

November 22, 2017

Re: Town Council Policy Direction for Districts 3-6 Zoning and Parking

Dear Mayor Muldoon and Town Councilors:

Thank you for the opportunity to comment on the Town District 3-6 land development regulations (Town LDRs) and Parking Study projects in Engage2017.

The Jackson Hole Conservation Alliance (Alliance) believes that 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 appreciate the work that your staff and Planning Commission have done in outlining and reviewing many complex topics. As you decide on your high-level policy direction, please consider the following comments:

1. What portion of the additional 1,800 dwelling units should be transferred from the Rural areas of the County into Town?

IA+B. All increased zoning should occur in our existing Complete Neighborhoods – and Town is the largest and most complete of our Complete Neighborhoods so should get the majority of new development. Instead of building on greenfields, we should make bold decisions to build more densely within our existing footprint and become a national model of a town living in balance with nature. Additionally, increased density should be packaged with increased natural resource protections and increased community amenities.

2. What type of residential density is preferred? Where should residential density be located?

Please zone land throughout Districts 3-6 for diverse housing of many types: condos, apartments, "micro-units," dormitories (like the Powderhorn development), and accessory residential units (ARUs). Please consider creative policies to more efficiently accommodate housing development in Complete Neighborhoods like minimum density requirements; bonus density allowances for mixed-use housing developments, participating in a transfer of development rights (TDR) type program, or underground parking; reduced on-site parking requirements; and fee waivers for new ARUs. Please also consider a suite of parking policies such as paid parking downtown and residential parking permits in the District 3-6 neighborhoods, so that new housing development and associated vehicle storage can be gracefully accommodated without undue impact to neighbors.

As a next step, please consider implementing neighborhood-planning processes that both identify the amount and the type of growth expected in each neighborhood and engage neighbors in shaping how that growth will occur. That is, once you have identified how much density each District needs in order to meet our housing goals, work with the neighbors in that District to learn what kind of public investments could make that density successful: sidewalks,

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neighborhood bodegas, park or pathway improvements, shared parking – and build those investments into our Capital Improvement Plan.

3. How should residential buildout potential be calculated and monitored?

3A+B. We should continue to calculate buildout as we do now. Both 3A and 3B make sense for their separate situations. We should calculate buildout for “base” zoning at all times and we should calculate buildout for “incentive” zoning only when utilized. This is because incentive zoning can be removed at any time, while it is much harder to remove “base” zoning (e.g. “downzone”). We support enabling incentive tools by not calculating their impact on buildout until used. However, this requires a commitment from our elected representatives to remove incentives once we reach desired buildout.

Also, the calculation of buildout is a very important and complex topic that should not be changed by only one elected body inside of a different process (town residential zoning) – the public is likely not aware that our buildout methodology might change. If we wish to change how we calculate buildout, both boards should discuss the topic in a clear public process.

We also recommend integrating market analysis with the zoning work so that you can forecast roughly how many units are likely to be built under new zoning – and so you can see if that meets our goals outlined in the Housing Action Plan and Housing Supply Program. This should also include analysis of how creative parking policies can make it easier for developers to build homes that people who work here can afford.

4. How much of the additional density should be tied to requirements or incentives for workforce and/or deed-restricted housing?

4B – with two modifications.

As a first principle, all additional density should be added through incentives – not in base zoning. This way, the community can control what uses we see as most important, and modify those over time as conditions change. Right now, we need to incentivize workforce housing, but perhaps in a decade we’ll need to incentivize small business space or greenhouses. By adding all density through incentives, we the community maintain control over what uses we encourage and will allow – and can be flexible about changing them without running into future legal challenges regarding “takings.”

Any significant upzones should come with workforce housing restrictions: we don’t need more market-rate development that will “leak” out of the workforce over time. We need more housing for people who work here, so we can continue to be a strong community. Deed restrictions are by far the best way to ensure that housing will be for the workforce forever (just like conservation easements are the best way to permanently protect land), but there may be unit types such as dormitories that are clearly only used by the workforce. Exempting any categories from deed-restrictions (e.g. “apartments”) must be based on real data, as many communities have luxury apartments that are unaffordable to local workers and are used as second-home *rentals* (like ski “crash pads”) – and this is possible in our future too.

In addition to allowing incentives for workforce housing, we should put in a placeholder for allowing incentives for *conservation*, such as through a future transfer of development rights

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(TDR) policy. This policy would decrease development potential in the rural areas and transfer that development to become more development in Town. While we do not yet have this policy or a transfer mechanism, we should set up our Town incentive structure to be able to add conservation to the incentive list in future.

5. Should the amount of commercial development potential in Town be reduced? If so, how?

5B. We should try to reduce commercial development potential through incentives, but not require reductions. As shown in our *2015 Jackson Hole Land Development Market Study*¹, we currently have more nonresidential potential and less residential potential than we need. Offering landowners an incentive tool to voluntarily switch from nonresidential to residential potential should be a win-win for both landowners and our community needs.

6. What types of development should be subject to architectural design standards?

We have no comments on this question.

7. What type of pedestrian improvements, if any, should be required for new development?

7B+C. As described in Agenda22, our vision is that residents and visitors can safely and conveniently get where they need to on foot, bike, or transit. Sidewalks are an important safety and sustainability improvement to our Complete Neighborhoods, and we support their construction through both private and public efforts.

8. Should the Town strive to increase connectivity for all modes of travel by trying to encourage or require that all blocks be more similar in size to those downtown?

8A+B. Again supporting the Agenda22 goal of safe and convenient mobility, we support improving the street network and therefore connectivity for pedestrians, bicyclists, and drivers.

Please be in touch with any questions, and again, we thank you for your commitment to our wildlife and workforce.

Sincerely,

Skye Schell
Executive Director
Jackson Hole Conservation Alliance

¹ <https://jhalliance.org/library/reports-studies/>