

CHAPTER 9

INTERGOVERNMENTAL COORDINATION

A. ISSUES

The Jackson-Teton County Comprehensive Plan is a demonstration of cooperative planning. Although conflicts have occurred between the Town and County governments in the past, this Plan recognizes that they are two jurisdictions in which lies a single community with a single economy. The residents share common aspirations and needs. Growth and development issues such as transportation, air and water quality, and affordable housing do not stop or start at the town limits.

From an economic standpoint, the Town and County are totally dependent upon one another. The largest ski areas, the national parks and national forests, i.e., the resources upon which the area's entire tourist industry is based, lie in Teton County. The majority of the support services, however, (motels, restaurants, shops, etc.) are located in Town. Cooperative and coordinated planning is the best possible way to effectively address all of these issues.

There are two types of intergovernmental cooperation applicable to this Plan. The first occurs between the Town and County (local governments); the second occurs between local governments and the state and federal governments and their various agencies.

Comprehensive Planning

This Plan was developed by the Town and County Planning Commissions during joint meetings under the direction of the Joint Planning Board. The Joint Planning Board is comprised of the elected members of the two governing bodies, the Town Council, and the Board of County Commissioners. It was formed January 23, 1991, to develop this Plan. Once created, the Joint Planning Board immediately found other challenging issues - from public transportation to the airport - that were of vital interest to both the Town and County. The Joint Planning Board now regularly discusses and acts upon a number of intergovernmental issues in order to provide the best possible service to residents.

As noted above, coordinated planning between the Town and County is the most logical way to attempt to resolve growth and development-related problems. Political and geographical boundaries bear little relationship to the critical issues that local planning must address. Tourism, the major industry, inherently crosses these boundaries. Wildlife habitat and geologic/topographic features - not political boundaries - form the major structuring elements of the landscape. The work force and its housing and transportation needs cross local jurisdictional and even state lines.

Recognizing this need, the citizens asked for, and the elected officials of the Town and County therefore established, a coordinated, cooperative planning system. During the on-going planning process, the Town and County Planning Commissions met in joint session to review and discuss this Plan and its implementing regulations. Unlike the Joint Planning Board, the Comprehensive Plan is the only joint function of the Planning Commissions.

The respective Planning Commissions will continue to meet their assigned respective tasks of reviewing development proposals. There is, however, a strong tendency for planning commissions to become so engrossed in the day-to-day review of development applications that they find it difficult to perform the vital long-range comprehensive planning function. Coordinated planning requires a tremendous amount of time and effort. It is, therefore, important to address how the Town and County Planning Commissions will continue to cooperate in long-range planning for the community.

Annexation

Annexation is a major concern that confronts the two Planning Commissions. Public lands nearly surround the Town of Jackson, and the Town wants to retain its potential for future growth. There is a legitimate concern about becoming a "land locked" community, one which does not have the ability to grow except by permitting higher-intensity development within finite borders.

As importantly, there are fiscal issues: the Town of Jackson had to protest its 1990 Census results, just as did many large cities in the country, because federal and state financial aid is distributed on the basis of population, and the Census showed almost no Town population growth during the 1980's. A second fiscal problem is created by Wyoming taxation provisions. The major source of government income is from sales tax revenues, and the state formula calls for the money to be split between the County and Town based on population. A majority of Teton County's sales tax revenue comes from sales in Jackson. There is a fear that shifting population ratios could force the Town to support costly urban services with a declining share of the revenue base.

Joint Funding and Inter-Municipal Agreements

The Town of Jackson and Teton County continue to cooperate in a number of areas. The Fire Department, Park and Recreation Department, and Pathways Task Force are jointly funded and operated. The START bus system is operated under a joint powers agreement as provided for in the Wyoming Statutes. Although the Jackson Police Department and the Teton County Sheriff's Department are separate jurisdictional organizations, there is a high level of cooperation and sharing of resources between them. For example, Town of Jackson police officers are deputized by the sheriff's department to provide law enforcement services in the unincorporated areas of Teton County.

The Town serves as the center of the community and will continue to do so. As more sales taxes go to the County, increased agreement by the County to fund activities in the Town will offset potential sales tax revenue losses. However, this approach hinges on the continued cooperation of the Joint Planning Board.

Intergovernmental coordination between the Town and County also is required for implementation of this Plan. The Joint Board and Joint Planning Commissions (Joint²) meeting together established a policy of adopting a single, consistent comprehensive plan, which would be implemented by land use regulations, identical with respect to substantive provisions, neutral with respect to terminology, but individually tailored to respect state statutorily mandated procedure and jurisdictional matters. Because the Plan has been adopted as a joint Comprehensive Plan with separate zoning regulations, it will be necessary for the Town and County to jointly oversee its implementation in coming years.

Coordination With Other Units of Government

For this Plan to be an effective document, it should not only take on meaning as a decision-making guide for private-sector landowners, citizens, and local governments, but should also be considered by other governmental entities in their decision-making. Developments on public land, including those managed by state and federal agencies, can have impacts on the Town and County. The major federal agencies with jurisdiction in Teton County are the U.S. Forest Service, the U.S. Fish and Wildlife Service, the National Park Service, the Bureau of Land Management, the Army Corps of Engineers, and the Environmental Protection Agency.

Because so much of Teton County is national forest and national park land, public and private actions on these lands can dramatically influence this Plan's effectiveness. Other resort communities located adjacent to national treasures have struggled to adequately address activities on federal lands that impact their communities. Some resort communities have made private activities on public land subject to all local zoning regulations, while public activities on public land are coordinated with local government to ensure consistency with local policies. This is not the policy direction that Teton County has chosen in this Plan.

The County and Town are increasingly concerned with the magnitude of potential ski area expansions onto public land. As a result, no development proposal for base facilities will be reviewed by the County until the property is in private ownership. This may force the County into a reactive mode since negotiations between landowners and federal or state agencies can take place without County input.

Another concern for the County has been the Small Tracts Act administered by the U.S. Forest Service. This Act is intended to address minor land-use conflicts that occur between Forest Service lands and private lands. These conflicts include minor encroachments of private development on public lands and disposition of remnant mining claims due to survey errors.

Monitoring and participating with the Airport Board is another area of concern for the Town and County. Changes in the Airport's size and function can have direct impacts on the character of the community.

State agencies that affect and are affected by this Plan include the Departments of Transportation, Game and Fish, and Environmental Quality. The State also influences Teton County in its use and disposal of state-owned school sections. The high land values in the Town and County make the sale of these lands very attractive to the State Land Board. The recent Boyle's Hill school section sale for \$5.5 million is one such example. The County's intention is to plan for the inevitable sale and development of the school sections.

B. SUMMARY STATEMENT OF GOALS AND OBJECTIVES

Goal:

1. To achieve a high level of cooperation and coordination among the various state, federal, and local agencies operating in Teton County.

Objectives:

1. To provide structures for ongoing coordination between Town and County government as well as joint review of planning issues.
2. To provide formalized structures and open lines of communication between Town and County government and state and federal agencies as well as with other individual quasi-governmental jurisdictions within the County.

C. IMPLEMENTATION STRATEGIES

Comprehensive Planning

To ensure that coordinated planning continues, the Town and County Planning Commissions will establish regular meetings to discuss common problems. These should occur at least once every two months. Agenda items should include a review of recent development activities, discussion of the impact of major projects, and reports on the monitoring of critical areas such as, but not limited to, housing. Items of common interest, such as the fairgrounds, should be the focus of joint study by both Planning Commissions.

When items concerning this Plan are considered for review or amendment, the initial review should be made by a group comprised of Town and County elected officials and Town and County planning commissioners. The next level of review should be by the Joint Planning Board, the combined elected officials. The final level of review should be by each jurisdiction, according to statutory requirements.

In addition, the Planning Commissions should meet yearly in joint session to hear staff reports on this Plan and to review progress toward achieving its specified goals. Planning Commission findings should be placed in a report and submitted to the Joint Planning Board. Moreover, for the Plan to remain effective over time and remain useful to decision makers, it should be comprehensively evaluated and updated on a regular basis. At a minimum, it is recommended that Comprehensive Plan updates be accomplished every two years.

Annexation

While annexation is not the only way to resolve fiscal problems, it is certainly an alternative. Over the past three years, the Town has annexed Snow King Estates, the Gregory Lane area, and Cottonwood Park. These are all urbanized areas and are logical extensions to the Town and its service delivery systems. Developments planned at densities which require urban services can be considered for annexation, if they too are logical additions to the Town from the standpoint of economics, serviceability and geography. The Town and County should jointly adopt criteria addressing future annexations.

Joint Funding and Inter-Municipal Agreements

The Town and County, through the Joint Planning Board, have already entered into binding agreements on parks and transit. A similar contractual mechanism should be established to ensure joint review of all zoning regulations, interpretations, and other aspects of the Plan and Land Development Regulations.

Cooperation with other Units of Government

The policy for Teton County and the Town of Jackson is to have private activities on public lands referred to the County for a "courtesy" review. Neither the Town nor County expect to review public activities on public lands. It is recommended that the Town and County assign review of significant private development activities on public lands to a joint-review meeting of Town and County Planning Commissioners. Their recommendations should then be acted on by the Joint Planning Board. Such reviews should seek to be consistent with Town and County development regulations. As the Town and County Planning Commissions conduct reviews, they should articulate clear policy and incorporate it into this Plan to guide future decisions.

The County policy is that when a private applicant obtains land from the Forest Service to resolve an encroachment, enough land should be obtained to eliminate the existing nonconformity, but not so much that it increases the parcel's development potential.

When developing plans for, or taking actions which affect, the Town and County, state and local agencies should consider the population projections and land-use/community facility recommendations contained in this Plan. For instance, the State Land Board should adopt a comprehensive strategy for disposing of school sections, based upon local planning priorities. The Town and County have chosen to apply zoning to state-owned school sections surrounded by private lands, but not to those surrounded by Forest Service lands. Zoned sections will be developed according to their character designations, just like privately owned lands.

Coordination with Alta and Leigh Canyon

Portions of Teton County are separated from the majority of the county by the Teton mountains. These communities may have different concerns than other portions of Teton County. In order that these concerns be addressed, an "Alta-Leigh Canyon Advisory Committee" shall be formed. The purpose of this committee will be to advise the Planning Commission and the Board of County Commissioners on issues of planning and development as they affect Alta and the rest of Teton County west of the Tetons. The committee's duties will include recommendations on specific applications for projects in that vicinity. This committee shall consist of five (5) members, appointed by the Board of County Commissioners for a specified length of time. The members of the Alta-Leigh Canyon Advisory Committee shall be residents of the communities on the west side of the Teton mountains, including Alta, Leigh Canyon and Squirrel Meadows.

D. RECOMMENDATIONS

1. The Town and County intergovernmental contract to coordinate planning, which is considered part of this Plan, shall be presented regularly for review and revision.
2. The Town and County Planning Commissions shall meet six times per year to discuss common problems and issues. Once per year they shall meet to review the effectiveness and adequacy of

this Plan. Once every two years the Plan shall be comprehensively re-evaluated and updated as necessary.

3. All revisions proposed to the land development regulations by either the Town or the County shall be reviewed by the other jurisdiction.
4. An interagency technical committee to review development proposals and disseminate planning and regulatory information will be established.
5. A formal presentation of this Plan will be made to the State Land Board, and a working relationship with ongoing dialogue established with that Board.
6. A formal dispute resolution mechanism between the Town and County will be created.
7. A system of dialogue and decision-monitoring with other state and federal agencies will be formalized.
8. An Alta-Leigh Canyon Advisory Committee shall be formed to advise the County on planning and development issues affecting those communities.