



The Jackson Hole Conservation Alliance's detailed written comments regarding the second draft of the Jackson/Teton County Comprehensive Plan (released in April 2009) are all available via <http://www.jhalliance.org/library.htm#comments>.

The following document includes our verbal comments made in early 2010 during the joint town/county planning commission hearings regarding Theme Four, "Meet Our Community's Housing Needs."

**Re: Theme Four Chapter Discussions**

*Below are the comments Kristy Bruner, Community Planning Director, verbally presented at the January 14, 2010 Hearing.*

On behalf of the Conservation Alliance, thanks for your work. While there are a number of detailed, line-by-line adjustments we believe are critical to make in the Theme Four chapter, our comments tonight will just be at the broad level you are currently reviewing.

Throughout its decades of work in the valley, the Conservation Alliance has addressed workforce housing policies within a larger context of responsible land use planning – we see affordable housing issues as a critical component of long-term strategic land-use. While we believe some of the community's recent approaches to secure affordable housing have been flawed, such as the unpredictable PUD-AH, we support the broad intent to secure housing for our local workforce, close to the workplace.

With this in mind, we will raise primary issues, along with four recommended actions, to address our broad concerns for Theme Four.

First, we believe that affordable housing policies in the new plan:

- must be consistent with the community's primary goals to protect wildlife and limit overall development potential.
- must clearly indicate that workforce and affordable housing units are included in an overall buildout number.
- must be based on quantitative analysis (given the stated quantitative goal.) Specifically, if the plan calls for housing 65% of the workforce locally, the plan should provide an estimate of the size of the total workforce to be able to evaluate the feasibility of a preferred land use plan.
- should prioritize the preservation of existing housing stock over new construction.

**Recommended Action:** To address some of these, we recommend voting to add a policy similar to one that was in the summer 2008 draft for the housing theme. It stated "workforce housing developments will be consistent with other aspects of this Plan, including overall buildout and protection of natural resource areas." The policy also included this language: "The appropriate levels of density established for workforce housing areas should not increase the overall buildout potential for Teton County." This type of language should be reinstated (that speaks to a specific value rather than just "consistency with the FLUP." This is a similar concern to which you already voted on regarding Theme Three.

Second, policies in the new plan:

- must *limit the demand* for additional workforce housing, just as your previous commitment to not expand commercial development beyond baseline entitlements did.

- must be solution-oriented in the long-term. For example, incentives for the conversion of commercially-zoned properties for workforce housing and the production of rental housing (as opposed to just ownership units) should be further described and distinguished.
- must include specific definitions and criteria for affordable housing to help guide LDRs. Policies must clearly direct that affordable housing types (category and pricing) be required in proportion to community need.
- must direct that new development – residential and commercial – abide by the maximum level of affordable housing mitigation possible. Mitigation requirements should be increased to levels supported by the required studies.

**Recommended Action:** To address some of these, we recommend voting to add stronger language in some of the policies. For example, “workforce housing” as it currently stands is far too vague. The Housing Authority made some good recommendations regarding the importance of including more language about the importance of affordability and targeting specific categories in proportion to community need, so I won’t reiterate them. In this case, we also recommend looking at the 2008 draft for examples of stronger language. Tonight, I’ll provide just two examples: First, the 2008 draft states that commercial development should **fully** mitigate its demand for employee housing. In the recent draft, that language has been weakened to “housing for a **portion** of these new employees.” Second, the 2008 draft had a policy that stated “**prevent** net loss of housing units during redevelopment.” The most recent draft simply says “**minimize** workforce housing loss through redevelopment”, which leaves the door open for new development to actually exacerbate workforce housing shortages rather than lessen them. We believe stronger language would go further in directing LDRs that produce more housing that benefits the community.

Third, policies in the new plan:

- must be fiscally responsible IN THE LONG-TERM.

**Recommended Action:** To address this, we recommend voting to add additional language that 1) acknowledges that new development, unless strategically planned, poses long-term financial costs to the community, and that 2) clearly identifies the preservation of existing housing as the highest priority approach. More specifically, we caution the use of statements such as those currently in policy 4.4a. It states “density and floor area bonuses... provide workforce housing units at less financial cost to the community.” While we understand the intent of this language, in certain contexts this statement does not hold. Time and time again, studies have shown that new development rarely pays its way in the long-term, and that financial costs to the community, resulting from rapid growth, actually increase through time. In general, as we have consistently expressed, this plan underemphasizes the fiscal impacts of different land-use choices, when it should actually be front-and-center in these discussions.

We appreciate the hesitance to discuss higher mitigation rates and increasing requirements for developers during the economic times we’re in. However, the goals of this plan must extend beyond current times, and should not be based on concerns about costs to developers today. As we said earlier, you don’t need to call out a specific number, but you should include language that requirements for affordable housing will be at the maximum level supported by necessary studies.

As for costs, we believe it is critical to understand that a policy that decreases costs for new development, (for example, not requiring new development to pay its way) doesn’t actually result in a removal of costs. Costs (such as lack of workforce housing, etc...) don’t just disappear. They are simply displaced, most often to existing taxpayers. If our community does not commit to requiring mitigation of these costs, the burden on a single development in the short-term is essentially removed and placed on the larger community in perpetuity. We don’t believe this should be a vision for planning in Jackson Hole.

Also, as for the comments about needing more growth to get housing, this argument is very unclear. What about the thousands of residential units and millions of commercial square feet that are already in

the pipeline and permitted as base zoning? And, as many communities have experienced, new phases of redevelopment, unless strategically planned, actually result in a net loss of housing. The case for more development potential – growing more to get out of growth-related issues – appears very weak.

**Recommended Action:** And, last but not least, we request that you fix or remove the “what the community has said about this theme” sections throughout the draft chapters. If a more comprehensive list of public comment is not provided in these sections, they should be removed. The data, as an appendix to the plan, could speak for itself. We have raised this concern in various themes, but no direction has yet been given in regard to the rewrite. I will provide one example for this theme: The draft states the following: “2008 polling indicated that: a majority of the community agrees that the town and county should continue to use incentives, rather than requirements, to encourage more deed restricted workforce housing in new development.” However, based on analysis of three public surveys, two of the surveys actually demonstrated the opposite result – with more people disagreeing than agreeing with the statement. Only one survey (of three) shows 50.3% in agreement with the statement, with a full 40.1% opposed.

In closing, we hope this theme will increasingly focus on a comprehensive set of housing solutions that target both the demand for, and supply of, affordable housing. If, in the future, our community encourages rapid growth of low-income jobs, we can’t continue to be surprised by having to be reactive to workforce housing shortages. Part of the responsibility in planning lies in the extent to which we prevent the problem (such as housing shortages) from developing or worsening, not just how we respond once it has already developed.

I’ll close there for this evening, and thanks again for your efforts on this difficult issue.

**Re: Theme Four: Meet Our Community’s Housing Needs**

*Below are the comments Becky Tillson, Community Planning Associate, verbally presented at the January 28, 2010, Hearing. (The Jan. 21 hearing was cancelled due to lack of quorum.)*

Becky Tillson, Jackson Hole Conservation Alliance. Thanks for the opportunity to comment tonight, and for all of the time and energy that you have put into this review process. In your staff report for next week, you will see our line-by-line comments on Theme Four, but we’d like to briefly raise a few key points tonight as well. Many of these are related to the county planning commission’s recommendations for this chapter from last summer, and echo some of the concerns raised by the housing agencies.

First of all, this theme needs to more narrowly define and distinguish between “workforce housing” and “affordable housing.”

We appreciate the intent of this theme to expand housing discussions to “workforce housing” as we set our community goals. But, we believe that the current chapter’s language doesn’t provide enough policy guidance on the importance of clearly-defined “affordability” measures. There needs to be stronger language that housing will be targeted to categories in proportion to local incomes and community need. An increase in higher category homes should come in addition to the development of lower category homes, not as a replacement for them.

As we’ve raised in other chapters, we’re concerned about the amount of information, on a diversity of topics, such as substandard housing, that has been removed in this new draft, but that exists in our current plan. While it’s fine to add new topics, such as the need for higher-category homes, some of the more essential sections should not have been removed, but rather updated in this new draft.

Second, this theme needs to clearly indicate that workforce and affordable housing units are included in the overall development potential – exceeding this number is not appropriate for our community. The goals of this theme, particularly the quantitative goals (such as the 65% number and, looking forward, mitigation rates), need to be based on rigorous studies and analysis, and should be reasonable and feasible.

Also, language in this theme should be strong enough to require that new development will not worsen our housing challenges, and, in the case of redevelopment, a “no net loss policy” should be pursued.

Third, as we've stated before, preservation of the existing stock of workforce housing should be clearly prioritized over new construction.

And fourth, more detailed policies regarding production and preservation of rental housing, including opportunities for conversion of commercial square footage to rentals, should be included in this theme.

Essentially, there are two major pieces to the affordable housing puzzle – the supply of and the demand for the housing. Many of your earlier votes indicated a commitment to address the issue of limiting run-away demand, such as extensive commercial development, and we hope this will continue in future votes. We also hope that this group will continue to acknowledge that the lens through which we are building this plan is and should continue to be the protection of wildlife, open spaces, natural resources and community character.

Lastly, we have a quick process question regarding Theme Two. Could you please clarify tonight when the hearing on the Theme Two rewrite will be scheduled? It is important to give the public adequate notice for both the hearing date and the deadline for written comment submission, especially since it was not in this week's staff report and some of the public probably doesn't know that it was released.

Again, thank you for your time and dedication.



**Re: Theme Four Discussions**

*Below are comments Kristy Bruner, Community Planning Director, verbally presented at the February 4 Hearing.*

We'd ask that you primarily refer to our written comments, but I just wanted to briefly mention a couple things given your topics for discussion this evening...

Given staff's questions on mitigation, we think it is critical to recognize the lessons we can learn from other communities, and what types of programs have been most effective. And, while human nature can make it difficult, **it is also essential to address these questions with the long-term in mind, not simply the economic conditions that exist today.** It's critical to not lose sight of this plan as a long-term strategic document. We recognize that it's difficult to say "we should increase mitigation today" but we also believe that as a general policy, **new development should abide by the maximum level of affordable housing mitigation possible.** That is, mitigation requirements should be at levels supported by the required studies. This is not just our idea – mitigation, as a housing tool has been proven an effective strategy... The Housing Needs Assessment (2007) clearly states: "**Mitigation is the most effective affordable housing tool in Teton County. Improving the mitigation programs is the single most productive action to address the housing needs of the future.**" The public has also made it clear – with a very large majority – that new development should be required to build a higher amount of deed-restricted housing. At the most basic level, we encourage you to support the public's support of this action.

With this in mind, we were of course disappointed with last week's vote that failed (in the town) that mitigation rates should be set at levels that will assure success in achieving goals.

A second issue - We haven't yet seen any votes that call for more narrow definitions of workforce housing, as recommended by the County Planning Commission in June 2009. We are concerned because this is a central issue of this chapter, but no clear votes have yet been taken to direct additional clarification.

Third – We are curious if you plan to vote on a 65% goal, which is listed in the statement of ideal, before you end your discussions on Theme Four. We raise this because it is not listed as explicitly in staff questions this week (as it was last week, but skipped over.)

Lastly, we agree with the points just raised by Armond Acri, with Save Historic Jackson Hole, regarding the potential transfer of units from conservation easements. In many cases, the donor wants the rights extinguished, and not always used as a basis for increasing development rights in another location.