

**SPECIAL TOWN COUNCIL &
TOWN PLANNING COMMISSION MEETING**

Monday, April 23, 2018

5:30 – 9:00 PM

Town Council Chambers

Chair: Pete Muldoon

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

I. ROLL CALL

II. DISCUSSION / ACTION ITEMS

A. Districts 3-6 Zoning / Parking

III. UPCOMING SPECIAL COUNCIL MEETINGS

- | | | | |
|----|---------|----------------|--|
| A. | May 29 | 6:00 – 9:00 PM | Districts 3-6 Zoning/Parking (1 st reading) |
| B. | May 30 | 2:00 – 5:00 PM | Districts 3-6 Zoning/Parking <i>(if needed)</i> |
| C. | May 31 | 2:00 – 5:00 PM | Districts 3-6 Zoning/Parking <i>(if needed)</i> |
| D. | June 25 | 1:00 – 3:00 PM | Districts 3-6 Zoning/Parking (2 nd reading) |
| E. | July 2 | Regular 6:00PM | Districts 3-6 Zoning/Parking (3 rd reading) |

IV. ADJOURN

Please note that at any point during the meeting, the Mayor and Council 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.

Reunión Especial del Pueblo de Jackson

REUNION DEL PUEBLO

Lunes, 23 de abril del 2018

5:30 – 9:00 PM PM

Cámaras del Pueblo

Alcalde: Pete Muldoon

AVISO: EL VIDEO Y AUDIO DE ESTA REUNIÓN SE TRANSMITEN AL PÚBLICO A TRAVÉS DE DISPOSITIVOS DE INTERNET Y MÓVILES CON OPINIONES QUE COMPRENDEN TODAS LAS ÁREAS, PARTICIPANTES Y MIEMBROS DE LA AUDIENCIA

POR FAVOR, SILENZAR TODOS LOS DISPOSITIVOS ELECTRÓNICOS DURANTE LA REUNIÓN

I. LLAMADA DE ROLL Y ANUNCIOS

II. ARTÍCULOS DE DISCUSIÓN / ACCIÓN

- A. Distritos 3-6 Zonificación / Estacionamiento

III. PROXIMA REUNIONES DE INFORMACION CONJUNTA

- A. 29 de mayo 6:00 – 9:00 PM Distritos 3-6 Zonificación / Estacionamiento (1ª lectura)
- B. 30 de mayo 2:00 – 5:00 PM Distritos 3-6 Zonificación / Estacionamiento si es necesario
- C. 31 de mayo 2:00 – 5:00 PM Distritos 3-6 Zonificación / Estacionamiento si es necesario
- D. 25 de junio 1:00 – 3:00 PM Distritos 3-6 Zonificación / Estacionamiento (2ª lectura)
- E. 2 de julio regular 6:00 PM Distritos 3-6 Zonificación / Estacionamiento (3ª lectura)

IV. APLAZAR

Please note that at any point during the meeting, the Mayor and Chairman 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 COUNCIL/PLANNING COMMISSION INFORMATION MEETING AGENDA DOCUMENTATION

PREPARATION DATE: April 19, 2018
MEETING DATE: April 23, 2018

SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Tyler Sinclair
PRESENTER: Paul Anthony

SUBJECT: Modifications Brainstorm Workshop on Draft Districts 3- 6 LDRs

STATEMENT/PURPOSE

The purpose of this meeting is to develop a list of proposed modifications to the draft Districts 3 - 6 LDRs.

BACKGROUND/ALTERNATIVES

The list of proposed modifications will be considered by staff, then the Planning Commissions, and then the Council. Ultimately, the motion to approve the updated housing mitigation requirements on first reading will be subject to those modifications from the list that are supported by Council.

The creation of a list of proposed modifications is the first step in the adoption process. The reason it is a joint step between the Town Council and Planning Commission is to ensure the Town Council has the benefit of the Planning Commission's recommendation on any modification they plan to consider. Once the list is created, staff will first draft an explanation and recommendation on each proposed modification. The Planning Commission will then consider staff's recommendations and make recommendations of their own on each proposed modification. Finally, the Council will consider the recommendations of staff and the Planning Commission and determine which modifications should be made as part of the approval draft.

An example of the table that will be presented to the Planning Commission and Town Council is below.

Modification			Staff Recommendation		PC Recommendation		Council Direction	
#	Sec.	Modification	Rec.	Discussion	Rec.	Discussion	Dir.	Discussion
1	6.3.3	Example modification	A	Rationale for recommendation				

Additional modifications can be introduced to the list at the Planning Commission hearing or the Council hearing, but the hope is that as many of the potential modifications as possible can be identified prior to the

Planning Commission hearing. This will limit the number of potential late changes and allow staff and the Planning Commission to focus on the primary list of modifications.

Proposed Meeting Format

The Planning Director proposes the following meeting format for the modifications brainstorm. The purpose of the proposed format is to allow the Mayor to participate and to maximize everyone's time by getting a list of proposed changes on the board prior to public comment so that members of the public interested in a specific modification can know it will be considered before they have to ask. The purpose of the meeting is not to evaluate any of the proposed modifications as good ideas or not – that is the purpose of the Planning Commission and Council hearings. The purpose of this meeting is only to identify modifications for future discussion and action.

In preparation, the Town Council and Planning Commission should identify modifications they would like to see made to the draft prior to adoption. An initial list of proposed modifications is attached and will be posted at the meeting to “prime the pump”. If a desired modification is already on the initial list, it does not need to be added again at the workshop, it will be considered at the upcoming hearings. The initial list of proposed modifications are provided as a template and are also modifications staff believes should be considered. The initial list of proposed modifications are from public comment and staff's further review of the draft.

Staff has included sticky notes in your packet. Please use these (or any other method that's convenient) to write down your proposed additions to the modifications list and bring these to the meeting if you can. It is no problem if you do not have time to this as we will provide time for you to write your modifications down during the meeting.

Roles

- Facilitator: Tyler Sinclair, Planning Director
- Content Expert: Paul Anthony, Principal Planner
- Participants: Council, Planning Commission

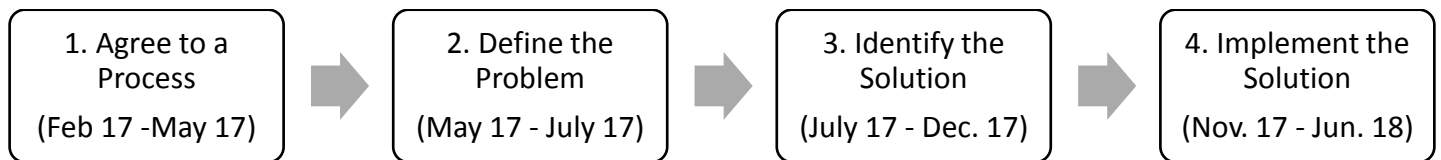
Agenda

1. Staff presentation/questions (5:30-6:00)
 - Staff will present the draft and the meeting agenda.
 - Staff will answer any questions the Town Council or Planning Commission have about the draft or agenda
2. Council/PC initial modifications exercise (6:00-6:20)
 - Elected officials and planning commissioners will be asked to write proposed modifications to the draft and post them on boards organized by topic.
 - Staff will assist in the organization of the proposed modifications.
 - Proposed modifications can be preprinted if provided to staff by 8:00am the day of the meeting
 - Proposed modification should also include a brief rationale. An initial list of proposed modifications is attached and will be posted at the meeting to “prime the pump.”
3. Presentation of exercise (6:20-6:30)
 - Once all of the proposed modifications are posted, staff will read each of the proposed modifications so that everyone in attendance is aware of the modifications that have been proposed
4. Public comment (6:30-7:30)

- The Mayor will open the floor to public comment, asking that comments be limited to proposed modifications to the draft that have not yet been proposed. (The time for support or opposition to proposed modifications will be the Planning Commission and Council hearings.)
5. Council/PC additional modifications exercise (7:30-8:00)
- Following public comment, the elected officials and planning commissioners will have the opportunity to ask any additional questions of staff.
 - The elected officials and planning commissioners will then have the opportunity to add any additional modifications to the list in the same format as before.
 - The meeting will conclude with staff reading each of the additional modifications proposed.

Background

The update to the Districts 3 - 6 LDRs is in the final phase of a 4-phase process, branded as Engage 2017: Housing, Parking, and Natural Resources. The purpose of the 4-phase process was to define the problem and identify the solution prior to considering adoption of regulations so that the review of draft LDRs would be the culmination, rather than the initiation, of months of public dialogue. The draft Districts 3- 6 LDRs were released March 16 and are intended to implement the policy direction provided December 11, 2017, which responded to the policy questions identified June 27, 2017.



- Phase 1
 - Feb. 21, 2017: Approval of project purpose, schedule, roles, and responsibilities
 - May 1, 2017: Approval of contract with Code Studio for technical support
- Phase 2
 - The public identified issues at:
 - Community Discussion in Spanish, May 30 (17 participants)
 - Open House, June 1 (about 75 participants)
 - Community Discussion, June 1 (about 75 participants)
 - Online Survey, May 23 – June 5 (220 participants)
 - June 27, 2017: Approval of 10 policy questions to answer through the updates
- Phase 3
 - The public analyzed policy alternatives at:
 - Spanish Community Discussion “Public Comment Event” November 6 (25 attendees)
 - English Community Discussion “Public Comment Event” November 8 (63 attendees)
 - Online alternatives analysis survey open October 20 – November 12 (146 responses)
 - Comments submitted by email September 13 – October 11 (7 comments)
 - December 11, 2017: Direction on the 10 policy questions
- Phase 4
 - March 16, 2018: Release of public review draft
 - March 19, 2018: Presentation of public review draft
 - April 12, 2018: Public open house/workshop to review draft (90 ± participants)

- April 23, 2018: Modifications Brainstorming Workshop

Next Steps

- May 11: Release of list of proposed modifications with staff recommendations
- May 14: Planning Commission hearing on draft (5:30pm, Town Hall)
 - Staff presentation
 - Public comment
 - Add any additional modifications to list
 - Discuss and straw poll proposed modifications for which Commissioners disagree with staff recommendation
 - Vote on updated Districts 3- 6 LDRs subject to list of recommended modifications
 - Continue to 5:30pm, May 15, Town Hall if needed
- May 29: Council 1st reading/hearing on draft (6:00pm, Town Hall)
 - Staff presentation
 - Public comment
 - Add any additional modifications to list
 - Discuss and straw poll proposed modifications for which Council members disagree with staff recommendation
 - Vote on updated Districts 3- 6 LDRs subject to list of supported modifications
 - Continue to 2:00pm, May 30, Town Hall if needed
 - Continue to 2:00pm, May 31, Town Hall if needed
- June 20: Release of adoption version of Districts 3 – 6 LDR update
- June 25: Council 2nd reading/hearing on adoption version (1:00pm, Town Hall)
 - Staff presentation
 - Public comment
 - Discussion of additional modifications (substantive modifications will require an additional 2nd reading)
 - Vote on adoption version of Districts 3 – 6 LDR update
- July 2: Council 3rd reading/adoption (6:00pm, Town Hall)
 - Public comment
 - Vote on adoption version of Districts 3 – 6 LDR update

ATTACHMENTS

- Initial list of proposed modifications
- Public comment

FISCAL IMPACT

The Code Studio contract to update the Districts 3 – 6 LDRs is for a not-to-exceed amount of \$74,930, which is in the approved Town Planning Department budgets for professional services.

STAFF IMPACT

Staff estimates that the total staff impact of the update to the Districts 3 – 6 LDR will be about 1,000 hours spread over the 18 month project timeline.

LEGAL REVIEW

Ongoing. The Town Attorney will continue to review the updates to the Districts 3 – 6 LDRs prior to the Planning Commission and Town Council hearings.

RECOMMENDATION

This is a brainstorming workshop, not an action item.

SUGGESTED MOTION

This is a brainstorming workshop, not an action item.

Issue	Proposed Modification
General	<ul style="list-style-type: none"> • Permit 4 or 5 stories. • Increase setbacks for accessory structures and accessory residential units to greater than 5'. • Restrict all units added to the Town to workforce housing. • Permit on-street winter parking. • Eliminate ARUs from Town periphery and East Jackson. • Allow 750-800 sf for all ARUs (regardless of lot size) • Retain flat roof height at 30'. • Reduce heights to 25'. • Reduce density overall. • Include more flexibility in Tiny Home definitions. • Make parking standards more flexible. • Increase FAR. • Eliminate 20% expansion limit on nonconforming structures. • Keep the PUD tool. • Reduce the number of zones. • Parking requirements for ARUs and similar-sized apartments should be changed to be the same. • Nonconformities: consider changes to nonconformity standards to address, in particular, making single-family homes nonconforming. • Mobile home parks: Need clear approach to mobile homes in the future
Neighborhood Low Density - 1 (NL-1)	<ul style="list-style-type: none"> • Change FAR from .30 to .40 or .45. • Retain 12,000 sf minimum lot size in NL-1. • Consider creating <u>two</u> Upper Cache into zones: 1) .5-acre min. lot size that applies to smaller existing properties and a 2) 1-acre min. lot size that applies to the larger remaining parcels. • Allow 4 floors. • Increase height. • Retain flat roof height at 30'. • Reduce FAR and setbacks for nonconforming properties
Neighborhood Low Density - 2 (NL-2)	<ul style="list-style-type: none"> • Remove ARUs from East Jackson. • Increase density • Require asymmetrical side setbacks to protect solar for properties to the north. I.e., Don't allow 5' setbacks on side for accessories on the North side of properties. • Retain flat roof height at 30'. • Zone the mobile home park NM-2 or NH-1. • Reduce density around/above Budge Drive.
Neighborhood Low Density - 3 (NL-3)	<ul style="list-style-type: none"> • Align ARU sf maximums with scale of home office (750 sf) • Allow car access from streets and alleys. • Zone NM-1, not NL-3.

	<ul style="list-style-type: none"> • Retain flat roof height at 30’. • Allow 3 ARUs. • Allow an ARU sf allotment that can be distributed between ARUs (e.g., total of 1000 sf. Land owner can choose to have 1 600 sf ARU and 1 400 sf ARU). Increase setbacks for accessory structures.
Neighborhood Low Density - 4 (NL-4)	<ul style="list-style-type: none"> • Allow subdivision and condominiumization. • Area near Crabtree and Powderhorn should be zoned NH-1. • Increase height and FAR. • Eliminate car access from street for 3 units (unless already existing). • Reduce side interior setback from 10’ to 5’ for smaller residential units (same as for ARUs currently).
Neighborhood Medium Density - 2 (NM-2)	<ul style="list-style-type: none"> • 125 and 145 Aspen Dr. should be included in NM-1. • Zone Aspen Dr. and Pine Dr. NM-1 (not NM-2). • Retain 30’ roof heights. • Do not allow split lots to have 4 new units. • Units resulting from upzone (specifically affordable units) should be owner-occupied. • How close do we want buildings to alley -- 5’ or 10’ or something else on lots smaller than 7,500 sf?
Neighborhood Medium Density - 2 (NM-2)	<ul style="list-style-type: none"> • The area East of Millward, south of Snow King Avenue, west of Cache, and the bulk of Aspen Dr. should be NM-1. • Occupancy of new units should be restricted to owners. • Reduce 35’ height in NM-2. • Consider reducing side setback from 10’ to something smaller (e.g., 7’) to facilitate development. • At what threshold (i.e., how many units) should residential projects be required to have public review (Sketch Plan and/or Development Plan review) by the Council instead of staff review only? • Consider a new method/standard for requiring Plant Units because the current standard of one PU per unit is not workable for multi-family development.
Neighborhood High Density - 1 (NH-1)	<ul style="list-style-type: none"> • Allow 3 units, but don’t require 3 units. • Area near Rodeo Grounds should be less dense than NH-1. • Revisit 20% nonconformity regulations with upzone. • Remove Daisy Bush/May Park area in East Jackson from NH-1 zoning and instead zone NL-2, NL-4, or NM-1. • Remove ARUs from periphery. • Reduce LSR requirements. • At what threshold (i.e., how many units) should residential projects be required to have public review (Sketch Plan and/or Development Plan review) by the Council instead of staff review only? • Consider a new method/standard for requiring Plant Units because the current standard of one PU per unit is not workable for multi-family development.
Commercial Residential – 3 (CR-3)	<ul style="list-style-type: none"> • Increase height. • Increase FAR. • Increase setbacks with higher heights.

	<ul style="list-style-type: none">• The “form standards” (build-to lines, minimum façade widths, etc.) should be reconsidered to better reflect the realities and goals of highway corridor development.
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From: Michael Stern
To: [Alex Norton](#); [Alex Norton](#); [Town Council](#)
Subject: Town zoning update comments
Date: Monday, April 09, 2018 1:22:00 PM

Hello,

I would like to submit the following comments regarding the current proposed zoning updates and the implications for my properties at 365 and 375 West Kelly Avenue. I purchased both lots in 2016 and am currently completing construction on a single-family house at 365 for myself and my family, and intend to redevelop 375 in the near future. As part of the construction process I completed a boundary adjustment to make the 375 lot compliant at 7500 square feet in order to maximize its future value.

Rezoning

The proposed rezoning to NH-1 is a major change to the existing NC designation, apparently to encourage higher density development. I fully support increasing the density and quantity of housing in town, but this change has some serious adverse effects on the value of my property and does not sufficiently recognize the quantity and quality of new investments that has recently been made in the surrounding neighborhood.

By removing the ability to build a single family dwelling (with an ARU), requiring a minimum of 3 units, *but not increasing the FAR from .40*, the current proposals seriously reduce the ability to implement market-rate development. Particularly in a neighborhood that is currently *only* single-family houses. This is an undue burden on a small private developer.

On a small 7500 sf lot this means that I could only build 3,000 sf of space, across 3 units, but would be required to have 6 parking spaces. Split among 3 units that is only 1000 sf per unit; not a viable size for a single-family townhouse, which is what I would propose to build. If the goal is workforce housing for a variety of markets, then small 2,000 sf townhouses seem to me a very desirable product for working families.

The new zoning should be more contextual to the existing neighborhood and not attempt a wholesale transformation that is in conflict with its historic pattern of development. Allowing and encouraging a higher density in redevelopment makes sense, but only if it is compatible with the existing context.

The new requirements should reinstate single-family detached houses as an allowed use and increase the FAR to .8 to achieve the stated goals.

Urban Form

Urban form matters! The fact that the zoning update does not address pedestrian improvements or form-based requirements is unacceptable. If the intent of these zoning changes is to encourage higher density development that is supported by public transit, then refusing to address the need to connect residences to bus stops makes no sense.

Right now people (including children getting off school buses) must walk in the street because sidewalks either don't exist, or are so discontinuous that they are of little use. I would be willing to build a sidewalk in front of my project, but only if it connects to a continuous system. Similarly, front yard setbacks should be rethought to encourage a better utilization of small lots and a more traditional neighborhood structure that permits higher densities and encourages a pedestrian character.

The Town Council should make a firm commitment (financial & regulatory) to achieving pedestrian improvements (minimum sidewalks throughout) within 5 years. Urban design standards (including design review) should be implemented to achieve a desirable urban form that does not turn our town into a parking lot.

Thank you for your attention to these comments and I look forward to participating in this continuing process as these proposals are refined.

Michael A. Stern ASLA LEED AP

MASplaces

Urban and Landscape Design

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From: Bruce Hawtin
To: [Pete Muldoon](#); hmortonlevinson@gmail.com; blenz@towncouncil.com; [Jim Stanford](#); [Don Frank](#)
Cc: [Tyler Sinclair](#); [Alex Norton](#); [Paul Anthony](#)
Subject: 115 Nelson Drive
Date: Thursday, March 29, 2018 4:03:43 PM

Dear Mayor Muldoon, Town of Jackson Town Council, Town of Jackson planning Commission,

The HawtinLLC owns a 1.33 acre piece of property at 115 Nelson Drive. I am enclosing vicinity map, and an aerial view of that property. The aerial view shows buildings, diseased trees, and other debris that have now been removed. The zoning recommendation for that property is Neighborhood High Density, NH-1. We are asking that that recommended zoning be changed to Neighborhood Medium Density, NM-1.

To reinforce our request, I would like to share with you the surrounding neighborhoods adjacent to our property. On the south side is the Daisy Bush Subdivision consisting of two story single family and duplex homes, On the west side is a two story six unit townhouse project. On the north side are some of the oldest homes in east Jackson the majority of which are single story on smaller lots.

Here are some details concerning the recommended Neighborhood High Density NH-1 Zone. First off, 115 Nelson Drive is in a stable zone and not a transitional zone as mentioned in the documentation. In the "Intent" paragraph describing NH-1, it states, "Care will be given to ensure that new development respects and enhances the character and cohesiveness of the existing residential neighborhood." It goes on to state that, "Buildings can be up to three stories in height, with a maximum height of thirty nine feet. with single or multiple detached buildings, each building with multiple units. Under the "Allowed uses section", there is a long list of possible commercial uses. Single family homes are not allowed.

We feel the Neighborhood Medium Density NM-1 zone is more appropriate for our property. In the intent section for this zone it states, "The intent in the NM-1 Zone is to recognize the existing residential neighborhood character while allowing flexibility in design and ownership for family detached, duplex homes, and accessory residential units on smaller lots, where feasible." This section goes on to say that other multiple unit buildings are allowed. The point being that density can be increased over the current SR zoning but at two stories and in keeping with the existing neighborhood.

There are other properties in the Town of Jackson where the NH-1 Zone is appropriate. We feel that 115 Nelson Drive is not one of those properties. We think this request for a zone change is very reasonable and we know we will receive a fair and comprehensive review and we look forward to your response.

Best Regards,
Carolynn and Bruce Hawtin
690-1124 690-1125



April 12 Public Open House Comment

Housing Mitigation LDRs & Town Zoning Update

4/12/18

April 12, 2018, Teton County and the Town of Jackson jointly hosted a Public Open House to gather public input on the Engage 2017: Housing Mitigation Requirements and Town Zoning – Districts 3-6 Updates. The Open House was held at the Snow King Grand View Lodge from 12 pm to 8 pm. The structure of the Open House was self-guided, allowing participants to review 21 informational boards on the two updates at their own pace. Planning Staff was present to answer questions.

80-100 people attended and provided their comments. Staff solicited comments by asking participants what they liked about the updates, what they did not like about the updates, and what should be improved. These comments are shown below:

Housing Mitigation Requirements

What I like

- Important to see the vision for 10-15 or more years in the future. The mitigation rate increase finally begins to address the problem of commercial employees added.
- Planned housing for new development/building. Increased in deed restricted housing.
- 85% affordable housing - thanks for recognizing the depth of this problem and addressing it.
- Decreasing multi-family development requirements.
- Prioritizing building housing as a method of providing housing.
- Units must have storage.

What I don't Like

- Why 65% local residents? In this property mix, 65% goal will eventually not be possible to maintain.
- The percentages of mitigation will bring in institutionalized money. Our Town character and small businesses will be priced out.
- Fee for both unrestricted and restricted for a small house (1500 sf) seems excessive and contra to providing affordable housing.
- Deed restrictions shouldn't be based on income.
- [The types of housing process] is very involved. Simplify and allow housing type to serve developer needs.
- Please do not let developers decide if 1 bed or studio. 1 bed is more expensive for single person.
- Why is 1 bedroom and studio listed as together? Very different.
- Not fair to only allow singles and couples to have a 1 bedroom.

What I would improve.

- What happens long term - 50 years? Can't sustain this growth rate. Need to taper off and accept housing limit reality.
- Reduced fees / mitigation % for businesses building commercial building that has employee housing attached.
- Commercial mitigation should be 100%.
- Alpine/Star Valley/ Teton Valley should have better START service.
- If you build an ARU, that should fulfill your SFD requirement.
- New restaurant would be carrying all the burden of mitigation for the landowner. These employee generation rates should be closer to equal across the board. Go for a 4th floor. Increased requirement is ok but need better incentive to make it happen.
- Go for 4-5 stories and solve the housing problem.
- Should have minimum sq. ft required to have decent standards, otherwise tiny units.
- Deed restrictions should be based on workforce occupancy only. No income or price caps.

District 3-6 Policy Direction Reaction

What I Like

- More density for deed restricted housing in commercial core.
- We need the cheapest housing closest to the low wage jobs. Keeping it out of rural neighborhoods reduces traffic.
- Transfer/Movement of units from rural areas.
- Protecting Cache Drainage.
- Allowing for creative housing solutions in East Jackson.
- Encouraging traditional roof styles, increasing height restrictions.
- Additional height and bonuses for employee housing development.
- Like the 2:1 bonus and ability to utilize "unused box"
- Increased height, no/limit box buildings. 2:1 bonus.

What I don't Like

Density

- To make it fair, housing should not be crammed into town. Already dense and crowded - no parking available and streets are crowded.
- I would like to see more housing in the "rural" areas so that we don't add too much volume to low density neighborhoods.
- Density in town keeps traffic density in town and unlivable to some extent. Those in rural areas are being selfish.
- Keep Aspen Dr. and Pine Dr. NM-1 (NC-2) and not upzone to NM-2.

Form

- Pushing volume under flat roofs. Flat roofs are out of character in places with snow.

- 5' setback on side for ARUs that are $\leq 14'$ tall. What about snow shedding for and storage? In old stable neighborhoods (now NL-2)
- I do not want 35' (NM-2) high buildings in my neighborhood which is NC.
- Dense, tiny homes become shanty town.

East Jackson

- I do not understand how the lot to the north of Daisy Bush which is a very stable neighborhood can be upzoned to the highest density. There are no sidewalks. The roads are narrow.
- There are no grocery stores, restaurants, etc. in East Jackson. We are as close as you can get to wilderness over there. The lines drawn are very "interesting" to say the least.
- Increased density near existing Forest Service houses impacts already problematic parking on Nelson Dr. – Narrow.
- Increased density on Nelson Drive is not consistent with existing neighborhood. Too much traffic on small roadway without walking convenience.
- Remove May Park surround areas from NH:1. The streets are too congested already and adding hundreds of units is not sustainable. Continue moderate density goal.
- Too dense! Will impact East Jackson regarding too many cars, traffic, and buses.
- East Jackson Zoning changes to increased density do not preserve environment concerns and are not near "walkable" areas.
- Bad idea to add density to east side periphery forcing traffic through quiet neighborhood streets.
- Traffic and excessive speeding on Simpson Ave. will most certainly increase with additional building at the end of Nelson. There are a large number of young children in this neighborhood.
- Upzoning Nelson Dr./May Park area from stable to unstable does not make sense. Majority of all land is fully developed already w/ stable families, good quality homes, and appropriate environmental standards (green space, green roofs, permeable driveways). Large complex development does not match these uses & stability.

Other

- How to make sure the unrestricted additional bonus of residential units is for workforce vs. those out of state investors who want low cost spot to ski, fish, etc. for weekends and vacations?
- Winter on street parking - we need it! Just alternate sides of street each day like other ski towns do.
- Has there been any long-term buildout study regarding what infrastructure costs will be - schools bridges (including repairs of existing as they age), sewer, water, treatment. And where space and money will come from. More "family" housing equals more schools. How about local play grounds? Also, traffic studies. Even if local people still walk to shops etc. What will be changes in commercial types - Big box stores for more homeowner needs as population expands. How big a population increase ($\times 1800$ Units vs. 20,000 in County now = big %). And blocks to movement of remaining wildlife e.g. mule deer from butte to Cache / Flat Creeks with obstruction of intensified density.
- With upzone we get no trees, no shrubbery.

What I would Improve

Density

- Would like density to go down Broadway etc. Do we really want so much density - Impacts on wildlife as well as out quality of life.
- Higher density along corridor - agree to 4th floors in higher density areas.
- Eliminate Nelson Dr. area (May Park Area) from NH-1 updates.
- Eliminate NH-1 from May Park area.
- This kind of density should be in urban core not periphery neighborhood.
- Continue moderate density like Daisy Bush on Nelson
- Buildout with infrastructure costs- Money and space needed. How many more people with 1800 new units? 3-5000? Show from street level perspective what density.

Accessory Residential Units

- Eliminate ARUs from Town periphery.
- Eliminate ARUs in East Jackson and Town Periphery.
- ARUs should be allowed at 750-800 sf max (if within the overall FAR and parking requirements). 500 SF is too small for a family. Accordingly, why is a home office allowed at 750 sf? This encourages 'breaking the rules', i.e. use home office as ARU (enforcement required!).

Form

- Height of 25' is sufficient to not block views.
- 30 ' max height on flat roofs/any roofs should remain.
- Boxy house design is an urban architectural pattern. Steep roofs are historically a rural architectural pattern. Why punish flat roof design over pitched roofs?
- Too dense. Can't sustain this level of growth.
- Every one of the units moved from County to Town should be workforce deed restricted.
- If the entire purpose is to provide workforce housing, then require restrictions for any bonuses.

Flexibility

- More flexibility in tiny home definitions - allow for creative housing solutions.
- Parking standards need to be more flexible. FAR should be increased. Bike paths are critical. Allow tiny home.

Other

- What happened to NC-2? Is there a zoning tool that allows for a lot split? If not, why?
- Increase 20% limit on expanding non-conforming properties. Right now, it is nearly impossible to buy a 3-bedroom house in town for under \$1M. Restrictions and setbacks make home ownership completely unrealistic for middle class families.
- Keep the PUD tool. Too many zone types - SIMPLIFY! It appears that zone types are related to historically what is there, not what is desired as town evolves.

Zone Specific

NL-1

What I like

- Limiting to single family where already existing.
- I like ARUs.
- Like that NL-1 serves as transitional areas to more rural or forest or county.

What I don't like

- Increasing lot size to 1 acre does not seem to be in character with the neighborhoods in which it is proposed.
- Reduction of lot sizes.
- Don't like reducing minimum lot size. Keep 12,000 instead of 1 acre.
- I do not agree with the 1-acre lot size minimum. Especially area west of Upper Cache on South side area. This area is already high in density.
- I really don't like shrinking lot sizes and roof height regulations. You are hurting my property value. This should be illegal!
- I don't like changing the minimum lot size. I believe you are taking property rights and money out of these owner's pockets arbitrarily. And creating a part of town where only super wealthy can afford. A 1-acre lot will eventually become a >\$5 million property once developed.
- Don't like the ARU possibility in this stable zone with low density.
- Don't like the lowered height building for flat roofs. Keep the heights the same.
- Why should my neighbor who just built a flat pitched roof get more space than me?

What should be improved

- Increase FAR to .45
- Increase to allow 4th floors
- Keep minimum lot size. Increase FAR to .40.
- Area west of upper cache on South side. Create a sub-zone or different zone. Density is high in this area. 1-acre minimum lot does not fit here.
- Increase height allowances and don't decrease lot sizes.
- Keep minimum lot size. This type of home/land is suitable for the local middle class.
- Keep minimum lot size. Reduce FAR and setbacks for nonconforming properties so that middle class families can afford to modify existing single-family homes to 3 bedrooms for <\$M.

NL-2

What I like

- I like allowing ARUs.
- I like ARUs.
- ARUs are great.

- Not allowing detached ARUs on lots that are less than the minimum lot size.
- This is a great way to add density at a reasonable level to established/ stable neighborhoods.
- NL-2 and NL-3 help increase density while maintaining a neighborhood feel.
- Single family

What I don't like

- Area for wildlife crossing.
- 5' setback on side yard for accessory structure less than 14'.
- ARUs are bad in east side. Too much density, too far from services.
- Decreasing roof heights and shrinking the development potential of a house. Why? Let's house people.
- Besides what is already extant, adding structures above/around Budge Drive seems unwise. Also key.
- I don't like taking away Mobile Home Park's dense zoning. The density is already there - keep it!
- [What should be improved](#)
- Increase density. Make ARUs more flexible. Don't shrink roof heights for flat roofs.
- Remove ARUs from east Jackson periphery.
- Asymmetrical side setbacks to protect solar for properties to the north. I.e., Don't allow 5' setbacks on side for accessories on the North side of properties.
- Zone the mobile home park NM-2 or NH-1.
- Add more FAR for ARUs so people do not have to lose square footage on their home.

NL-3

What I like

- Flat roofs are out of character. Is good to disincentivize.
- Like no curb cuts if there is an alley.

What I don't like

- ARUs should align with scale of home office (750 sf).
- Car access should be from street and alleys - alleys can't handle all the parking.
- This area should be NM-1, not NL-3
- Don't lower roof height.
- Don't lower roof heights. Why?
- Don't lower roof heights. Keep 30'.

What should be improved

- Don't shrink roof heights, make buildings taller!
- Keep roof height the same.
- NL-3 should be allowed 3 ARUS given location on alleys.
- 500 sf is small for an ARU. If 2, how about total of 1000 Sf, i.e., 1 @ 400 sf and 1@600 sf etc.

NL-4

What I like

- I like the increased FAR and LSR.

- Increased FAR is great.
- Like increased FAR, decreased LSR, increased height for traditional roofs and decreased for flat.

What I don't like

- Why should it be single ownership? That restricts opportunities for development.
- Do not require single ownership. Why would you not want ownership?
- Does LSR reduction enable owner to park 3 units on site? Or is it still too tight?

What should be improved

- The area near Crabtree Ln and Powderhorn is higher density. Walkable. Central. Transitional. Should be NH-1.
- Increase height and FAR substantially so people build and redevelop.
- Eliminate car access from street for 3 units unless they exist on that block.

NM-1

What I like

- Like the subdivision option, LSR reduction, roof changes.
- Split lots are great option! Affordable.
- Split lots, under 25' in height.
- Encouragement of sloped roofs.
- Split lots duplexes, SF-ARUs, increased FAR, decreased LSR
- I like increased FAR and LSR.
- Change 125 and 145 Aspen Dr. to NM-1 like the rest of Aspen Dr. going west. That would square off the map neatly. And keep Aspen hills subdivision with the character it presently has. We all love our neighborhood and it has become largely young families with lots of little kids.

What I don't like

- Feels like spot zoning.
- Don't destroy the neighborhoods by upzoning the east end of Aspen Dr. Keep the NC zoning on Aspen (NM-1)
- Don't like lower roof height.
- NM-1 - Do not allow split lots to allow 4 new units. Too dense. Destroys neighborhood.

What should be improved

- Keep roof height.
- Keep roof height. Owner occupied only affordable.
- Keep roof height.
- Keep 28' roof height.
- If you allow upzone - only owner occupied affordable housing.

NM-2

What I like

(None submitted.)

What I don't like

- Really only benefits the real estate agent and large builders.
- Too high in a neighborhood currently occupied by single-family homes.
- Buildout of 2-3 lots would resemble a hotel and not homes.
- With upzone, we will lose trees and shade, less permeable ground.
- Upzoning East of Millward south of Snow King Ave, west of Cache, and the bulk of Aspen will destroy a really cool neighborhood. It should be NM-1.

What should be improved

- The end of Aspen should be NM-1. all NC-2 should become NM-1 on Aspen Drive. Or only owner occupied affordable. Please don't destroy a really amazing neighborhood.

NH-1

What I like

- I like allowing 3 units.
- Apartment buildings & multi-family are great. Increased FAR good but it could be more.
- Like more density by Marriot. That is where it should be.
- Like the subdivision potential. Like the height increase.
- NH-1 in Glenwood/Hansen area makes sense. Walkable urban core.

What I don't like

- I don't like requiring 3 units.
 - Do not overfill area near rodeo grounds. This is single family home area. Very nice area for local workforce existing.
 - We will lose the single-family homes much of which are cheap rentals north of the fairgrounds. The homes are currently being replaced, leading to higher rents.
 - The area near the rodeo grounds is mainly SFH (single family homes). By rezoning it puts all homes in non-conformity and will not allow for improvements on these homes. Please revisit conformity laws (no more 20%).
 - 20% Expansion unfair to current homeowners.
 - If single family homes exist, they should not be limited to 20% growth.
-
- Placing NH-1 in this location is entirely counter to what the town states "will any additional 1,800 be put into Stable single-family homes." You have put NH-1 right in the middle of Daisy Bush and single-family homes. This is horrible city planning. This would make this stable neighborhood LESS walkable and decrease the pedestrian experience. If the neighborhood character is important, placing a NH-1 designation here is poor planning. This potential NH-1 spot zoning for that large lot on Nelson would absolutely change the STABLE character of the

Nelson/Rancher Daisy Bush neighborhood. Also, this area of town is a huge wildlife corridor. This potential influx of cars and people would be devastating on the animals at the edge of town. This NH-1 proposal does not meet your own guidelines, it is not good urban planning, it is not smart growth (not near stores, etc.). This is spot zoning plain and simply to take advantage of an undeveloped parcel.

- Nelson Dr./ Rancher St. would need serious evolution for traffic flows. Daisy Bush is a great example of "good" density. Forest Service Parcel should not be NH-1. It could prove to be a huge problem in the future.
- Far East Jackson not the place. Too far from services.
- This zoning would completely change the 'character' of the Nelson/Daisy Bush neighborhood.
- Nelson Dr. cannot handle this density. It is a narrow street with a blind "S" turn. We have no sidewalks and no amenities in walking distance. Some density is ok but not NH-1 in a "STABLE NEIGHBORHOOD".
- East Jackson - Nelson Dr./Daisy Bush is a "STABLE NEIGHBORHOOD". Changing to high density would change the character of the single-family homes. There needs to be improvement to streets and sidewalks to support the increased traffic. Also, no services!
- Nelson Dr. not equipped to handle this density. Town infrastructure first. Height too high.
- "May Park." I question the transitional designation for the area north of Wheatleigh.
- I feel this is far too much density for the lots next to Daisy Bush and Putt Putt trailhead. NL-2 is better.
- Nelson Dr. is already overused as a parking lot in summer. It has more traffic than most places due to people accessing the trailhead. It is not wide enough to accommodate its current load. Adding more density is an absolutely terrible idea.
- NH-1 on Nelson/ Forest Service is drastically different from current neighborhood. Current roads cannot support the density. Removes proposed units from amenities.
- NH-1. No high density on Nelson Dr. Neighborhood is comfortable.
- Too dense for East Jackson! Rancher & Simpson can't absorb that kind of traffic.
- NH-1 seems way too dense and tall for Nelson and Forest Service lot.
- No NH-1 should be allowed in May Park area. Terrible planning mistake to put density in periphery of Town.
- High density housing at a "dead end" of Jackson does not make sense. No access to amenities/necessities and over a mile from town core.
- Having high density housing behind low density areas increases traffic/parking in the low-density areas.
- This is not a high-density area, protect our wildlife protect our trails, protect our children, protect our families, please save our beautiful neighbors and neighborhood.
- Too dense!
- May Park neighborhood zoned NH-1 is not near (walkable) services i.e. Grocer, jobs, schools, etc. Contrary to good planning.
- NH-1 E Jackson is too much density. Especially the Forest service land and land surrounding May Park and Daisy Bush.
- May Park area is "STABLE"

- Please, please, please please, leave the NH-1 area in E. Jackson as it is. The traffic and excessive speed on Simpson and Hansen are already bad. The thought of all of these new vehicles is terrifying to a parent of a young child. I have worked hard and invested substantial savings into my home based on the current zoning and charm.
- Road and sidewalk master plan would be necessary before higher density should be approved. Contradicts planning department and goal of keeping wild life corridors and green space in peripheral areas of Town.
- Inappropriate density in the May Park neighborhood! *Neighborhood defined as stable low density going to highest density below commercial?
- Daisy Bush, Nelson, May Park, especially Forest Service area does not need high density. Very poor planning. Homes for families -yes. Housing for transit dorm style - NO!
- I oppose NH-1 zoning for the Daisy Bush Neighborhood and lot to the North. Daisy Bush is high density as it is, and I would support something similar. However, upzoning to the highest density in this STABLE neighborhood does not make sense. The lack of amenities, sidewalks, sufficient, parking would be exacerbated by adding so much density. Also, the proximity to Forest Service Land and being on the very edge of Town. To me, this does not make sense.
- The Town should adjust the proposed zoning for the areas of the 1. Daisy Bush development north to Broadway and 2. The USFS property at the Putt-Putt trailhead to NL-2 zoning. This zoning allows standard town lot sizes (7,500 sq. ft.) with a single house plus one accessory unit per lot. We believe this is the most consistent with the surrounding neighborhoods.

The Supporting Arguments:

1. The proposed zoning for our neighborhood does not meet the town's own guidelines.

The town identified the "May Park Area" as a "stable neighborhood". Town planning documents state that stable neighborhoods should be converted to lower density zoning (NL-1 to NM-1). This is done to help protect existing development character and increase wildlife permeability as set out in the Comp Plan. Instead, town has proposed the highest non-commercial density available (NH-1) for this neighborhood even though it is intended – according to the town – for use in "Transitional neighborhoods" (not stable). This is a stable neighborhood as determined by town planners and should not be zoned as a transitional neighborhood.

2. The proposed zoning for this neighborhood is not good urban planning.

The new zoning has the potential to add 48 2-bedroom units on the vacant Nelson Dr. property. That could add ~200 additional people to a stable residential neighborhood. The USFS property would add exponentially more if redeveloped. Proposed parking regulations will only require 1.5 parking spots per 2-bedroom unit and the remaining cars (up to ~150 since the reality is people need a car in this periphery neighborhood) would flow onto surround streets creating dangerous pedestrian conditions for local residents, children and those accessing the population Putt Putt trailhead. Nelson Dr. is extremely narrow and was designed to support low to medium density neighborhoods. It is already overwhelmed with traffic and on-street parking during summer months. Any consideration for a zoning increase of this magnitude must include a complete redesign of the street – a "complete street master plan" – to support the pedestrian and traffic count that will be generated from the increase in dwelling units anticipated.

3. The proposed zoning for this neighborhood is not smart growth.

The town wants to create “walkable neighborhoods”. High density seasonal workforce housing should be located where tenants can access grocery stores, restaurants and bars within a short walk – not in stable residential neighborhoods. Town should focus density into the urban core– not the periphery that is furthest from any of these amenities. There are no sidewalks currently on Nelson Dr. and none are in the works. There is no connectivity to any other major sidewalk area. This will force all foot traffic through the Daisy Bush subdivision and other low-density neighborhoods on Rancher and Simpson as there is no other alternative to access bus stops, etc. any consideration for a zoning increase must include a “sidewalk master plan”.

4. The proposed zoning for this neighborhood is ‘spot’ zoning.

The allowable height and density of the buildings proposed is not in character with the surrounding residential neighborhood. Thirty-nine-foot buildings will fracture segments of the neighborhood which are restricted to 26 or 28 feet in height with mandated green/open space. This proposal meets the definition of “spot zoning” to take advantage of an undeveloped parcel. James Morris, 20 Nelson Drive.

- Please look at the logic of this document for the NH-1 zoning change at the May Park zone (referring to Morris’s comments) Tim Grimes, Nelson Dr.
- Agree with these points (referring to Morris’s comment). Jeff Golightly, 855 Wheatleigh
- I agree with all of these points (referring to Morris’s comment). Amy Golightly, Wheatleigh Way
- I agree with all points noted here (referring to Morris’s comment). Debbie Hedges, 840 Wheatleigh Way.

What should be improved

- Zone "May Park" area at USFS parcel & Daisy Bush to the North NL-2.
- This is not a walkable neighborhood. Workforce housing should be near grocery stores, bars, restaurants.
- Lot north of Daisy Bush to Forest Service should be zoned NL-2. Building height should be similar to Daisy Bush
- We need sidewalks in East Jackson.
- Density should be in urban core, not East Jackson.
- NM-1 would be a better fit for East Jackson.
- NH-1 should be adjacent to CR3 for services.
- Remove NH-1 from May Park area. Remove ARUs from periphery.
- Keep NH-1 in transitional neighborhoods. Close to services in midtown, central midtown, and commercial and residential areas just south of Y as stated by the community.
- Remove NH-1 from E. Jackson. Change it to NL-4.
- Support moderate density like Daisy Bush examples. Return to that concept for the East Jackson area in question.

- Change East Jackson NH-1 to NM-1, moderate density with multi-family duplexes.
- LSR % is too big still. We need housing NOT grass.
- Current density and height of neighborhood. Build street and sidewalks first.
- Make 3 units allowed but not required.
- Transitions between low and high density - i.e. no cliffs.
- Build a tunnel.

CR-3

What I like

- Like increased FAR.
- Appropriate area for high density.
- Increased FAR is awesome. Height should be further increased.
- Seems appropriate with amenities in this area.
- High density localized to busy area of town with good walkability and grocery stores etc.

What I don't like

- Certainly, no guarantee that apartments will be bought/rented by employees. Highly likely to be bought by fly-in owners from urban areas served by airport. A very nice spot to vacation!

What should be improved

- Increase height further and FAR so developers build something with the ridiculous employee housing requirement.
- Greater setbacks with higher heights. Otherwise the entrance to quaint Jackson will be a shady canyon of tall apartments.



April 12 Public Open House Comment

Housing Mitigation LDRs & Town Zoning Update

4/12/18

April 12, 2018, Teton County and the Town of Jackson jointly hosted a Public Open House to gather public input on the Engage 2017: Housing Mitigation Requirements and Town Zoning – Districts 3-6 Updates. The Open House was held at the Snow King Grand View Lodge from 12 pm to 8 pm. The structure of the Open House was self-guided, allowing participants to review 21 informational boards on the two updates at their own pace. Planning Staff was present to answer questions.

80-100 people attended and provided their comments. Staff solicited comments by asking participants what they liked about the updates, what they did not like about the updates, and what should be improved. These comments are shown below for the Districts 3- 6 LDR update:

District 3-6 Policy Direction Reaction

What I Like

- More density for deed restricted housing in commercial core.
- We need the cheapest housing closest to the low wage jobs. Keeping it out of rural neighborhoods reduces traffic.
- Transfer/Movement of units from rural areas.
- Protecting Cache Drainage.
- Allowing for creative housing solutions in East Jackson.
- Encouraging traditional roof styles, increasing height restrictions.
- Additional height and bonuses for employee housing development.
- Like the 2:1 bonus and ability to utilize "unused box"
- Increased height, no/limit box buildings. 2:1 bonus.

What I don't Like

Density

- To make it fair, housing should not be crammed into town. Already dense and crowded - no parking available and streets are crowded.
- I would like to see more housing in the "rural" areas so that we don't add too much volume to low density neighborhoods.
- Density in town keeps traffic density in town and unlivable to some extent. Those in rural areas are being selfish.
- Keep Aspen Dr. and Pine Dr. NM-1 (NC-2) and not upzone to NM-2.

Form

- Pushing volume under flat roofs. Flat roofs are out of character in places with snow.
- 5' setback on side for ARUs that are ≤ 14' tall. What about snow shedding for and storage? In old stable neighborhoods (now NL-2)

- I do not want 35' (NM-2) high buildings in my neighborhood which is NC.
- Dense, tiny homes become shanty town.

East Jackson

- I do not understand how the lot to the north of Daisy Bush which is a very stable neighborhood can be upzoned to the highest density. There are no sidewalks. The roads are narrow.
- There are no grocery stores, restaurants, etc. in East Jackson. We are as close as you can get to wilderness over there. The lines drawn are very "interesting" to say the least.
- Increased density near existing Forest Service houses impacts already problematic parking on Nelson Dr. – Narrow.
- Increased density on Nelson Drive is not consistent with existing neighborhood. Too much traffic on small roadway without walking convenience.
- Remove May Park surround areas from NH:1. The streets are too congested already and adding hundreds of units is not sustainable. Continue moderate density goal.
- Too dense! Will impact East Jackson regarding too many cars, traffic, and buses.
- East Jackson Zoning changes to increased density do not preserve environment concerns and are not near "walkable" areas.
- Bad idea to add density to east side periphery forcing traffic through quiet neighborhood streets.
- Traffic and excessive speeding on Simpson Ave. will most certainly increase with additional building at the end of Nelson. There are a large number of young children in this neighborhood.
- Upzoning Nelson Dr./May Park area from stable to unstable does not make sense. Majority of all land is fully developed already w/ stable families, good quality homes, and appropriate environmental standards (green space, green roots, permeable driveways). Large complex development does not match these uses & stability.

Other

- How to make sure the unrestricted additional bonus of residential units is for workforce vs. those out of state investors who want low cost spot to ski, fish, etc. for weekends and vacations?
- Winter on street parking - we need it! Just alternate sides of street each day like other ski towns do.
- Has there been any long-term buildout study regarding what infrastructure costs will be - schools bridges (including repairs of existing as they age), sewer, water, treatment. And where space and money will come from. More "family" housing equals more schools. How about local play grounds? Also, traffic studies. Even if local people still walk to shops etc. What will be changes in commercial types - Big box stores for more homeowner needs as population expands. How big a population increase (x*1800 Units vs. 20,000 in County now = big %). And blocks to movement of remaining wildlife e.g. mule deer from butte to Cache / Flat Creeks with obstruction of intensified density.
- With upzone we get no trees, no shrubbery.

What I would Improve

Density

- Would like density to go down Broadway etc. Do we really want so much density - Impacts on wildlife as well as out quality of life.
- Higher density along corridor - agree to 4th floors in higher density areas.
- Eliminate Nelson Dr. area (May Park Area) from NH-1 updates.
- Eliminate NH-1 from May Park area.
- This kind of density should be in urban core not periphery neighborhood.
- Continue moderate density like Daisy Bush on Nelson
- Buildout with infrastructure costs- Money and space needed. How many more people with 1800 new units? 3-5000? Show from street level perspective what density.

Accessory Residential Units

- Eliminate ARUs from Town periphery.
- Eliminate ARUs in East Jackson and Town Periphery.
- ARUs should be allowed at 750-800 sf max (if within the overall FAR and parking requirements). 500 SF is too small for a family. Accordingly, why is a home office allowed at 750 sf? This encourages 'breaking the rules', i.e. use home office as ARU (enforcement required!).

Form

- Height of 25' is sufficient to not block views.
- 30 ' max height on flat roofs/any roofs should remain.
- Boxy house design is an urban architectural pattern. Steep roofs are historically a rural architectural pattern. Why punish flat roof design over pitched roofs?
- Too dense. Can't sustain this level of growth.
- Every one of the units moved from County to Town should be workforce deed restricted.
- If the entire purpose is to provide workforce housing, then require restrictions for any bonuses.

Flexibility

- More flexibility in tiny home definitions - allow for creative housing solutions.
- Parking standards need to be more flexible. FAR should be increased. Bike paths are critical. Allow tiny home.

Other

- What happened to NC-2? Is there a zoning tool that allows for a lot split? If not, why?
- Increase 20% limit on expanding non-conforming properties. Right now, it is nearly impossible to buy a 3-bedroom house in town for under \$1M. Restrictions and setbacks make home ownership completely unrealistic for middle class families.
- Keep the PUD tool. Too many zone types - SIMPLIFY! It appears that zone types are related to historically what is there, not what is desired as town evolves.

Zone Specific

NL-1

What I like

- Limiting to single family where already existing.
- I like ARUs.
- Like that NL-1 serves as transitional areas to more rural or forest or county.

What I don't like

- Increasing lot size to 1 acre does not seem to be in character with the neighborhoods in which it is proposed.
- Reduction of lot sizes.
- Don't like reducing minimum lot size. Keep 12,000 instead of 1 acre.
- I do not agree with the 1-acre lot size minimum. Especially area west of Upper Cache on South side area. This area is already high in density.
- I really don't like shrinking lot sizes and roof height regulations. You are hurting my property value. This should be illegal!
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- Why should my neighbor who just built a flat pitched roof get more space than me?

What should be improved

- Increase FAR to .45
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- Increase height allowances and don't decrease lot sizes.
- Keep minimum lot size. This type of home/land is suitable for the local middle class.
- Keep minimum lot size. Reduce FAR and setbacks for nonconforming properties so that middle class families can afford to modify existing single-family homes to 3 bedrooms for <\$M.

NL-2

What I like

- I like allowing ARUs.
- I like ARUs.
- ARUs are great.
- Not allowing detached ARUs on lots that are less than the minimum lot size.
- This is a great way to add density at a reasonable level to established/ stable neighborhoods.
- NL-2 and NL-3 help increase density while maintaining a neighborhood feel.

- Single family

What I don't like

- Area for wildlife crossing.
- 5' setback on side yard for accessory structure less than 14'.
- ARUs are bad in east side. Too much density, too far from services.
- Decreasing roof heights and shrinking the development potential of a house. Why? Let's house people.
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- Zone the mobile home park NM-2 or NH-1.
- Add more FAR for ARUs so people do not have to lose square footage on their home.

NL-3

What I like

- Flat roofs are out of character. Is good to disincentivize.
- Like no curb cuts if there is an alley.

What I don't like

- ARUs should align with scale of home office (750 sf).
- Car access should be from street and alleys - alleys can't handle all the parking.
- This area should be NM-1, not NL-3
- Don't lower roof height.
- Don't lower roof heights. Why?
- Don't lower roof heights. Keep 30'.

What should be improved

- Don't shrink roof heights, make buildings taller!
- Keep roof height the same.
- NL-3 should be allowed 3 ARUS given location on alleys.
- 500 sf is small for an ARU. If 2, how about total of 1000 Sf, i.e., 1 @ 400 sf and 1@600 sf etc.

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What I don't like

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- Don't like lower roof height.
- NM-1 - Do not allow split lots to allow 4 new units. Too dense. Destroys neighborhood.

What should be improved

- Keep roof height.
- Keep roof height. Owner occupied only affordable.
- Keep roof height.
- Keep 28' roof height.
- If you allow upzone - only owner occupied affordable housing.

NM-2

What I like

(None submitted.)

What I don't like

- Really only benefits the real estate agent and large builders.
- Too high in a neighborhood currently occupied by single-family homes.
- Buildout of 2-3 lots would resemble a hotel and not homes.
- With upzone, we will lose trees and shade, less permeable ground.
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- I don't like requiring 3 units.
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-
- Placing NH-1 in this location is entirely counter to what the town states "will any additional 1,800 be put into Stable single-family homes." You have put NH-1 right in the middle of Daisy Bush and single-family homes. This is horrible city planning. This would make this stable neighborhood LESS walkable and decrease the pedestrian experience. If the neighborhood character is important, placing a NH-1 designation here is poor planning. This potential NH-1 spot zoning for that large lot on Nelson would absolutely change the STABLE character of the

Nelson/Rancher Daisy Bush neighborhood. Also, this area of town is a huge wildlife corridor. This potential influx of cars and people would be devastating on the animals at the edge of town. This NH-1 proposal does not meet your own guidelines, it is not good urban planning, it is not smart growth (not near stores, etc.). This is spot zoning plain and simply to take advantage of an undeveloped parcel.

- Nelson Dr./ Rancher St. would need serious evolution for traffic flows. Daisy Bush is a great example of "good" density. Forest Service Parcel should not be NH-1. It could prove to be a huge problem in the future.
- Far East Jackson not the place. Too far from services.
- This zoning would completely change the 'character' of the Nelson/Daisy Bush neighborhood.
- Nelson Dr. cannot handle this density. It is a narrow street with a blind "S" turn. We have no sidewalks and no amenities in walking distance. Some density is ok but not NH-1 in a "STABLE NEIGHBORHOOD".
- East Jackson - Nelson Dr./Daisy Bush is a "STABLE NEIGHBORHOOD". Changing to high density would change the character of the single-family homes. There needs to be improvement to streets and sidewalks to support the increased traffic. Also, no services!
- Nelson Dr. not equipped to handle this density. Town infrastructure first. Height too high.
- "May Park." I question the transitional designation for the area north of Wheatleigh.
- I feel this is far too much density for the lots next to Daisy Bush and Putt Putt trailhead. NL-2 is better.
- Nelson Dr. is already overused as a parking lot in summer. It has more traffic than most places due to people accessing the trailhead. It is not wide enough to accommodate its current load. Adding more density is an absolutely terrible idea.
- NH-1 on Nelson/ Forest Service is drastically different from current neighborhood. Current roads cannot support the density. Removes proposed units from amenities.
- NH-1. No high density on Nelson Dr. Neighborhood is comfortable.
- Too dense for East Jackson! Rancher & Simpson can't absorb that kind of traffic.
- NH-1 seems way too dense and tall for Nelson and Forest Service lot.
- No NH-1 should be allowed in May Park area. Terrible planning mistake to put density in periphery of Town.
- High density housing at a "dead end" of Jackson does not make sense. No access to amenities/necessities and over a mile from town core.
- Having high density housing behind low density areas increases traffic/parking in the low-density areas.
- This is not a high-density area, protect our wildlife protect our trails, protect our children, protect our families, please save our beautiful neighbors and neighborhood.
- Too dense!
- May Park neighborhood zoned NH-1 is not near (walkable) services i.e. Grocer, jobs, schools, etc. Contrary to good planning.
- NH-1 E Jackson is too much density. Especially the Forest service land and land surrounding May Park and Daisy Bush.
- May Park area is "STABLE"

- Please, please, please please, leave the NH-1 area in E. Jackson as it is. The traffic and excessive speed on Simpson and Hansen are already bad. The thought of all of these new vehicles is terrifying to a parent of a young child. I have worked hard and invested substantial savings into my home based on the current zoning and charm.
- Road and sidewalk master plan would be necessary before higher density should be approved. Contradicts planning department and goal of keeping wild life corridors and green space in peripheral areas of Town.
- Inappropriate density in the May Park neighborhood! *Neighborhood defined as stable low density going to highest density below commercial?
- Daisy Bush, Nelson, May Park, especially Forest Service area does not need high density. Very poor planning. Homes for families -yes. Housing for transit dorm style - NO!
- I oppose NH-1 zoning for the Daisy Bush Neighborhood and lot to the North. Daisy Bush is high density as it is, and I would support something similar. However, upzoning to the highest density in this STABLE neighborhood does not make sense. The lack of amenities, sidewalks, sufficient, parking would be exacerbated by adding so much density. Also, the proximity to Forest Service Land and being on the very edge of Town. To me, this does not make sense.
- The Town should adjust the proposed zoning for the areas of the 1. Daisy Bush development north to Broadway and 2. The USFS property at the Putt-Putt trailhead to NL-2 zoning. This zoning allows standard town lot sizes (7,500 sq. ft.) with a single house plus one accessory unit per lot. We believe this is the most consistent with the surrounding neighborhoods.

The Supporting Arguments:

1. The proposed zoning for our neighborhood does not meet the town's own guidelines.

The town identified the "May Park Area" as a "stable neighborhood". Town planning documents state that stable neighborhoods should be converted to lower density zoning (NL-1 to NM-1). This is done to help protect existing development character and increase wildlife permeability as set out in the Comp Plan. Instead, town has proposed the highest non-commercial density available (NH-1) for this neighborhood even though it is intended – according to the town – for use in "Transitional neighborhoods" (not stable). This is a stable neighborhood as determined by town planners and should not be zoned as a transitional neighborhood.

2. The proposed zoning for this neighborhood is not good urban planning.

The new zoning has the potential to add 48 2-bedroom units on the vacant Nelson Dr. property. That could add ~200 additional people to a stable residential neighborhood. The USFS property would add exponentially more if redeveloped. Proposed parking regulations will only require 1.5 parking spots per 2-bedroom unit and the remaining cars (up to ~150 since the reality is people need a car in this periphery neighborhood) would flow onto surround streets creating dangerous pedestrian conditions for local residents, children and those accessing the population Putt Putt trailhead. Nelson Dr. is extremely narrow and was designed to support low to medium density neighborhoods. It is already overwhelmed with traffic and on-street parking during summer months. Any consideration for a zoning increase of this magnitude must include a complete redesign of the street – a "complete street master plan" – to support the pedestrian and traffic count that will be generated from the increase in dwelling units anticipated.

3. The proposed zoning for this neighborhood is not smart growth.

The town wants to create “walkable neighborhoods”. High density seasonal workforce housing should be located where tenants can access grocery stores, restaurants and bars within a short walk – not in stable residential neighborhoods. Town should focus density into the urban core– not the periphery that is furthest from any of these amenities. There are no sidewalks currently on Nelson Dr. and none are in the works. There is no connectivity to any other major sidewalk area. This will force all foot traffic through the Daisy Bush subdivision and other low-density neighborhoods on Rancher and Simpson as there is no other alternative to access bus stops, etc. any consideration for a zoning increase must include a “sidewalk master plan”.

4. The proposed zoning for this neighborhood is ‘spot’ zoning.

The allowable height and density of the buildings proposed is not in character with the surrounding residential neighborhood. Thirty-nine-foot buildings will fracture segments of the neighborhood which are restricted to 26 or 28 feet in height with mandated green/open space. This proposal meets the definition of “spot zoning” to take advantage of an undeveloped parcel. James Morris, 20 Nelson Drive.

- Please look at the logic of this document for the NH-1 zoning change at the May Park zone (referring to Morris’s comments) Tim Grimes, Nelson Dr.
- Agree with these points (referring to Morris’s comment). Jeff Golightly, 855 Wheatleigh
- I agree with all of these points (referring to Morris’s comment). Amy Golightly, Wheatleigh Way
- I agree with all points noted here (referring to Morris’s comment). Debbie Hedges, 840 Wheatleigh Way.

What should be improved

- Zone "May Park" area at USFS parcel & Daisy Bush to the North NL-2.
- This is not a walkable neighborhood. Workforce housing should be near grocery stores, bars, restaurants.
- Lot north of Daisy Bush to Forest Service should be zoned NL-2. Building height should be similar to Daisy Bush
- We need sidewalks in East Jackson.
- Density should be in urban core, not East Jackson.
- NM-1 would be a better fit for East Jackson.
- NH-1 should be adjacent to CR3 for services.
- Remove NH-1 from May Park area. Remove ARUs from periphery.
- Keep NH-1 in transitional neighborhoods. Close to services in midtown, central midtown, and commercial and residential areas just south of Y as stated by the community.
- Remove NH-1 from E. Jackson. Change it to NL-4.
- Support moderate density like Daisy Bush examples. Return to that concept for the East Jackson area in question.

- Change East Jackson NH-1 to NM-1, moderate density with multi-family duplexes.
- LSR % is too big still. We need housing NOT grass.
- Current density and height of neighborhood. Build street and sidewalks first.
- Make 3 units allowed but not required.
- Transitions between low and high density - i.e. no cliffs.
- Build a tunnel.

CR-3

What I like

- Like increased FAR.
- Appropriate area for high density.
- Increased FAR is awesome. Height should be further increased.
- Seems appropriate with amenities in this area.
- High density localized to busy area of town with good walkability and grocery stores etc.

What I don't like

- Certainly, no guarantee that apartments will be bought/rented by employees. Highly likely to be bought by fly-in owners from urban areas served by airport. A very nice spot to vacation!

What should be improved

- Increase height further and FAR so developers build something with the ridiculous employee housing requirement.
- Greater setbacks with higher heights. Otherwise the entrance to quaint Jackson will be a shady canyon of tall apartments.

From: Barry Griest
To: [Pete Muldoon](#)
Cc: [Jim Stanford](#); [Hailey Morton Levinson](#); [Bob Lenz](#); [Don Frank](#); [Tyler Valentine](#); [Tyler Sinclair](#); [Paul Anthony](#)
Subject: 540 Cache Creek Drive
Date: Sunday, April 08, 2018 5:52:31 PM

Hello Mr. Mayor, Council and Planners,
My wife and I live at 540 Cache Creek Drive. We've lived here for the past 17 years. We've been valley residents for 28 years. We would like to ask for a change to the current preliminary direction of the proposed zoning in this area. We would ask to create a sub-zone or separate zone for the area south of Cache Creek Drive that's west of Upper Cache Creek. It would be similar in all respects to the current proposed zoning, except that the lot size minimum are .5 acre rather than 1 acre. With the justification being that this area does not have the wildlife permeability concerns of the rest of the zone.
Also, there is higher density all around us. There are 1/3 acre lots to our east and west. Very high density to the north. We ask that this be something you will consider.

Thank You,
Barry and Linda Griest

--

Barry Griest
B Griest Construction
307-690-1774



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From: Dick & Linda Martin
To: feedback@jacksontetonplan.com
Subject: comments on April 12, 2018 meeting
Date: Monday, April 16, 2018 3:02:29 PM

Tyler Sinclair
Head Planner
Jackson/Teton County

Tyler:

The following comments are meant to be productive, but straightforward regarding the plans for workforce housing and mitigation fees imposed on property owners in the Town and County:

We have resided in Teton County for over 50 years and have observed many attempts by various local government entities to solve affordable housing issues here, and to be honest, the ability to do so is seldom a success. The basic problem is the “choice” of creating open space by restricting development on private property by zoning, or land trust by willing land owners. Or, allowing these private land owners to develop their lands for housing and continue with residential building to expand outside of the commercial areas i.e. South Park and beyond, as well as west of Jackson.

The expansion view has been met with strong resistance from special interest groups and NIMBY’s for many years now and the large property owners have made few inroads, since the development of Rafter J, Cottonwood Park and Melody Ranch, and these developments are no longer affordable. It is hard to see that this situation will change with the limited land that is available, plus wildlife concerns over human needs. Even if zoning were to relax and let larger land owners subdivide and the community approved of some dense zoning for affordable housing, we are not sure how much would be affordable since even with a small lot, the cost of the lot and building the house may still be unaffordable.

Affordable housing in Teton County is not possible for most service workers without being subsidized, unless the Community is willing to get behind well planned mobile home parks, allowing large property owners to lease a portion of their land for a smaller subdivision with smaller housing sites thereby building a home without the large expense of the land purchase, and the landowner avoiding capital gains taxes, or perhaps finding an inholding in the forest service to do a land swap for land bordering town to be used for affordable housing or a mobile home park. In addition, perhaps,(don’t know) the Land Trust or some other land holding entity may have the ability in some remote corner of a parcel in trust to allow a small subdivision, thereby giving back to the community.

There are limited variations to assist in affordable housing, but rather than jump into a plan that punishes current land owners by outlandish mitigation fees, let's look a little harder for the answer. It seem totally out of the question to punish long time land owners, whether in town or in the county with a fee so large it makes any deal upside down. Many of the long term members of this community have held their land for years through thick and thin as an investment for retirement, and then it comes the time to sell or improve their existing structures on their land and the mitigation fee is so large it makes it impossible to do either; unintended consequences can be very cruel.

As a landowner, it is almost impossible to do long term planning for our land, as the zoning changes almost every time the elected's change. First, you are conforming, then you are non-conforming and yet you have not moved a building. We have paid hundreds of thousands of dollars in property tax on our commercial property and we cannot even vote for town management as we live in the county.

Another thought, it seems that paying for commercially priced property to build residential housing on is not the best use of our money, We know, some feel the need for everyone to be able to walk to town shopping, but then, they may have to drive to the village or another location outside of town for work.

We're also a little curious as to what Teton Village requirements are for housing their employees. We are familiar with the housing behind K-Mart for some Village employees, but are concerned that the Town of Jackson is being unusually burdened by employees needed for the larger homes & business in the Village & on the Village Road. We'd be interested in the breakdown of employees by Town businesses and Village businesses.

We have other concerns, but felt these were the major points. Thanks for the time spent with us on Thursday.

Dick & Linda Martin

April 5, 2018

Jackson Mayor & Town Council
Teton County Board of County Commissioners

Dear Mayor, Councilors, and Commissioners:

We appreciate the opportunity to comment on your FY18-19 workplan. As you build the Planning Department work plan and budget for the coming year, we have three requests:

1. Please prioritize Town natural resource protections in FY18-19
2. Please bring back two staff positions: a natural resources / biology expert and a Teton County Scenic Preserve Trust coordinator
3. Please include time and money to participate in or lead a county-wide Conservation Action Plan or cumulative impact study.

Please prioritize Town natural resources protections this fiscal year

First, thank you for prioritizing the County natural resource protections update in the current and past year. We are glad to be a part of the natural resources stakeholder group and we appreciate planning staff's hard work. Improving the *Town* natural resource protections is also critical. Just two salient examples: bears get into unsecured garbage cans in Town and are killed¹, and polluted snow piles are pushed or melted into Flat Creek, degrading water quality. It doesn't have to be this way.

We understood from planning staff that as soon as the County land development regulations were done, the Town would then jump right into creating parallel LDRs, which would maybe take another six months. We are therefore very surprised to see the Town natural resource LDRs scheduled for mid-FY19-20 on your 5-Year Work Plan – meaning the Town won't even start work on natural resource protections until early 2020. If we wait another year and a half to start this work, we'll lose all the momentum the natural resource stakeholder group has built up over the past year, and more bears could needlessly die.

Please move this important effort up the priority list so that it begins in early 2019, soon after the County natural resource protections are adopted.

Please hire additional natural resources staff

The natural resources stakeholders group has broad interest in the county hiring additional staff to implement the core of our Comprehensive Plan: "preserve and protect our area's ecosystem." We are grateful for the work that your staff already do on behalf of the ecosystem, and we know some planners have backgrounds in natural

¹ "Apathy kills town bear," *JH News & Guide*, October 26, 2017.

http://www.jhnewsandguide.com/news/environmental/apathy-kills-town-bear/article_07fe3a1f-2f79-57db-b6cc-acdd10f59632.html

resource management / biology. However, there is no position focused on natural resources or conservation.

Additionally, there is no staffing for the Teton County Scenic Preserve Trust (TCSPT), which is an important public complement to the excellent private work of the Jackson Hole Land Trust. The 2018 Indicator Report identifies TCSPT accepting new easements as a key “next step.” A new staff member would greatly increase the County’s capacity to effectively administer and encourage new easements in locations of high wildlife habitat and scenic value.

The County had both of these positions until the Great Recession. We have been out of the recession for many years now, and our development market is very hot. *We support bringing back these positions and their capacity to protect our wildlife, their habitat, and the health of our ecosystem.*

Please help create a Countywide Conservation Action Plan

Our Comprehensive Plan vision to “protect and preserve the area’s ecosystem” is bold and visionary. However, it is extremely difficult to know whether we are actually making progress towards this vision. We applaud your yearly Indicator Reports – but many indicators lack *measurable goals*. For example, we measure acres conserved but we don’t know how many acres we *need* to conserve. In contrast, this is not the case for housing: we can measure how we’re doing compared to the clear and measurable goal of “65% of our workforce lives locally.”

Since we don’t have goals for conservation, it is hard to know whether efforts like the natural resource protections will succeed – we don’t know what success would look like. A countywide Conservation Action Plan, parallel to the Housing Action Plan and Integrated Transportation Plan, would help the County, the public, and conservation organizations work together more effectively. It could be a County-led or community-led effort; either way, we need the County’s expertise and involvement.

A Conservation Action Plan would include at least two core elements:

1. **Clear and measurable goals**, like the 65% housing goal, so that we know what we’re working toward and if we’re making progress. These should be based in the good work done to date, such as the Focal Species Habitat Map; one example could be “preserve X% of high-tier wildlife habitat.” Goals should be relevant, achievable, and measurable.
2. **Strategies and tools to help us achieve our goals**. Again, similar to the Housing Action Plan: first set goals, and then outline tools. We have many conservation strategies and tools in place. But are they enough to accomplish our goals? If not, what additional strategies do we need? One tool called for in the Comprehensive Plan is a sustainable funding source for conservation

(1.4.S.4). Let's consider our options and identify the most promising funding source. And, what other non-funding strategies should we develop?

The 2018 Indicator Report also highlights the need for the Comprehensive Plan strategy commonly referred to as a "cumulative impact study" (Policy 1.1.e and Strategy 1.1.S.3): "Last year, this Report identified a need to conduct more research on the health of the Greater Yellowstone Ecosystem. This remains the case this year. A cumulative impacts study will help us better understand the impacts of development and population growth on our ecosystem, help us develop better indicators of ecosystem health, and indicate which natural resource protections have the most impact."

Creating goals, tools, and a measurement/monitoring system will give us a much better chance of preserving and protecting our area's ecosystem. We respectfully request you include some form of these efforts in the FY18-19 workplan.

As is evident throughout the Comprehensive Plan, our community benefits from and deeply values our wildlife and open spaces. We believe prioritizing Town natural resource protections, hiring additional natural resources staff and creating a Conservation Action Plan will lead to even better protection of our area's ecosystem.

Please be in touch with any questions and consider us ready to help.

Sincerely,



Skye Schell

Executive Director

Jackson Hole Conservation Alliance

From: Barry Griest
To: [Pete Muldoon](#); [Jim Stanford](#); [Hailey Morton Levinson](#); [Bob Lenz](#); [Don Frank](#); [Tyler Valentine](#); [Tyler Sinclair](#)
Subject: New Proposal and Moratorium
Date: Tuesday, March 27, 2018 6:44:00 AM
Attachments: [Griest Letter from Rendezvous Engineering 2009.pdf](#)
[Griest contract Cancelation taking out buyers name.pdf](#)

To: Mayor Muldoon, Town Council, and Town Planners

From: Barry and Linda Griest
540 Cache Creek Drive
Jackson, Wy 83001

We strongly disagree with this proposal and the moratorium that stopped us from moving forward with a lot split. We have been residents in Jackson for 28 years; moving to this location at 540 Cache Creek Drive in 2001. My wife is a nurse. I am a carpenter. Every dollar we make has been made and spent back into this community of Jackson. We feel we have been outstanding contributors to this community. Linda is an R.N. and has worked at St. Johns and as a private nurse for the residents of Jackson for the last 28 years. I have built many exceptional homes that, too, has added to the community. We have raised 4 children here.

Our entire life investment is in our personal home. Our house is very run down. Our plan has always been to hold on til our last child graduated high school, then downsize and stay in this community. Our house was to be our retirement; the only retirement we have as the money that we earned was just enough to buy this house and send our children to college. The hard working middle class rarely qualifies for housing or educational subsidies nor the luxury not to plan ahead. Our last child graduated high school in 2017, so as planned, our home was listed for the first time in late February., Our house went under contract March 1.

We believe our location and lot should not have been a part of the moratorium. We have many reasons that we would like to bring to your attention. We are asking you to re-consider the moratorium involving our personal residence. We have been climbing a tough ladder in this town for the last 28 years. We have done what it takes to survive here. We have lived in campers and cabins, and houses that were in the middle of being built all while raising 4 children who were born here and working not full-time, but overtime.

From attending the meeting held on March 21st, and reading the paper, we gather that the moratorium was put into place aimed at much larger projects requiring higher density housing regulations. It does not seem our lot fits into this criteria and do not believe it was your intention to target this type of family lot split. Our lot is in a location that is surrounded by small lots. There are 2 small lots bordering us to the east, 3 small lots bordering directly to the west, then 2 lots next to it; Love Ridge next to this. There is a row of 50 x 150 ft lots directly in front of us that we see out of our front window. We are an oddity and no longer fit

into the neighborhood. I invite you to look at a map, our lot simply does not belong here. We should have at least two, 1/2 acre sites. There is density all around us.

We are asking for an exemption from the moratorium and proposal. Our lot has been negatively impacted more than any other in this zoning. We bought our house in 2001 knowing we could divide it someday. We are asking for equal consideration as a hard working middle class family. We feel we are collateral damage and the consequences have been especially severe for us.

We began our lot split procedure in 2008. It was approved and effective through 2012. At the time, reassurance was given to us that it could be extended. The recession hit us very hard. We simply had no funding to proceed. We were forced to stop until the economy improved. We have always known legally we could have our 1.06 acre lot subdivided into 2 or 3 lots like every other lot that surrounds us here. Our property was under contract to be sold. The contract was to be closed April 10th. The contract was voided 2 days after our lot was included in the moratorium. We are asking for your help to figure this out and to have more than an 1.06 acre lot.

AS elected officials, we are asking you to please take the time and consider our case closely.

Thank you,
Barry and Linda Griest

From: Barry Griest
To: [Pete Muldoon](#)
Cc: [Jim Stanford](#); [Hailey Morton Levinson](#); [Bob Lenz](#); [Don Frank](#); [Tyler Valentine](#); [Tyler Sinclair](#); [Paul Anthony](#)
Subject: 540 Cache Creek Drive
Date: Sunday, April 08, 2018 5:52:31 PM

Hello Mr. Mayor, Council and Planners,
My wife and I live at 540 Cache Creek Drive. We've lived here for the past 17 years. We've been valley residents for 28 years. We would like to ask for a change to the current preliminary direction of the proposed zoning in this area. We would ask to create a sub-zone or separate zone for the area south of Cache Creek Drive that's west of Upper Cache Creek. It would be similar in all respects to the current proposed zoning, except that the lot size minimum are .5 acre rather than 1 acre. With the justification being that this area does not have the wildlife permeability concerns of the rest of the zone.
Also, there is higher density all around us. There are 1/3 acre lots to our east and west. Very high density to the north. We ask that this be something you will consider.

Thank You,
Barry and Linda Griest

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Barry Griest
B Griest Construction
307-690-1774



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- [illegible]

Scale 1 : 740
Greenwood Mapping, Inc.

115

Nelson Dr

USFS

Wheatleigh Way

Dylan Dr

Long: -110° 44' 40.8" Lat: 43° 28' 41.9"
 Long: -110.7447° Lat: 43.4783°

NAD83 UTM Zone 12
 X = 520649 Y = 4813962

Scale 1 : 740
 Greenwood Mapping, Inc.

1 Parcel(s) [Zoom to parcel\(s\)](#)

- Parcel: 22-41-16-34-1-00-001
[Clerk's Land Records](#)
- Account Num: R0005944 [Property Detail](#)
- Tax ID: OJ-001547 [Property Taxes](#)
- Owner: HAWTIN LLC
- MailAddr: PO BOX 1682
- MailAddr: JACKSON, WY 83001
- StAddr: 115 NELSON DRIVE
- Deed: 829 WDNS 538-539
- Location: PT NE1/4NE1/4 SEC 34, TWP 41, RNG 116.
- TaxClass: Residential
- Acreage: 1.33

From: Bruce Hawtin
To: [Pete Muldoon](#); hmortonlevinson@gmail.com; blenz@towncouncil.com; [Jim Stanford](#); [Don Frank](#)
Cc: [Tyler Sinclair](#); [Alex Norton](#); [Paul Anthony](#)
Subject: 115 Nelson Drive
Date: Thursday, March 29, 2018 4:03:42 PM

Dear Mayor Muldoon, Town of Jackson Town Council, Town of Jackson planning Commission,

The HawtinLLC owns a 1.33 acre piece of property at 115 Nelson Drive. I am enclosing vicinity map, and an aerial view of that property. The aerial view shows buildings, diseased trees, and other debris that have now been removed. The zoning recommendation for that property is Neighborhood High Density, NH-1. We are asking that that recommended zoning be changed to Neighborhood Medium Density, NM-1.

To reinforce our request, I would like to share with you the surrounding neighborhoods adjacent to our property. On the south side is the Daisy Bush Subdivision consisting of two story single family and duplex homes, On the west side is a two story six unit townhouse project. On the north side are some of the oldest homes in east Jackson the majority of which are single story on smaller lots.

Here are some details concerning the recommended Neighborhood High Density NH-1 Zone. First off, 115 Nelson Drive is in a stable zone and not a transitional zone as mentioned in the documentation. In the "Intent" paragraph describing NH-1, it states, "Care will be given to ensure that new development respects and enhances the character and cohesiveness of the existing residential neighborhood." It goes on to state that, "Buildings can be up to three stories in height, with a maximum height of thirty nine feet. with single or multiple detached buildings, each building with multiple units. Under the "Allowed uses section", there is a long list of possible commercial uses. Single family homes are not allowed.

We feel the Neighborhood Medium Density NM-1 zone is more appropriate for our property. In the intent section for this zone it states, "The intent in the NM-1 Zone is to recognize the existing residential neighborhood character while allowing flexibility in design and ownership for family detached, duplex homes, and accessory residential units on smaller lots, where feasible." This section goes on to say that other multiple unit buildings are allowed. The point being that density can be increased over the current SR zoning but at two stories and in keeping with the existing neighborhood.

There are other properties in the Town of Jackson where the NH-1 Zone is appropriate. We feel that 115 Nelson Drive is not one of those properties. We think this request for a zone change is very reasonable and we know we will receive a fair and comprehensive review and we look forward to your response.

Best Regards,
Carolynn and Bruce Hawtin
690-1124 690-1125

From: Astoria Fine Art
To: [Pete Muldoon](#); [Jim Stanford](#); [Don Frank](#); [Hailey Morton Levinson](#); [Bob Lenz](#)
Subject: comments on paid parking
Date: Wednesday, November 15, 2017 2:44:51 PM

Dear Mayor Muldoon, Vice Mayor Stanford, and Town Council Members:

I understand that the Town is considering paid parking options on or near the Town Square. As a business owner located directly on the Town Square, I would like to relay my firm opposition to this idea.

You are no doubt aware of the demise of downtown areas in communities, both small and large, across the country. Why put up any hurdles whatsoever to having both visitors and locals visit downtown Jackson? Why make downtown Jackson less inviting, when your job should really be to make it more inviting? Why chase local shoppers to areas like Idaho Falls or to online retailers? I can attest to firsthand observations that “locals”, both year-round and second homeowners, are avoiding the Town Square more and more (particularly during the busiest of seasons). Please don’t add to the list of reasons for our residents to avoid keeping business local. People do not like being nicked and dined. Would you put up a \$1 roadblock to several hundred or thousands of dollars in sales tax revenue? I certainly hope not.

More to the same point, you are no doubt also aware of what is being described as “retail armageddon”? Retailers and small businesses are struggling to keep up with internet sales and the Amazon’s of the world. Yet, local governments make steps that may harm local retailers and make their commercial core a less desirable place to visit? You can chase business to tax-free online retailers, or you can work with your local retailers (who employ hundreds of local citizens) to attract more visitors.

I would contend that the sales tax generated by having a welcoming and vibrant downtown area will far surpass any revenues created by parking fees.

In summary, please do not create any hurdles to local business and do not experiment with a downtown Jackson that is currently very successful.

Regards,

Greg Fulton, owner

Astoria Fine Art
On the Town Square
Jackson Hole, Wyoming
307-733-4016
www.astoriafineart.com

From: Taylor Glenn
To: [Town Council](#)
Subject: Daisy Bush / May Park and surrounding zoning
Date: Thursday, April 12, 2018 5:55:41 PM

Greetings,

I just learned of the town's consideration of rezoning the Daisy Bush and May Park Area to allow for more density. I understand the need for housing more people here in Jackson but this area is already very heavily used as it is. Allowing for apartments or dorms in this particular area would not follow the goals set out in the comp plan. I think there is room for lighter density options that would offer a better solution than what is being considered. Nelson Dr is a very narrow street and during the summer months it is a parking lot for all the residents currently living in this area. And because of its access to the trails it is a very high traffic zone as much of town uses the parking and trailhead. Adding apartments, townhomes, or any structures without adequate parking is a terrible idea. It is already strained as it is. Increased wildlife conflicts would also be a concern. This area is also not located close enough to the downtown to be considered a viable pedestrian area. There are no sidewalks and the streets are just too narrow as is. I hope the council will reconsider the zoning designation of this area to something more sensible.

Thank you,

Taylor Glenn



JACKSON, WY / 252.864.7540 / trgphoto.com

From: entertainment@juddgrossman.com
To: [Town Council](#); [Alex Norton](#)
Cc: [Skye Schell](#); [Jake Nichols](#); [County Commissioners](#)
Subject: District 3-6 LDR Update Comments
Date: Friday, November 24, 2017 8:45:09 AM

Dear Mayor Muldoon and Town Councilors:

I'm writing to comment on the District 3-6 LDR Update.

It was a major accomplishment to remove 1,800 units of unrestricted rural residential development from our county build out totals. We should not let a single one of these units return to market without a local workforce occupancy deed restriction on it. Every one of these units should be focused into the urban core of Jackson. The only exception could be for businesses outside of the urban core that are interested in building workforce housing on site. None of these units should be added to base zoning. They should only be available as a bonus opportunity. By relaxing FAR, height, and parking restrictions for these deed restricted units we can incentivize their development by essentially remove land costs from the equation. These units should be size and deed restricted, but sell and rent at whatever price the market will bear. The size and workforce occupancy restrictions will serve to suppress prices and ensure affordability for working people.

Regarding; **Subarea 6.1: Low to Medium Density Neighborhoods:**

Remove the potential for the doubling or tripling the density in stable periphery neighborhoods by removing the ARU development option.

Regarding **Subarea 3.4: May Park Area:**

Do not perpetuate the past planning error that was made in this area. Creating a dense node at the periphery of town surrounded by less dense neighborhoods was a very bad idea. New zoning should aim to reduce density the May Park Area.

Regarding **Subareas 4.1: Midtown Highway Corridor, Subarea 4.3: Central Midtown, Subarea 5.1: West Jackson Highway Corridor, and Subarea 5.3: High School Butte:**

These are prime areas for dense workforce occupancy deed restricted housing development near transit, services, shopping and jobs. Don't waste the opportunity.

Thanks!

Judd

--

Judd Grossman
50 Rancher St.

From: Ty Hoath
To: [Pete Muldoon](#); [Jim Stanford](#); [Don Frank](#); [Hailey Morton Levinson](#); [Bob Lenz](#)
Subject: Engage 2017
Date: Thursday, November 09, 2017 12:27:38 PM
Attachments: [image001.jpg](#)

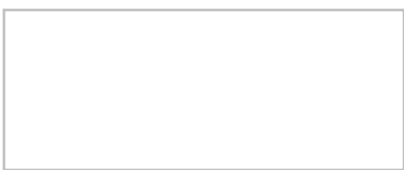
Dear Jackson Town Council

As an employee of Jackson Hole Mountain Resort, and a resident of Teton County, WY, I care greatly about the future of our community. In particular I would like to provide you some input for your Comprehensive Plan decision. I hope you and the other elected officials can find balance for our community which addresses parking, transportation and housing issues.

- Clustering residential density in Complete Neighborhoods and the Town serves to protect open spaces, scenic vistas and wildlife habitat while striving to cluster density furthers alternative modes of transportation: pedestrian, bicycling and START.
- Increase density in town and in complete neighborhoods in order to increase the supply of workforce housing. Specifically, this includes the following incentives in exchange for workforce housing:
 - Additional height;
 - Additional Floor Area Ratio (FAR);
 - Reduced Landscape Surface Area (LSA);
 - Reduced on-site parking requirements.
- Stilson is the only official Park'n'Ride in the county. We need to take advantage of this facility year round, and also look to create other transit hubs to improve bus ridership and the public transit experience.
- Offer incentives for providing more protections than required, but do not add a Natural Resources Overlay to the Town, as that would most likely just add bureaucratic layers to future projects.

Thank you,

Ty Hoath
CHRO, VP Human Resources
Jackson Hole Mountain Resort
3395 Cody Lane/PO Box 290
Teton Village, WY 83025
(307) 739-2676
ty.hoath@jacksonhole.com



From: dave@verdepr.com
To: feedback@jacksontetonplan.com
Subject: Feedback on Town of Jackson zoning changes
Date: Friday, April 13, 2018 1:17:34 PM

Hello,

This is Dave Simpson, I'm a resident of east Jackson in the Daisy Bush subdivision, and a longtime resident of town. I'd like to submit the following comments after attending the open house last night on the zoning proposal.

Thanks for the opportunity to comment and for taking time to consider my feedback.

Comments on NH-1 zoning in far east Jackson near the Putt Putt trail access

While I support NH-1 zoning in many parts of town closer to services and in areas where there is already more dense development, the NH-1 zoning proposed in far east Jackson is much too dense and out of character with the existing neighborhood. I am very opposed to that zoning being applied to the Forest Service land adjacent to the Putt Putt and the vacant lot off Nelson Drive adjacent to Daisy Bush. NL-2 or NL-3 would be much more in line with existing neighborhoods, including Daisy Bush. I am in favor of more density in town in a general sense, but it needs to be in character with existing neighborhoods. The scale and type of housing proposed here under NH1 is completely out character with the surrounding area. NH-1 could put extremely dense short-term dorm-style housing in a neighborhood surrounded by people with single-family homes or duplex townhomes.

- This new zoning appears to have the potential to add 48 two-bedroom units in a single, 39-foot tall building on the vacant Nelson Street property. That could add 150 or more additional people to a stable residential neighborhood. In all, it appears this zoning could put 400 or 500 more people living on those two small pieces of land. That's very much at odds with the kind of development that surrounds it (the senior center being the only exception, which is currently a non-conforming use, and a relatively low-impact one, given the fact that the residents are elderly).
- Daisy Bush was held to very strict standards on the landscape ratios and open space it had to meet in order to be approved. Footprints were restricted to small sizes, as were driveways, and we were required to install permeable driveway material. Habitat for Humanity home was even required to have a green roof. NH-1 zoning located next door flies in the face of requirements the town made of Daisy Bush. Moreover, to come back and propose re-zoning Daisy Bush under this higher density NH-1 zone now that it has largely been developed and won't be redeveloped in the near future makes no sense. It almost seems as if it's being used as partial justification to zone the parcel just to the north off Nelson as NH-1.
- The area to the north of Daisy Bush is completely single-family homes (though I do support those homes being able to build ARUs). Same with the subdivision to the southwest of the Forest Service parcel, in between the Forest Service land and the Senior Center. NH1 would allow 39-foot buildings backing up to two different neighborhoods that are or were restricted to 26 or 28 feet in height. Abutting three-story, dense development next to single-family homes amounts to spot zoning.
- The town has identified the May Park area as a "stable" neighborhood. According to the town, NH-1 is supposed to be used in "transitional" neighborhoods. NH-1 makes a lot of sense closer to downtown and along the Broadway corridor to the south, and it's great to see it used there. But NH-1 is inappropriate in this part of town, by the town's own reasoning.

- Nelson street is very narrow. It was designed to support low- to medium-density neighborhoods. It is already very busy in the summer months with traffic and parking. Moreover, such dense development (with 1.5 parking spaces per unit) would create an overflow of cars. Daisy Bush already has a problem with people parking on the street (though manageable), and it is far less dense. Far denser three-story development in this area would create a large-scale problem with parking, and the streets are not sufficient to handle that amount of new traffic.
- There are no sidewalks currently on Nelson street and none are in the works. There is no connectivity to any major sidewalk systems. That, combined with the fact that Daisy Bush is the most direct walking route to downtown, would force all foot traffic right through the Daisy Bush subdivision as there is no other alternative. The town wants to create “walkable” neighborhoods. High-density seasonal workforce housing should be located where residents can access grocery stores, restaurants and bars within a short walk. The Town should focus this kind of density into the urban core - not the periphery that is furthest from any of these amenities.

Comments on NL-4 zoning

I would like to request that in the new NL-4 zoning that it is allowable to have a two-story detached ARU as a third unit with 5-foot rear and 5-foot side-yard setbacks.

- That is currently allowed under the AR zoning. The new NL-4 zone appears to require a 10-foot side yard setback for a detached ARU that is living space on a second story above a garage, along with a 10-foot setback from a main building. (I realize that you could do a single-story ARU with a 5-foot setback under the NH-1 zoning, and I would like to request the same of a two-story ARU with living space above a garage.)
- My mother-in-law, a 50-year Jackson resident, owns a lot on Redmond that is proposed to change from AR to NL-4. She bought it with the hope of building an 800 square-foot ARU atop of a garage on that lot first (before building a primary residence, because there is already an older house on the lot that she could rent out while living in the ARU, and she is very much on a small, fixed budget). Her lot is also smaller than the normal-sized town lot (70 by 100 feet). Changing the side-yard setback to 10 feet for an ARU makes it difficult if not impossible to reach maximum allowable Floor Area Ratios above ground in a detached ARU scenario due to the setback requirements. (She prefers to build a detached ARU rather than a single building with three units, as would now be allowed under NL-4, because it would be far less expensive than having to build a structure with all three units at once, and the smaller ARU is what may fit her budget given current building costs.) Yet, she also wants to preserve the ability in the future for her or someone else (potentially her family, as she gets older) to build the maximum allowable size main building containing a main unit and another ARU. This new setback requirement under the NL-4 zone would impact what she had planned under the AR zoning in a negative way.
- While I realize this request stems from my mother-in-law’s particular situation, in a larger sense, if you are trying to allow maximum flexibility to create density and new housing under the NH-4 zoning, it seems like allowing 5-foot sideyard setbacks for a detached two-story ARU, as is allowed currently in the AR zone, is a very reasonable adjustment to make.

Comments on affordable housing mitigation fee

While in general I support the direction of proposed housing mitigation fees on commercial development, I request that the town does not charge affordable housing mitigation fees on the first 2,500 square feet of residential housing development in town, similar to what is currently in place in the county. I believe that housing below this size generally is used for people who live and work in the community, and charging

housing mitigation fees on smaller-sized residential development presents one more barrier to working people with moderate incomes being able to afford a market-rate home in Jackson Hole.

From: Alex Norton
To: [Paul Anthony](#)
Subject: FW: Public Comment
Date: Tuesday, April 10, 2018 2:19:23 PM

D3-6 comment

-----Original Message-----

From: Cody Lockhart [<mailto:cody.lockhart@gmail.com>]
Sent: Tuesday, April 10, 2018 10:47 AM
To: Alex Norton <anorton@tetoncountywy.gov>
Subject: Public Comment

Teton County Planning Department,

I would like to state my opinion on Cache Creek zoning. I believe to meet the communities objectives, existing zoning should remain in place, or be improved to allow 1/8 acre lots.

Please track me down if you would like to hear more about my opinions.

Thanks,
Cody Lockhart

Correspondence, including e-mail, to and from employees of Teton County, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

From: Patty Ewing
To: [Don Frank](#)
Subject: Fwd: TOJ LDRs Districts 3-6
Date: Monday, December 04, 2017 9:32:39 AM

Dear Don,

Thank you for the opportunity to comment as the Council decides on policy for LDRs on December 5, 2017. I was unable to attend on 11/29 & 11/30, but I attended all public comment meetings. We hosted a neighborhood meeting (19 attendees) and the Sr. Center meeting (3 attendees). Thanks to all the individual Planners and the Planning Department for an outstanding effort to involve the public and to provide reams of information. Always courteous, the entire staff is to be commended for a job well done. Not an easy task! Regardless of how well the Planning Department does its job, it is difficult to engage the community. However, policy decisions affect the entire community and we always circle back to the basics.

Questions: What do you think Jackson will look like in 10-20 years? Will our community be so urbanized with high density and tall buildings it will lose the character we all love? What will be the impact on our wildlife? What will be the domino affect of high density....more schools, social services, medical services, infrastructure, and more traffic and congestion, and higher taxes? These are questions the Council should and must carefully consider as you adopt policy.

Opinion: Jackson should not have to add 1800 units in addition to those already allowed. It's time Teton Village businesses house 65% of their employees. (The Comp Plan needs to address this issue.) Jackson already struggles with effects of unbridled development.

Observation: Policy which allows for high density or highest density possible in all zones designated for up zoning will be impossible to reverse. TOJ will never be able to down zone once density zoning is adopted, whereas in the future TOJ could up zone. Lower density designation still provides predictability. Our community does not owe anyone a home nor the guarantee of profit. Market should dictate housing unless deed restricted.

Please be very conservative in your approach to increasing density.

Sincerely,
Patty and Frank Ewing

ADDENDUM TO CONTRACT TO BUY AND SELL REAL ESTATE

In reference to that Contract to Buy and Sell Real Estate dated March 1, 2018, between

Barry Griest, Linda Griest

as Buyer(s) and

as Seller(s) pertaining to the property described as

540 Cache Creek Drive", Jackson, WY 83001

See Attachment "A" Additional Provisions

the undersigned Buyer and Seller hereby agree to the following:

1. Pursuant to the Contract to Buy and Sell Real Estate (Residential), between and Barry and Linda Griest, with a preparation date of March 1, 2018, for property at 540 Cache Creek Drive, Jackson, Wyoming (the "Contract"), the Objection Deadline is March 26, 2018. Pursuant to Section XI and the Inspection Contingency addendum to the Contract, the Buyer objects to the moratorium that was imposed by the Town of Jackson, as relates to a potential subdivision of the property, as well as the Town of Jackson's proposed zoning for the property that was released on March 16, 2018. These are incurable objections from our viewpoint and we are enclosing an addendum terminating the Contract and directing the title company to release the earnest money to the buyer,

- A. This Addendum, upon its execution by both parties, is herewith made an integral part of the aforementioned contract.
- B. This Addendum is executed in multiple copies and by their signatures hereon, the Buyer and Seller acknowledge receipt of a signed copy at the time of signing.
- C. The parties agree that the consideration set forth in the Contract to Buy and Sell Real Estate referenced above and the mutual promises contained herein constitute good and sufficient consideration for the provisions of this Addendum and the transaction between the parties.
- D. All prior representations made in the negotiation of this sale have been incorporated herein, and there are no oral agreements or representations between Buyer, Seller to modify the terms and conditions of this Contract.
- E. This Addendum is effective and binding on the date of the last signature affixed to this Addendum.
- F. THIS IS A LEGALLY BINDING CONTRACT. IF YOU DO NOT UNDERSTAND THE TERMS AND CONDITIONS,

CONSULT WITH YOUR LEGAL COUNSEL BEFORE SIGNING.

Buyer 3/23/2018 Date Buyer _____ Date _____

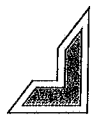
Buyer _____ Date _____ Buyer _____ Date _____

Buyer _____ Date _____ Buyer _____ Date _____

X Seller Barry Griest Date 3/23/18 Seller _____ Date _____

Seller Linda Griest Date 3/23/18 Seller _____ Date _____

Seller _____ Date _____ Seller _____ Date _____



RENDEZVOUS ENGINEERING, P.C.

Civil Engineers and Planners in Wyoming and Idaho

Rendezvous Project No: 08-036

February 24, 2009

Mr. Barry Griest
PMB 56, 970 W. Broadway
Jackson, WY 83001

RE: Current development approval status for the property at 540 E. Cache Creek Drive.

Dear Barry

Per your request I have summarized the current development status of your property at 540 E. Cache Creek Drive. This assessment is based on my understanding of our recent approval and the current Town of Jackson Land Development Regulations as they exist at the date of this letter. Although unlikely, changes in the regulations and/or interpretations of the regulations by the Town of Jackson (TOJ) can affect the development status of the property at any time in the future.

On February 17, 2009, the Town Council approved Item P08-142, a Conditional Use Permit (CUP) for development in the TOJ Hillside District and Item P08-143, a Final Development Plan (FDP) for a three lot subdivision on the subject property located at 540 E. Cache Creek Drive. The FDP was granted with no conditions of approval and the CUP with only one condition as follows:

- 1) The highest point of any structure on the proposed Lot 3 shall not exceed an elevation of 6360 feet, and the highest point of any structure on proposed Lot 1 shall not exceed an elevation of 6338 feet, and these maximum elevation(s) shall be verified by a surveyor licensed in the State of Wyoming prior to issuance of a Certificate of Occupancy.

Both the CUP and FDP are valid for 36 months, expiring on February 17, 2012 if no further action is taken on the permits. The permits entitle the owner of the property to make application to the Town of Jackson for a Final Plat application for a three lot subdivision in accordance with the approved CUP and FDP. A Final Plat application must be submitted to the Town of Jackson and be determined sufficient before the permit(s) expire on February 17, 2012 in order to exercise the entitlements granted by the CUP and FDP.

The Final Plat process will be complete with the recordation of the three lot subdivision in the Teton County Clerk's office. Once recorded the individual lots can be conveyed as legally separate lots each entitled to the development of one single family residence. The Final Plat process begins with the advertisement of a "Notice of Intent to Subdivide" for two weeks in the local paper. Once this requirement is complete the application can be submitted to the Town of Jackson. Key components to this submittal are as follows:

- 1) The final plat consisting of the Certificate Page and the Plat Description. This must be completed by a registered Wyoming Land Surveyor.

- 2) A Subdivision Improvements Agreement (SIA) between the owner and the Town of Jackson which describes the obligations of both parties with respect to the subdivision infrastructure improvements. The SIA must be completed and accompany the Final Plat application submission. The SIA will also require a bond to be submitted to the Town in an amount sufficient to cover the costs of the improvements noted in the agreement. At this time there are three items which will require bonding: the demolition and removal of the non-conforming structure, a sewer extension line to serve Lot #3 and a retaining wall located on Lot #3. Other items may be added to this list as the SIA is reviewed by Town personnel.
- 3) The application will be reviewed by the Town and if found to be acceptable, will be scheduled for a public hearing at the Jackson Town Council. Council will consider the plat and if acceptable sign the plat in advance of recordation. The plat is then held at the Town until the Town Engineer and Town Clerk also sign the plat and any final adjustments are completed.
- 4) When Town officials have completed the plat by their signature, the plat is conveyed to the Teton County Clerk's office for recordation. At this time the owner must pay the Affordable Housing Fee and the Exaction Fees. The Affordable Housing Fee is \$16,800.00 and the Exactions Fees are \$4,734.00 (Parks) and \$4,000.00 (Schools). There is also a recording fee with the Clerks office at the time of recordation.

The Final Plat process is usually a 6 month process from start to recordation in the Clerk's office. Completion of the Certificate page and the SIA can be time consuming and I would advise that the owner consult legal counsel to assist with both of these requirements. I hope this summary is helpful and if you have any questions or require further information please don't hesitate to contact me.

Sincerely,



Richard Van Gytenbeek RLA

Cc: Todd Cedarholm
Brenda Wiley



From: Vidor, Andrew
To: [Pete Muldoon](#)
Subject: Implementing Parking Meters
Date: Thursday, November 09, 2017 1:46:36 PM
Attachments: [image001.png](#)

Mr. Mayor:

I recently read the article that was published in the paper regarding your desire to implement parking meters on-street. Walker Consultants is a national leader in parking technology and assisting cities, like yourself implement your vision. We've worked with numerous cities across the country to assist in the competitive procurement of these systems. If your time allows, I'd welcome the opportunity to discuss how we can assist in implementing your vision.

Andrew J. Vidor

Consultant



5350 S. Roslyn St, Suite 220 | Greenwood Village, CO 80111

D 720.458.1589 | O 303.694.6622 | M 810.265.2639

www.walkerconsultants.com

[Blog](#) | [Facebook](#) | [LinkedIn](#) | [Twitter](#)

*Please note my new email address

From: Combs, William
To: [Town Council](#)
Cc: jill.combs@medtronic.com
Subject: May Park Rezoning
Date: Thursday, April 12, 2018 9:38:59 AM

Council,

I am a homeowner at 860 Wheatleigh Way in East Jackson and have some concerns in regards to the May Park rezoning proposal. I believe zoning in line with the existing neighborhood, such as NL-2 is more appropriate. I have specific concerns in regards to rezoning in the Nelson and Nelson Trailhead area. Parking is quite limited, especially in the summer. If the Forest Service area is rezoned high density there will be increased environmental load on the trailhead area and potentially a misuse of the existing limited trailhead parking. In addition, parking on Nelson in summer is already problematic and many residents are walking or riding to the trailhead with children and dogs without an alternative (no sidewalks). It seems to me high density housing is more appropriate toward the center of town or close to shopping and groceries and sidewalks. Logically you would not place the highest density housing in the areas immediately adjacent to the National Forest. Finally, in regards to the Nelson and Nelson trailhead area, impact on the local wildlife should be considered. Wildlife are frequently moving through our neighborhood (well I guess that could be said for most of Jackson!) but high density housing will further stress our unique environment, especially right next to the edge of town and without a wildlife barrier such as around the Elk Refuge (not that I want one).

I want you to know my wife and I support efforts to add more affordable housing to Jackson, obviously we are quite comfortable with housing that promotes neighborhoods but also addresses the need for housing such as the existing Daisy Bush addition. We simply believe it's not appropriate to do so on the very edge of wilderness when other options exist and parking, roads and sidewalks are not sufficient to support the potential increase in population density.

William Combs
860 Wheatleigh Way
Jackson

MEMORANDUM

TO: Town of Jackson Town Council
FROM: Stefan J. Fodor
DATE: April 6, 2018

RE: **Comments and Concerns Regarding District 3-6 Zoning Recommendations**

The proposed zoning changes to Districts 3-6 contain some welcome improvements. However, they do generate some concerns and areas for improvement as set forth below.

Proposed zoning changes

Neighborhood Low Density-1 (NL-1)

Properties in the **Stable** subarea were converted to the Neighborhood Low Density-1 (NL-1) which keeps everything the same with one major exception. **Minimum lot size is increased from 12,000 sf to 43,560 sf (1 acre).**

Black's Law Dictionary defines **stable** as follows: "Anything that is not volatile or does not vary very much but stays within a small range." A reduction in density by a factor of 3.63 hardly qualifies as stable. This downzone is not stable and artificially reduces the amount of housing (workforce or otherwise) available on any property over 12,000 sf. If we are in a housing crisis, which by most accounts we are; good planning dictates that reducing the available supply of housing by a 3.63 factor on certain lots is the wrong way to proceed.

The reduction in zoning allowances and density is further exacerbated by the fact that each home in NL-1 zoning is allowed an ARU. With the downzone we are taking more potential ARUs out of the available pool of housing for our workforce and this goes against the very objective of housing more workers in our community. This problem is identified in the District 3-6 summary on Page 7 where it states "It should also be noted that there is a significant decrease in residential development potential in the conversion of the existing Suburban zone to NL-1 due to the decrease in minimum lot size from 12,000 sf to 43,560 sf (1 acre)". This defies the laws of supply and demand and as a result will increase the price of non-deed restricted units further exacerbating the gap between what people can afford and what a single family can afford.

Please maintain the existing minimum lot size in NL-1 in order to continue to provide housing opportunities.

Limiting the size of an ARU on a lot of less than 19,000 sf to 500 sf is not good policy. Again, we are in a housing crisis. Five Hundred square feet yields at best a one bedroom unit. At a minimum an ARU should be 800 sf to allow for two bedrooms. Why artificially limit the number of people we house in ARUs? I note that in the recent approval of sagebrush apartments 2 bedroom unit apartments were allowed to be no

greater than 975 sf in order to maintain the product as workforce housing. Further, the Housing Department Rules and Regulations allow deed restricted housing to be up to 1,050 sf for a 2 bedroom and 1,350 sf for a 2 bedroom. Why not have the same allowance for an ARU in the NL-1 zone?

In the AR zone we currently allow an attached and a detached ARU. Most of these lots are 50'x150' or 7,500sf. In this zone it is proposed that the minimum lot size be increased to 1 acre or 43,560 sf. Why not allow two ARUs as we currently do on lots almost 6 times as small? That type of development/density has seemingly been acceptable in our community for over a decade. This proposal artificially increases the housing crisis by limiting the number of ARUs and in turn the number of workforce housing opportunities.

The height of flat roofed houses is reduced from 30' to 26'. There is no justification in the protection of the health safety and welfare of the citizens of the Town of Teton County to reduce the height of flat roofs. This is the imposition of an aesthetic preference only.

Recommendation:

Restore the minimum lots size in NL-1 to 12,000 sf

Allow ARUs for 800-985 sf.

Allow two ARUs.

Restore all roof heights to 30'

Neighborhood Low Density-2 (NL-2)

Deleting the Mobile Home Park zone will do more than any other proposed action to put the most vulnerable subsection of our community out on the street. I would challenge the assertion that the vast majority of people occupying mobile homes earn more than 50% of AMI. I encourage elected officials to walk through these mobile home parks and see who lives there. We need these mobile homes. The current policy and LDRs allow owners to replace and upgrade their units while maintaining the existing density. Making mobile homes non-conforming will disallow any upgrade or replacement of mobile homes. Given HUD construction, there is not a lot one can do to upgrade a mobile home so we may find ourselves with decaying units serving our most needy, without an opportunity to upgrade the units as they degrade over time. This will eliminate housing opportunities for the most needy in our community. There is a big push in the proposed housing LDRs to serve those making less than 50% of AMI. **Why then are we artificially suppressing the supply of housing to those making less than 50% of AMI with this rezone?** This is another downzone as there is no way to match the existing density of the current mobile home parks and common sense would dictate that any redevelopment will be far out of reach for the current residents of these properties.

The same comments as NL-1 apply here with respect to allowing 2 ARUs. The minimum lot size is 7,500sf which we have already shown can reasonably accommodate 2 ARUs. Here again, we are artificially limiting workforce housing products in terms of ARUs for no good reason.

The same comments as NL-1 zone with respect to ARU sizes apply here.

Recommendation:

Keep existing mobile home park zoning to continue to serve the most vulnerable segment in our community.

Allow 2 ARUs.

Allow ARUs at least 800-975 sf in size.

Restore all roof heights to 30' for this zone.

Neighborhood Low Density – 3 (NL-3)

The same comments apply here with respect to ARU size.

Recommendation:

Allow ARUs at least 800-975 sf in size.
Restore all roof heights to 30' for this zone.

Neighborhood Medium Density – 1 (NM-1)

Allowing duplexes or two detached single family homes is a good change. The flat roof height reduction is not.

Limiting ARUs on lots less than 11,250 sf to 500 sf artificially enhances the housing crisis by making these ARUs one bedrooms only where a slight increase in size could house more of our local workforce.

Recommendation:

Restore all roof heights to 30'.
Allow ARUs to be 800-975 sf in size.

Neighborhood High Density-1 (NH-1)

NC properties in Transitional subareas (north and east of the rodeo grounds) and Business Conservation properties are being converted to Neighborhood High Density -1 (NH-1). This zone now has a minimum density of three units and allows up to large apartment buildings to create workforce housing. While the transition is laudable, this change automatically makes every single family residence in that zone a non-conforming structure and limits expansion to 20% pursuant to LDR 1.9.3 (Nonconformities). This can and will create a hardship for residents living in these areas and limit their ability to enlarge their existing homes to potentially house more workers. Carrots work better than sticks. Please incentivize three unit development without penalizing existing homeowners as we transition towards increased density. Increasing the height allowance from 30' (2 stories) to 35'-39' (3 stories) is a welcome change. However, building three units, even with 3 stories on a .40 FAR can remain a challenge with the current and proposed parking requirements. The FAR should be increased slightly.

Recommendation:

Continue to allow up to three units, but do not make this a minimum density requirement.
Increase the FAR.

Key Issues

Restriction on 1,800 additional housing units/residential build-out question

The Town Council wanted staff to provide them with an option designed to help achieve the goal of housing 65% of the workforce. Staff's recommendation is to apply the 2:1 workforce bonus tool in Section 7.8.4 to the 1,800 units removed from the County. What is the objective matrix to determine that the 2:1 workforce bonus tool is insufficient to meet these goals? If this tool does not help achieve the 65% goal, will the council commit to increasing this bonus tool to 3:1? There have been multiple public comments made during the District 2 rezone that the 2:1 bonus tool provided insufficient incentive to developers to create more housing. The District 3-6 summary states that the tool has not been used much yet. Admittedly, it is a relatively new tool. Perhaps the people who claim the tool is a dull and ill-suited tool are wrong and the tool is sufficient. What if these people are correct? There is already a provision to delete the tool if it creates all 1,800 units downzoned out of the County. Will the council ignore the tool and rest on exactions if the data shows the bonus tool is insufficient to help meet the 65% goal? Please consider an objective criteria to change to a 3:1 workforce bonus tool if the 2:1 tool does not work.

Parking Update

Continuing to place high on-site parking requirements only serves to exacerbate the housing problem. On multiple occasions, projects have not been able to be built as they could not be parked to take advantage of the FAR allowed. Not allowing winter parking on streets – even on a trial basis seems shortsighted.

Continued reliance on the belief that START will magically increase from 2%¹ of driver miles to something substantial may very well prove to be wishful thinking.

The Council's direction in the Commercial Highway Corridor to better use the large existing commercial parking lots as shared parking for surrounding residential areas or regional park 'n rides for START deserves some scrutiny. On multiple occasions, I have observed stores such as Albertsons and Kmart already shouldering this burden with no commensurate benefit. The parking requirements for these two stores are overly burdensome and they are defacto park 'n rides 'exacted' from the property owners without just compensation. Time and again, one can see cars parked in these parking lots all day during the winter. Not all of these cars are driven by employees of these business or slow shoppers. Is it laudable that the people occupying these cars took the bus to Teton Village? Yes it is. However, the Town has exacted too high a toll on these businesses and consequently, the public is a 'free rider' at the expense of these businesses. In effect, these private businesses are subsidizing START with private dollars. Either the parking requirements should be reduced or these private businesses should be compensated.

Further, one size does not fit all. Just as zoning is tailored to certain parts of town, so too should parking. A proposal was brought before the Town Council several years ago to build 30 units on Veronica Lane with 25% of those being deed restricted. The request from the developer was to reduce the parking requirement from 1 to 1.5 per unit. The request was summarily dismissed and the result was that not only did the 30 apartments not get built, but the 8 deed restricted units did not get built. As I have stated on many occasions 25% or 100% of nothing is zero. Please consider revisiting the parking requirements in certain parts of town, especially in those neighborhoods close to public transit and local commercial opportunities where diminished parking requirements can lead to more workforce housing.

Tiny Homes

There is a reason tiny homes have become 'trendy'. They are a cheap means of providing decent, if small housing and have proven that a lot of people are willing to do away with some material trappings and live with less, for less. The Town of Jackson should embrace this movement as it is a way for the market to provide workforce housing. The proposed regulations allow for tiny homes in NM-2 and NH-1. We should make it easier for people to provide this type of housing and not limit the receiving areas to just two zones. Additionally, it is worth considering reducing some of the development standards for this type of product in certain zones. I would encourage the Council to view the property located at 175 W. Snow King Avenue. It consists of two 50'x150' lots and contains a single family residence, a day care, a 'larger tiny home' and 3 tiny homes. From personal knowledge, this property provides workforce housing to 5 different households and houses one business. However, this type of development is not allowed under the proposed regulations and does not meet all development standards. Admittedly, this type of development is not appropriate in all zones, but I would encourage the Council to look at this property and others which are currently providing workforce housing without any incentives and seek to replicate allowances to encourage more of this type of workforce housing. **Please consider expanding the zones where tiny homes are allowed, allow 2 tiny homes for every ARU permitted and see if this helps out with our housing crisis. Only by trying new ideas and evolving will we be able to make progress.**

Live Work Units

Live work units will no longer be allowed. Ostensibly this change is being considered because some of these units have not been used for their intended purposes. However, most have been used for their intended purposes and we are getting rid of a tool that, with some tweaking, could continue to provide

¹ This is an estimate based on loose recollection of a recent news article. Surprisingly, this information is not published on the START website nor was it contained in the 2018 Indicator report.

opportunities for small owner-operated businesses while also providing housing for those owners. It is interesting to note that the Summary states that enforcement of the Live Works standards have proven difficult to enforce, yet at the same time the Affordable Workforce Housing Standards being considered attempt to undertake a massive and continuous monitoring effort through the Housing Department of all deed restricted housing. **Please reinstate the Live Work allowance.**

Nonconformities

Every existing single family home and ARU in the NH-1 zone will become nonconformities with a stroke of a pen because of the three unit minimum density. Each existing homeowner, who bought a conforming home will now be limited to an artificial 20% expansion by virtue of this policy decision. While the desire to obtain more multi-unit housing is understandable, it is far better to provide a carrot than a stick to force a desired outcome. As the Summary states, this will be a significant constraint for these landowners. **Please consider removing the minimum three unit zoning while maintaining the allowance for three units.**

Design Review

All projects of a triplex or greater will now be required to be reviewed by the DRC. The DRC imposes subjective requirements on private development, often imposing considerable additional costs based on DRC members' preferences loosely based on the design guidelines.

Guidelines

1. Consider composition, proportion and rhythm of the materials, surfaces and massing of all building elevations to promote visual interest at the scale of both the automobile and the pedestrian.

2. Use composition, proportion and rhythm of the materials, surfaces and massing to create a sense of entry and a sense of place.

3. To the degree possible, utilize composition, proportion and rhythm to address adjacent buildings.

Please do not apply the Design Guidelines to residential projects of 3 or more units and reject staff's recommendation to apply design standards to all residential projects. We have significant and far reaching LDRs and adopt international building codes. These should be amply sufficient to ensure the health, safety and general welfare of the citizens of Jackson.

MEMORANDUM

TO: Teton County Board of County Commissioners &
Town of Jackson Town Council
CC: Housing Supply Board
FROM: Stefan J. Fodor
DATE: April 6, 2018

RE: Comments and Concerns Regarding Draft Affordable Workforce Housing Standards

Below, please find some comments and concerns pertaining to the draft Affordable Housing Workforce Housing Standards (the "Standards").

The proposed Standards should enhance the functioning pieces of today's regulations and simplify elements that do not work well. By contrast, the proposed Standards eliminate functioning aspects such as flexibility for developers and the incentive to house their own employees, while at the same time adding complexity by, among other things, prescribing unit types, sizes and numbers. Additionally, these standards greatly enhance the administrative burdens associated with the standards by having the Housing Department manage tenancy, change in use, occupancy, etc.

While there are a few positive and well thought out aspects of these Standards, overall they need more work. I would urge you in the strongest way possible to delay implementation and produce a well thought-out, well vetted set of standards. The unnecessarily short timeline between release and adoption is an artificial pressure imposed on the process and should not be applied to the most fundamental change to these housing LDRs this community has seen in decades. **Please take the necessary time to vet these standards with meaningful opportunities for public input and elected official reflection rather than rushing through regulations which may not accurately reflect the unique needs of this community.**

The Standards

6.3.1.B.2 Legislative Findings

This section discusses the rise in the price of housing along with a slight increase or static local workforce wages. The LDR Explanation (released with the Standards) of the supply of housing and the statistics that follow completely ignore the rental market (about 45% of current housing stock is renter occupied) and the fact that rents remain affordable to households earning 80% of AMI and above, or about 63% of local households. Moreover, due to the policy of downzoning property in the Town and County, the gap between workforce wages and affordability is artificially being increased. Some have argued that the workforce restrictions, along with their exorbitant exactions are growth control measures disguised as affordable housing measures. One could certainly advance that argument and

draw support from the admissions made in the LDR Explanation discussed below where it states that increased costs of development and decreased return on costs would suggest less development would occur.

Section 6.3.2.A.2. Substantial Amendment

A substantial amendment to an existing approval would trigger applicability of the new standards. However, 'substantially amended' is not a defined term and is subject to interpretation. Given the implications of this undefined term, it would be wise to define it prior to adoption as clarity and predictability are goals we should strive for in our LDRs. **Please define "substantially amended".**

Section 6.3.2.B.3 Exemptions - Replacement

An exemption to the Standards is granted for the replacement of an existing physical development. However, the exemption does not apply to a residential use where there was no prior mitigation. This restriction fails to provide a carve-out for damage by natural disaster. We currently allow such a carve out for Nonconformities under LDR Section 1.9.2.B.3.a and the same exemption should be allowed here.

If a single family dwelling built in 1990 which did not pay an exaction fee, (as none was required at the time of construction), is demolished by an earthquake, the owners should be able to rebuild (but not expand) without having to pay affordable housing restrictions as they did not cause the destruction of their home. Further, the time table for replacement should be extended from 12 to 18 months to match the allowance currently set forth for Nonconformities in LDR Section 1.9.2.B.4. If permits are required, which they are for even the simplest and smallest amount of work, 12 months is a very tight, if perhaps unachievable, timeline from calamity to construction. Eighteen months, which would span two construction seasons, is more reasonable and accounts for design, bidding, contractor selection, permitting, financing and contractor scheduling. However, if the 12 month trigger is the issuance of a building permit, this would be a reasonable timeline and in that event, the language of this section should be clarified. **Please allow a carve out for destruction and clarify or enlarge the 12 month timeframe**

Section 6.3.2.B.6 Local Occupancy Restriction

The existing exemption for single family homes of 2,500 sf is being reduced to 2,000 sf. The Explanation of the LDRs shows a 1,500 sf threshold in both the Town and County. Irrespective, what is the reasoning behind reducing the County exemption? The data from the Employee Housing Generation Report shows a very slight increase in full-time year round employee demand from second homeowners as opposed to local occupancy and it can be argued this is insufficient justification to place a deed restriction on every new home restricting it to local occupancy until an exaction fee is paid. The 500 sf reduction is arbitrary and it is important to keep in mind that the exemption is intended as a relief valve for local households. The current exemption is not lavish and provides adequate space for a family of 4. **Please consider keeping the exemption at 2,500 sf in the County and establishing it at this same level in the Town.**

Section 6.3.2.B.12 Public/Semi Public Exemption

The public sector is exempt. As set forth in the Policy Direction dated November 13, 2017, Page 6, "[B]ased on the employee generation numbers in the 2013 Nexus Study, public and private institutional development generated almost as much need for affordable workforce housing as commercial development from 2002 to 2014". In a simplistic view, there are 4 types of development: 1) residential; 2) commercial; 3) private institutional; and 4) public institutional. The draft Standards exempt a 50,000 sf public school but would require **\$7,018,870 fee in lieu for the SAME** square footage for a private school. Are we really to believe that the public school will not generate any new employees while the

private school will generate 81.65 new employees? The numbers reflected in the chart on page 5 of the Explanation belie this notion where they clearly state that the public school will generate the **SAME** number of new year round employees; 81.65. Consequently, there is no justification for the public exemption since public development generates year-round employees. In addition the essential lack of fairness, the proposed exemption further saddles residential, commercial and private institutional development for the employees generated by public institutional development. At these exorbitant exaction rates it makes little, if any, sense to exempt public institutional and lacks inherent fairness. If we believe and buy in to the theory that development generates year round employees who cannot afford market homes and those employees need to be housed, why should public institutional uses be exempt when they generate year round employees? The public institutional development should be held to the same standards as private institutional development. **Please remove the public exemption and treat governmental employee generating development in the same fashion as private employee generating development.**

Section 6.3.3.A Housing Requirements

This section sets forth the formulas to calculate Affordable Housing Units Required. The formulas for detached single family unit (local and non-local) and attached single family unit (local and non-local) do not inspire confidence and lack clarity.

Use Proposed	Affordable Workforce Housing Units Required
Detached Single-Family Unit (6.1.4.B) (Non-Local Occupancy, A.8)	$0.000017(sf) + (\text{Exp}(-15.49 + 1.59 * \text{Ln}(sf))) / 2.414$
Detached Single-Family Unit (6.1.4.B) (Local Occupancy, A.8)	$0.000017(sf) + (\text{Exp}(-16.14 + 1.59 * \text{Ln}(sf))) / 2.414$
Attached Single-Family Unit (6.1.4.C), Apartment (6.1.4.D) (Non-Local Occupancy, A.8)	$0.000017(sf) + (\text{Exp}(-14.17 + 1.59 * \text{Ln}(sf))) / 2.414$
Attached Single-Family Unit (6.1.4.C), Apartment (6.1.4.D) (Local Occupancy, A.8)	$0.000017(sf) + (\text{Exp}(-14.82 + 1.59 * \text{Ln}(sf))) / 2.414$

Is this really the best we can do in terms of ease of use, simplicity and clarity? There is no explanation of what these numbers mean, what the symbols stand for, where and how the formulas were derived from and/or examples of how to use them. *I challenge the elected officials to not adopt any regulations, including calculations, that each elected cannot intuitively use without a primer or explanation from staff.* **Please clarify the formulas and provide examples. The public deserves clarity and ease of use in these LDRs and the chart in this section is severely lacking on both fronts.** Simplification of the regulations was one of the objectives of this process.

Section 6.3.3.A.5 Estimating Use

- Platting vacant single family lots. Where platting vacant single family lots for subdivision in certain zones, the maximum habitable floor area allowed above ground on each lot proposed will be used to calculate the amount of affordable workforce housing required at subdivision. **What happens if each lot is not built to the maximum allowed? Where is the provision for a refund? To whom will the refund be granted if one is allowed? How can we require mitigation that exceeds its impact?** The Nollan and Dolan US Supreme Court cases and their ilk prohibit such action as it lacks a rational nexus between the exaction and the impact. It would be far better to impose these requirements at construction and not subdivision as construction

and occupancy generate the year round employees. Put another way, 100% of the exaction should only be exacted when 100% of the development occurs.

- b. Unknown use. For the development of floor area with an unknown use, the allowed use in the zone with the greatest need for affordable workforce housing shall be used. **What happens if a less intense use is eventually permitted? Where is the provision for a refund? To whom will the refund be granted if one is allowed?** This provision also lacks the nexus between exaction and impact. The exactions should be imposed once a use is determined and if a change in use occurs, we have the means and methods existing today to impose the exaction at that time. Alternatively, a preferred method would be to exact for an average use/impact and eliminate any consideration of change in use. This would be more equitable and would ease administration.

These rules are fundamentally unfair and exact potentially more than the claimed 73% of year-round employees generated by a use or by development. **Please revise these two sections to impose exactions once a home is built and once a use comes into being or use an average exaction.**

Section 6.3.3.A.6 Square Footage Calculations

Basements.

Square footage calculations now apply to habitable floor area in the basements of reach residential, lodging, or non-residential unit whereas today, certain basements are exempted. Where a regulation decreases density, it increases the costs of construction and artificially limits supply thereby raising prices. Fundamentally, there are only 3 ways to achieve density: 1) Up; 2) Down; and 3) out. Up allows for greater height, down allows for basements and out allows for greater FAR. Including all habitable basements in floor area calculations will likely decrease density and supply thereby raising costs/prices and increasing the affordability gap. **Please consider continuing to exempt basements.**

Subsection b. Outdoor Seating

Square footages for commercial activity which are not habitable floor area such as outdoor seating and sales areas are now included in the calculations for exaction. Again, this exaction lacks fundamental fairness as there is no discount for the fact that an outdoor seating area or outdoor sales area is unusable for up to 8 months of the year in Teton County. The policy direction was to mitigate 100% to the maximum extent legally permissible. One could easily argue that a 100% exaction, now 73%, on a use practically allowed $\frac{1}{4}$ of the time, without a discount factor for the $\frac{1}{4}$ of the year that use is not available, is more than a 73% exaction and is not legally permissible. **Please either 1) discount the exactions on these areas by a factor of $\frac{1}{4}$ to account for the fact they are only used $\frac{1}{4}$ of the year; or 2) eliminate it as the regulations are based on year-round employee generation and outdoor seating generates seasonal summer employee so this regulation lacks a rational nexus between the impact and the exaction.**

Section 6.3.3.A.8 Local Occupancy Restrictions

Please remove the Local Occupancy restriction. The difference between local and non-local exactions (if one can decipher the calculations) is not great and this would save administrative costs to manage another overly complicated program.

Section 6.3.4.B Type of Affordable Workforce Housing Required/Affordability

Who will qualify households for eligibility in the workforce rental market? If the Housing Department is taking on this additional task, will owners receive a preference to place their eligible employees in these units? **Does the Housing Department staff have the resources and expertise to become the largest rental clearinghouse in Teton County?** If so, how much will it cost the taxpayers annually to do so?

6.3.4.C Chart Unit Size – Allocation of bedrooms per unit

How does a 2 bedroom unit supply housing for only 1.85 employees? **How does a 3 bedroom unit supply housing to only 2.1 employees?** The Employee Generation Report shows that 60% of households are either adults living alone (29%) or couples with no children (31%). One bedroom units should be supplied first. Instead these regulations require larger units first which is a higher and unjustified exaction than the current standards.

Number of Bedrooms			
Units Required	1 Bedroom or Studio	2 Bedroom	3 Bedroom
1	0	1	0
2	0	2	0
3	0	2	1
4	1	2	1
*Assumed Employees per Unit	1.45	1.85	2.1

It strains the bounds of credulity to assume less than 1 person per bedroom. There are, on average, 1.8 employees per household based on households with at least one employed member and each employee, on average, holds 1.2 jobs part and full-time combined. Moreover, in certain instances, 2 people per bedroom may very well be the norm and is the case with most couples. Where is the justification for these overly prescriptive restrictions? Common sense and fundamental fairness dictates that if a developer is required to build a 3 bedroom unit, they should be credited with housing 3 employees. **Please amend this chart to ‘assume’ at a very minimum one person per bedroom in every instance.**

6.3.4.C.1.d Adjustment of allocations of bedrooms per unit

Again, there is discount factor to 1.8 workers per unit. What happens if a developer builds a 2 bedroom unit which houses 2 couples or 4 people? The developer is only receiving credit for 1.8 workers per unit. Again, this lacks fundamental fairness.

6.3.4.E Compliance with Rules and Regulations

How are the Rules and Regulations being considered and approved before the LDRs they are designed to implement? It would seem we are putting the proverbial cart before the horse.

Each required affordable workforce housing units shall comply with the Housing Department Rules and Regulations. While on its face, this may seem to make sense until one looks at the fact that these LDRS require a permanent deed restriction on the landowner, but allow for continuously changing rules and regulations to be imposed on the owner. Some might argue that these changes are needed to keep up with changing times but again, these provisions lack fundamental fairness. We need to impose a restriction with the best available information and make it permanent. Conservation easements carry the same perpetuity, but the easement holder does not get to change the rules as time goes forward. If we want a permanent restriction, it should not be subject to change. At the very least, the change should only occur upon conveyance of the property encumbered so that each owner knows that while the restriction may change at conveyance, they have certainty as to the cost exacted and restrictions available during their ownership. **Please remove the one-sided ability of the Housing Department to fundamentally and materially revise rules over time. Objective evolving criteria can be incorporated into a deed restriction.**

6.3.4.E.2 Administration

This section anoints the Housing Department with the power and responsibility to manage and oversee all workforce housing units, determine the **structure, design, building materials, marketing and rules** for the units. It would be fair to ask, again, whether the Housing Department has the resources and expertise to undertake these roles. **Further, why should the housing department determine the structure and design?** Shouldn't these particulars be left to engineers and architects? **Why should the Housing Department be allowed to determine building materials?** Shouldn't these be dictated by international building codes as adopted by the Town and County as well as by the Owner? After all, in spite of the deed restrictions imposed this remains private property.

These regulations take away a large incentive to developers; they no longer have the ability to house their own employees, they cannot control tenants, they cannot control the design or materials of the units they are required to build. Additionally, these regulations add unnecessary administrative costs to the Housing Department (tax payers) instead of keeping these expenses where they currently lie with the private sector. Annual reporting similar to what was required with Sagebrush Apartments seems more reasonable and administratively feasible while retaining ultimate regulatory authority with the Housing Department. **Please remove this power from the Housing Department.**

6.3.5.A Methods of Providing Required Affordable Workforce Housing

This section requires a deed restriction – understandably so – but also requires the recordation of a housing mitigation agreement to be recorded against the workforce housing unit and the employee generating development? **Why do we need two separate agreements?** If the sole reason is to track that an employee generating development has paid its exactions, this could easily be referenced in the deed restriction. Here again, simplifying the regulations to exact for average impact would greatly simplify this process and eliminate change in use monitoring along with other tracking burdens.

6.3.5.B Preferred Methods of providing housing

Beyond the enumerated ways of providing housing, no alternatives may be proposed. Why artificially limit the ways in which housing can be provided. **Please allow for market creativity in coming up with new methods of meeting mitigation requirements which would be subject to elected official's review and approval.**

6.3.5.C Priority Method impracticable.

This provision allows a fee in lieu when less than one unit is required. **Please change this to two units as it would be more workable for very small developments.**

6.3.5.D.1.a.ii Timing of construction

This section requires that each required affordable housing unit constructed shall receive a CO **prior** to the granting of a CO for the employee generating development. This rigidity ignores the fact that in most instances the deed restricted and market units will be built at the same time. If the concern is that a developer may not meet its requirement, this concern can be alleviated by requiring a bond or letter of credit for 125 to 150% of the cost of construction. This type of surety is already available under our current LDRS for wetland mitigation, reclamation, subdivision improvements and other obligations. Further, this type of surety is proposed for onsite infrastructure in Section 6.3.5.D.2.f. **Please grant developers the flexibility to build their units according to their construction timelines** and if for some reason a developer defaults, the County has ample protection with the bond to complete construction.

6.3.5.D.4.a Age and condition of restricted unit.

This section artificially limits the allowances on restricting an existing unit to a unit less than **15 years** old. Why would we artificially and arbitrarily have a cutoff of 15 years? Is a 16 year old home no longer able to provide decent housing? What if said 16 year old home was gutted to the studs and remodeled? Wouldn't a fully remodeled 16 year old unit be better than a run down 14 year old home? **If there is insistence on an arbitrary cutoff, a relief valve must be included.**

6.3.5.D.5.c.ii Unit sizes

The minimum size requirements for fee in lieu assumptions for 2 and 3 bedroom workforce housing units (1,050 sf and 1,350 sf respectively) are too great. These are the maximum square footage requirements under the Housing Department Rules and Regulations. Why require an assumption of the maximum size; would it not be fairer to take the mean? **Please amend this section to allow the assumption for fee in lieu payment to be the mean size requirement.**

I note that the Town of Jackson required Sagebrush Apartments to construct 2 bedroom units no larger than 975 sf. The actual requirement was to not allow units to exceed the size of the Housing Departments minimum unit size. If the Town is willing restrict size of market units to maintain the product as workforce housing, shouldn't the Standards for fees in lieu be the same as opposed to larger more costly standards? **In the event you choose not to allow the assumption to match the mean size requirement, please amend this section to match the size requirements imposed on Sagebrush apartments.**

6.3.6.B Housing Mitigation Agreement

This section requires that the Housing Mitigation Agreement include the Housing Mitigation Plan, all deed restrictions **"and any other provision the decision-maker or Housing Department deems relevant"**. Please see above comments concerning the Town and County's ability to continuously change Rules and Regulations while requiring permanent deed restrictions. The above quoted language gives carte blanche to the 'decision maker' or Housing Department to add any other provisions without any system of checks and balances. This goes too far. **Please remove this open ended and one sided arbitrary power. We are requiring permanency on behalf of the provider of housing while reserving to the Town and County unlimited rights to impose additional restrictions.**

Explanation of Draft LDRs dated 3/16/18

Explanation P. 2

This document identifies that housing in Teton County is less affordable than it was in 1994 and the growth in the affordability gap means that at least 73% of households cannot afford market housing.

Instead of relying primarily on exactions, we should consider increasing the supply of homes in Teton County. Basic laws of supply and demand dictate that with an increase in supply, prices should go down. Increasing the supply of housing may run contrary to some of the goals in the Comprehensive Plan but we need to ask ourselves how do we achieve competing interests in the Plan? One could argue that a more balanced approach relying less on exactions and more on increasing supply, incentives and subsidies might be a better, more equitable, and an ultimately fairer result. While the Town of Jackson District 3-6 Zoning Recommendations take some steps to site more housing in the Town of Jackson, more can be done. We have artificially limited supply by downzoning the County and capping growth. This may need to be revisited if, as some predict, the high exaction fees for the proposed Standards stifle development.

The Explanation identifies that increasing exactions and requiring more deed restricted units to be built increases the cost of development. Building lower income units requires greater subsidy by the private sector, which in turn decreases the return on development cost. An increased cost of development and decreased return on costs would suggest less development would occur. Explanation P. 3.

The Explanation suggest that all developers (residential and nonresidential) will be required to provide, as part of their development, enough affordable workforce housing so that employees generated who cannot afford market housing have local options. The Nexus study is used to calculate the housing need for employees generated. Explanation P. 4. However, this statement contains one glaring and material misrepresentation. **The proposed AWHs do NOT require all developers to provide workforce housing.**

The public sector is exempt. As set forth in the Policy Direction dated November 13, 2017, Page 6, “[B]ased on the employee generation numbers in the 2013 Nexus Study, public and private institutional development generated almost as much need for affordable workforce housing as commercial development from 2002 to 2014”. In a simplistic view, there are 4 types of development: 1) residential; 2) commercial; 3) private institutional; and 4) public institutional. The draft AWHs exempt public institutional development from all exactions. As discussed above, the Standards exempt a 50,000 sf public school but would require \$7,018,870 fee in lieu for the SAME square footage for a private school where both developments create the same employee demand. **There is no justification for the public exemption.** In addition the essential lack of fairness, the proposed exemption further saddles residential, commercial and private institutional development for the employees generated by public institutional. At these exorbitant exaction rates, this makes little, if any sense.

If we believe and buy-in to the theory that development generates year round employees who cannot afford market homes and those employees need to be housed, why should public institutional uses be exempt when they generate employees? **Please remove the public exemption.**

A statement on Page 4 makes the claim that the decrease in costs of multi-family residential development may increase the amount of multi-family and conservation development that occurs. While the lower exactions on multi-family development may decrease the costs, the claim that this will increase conservation development is devoid of any fact or support. The indicator report recently released fails to identify the amount of acreage placed under conservation easement through LDR based density increases as opposed to donative easements and outright purchased easements. Having done my own research, since 2012, there were nearly twice as many non-LDR acres conserved as LDR based conservation easements.

Moreover, the claim that there is a decreased cost of multi-family residential development is not entirely true. Showing wisdom, the Town Council, adopted a text amendment to the LDRS in 2017 which exempted some multi-family residential development from affordable housing exactions in exchange for workforce housing restrictions (Sagebrush Apartments). This exemption led to the approval and planned construction of 90 workforce housing units. However, the exemption is being eliminated from the proposed updated LDRs which would actually increase the cost to construct multi-family housing in the future.

This document identifies an overall cost increase for non-residential development. This statement flirts dangerously with understatement when one looks at the chart on page 5.

A 3,000 sf restaurant's fee in lieu will increase to \$1,099,499 (a 5.2x increase). What locally owned restaurant of this size could absorb a \$1M charge?

\$5,000 sf of retail's fee in lieu will increase to \$685,179 (a 4.7x increase).

10,000 sf of office's fee in lieu will increase to \$1,473,776 (a **56x** increase). As we try and diversify away from lower paying retail jobs, this seems to go against that very goal.

5,000 sf industrial's fee in lieu will increase to \$310,047 (a 39x increase). We still need mechanics shops and plumbers. Will any new business be able to absorb these types of increases?

50,000 sf private school (or center for the arts/walk festival hall, etc.) will have to pay \$7,018,870.

50,000 sf of public school will pay \$0. Where is the fairness and equity in this policy decision?

Surely the public school generates the same full time year round employees as the private school.

40 unit hotel's fee in lieu will increase to \$1,590,744 (a 4.04x increase).

With these increases, I would venture to guess we will rarely; if ever, see another locally owned hotel like Hotel Jackson constructed in town. In fact, the only businesses that could absorb these massive costs are likely national chains or extremely high end exclusive companies. As the Explanation and Comp Plan discuss preserving community character, a by-product of these exactions may very well destroy the character we have remaining in this community, or completely stifle non-residential development. Some have speculated that the Standards are a wolf in sheep's clothing and really a disguised attempt to stifle non-residential development under the guise of workforce housing. When one looks at the exaction fees on non-residential development, there seems to be some support for this notion.

Current vs. Draft Housing Requirement: Nonresidential						
Development Type	Year-round Employees	Seasonal Employees	Current		Draft	
			Units	Fee-In-Lieu	Units	Fee-In-Lieu
3,000 sf restaurant	11.868	7.266	1.8	\$ 209,560	4.768	\$ 1,099,449
5,000 sf retail	6.235	13.18	1.244	\$ 144,881	2.863	\$ 685,179
10,000 sf office	16.43	2.28	0.222	\$ 25,872	6.549	\$ 1,473,776
5,000 sf industrial	3.655	0.99	0.067	\$ 7,761	1.631	\$ 310,047
50,000 sf private school	81.65	?	exempt		34.90	\$ 7,018,870
50,000 sf public school	81.65	?	exempt		exempt	
20 – 2 bedroom short-term rentals	21.120	18.840	5	\$ 1,660,511	8.172	\$ 1,590,744
40 unit conventional hotel	21.120	18.840	3.378	\$ 393,249	8.172	\$ 1,590,744

From: Stefan Fodor
To: [Town Council](#)
Subject: Memo regarding District 3-6 Zoning Recommendations
Date: Friday, April 06, 2018 5:26:40 PM
Attachments: [Memo re Districts 3-6 18-4-6.pdf](#)

Council Members:

Attached please find a memo regarding the District 3-6 Zoning Recommendations.

Regards,

Stefan J. Fodor
Fodor Law Office, PC
307.733.2880

From: Whiteley Wheeler
To: [Town Council](#)
Subject: Moratorium and Housing Mitigation
Date: Thursday, March 22, 2018 9:14:05 AM

Pete and Councilors,

We are writing to heartily endorse your vote on the moratorium yesterday. I don't know how the JHN&G can report that there was overwhelming critical public comment, because everyone we know supports what you're doing!

We also support the stringent housing mitigation you're proposing on commercial projects.

Keep up the great work!

Whiteley and Nick Wheeler

From: Trey Davis
To: [Bob Lenz](#)
Subject: Moratorium
Date: Wednesday, March 21, 2018 9:16:40 AM

I think you should have the MORATORIUM till you figure this out !! To much Mitigation will make it were only Millionaires caI think they should till they figure this out !! To much Mitigation will make it were only Millionaires can afford to open a Business!! That's not what I think Business is all About !! It's about making it, not being made before you even Start !!n afford to open a Business!! That's not what I think Business is all About !! It's about making it, not being made before you even Start !! People like myself could never make a business profitable with all this mitigation. You would be promoting rich people from out of valley to open and killing the dreams of Locals who might reopen or start a new Business Here !! Please stop and take the time to think about the ILL EFFECTS a HIGH MITIGATION Rate will have on LOCALS who have put a lot of LOVE into this Community !! This is coming from a 20 year Jackson Business Owner !! Please think about the Ramifications of High Mitigation!! Thank You Mr. Bob, Trey Davis

Sent from my iPhone

From: Dale Hoyt
To: [Town Council](#)
Subject: Nelson drive development
Date: Thursday, April 12, 2018 3:45:13 PM

I would formally like to log our comments on the nelson drive development Re-zone. We are fully supportive of a similar size, as currently allowed, development in the area. Something similar to our Daisy bush mix or, at the most, a buffalo head density (16 units max) in there, but to zone for anything more dense seems grossly inappropriate given the road construction and size/character of the surrounding community in place already.

It seems every neighbor I have heard from on this has expressed similar thoughts. I Don't want to be nimby, so happy to allow some additional density in line with the area already given the general housing needs, but the proposed ultra density is wrong and it seemed people were angry about it or would become so if it is approved. That's a fair amount of community members very actively watching the votes on this one.

As a homeowner in Daisy bush, we already fear the traffic in the summer with boats on nelson drive and blocking line of sight when we walk through there with our dog. This seemingly would add 200 people , potentially double that with forest proposal likely driving through there every day, around a blind curve in the jog of Nelson and a blind turn coming down the Nelson drive trailhead road.

If the council does move forward in what would be a shocking decision, the road needs to be re designed with speed bumps and 1/3 additional width, you know, a normal road in east jackson.

Head scratcher here to be honest. It just doesn't fit, never mind the odd zoning requests that are completely out of neighborhood character and current build that are being misused here in the current process, as I am told by some neighbors with architectural, contracting/inspection, etc background.

Thank you,
Dale Hoyt and Katie Steinberg.
830 Dylan drive.

Sent from my iPhone

From: Lorie Cahn
To: [Town Council](#)
Subject: Public Comments on Districts 3-6 and Town Parking Update
Date: Wednesday, November 29, 2017 6:24:43 PM

Dear Mayor and Councilors,

I am out of town and the live streaming of your current meeting doesn't seem to be working. Please get this fixed if at all possible.

My main comment is that I support keeping neighborhoods that were designated in the Comprehensive Plan as "stable" and "Neighborhood Conservation" as is, and am pleased to see the staff report heading in that direction. I don't support trying to house an additional 1800 workers in Jackson that were supposed to be housed in the County. The more Jackson becomes a dumping ground for higher density, the less desirable it is becoming as a place to call home. Please keep in mind the reasons we all choose to live in Jackson - wildlife, small town, quiet neighborhoods - while you consider which policy directions you wish to give Staff. Please protect and conserve our neighborhoods.

Thank you.

Sincerely,
Lorie Cahn
E. Jackson

From: Rose C
To: [Town Council; commissioners@tetoncountywy.gov](mailto:commissioners@tetoncountywy.gov)
Subject: Housing Rule Changes
Date: Wednesday, April 04, 2018 7:45:21 PM
Attachments: [Screen Shot 2016-05-08 at 6.04.08 PM\[27\].png](#)
[Screen Shot 2018-04-04 at 7.42.20 PM.png](#)

Town Council and Board of County Commissioners,

I am writing to alert you to how one of these new housing rules affects people in our community more than you may realize. Please consider these comments before approving. You can reference the March 23 post on the TOJ Facebook page for more information :: <https://www.facebook.com/townofjackson/videos/1799700343427097>

Thank you!



Rose Caiazza and Kristen Waters - thank you both for your comments and your passion! The change is being considered to maximize the utility of the rooms and units being built. We encourage you to reach out to the Town Council and Board of County Commissioners who are adopting the updated Rules and Regulations. Your voice matters! Please contact the Housing Department if you have more questions or concerns. You can also find more information on this and the other #jhEngage2017 projects online at <https://www.engage2017.jacksontetonplan.com/>

From: Patty Ewing
To: [Pete Muldoon](#)
Subject: TOJ LDRs Districts 3-6
Date: Monday, December 04, 2017 9:23:54 AM

Dear Mayor Muldoon:

Thank you for the opportunity to comment as the Council decides on policy for LDRs on December 5, 2017. I was unable to attend on 11/29 & 11/30, but I attended all public comment meetings. We hosted a neighborhood meeting (19 attendees) and the Sr. Center meeting (3 attendees). Thanks to all the individual Planners and the Planning Department for an outstanding effort to involve the public and to provide reams of information. Always courteous, the entire staff is to be commended for a job well done. Not an easy task! Regardless of how well the Planning Department does its job, it is difficult to engage the community. However, policy decisions affect the entire community and we always circle back to the basics.

Questions: What do you think Jackson will look like in 10-20 years? Will our community be so urbanized with high density and tall buildings it will lose the character we all love? What will be the impact on our wildlife? What will be the domino affect of high density....more schools, social services, medical services, infrastructure, and more traffic and congestion, and higher taxes? These are questions the Council should and must carefully consider as you adopt policy.

Opinion: Jackson should not have to add 1800 units in addition to those already allowed. It's time Teton Village businesses house 65% of their employees. (The Comp Plan needs to address this issue.) Jackson already struggles with effects of unbridled development.

Observation: Policy which allows for high density or highest density possible in all zones designated for up zoning will be impossible to reverse. TOJ will never be able to down zone once density zoning is adopted, whereas in the future TOJ could up zone. Lower density designation still provides predictability. Our community does not owe anyone a home nor the guarantee of profit. Market should dictate housing unless deed restricted.

Please be very conservative in your approach to increasing density.

Sincerely,
Patty and Frank Ewing