

# Jackson and Teton County STRATEGY PAPER

*for Historic Preservation and Update to  
Downtown Land Development Regulations (LDRs)*

---



October 28, 2019  
Public Review

## CREDITS

### **Town of Jackson Staff**

Tyler Sinclair, Community Development Director  
Paul Anthony, Planner Director  
Kristi Malone, Senior Long Range Planner  
Angie Martell, Associate Long Range Planner

### **Teton County Historic Preservation Board (TCHPB)**

Katherine Wonson, President  
Mackenzie King, Vice President  
Michael Stern, Treasurer  
Monay Olson, Secretary  
Sherry Smith  
Frank Johnson  
Kurt Dubbe  
Jim Turley  
Kristine Abbey  
Erin Gibbs, Administrative Assistant  
JP Schubert, Advisor  
Cassidy Stickney, Advisor  
Smokey Rhea, Teton County Liaison

### **Project Steering Committee (Jackson Preservation Strategies Project Component)**

Betsy Engle, Architectural Historian  
Bruce Hawtin, Architect  
Ryan Nourai, Jackson Hole Conservation Alliance  
Monay Olson, Secretary of the TCHPB  
Sherry Smith, TCHPB Member  
Michael Stern, Treasurer of TCHPB  
Morgan Jaouen, Executive Director of the Jackson Hole Historical Society and Museum  
Paul Anthony, Planning Director, Town of Jackson

### **Stakeholder Meetings (Jackson Preservation Strategies Project Component)**

Mark Newcomb, Teton County Commissioner  
Jeff Golightly, Landowner Representative/  
Former President/CEO of the Jackson Hole Chamber of Commerce

### **Town of Jackson and Teton County Community Members**

### **Wyoming State Historic Preservation Office (SHPO) Staff**

Reneé Boveé  
Brian Beadles  
Erica Duvic (former WY SHPO Staff)

### **Consultant Team**

Winter & Company, Boulder, CO  
Urban Advisors, Portland, OR  
Code Studio, Austin, TX



# TABLE OF CONTENTS

---

<b>1.0 Introduction .....</b>	<b>1</b>
1.1 Stages in the Project .....	2
1.2 Using this Report .....	3
1.3 Public Engagement.....	4
<b>2.0 Historic Preservation .....</b>	<b>5</b>
2.1 Is Preservation Important? .....	5
2.2 What is a Historic Resource? .....	5
2.3 Where Might Historic Resources Be Found in Jackson and Teton County? .....	12
2.4 Why Preserve Historic Resources? .....	14
2.5 Exploring Incentives for Preservation.....	16
2.6 Testing the Effectiveness of Potential Preservation Incentives .....	24
2.7 How May the Community Support Preservation? .....	31
<b>3.0 Defining Western Character .....</b>	<b>39</b>
3.1 Introduction .....	39
3.2 What Is Western Character? .....	46
<b>4.0 Updating Policies and Regulations for Downtown .....</b>	<b>49</b>
4.1 Introduction .....	49
4.2 What Are Existing Policies and Regulations for Downtown? .....	50
4.3 What is the Vision for Subarea 1.1? .....	52
4.4 What is the Vision for Subarea 1.2? .....	53
4.5 What Should Be the Role Of Character District 1?.....	54
4.6 What Should Be the Boundaries for the Zone Districts and the Design Overlay? ....	55
<b>5.0 Updating the Design Guidelines .....</b>	<b>63</b>
<b>Appendix A: Public Outreach Summary .....</b>	<b>A1</b>
<b>Appendix B: Existing Conditions Report.....</b>	<b>B1</b>
I. Introduction .....	B1
II. Existing Historic Preservation Tools in Jackson and Teton County .....	B4
III. Prservation in Other Communites .....	B26
IV. Next Steps in the Project.....	B33
<b>Appendix C: Considerations For Adopting A Preservation Ordinance.....</b>	<b>C1</b>
Preservation Program Components .....	C1
A Model Prservatin Ordinance .....	C2
<b>Appendix D: Western Character .....</b>	<b>D1</b>
Western Character Background .....	D2
Western Character Public Outreach Findings .....	D5



# 1.0 INTRODUCTION

This report addresses strategies for a series of planning topics that relate to two separate projects. In the first project, the Teton County Historic Preservation Board (TCHPB) has been investigating the community's interest in historic preservation and this report represents the final stage in that project.

The Town of Jackson also is engaged in following up on a set of action items related to land development regulations in the town core, including potential revisions to the Town Square and Urban Commercial zones, and the Town's design guidelines as they relate to the concept of "Western Character." It also is considering opportunities to promote preservation of historic resources. This report presents findings and recommendations related to these inquiries.

## Questions to address

In sum, this report addresses three community planning questions:

1. What should be the role of historic preservation in the community?
2. How shall the development regulations be updated for the Town Square and Urban Commercial zones?
3. How should the concept of Western Character be interpreted and applied when considering new building designs in the downtown?

## The Planning Tools

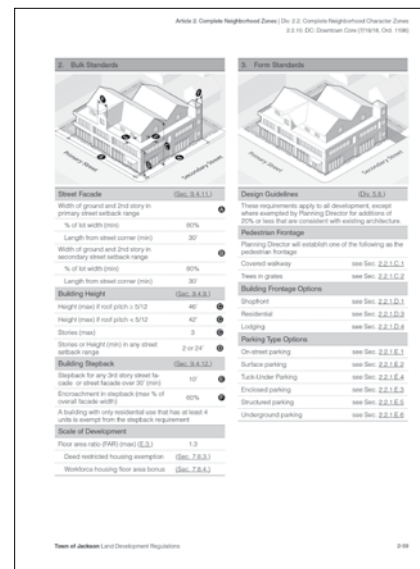
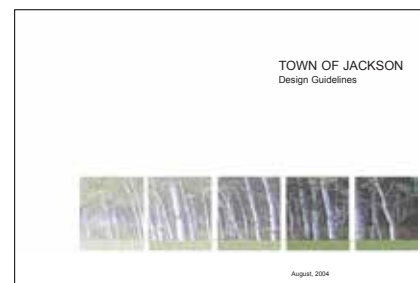
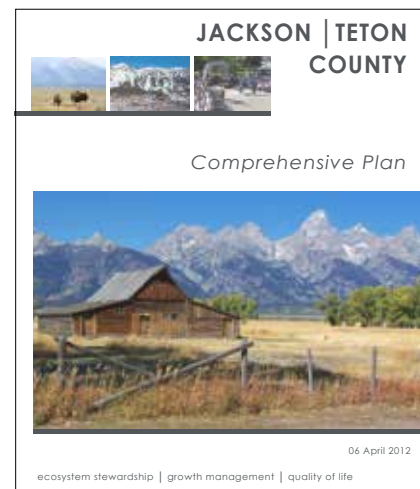
The recommendations presented in this report reference three key planning tools:

### *The Comprehensive Plan*

The Comprehensive Plan for Jackson and Teton County provides the policy base for planning actions and for related regulations. It sets goals for the character of development, including the downtown core and addresses preservation of historic resources at a high level. It also describes a vision for development in a series of Character Districts, including a Character District for the heart of downtown.

### *Land Development Regulations*

The Town of Jackson LDRs set forth prescriptive standards for development, which are tailored to a series of distinct zone districts, including those in the core of downtown. They address basic building form and scale, site planning and street edge design as well as permitted uses. The standards are generally measurable, and are administered by planning staff, or reviewed and approved by the Planning Commission and Town Council.







### *Design Guidelines*

The Town of Jackson's Design Guidelines provide a basis for reviewing the character of development. They are discretionary and are interpreted by staff with advice from a Design Review Committee. They are written to apply town-wide but include some specific references to downtown.



## **1.1 STAGES IN THE PROJECT**

This project is being conducted in three stages:

### **Existing conditions**

This stage considered existing preservation activities, opportunities and issues in both the town and the county. Information was collected that documents the current state of historic preservation in Jackson and Teton County and published in a separate report. It includes a review of professional surveys of cultural resources and a summary of the current preservation programs in operation in the community. A special focus of that report is on the Teton County Historic Preservation Board and its role in preservation.



The Existing Conditions report also summarizes preservation programs in some peer communities as well as other towns in Wyoming. An appendix also discusses the various ways in which preservation ordinances are tailored to fit individual communities.



### **Strategy report and recommendations**

This is the current document that provides recommendations for action. In this stage, recommendations are developed for the town only. Although some of the recommendations may also be appropriate to consider in the county, the outreach for this stage focused exclusively on the town.



The recommendations are based on an analysis of existing conditions in Jackson and on research of peer communities. They also are informed by input from the public in workshops and on-line communications, as well as policies published in the Comprehensive Plan. Findings from recent professional surveys of historic resources also influenced the recommendations.

### **Implementation**

In a third stage, some implementation actions will occur, following direction from the community and Town Council. This may include revisions to the LDRs and the town's design guidelines and may also include new incentives and educational actions.

## **1.2 USING THIS REPORT**

This report serves as a starting point for discussion in an upcoming workshop and on-line communications. It also will be used as an interim informational document for the Planning Commission and Town Council in providing direction for implementation of potential action items. Any of those that require formal adoption by the town will of course include other opportunities for public input.

The first section of this report addresses historic preservation. It builds on existing preservation programs to provide suggestions to protect properties identified as important to preserve by the community. The second section builds on the Comprehensive Plan policies to implement the desired future character of the Town Square and Urban Center zones by recommending updates to the Town Square and Urban Commercial zones. A third section of the report addresses how the term Western Character is defined.

Recommendations for preservation are informed by meetings with stakeholder groups, the Teton County Historic Preservation Board (TCHPB) and Town staff, as well as activities in the community workshops and on-line survey. Recommendations for the land use zone revisions are informed by workshop and on-line survey activities and meetings with Town staff.

Appendices include more detailed information and background including public outreach findings, preservation ordinance options and defining the term Western Character.



### 1.3 PUBLIC ENGAGEMENT

Public outreach has included two community workshops, an on-line survey and a series of informational meetings with a project steering committee, Town staff, stakeholder groups and Wyoming State Historic Preservation Office (SHPO) staff. The informational meetings took place in February 2019. On June 10, 2019, midday and evening community workshops were held, totaling 81 participants. The same content was presented at each workshop. An on-line survey was created following the community workshops and included some of the same questions. The survey received feedback from 303 people, with an average of 250 responses per question.





## 2.0 HISTORIC PRESERVATION

---

### 2.1 IS PRESERVATION IMPORTANT?

Preserving historic resources is important to the community. The recent workshops and on-line surveys clearly indicate that residents value historic resources in the town and throughout the county. Data from public outreach is presented in an appendix which provides more detail about this finding.

Preservation also appears as a community value in policy documents, particularly in the Comprehensive Plan. Specific policy statements from the plan appear in the Existing Conditions Report, which also is an appendix to this document.

### 2.2 WHAT IS A HISTORIC RESOURCE?

What people mean when talking about historic resources can vary. To some, it may be a few iconic structures that are well-known as long-standing landmarks. To others, it may include a wide range of properties from various periods in the community's development. In many cases, communities use formally adopted criteria for determining historic significance, and apply them in professional surveys of cultural resources. As a starting point, they frequently use criteria that are widely accepted nationally and that are applied to the National Register of Historic Places.

#### **Nationally Accepted Criteria For Significance**

A historic resource can refer to a district, site, building, structure or object significant in the history of American archeology, architecture, culture, engineering or politics at the national, state or local level.

In order to be eligible for listing as a property of historic significance, it must first meet a set of threshold criteria related to age and integrity, and then must meet criteria related to significance.

#### **Age**

Generally, a property must be 50 years old or older. There are exceptions to this rule, however, to accommodate significant modern buildings.

### **Significance Criteria**

Eligibility for the National Register of Historic Places is shown in the evaluation of a historic resource in that “the quality of significance in American history, architecture, archeology, engineering and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

- Association with events that have made a significant contribution to the broad patterns of our history; or
- Association with lives of significant person(s) in our past; or
- Embody distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- That have yielded or may be likely to yield, information important in history or prehistory”

### **Historic Contexts and Themes**

Historic contexts are publications which discuss the patterns and trends that produced individual properties in the community. The core premise is that properties represent interweaving factors in history and did not occur in isolation. These documents are used in understanding potential significance by identifying important themes in history. Themes group information related to historic resources based on a subject, specific time period or geographic area. The relative importance of individual historic resources is better understood by determining how they fit into a theme. Individual historic resources may relate to more than one theme.

### **Integrity**

While a property may meet the age threshold and be associated with events as noted in the significance criteria and historic context, it also must retain a sufficient amount of the building fabric related to the specific period of significance. A property must retain integrity of:

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association

It must retain sufficient integrity in many of these aspects to convey its historical, cultural, or architectural significance.

## **Historic Resource Survey Methodology**

In August 2019, a multiple property documentation of residential properties in Teton County was completed by Hagen Historical Consulting. This began with a windshield/reconnaissance survey of residential properties 50 years or older. The survey work was supplemented by cultural records, Tax Assessor Records, local archives and museum collections. Properties in need of an intensive-level survey were noted during this process, and more detailed Wyoming Cultural Resources forms were completed for them.

In addition to the 2019 survey of residential properties, other surveys completed over the past 20 years identify ranches, motels, commercial buildings, public buildings (such as schools), cemeteries and open space as potential historic resources.

## **What Types Of Properties Are Valued As Historic Resources?**

In a community workshop and an on-line survey, participants commented on a series of types of historic resources that had been identified in historic resource surveys. In the workshop, they reviewed the property types and noted whether they should be preserved. In the on-line survey, each participant reviewed each property type and noted whether it should be preserved.

Based on feedback, the property types were divided into three categories related to priorities for preservation: “Very Important”, “Somewhat Important” and “Not Important” to preserve. The property types rated as “Very Important,” by more than 51% of respondents in the workshops or the on-line survey, are on page 10. The second line beneath each image includes voting percentages from the on-line survey, which indicate the percentage of “Very Important to Preserve,” “Not Important to Preserve” or “Neutral” votes. Participants could also select “No opinion,” which is why percentages may not total 100%.

Important to note is that while the property type was intended to be the focus, some participants may have responded based on the specific building or business shown as an example. For instance, the first image on page 10 is a “Commercial (Drug Store)” property type, and some responses reflect opinions specific to Jackson Drug and the importance of its preservation. More detail for this question can be found in Appendix A.

## **Respondent Comments Included**

Along with rating the property type images, participants also provided written comments. The most common comments were:

- Participants clearly value historic resources in the community. However, the value placed on different types of potential historic resources varies. For instance, structures that represent Western Character, such as log cabins and early 20th century commercial buildings, are valued more than mid-century structures.
- Iconic buildings, such as the Cowboy Bar and Old Wilson School House, should be preserved
- Need to preserve the history of the community
- Low scale buildings, open space and views which are important to the character of the community
- Many participants commented on the importance of log structures in alleyways and their contribution to Jackson’s Western Character.
- While open spaces and parks received high votes for preservation, participants are also concerned about green spaces and trees on individual sites disappearing so that new development can maximize the site.



**Observations:**

Awareness of the significance of historic resources varies among residents in the community. Older resources from early settlement and early resort times tend to be rated most important to preserve. More recent resources, often termed “mid-century,” are not (yet) recognized as being as important. Other property types are in the “middle,” in terms of appreciation of significance. Single family homes from the early decades of the twentieth century are examples. This suggests that a system for recognizing historic resources should have a means of indicating different levels of significance.

**Recommendations:**

Consider a systems of listing properties in a hierarchical system of “tiers.” This could be:

Tier 1: Individual properties of “landmark” significance, such as...

- Early settlers log cabins
- Early 20th century store fronts from the early tourism era
- Early institutional properties, such as cemeteries, churches and schools

Tier 2: Historic properties of general historic significance, such as...

- Early tourism era ski lodges
- Iconic neon signs
- Early 20th century houses
- Early 20th century infrastructure, such as bridges

Tier 3: Properties of interest, such as...

- Mid-century houses

Continue to build awareness of historic resources. This includes maintaining the marker program that recognizes historic resources.

## Property Types that are “Very Important” to Preserve in Public Opinion



**Commercial (Drug Store) - Tourism Era**

VI: 87% | NEU: 7% | NI: 6%



**Commercial (Hotel) - Tourism Era**

VI: 77% | NEU: 13% | NI: 10%



**School Building - Early 20th C.**

VI: 82% | NEU: 10% | NI: 8%



**Parks/Open Space - Early 20th C.**

VI.: 94% | NEU: 4% | NI: 2%



**Dude Ranch/Timber Structure - Early 20th C.**

VI: 86% | NEU: 6% | NI: 7%



**Bridge Structure - Tourism Era**

VI: 61% | NEU: 19% | NI: 20%



**Cemetery - Early 20th C.**

VI: 77% | NEU: 9% | NI: 11%



**Commercial (Bar) - Tourism Era**

VI: 84% | NEU: 8% | NI: 7%



**Early Settlers Log Structure - Late 19th C.**

VI: 69% | NEU: 14% | NI: 16%



**Residential - Early 20th C.**

VI: 56% | NEU: 22% | NI: 21%



**Ski Mountain/View - Tourism Era**

VI: 83% | NEU: 9% | NI: 7%



**Lodge (Ski Lodge) - Tourism Era**

VI: 68% | NEU: 17% | NI: 14%



**Sign - Tourism Era**

VI: 55% | NEU: 16% | NI: 28%



**Timber Cabin - Late 19th C.**

VI: 59% | NEU: 20% | NI: 19%

VI=“Very Important to Preserve” (these received at least 50% of the votes); NEU=Neutral; N.I.=“Not Important to Preserve”

### ***Observations from the Community Workshop:***

- There is a strong desire to preserve a variety of property types in Jackson and Teton County (early 20th century commercial buildings and log structures were most commonly selected as important to preserve.)
- Preserving open spaces, ranch lands, parks and Snow King are important priorities in the Town and County.
- Survey results indicate that there may be some important iconic individual resources to preserve rather than the broader property types. This may indicate the need to establish a hierarchical designation system.
- There is strong interest in preserving neon signs throughout the community.
- Community interest in preserving and reusing historic log structures along the alleyways indicates the need to explore an adaptive reuse program specific to these structures.
- Concerns regarding the rapid loss of trees and green spaces that define Jackson due to development that maximizes sites indicates the need to explore a historic tree preservation ordinance and/or changes to the LDRs.

More detail from the workshops and surveys is presented in Appendix A.



## 2.3 WHERE MIGHT HISTORIC RESOURCES BE FOUND IN JACKSON AND TETON COUNTY?

Historic resource surveys indicate that properties of historic significance exist throughout the county. These vary in location by property type. For example, ranch and farm buildings are in more rural areas of the county, while commercial buildings tend to be in towns. Most sites identified were of buildings, but some were other types of structures, such as an early steel bridge. In the cases of ranches, a grouping of buildings was sometimes identified as having significance. While the survey identified many individual properties, it did not identify any historic districts, which would include a concentration of historic resources of a particular context.

In a workshop activity, participants also expressed their opinions about the locations and types of historic resources by mapping them. Combining responses from the survey and workshops, many properties were identified. Those mentioned at least 10 times are:

### In the Town of Jackson

- Town Square
- Genevieve block and green space
- Fairgrounds/rodeo
- Downtown area
- Wort Hotel
- Cowboy Bar
- Boardwalks
- Karns Meadow
- May Park
- Miller Park
- Snow King
- Sweetwater (Coe Cabin)
- St. John's Episcopal Church and grounds
- Broadway east of Cache St.
- Neighborhoods in several blocks of all directions of Town Square
- Open and green space for parks, churches, community gatherings
- Historic homes, bars, ranches and businesses
- Historic log cabins/buildings



## **In Teton County**

- Elk Refuge
- Town of Wilson and surrounding area
- Mormon Row (including Multon Barn/Ranch)
- Kelly historic cabins/buildings/swinging bridge/yurts
- Area along Spring Gulch Road Corridor (Mead and Lucas ranches)
- Miller House
- Hardeman Barns
- Historic ranches and ranch land (including cattle ranches)
- Dornan's
- Dude ranches (i.e., Bar BC Dude Ranch, R Lazy S Ranch, U Lazy U, Darwin Ranch, White Grass Ranch, Triangle Ranch)
- The Tetons/Grand Teton National Park
- South Park/Agricultural lands
- Open space throughout the county

## **Observations:**

Survey data indicates that resources exist throughout the community as individual sites, not as districts. Public input is consistent with this finding. People participating in the workshop found many resources they considered historically significant. They often named specific properties, but in some cases identified a more general category, such as "early log cabins." They sometimes drew a circle around several blocks in town on a map, but they were not identified as historic districts.

## **Recommendation:**

Promoting preservation of individual resources throughout the community should be the focus of any potential action items, not in creating a district

## **2.4 WHY PRESERVE HISTORIC RESOURCES?**

Historic structures in Jackson and Teton County are essential parts of the community's identity. They enhance quality of life, economic vitality and environmental sustainability. Investment in these assets ensures that the social, cultural and economic aspects of the community are maintained.

### **Livability and Quality of Life**

Historic structures reinforce community identity. In many neighborhoods, when historic structures are located together on a block, they contribute to a pleasing street scene with consistent setbacks and regular repetition of similar building forms, creating a "pedestrian-friendly" environment which encourages walking and neighborly interaction. This reinforces desirable social patterns and contributes to a feeling of stability and security.

### **Housing Diversity and Affordability**

The preservation, reuse and rehabilitation of historic structures, including large and small single-family homes and small apartment buildings, maintains a wider stock of housing types and can provide more affordable options.

### **Adaptability**

Floor plans of many historic structures easily accommodate changing needs. They can house a variety of uses while retaining their historic character. Changes may include converting a house to an office or converting a carriage house or garage to an Accessory Dwelling Unit (ADU).

### **Economic Benefits**

The economic benefits of investing in historic structures are well documented. Because historic structures are finite and cannot be replaced, they can be precious commodities, adding value to the properties. Historic buildings also attract small businesses who can utilize small historic structures, attract visitors and attract investment to preserve the structure and the area. Other economic benefits center on job creation in rehabilitation projects and on the income generated by heritage tourism.

Direct and indirect economic benefits accrue from rehabilitation projects. Direct impact refers to the actual purchases of labor and materials, while indirect impacts are expenditures associated with the project, such as manufacturing labor and purchases that construction workers make in the community. Preservation projects are generally more labor intensive, with up to 70% of the total

project budget being spent on labor, as opposed to 50% in new construction. This means that more of the money invested in a project will stay in the local economy and not be used towards materials and other costs manufactured or sourced outside the community.

### **Heritage Tourism**

Heritage tourism is another benefit of investing in historic preservation, as people are attracted to cultural heritage sites. These resources provide visitors a glimpse into the history of Jackson and Teton County, and tell of its contribution to the state and nation's history. Heritage tourism means traveling to experience the places that authentically represent the stories and people of the past and present. This includes historic as well as cultural and natural resources. Heritage tourism supports employment in hotels, bed and breakfasts, motels, retail stores, restaurants and other service businesses. Studies show that heritage tourists spend more dollars on travel than other tourists.

### **Environmental Benefits**

Sustainable development and the conservation of resources are central principles of historic preservation. Sensitive stewardship of the existing building stock reduces our environmental impact. Re-using a building preserves the energy and resources that were invested in its construction, reduces the amount of materials going to the landfill and avoids the need to produce new materials.

### **Embodied Energy**

Embodied energy is defined as the amount of energy used to create and maintain an original building and its components. Preserving a historic structure retains this energy. Wood, stone, brick and glass all manifest the energy of their creation and the energy invested in building construction. If demolished, this investment in embodied energy is lost and significant new energy demands are required to construct a replacement. In addition, according to the Environmental Protection Agency (EPA), building debris constitutes around a third of all waste generated in the United States. This can be reduced significantly if historic structures are retained rather than demolished.

## 2.5 EXPLORING INCENTIVES FOR PRESERVATION

Property owners may be encouraged to preserve historic buildings and other cultural resources with financial incentives as well as regulatory provisions that facilitate preservation. Some incentives are available without town action, but property owners may not be aware of them, or the organizational structure may not be in place to implement them. Other incentives would require some form of action on behalf of the town. This section describes some options.

The objective is to encourage property owners to commit to preserving their property, either through a preservation easement or by landmarking the property (if the town were to adopt a preservation ordinance that provides for such protection). While the focus of these incentives is within the Town of Jackson, some could be implemented by the county as well. Note that some may not be appropriate for Jackson because of conflicting policies or public support. They are, however, included for discussion.

### Potential Financial Incentives

#### **Federal Income Tax Credit for Certified Historic Structures**

A federal income tax credit is available for the certified rehabilitation of a listed or eligible historic resource. The rehab tax credit incentivizes preservation for income-producing properties. This may be meaningful for some properties and, combined with other incentives, might make preservation in the long-term worthwhile.

##### *Conditions:*

- The owner voluntarily seeks the tax credit.
- The property must be listed in the National Register of Historic Places (NRHP), or determined to be eligible for listing.
- The rehabilitation work must be approved by the Secretary of the Interior.
- A credit of 20% of the rehabilitation expenses may be taken.
- The property must be income-producing (not owner-occupied).

##### *Potential Application:*

- This incentive may appeal to owners of larger properties with rehabilitation projects of substantial costs. The tax credit could be useful for:
  - Commercial buildings with space that is rented
  - Residential buildings that are rented (short or long term)
  - Accommodations



*Action Needed to Activate this Incentive:*

No action on the part of the Town is required to activate; however, by conducting surveys for historic resources (as the TCHPB does), the process of certifying a property to be eligible to the NRHP is expedited. In addition, the Town could provide technical assistance to owners in executing the paper work to qualify for the credit and in developing rehabilitation plans that comply with the Secretary of the Interior's Standards for Rehabilitation.

**Conservation Easement Donation**

Conservation easements are widely known for land and open space protection, but also are used for historic properties across the country. In donating an easement, the property owner gives control of all, or a portion, of a property to an eligible easement holding organization and then claims a charitable gift donation on their federal income tax. A preservation easement may be limited to the exterior of a building (covering all sides) or it may also include giving up some potential development rights for the site. Typically, alterations are permitted that comply with the Secretary of the Interior's Standards. The easement also can provide the ability for some new construction to occur on a site, within guidelines that protect the integrity of the historic resource.

*Conditions:*

- The owner is willing to donate the easement.
- The property must be on or eligible to the NRHP.
- In accepting an easement donation, the receiving organization will also ask for a cash donation, to cover costs to monitor the easement.
- An appraisal is needed to determine the loss in value that the gift constitutes.
- The easement must be held in perpetuity.
- The property may be of any land use type, including commercial and residential.

*Potential Applications*

- This tool may be meaningful for high value landmark-quality properties whose owners need substantial tax deductions. This includes commercial as well as residential properties. It may be particularly useful where a small building exists on a large lot, which occurs in some of Jackson's residential districts. By donating all or some development rights along with a facade easement, open space could be preserved and the character of the historic setting could be maintained.

*Action Needed to Activate this Incentive:*

An eligible easement holding organization must be identified. This may be an existing organization which focuses on open space conservation and is willing to expand its operations, or it could be newly created. The American Easement Foundation also accepts some

easements nation-wide and may be an option. No action is required on the part of the Town.

### **Purchase of a Preservation Easement**

In this approach, a preservation easement is purchased, rather than donated. This sometimes is called a Purchase of Development Rights (PDR). The valuation of the purchase may be similar to an easement donation, or it may be negotiated in combination with other incentives described in this paper. This may be operated by a private, non-profit organization, such as an easement holding group, or it may be the Town. A funding source would be needed. This may be a major donor, or an endowment that is established through a fund-raising campaign; a percentage of a sales tax also could be dedicated to creating a preservation easement fund.

#### *Conditions:*

- The owner is a willing seller of the easement.
- A funding source must be in place.
- Limitations on development would be defined in the purchase agreement.
- An organization must be identified to purchase and manage the easements.
- The property should be determined to have historic significance, using locally-adopted criteria, but it is not necessary to qualify for listing in the NRHP.

#### *Potential Application:*

- Purchase of easements would be a good tool, if sufficient funds are available. It could work for key landmarks, where the public is willing to support a purchase. It also may be useful for owners who are not in position to take advantage of the charitable gift write-off associated with a donated easement.

#### *Actions Needed to Implement:*

A private non-profit organization could establish this program, or the town could do so. If the town were to implement the program, an ordinance may be required.

### **Local Sales Tax Rebate on Rehabilitation Materials**

A community can establish a program to rebate local sales tax on construction materials that are purchased locally. In Teton County, with a relatively low sales tax rate, this may not be meaningful, but when combined with other incentives, could be appealing. Sometimes, the taxing entity may be concerned about a loss of revenue, but an analysis of potential losses could show that this incentive will have a modest impact.

*Conditions:*

- The property should be determined to have historic significance, using locally-adopted criteria, but it is not necessary to qualify for listing in the NRHP.
- Construction work on a historic resource must be approved to qualify for the rebate.
- An agreement to list the property under a local ordinance should be required.
- After completion of the work, the local sales tax paid on construction products would be returned to the owner.

*Actions Needed to Implement:*

The county would have to enact this incentive.

**Rehabilitation Grants or Loans**

The town could establish a financial assistance program to facilitate rehabilitation of historic buildings. This could be in the form of outright grants, or loans. One variation is to design the assistance as a forgivable loan, which is canceled after a defined period. Funding could come from a portion of the county sales tax, a town budget item or a special endowment.

*Conditions:*

- The property must be determined eligible, using locally-adopted criteria.
- The rehabilitation work must be approved, following adopted design guidelines for preservation.
- A funding source must be established.
- A preservation easement, or an agreement to landmark the property should be a condition of the assistance.

*Actions Needed to Implement:*

Depending upon the funding source, this would require action by the county or the town government.

## **Potential Regulatory Incentives**

These are incentives that could be offered by modifying development regulations.

### **Provide Flexibility with Existing Non-Conforming Conditions**

The town could provide flexibility in non-conforming conditions when the work would result in preservation of a historic resource. For example:

#### **Permit Encroachment into a Front Setback**

In some residential properties, a historic house may sit back on the site in a position that limits the potential to construct an addition or to add another building to the rear. Permitting the building to be moved forward in order to make room for new construction could require allowing it an encroachment into the front setback area.

##### *Conditions:*

- The property must be locally designated as a historic resource.
- The rehabilitation work must be approved.
- Any alterations and new construction must be approved, following the town's design guidelines.

##### *Application:*

- This incentive would be particularly useful in promoting preservation of smaller residential properties.

##### *Actions Needed to Implement:*

The town would amend the LDRs to establish parameters for providing this flexibility. This could be an amendment to specific zoning categories or could be a part of a preservation section that would be added.

#### **Permit Encroachment for an Addition**

In some cases, a historic building may encroach into a side property line. This could limit the ability to expand the structure and therefore could discourage preservation. Permitting a new addition to align with the historic building and continue the encroachment may encourage listing a property as a historic resource.

*Conditions:*

- The property must be locally designated as a historic resource.
- The rehabilitation work must be approved.
- Any alterations and new construction must be approved, following the town's design guidelines.

*Application:*

- This incentive would be particularly useful in promoting preservation of smaller residential properties.

*Actions Needed to Implement:*

The town would amend the development code to establish parameters for providing this flexibility. This could be an amendment to specific zoning categories or could be a part of a preservation ordinance.

**Waive or Reduce Parking Requirements**

Some communities reduce, or waive entirely, requirements for on-site parking associated with a designated historic property. The amount of the reduction may be specifically defined in an ordinance, or the planning director may have the ability to reduce the requirement, up to a defined limit, based on the specific conditions of a particular property. This reduction may apply to a new addition as well. It could apply to any historic resource in the community, or could be limited to specific property types or zone districts.

*Conditions:*

- The property must be locally designated as a historic resource.
- Any alterations and new construction must be approved, following the town's design guidelines.

*Application:*

- This incentive may be particularly useful for a historic single family residential property, especially when an addition is planned to enhance livability of the home.

*Action Needed to Implement:*

The town would adopt language in the code that provides the ability to use this incentive.

### **Discount Historic Floor Area in FAR Calculations**

This incentive would exclude all or a portion of the floor area in a historic building that is locally listed when calculating the maximum permitted for a site. The amount of the reduction may be specifically defined in an ordinance, or the planning director may have the ability to reduce the requirement, up to a defined maximum, based on the condition of a particular property. It could apply to any historic resource, or could be limited to specific zone districts.

#### *Conditions:*

- The property must be locally designated as a historic resource.
- Any alterations and new construction must be approved, following the town's design guidelines.

#### *Application:*

A discount is already provided in calculating affordable housing requirements. This incentive could be expanded to apply to general FAR calculations as well. It may be particularly useful for historic single family residential properties, especially where the existing floor area ratio limit is relatively low.

#### *Action Needed to Implement:*

The town would adopt language in the code that provides the ability to use this incentive. Teton County is currently exploring adjusting floor area calculations related to preserving historic ranch buildings.

### **Transfer of Development Rights**

In this incentive, development rights are transferred to a receiving site. Rights are transferred to a second site, and typically are purchased in a "willing seller, willing buyer" arrangement. This requires establishing a procedure to determine what the scope of the development rights may be. This can be a challenge, since the interaction of several code requirements combine to determine development potential. It also means that an area must be identified as appropriate to receive the increased development and where there is market demand for increased floor area.

*Conditions:*

- The historic property would need to be landmarked to qualify for this incentive.
- The rehabilitation work must be approved.
- Any alterations and new construction must be approved, following the town's design guidelines.

*Application:*

This may be attractive in transferring development rights from rural areas in the county into town centers. It also may be applicable within Jackson, transferring from one district to another.

*Actions Needed to Implement:*

The town and/or county would add a provision in their codes to enable this incentive.

**Adjust thresholds for Development Permits**

The town could waive or reduce certain requirements for development permits. For example, floor areas of historic structures could be exempted from project review thresholds (as done for deed-restricted housing), or the project could be reviewed by staff only, thereby streamlining the time required for permitting.

*Conditions:*

- The historic property would need to be landmarked to qualify for this incentive.
- The rehabilitation work must be approved.
- Any alterations and new construction must be approved, following the town's design guidelines.

*Application:*

This could apply to all preservation projects.

*Actions Needed to Implement:*

The town and/or county would add a provision in their codes to enable this incentive.



## **2.6 TESTING THE EFFECTIVENESS OF POTENTIAL PRESERVATION INCENTIVES**

A variety of incentives for preservation are described in this paper, with the understanding that some may not be feasible to implement and that others may not be sufficiently robust to have an impact. But, several other incentives appear to have potential to encourage preservation of historic resources. Of those that could be effective, some will appeal to resident owners while others will be more meaningful for developers or investors. In many situations, a combination of incentives could be applied to an individual property. As a means of gaining an understanding of how incentive strategies may vary, a series of alternative development scenarios is tested for three different case studies. The results provide insights into the package of preservation incentives that Jackson may consider. The economics analysis follows this procedure:

### **Case Studies**

Three cases studies are analyzed to test the potential effectiveness of applying preservation incentives. Each case study assumes a historic building, or set of buildings, exists on its site. Three alternatives for preservation and new construction are then tested.

The economics analysis considers these locations:

1. A site in the DC, Downtown Core zone, within the Lodging Overlay
2. A site in the TS, Town Square zone
3. A site in the NL-5 district (residential)

Each of these zones has several structures of historic significance and are experiencing significant investment. They also provide lessons that can be extended to historic resources in other zones.

## **The Alternative Scenarios**

For each case study, three alternative scenarios are used to test a range of options:

### *Scenario 1: A Moderate Preservation Scenario*

This tests an “intermediate” scale of development that retains the historic building and adds more building area to the extent feasible.

- The historic building is preserved.
- In some cases, an addition is built to expand usable floor area.
- A new building is added, when site conditions permit, building as much as is permitted without bonuses, while respecting the historic building.
- This scenario could meet local preservation guidelines (if adopted), but may not meet standards of the Secretary of the Interior, because the amount of projected new development may be considered excessive and therefore some federal tax incentives may not be available.

### *Scenario 2: A More Conservative Preservation Scenario*

This preserves the building and is more conservative in terms of the scale of additions and new construction, with the intent of testing a project that could meet the Secretary of the Interiors standards. This scenario has the least amount of “yield” in terms of development potential.

- The historic building is preserved.
- In some cases, a small addition is built to expand usable floor area, and is designed to remain subordinate to the historic structure.
- In some cases, a new building is added, when site conditions permit, but building less floor area than Scenario 1, such that the historic resource remains prominent.
- This scenario may meet the standards of the Secretary of the Interior and therefore some federal tax incentives could be available.

### *Scenario 3: A Replacement Development*

This is the estimated maximum build-out of the site with base code conditions and no bonuses. This provides an all new construction option to compare with the results of Scenarios 1 and 2.

- The historic building is removed (either demolished or relocated).
- New buildings are constructed to the maximum permitted under existing codes, without bonuses.

For each of these, housing mitigation fees are included.

### **Adding Some Incentives**

After generating pro formas for the alternative scenarios with existing codes, another set of calculations is generated, which includes the effects of some potential incentives that could be applied. These are drawn from the list of potential incentives that are described in the preceding section of this report. The assumption is that different incentives will be meaningful for different locations, with respect to zone districts, proposed uses and property types. The goal is to determine which incentives will be most appealing to encourage property owners to landmark their properties. A fundamental objective is to determine if a preservation program can be established that focuses on providing incentives to encourage owners to preserve their properties.

## Observations about the Development Scenarios

### Case Study 1 (hotel)

In this case study, two houses exist on abutting lots on which a hotel is to be developed. In the first and second scenarios, the houses are preserved. In the third, they are replaced. Two variations on development are tested for this case study: One set of scenarios considers the two historic buildings are preserved on site and are sold separately as residential units, which could generate cash early. The second set of scenarios assumes the houses are operated by the hotel as luxury guest cottages.

In both of these approaches, the financial performance of the preservation scenarios are equal to, or better than, the “all new” approach. When comparing scenarios, it appears that there may be a “sweet spot” that balances preservation of the two houses with new development; specifically this appears between Scenario 2 and Scenario 3.

This, in part, reflects the interaction of the existing FAR limit combined with costs for new construction. In addition, the rehabilitation costs yield square footage with a relatively high value, given that the cost of rehabilitation, although assumed to be high, is less than that of new construction. Housing mitigation fees also play a role because they increase with added new square footage.

### Adding Incentives to Case Study 1

Some potential preservation incentives could further enhance the feasibility of Scenario 2 of Case Study 1. For example:

#### Reduced parking requirement

The pro formas assume that some reduction in parking requirements would be granted as an incentive for preservation. This reduces development costs moderately.

#### Reduced permitting fees

A portion of permit fees may be reduced. In addition, providing more options for payment in lieu may facilitate preservation.

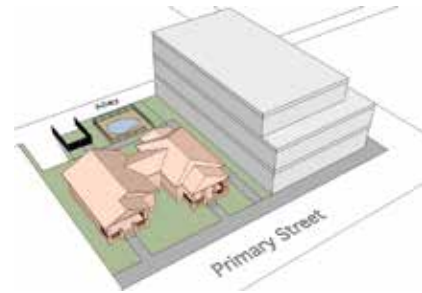
#### Discounting historic FAR

If a portion of the FAR of the historic buildings were to be waived from calculation, then Scenarios 1 and 2 could add a bit more square footage to the new building, which would increase the rate of return.

#### Rehabilitation tax credits

If the project were to take the federal income tax credit for certified rehabilitation of a historic building, 20% of the

## Case Study 1



Scenario 1



Scenario 2



Scenario 3

Key:

 Historic building

rehab cost would yield a “cash back” to the developer for Scenario 2, which is the more conservative preservation scenario and therefore may meet the Secretary of the Interior’s standards for rehabilitation.

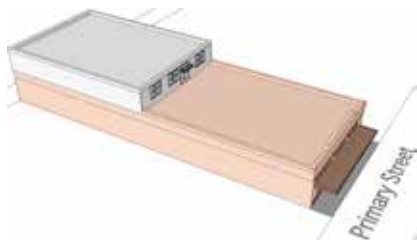
#### Easement donation

If the owner were to donate a conservation easement for preservation of the historic buildings and include the reduced development potential that results, then the loss in value could be taken as a charitable donation on federal income tax.

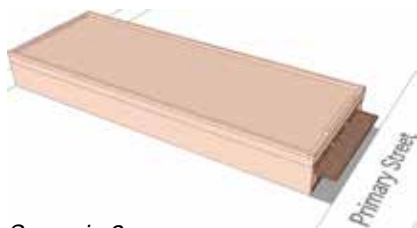
#### Combining incentives

In some circumstances, it may be possible to make use of both the rehabilitation tax credit and an easement donation. For example, one may first donate the easement and then some time later rehabilitate the property and claim the tax credit.

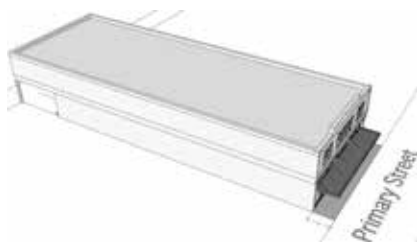
## Case Study 2



Scenario 1



Scenario 2



Scenario 3

Key:

 Historic building

### Case Study 2 (Town Square commercial)

In this case study, a one-story commercial building exists on site. The first scenario considers a partial second floor addition while a second scenario preserves the building as is. In the third scenario, the building is replaced with a two-story structure. This case study also considers two alternatives related to ownership. In one set of scenarios, it is assumed that the current owner would make the improvements and that they own the property outright. This means there is no land cost involved. In the second set of scenarios, it is assumed that a new buyer would make the improvements and therefore the cost of acquiring the property would be included in the development costs.

In this case study, the base zoning limits the size of a new building to two stories, such that the increase in value that would be realized by building anew is limited. The scenarios with the current owner making improvements perform best and of these, the preservation option (Scenario 2) performs best, in terms of the return on investment.

### Potential Incentives for Case Study 2

The preservation options could be further enhanced with these incentives:

#### Rehabilitation tax credit

The rehabilitation tax credit could be applied to Scenarios 1 and 2. This could be particularly attractive to an existing property owner.

#### Easement donation

In this case study, an easement donation could be attractive to either an existing owner or a new buyer, depending upon their tax position.

Reduced development fees

A reduction in permit fees also could apply to the preservation scenarios.

### Case Study 3 (Residential)

In this residential zone, a house sits on the lot and adding more units is envisioned. In scenario #1, an addition is constructed along with a carriage house. The second scenario is similar, but of less intensity. The final scenario is all new construction. In this case study, Scenario 1, the robust preservation option, performs the best. This includes preservation of the historic house, and adds a substantial amount of new building. This concept could meet more permissive local preservation standards that may be adopted by the town, but may not meet the Secretary of the Interior's standards. Scenario 2, which also includes preservation of the house and adds less new square footage may meet the Secretary's standards. The third scenario is somewhat less profitable than Scenario 1. Scenario 2 is less profitable, but could be enhanced with incentives.

### Potential Incentives for Case Study 3

These incentives are among those that may be applied to this project:

#### Discount All or a Portion of the FAR in the Historic Building

This could result in adding 600 sf of new building above what the current FAR limit would permit.

Easement donation

An easement donation could also be possible.

Federal Tax Credit for Rehabilitation

The potential rehabilitation tax credit for Scenario 2 could be used also.

Reduced development fees

A reduction in permit fees also could apply to the preservation scenarios.

### Summary Observations

Even in the robust real estate climate, preservation projects may be feasible when compared against alternatives that replace the historic structures with all new development built to the maximum permitted. In many cases, the rate of return is comparable to that of an all new construction option, or even better.

### Case Study 3



Key:

 Historic building

**Some current regulations help to support preservation alternatives.**

The base FAR limits and height limits to some extent help keep the difference in gain to be within a range that makes preservation projects more feasible. For example, if a 1000 SF building exists on site and the FAR only permits a 2000 SF building the increase in value may not be sufficient to merit redevelopment. These limits also provide opportunities to offer incentives for preservation that otherwise might not be as attractive to investors. This also means that the town should carefully evaluate any future revisions to these regulations with consideration of how they may affect preservation feasibility.

**Landmarking need not be tied to a development project.**

It appears that, if a property owner were to initiate landmarking of their property without making improvements immediately, it would still retain value if they were to choose to sell in the future. That is to say, even if a current owner were not contemplating an improvement project themselves, they could move forward to landmark the property with an understanding that the property would still retain sufficient value. They also could take advantage of an easement donation without undertaking a development project.

**New incentives could further encourage owners to landmark their properties.**

Regulatory incentives, including adjusting FAR calculations and waiving certain requirements and fees also would enhance preservation as an option.

**Why aren't property owners pursuing more preservation projects?**

It may be that some property owners are not aware of the financial feasibility of preservation versus new construction. This suggests that an information campaign that highlights preservation options would be helpful.

Owners also may see the process for obtaining rehabilitation tax credits to be burdensome. This would suggest that a program to "facilitate" certified rehabilitation projects would be useful. For example, an initial step in obtaining the tax credit is to confirm that the property is historically significant, in terms of meeting criteria of the Secretary of the Interior. Sponsoring surveys that meet National Register standards, such as those recently conducted by the TCHPB, helps make it easier for property owners to plan for the tax credit. Providing information about incentives also would help bring attention to preservation as an option to consider.



## **2.7 HOW MAY THE COMMUNITY SUPPORT PRESERVATION?**

Many community members who participated in workshops and on-line surveys indicated support for an enhanced preservation program in Jackson. They particularly expressed support for preserving resources that they identified as being of “high priority” and favored a program that offers incentives. This section recommends actions to enhance historic preservation in the community.

To further promote historic preservation in the community Jackson should consider actions in each of the components described below. (Note that more details about typical preservation components are explained in more detail in the Existing Conditions Report, which is included as Appendix B.

### **Offer Incentives**

Incentives and benefits include tools that assist property owners in maintaining historic structures. Special benefits are often offered to stimulate investment in historic structures, encourage owners to follow appropriate rehabilitation procedures and assist those with limited budgets.

#### **Develop a coordinated set of incentives for preservation.**

Providing a robust suite of incentives for preservation is key. This should include financial and regulatory benefits and should be designed to apply to a variety of property types and owner conditions. See the section in this report on Incentives, which describes a range of tools that should be considered.

### **Promote Better Understanding of Opportunities and Solutions (Education)**

Education builds awareness and strengthens skills that support preservation efforts in the community. These efforts help ensure that the importance of historic preservation is well understood within the community. They also help property owners learn how to maintain their historic structures as active, viable assets, and teach them about appropriate rehabilitation procedures and compatible designs. In addition to providing education to the community and property owners of historic resources, education and training opportunities for staff and associated boards and commissions is crucial.

**Develop a coordinated set of publications that build awareness of heritage in the community.**

This should include print and on-line information that provides more detail about the variety of resources in the built environment in the community, the benefit of historic preservation, and an overview of the preservation program.

**Develop a property owner's handbook for preservation.**

This could include helpful "how-to" information for typical rehabilitation tasks. It may also include success stories that highlight preservation projects in the community.

**Develop a preservation-awareness program for local schools.**

This should focus on teaching the heritage of the area and linking the resources of the built environment to it.

**Develop a summary of Incentives and Benefits for preservation.**

**Continue to Identify Potential Resources**

The identification of historic resources is an important component of preservation, and focuses on surveying historic structures and evaluating them for historic and/or cultural significance. Surveys include detailed background information, a description and documentation of the property, and a determination if the property may be eligible for a listing on the National Register of Historic Places. Maintaining an up-to-date survey provides property owners and public officials important information that informs decisions about acquisition, designation, maintenance and stewardship of historic structures.

**Develop a coordinated set of historic context statements.**

Undertake a program to provide a comprehensive set of historic context statements for the community. This will help property owners who seek tax credits. This should build on the individual contexts that currently exist and supplement them with topics that are missing.

**Update existing survey forms**

Many properties have been surveyed but the data varies. Review existing forms for inaccuracies in construction dates and their general lack of consistency, especially with respect to the evaluation of integrity of the resources and their significance.

**Improve the mapping of historic information.**

A map of surveyed properties exists but is not a part of the GIS system. Move the map of surveyed properties into the GIS system such that this information can be synchronized with other land use data. Consider the potential to identify sub-areas with distinctive character based on these surveys. Also bring older maps of historical value into the system.

## **Update Ordinances to Support Preservation**

Management tools are the specific mechanisms for protecting historic properties and providing technical assistance to aid in their preservation. A preservation ordinance is a key management tool and guides historic preservation efforts. Zoning regulations, the design review process and design guidelines are also important components.

### **Apply the International Existing Building Code.**

The Town has adopted the International Existing Building Code provides flexibility for repair and alternative approaches for alterations and additions to existing buildings. The code provides alternative means for work to meet basic safety levels. Special provisions address historic buildings and relocated buildings. Providing information to builders about the flexibility offered in the code would also help facilitate its use.

### **Consider improving the existing demolition ordinance for the Town of Jackson.**

An existing ordinance provides for a 90-day delay on demolition. Consider expanding the length of time that a delay may have in order to provide more time to explore alternatives to demolition. This may be set as two segments; that is, after the initial 90-day delay, there would be the ability to extend the delay once more, for an additional 90 days, if progress is being made on pursuing alternatives. Also update the list of properties that may have significance, for use in considering a delay.

### **Consider developing a demolition delay ordinance for Teton County.**

The current ordinance only applies to the Town of Jackson. A county ordinance could have provisions similar to those that are in the current town ordinance.

### **Consider revisions to the development code that incentivize historic preservation.**

This is a key action item. See the range of revisions that are described in another section of this report where more detail about incentive strategies is provided.

### **Refine the town design guidelines to address preservation topics.**

The town's design guidelines focus on high-level principles that apply to any project subject to review. Typically, these are new construction projects. Presently, there are no guidelines for historic preservation. Nationally, best practices recommend that the key, character-defining features of historic properties be preserved, such that they can retain their integrity and thus their historic significance. A brief set of guidelines addressing this concept should be provided. This may serve as an informational aid to property owners who seek to make rehabilitation

See Appendix C for a summary of alternative components of a preservation ordinance for more detail.

improvements and could be applied as a condition of certain incentives that may be offered. This should include discussion of massing, setbacks and materials for new construction as they relate to abutting historic resources. Also provide basic guidelines for rehabilitation of historic properties that may be officially listed by the town.

#### **Develop a preservation statement for the Comprehensive Plan.**

While language exists in support of historic preservation, some clearer statements are needed that address how preservation objectives interface with other objectives.

#### **Consider developing a preservation ordinance for the town.**

This ordinance would establish the foundation for a town-administered program. It may include a combination of requirements and incentives that are tailored to fit the community's priorities.

A preservation ordinance may provide regulation of historic properties, but not all ordinances do. Some only provide mechanisms for recognizing historic resources and for offering incentives. These and other variables that an ordinance may contain can be combined in various ways to fit the community. Appendix C outlines many options for different components of the ordinance, in terms of the degree of regulation that it may provide. As a starting point, it should include these elements:

#### **Link incentives to protection**

The ordinance should provide protection for historic resources which make use of incentives that are provided locally. That is, in order to be able to use certain incentives, the property would need to be listed and a means of approving any alterations and additions through design review would be established.

#### **Provide a public process for officially designating historic resources**

This would require approval by Town Council. The focus would be on listing individual historic resources, not districts. The ordinance may provide a process for listing historic districts, that may be identified in the future, although none have been identified at this time.

#### **Provide incentives**

The ordinance should provide the ability to offer incentives for properties that are assured to be preserved. The specific incentives should be identified, in the ordinance, as well as the specific details for providing them, to the extent feasible, in the Land Development Regulations, or in a special policy paper.

The incentives section would list a suite of incentives for preservation that would be available to properties that are protected under the local preservation ordinance. This would include waivers of certain development regulations that exist and could also include some financial incentives.

In order to make use of the incentives, a property must be designated as a Tier 1 or Tier 2 resource, as recommended. This would assure that these properties would be preserved for the long term and would provide a mechanism for consistent review and approval of alterations and improvements. (As opposed to crafting individual development agreements each time an incentive is given and then tracking them over the long term.)

#### **Provide a means of recognizing different priorities for preservation**

The ordinance should establish a system of three tiers of recognition for historic resources. This would provide different levels of protection and incentives. Two of the three would provide for protection of resources and the third would only serve to identify other properties of interest.

##### **Tier 1: Historic landmarks**

These are resources of outstanding significance, for which protection is in the interest of the community. Many in this category would be public or institutional buildings. Alterations and improvements to properties in this category should be approved using design guidelines for historic preservation. If the owner agrees to designation, a simple majority vote of Town Council may designate. If the owner does not support designation to this tier, a super majority of the Town Council must vote to designate. Incentives that are provided under local law would be available to properties in this category. This level of significance would be determined through professional surveys that identify historic resources. An additional 90-day demolition delay would automatically apply to all buildings in this tier resulting in a 180 day delay.

##### **Tier 2: Historic resources for preservation**

This category would apply to most of the individual historic resources that exist in town. Their eligibility would be determined through professional surveys. Property owner consent would be required to designate in this category. Incentives that are provided under local law would be available to properties in this category. An additional 90-day demolition delay may be considered.

##### **Tier 3: Structures of merit**

These are properties that also are recognized through professional surveys as being of significance, but have a lower priority for preservation. No regulation of properties in this category would be provided and no incentives

From the Jackson/Teton County Comprehensive Plan (2012):

#### **Principle 4.5 - Preserve historic structures and sites**

“Our community is proud of its history. Encouraging the preservation and awareness of historic and site contributes to economic development, helps preserve historic resources, and maintains our awareness of local culture and history.”

offered under local law would be available. The purpose of this category is to provide recognition and perhaps encourage owners to consider designation under Tier 2.

Plaques that recognize properties as having historic significance could be available for properties in all three categories, since the plaques do not themselves indicate regulation.

### **Build Support Groups (Advocacy)**

Advocacy programs promote policies and plans that support historic preservation. This may include lobbying for zoning codes that are compatible with traditional development patterns and supporting adoption of new incentives to maintain historic structures. Advocacy groups also work to expand the base of preservation players and engage partners in collaborative preservation programs. Private citizens and non-profit organizations typically lead advocacy efforts.

#### **Consider establishing a private, non-profit group to support historic preservation.**

This may be an existing organization that seeks to expand its role into this field, or it may be a separate group. It could serve as the voice for preservation in the public arena and may also administer some incentives, such as an easement program.

#### **Consider identifying an organization to manage a preservation easement program.**

This may be an important incentive for preservation in Jackson. The group could be an existing land conservation organization that seeks to expand its role, or it could be a new organization.

### **Enhance Administration**

Successful preservation efforts require ongoing administrative support and commitment by the town, county and the Teton County Historic Board (TCHPB). Administrative tasks may include survey management, design review and compliance monitoring, nomination processing and assisting with publicly-owned properties of historic significance.

#### **Provide administrative support to the TCHPB.**

Administrative responsibilities may include helping to manage surveys of historic resources that may be contracted with professionals in the field, providing technical assistance to property owners seeking to rehabilitate historic resources and administering incentives. It also may include design review of improvements to historic properties. The Teton County Historic Preservation Board (TCHPB) promotes

preservation throughout the county, including the Town of Jackson. Consider providing staff to assist the TCHPB in its duties. This should include administrative support for noticing meetings, maintaining files as well as time for a professional preservation planner.

**Determine the role of a preservation commission in Jackson.**

If Jackson enhances its preservation program, it will need to define the role of a board or commission in its administration. This could be an expanded role for the TCHPB but it could be a separate town-only commission. A preservation commission may have a variety of roles and responsibilities. It may be advisory only, making recommendations to the governing body or it may also have a regulatory role. Some commissions, for example, simply sponsor outreach activities, such as historic resource surveys and informational publications. Others may recommend to a town council that certain properties be officially listed (which may or may not indicate any regulation). In some cases, a board also may engage in design review, but in Jackson that is less likely because a DRC already exists and other aspects of development review is handled by staff.

**Provide administrative support for a Town of Jackson preservation program.**

If Jackson does expand preservation activities, administrative support will be needed. This could be shared with the TCHPB or could be separate staff, in the town's planning department.

**Develop a mission statement for historic preservation in Jackson.**

This mission statement should be crafted to place the preservation program into perspective with other community goals and objectives. It should be included in the Comprehensive Plan.

**Develop a publication that explains the historic plaque program.**

The TCHPB currently manages this resource recognition program. A publication would help to clarify that this is a recognition-only awareness building program and does not imply regulation of properties.





## 3.0 DEFINING WESTERN CHARACTER

---

### 3.1 INTRODUCTION

This section explores the meaning of Western Character as it applies to design in the downtown, and considers how this may affect standards in the LDRs and criteria in the town's design guidelines.

The Comprehensive Plan references Western Character in relation to the "Character District" it describes.

The Character District is further subdivided into two sections, "Subarea 1.1 – Inner Square, and "Subarea 1.2 – Outer Square." In a description of the character-defining features of both subareas, the plan states the focus is on "...maintaining Western Character..." It then provides descriptions related to building height, the role of boardwalks and architectural design as a means of defining the term.

#### **Policy Base in the Comprehensive Plan**

Even though the Comp Plan provides a description of Western Character, questions about its interpretation frequently arise. This may be, in part, because the Comp Plan avoids dictating a specific style that might be considered western. The implication is that Western Character can be expressed through scale, massing and materials, as well as relationship to the street in a variety of architectural expressions. This is further explained in the *Town of Jackson Design Guidelines* (August, 2004), stating that "...individual architectural style and approach should not be prescribed..."

Additional detail for each of the workshop and on-line survey exercises can be found in Appendix A.

## Public Perceptions

Public perceptions of Western Character help in defining the term. In community workshops and an on-line survey participants commented on Western Character.

In one activity participants chose one word to describe Western Character, and the results were generated as a “Word Cloud,” in which the relative frequency of each word being used is shown by the size of the word. The most commonly recorded terms to describe Western Character include:

- Wooden
- Boardwalks
- Historic
- Logs
- Lowrise
- Authentic



## Visual Identification of Western Character

This activity was completed by each individual that attended the workshops. Block montage photos were provided to each participant and they circled features on the buildings they believe illustrate Western Character. The categories receiving the most comments are included below. The most commonly noted features that participants believe illustrate Western Character are included in bullet point lists.

### Pedestrian Interest

- Covered gateways/galleries/boardwalks
- Wooden supports and brackets

### Windows

- Moderate amount of glass

### Facade

- False fronts

### Materials

- Horizontal wood siding
- Stone/masonry (not brick)

### Roof Form

- Variation in parapet line/roof forms (sloped metal)

### Signage

- Western 1940s neon signs
- Wooden signs

### Upper Level

- Balconies

### Massing and Orientation

- Low scale
- Views to mountains and landmarks

### Other

- Historic landmarks

This information provides a starting point for outlining design guidelines that could address Western Character.



Participants reviewed a series of full block images and images of buildings that face the Square or are close to the Square. Features that exhibit Western Character were circled, arrows were drawn and notes were made.



Sample of one of the full block images. Participants identified key features that illustrate Western Character by circling or drawing arrows to identify features and writing notes about the features.

### The Question:

“Is this image appropriate in Subarea 1.1? Subarea 1.2?”



Two images selected as “Appropriate” for Subarea 1.1



Two images selected as “Somewhat Appropriate” for Subarea 1.1

## Western Character Design in the Town Square Area

Another activity provided more detail about the range of designs considered to fit in Character District 1. In the workshops and on-line survey, participants individually reviewed a series of potential infill buildings and images of public realm improvements. They noted whether the images were appropriate or inappropriate. Descriptions below include information taken primarily from the on-line survey. The full set of images and votes can be found in Appendix A starting on page A27.

### Design Preferences for Subarea 1.1

#### *Appropriate Character*

Of the preferred images identified as most “appropriate” respondents tended to choose more traditional images for Subarea 1.1 These typically have these features:

- Two stories maximum
- A horizontal, stepped parapet
- Consistent use of materials throughout a facade
- Wood siding (vertical or horizontal, painted or stained)
- A lower percentage of glass on the upper floor
- Modest trim and detailing
- Second floor balconies subordinate to the wall plane
- Muted colors (generally earth tones)
- A canopy over the sidewalk

#### *Somewhat Appropriate Character*

In the “somewhat appropriate” category, respondents chose images with somewhat more variety. While they still included traditional two-story, wood clad buildings, they chose:

- Buildings with a third story fully set back from the street
- Architectural metals as accents (modest)
- Gable roofs
- Front wall planes with small setbacks
- Facades divided into module, with changes in materials



### *Inappropriate Character*

In Subarea 1.1, buildings with these features were considered inappropriate by most:

- Facades with a higher percentage of glass (glass walls)
- All-brick buildings
- Facades with extensive amounts of stone
- Facades with extensive amounts of metal materials
- Facades of three stories (at the street edge or setback partially)
- Bright colors



*One example image selected as “Inappropriate” for Subarea 1.1*

## **Design Preferences for Subarea 1.2**

### *Appropriate Character*

Of the preferred images identified as most “appropriate” respondents chose a wider range of images than for Subarea 1.1. These typically have these features:

- Two stories maximum at the street level
- Some three-story elements, set back from the street
- More varied roof forms, including horizontal, stepped parapets and gables
- Consistent use of materials throughout a facade
- Wood siding (vertical or horizontal, painted or stained) predominates
- More acceptance of stone
- A lower percentage of glass on the upper floor
- Modest trim and detailing
- Second floor balconies subordinate to the wall plane
- Muted colors (generally earth tones) predominate, but some acceptance of other colors
- A canopy over the sidewalk for some buildings, but not always



*Two images selected as “Appropriate” for Subarea 1.2*

### *Somewhat Appropriate Character*

In the “somewhat appropriate” category, respondents chose images with even more variety. While they still included traditional two-story, wood clad buildings, they also chose:

- Buildings with a third story, with a portion set back from the street
- Architectural metals as accents
- Front wall planes with small setbacks
- Facades divided into modules, with changes in materials
- Some brick and stone facades with storefronts
- Higher percentage of glass (particularly at the street level)



*Two images selected as “Somewhat Appropriate” for Subarea 1.2*





*Two images selected as “Inappropriate” for Subarea 1.2*

### *Inappropriate Character*

In Subarea 1.2, buildings with these features were considered “inappropriate” by most:

- Buildings without a parapet, or cap at the top
- Facades with extensive amounts of polished, finished stone
- Facades with extensive amounts of stone, especially above the street level
- Facades with extensive amounts of metal siding
- Facades of a full three stories at the street edge

### **Respondent Comments Included:**

In addition to the images selected as “appropriate,” some participants provided comments about different features of buildings. Frequent comments are provided below, and are primarily taken from the on-line survey:

- Buildings should exhibit western style
- Natural materials should be used, primarily wood and stone
- Modern and contemporary building styles and industrial building materials (including steel, corten metal siding, majority brick, too much glass or concrete, bright colors) are inappropriate
- Two-story buildings are appropriate. A partial third story that is set back from the front facade may be appropriate in the outer Town Square area.
- Larger buildings should be broken into smaller masses to relate to the current building sizes and relate to the pedestrian
- Incorporating a roof pitch that accommodates snow is crucial

### Public Realm Design Preferences for Subarea 1.1

Respondents primarily selected images of existing public spaces as “appropriate.” These included boardwalks and open passthroughs between buildings that connect storefronts. Trees, planter beds and sculptures are also incorporated as features in the passthrough. Additional images preferred for Subarea 1.1 exhibit similar natural features, seating areas and suggest that some wider sidewalks are desired. Some tolerance was shown for a shaded, gravel open space, but spaces designed primarily with concrete were not appropriate.

### Public Realm Design Preferences for Subarea 1.2

Respondents selected a wider range of public space images appropriate in Subarea 1.2. While they still selected images of existing public spaces in Jackson, they also showed more tolerance for wide sidewalks with and without planter beds, and park spaces with a mix of gravel, trees and grass. Less tolerance was shown for images that displayed narrow sidewalks and outdoor areas consisting primarily of concrete.

### Respondent Comments Included:

The following comments represent some of the key comments regarding public realm design for the Town Square area. Note that the majority of the comments were taken from the on-line survey.

- Maintaining the wooden boardwalks around the square is important
- Some covered sidewalks outside of the square should be incorporated
- Incorporating wider sidewalks is desired
- Manicured planter beds and landscaping is not in line with Jackson’s Western Character
- Benches and outdoor eating spaces should be incorporated
- Maintaining and enhancing existing open/green spaces is important



*The two images above illustrate a sample of those selected as appropriate in both Subareas 1.1 and 1.2.*



*This image is one that was selected as “appropriate” in Subarea 1.2 and “somewhat appropriate” in Subarea 1.1.*



*This image was selected as “inappropriate” in both subareas.*

## 3.2 WHAT IS WESTERN CHARACTER?

While preferences were expressed for traditional western false front architecture, in public outreach, responses indicate that Western Character is not a style but instead is a way of designing, using a set of variables which draws upon traditions while interpreting them in new ways. This could be clarified in the design guidelines.

### **Is Western Character a Style?**

While many respondents showed a preference for buildings that draw upon the popular image of a historic false front storefront building type, other images were less specifically historical in nature. Those other images did, however, exhibit some of the same features, particularly their materials, height, transparency and form. It appears that, when most of those variables are similar to tradition, a new building is considered somewhat appropriate. However, when several of those variables depart from tradition, then the building is considered inappropriate. This could indicate that contemporary designs could be acceptable, with clear guidelines about balancing design variables.

With the public workshop, on-line answers and comments, and background documents informing Western Character, a few key characteristics stand out, although they vary by subarea:

- Building height: low in scale - one or two stories, with the potential for a set back third story
- Building materials: natural and native, muted in color
- Roof line: flat or sloped
- Transparency: more at the ground level and a modest amount on upper levels
- Boardwalks can be character-defining
- Outdoor spaces: maintain key views and open, green spaces

While it is clear from community input that Western Character is a defining feature of the community, its application somewhat differs based on location. For instance, community input indicated that Western Character is most important for the Town Square. As the distance from the Town Square increases, the importance of all components of Western Character diminishes somewhat. For instance, the use of boardwalks and balconies becomes less important farther from the Town Square and taller buildings may be more accepted. Additional detail regarding the background and recent community input regarding Western Character can be found in Appendix D.

## **Community Input Summary**

Based on the Character District activities, the following observations can be made:

- Boardwalks are important features in Subarea 1.1, and some protected sidewalk area is important in Subarea 1.2.
- Open spaces such as public parks, green space, pocket parks and throughways are important in Subareas 1.1 and 1.2.
- Two story buildings are appropriate in both subareas. A set back third story may be appropriate in Subarea 1.2, but received mixed feedback for Subarea 1.1.
- Natural building materials are a key design element for Subarea 1.1. Some flexibility with building materials is appropriate in Subarea 1.2.

### **Recommendations:**

Use the community survey information as a basis for writing design guidelines that address Western Character as a way of building that reflects traditional features, including form, mass and materials, without dictating a theme or specific style.



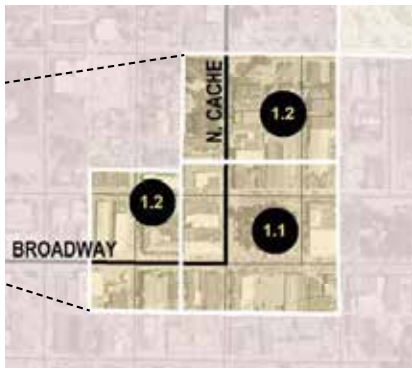
## **4.0 UPDATING POLICIES AND REGULATIONS FOR TOWN SQUARE AREA**

---

### **4.1 INTRODUCTION**

The Town Square and Urban Commercial zones are Legacy zones, which were established prior to the recent LDR code update. Revisions were withheld for these districts, pending further evaluation of the vision for these areas. This section provides preliminary recommendations for potential modifications to the Town Square and Urban Commercial zones. Pending direction from Town Council, these recommendations would then be discussed in the forthcoming Implementation Phase of this project.

Potential revisions to the Legacy zones must take into consideration policies that are related to the Character District described in the Comp Plan. The Character District sets forth goals for the scale and character of development, including some variables that are also addressed in base zoning, such as height and upper floor setbacks, but also includes variables not covered in the base zoning, such as building materials. They also address the concept of Western Character. This section of the report includes a discussion of how the Character District and base zones interact and how this affects potential code revisions.



A Comprehensive Plan map shows the Town Square zone and the Character District, with its Subareas 1.1 and 1.2.

## 4.2 WHAT ARE EXISTING POLICIES AND REGULATIONS FOR TOWN SQUARE AREA?

### Existing Comprehensive Plan Policy:

Key policy statements appear in the Comprehensive Plan related to the subareas of the Character District:

#### 1.1 Inner Square Goals:

- Maintain Western Character by retaining or replicating the existing built environment.
- Building heights fronting the Town Square should not exceed two stories.
- Buildings should be located near the street.
- A desired western architectural style and approach will be defined.
- Maintain Western Character by retaining or replicating covered wooden boardwalks.
- Provide surface lots, underground parking, and on street parking.
- Create a vibrant, walkable area oriented to pedestrians.

#### 1.2 Outer Square Goals:

- Maintain Western Character consistent with the existing character of the district.
- Building heights will be allowed up to three stories, in order to provide lodging, residential and other non-residential uses on upper floors to supporting tourist economy and Growth Management goals.
- Buildings should be located near the street to create an attractive street front.
- A desired “western” architectural style and approach will be defined in coordination with the Inner Square.
- Maintain Western Character by retaining or replicating covered wooden boardwalks.
- Provide surface lots, underground parking, and on street parking.
- Create a vibrant, walkable area oriented to pedestrians.

### Observations:

The Comp Plan creates a distinction between the two subareas, in which Subarea 1.1 is lower in scale and has a stronger sense of Western Character.

## Existing LDR Summary of Town Square, Urban Commercial and Downtown Core Zones

This chart provides a means of comparing some of the key provisions in the code for these zones.

<i>Use</i>	<i>Topic</i>	<i>TS: Town Square</i>	<i>UC: Urban Commercial</i>	<i>DC: Downtown Core</i>
<i>Allowed use (TS)/ Other principal use (UC)</i>	<i>FAR (max)</i>	<i>1.83*</i>	<i>1.3*</i>	<i>1.3*</i>
<i>Detached SF unit</i>	<i>FAR (max)</i>	<i>NA</i>	<i>.45*</i>	<i>NA</i>
	<i>Height/Roof pitch/ Stories (max)</i>	<i>See below</i>	<i>See below</i>	<i>46'; Pitch <math>\geq</math> 5/12; 3</i>
	<i>Height/Roof pitch/ Stories (max)</i>	<i>See below</i>	<i>See below</i>	<i>42'; Pitch <math>\leq</math> 5/12 ; 3</i>
	<i>Stepback (min)</i>	<i>not required</i>	<i>not required</i>	<i>10' **</i>
	<i>Pedestrian Frontage: Covered walkway/ trees in grate</i>	<i>not required</i>	<i>not required</i>	<i>required</i>
	<i>Building Frontage Options: Shopfront/ Residential/Lodging</i>	<i>not required</i>	<i>not required</i>	<i>required***</i>
<i>Allowed use (TS)/Other principal use (UC)</i>	<i>Height/Stories (max)</i>	<i>35'2</i>	<i>35'2</i>	<i>See above</i>
<i>Detached Accessory Unit (TS/UC)/ Detached SF unit (UC)</i>	<i>Height/Stories (max)</i>	<i>28'2</i>	<i>28'2</i>	<i>See above</i>
<i>Lodging Overlay</i>	<i>Stories (max)</i>	<i>3</i>	<i>3</i>	

\* FAR: Bonuses and exemptions for deed restricted and affordable housing may increase these numbers.

\*\*\*Required for 3rd story\* > 30' width; a residential use exception exists for some conditions.

\*\*\*\*Addresses story height; transparency; blank wall area and pedestrian access

### Observations about the zone districts:

1. Floor Area Ratios: The Town Square zone has a higher FAR, which may reflect the policy to encourage buildings to fill their lots to achieve the potential density.
2. Building Height: The Legacy zones provide a simple height limit, whereas the Downtown Core zone distinguishes between roofs that are flat, or have a low pitch, from those with a greater pitch. The Legacy zones allow 2 and 3 stories depending on where the Lodging Overlay is located.
3. Stepbacks: The Legacy zones do not require stepbacks, whereas the DC zone does.
4. Pedestrian Frontage: The Legacy zones do not have requirements for Pedestrian Frontage, whereas the DC zone does.



## **4.3 WHAT IS THE VISION FOR SUBAREA 1.1?**

Community survey information identifies some key variables. In sum, Subarea 1.1 is the symbolic heart of the community and should be the place where the sense of Western Character is the strongest. This should be expressed with a lower scale than elsewhere and with a more conservative palette of primary building materials. Wood siding and stone with a natural finish are preferred materials for large surfaces. These should have muted embedded color. Other materials are appropriate as accents, but should be muted in color as well.

Building forms also should be relatively simple and horizontal; stepped parapets should be predominant features. Innovation in design, within these constraints, should be encouraged and imitation historic design that would be confused with the authentic historic buildings in the area should be avoided.

## 4.4 WHAT IS THE VISION FOR SUBAREA 1.2?

Community survey information also identified Subarea 1.2 as a place where Western Character should clearly be expressed, but to some extent in more subtle ways than in Subarea 1.1. Some additional building height is appropriate here, when set back from the street and when limited to only a portion of a building footprint. Varied massing should be used to help reduce the sense of scale, but this should occur with simple changes in form that reflect design traditions. Some more variety in primary building materials is appropriate here.

### Number of Stories in Subareas 1.1 and 1.2

In an on-line survey respondents rated the appropriateness of a series of models that illustrated different building heights, roof forms and upper floor step back arrangements. Some of these models are simple rectilinear forms, of one and two stories. Others have varied forms, sometimes including a partial third floor. Participants reviewed each model and indicated if it was “appropriate,” “somewhat appropriate,” or “inappropriate” for Subareas 1.1 and 1.2. A summary of responses is provided below. See Appendix A for all the models and related responses.

### Preferred Heights for Subarea 1.1

Respondents clearly stated a preference for simple forms and no more than two stories in height. Facades with a horizontal, stepped parapet were the preferred “appropriate” choices, but gable roof forms were rated as “somewhat appropriate.” All models that included a partial third floor were rated “inappropriate.”

### Preferred Heights in Subarea 1.2

Respondents also indicated a preference for one and two story buildings, but did register more tolerance for a form which has a partial third floor that is set back across the entire building face. Any models that showed a portion of the third floor directly at the front wall were rated inappropriate by most.

### Respondent Comments Included:

- Wide range of opinions regarding appropriate building height - while some people were okay with three stories (primarily in Subarea 1.2), many others were vehemently opposed. Some, however, did think that setting back the entire third story helped
- Skyline and views are key features that people want to preserve
- Concern about flat roof forms and snow
- Many noted that the massing on several models was too large, bulky and boxy - that the building needs to be broken up to appear to be smaller.

**The Question:**  
“Is this model appropriate in Subarea 1.1? Subarea 1.2?”



*The two images above were voted “Appropriate” for Subareas 1.1 and 1.2.*



*This two-story building with a gable roof was voted as “Appropriate” for Subarea 1.2 and “Somewhat Appropriate” for Subarea 1.1.*



*This image was voted “Inappropriate” for Subarea 1.1.*



*The two images above were voted “Inappropriate” for Subareas 1.1 and 1.2.*

## 4.5 WHAT SHOULD BE THE GOAL FOR CHARACTER DISTRICT 1?

As a policy tool in the Comprehensive Plan, Character District 1, with its Subareas 1.1 and 1.2, provides a base for guiding the character and scale of development within its boundary as may be developed in a supplement to the town’s design guidelines and LDRs. However, if a larger area of downtown were to be addressed in new guidelines, it is best to establish a special design overlay in the code. This would include Character District 1 but need not be limited to its boundaries. Community input about expanding the boundaries of the Character District suggests that some of the design policies might extend to portions of abutting districts. The guidelines would focus on character. Underlying entitlements would remain as they exist.

### **Recommendation:**

Option 1: Establish a design overlay in the LDR for the core of downtown that includes the land in Character District 1, but also potentially covering additional blocks. Also add supplemental guidelines to the town’s Design Guidelines document that provide more detail about design within the overlay boundary.

Option 2: Do not adopt the Character District as an overlay in the LDR, but do add language in supplemental design guidelines that references them and indicates how they would be used in design review. Also add guidelines that address the desired character for these areas.

### **Could the two sub-areas of Character District 1 be consolidated?**

The adopted policies recognize a difference in the appropriate scale of development and design character between the two subareas and public opinion substantiates this. The policy indicates that a lower scale should be maintained in Subarea 1.1 whereas a moderate increase in height for portions of buildings is appropriate for Subarea 1.2. Similarly, there is more flexibility in applying the concept of Western Character in Subarea 1.2 versus Subarea 1.1. As they exist, the two subareas serve a valuable role in expressing these differences and should continue to be used.

### **Recommendation:**

Continue to maintain the two separate subareas of Character District 1 in the Comprehensive Plan. Reflect these distinctions in updated design guidelines for the core of downtown.

## **4.6 WHAT SHOULD BE THE BOUNDARIES FOR THE ZONE DISTRICTS AND THE DESIGN OVERLAY?**

### **How may the Legacy Zones be modified?**

The two Legacy zones, Town Square, and Urban Commercial, already address some variables that the new code format includes for other districts. These include building height standards, setbacks and FAR. However, the newer zone districts (including the DC - Downtown Core) also address other variables that are not mentioned in the legacy zones. The treatment of the pedestrian level (including requirements for canopies for instance) and the character of “frontages,” including transparency, are examples.

### **Recommendation:**

No changes to the boundaries of the Legacy zones is proposed. Similarly, merging them into other zones (such as Downtown Core) is not recommended. The balance between the established FARs and adopted growth policies should remain as it exists for these zones. However, changes should be made to align the regulations in the Legacy zones with those more recently adopted for other zones.

In the update for these zones, the new format, as established in the updated LDRs, should be used. The missing variables should be added to the existing zone districts. The individual standards should be calibrated to reflect historic design precedents and the character described for the (proposed) Design Overlay in a preceding section. These are key variables:

1. Floor Area Ratio: No change
2. Maximum height and setback requirements: No change, but provide more specific standards for variation in height and setbacks (either in the zone standards or in the design guidelines for the Downtown Design Overlay).
3. Story height: Add this variable and calibrate to consider historic patterns.
4. Fenestration (transparency): Add this standard and calibrate it based on historic precedent and public comments. This is likely to be somewhat lower than that required in the Downtown Core zone.
5. Pedestrian frontage: Add this standard and define a range of options for entries and canopies, based on context.
6. Roof forms: Add this standard and calibrate to consider historic patterns.
7. Materials: Do not address in the zones; address this in the design guidelines for the Design Overlay.

When calibrating these standards, the effects they may have on facilitating preservation of historic resources should be considered as well.

### **How may the boundaries of a Downtown Design Overlay be defined?**

The current boundaries capture much of the area where maintaining a lower scale, and sense of Western Character is important. However, there is some argument for expanding the boundary of the Character District to include more of the downtown that many people consider to be a part of the core. These are some options to consider, with the assumption that the underlying zone district boundaries would not be changed (although some design standards would be updated for areas presently in the Legacy Zones). A series of options is outlined here, beginning with a “no change” option and progressing to other options that add more area to the overlay. A series of maps follows that illustrate these options.

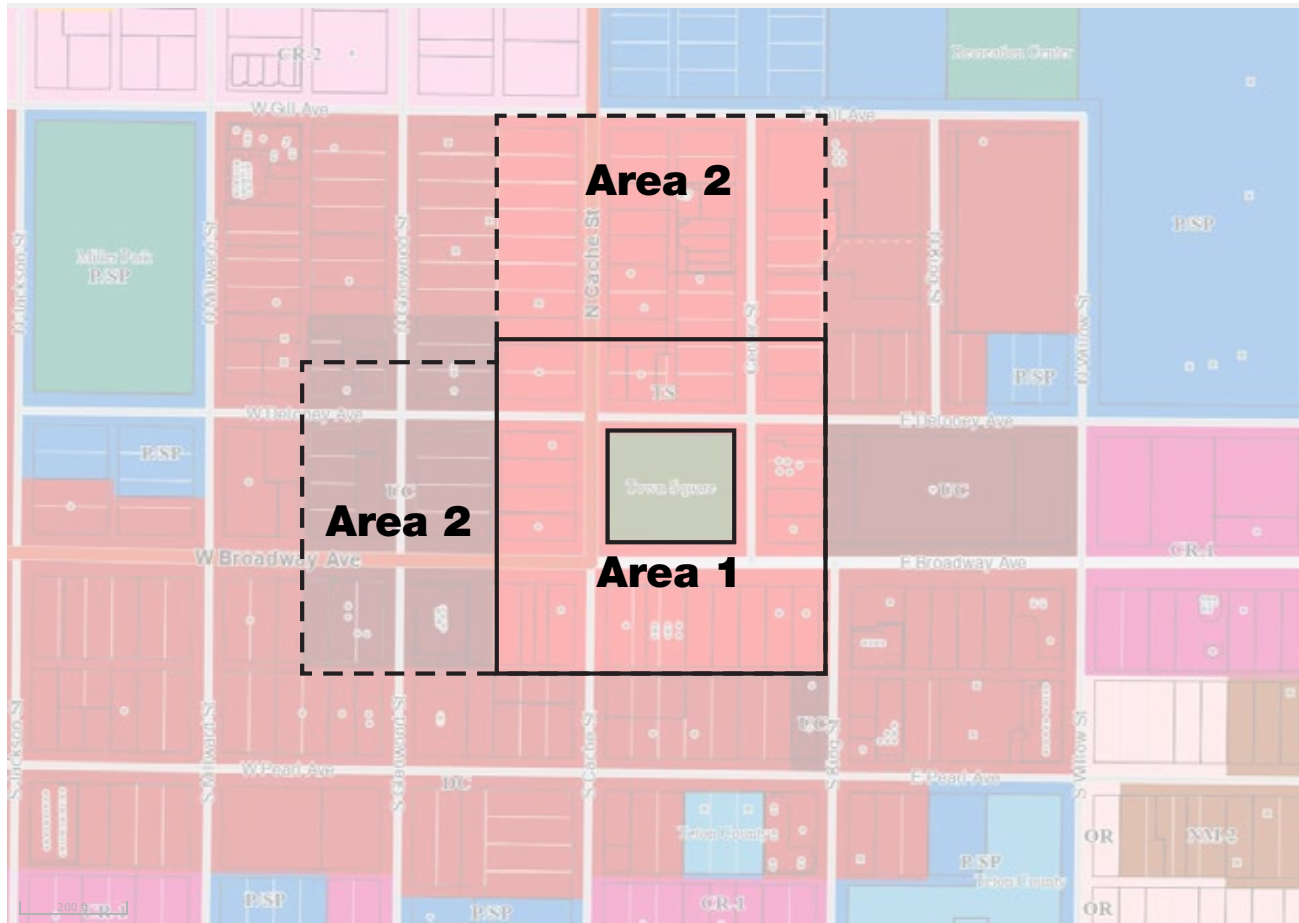
### Option 1: Use the boundary of the Character District

In this option, updated design guidelines would be developed to address key variables, including:

- Massing and upper floor stepbacks
- Materials
- Floor-to-floor (story) heights
- Percentage of solid to void (transparency)
- Pedestrian level character (canopies and entries)

(More detail about potential design guidelines updates appears later in this report.)

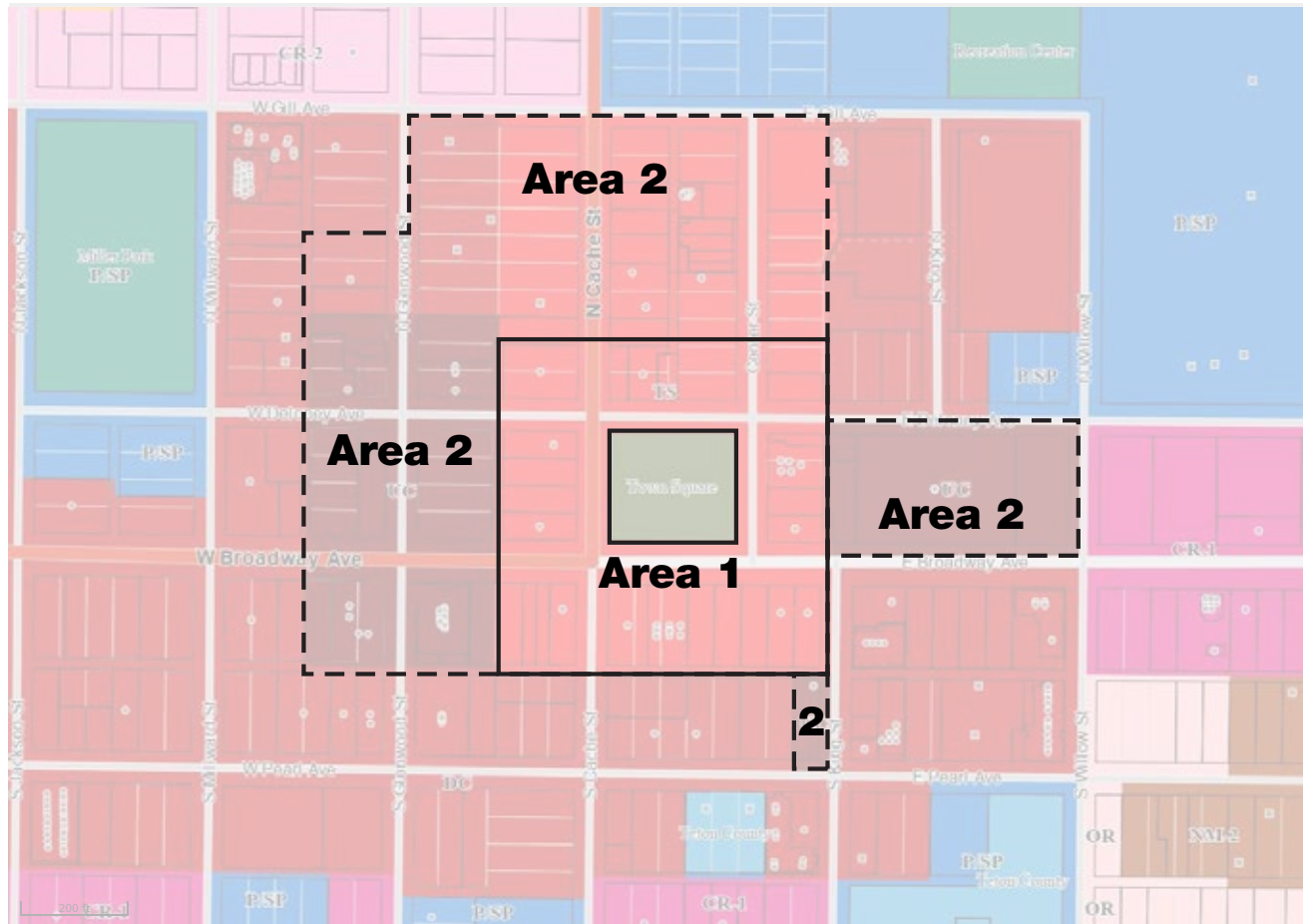
### Option 1: Use the Boundary of the Character District



## Option 2: Add iconic blocks to Area 2

This option adds some abutting parcels, including the St. John's Episcopal Church and Genevieve blocks, to the proposed Design Overlay Area 2. This would assure that updated design guidelines, which address the topics mentioned above, would apply to these cherished areas. No change in the boundary for Area 1 would occur.

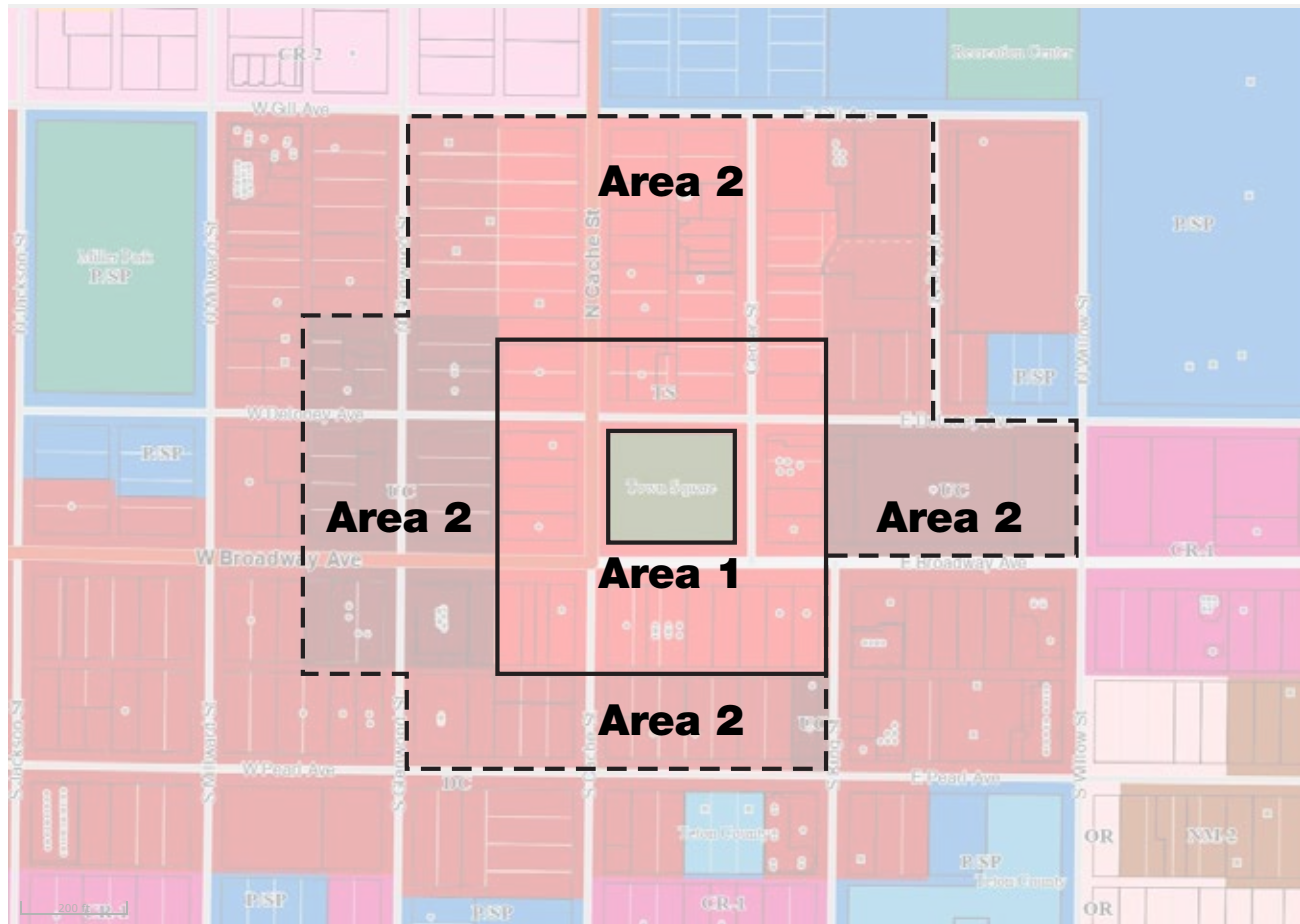
### Option 2: Iconic Blocks Overlay



### Option 3: Frame the Square

This would involve moderate expansions to Area 2. It would add blocks that abut, or are directly visible from, Area 1, in order to assure that all development visible from the square is in character. This would help to promote a sense of continuity for people exploring the core of downtown. No change in the boundary for Area 1 would occur.

### Option 3: Frame the Square Overlay

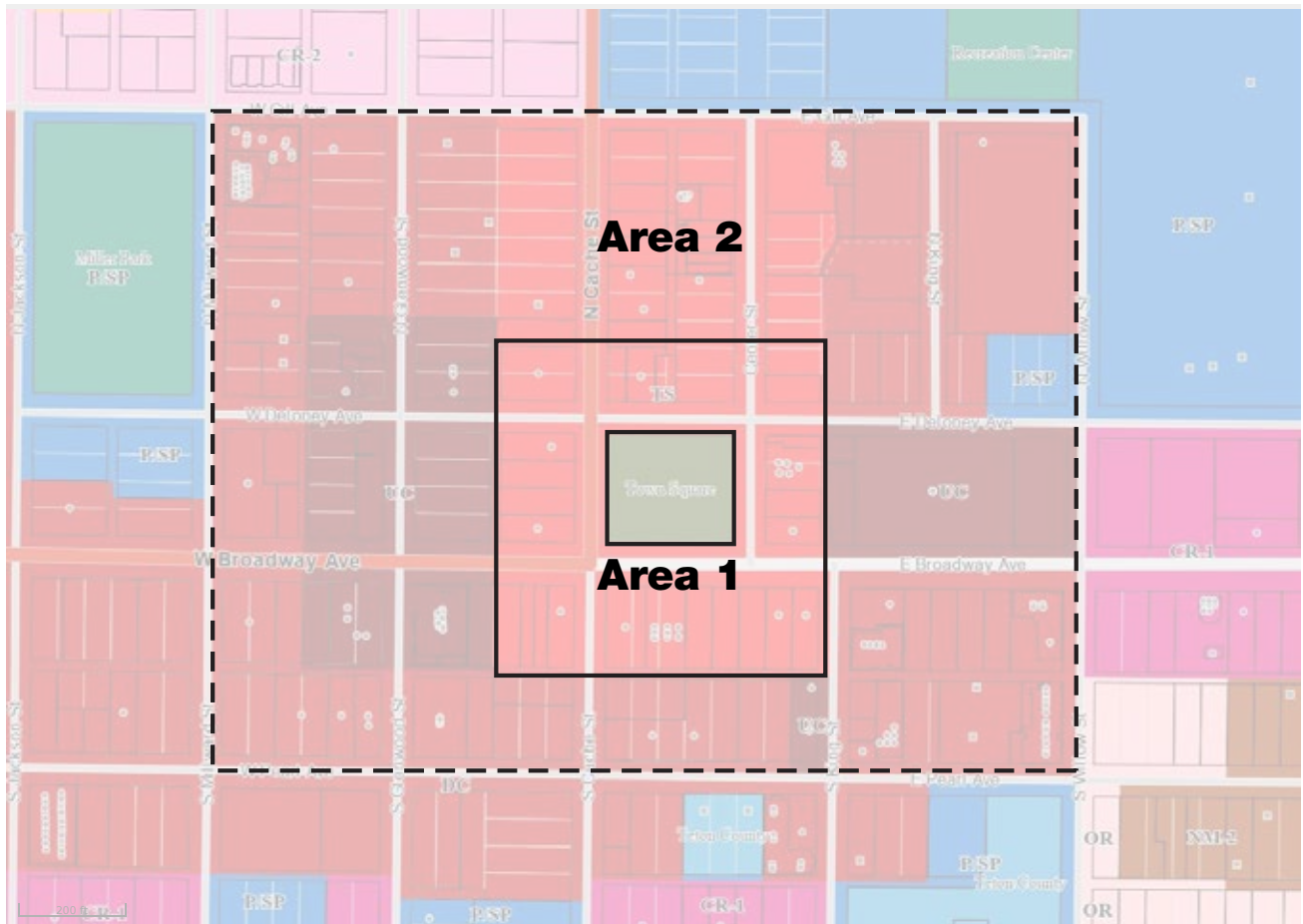




#### Option 4: Frame the Core of Downtown

This option expands the boundary of Area 2 to define a larger rectangle of blocks that many consider to be the core of downtown. These are places within walking distance of the square and that many visitors experience. No change in the boundary for Area 1 would occur.

#### Option 4: Frame the Core Overlay



## Town Square Area Boundaries

The preceding options are informed by comments in public workshops, in which participants reviewed the Subareas 1.1 and 1.2 boundaries as drawn in the Comprehensive Plan: with respect to design policies for the core. The goals for each subarea, as written in the Comprehensive Plan, were also provided for participant review and include:

- Maintain Western Character
- Buildings should be located near the street
- A desired western architectural style and approach will be defined
- Maintain Western Character by retaining or replicating covered wooden boardwalks.
- Provide surface lots, underground parking, and on street parking.
- Create a vibrant, walkable area oriented to pedestrians.

The primary difference between the goals for Subareas 1.1 and 1.2 is that two-stories is stated as the height limit for buildings fronting the Town Square (in Subarea 1.1), whereas up to three stories are allowed in Subarea 1.2 “to provide lodging, residential and other non-residential uses on upper floors.” Subarea 1.1 also includes boardwalks and 1.2 does not. Responses for the activity are grouped into three categories, which are described below.

### Very Little Boundary Expansion

**20%** of responses felt the existing boundaries were fine, or provided small amounts of expansion. Of these responses, the majority chose to keep the boundaries the same and a few chose to expand Subarea 1.2. Where participants expanded the boundaries, they captured the block east of Town Square along Broadway. However, these responses did not often indicate whether that block should be part of Subarea 1.1 or 1.2.

### Modest Boundary Expansion

**46%** of responses fell into this category. In general, those suggesting modest boundary expansion captured the block to the east along Broadway, the block directly south of the Town Square and St. John’s Episcopal Church at Glenwood and Gill. Among responses that did note which subarea should expand, the votes were evenly split. However, most responses did not indicate whether expansion should be part of Subarea 1.1 or 1.2.

### Significant Boundary Expansion

**34%** of responses drew significant expansion. In general, those suggesting significant boundary expansion drew boundaries that expanded in every direction from the existing boundaries, often by two or more blocks. However, these responses did not often indicate whether expanded portions should be part of Subarea 1.1 or 1.2.

## Mapping Subareas 1.1 and 1.2

In a mapping activity for the Town Square area, workshop participants considered the differences in heights for Subareas 1.1 and 1.2 as they are described in the Comp Plan:

- **Subarea 1.1:**  
**Maximum of two stories**
- **Subarea 1.2:**  
**Maximum of three stories**



*This example of a map that falls into the “Very Little Boundary Expansion” category. While the red areas are clearly noted as areas that should be included, it is not noted whether these should be part of Subarea 1.1 or Subarea 1.2.*



*This map is one example of the boundary expansions that falls into the “Significant” category. The pink line drawn by the participant notes that boundary expansion is desired, but does not indicate which subarea is expanding.*



## 5.0 UPDATING THE DESIGN GUIDELINES

---

In addition to the LDR changes mentioned in the previous chapter, the Town's existing design guidelines document also need to be updated. They provide high-level description of the aspirations for appropriate design in Jackson. They are intentionally broad and avoid dictating design solutions. This is merited. However, given the information from the surveys, it appears that some supplemental guidance about Western Character would be helpful. Furthermore, a brief set of guidelines for historic preservation should be provided for owners who seek to preserve historic properties.

The existing design guidelines document has a distinct format that is appropriate for the high level of guidance that it provides. It is limited in the number of topics it addresses and provides brief statements on individual subjects, focusing on the intent of the outcome that is desired from a design solution, leaving the details to interpretation by the owner and their designers as well as the town's Design Review Committee and planning staff. There are few illustrations. These are limited to photographs that represent the context of Jackson, rather than presenting examples of appropriate designs. This serves well when applying the principles town-wide, but lacks sufficient detail for the especially nuanced considerations of design in the downtown that are reflected in public comment. More detail is needed that addresses the topics identified by the public. This would help to interpret the way in which Western Character should apply.

### **Recommendations:**

#### **Develop new guidelines for the Design Overlay**

Supplemental design guidelines should be provided that apply to the proposed overlay. They should include more specific text and more illustrations that help to convey the intent for Western Character. They should not dictate a style, but instead express the key variables that help to establish new designs that are compatible with the design traditions embodied in Western Character.

#### **Add the guidelines as an appendix.**

The best way to add more detail for downtown is by creating a supplemental appendix to the existing design guidelines. In this way, a format that includes more illustrations can be used that will not conflict with the body of the main document.

#### **Include new topics in the guidelines.**

The guidelines supplement should include these topics (in coordination with potential development code revisions):

**For Design Area 1:**

This area equates with Subarea 1.1 in the Character District.

**Building Height/Stories:**

- Promote a maximum of two stories, especially at the street edge.
- Consider potential for a small amount of third story, set back substantially.

**Story Height/Ground and Upper Story:**

- Build to a height similar to those seen traditionally.

**Building Stepback:**

- Provide a full stepback for any third floor (where permitted)

**Pedestrian frontage:**

- Provide covering for sidewalk as a canopy (unless historic precedent contradicts)
- Provide boardwalk.
- Clearly define the primary entrance.

**Roof form:**

- Flat roof with stepped parapet is preferred, capped.
- Sloped roof also is appropriate and should be in range with traditional buildings, with eaves overhangs.

**Massing:**

- Use simple rectilinear forms.
- Divide a larger mass into smaller modules, but with consistency of overall design.

**Transparency:**

- Windows should appear “punched” within a larger wall surface
- Percentage of glass should be similar to tradition.

**Primary Facade Materials:**

- Wood siding (and similar alternative materials), horizontal or vertical, painted or stained.
- Stone, as natural rock or cut with rough/matte finish.

**Architectural Details:**

- Use details to provide a sense of scale and visual interest.

**For Design Area 2:**

This area includes Subarea 1.2 of the Character District but could include other areas, as described in a preceding section.

**Building Height/Stories:**

- Promote a perception of two stories, especially at the street edge.
- Three stories is appropriate, with varied massing and stepbacks.

**Story Height/Ground and Upper Story:**

- Build to a height similar to those seen traditionally, but with wider range than in CD1.1.

**Building Stepback:**

- Provide a stepback for the majority of a third floor (where permitted) to maintain a sense of two stories predominantly.

**Pedestrian frontage:**

- Provide a covering for a portion of the facade, or clearly define entrance with a substantial recessed area.
- Concrete sidewalk is appropriate.
- Clearly define the primary entrance.

**Roof form:**

- Varied forms are appropriate.
- Flat roof is preferred, capped.
- Sloped roof also is appropriate and should be in range with traditional buildings, with eaves overhangs.

**Massing:**

- Use simple rectilinear forms.
- Divide a larger mass into smaller modules, but with consistency of overall design.

**Transparency:**

- Windows should appear subordinate to the larger wall surface.
- Percentage of glass should be similar to tradition, but with wider range than in CD1.1.

**Primary Facade Materials:**

- Wood siding (and similar alternative materials), horizontal or vertical, painted or stained.
- Stone, as natural rock or cut with rough/matte finish.
- Muted metal (such as rusted finish)
- Brick

**Architectural Details:**

- Use details to provide a sense of scale and visual interest.



## APPENDIX A: PUBLIC OUTREACH SUMMARY

The first round of public outreach for the Town of Jackson/Teton County project to explore the historic preservation program and Character District #1 changes included two community workshops and a follow-up online survey. While the objectives behind the outreach methods were the same, some of the questions differed both in content and format. The questions asked during the workshop and survey are below, and differences are noted.

### **1. Mapping Historic Resources and/or Areas in the Town of Jackson and Teton County**

This question asked each participant to circle historic resources or areas with historic resources on maps of the Town and County. In the workshops, this exercise was completed in a hands-on way, with participants drawing on maps of the Town and County. In the online survey, participants provided their answers in an open-ended comment box.

### **2. Case Study Properties**

This activity asked participants to consider potential types of historic resources and whether they should be preserved. This exercise was completed in the workshops as a group activity, with each group reviewing between three and five potential historic property types, and in the online survey individually, with each person reviewing all potential historic property types.

### **3. “Western Character” Key Word**

This workshop activity was completed individually and asked each participant to record one word that describes “Western Character.”

### **4. Visual Identification of “Western Character”**

In this workshop activity completed by each individual, participants circled physical features on two block montage photos of the Town Square that they believe illustrated “Western Character.”

### **5. Town Square Area Boundaries**

In this workshop activity completed by each individual, participants reviewed and edited boundaries for Character Districts 1.1 and 1.2 in the Town Square Area.

### **6. “Western Character” Design in the Town Square Area**

In this workshop and online survey activity, participants reviewed a series of potential infill buildings and public realm images. In the workshop, participants generally noted whether the images were appropriate or inappropriate. In the online survey, participants noted whether each image was appropriate, somewhat appropriate, or inappropriate for Character District 1.1 or 1.2.

### **7. Number of Stories in Character Districts 1.1 and 1.2**

This online survey activity provided a series of infill models for consideration of appropriateness in Character Districts 1.1 and 1.2.



## **Workshop 1**

The first community workshop was held on June 10, 2019. Community members had an opportunity to attend the mid-day session (noon-2pm) or the evening session (6-8pm). Approximately 85 community members attended the two workshops.

## **Online Survey**

The online survey was available from July 22 - August 19. 303 responses were collected, with approximately 250 people responding to each survey question.

# ACTIVITY #1: HISTORIC RESOURCES AND/OR AREAS IN JACKSON & TETON COUNTY

## WORKSHOP #1

TOWN OF JACKSON		
Town Square	» ■■■■ ■■■■ ■■■■ ■■■■ ■■■■ » ■■■■ ■■■■ ■■■■ ■■■■ ■■■■	Accommodate small businesses; hub of the community; founding of Jackson, iconic for residents and visitors; Drug Store, Wort, Old Movie House Theater, Playhouse, Boardwalk, etc.
Neighborhoods several blocks in all directions of Town Sq	» ■■■■ I	
Downtown Area	» ■■■■ ■■■■ I	"Heart of the community", Open spaces
NE Downtown Area	» ■■■	
Genevieve Block & greenspace	» ■■■■ ■■■■ ■■■■ I	Genevieve's, Persephone, Juicery, open space, heritage buildings
Fairgrounds/Rodeo	» ■■■■ ■■■■ ■■■■ ■■■■	Rodeo, County fair, Mtn. Man;
High School Butte	» I	
Karns Meadow	» ■■■■ ■■■■ ■■■■ ■■	last of remaining in-town natural features that accommodates flora & fauna. It's important to have a visual marker of our local wild/natural features that make this region great
May Park	» ■■■■ ■■■■ ■■■■ ■■	Barns, neighborhood area NE;
Miller Park	» ■■■■ ■■■■ ■■	Older buildings that may be ignored, neighborhood area
Area NW of Miller Park to River	» I	
Phil Baux Park & surrounding	» ■■■■	
Snow King	» ■■■■ ■■■■ ■■■■	spiritual center of Jackson Hole, no development, no more big buildings at the foot of Snow King; use as a neighborhood stay as a "local ski hill" that accommodates the community & visitors (community first!). As it has grown/evolved with the town, it retains our community character even as it changes.
Broadway W. of Cache St.	» ■■■■ ■■■■	Include area to south too,
Broadway E. of Cache St.	» ■■■■ ■■■■ I	
Cache St. N.	» ■■■■ ■■	
Cache St. NW.	» ■■■	

## WORKSHOP #1

Cache St. S.	» IIII I	
Cache Creek SE	» IIII	last ranch on CC
E. Deloney Ave.	» II	
Bar S	» I	
Start Bus	» III	
East Jackson	» III	Character and open space
Aspen & Pine from Cache W.	» I	
Cemetery on Snow King	» I	
Area Cache to east town edge; Broadway to Simpson	» I	
Midcentury Neighborhood to N of Fairgrounds	» I	
Kudar Motel & log cabins in back	» III	It was owned by JK Jones, town councilman, author, promoter of Elk refuge, founder of the GTNP, grocery store owner, (was 1 of 4 in the Maude Noble Cabin), homesteader
Neighborhood area to the SE of Town Square	» IIII	12+ blocks
Flat Creek	» IIII	Open area, wildlife reserve, expanse/view wetlands
Neighborhood surrounding May Park (1-2 blocks deep)	» I	
Broadway E from Millward to Elk Refuge	» I	
Bickner House	» I	
Van DeWater Building	» I	
Cache Cr Dr E of Redmond up to Cache Cr trails - 2 blocks on all sides	» I	
Broadway E to Elk Refuge	» I	
Sweetwater (Coe Cabin)	» IIII I	
IOOF Building	» I	

<b>Fly shop on Center St (log cabin)</b>	» I	
<b>Library &amp; green space to the east</b>	» IIII	
<b>Snow King Court Winds</b>	» I	Historic lodging operations
<b>North entrance corridor</b>	» I	
<b>Open and green space for parks, churches, community gatherings</b>	» I	
<b>Preserve post &amp; canopy throughout town</b>	» I	western architectural element
<b>The “Y” (intersection of Hwy 22 and 189)</b>	» I	one of the most significant historical sites - original landing coming over Teton Pass
<b>St. John’s Episcopal Church</b>	» IIIII III	
<b>Crabtree Hotel</b>	» I	
<b>Cowboy Bar</b>	» IIII	
<b>Teton Mountaineering Building</b>	» I	
<b>E. Hansen from Cache to Gros Ventre St &amp; a few houses to the E on Hansen</b>	» I	buildings with plaques, well maintained
<b>Area NE of Miller Park (w/Saddle view)</b>	» III	
<b>Historic Homes, Ranches, Businesses</b>	» IIIII I	(i.e., Jackson Hole Hereford Ranch - OVO)
<b>Garaman Park</b>	» II	
<b>Old Huff Memorial Library (Cty Bldg)</b>	» I	
<b>Mid-century residential areas NE of Town Sq; SE of St. John’s Hospital and north of E. Simpson Ave</b>	» I	
<b>Residential areas w/ character &amp; integrity</b>	» I	
<b>Residential areas several blocks E &amp; S of Fairgrounds</b>	» I	
<b>Area from Broadway E of Cache St to Redmond St &amp; S to Cache Cr. Dr.</b>	» I	
<b>Preserve all</b>	» II	

# WORKSHOP #1

## TETON COUNTY

Elk Refuge	» IIII IIII	
Entire area	» II	Do not want to be Aspen or Telluride; need to be like Cody. Stop encouraging more tourists
Buffalo Valley & ranches	» IIII	wonderful history of dude ranches; preserve ranching heritage. Reminiscent of a different era
Wilson	» IIII IIII II	including schoolhouse, Hungry Jack's General Store, Stagecoach Bar
Scenic corridor along Hwy 22 in Wilson	» III	(including Hardeman Barns & Nora's along Fish Creek & anything else that hasn't been torn down)
Rafter J	» I	
Melody Ranch	» I	
Mormon Row	» I	
Murie Home (Ranch)	» II	formerly named North Park
Kelly historic cabins	» II	
Jackson Hole Hereford (OVO) Ranch	» II	
Open space & views-cape along highway into Jackson	» II	
Hot springs & other hot springs being developed near Game Creek	» I	
Game Creek	» I	
Quansut hut near Game Creek	» I	
Area along Spring Gulch Road	» IIII II	The road and roadside cabins; beautiful ranch buildings; landscape shows ranching history.
Area to the W of the JH airport	» I	
Snake River Ranch	» I	
Rocking H Ranch	» I	
Teton Village	» II	(Alpenhof Hostel, Snake River Lodge - neat examples of early ski resort - being able to see these in a semi-circle around entrance)
Wildlife corridor & proximity to National Park	» II	

<b>Blacktail Butte</b>	» I	other NPS areas
<b>Numerous historic buildings in the Park</b>	» I	Some may not be able to be conserved but their stories can be digitally preserved.
<b>Colter Bay Indian Arts Museum</b>	» I	
<b>Old tram cars</b>	» I	
<b>Alta</b>	» I	
<b>Miller House</b>	» II	Located on the Elk Refuge

# ON-LINE SURVEY

## TOWN OF JACKSON

Town Square	»  	Drug Store, Old Movie House Theater, Playhouse, Boardwalk, Elkhorn Arches, Clubhouse, etc.
Wort Hotel	»                          	including Silver Dollar Bar and Grill
Neighborhoods several blocks in all directions of Town Sq	»	
Downtown Area	»	
NE Downtown Area		
Genvieve Block & greenspace	»   	Genevieve's, Persephone, Juicery, open space, heritage buildings
Fairgrounds/Rodeo	»                          	
High School Butte		
Karns Meadow	»	
May Park & barn	»	
Miller Park	»	
Area NW of Miller Park to River		
Phil Baux Park & surrounding	»	
Snow King	»                          	
Broadway W. of Cache St.		
Broadway E. of Cache St.	»	
Cache St. N.	»	
Cache St. NW.		
Cache St. S.	»	South of Gill to Town Square
Cache Creek	»	
E. Deloney Ave.		

Bar S		
Start Bus		
East Jackson	» IIII	
Aspen & Pine from Cache W.		
Cemetery on Snow King		
Area Cache to east town edge;Broadway to Simpson		
Midcentury Neighborhood to N of Fairgrounds		
Kudar Motel & log cabins in back	» IIII	
Neighborhood area to the SE of Town Square		
Neighborhood surrounding May Park (1-2 blocks deep)		
Broadway E from Millward to Elk Refuge		
Bickner House		
Van DeWater Building		
Cache Cr Dr E of Redmond up to Cache Cr trails - 2 blocks on all sides		
Broadway E to Elk Refuge		
Sweetwater (Coe Cabin)	» IIIII IIIII	
IOOF Building		
Fly shop on Center St (log cabin)		
Library & green space to the east		
Snow King Court Winds		
North entrance corridor		
Open and green space for parks, churches, community gatherings	» IIIII IIIII	



## ON-LINE SURVEY

Spring Gulch Road		
Preserve post & canopy throughout town		
The “Y” (intersection of Hwy 22 and 189)		
St. John’s Episcopal Church & grounds	»	
Crabtree Hotel/Corner	»	
Cowboy Bar	»	
Teton Mountaineering Building		
E. Hansen from Cache to Gros Ventre St & a few houses to the E on Hansen		
Area NE of Miller Park (w/Saddle view)		
Historic Homes, Barns, Ranches, Businesses	»	
Garaman Park	»	
Old Huff Memorial Library (County Bldg)	»	
Mid-century residential areas NE of Town Sq; SE of St. John’s Hospital and north of E. Simpson Ave		
Residential areas w/ character & integrity		
Residential areas several blocks E & S of Fairgrounds	»	
Area from Broadway E of Cache St to Redmond St & S to Cache Cr. Dr.		
Preserve all	»	
Older houses & neighborhoods	»	
Historic Log Cabins/Buildings	»	
Historic signage/western lanterns/wooden awnings	»	

Boardwalks (wood walkways)	»	
Elks Club	»	
King Sushi block	»	
Overall size of town	»	
Van Vleck House/ Block	»	
Million Dollar Cowboy Bar	»	
Elkhorn Restaurant	»	
Jackson Hole Historical Society & Museum	»	
Block with Blue Lion 160 N Millward St	»	
Small neighborhoods	»	
Grand Teton Mall	»	
Small craftsman style housing	»	
American Legion Post (190 N Cache St)	»	
JC Jewelers	»	
Legacy Gallery	»	
Fighting Bear Antiques	»	
Masonic Lodge	»	
“Save the Block”	»	
Cafe G block	»	
Save nothing	»	
lots S of Art Center between Glenwood & Cache	»	
Single family houses	»	
Small bungalows and old houses around Simpson E of Cache	»	
Teton Theater	»	

## ON-LINE SURVEY

Gaslight Alley	» II	
Coey Cabin (Mercill Ave)	» II	all historic buildings on Mercill
Spense Law Bldg (15 S. Jackson St)	» I	
Western motif - cow-girls, snow, outdoor life	» II	
VFW Building (150 N. Cache)	» I	
Gill addition	» II	
some homes on Hansen	» I	
Brown's Meadow	» II	
Stars	» I	
The Virginian Lodge	» II	historic sign
Pearl Ave	» I	
Kelly Ave	» I	
Hospital Nurse's Quarters on Glenwood St	» I	
<b>TETON COUNTY</b>		
Entire area	» III	
Buffalo Valley & ranches	» I	
Scenic corridor along Hwy 22 in Wilson	» IIII	
Town of Wilson & surrounding area	» IIII IIII IIII IIII IIII IIII IIII IIII IIII	including schoolhouse, Hungry Jack's general store, Stagecoach Bar, Nora's Fish Creek Inn, Bar J Wranglers
Rafter J		
Melody Ranch		
Mormon Row	» IIII IIII IIII IIII IIII I	(including Moulton Barn/Ranch)
Murie Home (Ranch)	» IIII	
Kelly historic cabins/buildings/swinging bridge/yurts	» IIII IIII II	

JH Hereford (OVO) Ranch (Lockharts)	» IIII	
Open space & views-cape along highway into Jackson		
Hot springs & other hot springs being developed near Game Creek		
Game Creek		
Quansut hut near Game Creek		
Area along Spring Gulch Road Corridor	» IIII IIII I	.(Mead & Lucas ranches)
Area to the W of the JH airport		
Snake River Ranch	» IIII	
Rocking H Ranch		
Teton Village/JH Mountain Resort & surrounding area	» IIII IIII	(including Mangy Moose Steakhouse, Casper Lodge, Corbets Cabin)
Wildlife corridor & proximity to National Park	» III	
Blacktail Butte		
Numerous historic buildings in the Park	» I	i.e., Chapel of Sacred Heart, Old Faithful Inn, Lake Hotel
Colter Bay Indian Arts Museum		
Old tram cars	» I	
Alta	» I	
Miller House	» IIII IIII I	
Alpenhof Lodge & open areas	» IIII	
Hardeman Barns	» IIII IIII IIII	
N of town to Teton Park	» III	
Moose	» IIII	
Preserve all log structures and buckrail fences	» IIII IIII	

## ON-LINE SURVEY

Lucas land off South Park loop road	» I	
Historic ranches & ranch land	» IIII IIII IIII II	including cattle ranches
Dornan's	» IIII IIII	
Munger Mountain	» I	
Dude Ranches	» IIII IIII I	(i.e., Bar BC Dude Ranch, R Lazy S Ranch, U Lazy U, Darwin Ranch, White Grass Ranch, Triangle Ranch)
Elk Refuge	» IIII IIII IIII IIII II	including area around the visitor center - geese area
Sleeping Indian (Wilson)	» II	
The Tetons/Grand Teton National Park	» IIII IIII	
South Park & agricultural lands	» IIII IIII II	
Snake River Dike	» I	
Open space throughout the county	» IIII IIII IIII I	
Menor's Ferry	» IIII I	old transportation
Scenic views/historic viewshed	» II	
Chapel of the Transfiguration	» IIII	
Stagecoach Bar Land Trust sites	» I	
Walton Ranch	» III	
University of WY	» I	
Granite Ridge Cemetery in Teton Village	» I	
Flat Creek ranching	» III	
Brooks Lake Lodge	» I	
Jackson Hole airport	» I	
Hoback Nation	» III	
Palisades Study Area	» I	
High School Butte Trail	» I	
Preserve nothing	» IIII I	

<b>Porter/Gill/Lockhart/ Gill Estate &amp; inholding ranches in GTNP</b>	» IIII IIII	
<b>Snake River access points</b>	» IIII	
<b>Teton Raptor Center</b>	» III	(including National Register Barn, historic ag operation)
<b>Snake River corridor</b>	» I	
<b>Triangle X Ranch</b>	» IIII II	
<b>Log cabins</b>	» IIII I	"Shane's" cabin & buildings from movie
<b>Gros Ventre River sites</b>	» I	
<b>Luther Taylor home- stead</b>	» I	
<b>Porter Ranch &amp; area S of town including Melony area</b>	» I	
<b>National parks &amp; forests</b>	» II	
<b>Circle EW ranch</b>	» I	
<b>Mosquito Creek</b>	» I	
<b>Horse Creek</b>	» I	
<b>Kelly Dike Walk/Trail</b>	» I	
<b>Dike pathways</b>	» I	
<b>Hunter Hereford Ranch barn</b>	» I	
<b>Jackson Lake Lodge</b>	» III	
<b>Wildlife Museum</b>	» III	
<b>Cunningham cabin</b>	» I	
<b>Horses</b>	» I	
<b>Togwotee Pass</b>	» I	
<b>ski areas, wildlife, ranch life, outdoor pursuits &amp; rivers</b>	» I	
<b>Bar T5</b>	» I	
<b>Turpin Meadow Ranch</b>	» I	

## ON-LINE SURVEY

<b>Grand Targhee Ski area</b>	» I	
<b>Fall Creek/Fish Creek areas (inc. buildings)</b>	» II	
<b>Hwy 390 corridor</b>	» I	
<b>Farmsteads</b>	» II	
<b>Trail Creek Ranch</b>	» II	
<b>Ranger Station</b>	» I	
<b>Spread Creek Line Cabin</b>	» I	
<b>Elk feed grounds</b>	» I	(Dog Creek, Cache Creek, Refuge, etc)
<b>Jenny Lake Lodge</b>	» I	
<b>Colter Bay Cabins</b>	» I	
<b>Teton Pass</b>	» II	
<b>Native American/tribal sites</b>	» II	
<b>The lodge at Crescent H Ranch</b>	» I	
<b>Kelly Warm Spring</b>	» I	
<b>Gravel roads</b>	» I	
<b>Hansen Ranch</b>	» I	
<b>History of area</b>	» I	military trains & roadway into Yellowstone; historic ranching trails & grazing routes; pre-park enterprises in mining & tourism; Routes into JH to construct original dam; geosystems
<b>Original science school in the Park</b>	» I	



## ACTIVITY #2: CASE STUDY PROPERTIES

### PROPERTY TYPES TO PRESERVE: VERY IMPORTANT

The workshop and online survey asked participants to review a series of images of potential historic property types and determine whether they should be preserved or not. In the workshop, participants answered as a group, while in the online survey, participants answered individually.



Workshop ✓ Web ✓



Workshop Web ✓



Workshop ✓ Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop ✓ Web ✓



Workshop ✓ Web ✓



Workshop ✓ Web ✓



Workshop Web ✓



Workshop ✓ Web



Workshop ✓\* Web



Workshop ✓\* Web

*\*This image was only presented in the workshop and was not part of the survey.*

October 28, 2019

A17



# PROPERTY TYPES TO PRESERVE: VERY IMPORTANT

The workshop and online survey asked participants to review a series of images of potential historic property types and determine whether they should be preserved or not. In the workshop, participants answered as a group, while in the online survey, participants answered individually.



Workshop ✓\* Web



Workshop ✓\* Web



Workshop ✓ Web ✓



Workshop ✓ Web ✓



Workshop ✓\* Web



Workshop Web ✓



Workshop Web ✓\*\*



Workshop Web ✓

*\*This image was only presented in the workshop and was not part of the survey.*

*\*\*This image was only presented in the online survey.*

## PROPERTY TYPES TO PRESERVE: SOMEWHAT IMPORTANT

The workshop and online survey asked participants to review a series of images of potential historic property types and determine whether they should be preserved or not. In the workshop, participants answered as a group, while in the online survey, participants answered individually.



Workshop Web ✓



Workshop Web ✓



Workshop ✓\* Web



Workshop ✓ Web



Workshop ✓ Web ✓



Workshop ✓ Web ✓



Workshop ✓\* Web



Workshop ✓\* Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓\* Web

\*This image was only presented in the workshop and was not part of the survey.



PROPERTY TYPES TO PRESERVE: SOMEWHAT IMPORTANT

The workshop and online survey asked participants to review a series of images of potential historic property types and determine whether they should be preserved or not. In the workshop, participants answered as a group, while in the online survey, participants answered individually.



Workshop ✓\* Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓\* Web



Workshop ✓\* Web

*\*This image was only presented in the workshop and was not part of the survey.*

# PROPERTY TYPES TO PRESERVE: NOT IMPORTANT

The workshop and online survey asked participants to review a series of images of potential historic property types and determine whether they should be preserved or not. In the workshop, participants answered as a group, while in the online survey, participants answered individually.



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop ✓ Web



Workshop ✓\* Web

*\*This image was only presented in the workshop and was not part of the survey.*  
October 28, 2019

### ACTIVITY #3: “WESTERN CHARACTER” KEY WORD

The WordCloud at the bottom of the page illustrates the results from the workshop activity in which participants recorded one word on a note card that describes “western character.” The top left image shows the results from the activity in the afternoon workshop, and the top right image shows those from the evening workshop. The largest words in the WordCloud are those that were recorded the most. Some of the most commonly used words include “wooden,” “boardwalks,” “historic,” “logs,” “lowrise,” and “authentic.” These WordClouds illustrate that there is a rich description of “Western Character.”



## Afternoon Workshop WordCloud



## Evening Workshop WordCloud



## Combined Workshop WordCloud



## ACTIVITY #4: VISUAL IDENTIFICATION OF WESTERN CHARACTER

Each workshop participant received the block montages shown below. After reviewing the images, the participant circled the features that represent “western character.” The results from this exercise are on the following page.



## CATEGORY: PEDESTRIAN INTEREST

- Covered walkway / gallery / boardwalk
  - » ||||| ||||| ||||| ||||| ||||| ||||| ||||| |||||
- Wood supports & brackets
  - » ||||| ||||| ||||| ||
- Pedestrian oriented
  - » |||||
- Wooden steps / walkway
  - » ||||| |||||
- Plantings & rustic art
  - » |||||

## CATEGORY: SIGNAGE

- No neon / electric signs
  - » |||||
- Projecting sign type
  - » ||||| |||
- Western 1940s neon sign type
  - » ||||| ||||| |||
- Wooden signs
  - » ||||| |||||
- Upper story wall signs
  - » |||||

## CATEGORY: WINDOWS

- Alignment of windows across buildings
  - » ||
- Rhythm of windows
  - » ||||| |
- Too much transparency is bad
  - » ||||| ||||| |

## CATEGORY: UPPER LEVEL

- Balconies
  - » ||||| ||||| ||||| ||||| |||
- No metal railing balconies
  - » ||

## CATEGORY: AWNINGS

- Shed roof awnings
  - » ||||| |
- Wooden shingle awning roofs
  - » ||||| ||

## CATEGORY: PARKING

- On-street parking
  - » ||
- Less cars & parking
  - » ||||| ||

## CATEGORY: FAÇADE

- False fronts
  - » ||||| ||||| ||||| |

## CATEGORY: USE

- 1st floor is storefront, 2nd floor housing/office
  - » |

## CATEGORY: MATERIALS

- Horizontal wood siding
  - » ||||| ||||| |||||
- Corrugated metal or shingle roof materials
  - » ||||| |
- Stone / Masonry
  - » ||||| ||||| |||||
- Metal / glass / synthetic stucco should not be a primary material
  - » |||||
- Earth tone & neutral colors
  - » |||||

## CATEGORY: MASSING & ORIENTATION

- Preserve views
  - » ||||| ||||| ||
- Buildings are close together
  - » |
- Corner entry
  - » ||||| |
- 2-story massing is better than 1-story
  - » ||
- 1-story & 1.5-story massing is better than 2-stories
  - » |||||
- 1-story & 2-story massing is good
  - » ||||| |
- Upper story setback
  - » ||

## CATEGORY: ROOF FORM

- Variation in parapet line / roof form
  - » ||||| ||||| ||||| ||||| ||||| |||

## CATEGORY: OTHER

- Historic Icon
  - » ||||| ||||| |



## ACTIVITY #5: TOWN SQUARE AREA BOUNDARIES

The map below illustrates the initial Town Square area boundaries, with Character District 1.1 outlined in red and Character District 1.2 outlined in orange. In addition to the map, each participant had a list of goals for each of the Character Districts. Most notably, buildings in Character District 1.1 were not to exceed two stories, and buildings in Character District 1.2 were not to exceed three stories. Participants reviewed the goals and the boundaries and then confirmed or edited the boundaries and added any notes. The results were divided into three primary categories - Very Little Expansion, Modest Expansion and Significant Expansion. More details about each of these categories can be found on the following page.





## VERY LITTLE EXPANSION

Unchanged	Expands 1.1	Expands 1.2	Expands 1.1 & 1.2	Expands, but doesn't identify	Total expansion
»	»	»	» 0	»	» 16

## MODEST EXPANSION

Expands 1.1	Expands 1.2	Expands 1.1 & 1.2	Expands, but doesn't identify	Total expansion
» ████	» ████ ██	» ████ ███	» ████ ████ ████	» 37


## SIGNIFICANT EXPANSION

Expands 1.1	Expands 1.2	Expands 1.1 & 1.2	Expands, but doesn't identify	Total expansion
» II	» IIII I	» III	» IIII IIII IIII I	» 28

## Net results

81

## OTHER

No three stories				
» 				

## ACTIVITY #6: “WESTERN CHARACTER” DESIGN IN TOWN SQUARE AREA

### INNER TOWN SQUARE AREA (CHARACTER DISTRICT 1.1): APPROPRIATE

The images below were selected as “appropriate” *building design* for the Inner Town Square Area/ Character District 1.1 in both the workshop and the online survey. In the workshop, participants were asked to review a set of images and identify whether they were appropriate or inappropriate for Character Districts 1.1 and 1.2. Similarly, online survey participants were asked if the images were appropriate examples of building design within the Inner Square. Note that the images presented in the online survey varied slightly from those presented in the workshop. Where this occurs, an asterisk notes the difference.



Workshop



Web



Workshop

Web



Workshop



Web

## OUTER TOWN SQUARE AREA (CHARACTER DISTRICT 1.2): APPROPRIATE

The images below were selected as “appropriate” **building design** for the Outer Town Square Area/ Character District 1.2 in both the workshop and the online survey. In the workshop, participants were asked to review a set of images and identify whether they were appropriate or inappropriate for Character Districts 1.1 and 1.2. Similarly, online survey participants were asked if the images were appropriate examples of building design within the Outer Square. Note that the images presented in the online survey varied slightly from those presented in the workshop. Where this occurs, an asterisk notes the difference.



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



## INNER TOWN SQUARE (C.D. 1.1): SOMEWHAT APPROPRIATE

In addition to categorizing images as appropriate and inappropriate, online survey participants had the opportunity to classify images as “somewhat appropriate.” Therefore, the images below are only representative of online survey feedback regarding somewhat appropriate **building design** in the Inner Town Square.



Workshop

Web



Workshop

Web



Workshop

Web



Workshop

Web



Workshop

Web



Workshop

Web



Workshop

Web



Workshop

Web



## OUTER TOWN SQUARE AREA (C.D. 1.2): SOMEWHAT APPROPRIATE

In addition to categorizing images as appropriate and inappropriate, online survey participants had the opportunity to classify images as “somewhat appropriate.” Therefore, the images below are only representative of online survey feedback regarding somewhat appropriate **building design** in the Outer Town Square.



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



## INNER TOWN SQUARE AREA (C.D. 1.1): INAPPROPRIATE

The images below were selected as “inappropriate” **building design** for the Inner Town Square Area/Character District 1.1 in both the workshop and the online survey. In the workshop, participants were asked to review a set of images and identify whether they were appropriate or inappropriate for Character Districts 1.1 and 1.2. Similarly, online survey participants were asked if the images were appropriate examples of building design within the Inner Square. Note that the images presented in the online survey varied slightly from those presented in the workshop. Where this occurs, an asterisk notes the difference.



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓



Workshop Web ✓

October 28, 2019

A31

OUTER TOWN SQUARE AREA (C.D. 1.2): INAPPROPRIATE

The images below were selected as “appropriate” *building design* for the Outer Town Square Area/ Character District 1.2 in both the workshop and the online survey. In the workshop, participants were asked to review a set of images and identify whether they were appropriate or inappropriate for Character Districts 1.1 and 1.2. Similarly, online survey participants were asked if the images were appropriate examples of building design within the Outer Square. Note that the images presented in the online survey varied slightly from those presented in the workshop. Where this occurs, an asterisk notes the difference.





## BUILDING DESIGN IMAGES: APPROPRIATE

In the workshop, the majority of participants noted whether each image was appropriate or inappropriate, and did not distinguish between Character Districts 1.1 and 1.2. The **building design** images that follow were selected by workshop participants as appropriate.



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



## BUILDING DESIGN IMAGES: INAPPROPRIATE

In the workshop, the majority of participants noted whether each image was appropriate or inappropriate, and did not distinguish between Character Districts 1.1 and 1.2. The **building design** images that follow were selected by workshop participants as inappropriate.



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐

## BUILDING DESIGN IMAGES: INAPPROPRIATE

In the workshop, the majority of participants noted whether each image was appropriate or inappropriate, and did not distinguish between Character Districts 1.1 and 1.2. The **building design** images that follow were selected by workshop participants as inappropriate.



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



Workshop ✓ Web



# INNER TOWN SQUARE AREA (C.D. 1.1): APPROPRIATE

The images below illustrate those selected as “appropriate” *public realm design* for the Inner Town Square Area/Character District 1.1 in both the workshop and the online survey. In the workshop, participants were asked to review a set of images and identify whether they were appropriate or inappropriate for Character Districts 1.1 and 1.2. Similarly, online survey participants were asked if the images were appropriate examples of public realm design within the Inner Square. Note that the images presented in the online survey varied slightly from those presented in the workshop. Where this occurs, an asterisk notes the difference.



## OUTER TOWN SQUARE AREA (C.D. 1.2): APPROPRIATE

The images below illustrate those selected as “appropriate” *public realm design* for the Outer Town Square Area/Character District 1.2 in both the workshop and the online survey. In the workshop, participants were asked to review a set of images and identify whether they were appropriate or inappropriate for Character Districts 1.1 and 1.2. Similarly, online survey participants were asked if the images were appropriate examples of public realm design within the Outer Square. Note that the images presented in the online survey varied slightly from those presented in the workshop. Where this occurs, an asterisk notes the difference.



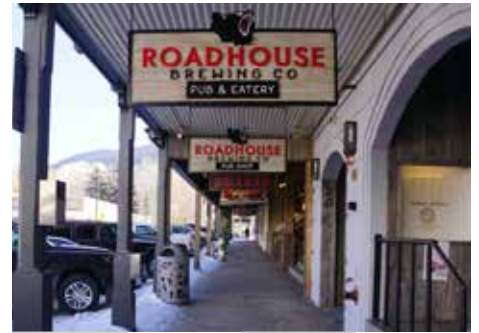
Workshop

Web



Workshop

Web



Workshop

Web



Workshop

Web



Workshop

Web



Workshop

Web



Workshop

Web



INNER TOWN SQUARE AREA (C.D. 1.1): SOMEWHAT APPROPRIATE

In addition to categorizing *public realm design* images as appropriate and inappropriate, online survey participants had the opportunity to classify images as “somewhat appropriate.” Therefore, the images below are only representative of online survey feedback regarding somewhat appropriate building types in the Inner Town Square.



Workshop Web ✓



Workshop Web ✓

## OUTER TOWN SQUARE AREA (C.D. 1.2): SOMEWHAT APPROPRIATE

In addition to categorizing *public realm design* images as appropriate and inappropriate, online survey participants had the opportunity to classify images as “somewhat appropriate.” Therefore, the images below are only representative of online survey feedback regarding somewhat appropriate building types in the Outer Town Square.



Workshop	Web	✓
----------	-----	---

INNER TOWN SQUARE AREA (C.D. 1.1): INAPPROPRIATE

The images below illustrate those selected as “appropriate” *public realm design* for the Outer Town Square Area/Character District 1.2 in both the workshop and the online survey. In the workshop, participants were asked to review a set of images and identify whether they were appropriate or inappropriate for Character Districts 1.1 and 1.2. Similarly, online survey participants were asked if the images were appropriate examples of public realm design within the Outer Square. Note that the images presented in the online survey varied slightly from those presented in the workshop. Where this occurs, an asterisk notes the difference.



Workshop Web ✓



Workshop Web ✓



## OUTER TOWN SQUARE AREA (C.D. 1.2): INAPPROPRIATE

The images below illustrate those selected as “appropriate” ***public realm design*** for the Outer Town Square Area/Character District 1.2 in both the workshop and the online survey. In the workshop, participants were asked to review a set of images and identify whether they were appropriate or inappropriate for Character Districts 1.1 and 1.2. Similarly, online survey participants were asked if the images were appropriate examples of public realm design within the Outer Square. Note that the images presented in the online survey varied slightly from those presented in the workshop. Where this occurs, an asterisk notes the difference.



Workshop

Web





## PUBLIC REALM IMAGES: APPROPRIATE

In the workshop, the majority of participants noted whether each image was appropriate or inappropriate, and did not distinguish between Character Districts 1.1 and 1.2. The building design images that follow were selected by workshop participants as inappropriate.



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐

**PUBLIC REALM IMAGES: INAPPROPRIATE**

In the workshop, the majority of participants noted whether each image was appropriate or inappropriate, and did not distinguish between Character Districts 1.1 and 1.2. The building design images that follow were selected by workshop participants as inappropriate.



Workshop ☒ Web ☐



Workshop ☒ Web ☐



Workshop ☒ Web ☐

## ACTIVITY #7: NUMBER OF STORIES IN THE TOWN SQUARE AREA

### INNER TOWN SQUARE AREA (C.D. 1.1): APPROPRIATE

The models below illustrate those selected as “appropriate” infill for the Inner Town Square Area/Character District 1.1.



1-STORY WITH FLAT ROOF



2-STORY WITH FLAT ROOF

### INNER TOWN SQUARE AREA (C.D. 1.1): SOMEWHAT APPROPRIATE

The model below illustrate those selected as “somewhat appropriate” infill for the Inner Town Square Area/Character District 1.1.



2-STORY WITH GABLE ROOF

## OUTER TOWN SQUARE AREA (C.D. 1.2): APPROPRIATE

The models below illustrate those selected as “somewhat appropriate” infill for the Outer Town Square Area/Character District 1.2.



1-STORY WITH FLAT ROOF



2-STORY WITH FLAT ROOF



2-STORY WITH GABLE ROOF

## OUTER TOWN SQUARE AREA (C.D. 1.2): SOMEWHAT APPROPRIATE

The model below illustrate those selected as “somewhat appropriate” infill for the Outer Town Square Area/Character District 1.2.



3-STORY WITH ENTIRE 3RD FLOOR SETBACK

## INNER TOWN SQUARE AREA (C.D. 1.1): INAPPROPRIATE

The models below illustrate those selected as “inappropriate” infill for the Inner Town Square Area/ Character District 1.1.



3-STORY WITH ENTIRE 3RD FLOOR SETBACK



3-STORY WITH 60% OF 3RD FLOOR SETBACK



3-STORY WITH 40% OF 3RD FLOOR SETBACK



3-STORY WITH GABLE ROOF FORM



## OUTER TOWN SQUARE AREA (C.D. 1.2): INAPPROPRIATE

The models below illustrate those selected as “inappropriate” infill for the Outer Town Square Area/ Character District 1.2.



3-STORY WITH 60% OF 3RD FLOOR SETBACK



3-STORY WITH 40% OF 3RD FLOOR SETBACK



3-STORY WITH GABLE ROOF FORM



# APPENDIX B: EXISTING CONDITIONS REPORT

## I. INTRODUCTION

In response to intense development pressures that threaten the loss of historic structures, inflating property values, and a lack of robust incentives to promote the preservation of historic structures in Jackson, the Teton County Historic Preservation Board (TCHPB) and the Town of Jackson secured consultant services to explore potential preservation tools for the community and other services. The first steps in the preservation process included gathering community input and opinions regarding historic resources and to determine the most appropriate preservation strategy. The project explores the range of potential historic resources in Jackson and Teton County – including residential and commercial buildings, and cultural landscapes in the community and then seeks to measure the public opinions about preservation. It then outlines a preservation strategy for the Town of Jackson.

The project consists of three major steps:

### **Step 1 – Summarize Existing Conditions:**

This first step focuses on developing an understanding of the current conditions related to historic preservation in Jackson and Teton County. It includes initial stakeholder meetings and interviews, some of which were conducted on-site mid-February 2019, in addition to a tour of Jackson and Teton County. This Existing Conditions Report marks the final component of Step 1. This portion of the project is funded by the TCHPB.

### **Step 2 – Assess Community Opinions:**

This step seeks to gauge community interest in preservation in the County and the Town. It includes information from a community workshop and an on-line survey. A summary of initial public input will conclude this step. This portion of the project is funded by the TCHPB and the Town of Jackson.

### **Step 3 – Develop the Strategy:**

The final step of the project recommends an appropriate to preservation in the Town of Jackson. This portion of the project is funded by the Town of Jackson.



As the conclusion of Step 1 in the process, this Existing Conditions Report outlines the information collected from stakeholders, Town staff, State Historic Preservation Office staff and from research conducted by the consultant.

## **INFORMATIONAL AND KICKOFF MEETINGS**

To begin the project, stakeholders met to discuss the current state of preservation in Jackson including historic resources, a vision for preservation, threats to preserving historic structures in the community, organizations that play an important role in preservation efforts and what tools or incentives may be useful for preservation in Jackson and Teton County. Phone calls and additional meetings were conducted with other stakeholders in the community as well as at the state level. The individuals and groups that participated are listed below. Part II of this report reflects contributions from these stakeholders, as well as information collected in additional research.

### **Project Steering Committee**

A Steering Committee assembled for this project is composed of architects, developers, historians, Town staff, preservation advocates and a handful of TCHPB members. The Steering Committee provided input and feedback at various stages in the project process and will assist in community outreach for Step 2 of the project.

- Betsy Engle, Architectural Historian
- Bruce Hawtin, Architect
- Ryan Nourai, Jackson Hole Conservation Alliance
- Monay Olson, Secretary of the TCHPB
- Sherry Smith, TCHPB Member
- Michael Stern, Treasurer of the TCHPB
- Katherine Wonson, President of the TCHPB
- Morgan Jaouen, Executive Director of the Jackson Hole Historical Society and Museum
- Paul Anthony, Principal Planner, Town of Jackson

### **Town Staff**

- Tyler Sinclair, Planning Director, Town of Jackson
- Paul Anthony, Principal Planner, Town of Jackson

### **Stakeholder Meetings**

- Mark Newcomb, Teton County Commissioner
- Jeff Golightly, Landowner Representative, Former President/CEO of the Jackson Hole Chamber of Commerce

## **Call with WY State Historic Preservation Office (SHPO) Staff**

- Reneé Boveé
- Brian Beadles
- Erica Duvic (former WY SHPO staff, now Preservation Planner at History Colorado)

The Existing Conditions Report is divided into the following components:

### **I. Introduction (Preceding pages)**

This section introduces the project and its scope, as well as the key stakeholders.

### **II. Existing Historic Preservation Tools in Jackson and Teton County**

Section 2 describes the key preservation tools and resources that already exist. It is organized into the components of a successful preservation program. A description for each of the components is provided. Preliminary issues, as noted through conversations with key stakeholders and found through initial research, are also identified.

- A. Administration
- B. Identification
- C. Management Tools
- D. Incentives and Benefits
- E. Education
- F. Advocacy and Partnerships

### **III. Preservation in Other Communities**

Information about other preservation programs including ordinances and incentives is provided in this section. This section is not comprehensive but offers a variety of types of programs and incentives that should be explored further for Jackson and Teton County.

- A. Typical Historic Preservation Ordinances
- B. Preservation in Other Wyoming Communities
- C. Local Incentives for Historic Preservation Across the Country

### **IV. Next Steps for the Project**

The final section of this Report describes ideas and potential solutions that were heard during Step 1 stakeholder meetings.

## II. EXISTING HISTORIC PRESERVATION TOOLS IN JACKSON AND TETON COUNTY

The section describes the existing state of preservation in Jackson and Teton County. It is organized in the typical components that comprise a successful preservation program. These are:

- **Administration:** The framework for operating the preservation program
- **Identification:** The survey and recognition of properties with cultural or historic significance
- **Management Tools:** The specific mechanisms for protecting historic resources
- **Incentives and Benefits:** Programs that assist property owners and support preservation
- **Education:** The tools to build awareness and strengthen skills to support preservation
- **Advocacy:** The promotion of policies and partnerships that support preservation.

A more detailed description of each program component, the tools and groups that contribute to that component, and issues with the current operation are provided below.

### A. ADMINISTRATION

Administrative support and commitment by the Town and County are essential to establishing and maintaining a successful preservation program. A comprehensive preservation program does not exist in either the Town of Jackson or Teton County. However, the Teton County Historic Preservation Board (TCHPB) has accomplished some components that are good starting points to establishing a more robust preservation program including:

- The designation of Teton County as a Certified Local Government (CLG)
- Its efforts to initiate and complete survey work to identify potential historic resources
- Its use of a demolition delay ordinance which can be employed as an attempt to save historic resources.
- More information about each of these components is explained in Section II.

#### 1. Teton County Historic Preservation Board (TCHPB)

The Teton County Historic Preservation Board oversees historic preservation in the Town of Jackson and in Teton County. The TCHPB mission statement is that it: “exists to identify, protect, and preserve Teton County’s architectural and archaeological heritage to ensure

respectful planning and development that preserves our sense of place and community character.”

Teton County is recognized as a Certified Local Government by the National Park Service. The CLG designation is enabled by the Secretary of the Interiors and is supported by the Wyoming State Historic Preservation Office (SHPO). In order for Teton County to maintain its status as a CLG, it must do the following:

- Maintain a historic preservation commission or board (TCHPB)
- Enforce a local preservation ordinance or resolution for the designation and protection of local historic properties
- Survey or inventory historic properties
- Provide opportunities for public participation
- Submit an annual report

By adhering to the CLG requirements, the community benefits in a variety of ways including:

- Grant funding for survey and preservation planning work
- Technical assistance from the Wyoming State Historic Preservation Officer (SHPO)
- Participation in the National Register listing process
- Training opportunities for TCHPB members
- Networking opportunities to connect with other CLGs to discuss preservation planning strategies
- Participation in federal consultation from the National Park Service
- State and federal support for preservation

The TCHPB uses these tools to promote preservation:

- TCHPB Meetings – these meetings occur on a monthly basis.
- Demolition ordinance – the ordinance applies to the Town of Jackson only, and employs the TCHPB to review demolition permits for potentially historic resources. The Board can recommend a ninety (90) day stay to find alternatives to demolition if the TCHPB finds the structure is of historic or architectural merit. More information on the demolition ordinance can be found in Section II.C.
- Surveys of potentially historic resources – Over the years, the TCHPB has contracted consultant services for many surveys to review the potential for historic residential resources in Jackson and Teton County. More information on these surveys can be found in Section II.B.
- Plaque and Award Program – Plaques are given by the TCHPB to properties that have high visibility, that

retain their historic integrity and that have historical significance. Awards given by the TCHPB recognize and celebrate historic resources, preservation projects and preservation advocates in the County. These programs occur on a biannual basis.

- Jackson Downtown Historic District – While a resolution to adopt boundaries for this historic district was passed in 2005 by Town Council, the boundaries do not seem to be utilized in current planning efforts. More information about this District and its boundaries can be found in Section II.C.

*Issues:*

- While the TCHPB has its own mission statement, there is not a mission or vision statement for the future of historic preservation in Jackson and Teton County that considers community opinion, TCHPB work and Town staff's work.
- The main tool the TCHPB has available is the 90-day stay through the demolition ordinance; however, this is not a full measure of protection for potentially historic resources. Once the 90 days have passed, if an alternative solution to demolition has not been found, the historic resource may still be demolished.
- The TCHPB does not have a dedicated staff person to assist with its preservation work.
- The plaque program is misunderstood by many community members who believe a building is protected from demolition if there is a plaque placed on it. However, the plaque program does not protect a building from demolition or alterations.

## B. IDENTIFICATION

Surveying historic resources and landscapes, and evaluating them for potential historic significance is key to a preservation program. Surveys include detailed background information, a description and documentation of the property, and a determination if the property may be eligible for listing on the National Register of Historic Places. Surveys are utilized in decision-making regarding the acquisition, designation, maintenance and stewardship of historic properties. Therefore, it is crucial that surveys are kept up-to-date.

### 1. Historic Context Statements

A historic context statement is a document used for National Register Multiple Property Documentation forms, for statewide historic preservation plans and/or for local planning initiatives. It includes information about the geography, property types that were associated with the development, the time frame, and potential historical themes. A historic context statement is used to place built resources in an appropriate historical, social and architectural context so that the relationship between the geographic area, the physical environment and the broader history can be established. It also assists in determining the integrity and significance of a potential historic resource.

The only current historic context statement for the Town of Jackson or Teton County is for a multiple property listing of residential properties in Teton County. It was completed in August 2019 by Delia Hagen, Hagen Historical Consulting. This historic context statement includes the following associated historic contexts:

- Jackson's Hole before the 1880s: Enduring Occupants and Ephemeral Dwellings
- Jackson's Hole in the Late 19th Century: Homesteaders and Versatile, Vernacular Log Buildings
- Jackson's Hole in Early 20th Century: Developing Towns and Diversifying Residential Architecture
- Becoming Jackson Hole: Postwar Economics and Architecture Transform Teton County

This particular historic context statement for residential structures in Teton County also addressed the following property types:

- Early Vernacular Log Dwellings
- Diverse Early Dwellings
- Mid-century Residences



## **2. Historic Resources Survey Work**

Completed surveys for over 500 properties in Teton County address a range of property types in Jackson, Wilson, Kelly and other towns in Teton County, and recommend whether the property is eligible or not for the National Register of Historic Places. Two survey forms are used to collect information about the properties:

- Teton County Historic Site Survey
- Wyoming Cultural Properties Form

While numerous properties are identified as potentially historic resources through the completed survey work, only a small number have been designated on the National Register of Historic Places. These properties are:

- Properties in Jackson
  - » Flat Creek Ranch
  - » Gap Puche Cabin
  - » George Washington Memorial Park
  - » Huff Memorial Library
  - » Jackson Hole American Legion Post No. 43
  - » Miller Cabin
  - » Grace and Robert Miller Ranch (Boundary Increase)
  - » St. John's Episcopal Church and Rectory
  - » Van Vleck House and Barn
  - » Wort Hotel
- Properties in Grand Teton National Park
  - » 4 Lazy F Dude Ranch (District)
  - » Old Administrative Area Historic
  - » AMK Ranch (District)
  - » Bar B C Dude Ranch (District)
  - » The Brinkerhoff
  - » The Cascade Canyon Barn
  - » The Andy Chambers Ranch Historic District
  - » Chapel of the Transfiguration (in Moose)
  - » Cunningham Cabin
  - » Death Canyon Barn
  - » Double Diamond Dude Ranch Dining Hall (in Moose)
  - » Highlands Historic District (in Moose)
  - » Hunter Hereford Ranch Historic District (in Moose)
  - » Jackson Lake Lodge (in Moran)
  - » Jackson Lake Ranger Station (Multiple Property Listing, in Moose)
  - » Jenny Lake Boat Concession Facilities (Multiple Property Listing, in Moose)
  - » Jenny Lake CCC Camp NP-4 (Multiple Property Listing, in Moose)
  - » Jenny Lake Ranger Station Historic District (in Moose)

- » Kimmel Kabins (Multiple Property Listing, in Moose)
- » Leigh Lake Ranger Patrol Cabin (Multiple Property Listing, in Moose)
- » Geraldine Lucas Homestead – Fabian Place Historic District (in Moose)
- » Manges Cabin (Multiple Property Listing, in Moose)
- » Menor’s Ferry (in Moose)
- » Moose Entrance Kiosk (Multiple Property Listing)
- » Moran Bay Patrol Cabin (Multiple Property Listing, in Moose)
- » Mormon Row Historic District (Multiple Property Listing, in Moose)
- » Murie Ranch Historic District (in Moose)
- » Murie Residence (Multiple Property Listing, in Moose)
- » Ramshorn Dude Ranch Lodge (Multiple Property Listing, in Moose)
- » Snake River Land Company Residence and Office (Multiple Property Listing, in Moose)
- » String Lake Comfort Station (Multiple Property Listing, in Moose)
- » Triangle X Barn (Multiple Property Listing, in Moose)
- » Upper Granite Canyon Patrol Cabin (Multiple Property Listing, in Moose)
- » White Grass Dude Ranch (Multiple Property Listing, in Moose)
- » White Grass Ranger Station Historic District (in Moose)
- Properties in Yellowstone National Park
  - » Lake Fish Hatchery Historic District (in Canyon Village)
  - » Lake Hotel
  - » Madison Museum (in Madison Junction)
  - » Old Faithful Historic District
  - » Old Faithful Inn (West Thumb)
  - » Queen’s Laundry Bath House
- Properties in Teton County
  - » Huckleberry Mountain Fire Lookout
  - » Leek’s Lodge (in Moran)
  - » Rosencrans Cabin Historic District (in Moran)
  - » Snake River Ranch (in Wilson)
  - » Squirrel Meadows Guard Station

*Issues:*

- Some discrepancies exist in property records related to the construction date of a potentially historic structure between different completed surveys. The inconsistencies leave questions unanswered including whether the listed date indicates the construction of

the original building, a date noted by the tax accessor, or the date of a later addition, as additions can get confused as part of the original historic structure.

- There is a lack of consistency in the survey forms regarding the integrity of a potential historic resource, which causes difficulties when determining what designations should be explored. While the majority of the survey forms include information about whether the resource retains its integrity, some forms do not. Other forms do not include the reasons for determining why a resource may or may not retain its integrity.
- Surveyed properties are mapped. However, the map of surveyed historic buildings is not on the GIS server and is not easily searchable, making it difficult for the public to access information about potential historic resources.
- While completed and ongoing survey work identifies which resources may be potentially eligible for designation, there is no local system in which properties can be designated as historic.
- Surveys are informed by historic overviews, which are termed “historic context statements.” While a historic context statement exists for Grand Teton National Park and may cover some of Teton County’s historic resources, the only historic context statement specific to Teton County was written in 2019 and addresses only residential properties. A historic context statement does not exist for other property types in Teton County or any property types in the Town of Jackson, making it difficult to evaluate the integrity and significance of many potential historic resources.
- Completed surveys suggest there may be different character areas based on the types of potentially eligible historic resources identified, but this information has yet to be utilized in any planning efforts.

### **3. Types of Potentially Eligible Historic Resources in Jackson and Teton County**

Eligibility for the National Register of Historic Places is shown in the evaluation of a historic resource in that “the quality of significance in American history, architecture, archeology, engineering and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

- A. Association with events that have made a significant contribution to the broad patterns of our history; or
- B. Association with lives of significant person(s) in our past; or
- C. Embody distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded or may be likely to yield, information important in history or prehistory”

The following list represents the types of historic properties that may be found eligible for the National Register of Historic Places in the Town of Jackson and Teton County. This list does not reflect all the property types that have been surveyed.

- Commercial buildings
- Residential buildings
- Secondary structures
- Religious buildings
- Civic buildings
- Recreational facilities
  - » Ski resorts
  - » Rodeo grounds
- Agricultural properties
- Cultural landscapes
  - » Cemeteries
  - » Parks
  - » Ditches
  - » Trails
- Other
  - » Bridges
  - » Fences
  - » Signs

#### **4. Maps and the Teton County Geographic Information System (GIS) Website**

Teton County maintains a Geographic Information System (GIS) for the County and the Town of Jackson. In GIS, information can be found about each property – such as the year the structure(s) was built and the square footage of the building(s). By including the construction date of buildings, GIS assists in the first step to determining eligibility – whether the building is at least 50 years of age. GIS also provides a history of the property and other useful information for survey work.

##### *Issues:*

- Data from all of the historic resource surveys are not in GIS, which makes it difficult to quickly learn more about potential historic resources that are located near each other or to learn whether a historic resource might be eligible for designation.
- Historic maps are not in GIS. Often communities add historic maps to GIS in order to use that information when considering where potential historic resources might be located. The absence of historic maps makes this more difficult.
- The current layers functions in GIS make it difficult to view potential historic resources by categories such as age or resource type.

## C. MANAGEMENT TOOLS

Management tools are the mechanisms that protect historic properties and provide technical assistance to aid in their preservation. Codes, ordinances and other programs that the Town of Jackson and Teton County may adopt could help manage the treatment of and long-term planning for historic resources. Currently, the only adopted regulatory tool that protects historic resources is the demolition delay ordinance, which only applies to properties in the Town of Jackson. However, other regulatory tools not specific to preservation can impact the planning for and protection of historic resources. Keeping preservation objectives in mind for all planning efforts and tools adopted is key to a successful preservation program.

### 1. Demolition Ordinance

Ordinance No. 888 – a component of Title 15 of the Municipal Code of the Town of Jackson, Wyoming, Chapter 15.38 – requires a demolition permit be obtained from the Building Official prior to demolishing any building or structure within town limits. After the demolition permit application is received, the Teton County Historic Preservation Board (TCHPB) reviews the demolition proposal to determine whether it affects the exterior of any principal or accessory building or structure that is on the TCHPB Building List. The Building List is a “non-exclusive list of structures which are either in excess of fifty (50) years old or are otherwise historically or architecturally significant.” While the TCHPB monitors the submittal of demolition permits for properties in the Town, they do not have the authority to review demolition permits for historic resources in Teton County.

For properties in Jackson:

“The TCHPB shall review demolition proposals which affect the exterior of any principal or accessory building or structure which is on the TCHPB Building List for their impacts on historic resources. The TCHPB will make a recommendation to the planning and building department and/or Town Council within 21 calendar days ... and will either determine that:

A. the building or structure is not historically or architecturally significant or B. That the building or structure is historically or architecturally significant and recommend a 90 day stay in the issuance of a demolition permit.”



If the TCHPB recommends a 90-day stay to Council, they must cite the historic preservation principle(s) upon which they are relying. The 90 day stay provides an opportunity for public comment to be collected and for alternatives to demolition to be explored.

*Issues:*

- While having a demolition ordinance is important, the current one is not as strong as it could be. After 90 days, if an alternative solution to demolition is not found, demolition of the historic resource may occur.
- The current demolition ordinance only applies to properties in the Town of Jackson. Historic resources in Teton County, and other towns within the County such as Wilson and Kelly, are not protected.
- The “TCHPB Building List” referenced in the Demolition Ordinance is out of date and is not referenced during the review of a building demolition permit application by the TCHPB.

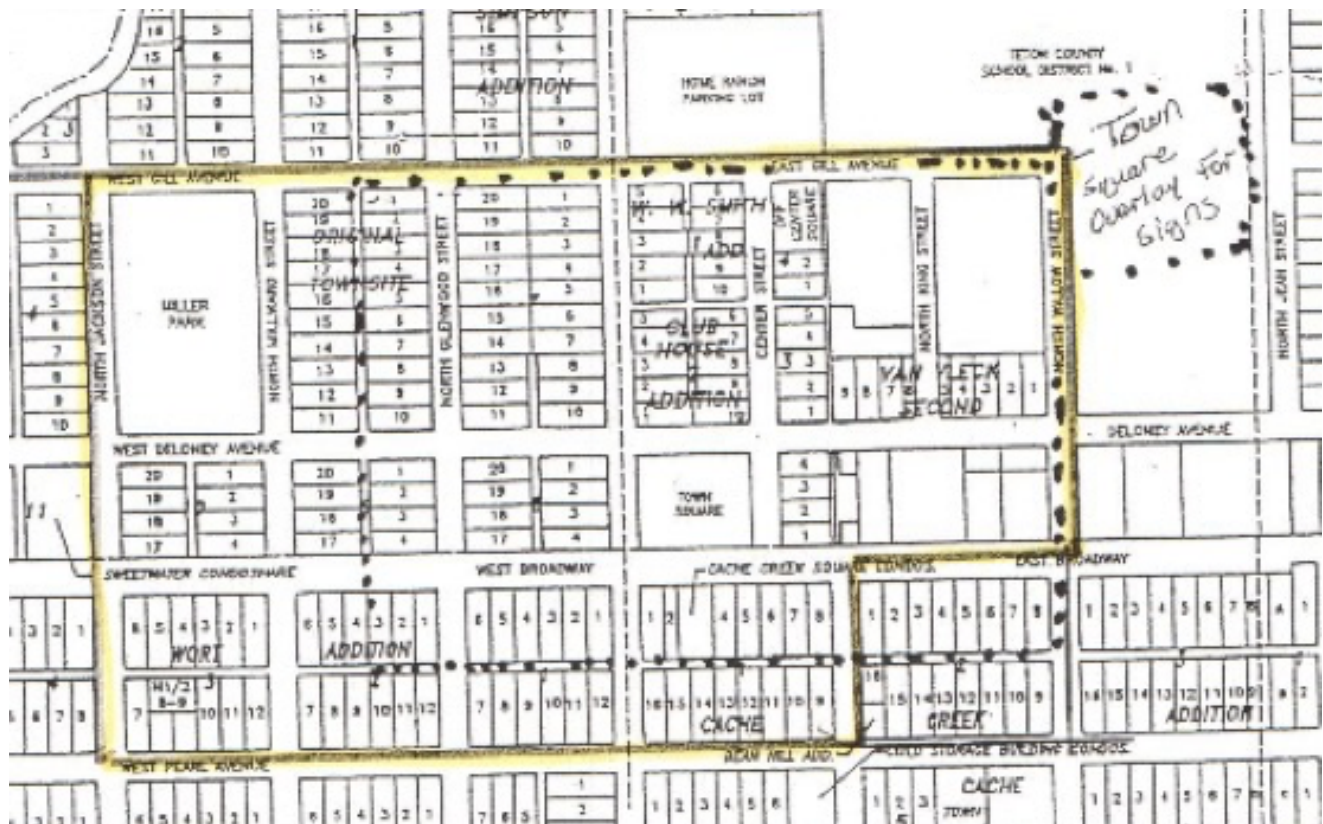
## 2. Historic District Town of Jackson – 2005 Boundaries

In 2005, the Town of Jackson adopted a Historic District – “Historic Downtown Jackson” – with boundaries of Gill Avenue, Willow Street, Pearl Avenue and Jackson Street, as seen in the image below. The resolution also notes that the district is to encompass both sides of the boundary streets, and that the odd shape on the southeast corner removes new construction from the district.

The district was adopted by resolution, but does not have any regulations. Its goals are to promote heritage tourism, enhance a sense of pride in Jackson’s downtown and historic character, and create an area referred to as “Historic Downtown Jackson.” Specific signage was also proposed to alert visitors that they are entering the historic district. While this local designation occurred almost 15 years ago, there is little evidence of the boundaries being recognized or utilized in town planning.

### Issues:

- The historic district has not been utilized or promoted since its adoption.





*The top image illustrates a property that is in the NL-5: Neighborhood Low Density-5 zone. The diagram on the bottom is taken from the Current Town Land Development Regulations and illustrates allowed development for sites in the NL-5 zone.*

### 3. Teton County Land Development Regulations

The recently adopted Land Development Regulations (LDRs) Divisions 2.1 and 2.2 outline a series of Complete Neighborhood Zones which were designed to “enhance locations in the community that are most appropriate for use and development into the most desired places to live, work and play.”

Each Complete Neighborhood Zone is divided further into Character Zones, which were established to implement the Comprehensive Plan. The Legacy Zones, carried forward from the previous LDRs, will be phased out over time.

The Character Zones include standards for lot, bulk and form. The standards, which are provided in Division 2.2 of the Land Development Regulations, allow an increase in density in a number of the Character Zones to accommodate new workforce housing. Many of these areas include potential historic resources that could be under pressure as a result. The images below illustrate the permitted development potential in two of the new zones.

With increased density also comes parking demand. Currently, parking must occur on the site (street parking is not counted towards the parking requirement), which increases development pressure, including on lots with potentially historic buildings. While the LDRs do clarify that buildings recognized as historic by the TCHPB are exempt from affordable workforce housing standards, they are not protected from the impacts of sites being redeveloped for a denser use.

#### *Issues:*

- Many lots with historic resources are physically constrained. For instance, a potentially historic structure is often built in the center of the lot, limiting the ability to add on to or build around it.
- The new zoning code allows an increased number of units and density that can negatively impact potentially historic resources with new development pressures.
- Currently, many historic homes are set back deeper into the lot than the new zoning code permits. This may encourage property owners to demolish the existing, potentially historic, structure in order to build to the setback line and maximize the amount of structure on the property.
- Potentially historic properties face the threat of demolition to accommodate increased parking requirements that correspond to increased density.

The Teton County Land Development Regulations (LDRs) do very little to address historic preservation. The LDRs do address archaeological resources and make clear that if any

“historic or prehistoric ruins or monuments are uncovered or become apparent, all work in the immediate area shall cease until the Wyoming State Archaeologist determines what precautions shall be taken to preserve the historic prehistoric artifacts.”

*Issues:*

- The Teton County Land Development Regulations do not include information about historic resources, how to plan for them, and how to preserve the historic character of the cultural landscapes.

#### **4. Town of Jackson Design Guidelines**

The Town of Jackson uses Design Guidelines to direct the character of new, non-residential development. The guidelines state that “future development should consider the regional vernacular of the Intermountain West while inspiring innovative design and creativity.” This brings to light the issue of “western character,” which is not defined, but is frequently used when describing the desired character of design in Jackson.

The design guidelines address a variety of topics including building massing, materials, and location on a site. However, the design guidelines do not address compatibility with adjacent or nearby historic buildings, or how to rehabilitate an existing historic structure. The Town of Jackson Design Review Committee receives the project proposals and determines if the proposal complies with the design guidelines.

*Issues:*

- There are no historic preservation standards or design guidelines that address the preservation of historic structures or compatible infill. There are also no design guidelines to address new residential buildings in Jackson.
- Currently, architectural review is provided by the Jackson Design Committee. However, because there are no guidelines for historic resources, the review focuses on “western character,” which is not clearly defined.



*The top image illustrates a property that is in the CR-1: Commercial Residential-1 zone. The diagram on the bottom illustrates allowed development for sites in this zone based on the updated Land Development Regulations.*

## **5. Jackson/Teton County Comprehensive Plan**

Adopted in 2012, the community's Comprehensive Plan aims to "protect the health, safety and welfare of our community and preserve our community character for future generations." It identifies Ecosystem Stewardship, Growth Management and Quality of Life. The Plan focuses on the private lands in Teton County, which only comprise three percent of its total land. The Plan is divided into ten sections, an illustration of the vision and a series of appendices. The sections that relate most to historic preservation objectives are Sections 3 and 4, the two components that make up Common Value 2: Growth Management.

### **Common Value 2: Growth Management**

This component of the Plan directs new development to areas with existing buildings in order to protect wildlife habitats and open space. This also ensures that the heart of Jackson remains the place in which housing, employment and civic facilities are concentrated. Additional principles within the Growth Management component of the Comprehensive Plan include preserving historic structures and sites; promoting vibrant, walkable mixed-use areas; and maintaining the Town as the central Complete Neighborhood. Key policies and principles in this component that support historic preservation efforts include:

- Policy 3.1.a: Limit development potential to protect community character
  - » "While development potential should decrease in Rural subareas and may increase in certain Complete Neighborhood subareas, community character will be preserved by limiting overall development in the community to the amount that has been allowed and planned for since 1994."
- Policy 4.1.c: Promote compatible infill and redevelopment that fits Jackson's neighborhoods
  - » The Plan divides Teton County into 15 Districts, which are then grouped into "stable", "transitional", "preservation" and "conservation" subareas. Land in the Town of Jackson typically falls within the "stable" and "transitional" subareas.

In general, transitional subareas anticipate redevelopment, revitalization and reinvestment. However, many of the locations designated as transitional subareas currently contain numerous surveyed and potential historic resources. These resources may be under development pressure from increased density and height, which is incompatible with the scale of the potential historic resources.

- Policy 4.2.e: Protect the image and function of Town Square
  - » Strategy 4.2.S.1: Complete a neighborhood plan for the Town Square Character District. The plan should include design standards and use descriptions.
- Principle 4.5: Preserve historic structures and sites
  - » Policy 4.5.a: Identify and preserve historically significant structures and sites
  - » Policy 4.5.b: Support the Historic Preservation Board
  - » Policy 4.5.c: Enhance historic preservation education, outreach and awareness
  - » Strategy 4.5.S.1: Define criteria to identify historic buildings and sites

*Issues:*

- While the goals to support preservation efforts throughout the community – such as in Principle 4.5 – are clear, other Plan objectives place pressure on the areas with many of the identified potentially historic resources. This dichotomy may cause development priority issues in the future.
- The impact on potentially eligible historic resources in the designated transitional subareas is not noted in the Plan.
- The classification of areas with potential historic resources as transitional subareas increases development pressure to demolish smaller (potentially historic) structures and build larger structures to create a denser subarea.
- The Plan does not discuss the impact on potentially eligible historic resources in the designated transitional subareas.



## **6. Wyoming State Enabling Law and Other Legislation**

Local governments draw their ability to support historic preservation efforts through state enabling legislation. In Wyoming, this comes in the form of Title 15, Cities and Towns, of the Wyoming State Statutes. Part of the enabling act states that all regulations shall be made

“with consideration given to the historic integrity of certain neighborhoods or districts and a view to preserving, rehabilitating and maintaining historic properties and encouraging compatible uses within the neighborhoods or districts, but no regulation made to carry out the purposes of this paragraph is valid to the extent it constitutes an unconstitutional taking without compensation.”

This means that communities can adopt preservation ordinances that help identify historic resources, designate historic resources through specified procedures and protect historic resources. This also states that there may not be a taking of property, so an economic hardship clause must be included in a preservation ordinance. For more information about economic hardship claims and how to write them in a preservation ordinance, refer to the article Assessing Economic Hardship Claims Under Historic Preservation Ordinances published by the National Trust for Historic Preservation.

In addition to Title 15, the 1935 Wyoming Antiquities Act requires that the state archaeologist within the Department of State Parks and Cultural Resources be contacted should archaeological resources be found on a site.

## **7. Federal Legislation Supporting Historic Preservation**

In addition to legislation at the state level that supports historic preservation objectives in Jackson, a series of laws adopted over the past one hundred years at the federal level are also key to preservation work in Jackson. Federal legislation includes:

- 1906 American Antiquities Act
- 1935 Historic Sites Act
- 1966 National Historic Preservation Act
- 1966 Department of Transportation Act
- 1974 Archaeology and Historic Preservation Act
- 1976 Public Buildings Cooperative Use Act
- 1976 Tax Reform Act
- 2003 Preserve America (Executive Order)

For property owners, the most relevant federal legislations is the 1976 Tax Reform Act, which created the Historic Preservation Tax Incentives Program. This allows property owners of income-producing, designated historic buildings financial incentives for rehabilitation. A full list of key legislative actions can be found in Appendix B of the Wyoming Statewide Historic Preservation Plan 2016-2026.

## **D. INCENTIVES AND BENEFITS**

This component of a typical historic preservation program provides tools to assist property owners in maintaining historic structures. Effective preservation programs offer special benefits to stimulate investment in historic structures, encourage owners to follow appropriate rehabilitation procedures and to assist those with limited budgets. These often include:

- Tax rebates or deductions
- Grants for improvements to historic buildings
- Flexibility in zoning and building codes

Currently, the Town of Jackson and Teton County do not offer any local preservation incentives. However, a wide range of incentives can be considered, many of which are explained in Section III: Preservation in Other Communities.

### **1. Wyoming and Local Tax Benefits**

The following is an excerpt from a list of the top 10 tax benefits of living in the state of Wyoming offered by Brian Jones, a senior vice president at the Bank of Jackson Hole. These should be considered when determining which incentives may be the most useful in promoting preservation in Jackson and Teton County.

- No state income tax. No state tax on personal or corporate income.
- No inheritance tax or estate tax: Wyoming repealed its estate tax as of January 1, 2005.
- No state gift tax: Somebody who owns property in Wyoming can 'gift' that real estate to their heirs without paying a state gift tax.
- No tax on out-of-state retirement income: People in Jackson Hole who use Wyoming as a second home may have retirement income that comes from other states where they are a resident. Wyoming doesn't tax

retirement income earned outside of Wyoming.

- Low property taxes: Wyoming has very low property taxes compared to other states. The taxes that you do pay here are based on the assessed value of the property. For Teton County the rate is 1.2 percent of a property's assessed value. The rate for the city of Jackson is 8/10 of one percent.
- No excise sales taxes, meaning you won't pay any state tax on your gas or groceries.
- No tax on mineral ownership: Many states charge owners a tax on their mineral ownership, but Wyoming does not.
- No intangible taxes: Wyoming doesn't tax financial assets like stocks and bonds.
- No tax on the sale of real estate.

In the Town of Jackson, the combined sales tax rate is 6%, with the state rate of 4% and the county rate of 2%. There is no sales tax specifically from the Town. However, since 2010, a 2% lodging tax has been in place, which is added to hotels, motels or any visitor rental property. All tax revenues collected are spent by the Town, County or the Jackson Hole Travel and Tourism Board.

*Issues:*

- There is currently only one incentive to promoting historic preservation, which states that buildings recognized as historic by the TCHPB (on the Building List) are exempt from the affordable housing standards.
- Tax breaks from the current state and local taxes may not be enough to promote preservation.
- A heritage/cultural tourism program does not exist for the Town of Jackson but was noted as necessary in the 2005 resolution that defined the Town of Jackson Historic District.
- Community members noted that incentives for promoting preservation need to be strong enough so that preservation does not seem like it creates a hardship for property owners.
- Increasing property values in Jackson and Teton County pose a challenge to preservation.

## E. EDUCATION

Education programs build awareness and strengthen skills that support preservation efforts in the community. This is often through publications, workshops and technical assistance. Helping property owners learn how to maintain their historic structures as active, viable assets is key to a successful preservation program. Many property owners willingly follow appropriate rehabilitation procedures and develop compatible designs when they are well informed about preservation objectives.

Many of the comments heard throughout the project kickoff meetings and conversations with stakeholders reflected the importance of teaching community members about the history of Jackson and the importance of preserving historic resources.

### *Issues:*

- Among Jackson and Teton County residents, there is a lack of knowledge about potential historic resources and cultural landscapes.
- There is a lack of understanding of the term “western character.”
- There is not an understanding of the history of the community, especially as many residents have recently moved to the area, which makes it difficult for many people to identify authentic historic resources. This creates confusion when trying to design compatibly with historic resources.
- There is a misconception that the TCHPB plaque program protects historic resources from demolition. However, this program is simply informational and until tools such as local designation and required design review are implemented, these resources will continue to be under threat.
- Outreach to school-aged children is crucial, but has not been consistently achieved.
- Relocating a historic building has become a common response to increasing development pressures; however, this approach is not recommended as it separates a historic structure from its original setting.

## F. ADVOCACY AND PARTNERSHIPS

Advocacy programs promote policies and plans that support historic preservation. This includes lobbying for zoning codes and land development regulations that are compatible with traditional development patterns in older neighborhoods, and supporting the adoption of new incentives to maintain historic structures. Advocacy groups also work to expand the base of preservation players and engage partners in collaborative preservation programs. Often a combination of private citizens and a lead organization are key to successful advocacy efforts.

Currently, the work of a few organizations supports preservation efforts throughout Jackson and Teton County. The Jackson Hole Conservation Alliance works as a watchdog to keep Jackson Hole wild and beautiful, and to make the community a national model of living in balance with nature. The Jackson Hole Conservation Leadership Institute (CLI) also works to promote responsible growth to ensure the community's vision of complete neighborhoods surrounded by protected open space is achieved, and that the community character is protected. Another such organization is the Jackson Hole Land Trust, whose vision is "a legacy of protected open spaces, wildlife habitat, working lands, and community spaces across Northwest Wyoming that inspire current and future generations."

### *Issues:*

- There is not a central preservation group/non-profit in Jackson that is in charge of preservation advocacy, events, etc.
- There is a lack of collaboration and coordination between organizations that are addressing preservation-related topics.



### **III. PRESERVATION IN OTHER COMMUNITIES**

Preservation programs, ordinances, tools and incentives vary as they must be customized to each community to be successful. The following section outlines tools and incentives that other communities have in place. While some of these tools may not be appropriate to Jackson and Teton County, they should be studied and perhaps adapted to create a more robust preservation program for the community.

#### **1. Typical Historic Preservation Ordinances**

Historic preservation ordinances for a local preservation program vary between communities in their components and the degree of flexibility that they provide. A standard preservation ordinance contains the following components:

- General
  - » Purpose of the Ordinance
  - » Intent
  - » Definitions
- Historic Preservation Commission
  - » Creation
  - » Composition
  - » Term of Office
  - » Officers
  - » Voting Procedures
  - » Compensation
  - » Powers and Duties
  - » Meetings
  - » Vacancies
  - » Removal
- Establishing a Local Register and Designation Criteria
  - » Eligibility Criteria
  - » Integrity Criteria
  - » Historic Districts
- Designation Procedure
  - » Nomination
  - » Designation Hearing
  - » Board Review
  - » Town Council Proceedings
  - » Recording of Designation
  - » Records
  - » Resubmission and Reconsideration of a Proposed Designation
  - » Appeal of Board's Denial
  - » Amendment of Designation
  - » Revocation of Designation
- Alterations to Listed Properties and Historic Districts
  - » Requirements (including information about the Certificate of Appropriateness)

- » Application
- » Alteration Hearing
- » Review Criteria (often refers to separately published Design Guidelines)
- » Commission Review
- » Appeal of Denial of Certificate of Appropriateness
- Relocation of Listed Properties
  - » General
  - » Review Criteria
- Demolition of Listed Properties
  - » General
  - » Review Criteria for Total Demolition
  - » Review Criteria for Partial Demolition
- Alteration Exemptions
  - » General
  - » Criteria for Exemption
  - » Decision
  - » Appeal for Denial
- Maintenance
- Unsafe or Dangerous Conditions Exempted
- Enforcement and Penalties
- Incentives

## **2. Preservation in Other Wyoming Communities**

Other Wyoming communities that are Certified Local Governments have a range of components in their adopted preservation ordinances.

- Casper - The historic preservation program is organized through Chapter 2.40 of the Code of Ordinances. The Casper program does not regulate the treatment of designated historic resources. It does, however, provide a process for officially recognizing historic resources. The program includes the following components:
  - » Purpose
  - » Definitions
  - » Council Endorsement and Participation
  - » Historic Preservation Commission
    - Created
    - Composition
    - Term and Removal
    - Compensation
    - Powers and Duties
  - » Local cultural resources designated
  - » Rules and Regulations – Council Authority
- Cheyenne: The Cheyenne Historic Preservation Board is established through Chapter 2.64 of the Code of Ordinances, and the historic design guidelines through Chapter 15.50. Important to note is that while the Historic Preservation Board can deny a demolition

permit, there are no follow-up steps meaning that the property could fall into disrepair and lose its integrity. The components of Chapter 2.64 of Cheyenne's Code of Ordinances are:

- » Created
- » Legislative Intent
- » Definitions
- » Members – Terms – Meetings
- » General Provisions
- » Powers and Duties
- » Process for Designation of Historic Districts and Landmarks
- » National Register of Historic Places
- » Demolition Permit and Moving Permit Review

- The City of Cheyenne requires a Certificate of Appropriateness be issued by the planning office to approve a proposed alteration or improvement to a historic building, or to approve new construction within a historic district. A property owner who is denied a Certificate of Appropriateness can appeal to the historic preservation board. The components of Chapter 15.50 of Cheyenne's Code of Ordinances that establishes historic design guidelines are:

- » Purpose – Authority – General Provisions
- » Definitions
- » Protective Area – Defined
- » Design Guidelines
- » Certificate of Appropriateness Required
- » Demolition
- » Appeal
- » Violation – Penalty

- Douglas: The City of Douglas requires design review for designated historic properties that are granted a building permit. The historic preservation commission conducts this review and determines whether the proposed actions follow the adopted design guidelines. However, the recommendations given to the property owner by the historic preservation commission are advisory. The components of the Douglas historic preservation program in Chapter 2.70 of the Code of Ordinances:

- » Purpose
- » Definitions
- » Historic preservation commissions
- » Duties and Powers of the Douglas historic preservation commission
- » Inventory of significant cultural resources
- » Designation of local cultural resources
- » Participation in the National Register Process

- Laramie: The City of Laramie, WY (Albany County) maintains voluntary design review and technical expertise from the Laramie Main Street Program Design Committee. The City also has a six-month demolition delay where the city will work with the owner to identify alternative uses to demolition. Should an alternative use not be found, the City is allowed another 30 days to document the building prior to demolition. The components of the preservation program in Chapter 15.14.180 are:
  - » Purpose
  - » Demolition Controls for Historic Structures

### **3. Local Incentives for Historic Preservation Across the Country**

To encourage historic preservation, many local governments across the country provide incentives, which often come in the forms of tax incentives, grants, loans or regulatory relief from the building code or other requirements, zoning incentives and technical assistance. The incentives below are organized into a variety of topics and cover programs established by communities across the country.

- Tax Incentives
  - » San Antonio, TX: Local Tax Exemption for Substantial Rehabilitation – available for designated local landmarks and properties within local historic districts. Following the rehabilitation, city property taxes are frozen at the assessed value prior to rehabilitation for up to 10 years.
  - » Plano, TX: property tax reduction/exemption available for owners of historic properties, in perpetuity. Benefits vary according to building use and historic designation and range from 38% to 100% tax exemption.
- Grants and Loans
  - » Mankato, MN: Offers forgivable and low interest loans for rehabilitation to commercial and residential properties. For commercial rehabilitation, the City offers 0% interest and deferred loans which are forgiven after 10 years of ownership. It's a 50% match program. The residential rehabilitation program is also a 0% interest and deferred loan program that is forgiven after 10 years of ownership. A 0% or 20% match may be required, depending on household income.
  - » Boulder County, CO: Grant program to owners of

historic landmarks restore, stabilize and preserve resources. Landmarks are eligible to receive up to \$10,000, but grant recipients must match the dollar amount received.

- Exemptions from Parking Requirements
  - » Eugene, OR: Parking requirements may be modified or eliminated when necessary to preserve the historic character, appearance or integrity of a proposed historic landmark, to allow for the adaptive re-use of historic buildings or when the provision of off-street parking prevents compatible uses.
  - » Durham, NC: If the Historic District Commission finds that the number of required off-street parking spaces is inconsistent with the historic character of the District, the Commission can recommend to the Board of Adjustment that a variance be granted, in part or in whole.
- Exemptions from Building Code Requirements
  - » Taos, NM: “Rehabilitation or restoration of an officially designated historic structure can be made without conformance to all of the requirements of the codes upon the review and authorization by the building official who has legal authority.”
  - » Boise, ID: Flexibility in the fire and building codes are allowed in order to promote the preservation and restoration of any historic properties, landmarks or property within a district.
- Transfer of Development Rights (TDR) – Through this mechanism, owners of historic properties may sell unused development rights to a property owner who utilizes the rights on a receiving site where market demand supports more density than is permitted in the base zoning. This type of program works in communities with robust real estate markets.
  - » Seattle, WA: In Downtown, South Lake Union and Multifamily Zones, property owners of landmarks may sell unused development rights to other developers within a specific area of downtown. In 2001, a TDR “bank” was established by the City so that TDR from landmark structures could be purchased and held until a buyer could be found.
  - » Atlanta, GA: Amendments in 2004 to the TDR ordinance not only aims to preserve buildings of historical cultural significance, but it specifies that “sending areas” must meet one of three criteria – a residential sending area must be zoned a certain way, the property must be designed as a landmark building or site, or that the parcels must be suitable

- for greenspace and preserved as greenspace by a conservation easement
  - » Pitkin County, CO: The TDR program was originally adopted to encourage the relocation of development from the background to areas closer to existing services and infrastructure. The program was later expanded to encourage the protection of environmentally sensitive areas and to discourage development in environmentally hazardous areas.
- Purchase of Development Rights (PDR) – This voluntary mechanism allows a landowner to sell the development rights to some or all of their property to a governmental agency or private organization. In doing so, the purchaser acquires the right to any entitled development rights in excess of any existing building. Instead of using the development rights, the entity permanently preserves the piece of land from future development. This tool allows the property to remain in private ownership, and is often used to preserve farmland, open space or natural resources which the use is limited as well as building potential.
  - » Lexington, KY: The Purchase of Development Rights program in Lexington enables property owners to sell development rights to a Land Management Board via a permanent Agricultural Land Easement, while still holding a title to the land and continuing to farm. By selling their development rights, farmers can use the money to invest in their business. By participating in this program, the property is permanently protected and may never be developed for non-agricultural uses.
- Preservation Easements – A preservation easement is used to permanently protect a privately-owned historic property, often restricting further development on the site or changes to a façade(s) of the historic building. Preservation easements can occur in the following ways:
  - » Purchase – A purchased preservation easement means that the property owner of a historic resource is financially compensated in the surrendering of the right to develop or change the exterior of their historic property. In Phoenix, Arizona, for instance, the City reimburses owners on a 50/50 matching basis for pre-approved work with grant funding between \$5,000 and \$10,000 per project. In exchange for this financial assistance, the property owner agrees to sell the City a conservation easement to protect the historic character of the property's exteriors.
  - » Donate – A donated preservation easement means



that a property owner gives an easement for their property to a charitable organization that is set up to receive and monitor easements of properties with cultural, environmental and historic significance. The donor then claims the loss in value as a charitable gift donation. Donating a preservation easement is often part of a property owner's financing strategy.

- Conservation Easements – A conservation easement permanently restricts development on a piece of land in order to protect natural resources. Private ownership remains, regardless of the sale(s) of the property, but the use of the property is restricted. Conservation easements are often used to preserve natural lands and open spaces.
- Disincentives for Demolition – In many communities, the cost of transferring demolished material to a landfill is not factor in to the owner's evaluation of retaining a building versus replacing it. Some communities address this by limiting the amount of material that can go to landfill.
  - » Boulder, CO: If a deconstruction permit is filed, the City requires at least 65% of material, by weight, be diverted from a landfill. It must be reused on site or given to a building materials supplier. This is part of the City's Green Building and Green Points program in which points are assigned to different building actions to promote building "green." Indirectly, it is a disincentive to demolish.
- Disincentives for Surface Parking Lots and Garages
  - » Lowell, MA: the goal of Lowell's program is to discourage surface parking lots and ensure that new parking garages are built to "fit in harmoniously" with their surroundings
  - » Salt Lake City, UT: The demolition of historic structures is prohibited unless there is a plan for replacement structures to ensure that demolition is not being used to create surface parking

I

## II. NEXT STEPS FOR THE PROJECT

### A. IDEAS TO RESEARCH FURTHER

In addition to issues that were heard from stakeholders and found through research, a variety of potential solutions were also noted in Step 1. A listing of those thoughts is below. Further research must be done in order to determine whether they are valid solutions. Step 3 will explore these and other solutions further to determine the recommended approach to preservation in Jackson and Teton County.

- There needs to be a mission statement for historic preservation in Jackson moving forward. Currently, preservation is treated on a case-by-case basis rather than with a long-term vision. Note that while this is something that the TCHPB and the Steering Committee for this project have expressed, the Jackson and Teton County communities should be involved in creating this mission statement.
- Based on the survey work that has been completed, character overlays should be considered in order to maintain the small town feel that is of high value to the community.
- In order to see a more complete picture of historic resources in Teton County and the Town of Jackson, the GIS system should include information from the surveys completed. This will allow the viewer to see concentrations of potentially eligible historic resources, and where these resources may be threatened more by development pressures.
- Adding the historic plat map as a layer to the Planning and Building Background Layers would assist in creating a complete picture of historic resources.
- Adding the ability to view potentially eligible historic resources by era would be useful.
- Where potential historic resources are present, the standards could be written in a way that explains how to design new construction to respect the historic resource(s) in their setbacks, mass, height and roof pitch.
- Some incentives that stakeholders discussed included the Transfer of Development Rights, relaxing parking requirements, allowing more square footage when historic resources are preserved, eliminating height restrictions, relaxing the building envelope restrictions, and not counting the square footage of the historic structure in the allowable amount.
- A heritage tourism program, which has many economic benefits, should be considered to lengthen the stay of visitors in the community.



## **APPENDIX C: CONSIDERATIONS FOR ADOPTING A PRESERVATION ORDINANCE**

This appendix describes a range of options that may be considered when drafting a local preservation ordinance. It first places the ordinance in the context of a comprehensive preservation program and then delves into alternatives for drafting the ordinance, which reflect different degrees of authority that may be established in it. The intent is to make it clear that options exist for different ordinance components, which may be selected based on the community's support for preservation, its ability to administer a preservation program, and the extent to which incentives may be available to support conservation of historic resources.

### **PRESERVATION PROGRAM COMPONENTS**

An effective preservation program typically contains these components:

#### **1. ADMINISTRATION**

This is the framework for operating the preservation program. It includes staffing to manage the daily operations of the program and it also often includes a commission that has some responsibilities for design review, education and technical assistance.

#### **2. IDENTIFICATION**

This includes the tools used to survey properties in the community to determine which may have historic and cultural significance. This information may include survey reports, as well as historic overviews (termed “contexts”) to aid in understanding the potential significance of individual property types.

#### **3. MANAGEMENT TOOLS**

This includes specific mechanisms for protecting historic resources, particularly the preservation ordinance, which will contain procedures for formally designating properties of historic value and may also provide for design review of work on historic resources and demolition permitting.

#### **4. INCENTIVES AND BENEFITS**

These are programs that assist property owners in being good stewards of historic resources. They may include grants for rehabilitation, tax rebates and flexibility in applying building and zoning codes.

## 5. EDUCATION

These include tools to build awareness and appreciation of historic resources. It also may include technical training in building rehabilitation

## 6. ADVOCACY

This includes speaking in support of preservation programs and working to adopt preservation policies and tools. Advocacy is typically the responsibility of private, non-profit preservation organizations.

## A MODEL PRESERVATION ORDINANCE

With the components of a preservation program in mind, a key tool in the Management component is a preservation ordinance. Several states have published model ordinances, which generally include a series of modules addressing factors that shape the extent and purpose of the program and the range of powers that it may set forth. Many communities use one of these models in its entirety. However, some of the modules can be tailored to better fit an individual community. Alternatives for tailoring appear in the following section of this paper.

## PRESERVATION ORDINANCE MODULE OPTIONS

A preservation ordinance may include sections that address a variety of topics. Among these are provisions for establishing a commission and the role of staff in administering a preservation program. It also includes ways to designate properties as historic resources, defining the degree to which properties are regulated and which sometimes describing the incentives that may be available. These modules may be combined to create an ordinance that is very soft in its approach or it may be crafted to be more robust, in the degree to which preservation of historic resources is assured. Some preservation programs rely heavily upon incentives to encourage designation and protection while others set forth stronger protections through regulations and these approaches are reflected in the details of the ordinance. They variables are listed by degrees of robustness, beginning with the softest alternative.

## VARIABLES TO CONSIDER IN ADOPTING A PRESERVATION ORDINANCE

### **How are resources IDENTIFIED as being eligible for designation?**

In a resource survey properties are evaluated by professionals, using criteria that are widely accepted in the field. As a start, they use criteria for the National Register of Historic Places published by the Secretary of the Interior. Local governments often adopt those criteria in their preservation ordinance. Sometimes they modify the criteria to suit local conditions. For example, a community may wish to recognize some properties that do not meet the Secretary's standards, but are valued locally. Sometimes, they will adopt different rankings of significance, which may then be used in determining how design review requirements and incentives apply.

These are options to consider:

*Option 1: Include the Secretary of the Interior's standards for determining historic significance.*

Sometimes the criteria themselves are listed in the ordinance. In other ordinances, the Secretary's standards are simply referenced.

*Option 2: Adopt criteria that are tailored to the community.*

These are typically based on the Secretary's Standards, but add other criteria establishing different levels of significance.

### **How are properties DESIGNATED as being historically significant in a local ordinance?**

While a survey identifies properties of historic significance, that finding does not convey any regulations or incentives for preservation. An official designation is required first, which is an action of the local governing body through public hearing process. This is established in the local preservation ordinance. A key variable is the degree to which the property owner (or property owners in a district) must consent to designation. Various combinations of comment or consent may be enacted for individual resources and for historic districts. Many ordinances simply provide opportunities for property owners to speak at public hearings during the designation process, but some require more specific indications of owner support.



These are some options to consider:

*Option 1: Owner consent is required for individual resources of landmark quality.*

Landmark quality resources may be those of the highest degree of significance. Often, these are noted public and institutional buildings, such as a courthouse or a school. They also may include outstanding private properties that are considered essential to preserve for the public good. These may be eligible for individual listing on the National Register as well.

*Option 2: Owner consent is required for designation of an individual “contributing” resource.*

These are properties that are historically significant but are not of the individual landmark level. They may be individual properties, but often are ones considered contributors to a historic district. In most communities, many historic resources are in this category. When multiple properties are included in the designation, collecting consent of all property owners of record can be logistically difficult. Often, this is difficult to administer because some property owners are hard to find and others may not respond. And, when properties are held in a trust, it is particularly cumbersome. It is used less frequently, but does occur where there are strong concerns about owner’s rights.

*Option 3: A majority of property owners RESPONDING must **support** designation*

In this alternative to Option 2, the focus is on tallying the signatures of all property owners who **respond** to a query instead of all property owners of record. Owners indicate their support or objection to designation by signing a petition.

Option 4. A majority of property owners RESPONDING **object** to designation

This approach provides an opportunity for property owners to object, within a process that is more practical than requiring the majority to consent. It allows those who actively oppose designation to be heard while keeping the process more manageable. This is perhaps the second most-used approach.

*Option 5: The adopting body seeks strong support for designation in public hearings*

In this approach, the designating body (a board of county commissioners or town council) holds hearings to determine the degree of public support for designation for a resource, either an individual property or a district. Signatures on a petition are not required and a precise count isn't taken. This is the approach used in most ordinances because it is more practical. All property owners of record are notified and have an opportunity to respond, either in writing or by attending public hearings and this information is taken into consideration when the governing body takes action.

**How are properties NOMINATED for local designation?**

Given that there are different ways in which to measure property owner's concerns about designation, who can initiate a nomination? The preservation ordinance can prescribe who has standing to nominate a property or district. In many communities, the local preservation commission is authorized to initiate designation and often a private, non-profit preservation advocacy organization also will have authority to designate. The property owner can submit a nomination as well. In addition to these parties, some ordinances permit citizens at large to submit a nomination; sometimes, a minimum number of individuals (three for example) is required.

These are the options:

*Option 1: The local preservation commission, local preservation advocacy group and the property owner may initiate a nomination.*

This limits the process to those with recognized interests in preservation and in the property.

*Option 2: In addition to those in Option 1, a group of citizens at large may initiate a nomination.*

This option broadens the range of those who may nominate. When this is used, it is important to set requirements that prevent frivolous nominations by outside parties.

### **What type of work may be subject to design review?**

Most preservation ordinances require a Certificate of Appropriateness before certain types of work may occur on a property. Some, however, have a “lighter” level of review. This ordinance module addresses the degree to which design review approval is required before a construction permit may be issued.

#### *Option 1: No review or approval is required*

In this approach, no work is reviewed. This works for an ordinance that only is intended to serve as an official recognition by the community of the historic significance of resources, but no regulation is to be established. Obviously, no assurance for preservation exists in this approach. A few communities use this approach.

#### *Option 2: A review session is required but approval is not*

In this approach, a property owner must appear at a design review meeting, to hear the recommendations from the board (or staff), prior to receiving a building permit. However, no approval is required. The objective is to provide an opportunity to inform the property owner of the community’s preferences in the treatment of historic resources and perhaps to explore appropriate alternatives. Again, no assurance of preservation exists, but some property owners will respond favorably to the information exchange.

#### *Option 3: Approval is required for work visible from the public way*

In this approach, design review is limited to work that would occur in areas most relevant to retaining the integrity of the resource and in benefiting the public good. Typically, review focuses on the front of a building and parts of the sides that are highly visible from the public way. No review or approval is required on portions farther back or to the rear. It also may exclude some site work and landscaping from review. Communities frequently use this option in their ordinances.

#### *Option 4: Approval is required for all exterior work*

In this approach, all alterations to the exterior of a building require approval. Even so, the design guidelines typically indicate that more flexibility is available to alterations that are on areas less visible from the public way. This approach is used in communities with a high degree of support for preservation. It also can be combined with option 3 when different levels of significance are recognized. For example, this “four-sided” review might

apply only to individual landmarks with a high degree of significance, but not to contributors.

### **How is new construction addressed?**

New construction may occur as a new, free-standing building on an individual parcel or it may be a new “infill” on a vacant lot in a historic district. Most ordinances review new construction, to assure that it will be compatible with the historic context. Most ordinances ask that new construction reflect its own time while respecting the fundamental design traditions of the historic resources in the area. A few communities, however, do not review a new infill building on a vacant lot. (Note that an addition to a historic building is typically considered as an alteration and the options described above would apply.)

These are the options for reviewing new construction:

#### *Option 1: New construction on an individual property with an existing historic resource is reviewed*

In this approach, a new building on a parcel that has a designated historic resource is subject to review and approval. However, there may be a threshold in terms of building size, with smaller secondary structures being exempt from review.

#### *Option 2: New construction on a vacant lot in a historic district is reviewed*

In this approach, all new construction within the boundaries of a historic district is subject to design review. (In communities that already have design review for new construction as a part of a different overlay or code requirement, this may be redundant.)

#### *Option 3: New construction on a vacant lot in a historic district is NOT reviewed*

In this approach, new construction is not subject to design review. This is not used very often, because new construction has the potential to change the character of a district and affect its historic significance. It may be used where the intent is to limit the scope of review in the district, or where review may occur as part of a different design review overlay.

### **Who makes design review decisions?**

When an ordinance requires approval of work through design review, the decision-making may be in the hands of a commission, or it may be handled administratively, by government staff. In many ordinances, this duty is shared

between the two entities, with smaller projects being handled by staff and larger, more complicated projects reviewed by the commission.

These are the options for decision-making authority:

*Option 1: Staff makes all decisions and the commission serves as advisor*

This approach is used to encourage expeditious decisions. The ordinance may require that staff consult the commission on all projects, or it can set a threshold for doing so. Staff may also elect to ask their advice. In addition, the applicant may request a meeting with the commission or even appeal a staff decision to it.

*Option 2: Staff makes decisions on “minor” projects and the commission decides on “major” projects*

Many ordinances use this option. As with Option 1, staff may also consult with the commission on minor projects and the applicant has the ability to appeal to it as well.

*Option 3: The commission makes all decisions and staff advises*

This option provides a public forum for all decisions, as part of commission meetings. It can add more time to the review process, since all projects must wait to be placed on a commission agenda.

### **How is demolition addressed?**

Discouraging demolition of historic resources is a key objective of many preservation programs. The ordinance may provide the power to prohibit demolition (with an economic hardship clause) or it may only delay demolition. Many ordinances provide this protection for properties that are already officially designated. The objective is to provide time to consider alternatives to demolitions. Some ordinances add another provision that addresses older properties that are not formally listed. This objective is to provide time to consider if a nomination for formal landmarking should be pursued.

These are the options:

*Option 1: Delay demolition only*

In this approach, the commission may invoke a delay on issuing a demolition permit for a defined period of time, during which alternatives may be explored. Usually, the delay can be extended for one time only, if more time is needed to finalize an alternative that is in discussion. As

noted above, this may apply only to currently designated properties, or it may extend to older properties that may be eligible for designation.

*Option 2: Provide the authority to prohibit demolition*

In this option, the commission may deny a demolition permit. However, this must provide the ability for a property owner to make an appeal, based on a test for economic hardship, to protect property owner from a “taking.” It also includes an avenue for appeal to the governing body or to a court. This option only operates for properties that are officially designated.

**How are incentives provided in the preservation ordinance?**

It is important to offer incentives in a preservation program. These may include financial incentives, regulatory relief and technical assistance. The range of incentives may vary from time to time, depending upon local, state and federal laws and market conditions as well as community priorities. For this reason, a local preservation ordinance may address incentives in a general way, and then reference other information that may be modified more frequently. For example, the preservation ordinance may state that additional flexibility in applying zoning codes is available to historic properties, but the specific details may be established in a separate ordinance. That separate regulation may then indicate how flexibility may be provided. It may indicate that additional flexibility is available in meeting setback requirements or how height and density limits may be increased. (Incentives are discussed in more detail in a separate working paper.)





## APPENDIX D: WESTERN CHARACTER

The term “Western Character” has been used and defined in a variety of ways within the community. For the purposes of this project, “western character” is defined in relation to the design of the urban fabric, which includes street character, buildings and open space.

In the recent online survey, over 300 people participated, with an average of 250 responses for each survey question. Community input regarding “western character” was deduced from each of the exercises and can be divided into the following characteristics:

- Building height
- Building materials
- Roof line
- Transparency
- Boardwalks
- Outdoor spaces

In addition to the online survey question responses and comments, other background materials were considered in defining Western Character:

- Historic District Town of Jackson 2005
- Town of Jackson Design Guidelines
- Comprehensive Plan 2012

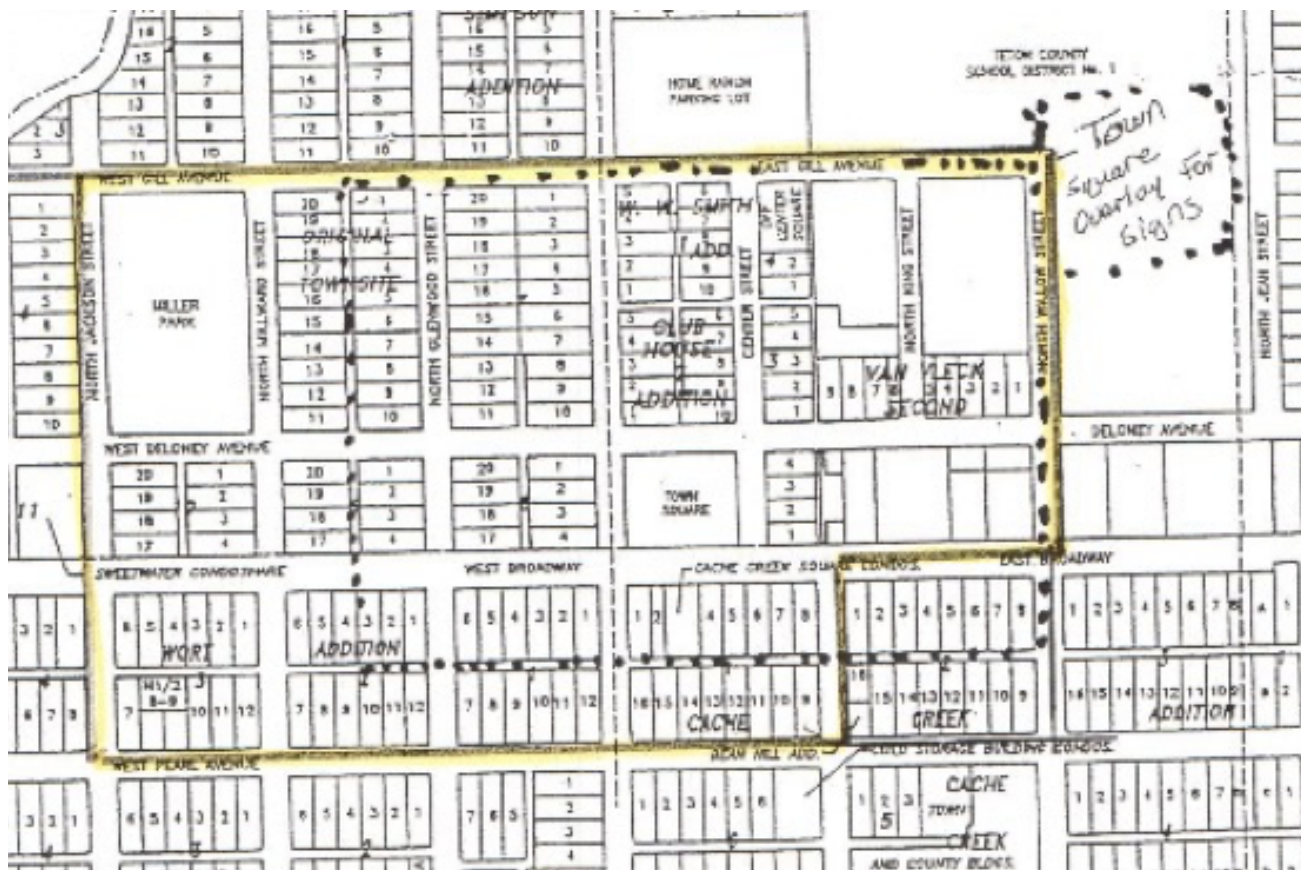
This Appendix explains the many references to “western character” that are found in existing documents and that were expressed in the workshops and online surveys for this project.

# WESTERN CHARACTER BACKGROUND

## 1. HISTORIC DISTRICT TOWN OF JACKSON – 2005 BOUNDARIES

In 2005, the Town of Jackson adopted a Historic District – “Historic Downtown Jackson” – with boundaries of Gill Avenue, Willow Street, Pearl Avenue and Jackson Street, as seen in the image below.

Its goals are to promote heritage tourism, enhance a sense of pride in Jackson’s downtown and historic character, and create an area referred to as “Historic Downtown Jackson.” The district has not been promoted since its adoption.



### **Content referencing “Historic Character”**

#### *Ordinance resolution:*

- “Whereas, the Town of Jackson is nationally recognized as one of the few remaining municipalities remaining symbolic of late western frontier settlement, and,...
- Whereas, the residents of Town of Jackson through their governing institutions have expressed their desire that the Town of Jackson retain its historic, western appearance, and historic character, and,
- Whereas, those residents take pride in such western appearance and historic character, and,
- Whereas, the residents of Town of Jackson encourage consideration and appreciation of this historic character and western appearance, and,...

## **2. TOWN OF JACKSON DESIGN GUIDELINES**

The Town of Jackson uses Design Guidelines to direct the character of new, non-residential development. The guidelines state that “future development should consider the regional vernacular of the Intermountain West while inspiring innovative design and creativity.” This brings to light the issue of “western character,” which is not defined, but is frequently used when describing the desired character of design in Jackson.

The design guidelines address a variety of topics including building massing, materials, and location on a site

### **Content referencing “Historic Character”**

- Historically, material choices have been made based on the availability of materials. This has created a rich tradition of using building materials that reflect the region in which we live. New construction should seek a fit within this regional context.
- Innovation, creative design and new technologies can improve and enhance the immediate surroundings, while expanding the varied and authentic palette of building materials used in the Town of Jackson.
- Material selection should take into account the historical vernacular of the Town and surrounding area as well as the unique natural context of the valley.
- Transparency, visual interest, and scale should be considered at the pedestrian/street level.

### 3. JACKSON/TETON COUNTY COMPREHENSIVE PLAN

Adopted in 2012, the community's Comprehensive Plan aims to "protect the health, safety and welfare of our community and preserve our community character for future generations.

#### **Content referencing "Historic Character"**

##### *Existing and future desired characteristics:*

- The district is home to iconic buildings and public spaces, including the Cowboy Bar, George Washington Memorial Park (the "Town Square"), and the sawtooth building profiles surrounding the Town Square.
- Preserving the existing western character and heritage found in the buildings and public spaces in this district will be key to maintaining the existing character.
- The district is the center of the visitor experience in Town and plays an important role in defining our community's western heritage and overall community identity.

##### *Character-defining features 1.1 Inner Square:*

- This STABLE Subarea will focus on maintaining western character by retaining or replicating the built environment.
- Building heights should not exceed two stories.
- The continuation of covered wooden boardwalks is vital to maintaining the desired western character.

##### *Character-defining features 1.2 Outer Square*

- This STABLE Subarea will focus on maintaining western character consistent with the existing character of the district.
- Building heights up to three stories.
- The continuation of covered wooden boardwalks is vital to maintaining the desired western character.

# WESTERN CHARACTER PUBLIC OUTREACH FINDINGS

## WORKSHOP 1 AND ONLINE SURVEY: WESTERN CHARACTER FINDINGS

Content in the public outreach materials that references “Historic Character” is included below.

### Activity #2 (online survey only)

This question asked about the importance of preserving a variety of property types (from very important to not at all important.) There was an opportunity to provide comments after each property type shown in the online survey. Many of the comments defined the characteristics of a historic building and why it should be preserved.

Comments included:

- This is our history and western personality
- Old west appeal
- Well-kept brick provides a rural/historic aesthetic because of the color and material used
- Stone-work
- Sandstone
- Well built
- Historic character for town
- Stone and log building materials should drive building types
- Natural/native materials
- Natural colored wood; warmth of natural wood finishes
- Boardwalk
- Woodwork; burled wood pillars
- False-front
- Old and dated which the square should reflect
- Hollywood influence of western character
- Low-scale important to character; maintains views
- Sloped roofs; sloped roof with dormers
- Railings
- Mountain modern is not unique or historical and truly not western.
- High-quality, brick, timber
- Residential: small scale; front-porch; wood frame windows; pitched roof; authentic materials; bay windows; detailing
- Open space; green space;
- Log

### **Activity #3 (workshop #1 only)**

For this activity, each participant was given a notecard and within one minute was asked to define what “western character” meant to them in one word. The top words identified in the combined Workshop #1 and Workshop #2 word cloud included:

- Wooden
- Logs
- Low-rise
- Boardwalks
- Authentic
- History
- Rustic
- Evolving
- Natural
- Landscapes
- Cowboys
- 

### **Activity #4 (workshop #1 only)**

For this activity, attendees were presented with four block elevations and were asked to identify building features that represented “western character.” The top features identified in the combined Workshop #1 and Workshop #2 included:

- Covered walkway; gallery; boardwalk
- Variation in the parapet line
- Balconies
- Wood supports/ brackets
- False front façade
- Wood siding
- Stone/masonry
- Preserve views
- Neon signs
- Wooden signs

### **Activity #6**

For this activity, participants were asked to identify photographs of buildings and public realm improvements that were appropriate or inappropriate for the inner square or outer square. A sample of top photographs selected can be found in the Strategy Paper on pages 25 and 26. Additional detail is provided in Appendix A: Combined Public Outreach, starting on page A27.

Appropriate building features/attributes identified in the comments, and derived from the images include:

#### *Design/Scale*

- Low scale
- Two-story
- Third-story stepped back
- Horizontal and vertical lines carry through the design
- Horizontal projection, or inset at the ground level
- Wall offsets on larger buildings
- False front, simple stepped parapet, defined cornice line

- Balconies
- Flat, and sloped roofs with overhangs
- Defined entry
- Balance in transparency; storefronts at the ground level, and modest transparency
- at the upper level-punched openings with some depth/shadow line
- Understated design
- Windows with simple geometry, modest size, shadow lines, and rhythm of placement along a building wall

#### *Materials*

- Natural and native materials
- Natural color scheme
- Wood (lap, log, shingle, board & batten)
- Modest mix of natural materials
- Modest use of steel
- Rustic
- Masonry base

Inappropriate building features identified in the comments, and derived from the images include:

- Too much glass and steel (cold)
- Too large/bulky/looming
- Three story buildings will block views
- Too much concrete
- Colors too bright
- Colors too dark
- Sharp lines
- The use of brick is not common in Jackson
- Overuse of rusted materials
- Window walls
- Too busy (too many materials, too much articulation)
- Lack of shadow lines on window openings

Appropriate public realm design and features can be seen in the most common images selected. These can be found in the Strategy Paper on page 28. More detail can be found in Appendix A: Combined Public Outreach, start on page A36.

Appropriate public realm features/attributes identified in the comments, and derived from the images include:

#### *Design and Materials*

- Covered boardwalks in Inner Square
- More openness/green space in Outer Square
- Wooden benches
- Intimate pedestrian ways / alleys / connections



