

MINUTES
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
July 16, 2025

The Planning and Zoning Commission met in a regular session on July 16, 2025, in the Town Council Chambers located at 150 E. Pearl Ave. in Jackson, at 5:30 pm. This meeting was held in person and via Zoom.

Upon roll call the following were found to be present:

BOARD: Katie Wilson, Thomas Smits, Georgie Stanley, Abigail Petri, Laura Bonich, Stephanie Wise, and Anne Schuler appeared in person.

STAFF: Paul Anthony, Andrew Bowen, Mary Tippetts

MATTERS FROM THE PUBLIC: None.

APPROVAL OF MINUTES:

A motion was made by Commissioner Schuler and seconded by Commissioner Bonich to approve July 2, 2025, Planning Commission Meeting minutes as amended. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried.

NEW BUSINESS

I. P25-075 Swan Creek Zoning Map Amendment

STAFF PRESENTATION:

Staff provided an overview of the project. Key issues and policy questions are if the Planning Commission considers the potential for higher density uses as grounds to deny the rezone and if the property should remain zoned Rural Residential to limit hazards tied to higher density. Existing conditions and property history are reviewed. The applicant does not propose to rezone the entire property. Staff note that the proposal does not comply with Policy 3.3.e, 3.1.a, 3.4.b, 3.4.c, and 3.4.d. of the Comprehensive Plan, and upzoning the parcel would be inconsistent with comparable Town properties. Wyoming Geological Survey categorizes the lower half of the slope as having the highest susceptibility rating of 10, indicating it is the area most prone to landslides. Vehicle access is notably restricted. The parcel is a hotspot for wildlife.

The change of zoning designation of this parcel from R to CR-3 represents a substantial upzone and resulting future density entitlement. Public comment was received by one adjacent property owner which expressed concerns about the site's instability.

Factors to consider regarding zoning map amendments are: consistency with the purposes and organization of the LDRs, necessity to address changing conditions or a public necessity, and consistency with adopted Town Ordinances.

QUESTIONS FOR STAFF:

Commission clarifies the history and usage of split zoning.

APPLICANT PRESENTATION:

Megan Nelms with Y2 addresses the Commission. Applicant reiterates that the request for rezone is only for part of the parcel along the highway, split zoning is common in the area adjacent to the highway, and no development plan is considered at this time. The rezone would allow more opportunities for slope stability and various issues can be mitigated at the time of development. The applicant is focused on the rezone rather than potential development at this time. The parcel would also allow for infill and complete neighborhoods rather than contributing to sprawl.

Mike Allen, managing member for Swan Creek LLC, addresses the Commission. He believes the property was zoned incorrectly initially and should never have been zoned Rural.

QUESTIONS FOR APPLICANT:

Commission clarifies the width of the area of the rezone; it will be approximately 150 feet wide.

PUBLIC COMMENT:

None

COMMISSION DISCUSSION:

Commission unanimously agrees that this property is not ideal for any further development and agrees with staff analysis as presented.

MOTION:

A motion was made by Commissioner Schuler and seconded by Commissioner Bonich to recommend denial of Zoning Map Amendment P25-075 located at Parcel ID 22-41-16-32-3-00-025, subject to the departmental reviews attached hereto, this staff report dated July 16, 2025, and based upon not being able to make all required findings per LDR Section 8.7.3.C. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried unanimously.

NEW BUSINESS

II. P25-076 402 Snow King (Antenna) Wireless CUP Renewal

STAFF PRESENTATION:

Staff provided an overview of the project. Wireless CUPs expire after five years, and this application is a renewal of a previously approved Wireless CUP. No alterations are proposed to this wireless facility. Staff find that the proposed project complies with the LDR requirements. No public comment was received.

QUESTIONS FOR STAFF:

None

APPLICANT PRESENTATION:

None

QUESTIONS FOR APPLICANT:

None

PUBLIC COMMENT:

None

COMMISSION DISCUSSION:

None

MOTION:

A motion was made by Commissioner Bonich and seconded by Commissioner Wilson to recommend approval of Conditional Use Permit P25-076 to renew an existing Wireless Facility CUP (formerly P18-163) located at 402 East Snow King Avenue, subject to the departmental review comments attached and this staff report dated July 16, 2025. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried unanimously.

NEW BUSINESS

III. P25-077 402 Snow King (Structure) Wireless CUP Renewal

STAFF PRESENTATION:

Staff provided an overview of the project. Wireless CUPs expire after five years, and this application is a renewal of a previously approved Wireless CUP. No alterations are proposed to this wireless facility. Staff find that the proposed project complies with the LDR requirements. No public comment was received.

QUESTIONS FOR STAFF:

None

APPLICANT PRESENTATION:

None

QUESTIONS FOR APPLICANT:

None

PUBLIC COMMENT:

None

COMMISSION DISCUSSION:

None

MOTION:

A motion was made by Commissioner Bonich and seconded by Commissioner Wilson to recommend approval of Conditional Use Permit P25-077 to renew an existing Wireless Facility CUP (formerly P18-164) located at 402 East Snow King Avenue, subject to the departmental review comments attached and this staff report dated July 16, 2025. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried unanimously.

A motion was made by Commissioner Schuler and seconded by Commissioner Wilson to adjourn the Planning Commission meeting. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried.

Commissioner Smits opens the Board of Adjustment meeting.

BOARD OF ADJUSTMENT

840 Upper Cache Creek Variance

- A. P25-113 840 Upper Cache Creek Primary Street Setback Variance
- B. P25-131 840 Upper Cache Creek Secondary Street Setback Variance
- C. P25-132 840 Upper Cache Creek Waterway Setback Variance
- D. P25-133 840 Upper Cache Creek Primary Street (Deck) Setback Variance

STAFF PRESENTATION:

Staff provided an overview of the project. The applicant is requesting approval of four variances for the property to redevelop a single-family home that currently encroaches in four areas: Primary Street Setback (second level of existing home), Side Interior Setback, Natural Resource Setback, and Primary Street Setback (deck).

The purpose of the review is to allow a specific deviation from LDR regulations that is not contrary to the desired future character for the site when, due to special circumstances of the land, strict application of the regulations would result in undue and unique hardship. The existing conditions are outlined, and the primary structure is legally nonconforming with respect to the 25' Primary Street, 15' Side, and 20' Cache Creek Setbacks. There is still 2708.86 SF of remaining developable FAR. Staff outline reasoning for supporting the requested variance P25-113 & P25-131 as it keeps development within the existing footprint of the home. Staff does not support variance P25-132 as it maintains and expands nonconforming development within the Cache Creek setback. Variance P25-133 does not encroach within the Cache Creek setback. Staff find that in exchange for any variance approval that Cache Creek should receive additional protection from future development on the Applicant's property, so a recommended condition of approval is to limit future development to not more than 30 feet north of the existing house to help avoid areas prone to flooding.

QUESTIONS FOR STAFF:

Commission asks if the variances are not approved and the property was demolished, would the new development need to fit into the building envelope; the answer is yes. Setbacks are clarified. Staff reasoning for recommending approval is discussed.

APPLICANT PRESENTATION:

Brent Skora with Untitled Architecture addresses the Commission. The applicant aims to maintain the existing building footprint without expanding into the creek setback. They simply want to update the house.

QUESTIONS FOR APPLICANT:

None.

PUBLIC COMMENT:

None.

COMMISSION DISCUSSION:

Commission is generally supportive of staff recommendations for each variance. They appreciate that the building footprint is not expanding and the nonconformities will not increase. Commission agrees about avoiding additional encroachment into the creek setback and a recommendation for P25-113 that an affidavit is filed with the County Clerk restricting development to within thirty feet north of the existing structure footprint. Commission agrees with staff denial reasoning for P25-132.

MOTIONS:

Item A:

A motion was made by Commissioner Stanley and seconded by Commissioner Schuler, based upon the findings for a variance required by LDR Section 8.8.3.C. and W.S. § 15-1-608(b)(ii), to approve Variance P25-113 located at 840 Upper Cache Creek Drive, allowing a variance from the 25-foot Primary Street Setback (Upper Cache) to permit a 5' 4.25" encroachment (109.3 sq ft) (primary structure) subject to the departmental reviews attached hereto, the condition of approval, and subject to this staff report dated July 16, 2025. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried unanimously.

Item B:

A motion was made by Commissioner Stanley and seconded by Commissioner Schuler, based upon the findings for a variance required by LDR Section 8.8.3.C. and W.S. § 15-1-608(b)(ii), to approve Variance P25-131 located at 840 Upper Cache Creek Drive, allowing a variance from the 15-foot Side Setback (western property line) to permit a 1' 1.625" encroachment (5 sq ft) (primary structure) subject to the departmental reviews attached hereto, the condition of approval, and subject to this staff report dated July 16, 2025. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried unanimously.

Item C:

A motion was made by Commissioner Stanley and seconded by Commissioner Schuler, based upon the findings for a variance required by LDR Section 8.8.3.C. and W.S. § 15-1-608(b)(ii), to deny Variance P25-132 located at 840 Upper Cache Creek Drive, allowing a variance from the 20-foot Natural Resource Setback (Cache Creek), subject to the departmental reviews attached hereto, this staff report dated July 16, 2025, and upon not being able to make all required findings per LDR Section 8.8.3.C. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried unanimously.

Item D:

A motion was made by Commissioner Schuler and seconded by Commissioner Wilson, based upon the findings for a variance required by LDR Section 8.8.3.C. and W.S. § 15-1-608(b)(ii), to approve Variance P25-133 located at 840 Upper Cache Creek Drive, allowing a variance from the 25-foot Primary Street Setback (Upper Cache) to permit a 14'.25" encroachment (44.8 sf.) (deck) (primary structure), subject to the departmental reviews attached hereto and this staff report dated July 16, 2025. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried unanimously.

MATTERS FROM THE COMMISSION:

None

MATTERS FROM STAFF:

There is currently nothing on the Planning Commission meeting agenda for August. Town Council is working their way through Snow King Development Plan and the Justice Center Sketch Plan.

ADJOURN: A motion was made by Commissioner Petri and seconded by Commissioner Schuler to adjourn the meeting. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 7:25 pm.

minutes:mt