



# Alternative Policy Direction Summary

Districts 3 - 6 LDRs Update

10/20/17

After adoption of the 2012 Comprehensive Plan, the Town (and County) began the necessary process of updating its Land Development Regulations (LDRs) to better implement the new policy direction provided in the Comprehensive Plan. The Town is updating its LDRs through multiple targeted updates rather than through one update of the entire Town. The first zoning update, Character District 2: Town Commercial Core, was adopted in November, 2016.

The next step (this step) is to update four of the remaining five Character Districts that will encompass the rest of Town (District 1: Town Square will be updated last). The following four Character Zones will be updated in the current process:

- Character District 3: Town Residential Core
- Character District 4: Midtown
- Character District 5: West Jackson (*excluding Business Park (BP) zone*)
- Character District 6: Town Periphery

On June 27, 2017, the Town Council committed to answering 8 policy questions to provide initial guidance on the update of the LDRs for Districts 3 - 6. These 8 questions and alternative answers to each are presented below. In December, the Town Council will provide policy direction on each of the questions based on public, staff, and Planning Commission analysis of the alternatives. For a full schedule of the Alternatives Analysis, and/or to provide comment, please visit the project webpage at:

[www.engage2017.jacksontetonplan.com/townzoning](http://www.engage2017.jacksontetonplan.com/townzoning).

## 1. What portion of the additional 1,800 dwelling units should be transferred from the Rural areas of the County into Town? [These units would be in addition to what is allowed by current zoning.]?

There is no regulatory requirement to transfer the approximately 1,800 residential units from the County to the Town. There is, however, strong direction in the Comprehensive Plan that the units should be transferred from Rural areas in the County to the Town as a 'Complete Neighborhood' to meet important community growth management goals, such as housing 65% of the workforce locally and locating at least 60% of new development in Complete Neighborhoods.

Alternatives	Intent	Potential Drawbacks
1.A. Prioritize the addition of all 1,800 units to Town ( <i>closest to status quo</i> )	<ul style="list-style-type: none"><li>• To implement Workforce Housing Action Plan goals by adding residential units in Town where services, jobs, and transportation already exist</li></ul>	<ul style="list-style-type: none"><li>◦ May add congestion to areas that already have higher densities and congestion</li></ul>
1.B. Add less than 1,800 units in order to balance housing goals with other desired goals	<ul style="list-style-type: none"><li>• To add a lesser number of units to balance workforce housing and other goals, such as protection of existing neighborhood character</li></ul>	<ul style="list-style-type: none"><li>◦ Likely will not provide enough additional units to meet workforce housing goals in Comprehensive Plan</li></ul>

Alternatives	Intent	Potential Drawbacks
1.C. Add none of the 1,800 units to Town	<ul style="list-style-type: none"> <li>To avoid all negative impacts that might occur from adding additional units to Town</li> </ul>	<ul style="list-style-type: none"> <li>Highly unlikely that we will meet our workforce housing goals in Comprehensive Plan</li> </ul>

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

One of the primary goals of the Districts 3 – 6 update is to ask the public to identify what types of new housing are appropriate for additional density and where should this additional density be located. To gather this information, this question will not follow the multiple choice format of the other 7 policy questions. Thus, instead of presenting written alternatives to consider, a “visual preference” exercise is provided that asks the public to identify which types of residential development they would prefer to see constructed in Districts 3 - 6 to provide the additional 1,800 units (or whatever number of additional units they support).

In addition, the survey asks the public to show where in Town they would support locating the additional density and preferred residential types. For the locational exercise, we provide the reader with the designated subareas for each Character District and a brief description of the intended future character of each subarea. Each subarea is also identified as “Transitional” (intended for redevelopment and potentially more density) or “Stable” (not intended for significant change to existing character). For example, a map will be provided of Subarea 3.2: Core Residential, with a brief description of its intended future character and its designation as “Transitional.” With this information, the public will be asked to show which residential types, if any, they support adding to this subarea and explain why (or why not).

In completing the visual preference survey, the following issues may be worth considering:

- Existing neighborhood character;
- Locational criteria for adding density;
- Whether to cluster density or disperse density;
- Scale of residential buildings;
- Building form vs density
- Architecture;
- Site design;
- Stable Neighborhoods - improvements.

There is not space in this summary document to provide the materials for the visual preference survey. The survey is attached, however, to the full technical document *Alternative Solutions to Policy Issues: Districts 3- 6* available at <https://www.engage2017.jacksonontetonplan.com/townzoning>.

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

This is a technical question that may be of limited interest to some members of the public. However, it is important that the Council provide its input so that new zoning standards In the Comprehensive Plan, buildout for residential units and commercial floor area are calculated by estimating the development potential of existing zoning (see Appendix B in the Comprehensive Plan). This method relies on the use of a variety of assumptions regarding future development outcomes.

The one exception to this buildout methodology is found in Sec. 7.8 of the LDRs that provides a floor area bonus for ‘workforce housing.’ Residential units built using this floor area bonus are counted as the units are built, not by the total possible number of units that could be built on all properties that can use the bonus. Units built under the workforce FAR bonus, however, will not change the community’s overall buildout because the units will be subtracted from the buildout total on an annual basis.

Alternatives	Intent	Potential Drawbacks
3.A Calculate buildout by zoning potential ( <i>status quo for general buildout</i> )	<ul style="list-style-type: none"> <li>This buildout method involves calculating the maximum buildout of every property at 100% of development potential (e.g., FAR primarily) based on existing zoning</li> </ul>	<ul style="list-style-type: none"> <li>It provides a “worst case scenario” that probably overestimates actual buildout</li> <li>It requires many complex assumptions about future development outcomes.</li> <li>Results in us planning by theoretical numbers rather than by actual numbers</li> <li>Can’t use development incentives based on increased FAR or density</li> </ul>
3.B Calculate buildout on an ‘as-built’ basis ( <i>status quo for workforce housing bonus</i> )	<ul style="list-style-type: none"> <li>This buildout method involves counting units as they are built, not based on zoning potential, and then subtracting units from buildout.</li> </ul>	<ul style="list-style-type: none"> <li>Relies on public having confidence that a future Council will have the political will to slow approval or deny residential units as we approach the buildout limit</li> <li>Does not, itself, provide a buildout limit, only a method for monitoring development along the way.</li> </ul>

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

The Town and County are currently in the process of updating their housing mitigation requirements (see Engage 2017 for Housing Mitigation) and so the mitigation rates for new residential will likely be modified as part of that process. In addition, employee housing mitigation rates for nonresidential development will also be updated as part of that process. It is likely that the Mitigation update will have an initial recommendation for proposed new mitigation rates by the November 8 public workshop on District 3 – 6. Therefore, some people may want to wait until the new housing mitigation rates are proposed before they feel comfortable answering Policy Question #4.

Nevertheless, this question asks whether the mitigation requirement should be the same or different for the additional 1,800 units as for current units. In answering this question, it is important to ask ourselves “for what purpose should additional housing units be added to Town?” For example, for those who support maximizing workforce housing supply whenever possible, they might answer that all or most of the new units should be deed-restricted. In contrast, those who think the existing 20% mitigation requirement is too high might suggest that only 10% (or none) of the units should be deed-restricted.

Alternatives	Intent	Potential Drawbacks
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4.A. Require the same deed-restriction rate for 1,800 units as currently required by the LDRs for new housing ( <i>status quo</i> )	<ul style="list-style-type: none"> <li>• To be consistent with existing (or soon to be updated) Town housing mitigation requirements</li> </ul>	<ul style="list-style-type: none"> <li>◦ A lost opportunity to use the incentive of additional density to maximize deed-restricted housing</li> <li>◦ Does not address housing needs for some income levels</li> </ul>
4.B. Require workforce deed restriction for all additional units	<ul style="list-style-type: none"> <li>• To maximize the number of new deed-restricted housing units reserved for the workforce</li> </ul>	<ul style="list-style-type: none"> <li>◦ This may not be financially feasible for developers, so might deter the development of deed-restricted units at all</li> </ul>
4.C. The number of deed-restricted units should be based on meeting a specific community goal, such as the 65% local workforce housing goal.	<ul style="list-style-type: none"> <li>• To use a goal in the Comprehensive Plan or Housing Action Plan as the basis for the amount of desired workforce housing.</li> </ul>	<ul style="list-style-type: none"> <li>◦ This will likely require additional time and research on staff's part to accurately determine the correct mitigation percentage to match the goal.</li> </ul>

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

There are no specific requirements in the LDRs or policies in the Comprehensive Plan intended to reduce the total amount of commercial floor area in the Town. In addition, as part of the District 2 Downtown zoning update, the Council decided that it did not support “downzoning” commercial properties. In practical terms, this means that existing commercial development potential (usually defined FAR) will not likely be reduced to achieve a larger community goal, unless the Council is willing to reconsider its previous direction.

The Council’s direction, however, does not preclude zoning strategies to incentivize the reduction of commercial development. One reason to still seek the reduction of commercial development would be to reduce the number of employees created by new development and thus reduce the demand for workforce housing. This could be done, for example, by incentivizing residential development on commercial properties with the goal of ‘converting’ commercial properties to residential uses. This would have the practical effect of reducing overall commercial buildout without negatively affecting property values. Another option is to consider whether the community would support the transfer of commercial density from one property to another with the goal of sparking redevelopment of targeted areas or sites.

Alternatives	Intent	Potential Drawbacks
5.A. We should keep commercial development potential at current levels ( <i>Status Quo</i> )	<ul style="list-style-type: none"> <li>• To maintain the current mix of commercial and residential development</li> <li>• To reserve our current commercial potential in case it is needed in future</li> </ul>	<ul style="list-style-type: none"> <li>◦ According to some analyses, we have too much commercial potential compared to residential potential and this option would not address this imbalance</li> <li>◦ We would lose an opportunity to reduce employee generation and associated demand for new workforce housing</li> </ul>

Alternatives	Intent	Potential Drawbacks
5.B. We should try to reduce commercial development potential through incentives, but not require reductions	<ul style="list-style-type: none"> <li>• To use voluntary incentives to encourage landowners to consider building residential units, including workforce and deed-restricted units, instead of more commercial development</li> </ul>	<ul style="list-style-type: none"> <li>◦ Because this would include voluntary zoning tools only, there should be no major negative impacts to landowners</li> </ul>
5.C. We should allow the transfer of commercial development potential from one property to another	<ul style="list-style-type: none"> <li>• To encourage redevelopment of high priority sites, such as gateway properties or constrained sites, that may currently lack nonresidential FAR to stimulate redevelopment</li> </ul>	<ul style="list-style-type: none"> <li>◦ Transfers increase unpredictability</li> <li>◦ Transfer programs can be complex to administer</li> </ul>

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

Under the current LDRs, all commercial development and redevelopment are subject to the Town Design Guidelines and must be reviewed by the Design Review Committee (DRC). In addition, all multi-family developments (e.g., apartment buildings, townhouses, etc.) in the DC, CR-1, CR-2, and OR Zones must meet the Design Guidelines and undergo DRC review. All other development is not subject to design review.

The question here is whether the public would like to see the same or different design review requirements apply to new development in Districts 3 - 6. In particular, is there support for requiring design review to multi-family residential projects (i.e., structures with 3 or more attached units) as we now do in District 2? Or, going further, is there support for additional design requirements to, for example, buffer multi-family from adjacent properties. Respondents for this question may want to consider their current impression of the look and design of recent commercial and residential buildings in town and ask whether these buildings are attractive, consistent with local character, in proper scale with surroundings, use appropriate materials, or have suggestions to improve such buildings.

Alternatives	Intent	Potential Drawbacks
6.A. Apply Design Review only to commercial and multi-family buildings (3 or more attached units) in Districts 3 - 6	<ul style="list-style-type: none"> <li>• To apply the same design review rules to residential in District 3 – 6 that we currently do in District 2</li> </ul>	<ul style="list-style-type: none"> <li>◦ Will add some cost to residential projects</li> </ul>
6.B. Apply Design Review to only commercial development in Districts 3 – 6 ( <i>closest to status quo</i> )	<ul style="list-style-type: none"> <li>• To focus design review on commercial development which tends to be located on the highway and more visible than residential.</li> <li>• To reduce regulatory requirements and process on residential projects, including workforce housing.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Could lead to poorly designed and unattractive multi-family buildings, decreasing support for such projects in future</li> </ul>

Alternatives	Intent	Potential Drawbacks
6.C. Apply Design Review to commercial development and larger multi-family projects (e.g., 10 units or more) in Districts 3 - 6	<ul style="list-style-type: none"> <li>To provide a compromise between 8.A. and 8.B by only applying design review to projects larger than a clear threshold (e.g., 10 units or 10,000 sf)</li> </ul>	<ul style="list-style-type: none"> <li>Will miss smaller projects that still may be located in prominent locations or close to sensitive properties.</li> <li>Developers may alter or phase projects to avoid the threshold in ways that negatively impact project or limit public review.</li> </ul>

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

The Town has not historically had clear thresholds for requiring sidewalks. In cases of large new developments and redevelopments new sidewalks have typically been required in commercial areas and denser residential areas. However, the town has not had, for example, a map or sidewalk plan that clearly shows where sidewalks are required to be built or intended to be built in the future. This changed partially with the Town's adoption of the Community Streets Plan in 2015. This plan contains detailed sidewalk standards based on the character of the neighborhood. The standards require wider sidewalks of 6' – 9' of clear width where we traditionally required 4' – 5' wide sidewalks. However, because this plan was adopted by resolution (i.e., not ordinance) its standards are not required by law. Even so, the Planning and Town Public Works Departments have been implementing the Community Streets Plan standards as much as possible for new projects. Finally, new sidewalk requirements were adopted in the four new District 2 zones that closely match the sidewalk standards in the Community Streets Plan. In summary, the Town has a variety of sidewalk standards in different parts of town, with the most specific standards applying to the Downtown commercial area.

This question is an opportunity for the public to provide input on where they think additional sidewalks, if any, are needed in Town. Or, for some, it may be easier to provide general criteria that would identify where sidewalks should be built (e.g., within a ¼ mile of any transit stop or public park). Respondents should also consider who sidewalks are intended to serve (elderly, families with kids, tourists, etc.) and how this might impact their comments.

Alternatives	Intent	Potential Drawbacks
7.A. Sidewalks should be required primarily to connect commercial services with surrounding residential areas	<ul style="list-style-type: none"> <li>To focus sidewalks in high-use, commercial areas to provide safe pedestrian access for locals and visitors</li> </ul>	<ul style="list-style-type: none"> <li>Narrow focus will not address pedestrian needs in residential areas</li> </ul>
7.B. Sidewalks should be required for areas covered in Alternative 7.A and also between major residential neighborhoods	<ul style="list-style-type: none"> <li>To provide a more comprehensive pedestrian system to address needs in multiple parts of town</li> </ul>	<ul style="list-style-type: none"> <li>Some people may feel that sidewalks detract from the existing character of their neighborhood</li> </ul>
7.C. Additional sidewalks should not be required of private landowners but may be expanded by the Town using public funds where necessary	<ul style="list-style-type: none"> <li>To make the provision of sidewalks a public responsibility and remove all private obligations associated with sidewalks</li> </ul>	<ul style="list-style-type: none"> <li>This would significantly increase the burden on taxpayers to fund sidewalks</li> <li>Would lead to a decrease in the overall size of our sidewalk network</li> </ul>

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

The Town does not have any specific requirements that require new streets or new street connections to be built as part of new developments. The Planned Unit Development (PUD) standards require that street circulation be addressed as part of PUD project review but there are not specific standards or criteria to guide development. In addition, there are no street connectivity requirements in the Town's subdivision standards, which is where many communities include such standards.

A key consideration for this question is determining what kinds of opportunities exist to expand the existing street network. For instance, due to the relatively small number of vacant properties in Town and few opportunities for new larger projects that would have space to integrate internal drives/roads, expanding the existing road network will be challenging. It would also be costly (and likely politically unfeasible) if landowners are not willing to cooperate and provide easements. Even with these challenges, however, there still may be opportunities to find creative ways to increase street and pedestrian connections in areas of Town that lack adequate connections, such as the west side of Town where the larger block patterns significantly contribute to traffic congestion and lack of safe pedestrian options.

Alternatives	Intent	Potential Drawbacks
8.A. We should incentivize connections as part of certain redevelopment and new projects <i>(Status Quo)</i>	<ul style="list-style-type: none"><li>• To seek opportunities to work with willing landowners to improve our road network</li></ul>	<ul style="list-style-type: none"><li>○ The lack of mandatory requirements may not produce much success in creating new connections</li></ul>
8.B. We should require connections as part of certain redevelopment and new projects, likely as part of the subdivision process and/or development approval process	<ul style="list-style-type: none"><li>• To use the leverage of a development review permit to require missing road connections</li><li>• To use primarily private resources (land and money) to achieve new connections but use public support when feasible</li></ul>	<ul style="list-style-type: none"><li>○ Politically controversial to implement</li><li>○ Needs to be legally vetted</li><li>○ Still face practical difficulties in identifying where new connections should be made</li></ul>
8.C. The street network in Town is essentially set and adding new connections would not provide significant benefit	<ul style="list-style-type: none"><li>• To accept the existing street network in its current state and not worry about additional connections</li></ul>	<ul style="list-style-type: none"><li>○ Might miss unexpected opportunities to improve existing grid and improve both vehicular and pedestrian travel</li></ul>