

Recent decisions to approve massive structures in town raise questions about what it means for Jackson to be the “heart” of Jackson Hole. These departures from the modest scales of development clearly outlined by our current Comprehensive Plan degrade the character of our small western town – character that draws millions of visitors each year.

Smart growth is about enhancing the attributes that make our community unique. If we want smart growth in the heart of Jackson Hole, we need to be clear about the attributes we want to protect, and come up with regulations that will work to protect them.



Kristy Bruner

This new PMD is under construction just east of the 49er Inn. The loss of scenic views from town is only one of the impacts of such projects.

Can't see the forest for the PMDs

Flawed Planned Mixed-Use Development tool

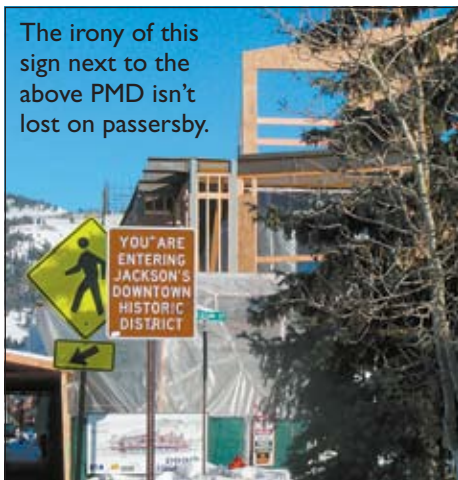
compromises the valley's character and the Comp Plan update process.

By **Kristy Bruner**,
Alliance Community Planning Director

During the past year, Jackson officials have been very busy approving precedent-setting developments that will forever define, and degrade, the town's physical character and function.

It's clear that the town's actions have not worked to maintain the status quo in development patterns and scales during the Comprehensive Plan update process. This “top-down” approach to dramatically reshape Jackson at the exact same time considerable taxpayer dollars are being spent to garner public input on what and how much development should be allowed is troubling. In stark contrast to actions taken by the county, the town has taken a very different path.

Specifically, the county commissioners have taken a responsible step by passing and extending a moratorium halting the subdivision of large parcels in the county during the update. But meanwhile,



The irony of this sign next to the above PMD isn't lost on passersby.

Jackson's electeds have approved massive developments in town with minimal community benefits through their use – and misuse – of the planned mixed-use development tool.

This use of the PMD tool during the Comp Plan update – and the lack of revised regulations to fix or eliminate it – both raise questions about the extent to which the town is cooperating in the *joint* town and county update process to date. (And only Councilor Melissa Turley has consistently voiced concerns about continuing to allow review of PMD applications at the same time the council is considering modifying the tool.)

Given that “integration of mixed-use” is a fundamental smart-growth principle, some may wonder why the Conservation Alliance is concerned about the PMD tool, and why we've twice asked town officials to consider a moratorium during the Comp Plan update process. First, at the most basic level, we believe that elected officials should uphold the current Comprehensive Plan, the will of the public and strong planning principles. It's clear that

WHAT IS THE PMD TOOL?

Approved in 2001, the planned mixed-use development tool was intended to help implement a strategy in the transportation chapter of the 1994 Jackson/Teton County Comprehensive Plan called “Town as Heart of the Region.” This strategy aimed to increase residential development within town limits, thus keeping workers close to jobs and reducing car trips in the county. Another factor in the rise of the PMD was the perception by some that town regulations governing commercial zoning were discouraging re-development because they didn’t allow enough density. (In other words, developers are more likely to build PMD projects than smaller-scale ones, because more density equals more profit.)

The developer of an approved PMD gets an upzone (an increase in development potential from the underlying by-right zoning), and gets even more of an increase on top of that if they agree to certain other criteria. (See Page 10 for details.)

What does the community get in return? For developers to be granted an upzone, the tradeoff is that the community is supposed to benefit from the upzone in some way. However, because the PMD regulations are so subjective, many contend that the supposed benefits of PMDs (e.g., a more “vibrant” downtown) don’t even outweigh the costs of their impacts. For instance, the commercial development encouraged by the PMD tool actually increases the need for more workforce housing than developers are required to build, making Jackson Hole’s housing problems worse.

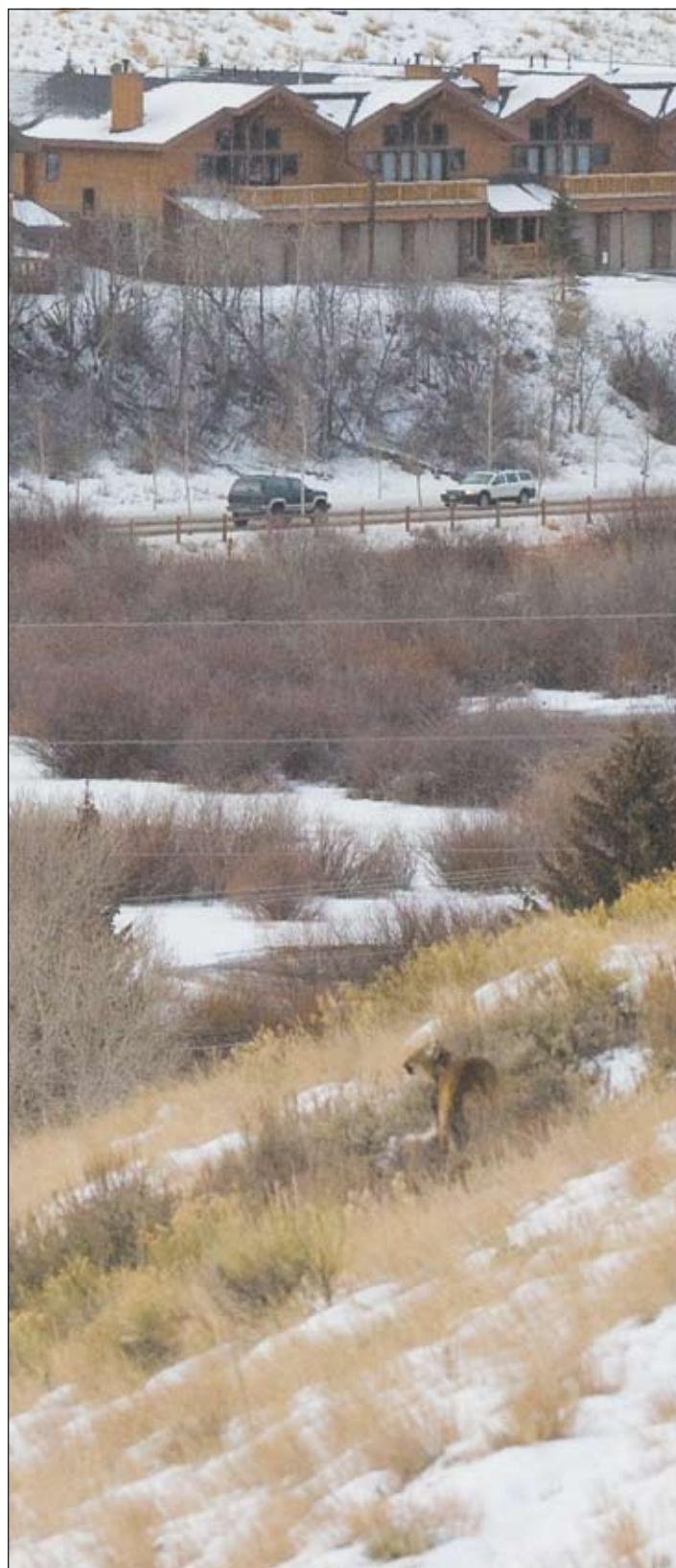
Also, the fact that the Jackson Town Council continues to approve PMDs during our Comp Plan update is contributing to development pressures that are undermining the process. The Comp Plan can’t protect something that’s already gone. ■

the PMD tool allows scales of development that are both well beyond what the 1994 Comp Plan directs and beyond what the majority of the community has repeatedly and consistently said it wants.

Community doesn’t want growth for growth’s sake

It’s also clear that the PMD tool allows types of uses not necessarily valued by or needed in the community, such as more floors of high-end lodging and luxury condominiums. For example, even though the public has voiced support for higher density in some areas of Jackson, they have done so *only* if it’s in exchange for more workforce housing opportunities, or for less density and more protection of open spaces and wildlife habitat in the county, not simply for the sake of growth itself (see survey information on Page 5). In short, if growth doesn’t work to protect or enhance community values, and it doesn’t respect the unique context of Jackson Hole, it shouldn’t be called “smart growth.”

Next, moving beyond the basics, the devil is in the details in determining whether “mixed-use” can result in benefits for a community. What “could be” possible through mixed-use regulations has been a far cry from what “is” and what “is required” by the town’s PMD regulations (see “Missing Links” on Page 11). Mixed-use can take a number of different forms, and can mean very different things,



Thomas D. Mangelsen

Increased development in Jackson also threatens wildlife living here, such as the cougar above – especially since increased densities in town aren’t currently offset by less development potential in Teton County. This is a recipe for sprawl, which our community has repeatedly said it doesn’t want.

Zoning District	FLOOR AREA RATIO (FAR)		
	By Right	PMD-Base	PMD-Bonus
AC	0.25 - 0.46	0.40	0.50
BP-R	0.41	0.40	0.50
OP	0.46	0.75	0.90
AC/LO	0.65	0.90	1.25
OP2	0.65	1.50	2.00
UC2	0.65	1.50	2.00
UC2/LO	0.80	1.50	2.00
UC	1.30	1.83	2.00
UC/LO	1.30	1.83	2.00
UC-TSO	1.83	1.83	2.00

Zoning District	BUILDING HEIGHT		
	By Right	PMD-Base	PMD-Bonus
AC	35 ft	35 ft	35 ft
BP-R	35 ft	35 ft	46 ft
OP	30 ft	35 ft	35 ft
AC/LO	35 ft	35 ft	42 ft
OP2	35 ft	42 ft	46 ft
UC2	35 ft	42 ft	46 ft
UC	35 ft	42 ft	46 ft
UC-TSO	35 ft	35 ft	35 ft

Zoning District	LANDSCAPE SURFACE RATIO (LSR)		
	By Right	PMD-Base	PMD-Bonus
AC	0.20	0.25	0.25
BP-R	0.15	0.25	0.25
OP	0.30	0.10	0.05
AC/LO	0.20	0.05	0.05
OP2	0.20	0.05	0.05
UC2	0.20	0.05	0.05
UC	0.10	0.00	0.00
UC-TSO	0.00	0.00	0.00

The chart above shows how much more development potential PMDs can get, how much taller they can be, and how much less landscaping they're required to provide than by-right developments in Jackson's various zoning districts. (Floor area ratio indicates the intensity of building on a parcel. More FAR and less LSR generally equals more density, resulting in buildings with more stories, built out right to the sidewalk.)

More PMD details: According to Jackson's land development regulations, "the purpose of the planned mixed-use development option is to provide flexibility in encouraging mixed-use commercial, office, and lodging (within the Lodging Overlay) and/or residential development which will, through an overall unified approach, achieve results superior to those produced when development occurs lot by lot and adheres to rigid standards."

However, the highly subjective nature of the PMD regulations has led to results that are far from superior. For instance, one regulation stipulates that "a minimum site area of 22,500 square feet of contiguous land shall be required to exercise the PMD development option." But it also states that "smaller parcels may be considered by the Town Council due to special and unusual circumstances and on the basis of their potential to satisfy the intent of these regulations." The result? PMDs approved on small parcels, where they stick out like a sore thumb among smaller neighbors.

Bonus points: Currently, the applicant gets even more development potential if a PMD's master plan meets any two of the following criteria:

1. It proposes 50 percent or more of the total square footage as residential or lodging uses (within the lodging overlay);
2. It proposes subgrade parking to satisfy the majority of its parking requirement;
3. It proposes to exceed the required affordable and/or employee housing requirements by at least 20 percent (in other words, if it provides 18 instead of the required 15 percent); or
4. It includes design and/or use features that substantially advance the goals of the transportation plan with its "Town as Heart" policy.

Stalling tactics: We first asked town officials for a moratorium on PMDs last June. They said they'd consider making changes to the tool instead, but haven't made any text amendments to date. Visit www.jhalliance.org/library.htm#comments and click on "Town of Jackson planned mixed-use developments" for details about this issue. ■

depending on the scale of planning being discussed (e.g., individual structures versus neighborhoods). If the PMD tool remains in effect for future town planning, the regulations should be changed so that:

- 1) The overall bulk and scale of structures preferred by the community are not exceeded; and
- 2) Clearly-identified community benefits (enabled through clear regulations) are gained through the extra development potential permitted. For example, if our community values local service retail and workforce housing, the regulations should result in these being built.

If planning tools such as the PMD do not clearly work to implement community values and needs (and, in fact, *worsen* community problems), they should not be used.

Character preservation and redevelopment

The PMD is at the center of a much-needed debate about how future town planning should proceed. In an October 2007 report, early on

in the current Comp Plan update process, Clarion Associates (the Comp Plan consultant) made the following statement: "The goal of preserving community character has not been reconciled with the pressures for redevelopment; this is a topic that will be more closely addressed in the [update]."

In the next phase of the Comp Plan process, the Conservation Alliance believes it's critical that we all encourage and participate in a community discussion on the tough questions regarding community character and redevelopment. The effectiveness of the current process depends on it.

We will continue to advocate for the type of development that truly works to uphold our community's values – town development that isn't just more growth, but that truly speaks to trade-offs within the context of a small mountain town: prevention of sprawl, protection of the county's open spaces and habitat, and



WHICH WOULD YOU RATHER SEE? Nate Bennett drew the series above for an ad sponsored by Don't Let the Hole Lose its Soul, one of several community groups that have sprung up in response to controversial changes in Jackson and Teton County.

MISSING LINKS: It's true that infilling and redeveloping areas in Jackson, where infrastructure and services already exist, makes more sense than breaking ground in undeveloped areas of Teton County.

But since growing "up" in town increases pressures to grow "out" into the county (and vice versa), there has to be a mechanism for preserving open spaces and wildlife habitat in the county, in return for allowing more density in town. Otherwise, we'll end up with the worst of both worlds – congestion in town *and* sprawl in the valley. Visit www.jhalliance.org/solutions.pdf for details about solutions that have worked elsewhere.

Pros and cons of permitting more density in Jackson:

Pro: Allowing more density in town could help reduce sprawl, by meeting demand for growth in an already developed area.

Con: To date, increasing density (and population) in town has compounded problems with sprawl in Jackson Hole, because the town and county governments haven't implemented tools to limit growth in the county. Also, due to the lack of specifics in planning tools like the PMD, there are no guarantees that Jackson will get the *types* of growth (such as workforce housing) that could alleviate sprawl.

Pro: It could result in a vibrant community center with people living, working, shopping, playing and dining downtown.

Con: Tools like the PMD seem to be spawning mostly high-end, short-term lodging and luxury owner units that don't result in substantial contributions to our community, except in tax dollars.

Pro: It could reduce traffic. People living close to where they work will probably walk, bike and ride the bus more than commuters.

Con: Traffic will likely get worse. The mitigation rates for workforce housing currently don't even cover the demands for housing generated by development, resulting in *more* commuters, not less.

increased workforce housing requirements to bring the workforce close to the workplace.

All of these tradeoffs are possible only if the town and county work together on long-term planning for Jackson Hole. If development doesn't work to respond to community needs and doesn't bring net community benefits, whom is it benefiting? The Conservation Alliance believes it is critical to work toward planning solutions that enable the tradeoffs that the public supports.

We are all entitled to different opinions and perspectives, but our community must, first, be honest about the shortfalls of its policies, and, second, be willing to find solutions. We must be willing to have the tough discussions about the character we are losing in downtown Jackson, and why. The Alliance believes that there are ways for the town to redevelop, but the PMD tool is the wrong means for our community. It allows too much, and for far too little in return. ■

TAKE BACK YOUR TOWN

Anthropologist Margaret Mead had it right when she wrote, "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

Our community is facing multiple challenges. We're trying to work out a Comp Plan that will protect our values at the same time as a severe recession is increasing the pressure to allow any and all development. And the will of the majority of Jackson Hole's citizens, who want the town's character and its key role in the Greater Yellowstone ecosystem preserved, is being ignored.

This is no time to take a back seat. It's time to speak up and hold our public officials accountable for their actions.

Get informed. Sign up for our monthly e-newsletter *Alliance Action* at www.jhalliance.org/signup.htm to receive details on how you can comment on specific development proposals. (Current and past AAs are also available online at www.jhalliance.org/library.htm.) Our publication "Balancing Act – Balancing Growth with Conservation" provides concise information on many growth-related issues. Pick it up at our office (685 S. Cache) or online via www.jhalliance.org/issuescompplan.htm.

Your knowledgeable and straightforward written and verbal public comments *will* have an impact. Your letters to the editor *will* get other people thinking. Your support of organizations working to protect this wild and beautiful valley *will* make a difference. You can start by telling these people what you think:

Mayor Mark Barron & the Jackson Town Council

Town of Jackson, P.O. Box 1687, Jackson, WY 83001
(307) 733-3932, mbarron@ci.jackson.wy.us

Councilors: Bob Lenz, Greg Miles, Mark Obringer, Melissa Turley
(307) 733-3932, electedofficials@ci.jackson.wy.us

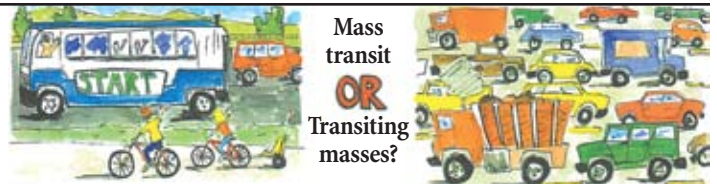
Jackson Planning Commissioners: Barbara Allen, Geneva Chong, Lisa daCosta, Michael Pruett, Ben Read, Jessica Rutzick, Nancy Shea
Email care of planner Annette Despain at adespain@ci.jackson.wy.us
After April 8, email care of Judy Gordon, jgordon@ci.jackson.wy.us

Letters to Editors

Jackson Hole News&Guide, editor@jhnewsandguide.com
Thomas Dewell and Angus M. Thuermer Jr., editors
(400-word max. for letters; 800-word max. for guest editorials)

Planet JH, editor@planetjh.com
Matthew Irwin, editor (300-word maximum)

(Remember to include your full name, hometown and a means of contacting you for verification.)



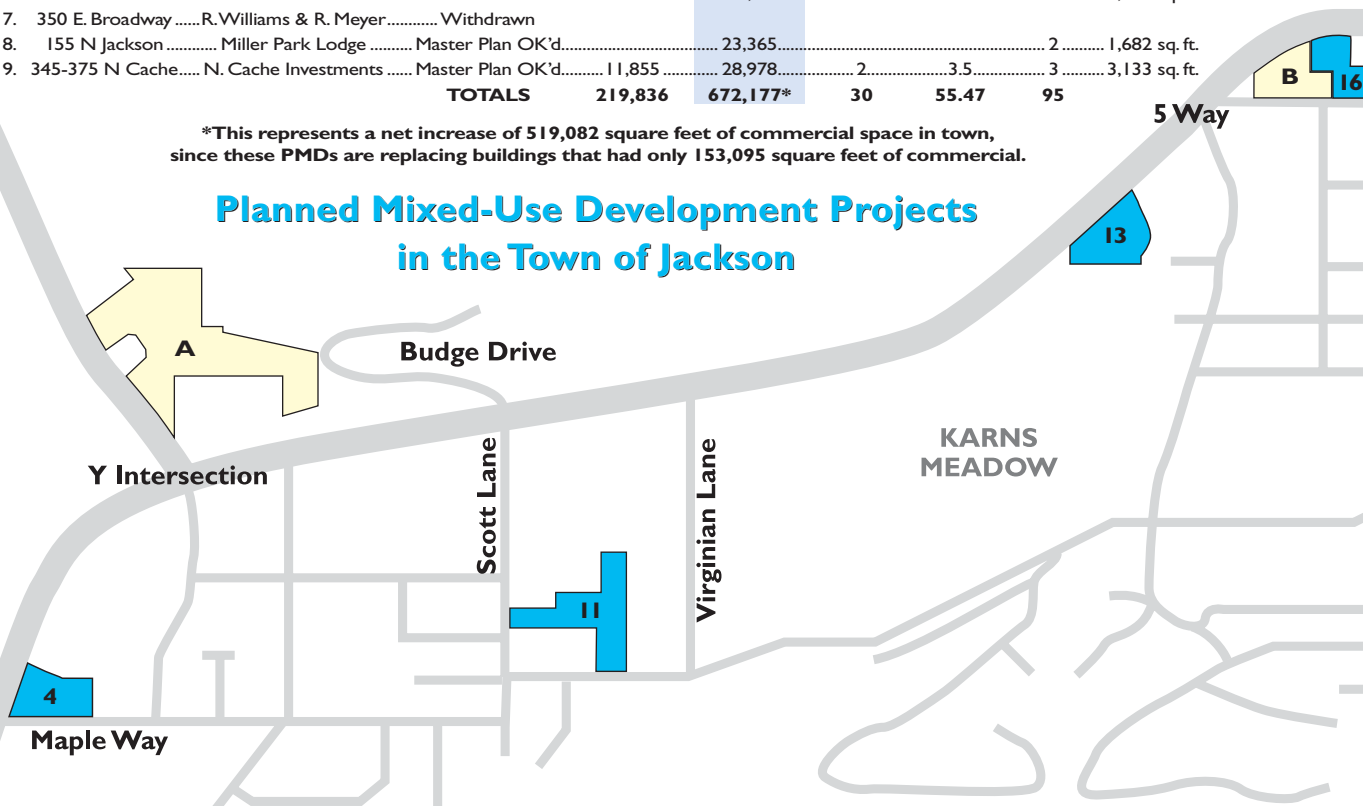
Neighbors are getting together in South Park, East Jackson, Wilson, Cottonwood Park, North of Town, the West Bank and other areas, and we encourage your participation. Email Kristy Bruner at Kristy@jhalliance.org for the groups' contact information.

FOCUS ON TOWN OF JACKSON

	Address	Name	Status	Residential Market Sq. Ft.	Commercial Sq. Ft.	Affordable Units	# People Housed	Employee Units	# Housed or Sq. Ft.
1.	199 E Pearl	Pearl and Willow	Master Plan OK'd	16,926	43,800	5	11.25	2	1.26
2.	165 W Gill	Jim Anderson	Denied						
3.	245 E Broadway	Scott & Melissa Larsen	Withdrawn						
4.	420 S Hwy. 89	Shervin's	Complete	12,747	6,115			20	
5.	260 N Millward	Resident Lodge	Complete		31,547			5	8.75
6.	30 S King	Jourdan Family	Complete	4,200	12,758	0	0.81		
7.	295 N Glenwood	Stagecoach	Final Plan OK'd	11,223	6,277	2	4.5	1	816 sq. ft.
8.	165 S Millward	Millward & Simpson	Master Plan OK'd		267,425			35	22,046 sq. ft.
9.	25 E Simpson	Cache & Simpson	Master Plan OK'd	36,950	22,950	5	8.75	5	8.75
10.	270 W Pearl	Pearl and Jackson	Under Const.	17,881	8,849	2	4.75	3	1,649 sq. ft.
11.	825 W Snow King	Scott and Snow King	Bldg. Permit Issued	60,466	5,741	11	13.32		
12.	185 N Glenwood	McCabe Corners	Under Const.	17,262	40,278	1	3	2	916 sq. ft.
13.	550 W Broadway	Goal LLC	Final Plan OK'd	27,726	10,401	2	5.59	5	3,797 sq. ft.
14.	150 & 160 E B'way	East Broadway Dev.	Withdrawn						
15.	115 E Pearl, 50 S King	Big Mountain PMD	Master Plan OK'd	2,600	7,355			1	450 sq. ft.
16.	325 W Pearl	Mills Hotel/Painted Buffalo	Master Plan OK'd		156,338			11	7,088 sq. ft.
17.	350 E. Broadway	R. Williams & R. Meyer	Withdrawn						
18.	155 N Jackson	Miller Park Lodge	Master Plan OK'd		23,365			2	1,682 sq. ft.
19.	345-375 N Cache	N. Cache Investments	Master Plan OK'd	11,855	28,978	2	3.5	3	3,133 sq. ft.
	TOTALS			219,836	672,177*	30	55.47	95	

*This represents a net increase of 519,082 square feet of commercial space in town, since these PMDs are replacing buildings that had only 153,095 square feet of commercial.

Planned Mixed-Use Development Projects in the Town of Jackson



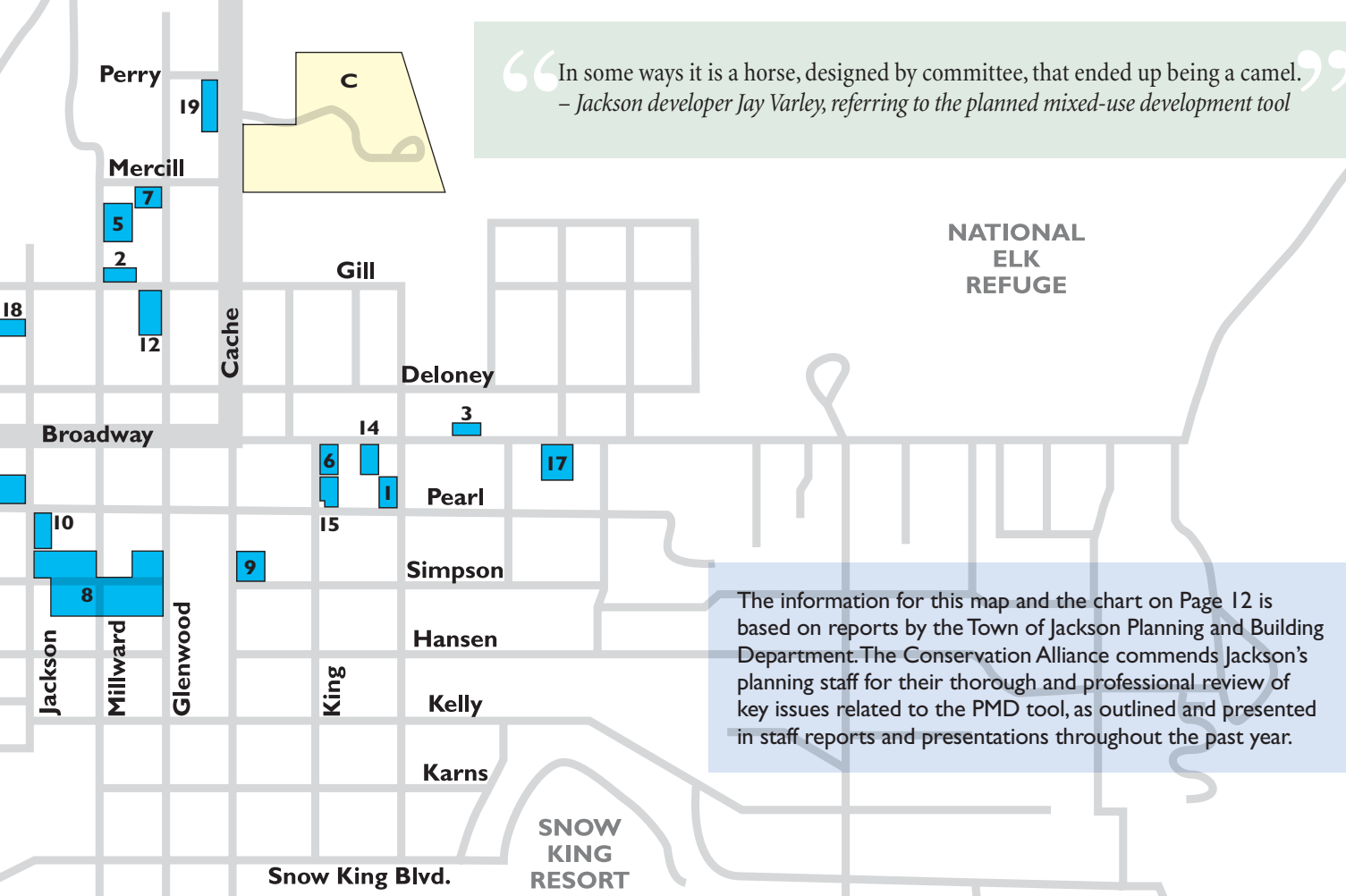
Although they're not planned mixed-use development projects, the areas indicated in yellow above are three more examples of the different types of development pressure the Town of Jackson is experiencing:

A. Sandhill Ridge Planned Unit Development: This proposal for an 87-unit residential development on a steep hillside near the Y raises concerns including: increased traffic at an already strapped intersection; potential harm to mule deer (given its location in critical winter range); and its effect on Jackson's character, since approval would set a precedent for over-development at a prominent community gateway. The Jackson Town Council is expected to vote on the project in March.

B. Marriott Hotel: In a commendable move, back in August of 2007, town councilors rejected a developer's request to change the square-footage cap on lodging structures from 35,000 to 75,000 square feet. Jicarilla Apache Real Estate Trust had asked for the change so they could build a giant Marriott just east of the 5 Way intersection. However, we wouldn't be surprised to see a future PMD application on this parcel. (See item at right regarding the adjacent Mills Hotel PMD.)

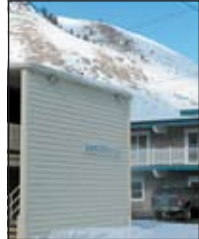
C. IMAX Theater?: Bridger-Teton National Forest is considering selling most of its 15-acre parcel on North Cache to the highest bidder, to pay for replacing old structures and to build more employee housing, such as the units it's proposing off Nelson Drive in East Jackson. We're concerned about the intensity and types of development that could end up at Jackson's north gateway.

“In some ways it is a horse, designed by committee, that ended up being a camel.”
 – Jackson developer Jay Varley, referring to the planned mixed-use development tool



The information for this map and the chart on Page 12 is based on reports by the Town of Jackson Planning and Building Department. The Conservation Alliance commends Jackson’s planning staff for their thorough and professional review of key issues related to the PMD tool, as outlined and presented in staff reports and presentations throughout the past year.

As apartments and trailer parks make way for PMDs, town could face a net loss of affordable units. McCabe Corners (#12) is going up on the site of the old Guide.



The 4-story Mills Hotel (#16) and 43-foot-tall Miller Park Lodge (#18) will replace the 2-story lodges at left, blocking views and shadowing neighbors.

Mills Hotel PMD (#16): *The Conservation Alliance was the first group to oppose this 4-story structure, and we appeared at many hearings in 2008 representing the community. We strongly recommended that the project be denied, but the Town Council approved it in July. Save Historic Jackson Hole filed a lawsuit this past fall regarding the project – the group’s director Armond Acri explains why:*

This past summer, the Town Council approved a large 4-story replacement for the modest 2-story Painted Buffalo Inn between Broadway and Pearl. Over objections from the community, councilors approved a PMD master plan for a new 156,338-square-foot structure primarily intended for luxury lodging.

Save Historic Jackson Hole has filed a lawsuit asking the Court to rescind the approval. According to the suit, the Town Council ignored both the wishes of the majority of the public and the spirit of the town’s land development regulations, which limit the “bulk, scale and density of new and existing structures to preserve the desired character of the community.” Town has traditionally placed a 50,000-square-foot limit on all buildings outside the Snow King resort zone.

The Town asked for dismissal of the suit, claiming that land use decisions could not be challenged. SHJH responded that if that were true, then councilors could make any decision they wanted without review. Town also questioned

whether SHJH was “damaged” by the decision. We believe we have a legitimate interest in preserving the character of the community, and that the 4-story structure would create additional traffic congestion and other disruptions that would negatively impact local citizens.

Town has also claimed that no damage is done until the final development plan is approved, but SHJH believes this stand is unfair to the hotel property owner, because significant additional investment would be needed for them to submit final plans. It’s unfair to the citizens of Jackson, too, because they will need to spend time tracking a project and going to meetings when they already know the approved project will damage the community. ■

Why did the deer cross the road?

Because it was in the way.

It's hard enough for pedestrians to get across the roads in Jackson, let alone wildlife trying to take care of their daily needs for food, water and shelter. Below, Franz Camenzind imagines what it must be like for two deer trying to cross town from Snow King to Saddle Butte.

A Plea from Bambi

I'm only a few months old, but my family has lived in this beautiful valley for thousands of years. From the day I was born I felt lucky to live here. There's lots of water, grass up to my fat belly and lots of other friends to share the land with, like elk, moose, buffalo, bighorn sheep and even an antelope or two, but they run so fast that I can't play much with them.

But now I'm worried. The snow is getting deep, my legs hardly reach the ground and my belly is cold because it's always dragging in the snow. My mother tries to take me to places where the snow isn't so deep, but it's scary and I can see she's getting worried, too.

Yesterday we tried to go across the valley, but as soon as we came out of the woods we had to duck between big things that my mother says are places where people live. They never used to be there. She remembers when deer could stop there for days and eat the grass and not be bothered by dogs or humans. But now we had to hurry, grabbing only a bite or two as we walked.

Then we had to cross this wide path that people call a road that had these really fast and stinky hard things called cars rushing past. I almost fell when I jumped over a ridge of hard, high snow and my hooves hit this path. It did feel good to not have to push through the snow, but the path was so icy I slipped and hurt my hip. Plus those big hard things kept rushing past. They scared me. And then we had to jump across another high pile of snow to get off the path, and right away we had to jump across a long line of funny trees lying on their sides between stumps. (Mom says people call these fences.) Those jumps were really hard for me. I'm still short and my muscles aren't as strong as Mom's.



Mark Gocke, Wyoming Game and Fish Department

The Town of Jackson was built right in the middle of traditional winter range for deer, elk and moose. People and wildlife are competing for the same habitat, and wildlife's losing.

Then we came to a creek. That was good – it reminded me of summer when I played in the water and drank all I wanted. But we couldn't stay there because there wasn't anything to eat – the snow was too deep. I was hungry, and my belly was getting smaller and colder. The creek wasn't fun now.

Mom kept walking toward the hillside where I could see grass. But as we got closer I really felt her get scared. She said they used to be able to rest here and then walk toward the hillside, but now there were huge, noisy things dumping snow in piles so high I couldn't see the grassy hill anymore. Mom didn't know how to cross. We tried to climb over the snow mountains but stumbled. We couldn't make it. We started walking back and forth, and Mom finally led me up a small hill where we found a space with no big boxes, just some trees. I was tired and scared. We stopped and rested a bit and then started toward the hillside.

But it got worse. In front of us was another really wide path with even more of those big, stinky things moving even faster! We tried to reach the big path, but there was a funny thing in the way that I could see through but it was really high and shiny and very hard. Another fence? It didn't move like the bushes in the

woods do. We couldn't walk through it and I didn't think I could jump over it. Mom said she didn't remember this from last year. We went a long ways in both directions and then began running back and forth until we found a hole in the funny, hard bushes. Right away there was another huge wall of snow we had to jump over. Mom jumped high and made a dash across the path. I jumped, too, but my back legs stumbled and I almost fell. I got halfway across the wide path and one of those big stinky things made a loud noise and scared me. I turned to run back and slipped and almost got hit by another fast thing. I made it, but now my hip really hurt and I was really scared. Mom was on the other side of the path and I wanted to be with her.

Finally, there weren't as many of the noisy fast things, and I ran fast across the wide path. I just made it, but then Mom and I had to jump over another really high pile of hard snow. I don't know how, but we did it and went up the grassy hill and away from the noise. I felt better but was very hungry and still shaking from the journey, and my hip hurt. Mom says the walk across the valley has gotten harder each year. She wonders when we won't be able to make it anymore and what we'll do when we can't get to the hill with the grass. ■

The Wildlife Matters Campaign is supported by Earth Friends Wildlife Foundation, Skinny Skis and Patagonia, Inc.