

Special Town Council Meeting

July 6, 2020

1:00 PM

Town Council Chambers / Webex

Chair: Pete Muldoon

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES.

I. WEBEX LINK FOR PUBLIC PARTICIPATION

To join, click on the link or copy it to your browser:

<https://townofjacksonwy.webex.com/townofjacksonwy/onstage/g.php?MTID=ef43114b7f7fdc661fc519a241f2fabb1>

If the link does not work, join at [webex.com](https://www.webex.com) with Meeting ID **146 500 8856** Password: **toj**

II. CALL TO ORDER AND ROLL CALL

III. CONSENT CALENDAR

A. Meeting Attendance

IV. DISCUSSION/ACTION ITEMS

A. Planning Item P19-129: Update to 2012 Jackson/Teton County Comprehensive Plan:
Project Status and Next Steps (Tyler Sinclair)

V. ADJOURN

Please note that at any point during the meeting, the Chairman or Mayor may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.



TOWN OF JACKSON

AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Administration

PRESENTER: Roxanne Robinson

MEETING DATE: July 6, 2020

SUBJECT: Meeting Attendance

STATEMENT/PURPOSE

The Town Council has the authority to suspend their meeting rules to allow remote attendance and participation.

BACKGROUND/ALTERNATIVES

On March 14, 2020 the Town Council suspended Section 3. Quorum in Chapter 2 of the Town Council's Rules and Procedures to temporarily allow Elected Officials to fully participate and vote; and to temporarily allow key staff members to fully participate in any regular, special, or emergency meetings through June 14, 2020. An excerpt from Chapter II, Rules and Procedures, Section 3. Quorum is listed below:

Section 3. Quorum.

A majority of the Town Council is sufficient to do business, and motions may be passed 2-1 if only three (3) Councilmembers are present, but ordinances, resolutions granting franchises or licenses and motions concerning the payment of money require at least three (3) affirmative votes. A Councilmember listening via conference call or via videoconference is not present at the meeting and shall not be counted in roll call, nor may they vote on any matters or take any action before the Town Council. The privilege of listening via audio conference or video conference shall be granted or denied by the Mayor on a case-by-case basis.

Even though June 14, 2020 is behind us and the Council has had subsequent Council meetings and taken subsequent actions, the Council's adopted Rules and Procedures cover those circumstances in Chapter I, Section 2. Suspension of Rules and there is no issue related to the validity of actions taken.

Section 2. Suspension of Rules.

The Town Council has the right to suspend such rules as it has the power to adopt, including any rules contained in "Robert's Rules of Order". When the Town Council acts in violation of such rules as it has the authority to suspend, the rules are deemed suspended thereby and its actions are not invalidated by failure to comply with such rules.

Additionally, even though the Council did not take affirmative action to suspend portions of Chapter II, Section 7.a. to allow remote attendance and participation by members of the public, these privileges have been extended to applicants and members of the public and this rule has also been deemed suspended under Chapter I, Section 2 above. The excerpt for this section is posted below with the applicable phrases highlighted.

Section 7. Addressing the Town Council.

- a. *Each person desiring to address the Town Council either under the Public Comment section or under the public comment period for a particular item shall approach the lectern in person, state his or her name and address for the record, state the subject he or she wishes to discuss, state whom he or she is representing if he or she represents an organization or other persons, and unless further time is granted by majority vote of the Town Council or the Mayor, shall limit his remarks to three (3) minutes. Public comment made by phone, video, or any other form of electronic communication shall not be permitted with the exception of applicant or consultant presentations or interviews for advisory or joint powers boards as approved in advance of the meeting by the Mayor or Town Manager. All remarks shall be addressed to the Town Council as whole and not to any member thereof. No question shall be asked of a Councilmember or a member of the Town Staff without the permission of the Mayor. After permission of the Mayor, a question may be asked, but neither Town Staff nor the Councilmember to whom the question is directed shall answer the question during the public comment period.*

Chapter II, Section 8.b. indicates that the same rules of order and decorum apply to Town Staff just as they do to Town Council and therefore staff has been attending and participating remotely since March 14 as well.

Because the community is still in the ‘orange’ moderate risk level of the COVID-19 pandemic and because Council took affirmative action on March 14 to suspend the rules to allow remote attendance and participation, it makes sense to take affirmative action again. Staff is recommending the Council suspend Chapter II, Section 3, *Quorum*, and portions of Chapter II, Section 7.a, *Addressing the Town Council*, of the Town Council’s Rules and Procedures to continue to temporarily allow Elected Officials to attend, participate and vote remotely and by so doing extend that allowance to members of staff, and to continue to temporarily allow members of the public to participate remotely in any regular, special, or emergency meetings through October 31, 2020. At that time, the Council can reassess the situation and consider additional rule suspensions, permanent rules changes, and/or policy and practice changes for their meetings. In the fall, the Council may also want to consider extending the provision to allow remote attendance and participation from members of the public in perpetuity in order to accommodate often unheard members of the public, potentially those with young children who either choose to care for their children in their home or do not have the luxury of being able to afford childcare in order to attend a Council meeting so that they can actively participate and engage in local government.

The Town Council has several options available to them including:

1. Suspend Chapter II, Section 3. *Quorum* and portions of Chapter II, Section 7.a. of the Town Council’s Rules and Procedures to continue to temporarily allow Elected Officials to attend, participate and vote remotely and by so doing extend that allowance to members of staff, and to continue to temporarily allow members of the public to participate remotely in any regular, special, or emergency meetings through October 31, 2020. Discuss the option to extend remote attendance, participation, and voting and postpone action to a future meeting.
2. Take no action and discontinue the practice of virtual quorum, staff participation and public participation and begin meeting physically in person and requiring public participation in person.

COMPREHENSIVE PLAN ALIGNMENT

The ability for the Town Council to function and conduct the Town’s business is essential to the Community Vision and ensuring efforts towards the goals of the Comprehensive Plan and our Common Values of Community Character all while protecting and maintaining the health, safety, and welfare of the community.

STAKEHOLDER ANALYSIS

The health, safety, and welfare of the stakeholders is paramount to continuity of government. Stakeholders involved in this issue include the Mayor and Council, Town staff, applicants for projects, citizens engaged in the public process either in person or virtually, contacts of residents and guests to the community that may be exposed

to COVID-19. Stakeholders also include specific segments of the community, including parents, that may want to participate in an evening meeting and give comment on critical issues facing the community but are unable to physically attend due to the need to care for their young children directly and/or lack of funding to be able to pay a childcare worker to care for their children during their physical attendance at a Council meeting.

FISCAL IMPACT

The fiscal impact of extending remote attendance and participation for Town Council meetings is minimal related to infrastructure needs but is significant in terms of additional staff expense. The amount of money spent from March 1 through June 30, 2020 on infrastructure and the value of staff time on remote attendance and participation for Town Council meetings is approximately \$21,500. This figure does not reflect additional time spent for Planning Commission, Design Review Committee or Board of Examiners meetings that were held remotely. The infrastructure costs were not budgeted for in FY20. Continuing remote meeting attendance and voting will directly cost approximately \$26/ Town Council meeting but does not include the value of staff time spent or the impact for Planning Commission and other meetings where this would be allowed. That fiscal impact would be realized when staff is spending time in these meetings and not able to spend time on their regular work tasks and may result in additional work being contracted out, delayed, additional staff needing to be hired to maintain the level of service, etc.

STAFF IMPACT

The staff impact of extending remote attendance at Town Council meetings, Planning Commission meetings is significant as is the extension of remote public participation even if Council is physically in the room. It requires information technology support of one additional person in the room. That person has historically (since mid-March) been an exempt employee who is working the meeting to assist (in the evening meetings) in addition to their regular 40 hours/week of work. For meetings occurring between 8-5 M-F, that additional staff person is working at the meeting instead of being able to perform their regular tasks related to their workplan and priorities. It also requires work on the part of the town Clerk for scheduling the Webex meeting, sending invitations and including links on the agenda. Since March 14, approximately 150 hours of additional staff time have been spent in actual meetings and in preparation for the portion of the meeting that deals with remote attendance and participation. Moving forward, in addition to the time spent at the meeting to manage remote attendance and participation, for every remote attendance meeting, the prep time for IT assistance is an additional 30 minutes and the prep time for the Town Clerk is an additional 30 minutes. Should this continue moving forward, beyond this pandemic situation, an additional part time staff person would need to be hired to allow current staff to keep up with their regular workload.

LEGAL REVIEW

Ongoing as needed.

ATTACHMENTS

None.

RECOMMENDATION

Staff recommends the Town Council suspend Chapter II, Section 3, *Quorum*, and portions of Chapter II, Section 7.a, *Addressing the Town Council*, of the Town Council's Rules and Procedures to continue to temporarily allow Elected Officials to attend, participate and vote remotely and by so doing extend that allowance to members of staff, and to continue to temporarily allow members of the public to participate remotely in any regular, special, or emergency meetings through October 31, 2020.

SUGGESTED MOTION

I move to suspend Chapter II, Section 3, *Quorum*, and portions of Chapter II, Section 7.a *Addressing the Town Council*, of the Town Council's Rules and Procedures to continue to temporarily allow Elected Officials to

attend, participate and vote remotely and by so doing extend that allowance to members of staff, and to continue to temporarily allow members of the public to participate remotely in any regular, special, or emergency meetings through October 31, 2020.



TOWN OF JACKSON

TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: June 11, 2020
MEETING DATE: June 15, 2020
July 6, 2020

SUBMITTING DEPARTMENT: Community Development
DEPARTMENT DIRECTOR: Tyler Sinclair
PRESENTER: Tyler Sinclair

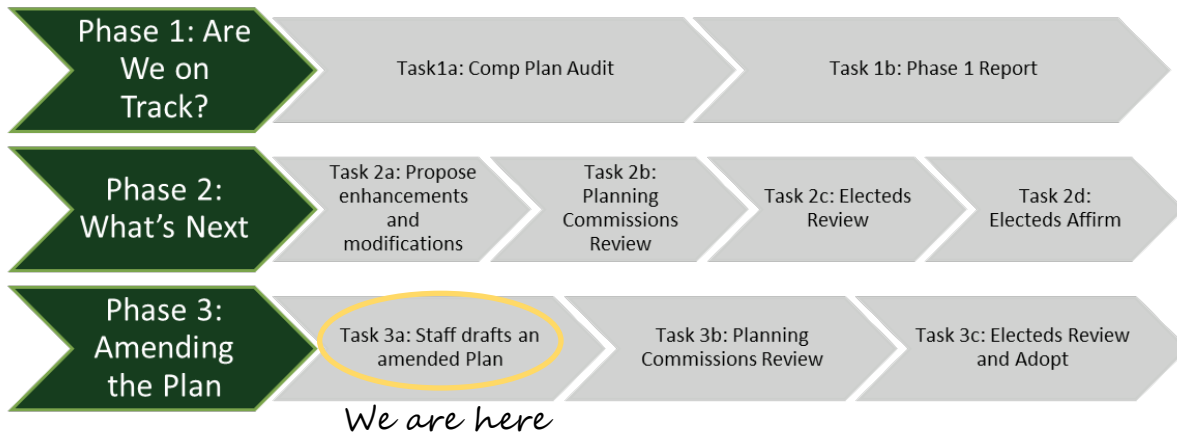
SUBJECT: Draft Update to the 2012 Jackson/Teton County Comprehensive Plan: Project Status and Next Steps (P19-129) **This Staff Report has not been updated since the item was continued on June 15, 2020**

PURPOSE/REQUESTED ACTION

The purpose of this item is to review the project status of the Comp Plan Update, provide an opportunity for the Town Council to amend their most recent motion on the project, and discuss Town priorities for moving forward.

BACKGROUND

This project began in May 2019, was prompted by the Growth Management Program threshold for community growth, and is shared jointly between the Town of Jackson and Teton County. We are in the third and final phase of the Update to the 2012 Jackson/Teton County Comprehensive Plan with the goal of joint adoption of an updated Plan that recognizes the community's successes since 2012 and enhances our goals for the future.



Planning Staff and the consultant group for this project drafted an updated Plan based on community, stakeholder, Planning Commissions, Town Council and Board of County Commissioners direction provided in the first two phases of the project. The draft prepared by Planning Staff was released on March 20, 2020. In response to public meeting limitations due to COVID-19, the schedule for this project was revised to allow for a defined 45-day public comment period on the draft and an opportunity for Town Council and Board of County Commissioners to make edits to the draft prior to the public review period. The Town Council and County Commissioners met jointly on May 4, May 18, and May 26, 2020 to discuss potential edits to be made, as applicants, to the draft prior to the public review period. On May 26, 2020, the Town Council passed the following motion in a 4-1 vote with Councilman Schechter opposed:

A motion on behalf of the Town was made by Councilwoman Morton Levinson and seconded by Councilman Jorgensen to begin the public comment period of the Proposed Amendments to the 2012 Jackson/Teton County Comprehensive Plan on June 3, 2020, to direct staff to advertise in the official newspaper of the town our intent

to adopt amendments to the 2012 Jackson/Teton County Comprehensive Plan, to set a July 13, 2020 hearing date before the Jackson Planning Commission and an August 3, 2020 hearing date before the Town Council with the following changes to the proposed amendments to the 2012 Jackson/Teton County Comprehensive Plan directed at this meeting:

1. Edit the draft to replace Subarea 5.6 with the text provided in the redline included in the May 18, 2020 Staff Report with the following sentence removed: "An exception to the neighborhood plan requirement is the allowance for development when associated with provision of meaningful permanent open space by clustering development into the subarea from a Conservation or Preservation Subarea."
2. Edit the draft to split Strategy 3.3.s.5 into two separate Strategies with one on Northern South Park and on the Fairgrounds site.
3. Add a Strategy to identify locations in the County that may be appropriate for higher residential density to meet community-wide workforce housing goals.

The same motion failed a County Commission vote. However, at their June 2, 2020 regular meeting, the Board of County Commissioners approved the following motion:

I move to begin the public comment period pursuant to Wyoming Statute §16-3-103 of the Proposed Amendments to the 2012 Jackson/Teton County Comprehensive Plan, to direct staff to advertise in the official newspaper of the county our intent to adopt amendments to the 2012 Jackson/Teton County Comprehensive Plan, to set a hearing date before the Teton County Planning Commission and a hearing date before the Board of County Commissioners with notice as required by Wyoming Statute §18-5-202 with the following changes to the proposed amendments to the 2012 Jackson/Teton County Comprehensive Plan directed at this meeting:

1. Edit the draft to replace Subarea 5.6 with the text provided in the redline included in the May 18, 2020 Staff Report with the following sentence removed: "An exception to the neighborhood plan requirement is the allowance for development when associated with provision of meaningful permanent open space by clustering development into the subarea from a Conservation or Preservation Subarea." (from 5/26/2020 JIM suggested motion)
2. Edit the draft to split Strategy 3.3.S.5 into two separate Strategies with one on Northern South Park and one on the Fairgrounds site. (from 5/26/2020 JIM suggested motion)
3. Add a Strategy to identify locations in the County that may be appropriate for higher residential density to meet community-wide workforce housing goals. (from 5/26/2020 JIM suggested motion)
4. Remove the following language from Subarea 5.6: "One possible option to be considered is a future east-west connector between South Park Loop Road and Highway 89" and replace with: "The neighborhood plan will include options to improve transportation, circulation and connectivity within and around the Subarea." (from 6/1/2020 BCC meeting)
5. Change language in Subarea 5.6 to specify that the neighborhood plan will be "completed by the County in consultation with the Town as a recommending body." (from 6/1/2020 BCC meeting)

The substantive difference between the Board's June 2nd motion and the Council's May 26th motion is the addition of edits numbered four and five above. Both relate to the proposed text of Subarea 5.6 Northern South Park. In the Subarea 5.6 text below, proposed changes represented in red are agreed upon by both Council and Board while changes in blue are only proposed by the Board of County Commissioners at this point:

5.6: Northern South Park:

This TRANSITIONAL Subarea is identified as a ~~possible~~ location for future residential development at a similar density to the adjacent West Jackson Residential (Subarea 5.5) neighborhoods. While the priority of the community is to ~~first~~-infill and redevelop other already developed Stable/Transitional Subareas to meet the Growth Management goals of the Plan; ~~if necessary~~, this subarea is also a suitable location to meet those goals due to its close proximity to many Complete Neighborhood amenities. The subarea will ~~would not~~ be zoned and developed consistent with ~~in this manner until~~ a neighborhood plan

(referenced in Strategy 3.3.S.5); completed ~~by the County and in consultation with the Town as a recommending body through a partnership of the landowners and the community, is adopted to~~ comprehensively lay out the development of the entire Subarea. An exception to ~~this the neighborhood plan~~ requirement ~~would be~~ is the allowance for development when associated with ~~an opportunity to provide provision of~~ meaningful permanent open space by clustering development into the subarea from a Conservation or Preservation Subarea. ~~Should development of the area be needed in the future, it should be subject of a neighborhood planning effort. One possible option to be considered is an future east west connector road between South Park Loop Road and Highway 89. The neighborhood plan will include options to improve transportation, circulation and connectivity within and around the Subarea.~~ An appropriate Flat Creek buffer will also need to be established to ensure the wildlife, natural and scenic values associated with this community resource are maintained.

The draft Comp Plan Update has not yet entered the 45-day public comment period and hearing dates for joint Planning Commissions to make a recommendation on adoption and joint Town Council and Board of County Commissioners to consider adoption have not yet been set.

STAFF ANALYSIS

Staff's analysis contemplates the following options for advancing Town Council's consideration of this item.

Option 1: Consider amending the Council's May 26th motion to include the two additional edits (numbered four and five) proposed by the Board of County Commissioners. If the Council is amenable to the two additional edits requested in the Board's approved motion (comprised of replacement of the reference to an east-west connector roadway with more general language on transportation goals and limiting the Town's involvement in the neighborhood plan to a recommending body), the Council can make and vote on the same motion made by the County at their June 2nd meeting. Matching motions mean that all five requested edits will be made in the draft Plan update, the 45-day public comment period will begin, and dates will be set for Planning Commissions to make a recommendation on adoption of the updated Plan and for the Board and Council to jointly consider adoption of the updated Plan.

Option 2: Consider edits or additions to the Board of County Commissioners June 2nd motion that better represent Town priorities for the future desired character and neighborhood plan for Subarea 5.6. Taking into account the Subarea's proximity to Town, the potential for future annexation, impacts to Town infrastructure and shared community growth management goals, there may be specific Town priorities that are not conveyed in the County's June 2nd motion and would benefit from representation in the Comp Plan if Town's role in the neighborhood planning process is limited to that of a recommending body. If Council approves a new motion different than that approved by the County, discussion on how to progress with this project will be scheduled for the July 6, 2020 Joint Information meeting at which time the Board of County Commissioners can consider the Town's new motion and any changed or added edits to the draft requested by the Town.

Option 3: Consider releasing the draft Comp Plan update with two different versions of Sub-area 5.6 included. This option could be considered if agreement on the proposed text for Subarea 5.6 cannot be made between Town and County. The draft Comp Plan update with two different options for Subarea 5.6 could be released for the 45-day public comment period with both proposed versions of Subarea 5.6 represented. Public feedback may shed light on the significance of the differences and provide more time to resolve the scope, design and process of the Northern South Park neighborhood plan prior to the Town and County taking final action at a later date.

Option 4: Take no further action but consider Town interests and priorities for the future desired character and correlating neighborhood plan for Subarea 5.6 in preparation for a joint discussion with the Board of County Commissioners at the July 6, 2020 Joint Information Meeting. If the Town

Council is not prepared to articulate proposed changes or additions to the County's June 2nd motion it may be beneficial to identify and discuss general interests and priorities that the Town finds to be important for development of Northern South Park in consideration of the Subarea's relationship to community-wide goals and the Town boundary. Discussing and refining these points as a Council will aid in the upcoming joint discussion at the July JIM.

Staff has attached a memo previously prepared and provided to the Board of County Commissioners that reviews the practice of and elements of neighborhood planning. This reference material may help in thinking about the Town's role in the neighborhood planning process for this Subarea and the elements of the neighborhood plan most important or impactful to the Town.

Please remember that the motions previously approved and those to be considered for approval are for release of the draft Plan update for public review and do not constitute approval of proposed updates or consideration of adoption of an updated Comp Plan.

RECOMMENDATION

None at this time.

ATTACHMENTS

Neighborhood Planning Process memo dated April 17, 2020 prepared for and distributed to the BCC.

STAKEHOLDER ANALYSIS

The entire Town of Jackson/Teton County community is a stakeholder of the Comp Plan and staff invites feedback from any community member or organization. Notice of the 45-day public comment period will be placed in the Jackson Hole News & Guide weekly newspaper (subject to direction from the Board and Council) with press releases made on Town and County websites and social media outlets.

PUBLIC COMMENT

Prior to the joint Planning Commission hearing and joint Town Council and Board of County Commissioners hearing to consider adoption of the Comp Plan update, all written public comment received up to that point will be gathered and presented as attachments to the staff reports.

FISCAL IMPACT

Contract with Logan Simpson not to exceed \$156,222 for entire project. Preparation of this report and facilitation of this meeting item is performed by staff and does not incur additional costs.

STAFF IMPACT

Staff is serving in informational, facilitation, and support roles for this meeting.

LEGALREVIEW

None at this time.

SUGGESTED MOTION

I move to begin the public comment period of the Proposed Amendments to the 2012 Jackson/Teton County Comprehensive Plan, to direct staff to advertise in the official newspaper of the town our intent to adopt amendments to the 2012 Jackson/Teton County Comprehensive Plan, to set a hearing date before the Jackson Planning Commission and a hearing date before the Town Council with the following changes to the proposed amendments to the 2012 Jackson/Teton County Comprehensive Plan directed at this meeting:

1. Edit the draft to replace Subarea 5.6 with the text provided in the redline included in the May 18, 2020 Staff Report with the following sentence removed: "An exception to the neighborhood plan requirement is the allowance for development when associated with provision of meaningful permanent open space by clustering development into the subarea from a Conservation or Preservation Subarea."

2. Edit the draft to split Strategy 3.3.s.5 into two separate Strategies with one on Northern South Park and on the Fairgrounds site.
3. Add a Strategy to identify locations in the County that may be appropriate for higher residential density to meet community-wide workforce housing goals.

All proposed edits and additions beyond the motion approved by Council at your May 26, 2020 JIM should be incorporated into the motion above. The draft text of proposed updates to Subarea 5.6 Northern South Park and Strategy 3.3.S.5 are represented below as reference in considering further edits to be included in the suggested motion above. The text reflects the three edits already listed above and conveys the Board of County Commissioners' additional June 2, 2020 edit requests in blue.

5.6: Northern South Park:

This TRANSITIONAL Subarea is identified as a location for future residential development at a similar density to the adjacent West Jackson Residential (Subarea 5.5) neighborhoods. While the priority of the community is to infill and redevelop other already developed Stable/Transitional Subareas to meet the Growth Management goals of the Plan, this subarea is also a suitable location to meet those goals due to its close proximity to many Complete Neighborhood amenities. The subarea will be zoned and developed consistent with a neighborhood plan (referenced in Strategy 3.3.S.5) completed by the County and in consultation with the Town as a recommending body to comprehensively lay out the development of the entire Subarea. One option to be considered is an east-west connector road between South Park Loop Road and Highway 89. The neighborhood plan will include options to improve transportation, circulation and connectivity within and around the Subarea. An appropriate Flat Creek buffer will also need to be established to ensure the wildlife, natural and scenic values associated with this community resource are maintained.

Strategy 3.3.S.5: *Begin neighborhood planning (see Policy 3.3.c) Subarea 5.6 Northern South Park. The neighborhood plan should include:*

- An analysis of appropriate amount of development, given the impact such development will have on existing infill opportunities elsewhere in Town because of the overall cap on additional residential units (see Policy 3.1.a); and*
- A resulting plan with enough detail to demonstrate and define how future development will optimize all 8 Chapter goals.*

ATTACHMENT 1:



PLANNING & BUILDING

Building Division
Code Enforcement
Long-Range Planning
Planning Division

April 17, 2020

Teton County Board of Commissioners
Delivered via Email

Re: Neighborhood Planning Process

Dear Commissioners,

At your April 13, 2020 Voucher Meeting, you requested that Planning Staff prepare an informational memo on the process of neighborhood planning. This memo analyzes neighborhood plans as they are defined and described in the 2012 Jackson/Teton County Comprehensive Plan, and also provides a more general scope and description of neighborhood planning within the professional discipline of land use planning.

2012 Comprehensive Plan: The following excerpts identify all references to “neighborhood plans” or “neighborhood planning” within the 2012 Jackson/Teton County Comprehensive Plan currently in effect. Emphasis has been added to highlight use of these terms within the surrounding text.

“Neighborhood plans” are introduced in Policy 3.3.d to support *Principle 3.3 Manage growth predictably and cooperatively*:

*“Policy 3.3.d: Develop **neighborhood plans***

*Focused **neighborhood plans** may be developed where additional detail is necessary to implement the desired future character in a specific subarea. The Illustration of Our Vision chapter generally describes the desired character for all Character Districts, but there may be instances where implementation of certain strategies requires a more detailed, design oriented planning process for a specific subarea in order to ensure the desired future character is achieved.”*

This Policy can be put into action through the following Strategy:

*“3.3.S.4: Develop **neighborhood plans** for specific areas within Character Districts as necessary.”*

Neighborhood plans are also included as Strategies to implement growth management values in Town:

*“4.2.S.1: Complete a **neighborhood plan** for the Town Square Character District. The plan should include design standards and use descriptions.”*

*“4.2.S.3: Initiate **neighborhood plans** for specific mixed use subareas.”*

*“4.3.S.1: Initiate **neighborhood plans** for Transitional Subareas.”*

Neighborhood planning is also referenced in the *Illustration of Our Vision* chapter of the Comprehensive Plan for Subarea 5.6 Northern South Park:

*“This TRANSITIONAL Subarea is identified as a possible location for future residential development at a similar density to the adjacent West Jackson Residential (Subarea 5.5) neighborhoods. While the priority of the community is to first infill and redevelop other already developed Stable/Transitional Subareas in order to meet the Growth Management goals of the Plan; if necessary, this subarea is a suitable location to meet those goals due to its close proximity to many existing Complete Neighborhood amenities. The subarea would not be developed in this manner until determined necessary by the community during a Growth Management Program review. An exception to this requirement would be the allowance for development when associated with an opportunity to provide meaningful permanent open space by clustering development into the subarea from a Conservation or Preservation Subarea. Should development of the area be needed in the future, it should be the subject of a **neighborhood planning** effort that addresses traffic congestion along High School Road. One possible option to be considered is a future east-west connector road between South Park Loop Road and Highway 89. An appropriate Flat Creek buffer will also need to be established in order to ensure the wildlife, natural and scenic values associated with this community resource are maintained.”*

The introduction to the *Illustration of Our Vision* chapter provides some clarity on the intent and purpose of defining the future desired character of Subareas:

“Finally, for each subarea, Character Defining Features are described to ensure the desired character is illustrated. The Character Defining Features provide the greatest level of site specific detail; however the characteristics are still conceptual and will inform specific regulations, incentives and programs...”

In Land Use Planning: Within the general context of professional land use planning, neighborhood plans are broadly defined and may take various forms, processes and timelines. The American Planning Association provides the following policy guidance on neighborhood plans:

“The neighborhood plan is intended to provide more detailed goals, policies, and guidelines than those in the local comprehensive plan. Neighborhood plans often emphasize potential partnerships among government agencies, community groups, school boards, and the private sector—partnerships that can act to achieve neighborhood goals. These plans are often developed through highly

*collaborative processes involving citizens, businesses, nongovernmental organizations (NGOs), and the local government of the neighborhood” (Steiner, F. and K. Butler (2007). *Planning and Urban Design Standards*. John Wiley & Sons, Inc).*

“In many cases neighborhood plans function as extensions of an adopted local comprehensive plan. They refine the community’s vision for a subarea of the jurisdiction and provide more specific goals, policies, and implementation guidance. However, relatively few cities have a systematic neighborhood planning program that divides the entire geographic extent of the jurisdiction into neighborhood planning areas. Rather, most cities intermittently engage in neighborhood planning when particular areas are experiencing or anticipating dramatic changes” (Morley, D. (2016). “PAS Quick Notes: Neighborhood Planning”. American Planning Association).

Further direction on process indicates that neighborhood plans are most commonly completed prior to large rezones and manifest in zoning regulations tailored to implement the plan:

“The most common implementation tools for municipally adopted neighborhood plans are zoning codes and public investments. Cities often amend zoning regulations or design guidelines based on land-use and development recommendations in neighborhood plans. In some cases, cities translate these recommendations into new context-specific zoning districts. Similarly, cities often use neighborhood plan recommendations to guide infrastructure and programming investments” (Neighborhood Planning. (2020). Retrieved from <https://www.planning.org/knowledgebase/neighborhoods/>).

A brief summary of neighborhood planning published by the American Planning Association, is attached to this memo as a resource for further reading.

From a land use perspective, it is important for neighborhood plans in our community to address:

- Density and land use
- Affordability – Housing – Job Generation
- Project Goals and Objectives
- Market Analysis and Projected Population
- Fiscal Impacts
- Site design and general bulk and scale characteristics
- Multi-modal transportation connectivity and traffic impacts
- Community amenities and services (parks, schools, playgrounds, open space, etc.)
- Infrastructure (drinking water, sewer, drainage, electricity, etc.)
- Environmental impacts
- Implementation of Comprehensive Plan values
- Community and stakeholder engagement and participation

Although a formal Request for Proposals and bidding process has not yet been undertaken, Planning Staff has discussed general timeline and budget options for developing neighborhood plans for the following neighborhoods: Northern South Park, fairgrounds, and midtown. Estimated consultant fees would be around \$600,000 with over 800 work hours dedicated from Long-Range Planning Staff. Neighborhood planning could begin in fiscal year 2021 and could take a year or more to complete, depending on the detail of the plan and the level of community involvement. Discussion around options and alterations to this initial estimate can be focused on upcoming consideration of the Long-Range Fiscal Year 2021 Work Plan.

What is Zoning? In contrast to neighborhood plans which are advisory and help determine the desired vision for the future of the area, zoning is one of the legal tools to implement the plan. Zoning is the process of identifying the allowed uses, density, building size and location of structures within a designated area. Zoning is adopted through the Land Development Regulations (LDRs) and is the law that regulates land development (in addition to building and other safety codes). The LDRs (called a Zoning Code or Development Code in some communities) also specify the process that an applicant must follow to obtain permission (permit) to develop land or structures. Once adopted, zoning regulations must be followed to remain in compliance with local laws.

How do Neighborhood Plans and Zoning Work Together? In a timeline, neighborhood plans usually come before zoning. Once a neighborhood planning process is completed, zoning can be adopted to start the process of transforming or creating a neighborhood. The neighborhood plan may identify implementation steps necessary to change the zoning. For example, if multi-family dwellings are identified as a desired land use in a plan, but are not a permitted use, the zoning should be updated to add this as an allowed use. Similarly, if there are other uses currently allowed in a zone that are not desirable, such uses may be eliminated from the zoning. To ensure that the right mix of land uses is allowed in an area, a new zone district may need to be created. The new zone district could also include different building setbacks, heights and forms that are not standard in other zone districts. Zones can also be very specific to regulate the “form” of a structure, rather than the use inside, called Form Based Zoning.

The timeframe to adopt zoning will depend of the complexity of the new zone regulations and support from the community. Rezoning property to an existing zone with significant community support could take as little as to six (5-6) months, including Planning Commission and Board of County Commissioner hearings; creating a new zone and/or rezoning without community support would add time to the process.

I look forward to further discussion on these topics, and how they may be used to advance the future planning for the community.

Sincerely,

Chris Neubecker
Teton County Planning Director

Enclosed: Morley, D. (2016). "PAS Quick Notes: Neighborhood Planning". American Planning Association).ISSN 2169-1940

Cc: Keith Gingery, Deputy County Attorney

QUICKNOTES

Neighborhood Planning

Neighborhood plans present recommendations for a discrete, contiguous subarea of a city. Most neighborhood planning areas contain housing as well as commercial, institutional, and recreational uses that serve the local area. Some neighborhood plans cover a wide range of topics relevant to the plan area, while others focus more narrowly on topics of special opportunity or urgency.

Background

Planners have long viewed strong neighborhoods as the fundamental building blocks of healthy cities. Strong neighborhoods are not static. They are dynamic places where residents, institutions, and physical features all change over time. Strong neighborhoods are places where heritage and tradition are valued, and places where both new and long-term residents feel a collective sense of ownership and responsibility.

Neighborhood planning has its roots in the early 20th century concept of the neighborhood unit, popularized by Clarence Perry of the Regional Plan Association in 1929. In Perry's model the neighborhood unit was a predominantly residential district or section of a city centered on neighborhood institutions and ringed by neighborhood-serving shops and services. While few real-world neighborhoods match Perry's unit to a T, his idea influenced a wide range of neighborhood-scale planning initiatives in older cities across the United States in the second half of the 20th century, and has continued to provide inspiration for neighborhood-scale planning and development that aims to replicate traditional neighborhood design.

In many cases neighborhood plans function as extensions of an adopted local comprehensive plan. They refine the community's vision for a subarea of the jurisdiction and provide more specific goals, policies, and implementation guidance. However, relatively few cities have a systematic neighborhood planning program that divides the entire geographic extent of the jurisdiction into neighborhood planning areas. Rather, most cities intermittently engage in neighborhood planning when particular areas are experiencing or anticipating dramatic changes. Furthermore, many neighborhood planning initiatives are self-organized by residents and other neighborhood stakeholders, and the resulting plans may or may not have a formal relationship with the local comprehensive plan.

Defining the Neighborhood

While the term "neighborhood" is familiar to most people, it often takes on different meanings based on context. Planners and local officials may think of neighborhoods primarily as political subdivisions that make it easier to deliver services or analyze small-scale social or economic trends. And these neighborhoods may have relatively arbitrary boundaries (e.g., to ensure that all neighborhoods have roughly the same population), or their boundaries may be more "organic" (e.g., based on changes in land-use patterns, the character of the built environment, or demographic characteristics of residents).

In many cities, residents may have different ideas from local officials and from each other about what defines a neighborhood. They may think of their neighborhood primarily in terms of the spaces and institutions they visit or value the most. Alternately, they may be influenced by real-estate marketing or perceptions about cultural differences. Consequently, it's not uncommon for residents of the same block or even the same building to see different boundaries for their neighborhood.

For a neighborhood planning effort to be successful, all participants must first agree on neighborhood boundaries. Often the best ways to determine appropriate boundaries is to have residents as well as representatives from local government and social service providers draw their own boundaries on the same map. This can help identify areas of common, if not universal, agreement.

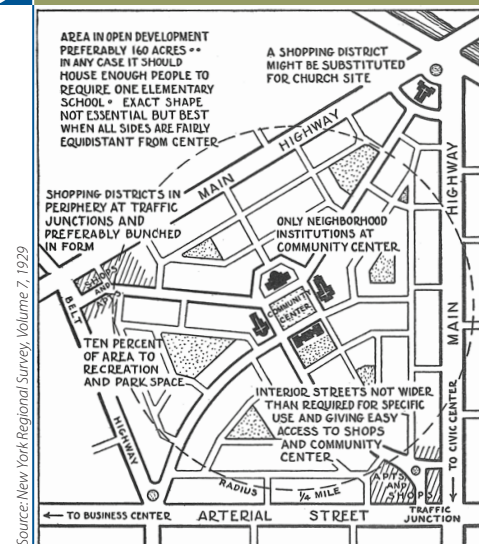


Diagram of Clarence Perry's neighborhood unit.



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Defining the Scope

If the neighborhood plan is an extension of the local comprehensive plan, it makes sense to address all of the major functional elements or pertinent themes of the comprehensive plan in the neighborhood plan. In other cases, it may be beneficial to narrow the scope of the plan to a few topics or themes of special relevance or importance to the planning area.

The benefit of a more limited scope is that it can be easier to build support for action around a small set of pressing issues than it can be for a broad set of topics with varying levels of perceived neighborhood-level impacts. Another advantage of limiting the scope of the plan is that it generally makes it easier to go into greater depth on issues of top concern for residents and other stakeholders.

In addition to being more limited in geographic extent than the local comprehensive plan, neighborhood plans also typically have a shorter time horizon. While 20 to 30 years is common for a comprehensive plan, the implementation time frame for neighborhood plans is often between five and 10 years.

Setting Goals and Objectives

In the context of neighborhood planning, goals are general statements about desirable future conditions in the neighborhood, and objectives are measurable outcomes in furtherance of these goals. Often, planners, local officials, or neighborhood leaders use surveys and a combination of online and in-person visioning and goal-setting exercises to help identify potential goals for the planning area. Then, one or more stakeholder working groups may take on the task of refining these goals and establishing objectives. The most successful goals and objectives tend to be those with the broadest base of neighborhood support and the firmest grounding in economic reality.

Detailing Policies and Actions

Beyond goals and objectives, effective neighborhood plans typically include both specific policy statements and action steps. Policies are statements of intent with enough specificity to guide decision making, and actions are directives about capital investments, regulations, programs, or procedures intended to implement each policy. While goals and objectives may remain somewhat abstract, policy statements must suggest a specific course of action, and action steps should make it clear who will do what by when.

Conclusions

The limited geographic extent of a neighborhood plan has both advantages and disadvantages. The narrower focus of neighborhood planning and strong connections that many stakeholders feel to their neighborhoods can lead to a loss of objectivity in the neighborhood planning process. In these cases, neighborhood plans may make it difficult for cities to prioritize scarce resources. With that said, residents, business owners, and institutions may identify more with specific neighborhoods than with the city as a whole. For this reason, it can be easier to engage these stakeholders around planning initiatives that have obvious implications for their homes, businesses, and shared public spaces. Furthermore, neighborhood plans offer opportunities to be more specific about goals, objectives, policies, and actions to guide growth or change within a small area over a relatively short time period.

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FURTHER READING

1. Published by the American Planning Association

Gregory, Michelle. 1998. "Anatomy of a Neighborhood Plan: An Analysis of Current Practice." In *Modernizing State Planning Statutes*, Vol. 2. PAS Report No. 480/481. Chicago: American Planning Association. Available at planning.org/pas/reports/archive.htm.

Jones, Bernie. 1990. *Neighborhood Planning: A Guide for Citizens and Planners*. Chicago: American Planning Association. Available for purchase at planning.org/publications/book/9026753.

2. Other Resources

Colombo, Louis, and Ken Balizer. 2005. "Neighborhood Planning." Available at neighborhoodplanning.org.

Myerson, Deborah. 2004. *Involving the Community in Neighborhood Planning*. ULI Community Catalyst Report No. 1. Washington, D.C.: Urban Land Institute. Available at tinyurl.com/jug84mw.