



March 10, 2015

Jackson Town Council

Via e-mail

RE: DOWNTOWN DISTRICT 2 Land Development Regulations

Dear Mayor Flitner and Town Councilors:

Thank you for the opportunity to comment on the proposed Downtown District 2 (D2) Land Development Regulations (LDRs).

The Alliance believes we have a responsibility to write land use rules that align with our community's vision as articulated in our comprehensive plan. This is a vision of a community with walkable neighborhoods surrounded by protected open space, working agricultural lands, and connected wildlife habitat. A community where at least two-thirds of our diverse workforce can affordably rent or purchase a safe and healthy home that meets their family's needs.

We believe the D2 LDR conversation should begin with a high-level policy question: how can these regulations help us achieve our vision and priorities?

In this case, the regulations should support well-designed "Town as Heart" commercial redevelopment, encourage new development of housing for all income levels of our workforce, and help shift future development from rural areas into complete neighborhoods. This is especially important in D2, which is the heart of Jackson Hole, and should serve as the residential and commercial core of our community. Unfortunately, despite the hard work of staff, **the proposed D2 LDRs do not implement our community's vision.**

As presently crafted, and as articulated in the staff report, the proposed D2 LDRs would not help generate an adequate supply of housing suitable and affordable to workers. There is no reason to believe that the market will provide new affordable housing if property owners can also build higher-profit lodging or short-term rentals. Furthermore, the proposed D2 LDRs will allow 2.2 million more square feet of commercial to be added to the existing 1.1 million square feet, allowing for a dramatic increase in retail, offices, lodging, short-term rentals and higher end condos – i.e. second homes. Much of the new commercial development will generate new low-wage jobs, which will need new low-wage employees, who will need *additional* affordable housing units.

In short, **the proposed D2 LDRs will greatly exacerbate our workforce housing shortage**, sending many more of our workers over the pass to Idaho and down the canyon to Alpine and Star Valley. This is unacceptable. We can and must do better.

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In addition, there is no linkage between the large permitted development increases in Town and the permanent protection of open space in our rural areas, as called for in our comprehensive plan. D2 is slated for a large upzone, but as currently proposed this upzone would create significant private profits without creating accompanying public benefits. Our community is under no obligation to “give away” an increase in property values and a windfall of new development entitlements without using this moment to trade for public benefits in exchange. We should seize this opportunity to encourage development that aligns with our community’s vision while receiving significant public benefits that would further advance this vision.

We must ensure that we are writing land use rules that move our community toward our shared vision, instead of taking steps in the wrong direction, such as worsening our housing crisis.

Therefore, we strongly encourage you to consider stepping back and asking, “How can we ensure the District 2 land development regulations align with our community’s vision?” in these four aspects:

**1. Ensure adequate public benefits in exchange for upzones.**

- a. Consider *incentive zoning or an equivalent tool like two-tiered floor area ratio (FAR)* to encourage the generation of workforce housing.
- b. *Directly link the upzones in D2 and other Town districts to the permanent protection of open space in the rural areas, through a tool such as Transfer of Development Rights (TDR).*

**2. Create more workforce housing to help house 65% of our diverse workforce.**

- a. Figure out *how to make workforce housing “pencil”* – do an analysis to determine what return on investment model will produce housing, and then adjust the development regulations to allow for, encourage, and incent that set of circumstances, thereby lowering the investment we know most workforce housing will require in our market. Then commit to funding that gap through public investments.
- b. *Zone significant areas of District 2 such as TN-4 for residential housing only, to zone out competing higher-return uses that negate housing opportunities.*
- c. *Consider any and all vacant buildable lands in District 2, including in the resort district that’s part of District 2, for residential housing zoning to greatly increase the land supply available for housing (much as you are doing with the BTNF site).*

**3. Only increase commercial zoning only based on meeting a demonstrated need, which is currently nebulous.**



- a. *Do not increase commercial capacity unless we have real data to support identified and justified need, such as absorption rates and trends, that demonstrate what we need now and into the future.*
- b. *Ensure that any new commercial development fully mitigates new employee housing need generation.*

**4. Do not expand the lodging overlay, which only exacerbates our housing shortage.**

- a. *Consider opportunities to shrink the lodging overlay where appropriate, such as the north side of Snow King Ave. between Cache St. and Vine St. and along Flat Creek.*

We are currently conducting a study to address two of these suggestions: to answer the question as to whether TDR (or an equivalent program) can work in Teton County, and to analyze what our build out would look like under various scenarios, current zoning, and proposed zoning. We should have these results and illustrations of them in about two months. The purpose of this study is to give you more tools with which to achieve our community's vision.

We acknowledge and thank the staff for all their work on this and look forward to helping with the discovery of what it will take to implement our community's vision. We have a solid vision in our comprehensive plan, which took years for you, your staff and our community to frame and complete. Now, we are charged with stepping up to the challenge of taking the right action to see this vision through to fruition. Please feel encouraged to let us know how we can help accomplish this goal.

Sincerely,

Mary W. Gibson  
Community Planning Director  
Jackson Hole Conservation Alliance