. ft. of commercial

Even without consistent numbers, common sense at least tells us that as building numbers increase, their impacts increase. The new draft's figures above show that it would allow more than **double** the development Jackson Hole already has on the ground. And how many more people would this mean?

(9,880 additional housing units) x (anywhere between 1.74 and 2.37 people per unit)
(2.37 is the standard multiplier; planners sometimes use 1.74 to adjust for part-time residents)
= anywhere between 17,191 and 23,415 **more** residents upon buildup

(8.807 million sq. ft. of new commercial) x (1 job per 240 sq. ft.) = 36,695 jobs
(Jobs per sq. ft. and jobs per worker estimates are from the draft's Appendix C, Page 16)
36,695 jobs ÷ 1.26 jobs per worker = demand for 29,123 **more** workers

About 20,000 people currently live in Jackson Hole, others commute here to work, and at peak times of the year, upwards of 400,000 tourists are visiting each month.* The upshot? Not even counting the demand for additional workers, future "off-season" populations and their effects will at best resemble what we now experience during the summer. And come summertime? Use your imagination. ■

*Grand Teton National Park visitation statistics

Will "future land use plan" maps will get us where we want to go? Not if Wilson's any example...

The new draft Comp Plan states that stewardship of wildlife is a top priority, yet it lacks the broad range of policies necessary to uphold that priority. The draft fails to connect the dots between its stated goals and the tool it proposes to reach them – the "future land use plans" for each of its proposed 25 districts.

The statement of ideal for the future land use plan section of the draft is: "Protect wildlife and natural and scenic resources by concentrating development in town and county nodes." However, it appears that "proximity to existing services" is outweighing "proximity to important wildlife habitat" as a priority in many of the districts.

A look at just one example – the plan for Wilson – shows that the future land use plan maps raise more questions than they answer:

- Will the FLUP maps form the basis for future zoning decisions? What are we signing on to?
- The Wilson District plan would allow 400 more housing units in the area mapped at left, on top of the 120 additional units already permitted by current zoning. This means that downtown Wilson could grow from a village of 170 homes to almost 700. Where is the analysis to support that this is good planning? What consequences will 520 additional housing units have on the quality of life in Wilson? What will this mean in terms of traffic and fiscal impacts, such as the demand for new schools and other types of infrastructure? What about social impacts and the loss of rural character? What will happen to wildlife in the Wilson area?
- Why is Wilson being proposed as an urban area, when it was described as a rural commu-

nity in previous planning documents? Shouldn't it matter that the public spent time and effort during a recent subarea planning process for Wilson, and that a majority opposed the level of development outlined in the new FLUP?

- In the Wilson plan, "wildlife and natural resources" is listed as priority number five (out of seven). Plus, the plan proposes town-level densities (9 units per acre) in the middle of crucial moose winter range. Is this going to protect wildlife?
- While Wilson has historically been identified as a node, is it good planning to suggest that nodes should be able to expand indefinitely, and into sensitive riparian areas?
- If conservation is our top priority, and given the increasing costs of permanent conservation, shouldn't we be thinking about how we can uphold the function of the easements we have on the ground today? Why would we want high density development so close to large conservation easements in Wilson when we know this type of development will have cumulative impacts on the easement's function to provide wildlife habitat and other community benefits?
- Is it realistic to argue that by adding many more people in the node of Wilson a *reduced* traffic volume will result? ■



Conceptual Future Land Use Plan Map proposed for Wilson District
(From Page 109 of the new draft of the Jackson/Teton County Comp Plan)

Iffy foundation?

The draft Comp Plan appears to be based on a number of questionable assumptions. For instance, it contends that allowing increased development potential in the Town of Jackson and certain “nodes” in the county will result in open space protection everywhere else. But its specific policy language doesn’t include any assurances that we’ll actually get permanent protection for rural areas in return for permanently increased density elsewhere.

The draft also fails to give strong, clear guidance about the conditions that must be met to uphold community priorities. Below are a few examples, pulled from just one page of the draft (Page 11). (Visit www.jhalliance.org/issuescompplan.htm for a link to our full comments.)

“A nodal development pattern of town-level densities in Town, northern South Park, Teton Village, Wilson, and near the Aspens, allows for the provision of community needs while minimizing impacts to the local and regional ecosystem.” While minimizing impacts to the ecosystem is a worthy goal, the draft plan includes no analysis of the impacts expected to result from “town-level” densities in these nodes. There’s no data suggesting that the nodes could handle the amount of development proposed without significant ecological, social and fiscal impacts. Also, there are no strong policies to identify node boundaries as growth boundaries in the long term.

“Maintaining Town as the Heart of the region fulfills our community vision by lowering our dependence on neighboring communities to meet our housing needs.” The new draft proposes a huge increase in commercial growth (up to 8.8 million new square feet beyond what’s already built; 4.9 million of it in town), which will likely generate a demand for about 29,000 new workers in the valley. Since this plan doesn’t give strong direction on limiting commercial development – or on requiring much more affordable housing to be built as part of new developments – the likely effect of this growth will be an increased dependence on commuters.

“The Town of Jackson has already developed the social, transit and municipal infrastructure to allow for the provision of community needs with negligible ecological impact.” It’s true that infilling and redeveloping areas in town, where infrastructure and services already exist, makes more sense than breaking ground in undeveloped areas of the county. But the *amount* and *rate* of development, infill or not, matter a lot in terms of overall ecological impacts. The Comp Plan needs to consider the direct, indirect and cumulative impacts of humans on wildlife – impacts that accompany *all* increased development, regardless of where it occurs. ■

Now, how can we fix it?

Solutions won’t happen without your help.

The Jackson Hole Conservation Alliance believes in working for solutions that are informed by scientific data and that strengthen the town, region and ecosystem as a whole.

In this publication, we’ve outlined how we think the new draft plan would affect our community and its natural resources. Now it’s time to focus on turning the analysis into constructive suggestions for the people who will vote on the plan this summer.

Below are some themes that each of you who care so much about this valley might consider including in your comments. For details about deadlines and people to make your comments to, please see the back cover.

- Our community said that protecting wildlife is its number one priority, yet the draft plan ranks it last or next to last in 12 of the 25 districts. Ask your commissioners and councilors to make sure that the Comp Plan includes planning tools to ensure that protecting wildlife is the top priority across the board.
- The residential and commercial development proposed by the new draft Comp Plan could more than double what’s already on the ground today. What impacts will that have on Jackson Hole’s wildlife and quality of life? The Comp Plan needs to evaluate the consequences of overall growth in the valley.
- The plan needs to have an empirical basis for assessing the impacts of development on wildlife, natural resources, roads, schools, taxes and other quality of life issues. Tell officials that without ways to measure impacts, we are gambling with our valley’s future. Ask them to include ways to evaluate and verify the impacts of proposed development.
- If we simply don’t have enough specific information about the impacts of growth to make informed decisions, let’s ask our representatives to use the well-founded “precautionary principle” and err on the side of caution. Conservative buildout numbers and caps on our rate of growth could allow us to see what toll growth is taking before it’s too late. At the very least, base allowances for density should not be increased over what’s allowed under current regulations.



We’ll just follow our footprints back.

- The draft needs to take a much more integrated approach to land use planning decisions. For example, it fails to acknowledge that the amount of commercial development it proposes will worsen, not relieve, our workforce housing shortage. The truth is, Jackson Hole can’t grow its way out of growth-related problems. Tell your representatives that development needs to offset its direct impacts on workforce housing and its demands on infrastructure like roads, water and sewer.
- Ask your elected officials to require that critical policies from the 1994 Comp Plan be reinstated in the draft plan. For instance, ask that they reinsert language from the 1994 plan that was meant to protect our valley’s rural character and scenic views. The new plan was supposed to be an update, not a rewrite.
- Allowing more development potential in town and in “nodes” will not result in permanent protection in the rest of the county unless there’s a specific mechanism in place to guarantee it. Other communities have set growth boundaries, used transfers of development rights, implemented strict zoning and used other methods to spell it out. Let’s ask our officials to ensure that our Comp Plan includes specific guarantees that are currently missing. (Visit www.jhalliance.org/solutions.pdf for examples of planning tools we could use to help our community “Grow Slow, Grow Smart.”)

- **If it takes more time than we thought to get the Comp Plan right, let’s take it.** Ask your elected officials to slow down the process enough for the community to digest – and adequately comment on – all the important policies that will affect our community’s growth, character, views, wildlife habitat and quality of life for years to come. Jackson Hole deserves no less. ■

What can *you* do?

Help create a plan that works.

Anthropologist Margaret Mead had it right when she wrote, “Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.”

Although some people are disheartened about the Comp Plan process, this is no time to give up or give in. It’s time to speak up yet again and ask our public officials to uphold the will of the community.

The citizens of Jackson Hole have told town and county officials what our top priorities are, and in what order:

- 1) Protect wildlife and open space
- 2) Manage growth responsibly – to include *limiting growth* if it’s going to harm wildlife and community character
- 3) Provide affordable housing opportunities for most of our workforce.

We believe Jackson Hole’s elected and appointed officials are willing and committed to maintaining the public’s trust. We just have to keep letting them know we need a plan that will actually protect this precious valley.

Get informed

Read the Comp Plan draft online at www.jacksontetonplan.com, at Teton County Library or at the Conservation Alliance office, 685 S. Cache St. at the base of Snow King. Or buy a copy at Staples.

Check www.jhalliance.org/issuescomplan.htm for updates, a copy of our detailed comments and recommendations, info on currently scheduled meetings on the Comp Plan, and links to publications like “Balancing Act – Balancing Growth with Conservation,” which provides a clear, concise overview of many growth-related issues.

Get involved

Each person’s voice is critical. Talk with your friends about the plan. Comment online at www.jacksontetonplan.com. Show up and speak up at the town and county hearings this summer. Share what you think with the people listed at right.

Your knowledgeable and straightforward written and verbal public comments *will* have an impact. Your letters to the editor *will* get other people thinking. Your support of organizations working to protect this wild and beautiful valley *will* make a difference. ■

MAKE YOUR COMMENTS COUNT

When: Planners say that comments on the draft Comp Plan are being accepted throughout the process, but it’s a case of “the sooner, the better.” Please get your initial comments in by May 29 at the latest. Town and county planning commission hearings are expected to start in early June, so comments received before then will be the most timely.

How: Planners want everyone to comment online at www.jacksontetonplan.com. You can also send written comments to:

Jeff Noffsinger, Town of Jackson principal planner
Town of Jackson, P.O. Box 1687, Jackson, WY 83001
jnoffsinger@ci.jackson.wy.us

Alex Norton, Teton County lead planner
Teton County Planning Dept., P.O. Box 1727, Jackson, WY 83001
anorton@tetonwyo.org

We urge you to send copies to these people, too:

Teton Board of County Commissioners
Hank Phibbs, Chair, Ben Ellis, Vice Chair,
Leland Christensen, Andy Schwartz, Paul Vogelheim
Teton County, P.O. Box 3594, Jackson, WY 83001
commissioners@tetonwyo.org

Teton County Planning Commissioners
Paul Duncker, Larry Hamilton, Forrest McCarthy,
Joseph Palmer, Tony Wall
planningcom@tetonwyo.org

Town of Jackson Mayor Mark Barron
Town of Jackson, P.O. Box 1687, Jackson, WY 83001
mbarron@ci.jackson.wy.us

Jackson Town Council:
Bob Lenz, Greg Miles, Mark Obringer, Melissa Turley
Town of Jackson, P.O. Box 1687, Jackson, WY 83001
electedofficials@ci.jackson.wy.us

Jackson Planning Commissioners: Barbara Allen, Geneva Chong, Lisa daCosta, Michael Pruitt, Ben Read, Jessica Rutzick, Nancy Shea
Email care of Judy Gordon, jgordon@ci.jackson.wy.us

Letters to Editors
Jackson Hole News&Guide, editor@jhnewsandguide.com
Thomas Dewell and Angus M. Thuermer Jr., editors
(400-word max. for letters; 800-word max. for guest editorials)

Planet JH, editor@planetjh.com
Matthew Irwin, editor (300-word maximum)
(Remember to include your full name, hometown and a means of contacting you for verification.)

“Unless someone like you cares a whole awful lot,
nothing is going to get better. It’s not.”
— Dr. Seuss, “The Lorax”



**Jackson Hole
Conservation Alliance**

Partnering for a wild & beautiful valley since 1979

The Jackson Hole Conservation Alliance published this brochure to encourage friends and neighbors to stand up for our unique community, wildlife and natural resources. For more information on how you can get involved, please contact us at (307) 733-9417 or info@jhalliance.org, or visit our website at www.jhalliance.org. Thanks!

TO:

May 14, 2009

Teton County Commissioners
Teton County Planning Commissioners
Alex Norton, Teton County Lead Planner
Jeff Noffsinger, Town of Jackson Principal Planner
Jackson Town Council
Jackson Planning Commissioners

I'd like to comment on the new Draft of the 2009 Comprehensive Plan. It has been a long time (almost one year) since we saw the first draft and there are far too many substantive changes to expect the public to have such a tiny window to comment. This is far too important a Plan to rush through. Please extend the comment period. My greatest concerns are listed below:

The Community has placed the protection of wildlife and open space as our highest priority yet this plan does not protect Jackson Hole's irreplaceable wildlife and scenery. There are no tools in place to measure the impacts of the huge potential developments. We need planning tools to ensure that protecting wildlife is the highest priority.

What happened to protecting our "Community Character?" As anyone involved in the 1994 plan knows, the community character was paramount in the Plan yet it has been omitted from this Draft. Please include verbiage from the 1994 plan regarding the protection of our rural character.

The "Single Family Mixed-Type" classification is too vague. I'm told the need for the new plan is to provide "accountability, predictability, and measurability." The Single Family Mixed Type would allow single family, duplexes, tri-plexes, four-plexes and "convenience retail." What is predictable about a neighborhood with this classification? Sounds like anything goes in a neighborhood with this designation.

In east Jackson the 1994 plan would allow an additional 140 new dwellings and the new draft will allow 270 new places including "convenience retail." With a total of less than 1000 existing dwellings in East Jackson now, this is an increase of over 25%, yet the plan calls east Jackson "Town Stable." What does stable mean? It is clearly misleading.

The new Draft could more than double the residential and commercial development in the Valley. This would only exacerbate the need for workforce housing. The infrastructure costs are lacking in this Plan.

Nodes will drive commercial growth and increase urban sprawl. Zoning should remain as is on the entire West Bank. Animals will not realistically adhere to our zoning boundaries; we are witnessing this with many species such as the black and grizzly bears.

Whose plan is this? I'm told this plan is a synthesis of all the public's input but I have yet to talk to anyone in favor of this plan or find evidence of its support. Realtors, general contractors, students, business owners, etc. are in opposition to the Plan. There are clearly some who will benefit financially from this kind of growth but not many of us. I ask you to slow down, read all the fine print and please listen to the people who care so passionately about this wonderful Valley.

Sincerely



Kim Springer
2680 Pizza Lane
Wilson, WY 83014
kbspringer@earthlink.net



May 15, 2009

Mr. Jeff Daugherty
Teton County Planning Director

Mr. Alex Norton
Teton County Staff Planner

Mr. Tyler Sinclair
Town of Jackson Planning Director
Via E-Mail

RE: Jackson - Teton County Comprehensive Plan April 3, 2009 Draft Revision

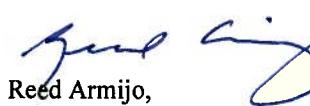
Dear Jeff, Tyler and Alex

We are writing to express our strong support of the overall vision and goals set in the April 3, 2009 draft revision of the Jackson- Teton County Comprehensive Plan. We applaud your efforts to bring the Comprehensive Plan into conformance with the current state of the community it serves. We support the vision that recognizes the need for balance between environmental and wildlife protection and smart, responsible growth that is essential to maintaining a vibrant, sustainable community.

While there are elements of the plan that need refinement, the basic concepts it puts forth are on target. Its adoption will put in place tools that will enhance predictability of future development. The definition of specific dense development nodes in both the town and county will protect natural resources and wildlife habitat, and provide the opportunity for much needed housing for the work force that is the foundation and soul of our community.

The potential for change always elicits a strong emotional response from those who perceive that it may negatively impact them. It is important to be mindful that some interests that are in a position to spend significant resources (including time) on critiquing planning efforts do not necessarily represent the viewpoint of the community at large. We believe that the changes for which this plan will serve as guide will result in a healthier, stronger community, and are long overdue.

Sincerely,
JORGENSEN ASSOCIATES, P.C.


Reed Armijo,
CEO


Thomas Kirsten,
Senior Project Manager


Jeffrey Bates,
Director of Operations


Francesca Paolucci-Rice,
Senior Project Manager

CC: Board of Teton County Commissioners
Jackson Town Council

2009 COMPREHENSIVE PLAN UPDATE – An Assessment

South Park Neighbors - May 15, 2009

Richard Bloom

This plan will guide the Valley's planning and development for the next 10-20 years. In the next step, it will guide us in amending land development regulations. Stakes are high, and outcomes permanent. We have to get this right.

What follows is a summary assessment provided to my neighbors – major issues and changes needed. The current draft is not the community's plan – far from it. Yet! Thanks go to a number of South Park Neighbor economists, planning experts, developers, rural land owners, biologists, workforce homeowners, affordable homeowners, builders, educators and others that helped shape this assessment. We trust this collaborative work will assist you in reviewing the issues and addressing needed solutions.

Comprehensive Plan Priorities – Major Issues, Changes Needed

Overall: Community Vision vs. the New Plan Draft

- Our plan, our responsibility, our legacy, is to guarantee that this valley, its wildlife, its vistas, its uniqueness, are preserved for all time. There are no bailouts if we fail.
- We expect the plan to work to protect Jackson Hole's cherished wildlife and open spaces, while also addressing workforce housing needs in a measured way.
- The new plan draft lacks the policy direction needed to accomplish these goals.
- Although there are good things in the plan that respond to the community's desires (such as creation of an appointed, volunteer Environment Commission concerned with wildlife issues and human-caused impacts, or heightened emphasis on workforce housing), the foundation of the plan rests on a false assumption - that the community wants more growth.

The existing (1994) plan says our community's vision is to '*promote economic sustenance that does not depend on population growth.*' (p 5)

The new (2009) plan says '*the concept of sustainability within the context of the community's vision delineates that...ecosystem preservation does not preclude growth and development necessary to meet our community's human needs.*' (p 8)

Huh?

- The draft also fails the community's mandate to consider the implications of build-out, and evaluate the consequences of overall growth in the valley.
- By heading for a potentially larger build-out, not having clear prioritized open space incentives (especially in greater South Park, where density incentives will be directed 100% to workforce housing, not at all to open space preservation), and recommending almost 9 million square feet of new job-creating commercial space, we assure that workforce housing shortages will only get worse, open space likely will not be protected, quality of life will diminish, and most importantly wildlife and natural resources will erode further. All in a failed attempt to focus the plan solely on pattern of growth – and not respond to the public's desire for a less-growth strategy.
- '*We cannot grow our way out of growth-related problems.*' – Kristy Bruner, Jackson Hole Conservation Alliance

- People and wildlife both lose in this plan.
- The plan fails on all important points – quality of life, workforce housing, taxes, wildlife, open space, rural land owners.

Wildlife, Natural Resources, Open Space

- Wildlife and natural resources should be the top priority in all districts, without compromise
- Draft Plan Principle 1.1: '*Maintain viable populations of all native species*'

Policy 1.1 g: Permeability of development for wildlife: '*In all areas, except those designated for mixed use or more intense development in the Town of Jackson or County nodes, development will be designed to accommodate wildlife movement.*'

We believe, to achieve Draft Plan Principle 1.1, the design of development in ALL nodes identified for growth must allow for wildlife movement permeability.

- The existing (1994) plan includes an entire chapter on natural and scenic resources, defining them as distinct key assets of the community. The new draft de-emphasizes the importance of scenic resources. This is particularly evident for South Park.

The existing (1994) plan (Chapter 1, p 4) identifies South Park as a key area for scenic resource protection. The Scenic Resources Overlay covers major sections of this district, including open space where 1) ranching should continue, 2) wildlife habitat should be preserved, and 3) the visual qualities of scenic vistas should be protected.

The 1994 plan specifically identifies the hay meadows of South Park, the Spring Gulch scenic area, ranchlands along Teton Village Road, and Buffalo Valley as areas to be kept free of development to the maximum extent possible, to help preserve rural character, critical wildlife habitat, and important image-setting scenic vistas and river corridors, as well as to encourage the continuation of ranching and other types of traditional agriculture as a vital part of community character.

The 1994 plan adds: '*where possible, the County should be flexible with its development regulations as an encouragement to land owners to permanently protect these wildlife, scenic, and agricultural areas*' (p 5)

- The new draft plan does not contain a mechanism to permanently protect rural open space. Moreover, it specifically removes South Park from areas now recommended for preservation. (Policy 1.6a)

Growth

- Growth will occur. Current entitlements are huge (with much of it 'shovel-ready' but currently on hold, due to financing and/or feasibility issues): over 6,000 new homes and over 4M sq ft of additional commercial space. These entitlements include platted but unbuilt lots, base property rights, and significant remaining resort development, which together will take our community from a current population of 20,000 to over 30,000.
- At stake in current plan discussions is growth beyond existing entitlements - 'upzones.' Upzones will potentially add 2,100 more homes and 4.8M more commercial sq ft than where we were already headed (Appendix I).

- So it is not *growth* vs. *no growth* – it is *how much additional growth*.
- The draft plan foresees future growth as follows:

	Jackson & Teton County		
	Existing Built	New Draft Plan Could Add:	Resulting Total Buildout
# Housing Units	9,815	9,880	19,695
Housed Population (if 2/unit)	19,630	19,760	39,390
Commercial Space (sq ft)	7,917,000	8,807,000	16,724,000
# Jobs (if 4/1000 sq ft)		35,228	66,896
# Workers Without Housing		15,468	27,506

- The number of housing units would more than double, from almost 10,000 existing right now to a total buildout of almost 20,000. Assuming approximately 2 residents per housing unit (Planner range is 1.74 -2.37), the housed population in Jackson and Teton County would also more than double, to almost 40,000 residents.
- Commercial space would more than double. Assuming approximately 4 new jobs created per thousand sq ft of commercial space (Planners estimate 1 job/240 sq ft, Appendix C, p 16), that means over 35,000 directly-created new jobs and (see above) an even greater housing deficit than we have today – far greater.
- All of these new residents and workers would create demands for additional workers in the form of new needed teachers, nurses, police, plow drivers, etc., further compounding the valley's already escalating housing shortage.
- About 20,000 people currently live in Jackson Hole, others commute here to work, and at peak times of the year, about 20,000 more tourists are visiting daily. With the tremendous demand for new workers, the increase in new residents, increasing tourist visitation, and even more commuting workers, the plan leads to a deeper workforce housing shortage, tremendous increase in commuters, and doubling of the resident population. Just to illustrate, today's peak summer driving and parking conditions become the everyday norm – or worse.
- 'Responsible Growth' should be deleted as a priority in the Comprehensive Plan. It isn't one (even if responsible).
- Overall buildout should be reduced
- Maximum build-out should be specifically defined, capped and permanent, with a slow, sustainable rate of growth over an extended time
- Job-creating commercial should be constrained.
- If a growth theme needs to be articulated in the plan, call it Reduced Build-Out/Growth Rate. Then consider 'managing the pattern of growth' as a critical sub-goal.

Workforce Housing / Community Diversity

- Workforce housing inducers need to be addressed as much as solutions.
- Non-growth solutions should be prioritized
- The community wants less growth while addressing workforce housing. This could be accomplished with minimal growth by:
 - Identifying a permanent funding source to purchase and redevelop existing housing.
 - Increasing housing mitigation rates on new residential and commercial development
- The plan will worsen workforce housing. Commercial and homes create new demands. Example: Rocky Mountain Bank, recently approved on Broadway, will create 65 jobs. Mitigation is set to provide just over 1 (one) workforce housing unit.
- The plan recommends new job-creating commercial that would require almost 12 projects of the size currently proposed for the NW corner of South Park, just to house all of the new workers (assuming 2 workers per home). Even with foreseen growth there won't be room for this many new residents, as the housing expansion won't keep up.
- Reduce the job-creating commercial in the plan, and require all development to fully offset direct impacts on workforce housing and infrastructure demands. Achieve this through adequate housing mitigation rates (requirements for developers to provide housing for most of their workers) and exactions (fees to cover impacts to parks, roads, sewer, and water).
- In-fill in town should be the first priority before considering expansion into targeted County nodes (including NW South Park) or Town "growth areas"
- The plan prioritizes needs of humans who may live here in the future over the needs of current residents. The needs of current residents should take priority.

Outcomes & Impacts

- The final plan must have clear and specific data to show outcomes and impacts on wildlife, traffic, roads, schools, environmental, taxes, and other quality of life issues.
- Costs of growth: Taxes will go up. Social services will get worse, not better, as demand increases and funding falls behind. Crime and traffic will go up. This is not wildlife vs. the people. All lose. In fact, people lose the most.
- Who benefits from growth? A few landowners will, while the majority of rural land owners will lose opportunities for economic return, even while they continue to support open space and wildlife.
- When clarifying outcomes and impacts, the plan should also look at documented motorist conflict zones, and require wildlife-friendly solutions

Plan Language

- New (2009) plan's vision statement: '*Preserve and protect the area's ecosystem and natural resources and meet the community's human needs in a sustainable and predictable manner.*' (p 7)
- The plan needs to clearly define 'Human Needs'. These should be tied back to other priorities, recognizing that human needs will be best met when they do not depend on continued growth in a hopeless attempt to grow ourselves out of a growth-caused situation.
- The terms 'Human Needs' and 'Community Benefit' are dangerously vague, taking us back to setting policy with three votes on Town Council or County Commission.
- 'Sustainability' is a plan priority, yet growth limits are not defined, determined, or set in the plan.
- Sustainable development ties together concern for the carrying capacity of natural systems with the social challenges facing humanity. As early as the 1970s, 'sustainability' was used to describe an economy 'in equilibrium with basic ecological support systems.' Ecologists have pointed to the 'limits of growth' and presented the alternative of a 'steady state economy' in order to address environmental concerns.*
- In the new plan draft, sustainability is selectively defined so as to support growth. '*The concept of sustainability within the context of the community's vision delineates that ... ecosystem preservation does not preclude growth and development necessary to meet our community's human needs.*' (p 8)
- Can we really have our cake and eat it too? Others say no, not really. '*The idea of sustainable development is sometimes viewed as an oxymoron because development inevitably depletes and degrades the environment.*' **
- We should replace the definition of 'sustainability' in the draft plan with the language of our current (1994) plan, where the overarching goal is to break our dependence on continued growth in order to achieve human needs. We want 'an economy not dependent on growth.'

* Meadows, Meadows, Randers, & Behrens, 1971. *The Limits to Growth*. New York: Universe Books.

** Redclift, M. (2005). Sustainable Development (1987-2005): an Oxymoron Comes of Age. *Sustainable Development* 13(4): 212-27).

South Park – Poster Child for Growth

Question: does South Park have any wildlife values or open space worth preserving?

The following picture and caption ran in the Jackson Hole Daily May 1:



A bald eagle perches on a fence post while looking for a meal Wednesday morning in South Park. *Bradly J. Boner / JACKSON HOLE DAILY*

In the new draft plan, language states or implies a future for South Park that qualitatively could also happen to other valley ‘nodes’ targeted for growth.

- **Unwinding of protections for open space, and scenic and wildlife values**
(Policy 1.6a; Policy 2.3b)
- **Dramatic upzoning, commercial and residential footholds established, without protection from future expansion**
(Appendix I, p 4; South Park District description p110; Policy 2.5b)
- **Density incentives directed to workforce housing only (and not to open space protection)**
(Policy 2.3b)
- **Removal of wildlife connectivity values (no requirement for wildlife permeability in development design standards)**
(Principle 1.1, p19)

Example:

The plan proposes eliminating all language calling for permanent open space protection for portions of South Park, and for protection of scenic and wildlife values in the South Park region:

2009 Plan, Policy 1.6a: ‘Conserve agricultural lands and agriculture throughout Teton County: The County will support efforts of landowners and land trusts to permanently conserve large intact parcels of land and to continue farming in Alta, Buffalo Valley, the Gros Ventre area, Spring Gulch, and south Fall Creek Road.’

South Park was first on the list in this section of the 1994 Plan. The new language strips South Park of such protection, implying that the entirety of the South Park district does not deserve conservation and directly unwinding the protection in our existing plan. (1994 Comprehensive Plan, Promote Stewardship of Wildlife and Natural Resources (Theme 1) - pg. 24).

For South Park, the following 2009 Plan adjustments are in order:

- Wildlife and Natural Resources should be first priority for the South Park district
- Clearly articulate the entire district as containing important wildlife, connectivity, and scenic values, using language similar to that in the current (1994) comp plan.
- Delete language that states South Park will be built out from 'north to south starting at High School Road.'
- Exhaust in-fill in town before considering any expansion into new County nodes (including NW South Park) or targeted Town growth areas.
- Drastically reduce the proposed NW South Park 400-acre, 1,500-unit housing node, both in footprint and number of units, consistent with a less-growth plan.
- Clearly state that any density incentives used for the reduced NW South Park node will be derived from permanent open space protection within the district only, not from Alta or Buffalo Valley.
- At least 50% of any density incentive in any County node or targeted Town growth area to be derived from permanent open space incentives (not solely from workforce housing), still leaving 50% available to incentivize additional deed-restricted workforce housing.
- The reduced NW South Park node to have a 1/8 mile pull-back from both High School and South Park Loop Roads, to respect the educational nature of HS Road and the scenic value of South Park Loop.
- The design of any development in the reduced NW South Park node to allow wildlife movement permeability.
- The design of any East-West connector road to not encourage further sprawl towards Rafter J in the future.
- The design of the reduced NW node to not add traffic volumes onto High School Road.
- No annexation of the new reduced node until it is designed and approved under County LDR criteria. No annexation as a whole, to then fall into Town design standards.
- The Tribal Trails connector between South Park Loop Road and HWY 22 not even considered until all solutions for improving the 'Y' intersection are exhausted, and assurances made that no new traffic would be diverted onto High School Road.

**Richard Bloom
South Park Neighbors - May 15, 2009**

PETER F. MOYER
 LAW OFFICES
 P.O. BOX 3682
 JACKSON, WYOMING 83001
 (307) 733-7795
 (307) 733-7754 FAX

Jeff Daugherty
 3 pages

PETER F. MOYER
 MEMBER: WYOMING BAR
 FORMER MEMBER: NEW YORK BAR

e-mail: pmoyer@wyoming.com

PHYSICAL ADDRESS:
 50 KING ST., SUITE 203
 JACKSON, WYOMING 83001

May 19, 2009

Teton County Commissioners
 Jackson, Wyoming

**RE: Comprehensive Plan Revisions --
 Suggestion for Permanent Protection
 of Open Space and Wildlife Habitat (TDRs)**

Dear Hank, Leland, Paul, Andy and Ben:

We have seen many upzoning proposals over the years, calling for even more development in various "nodes" -- particularly the Town of Jackson, with the DRD and annexation proposals. These proposals were supposed to protect open space and wildlife elsewhere by clustering development in the Town "node". Yet to many of us, that was an empty promise. No protection of other areas was offered as part of those proposed upzonings.

That is also a very fundamental flaw in the current Comprehensive Plan revisions proposed by the Planning Staff.

It may be that a Transferable Development Right (TDR) framework makes sense, where any commercial or residential density added to a "node" receiving zone must derive from permanent protection of acreage elsewhere -- in critical open space/habitat areas -- through new protection by permanent dedicated conservation easements. That would be a fundamental requirement for any future residential or commercial upzonings in the nodes designated, other than carefully controlled affordable housing projects.

This mechanism could also benefit large landowners by creating a good mechanism for compensation where critical open space/habitat is permanently protected on their land.

Of course, the potential additional upzoning density in receiving zones should be far less than the Staff proposal. As a matter of fairness. Otherwise some would complain about getting the shaft in lieu of distant gold. A very prudent, cautious approach to this TDR framework may make sense.

Best regards,



Peter F. Moyer

cc: Interested Parties

PETER F. MOYER

LAW OFFICES

P.O. BOX 3632

JACKSON, WYOMING 83001

(307) 733-7795

(307) 733-7754 FAX

PETER F. MOYER

MEMBER: WYOMING BAR

FORMER MEMBER: NEW YORK BAR

e-mail: pmoyer@wyoming.com

PHYSICAL ADDRESS:

50 KING ST., SUITE 203

JACKSON, WYOMING 83001

May 18, 2009

Teton County Commissioners
Jackson, Wyoming

RE: Comprehensive Plan Revisions

Dear Hank, Leland, Paul, Andy and Ben:

I realize that we are very early on, with a process where the Jackson Hole community may be subjected to the throes of intense controversy for many months. There will always be disagreements on something as fundamentally important to our community, but I believe there are some very effective ways to reduce the controversy right up front.

a. Basic Approach. All of you have served this Jackson Hole community in different ways for many years. All of you know this community very well, not just through recent polls but as part of your own experience. All should know that the current proposals run counter to the most basic and nearly universal desires of this community -- limiting the potential urbanization of Jackson Hole. Not just for people in the areas most directly impacted (Wilson, South Park, Aspens, etc.), but in all other areas as well.

Some people in good faith believe that we and our friends, our progeny, are all entitled to live in Jackson Hole. As a result, we would have to aggressively grow, grow, grow to meet that never-ending goal. That attitude could destroy everything we love about our community.

These Staff proposals give little if any real protection for the wildlife and open space values cherished by this community. Indeed they encourage high density residential and commercial development which will have major long-term adverse impacts on those same values. Most important of all, to me, is the protection of the wonderful small town community character of Jackson Hole. These proposals place a large Bulls' Eye on numerous areas, inviting developers to develop and to urbanize this Valley.

b. Suggestions. I am not criticizing the Planning Staff people who came up with these proposals. They have their own perspectives, which in some cases are very pro-development perspectives. But they are not elected officials directly accountable to our community. You are.

I would suggest that you either (a) hire an independent planner who really knows this community -- someone like Bill Collins or Dan Cowee, or (b) appoint a Blue Ribbon Panel to come up with basic suggestions as a starting point, with an emphasis on Panel members who have been great stewards of this Valley. You have many of them to chose from.

Teton County Commissioners
May 18, 2009
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Some of you may want to set up a "good cop/bad cop" negotiation framework of sorts, starting with very bad initial proposals. But that approach does not serve our community well. The starting point should be something reasonable and in the middle, genuinely looking for our common ground. With this economy, growth pressures are vastly reduced, and we clearly have a "time out" of sorts with the ability to plan with real vision and protectiveness, not just responses to immediate pressing needs where long-term vision always suffers.

Best regards,

/s/
Peter F. Moyer

cc: Interested Parties