



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: SEPTEMBER 14, 2016
MEETING DATE: SEPTEMBER 19, 2016

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: TYLER SINCLAIR
PRESENTER: TYLER SINCLAIR/ REGAN KOHLHARDT

SUBJECT: **ITEM P16-036/ ORDINANCE W:** CONSIDERATION OF AMENDMENTS TO ORDINANCE W ALLOWING ACCESSORY RESIDENTIAL UNITS IN THE NC-TOJ, NC-2, S-TOJ, AND R-TOJ ZONES.

REQUESTED ACTION

To discuss the following seven issues and associated recommendations brought forward by the Accessory Residential Unit (ARU) Working Group and to come to direction on these seven issues in preparation for the reading of Ordinance W later in the agenda. The seven issues are:

1. Attached & Detached ARUs – Where are they appropriate?
2. Setbacks – Is the 5’ side/rear setback for detached ARUs appropriate?
3. Home Occupation – Should Home Occupations be permitted in ARUs?
4. Size of ARUs – Should all ARUs be permitted 800 sq ft?
5. Gill Addition – Are ARUs appropriate here?
6. Parking – How many spaces should be allotted per ARU?
7. Rental Housing Program / ARU Permit Program / Enforcement – How can the Town address existing enforcement issues around rentals, parking, and noise?

APPLICABLE REGULATIONS

Section 8.7.1 LDR Text Amendment
Section 6.1.11.B Accessory Residential Units

BACKGROUND/ALTERNATIVES

At the April 18 Town Council Workshop, Council directed Staff to pursue an Amendment to the Land Development Regulations to allow Accessory Residential Units (ARUs) in additional Town Residential zones. The intent behind the Amendment was to explore a low-hanging fruit opportunity for providing workforce housing in Town. The Amendment (P16-036) was approved by Council on July 18th, and as Ordinance W, it passed first reading on August 1st. At Second Reading on August 15th, the Ordinance was continued to September 19th in order to address concerns about the Ordinance brought forward by Town residents at Second Reading. An ARU Working Group was formed to fully flesh out these concerns and identify recommended changes to the Ordinance. These recommended changes are the subject of this item.

Some of the key issues brought up by this Amendment prior to its approval by Town Council in July included whether the Amendment balances the need to provide workforce housing with the complexity of allowing ARUs in existing neighborhoods, whether ARUs are appropriate in Stable Neighborhoods, and whether using existing zones is the appropriate tool for allowing ARUs in residential areas of Town. In the July 18 Town Council Meeting Staff Report, Staff discussed each of these issues and recommended that allowing ARUs in the NC-ToJ, NC-2, S-ToJ, and R-ToJ zones does achieve a balance between providing workforce housing and impacting existing neighborhoods and is appropriate in Stable Neighborhoods for the reasons outlined below in addition to several others as discussed in the July 18 Staff Report (attached):

- The Amendment specifies the number and type of ARUs allowed depending on neighborhood character.
- The Amendment does not propose changes to physical development standards in any zone. Thus ARUs will not change the existing vision for physical development in these areas.
- Stable Neighborhoods are changing due to second homeownership, and thus allowing ARUs assists in retaining neighborhood vitality of these areas.

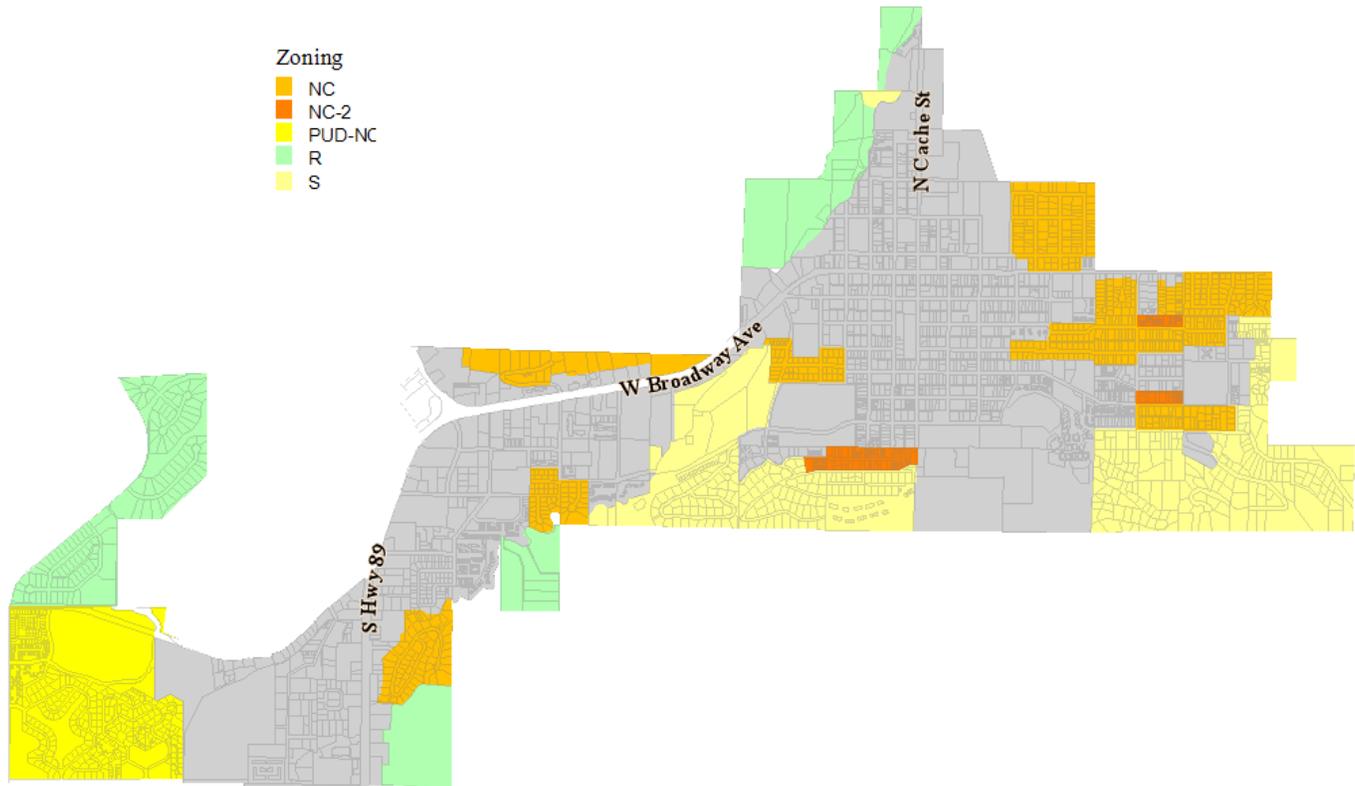
Staff also recommended that zoning is the appropriate tool for permitting ARUs in Town residential zones. Using zones to allow ARUs is a straightforward tool for allowing ARUs that is easy to update with future planning process and was determined to be the best method for allowing consideration of this Amendment in a timely fashion.

The entire Public Process for the Amendment is summarized below.

- *April 18*: Town Council Workshop. Staff directed to pursue amendment to allow ARUs in Town residential zones.
- *May 31 – June 9*: Four Public Workshops organized by Staff
- *July 6*: Planning Commission Approval with the condition that detached ARUs should be permitted in all zones. This condition was not adopted by Town Council.
- *July 18*: Town Council Approval, with the following condition:
 - That parking requirements for ARUs be changed to read: 1/ARU if < 2 bedrooms and < 500 sf; otherwise, 2/ARU.
- *August 1*: First Reading of Ordinance W, passed with the following condition:
 - Lots in the NC-ToJ zone that do not meet minimum lot size shall only be allowed a single, attached ARU.
- *July 25*: Neighborhood Meeting where Town Officials met with residents of East Jackson to discuss the Amendment.
- *August 15*: Second Reading. Ordinance W continued to September 19th meeting. Council directed Staff to form and meet with an ARU Working Group
- *Week of August 29*: Two ARU Working Group Meetings

LOCATION

The Amendment would allow ARUs in the NC-ToJ-, NC-2, R-ToJ, and S-ToJ zones as shown in the map below.



PROJECT DESCRIPTION

Staff worked with an ARU Working Group organized by the Mayor to explore the following question: Under what circumstances would you allow ARUs in your neighborhood?

The participants of the Working Group and the main discussion themes suggested by the Working Group are summarized below:

Participants

- Karen Merrell: Absaroka
- Lorie Cahn: Wapiti
- Arne Jorgenson: Pioneer
- Dennis Gralund: Gill Addition
- Katy Niner: Absaroka
- Bill Collins: Disconnected end of Pearl
- Donna Glen: Vacant lot on Wapiti
- Destin Peters: Upper Cache Creek

General Comments/Themes from the Working Group

- General support for ARUs because they are a series of many small projects instead of larger projects providing workforce housing. Smaller, incremental projects are more in keeping with neighborhood character than large projects.
- Support of workforce housing and generally supportive of ARUs, but were concerned that allowing ARUs may cause more harm in the form of neighborhood disruption than it would do good by providing relatively few units of workforce housing. Town could have a much bigger impact on workforce housing in other areas like District 2.
- Agreement that the Town of Jackson needs to be able to enforce existing issues impacting single family neighborhoods before adding ARUs including parking, more than 3 unrelated occupants, noise, etc.
- Change is happening in our single family neighborhoods with second home ownership and larger home size affecting character. How do we address character and workforce housing going forward? Consideration of zoning for a smaller primary unit with an ARU option.
- Generally supportive of ARUs, believe a property owner has the right to use their property as they deem appropriate and that makes financial sense.
- Generally supportive of the concept if kept very low impact, limiting size of unit, not allowing detached units, providing adequate parking, maintaining current setback regulations and restricting height where setbacks are 5' from property line, and limiting ARU options based on size of lot.
- Acknowledgement that ARUs or structures very similar to ARUs are being built in the community right now through use of loopholes in the LDRs and lack of enforcement.

STAFF ANALYSIS

Staff has categorized the specific changes recommended by the Working Group into seven categories. These changes are detailed below along with how these changes differ from the current proposal last passed as Ordinance W on August 1st and Staff's recommendations. Also attached is a table fully comparing Ordinance W passed on August 1st with what the ARU standards would look like after incorporating the Working Group's recommendations.

Attached & Detached ARUs – Where are they appropriate?

Working Group Recommendation: Allow detached and attached ARUs on all lots meeting minimum lot size. Lots less than the minimum lot size shall only be allowed a single, attached ARU (see below for stricter standard applicable only in the Gill Addition).

Current Proposal: The current proposal allocates attached and detached ARUs according to whether or not they are appropriate for each individual zone. NC-ToJ, for example, is only allowed detached ARUs on alleyways or on lots with reverse street frontage. NC-2 and Suburban can have detached or attached regardless of lot location. Rural is only permitted attached ARUs.

Staff Recommendation: The Working Group's recommendation would act as a more liberal standard permitting attached and detached ARUs only according to whether or not the lot meets minimum size requirements or not. NC-ToJ and Rural, for example, would now be allowed attached or detached ARUs so long as the minimum lot requirement is met.

Staff supports this recommendation. It is reasonable to allow attached or detached ARUs everywhere as long as all physical development standards are met. Moreover, the Working Group's recommendation results in a simpler standard that is easier to interpret than the original, proposed standard. Council has also previously shown support for the idea that only lots meeting minimum lot size standard should be permitted a detached ARU. At First Reading of Ordinance W, Council conditioned approval of the Ordinance to include a clause

that prohibits detached ARUs on lots less than the minimum lot size in the NC-ToJ zone. In a similar spirit, the Working Group and Staff are not recommending prohibiting detached ARUs on lots not meeting minimum lot size in all zones.

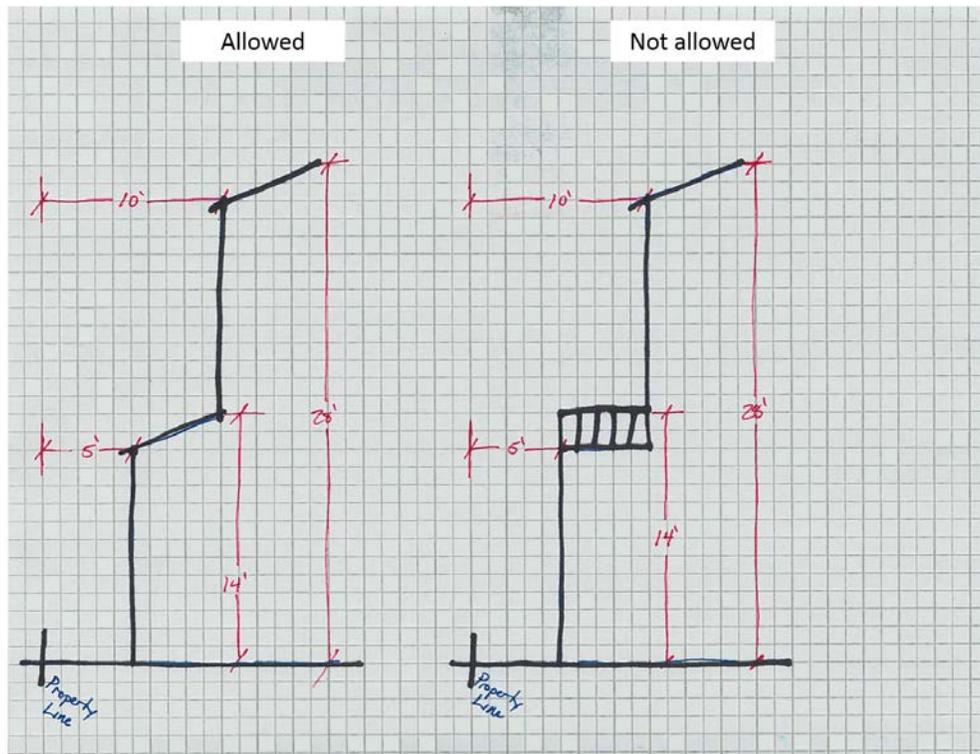
Setbacks – Is the 5’ side/rear setback for detached ARUs appropriate?

Working Group Recommendation: Require 10’ side and rear setbacks for structure over 14’; allow 5’ side and rear setbacks if structure is under 14’ in height.

Current Proposal: The current proposal allows a detached ARU to be located 5’ from the sides and rear property lines. The ARU can be 28’ in height. This is the exact same standard outlined in the LDRs for detached *accessory structures*. A detached garage, for example, can be located 5’ from the property line and can be 28’ in height.

Staff Recommendation: There are both benefits and drawbacks to this recommendation. On the one hand, it means that existing detached accessory structures over 14’ in feet with 5’ rear and side setbacks would not be permitted to be converted to an ARU. This represents a loss in potential for the construction of ARUs. On the other hand, limiting the height of ARUs set back only 5’ from the property line works to protect the privacy of neighbors. It limits the ability of ARU occupants from being able to see directly into the backyard of a neighboring property from the second story of a taller ARU. This height and setback limitation also works to preserve a neighboring property’s viewscapes and sunlight access.

Staff is in support of this recommendation as it limits the impacts of ARUs on neighboring properties. Moreover, the Working Group’s recommendation does permit an ARU to be *stepped* back in such a way that the portion of it that is 14’ or lower in height is located 5’ from the property line while a taller portion steps back from the property line 10’ or more, however the stepback cannot be a rooftop deck. (see picture below).



Home Occupation – Should Home Occupations be permitted in ARUs?

Working Group Recommendation: No Home Occupations allowed in ARUs.

Current Standard: The current proposal allows home occupations.

Staff Recommendation: Staff supports the Working Group's recommendation. Allowing home occupations in ARUs represents a risk of further impacting neighborhood character as it could come with an increased number of visitors to the ARU, contributing to traffic and parking problems.

Size of ARUs – Should all ARUs be permitted 800 sq ft?

Working Group Recommendation: Allow all attached ARUs 800 sq ft as a size limitation. For detached ARUs, permit a maximum of 500 sq ft unless the lot is greater than twice the size of the required minimum lot size in a zone (e.g. more than 15,000 sq ft in the NC-ToJ zone where the minimum lot size is 7,500), in which case, 800 sq ft may be permitted.

Current Proposal: All ARUs permitted 800 sq ft.

Staff Recommendation: Staff supports this recommendation. As the Working Group pointed out, an 800 sq ft ARU is sometimes the same size as some primary structures on lots in the Town. Having what could like two single family homes on smaller lots has potential to disrupt the visual character of the neighborhood. Lots that are twice as large as the minimum lot size can accommodate what might look like two detached single family homes.

Gill Addition – Are ARUs appropriate here?

Working Group Recommendation: A minimum of a 15,000 square foot lot is required to allow one detached ARU. A minimum of a 7,500 square foot lot is required to allow a single attached ARU. The Working Group did discuss not including the Gill Addition in the Amendment at all, but ultimately preferred to limit how ARUs are permitted based on lot size.

Current Proposal: Attached ARUs are permitted on all lots within the Gill Addition. Detached ARUs are not permitted. The Gill Addition is in the NC-ToJ zone, and as the current proposal reads: Detached ARUs are only permitted where the lot is located on an alley or has reverse street frontage.

Staff Recommendation: Staff is reluctant to create geographic-specific regulations that differ from regulations applicable to all other locations. These kinds of exceptions contribute to lengthy and confusing land use regulations that are difficult to interpret by the public. Moreover, there is very little support by residents of the Gill Addition to allow ARUs at all. Therefore rather than creating special rules for the Gill Addition and still risking resident dissatisfaction with the decision, Staff recommends prohibiting ARUs in the Gill Addition altogether.

Parking – How many parking spaces should be allotted per ARU?

Working Group Recommendation: One parking space per bedroom for all ARUs.

Current Proposal: 1/ARU if fewer than 2 bedrooms and if ARU is less than 500 sf; otherwise, 2/ARU.

Staff Recommendation: Staff supports the idea of requiring one parking space per bedroom. Bedrooms are distinguished from other rooms (such as an office) by the presence of a closet. Thus, in practice, an ARU could be 800 sq ft in size, have one bedroom and an office or studio, and be required to provide only a single parking space. Staff supports this recommendation primarily because requiring parking spaces according to the number of bedrooms simplifies the regulation and makes it easier to understand. Requiring a parking

space per bedroom was also a suggestion that many participants of the ARU Public Workshops held earlier this summer suggested.

Rental Housing Program / ARU Permit Program / Enforcement – How can the Town address existing enforcement issues around rentals, parking, and noise?

Working Group Recommendation: The Working Group had two recommendations focusing on enforcement of renting ARUs in the Town.

- The Town of Jackson needs to create rental housing program for the entire Town so that *all* residential property owners with rentals can be contacted and held accountable for violations of parking, more than 3 unrelated occupants, noise, etc. Town needs to support proactive enforcement and fund and staff this effort. Penalty must be enough to ensure compliance.
- If a Town-wide rental housing program is not supported, the Town needs to create an ARU permit so there is accountability with the property owner (contact person) for violations of parking, more than 3 unrelated occupants, noise, etc. Town needs to support proactive enforcement and fund and staff this effort. Penalty must be enough to ensure compliance.

Current Proposal: No rental or permitting program proposed aside from the Basic Use Permit required to build an ARU.

Staff's Recommendation: In Staff's opinion, there are four options for Council to consider to address this issue of enforcement:

1. *Rental Housing Program.* As suggested by the Working Group, Town could consider a Rental Housing Program that requires all residential property owners who rent their property – short-term and long-term – to acquire an annual license from the Town. The licensing program would include keeping updated contact information on file for property owners as well as periodic life-safety inspections for rental units to ensure quality of living space for tenants. This program could be incorporated into the suite of responsibilities of the Housing Department as such a program is considered in the Housing Action Plan.
2. *ARU Permitting Program.* An ARU Permitting Program would be a modification to the Basic Use Permit already required to build an Accessory Residential Unit. The ARU permit would expire upon transferal of property ownership. The new property owner would then need to reapply for the permit. Property owners would be required to keep their contact information with the Town current.
3. *Enforcement Option.* Council could choose not to create any special licensing or permitting program and instead work both proactively and retroactively (based on complaints) to enforce renter-associated issues (traffic, too many occupants, noise, etc).
4. *Encourage private enforcement of neighborhood issues.* The Working Group identified any of the first three options as being a preferred prerequisite before allowing ARUs throughout residential neighborhoods in Town. This last option, to encourage private enforcement, is being presented by Staff. Private enforcement of neighborhood standards is most effective when it comes in the form of Covenants, Conditions, and Restrictions (CC&Rs) created by a neighborhood Home Owners' Association (HOA). Neighborhoods without an HOA have the option to form a HOA and then adopt CC&Rs. The advantage of private enforcement is that it allows neighborhoods to decide for themselves which standards matter to them and how to appropriately penalize wrongdoers.

Staff does not have a recommendation for addressing enforcement issues. The first three options listed above, those recommended by the Working Group, are not realistic at this time. The resources – primarily Staff time – are not available to adequately carry out a Rental Housing Program, Permitting Program, or effective enforcement. The fourth option, encouraging private enforcement of neighborhood issues, is outside of the

purview of Council and Staff. Thus Staff recommends Council maintain the status-quo in terms of enforcement and take no additional action on the issue at this time.

If Council decides not to take Staff's recommendation and to instead take action on enforcement, then Staff sees the ARU Permitting Program as the option with the least impact on Staff. Staff cautions, however, that permitting programs like this can be cumbersome on property owners.

Of all the recommendations brought forth by the Working Group, this is the only instance where Staff's recommendation differs significantly from the Group's preferred solutions.

Additional Questions

There have been several frequently asked questions concerning the proposals in this Accessory Residential Unit ordinance. For clarification purposes, these are answered below:

What is meant by an attached ARU and a detached ARU?

Planning Staff interpret an 'attached' ARU to mean an ARU that is connected by habitable floor area. An ARU that is attached to a primary unit by a covered walkway is not considered attached. An ARU located above a garage that is detached from the primary structure is not considered attached.

What is meant by reverse street frontage?

Reverse street frontage refers to lots that have street access at both the front of the lot and at the rear of the lot. It does not include corner lots, which have street access from the front and side.

What can property owners do currently on their lot in terms of building accessory structures?

Currently, property owners in all zones can build a detached accessory structure such as a garage that has only 5' side setbacks. The maximum height of this structure is 28'. The structure may have habitable space within it. A garage with an apartment above the garage that is heated, that has a full bathroom, beds, and living space is currently permitted in the Land Development Regulations. The only difference between an accessory structure with habitable space and an Accessory Residential Unit is that a full kitchen is not permitted in the accessory structure. Instead, property owners are permitted to install a wet bar, defined in the LDRs as "consisting of no more than a refrigerator, sink, and microwave, or similar facility that is a homeowner convenience and is not intended to function as the cooking facility for a separate dwelling unit." Without a full kitchen, the accessory structure is not considered a residential dwelling unit and cannot be used as a residential unit. Ultimately, a property owner can build an accessory structure that looks exactly like an ARU with the exception that it does not have a full kitchen and that it cannot be used or rented as a residential unit.

[FINDINGS](#)

Council made the Findings for this Amendment when they approved the Amendment on July 18th. These findings are detailed in the July 18th Staff Report (attached).

[ATTACHMENTS](#)

Summary of Working Group Recommendations & Current Proposal
Ordinance W, as approved at First Reading
Public Comment
July 18th Staff Report

[FISCAL IMPACT](#)

Not applicable.

STAFF IMPACT

If Council chooses to create a Rental Housing Program, an ARU Permitting Program, or to increase enforcement initiatives around the community, there will be a significant impact on Staff.

The other recommendations in this report have no major impact on Staff.

LEGAL REVIEW

Complete.

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

Please see previous discussion of both the ARU Working Group's recommendations and Staff's recommendations under the Staff Analysis section of this report.

During discussion, Council will need to decide which recommendations from the Working Group and from Staff they wish to incorporate into Ordinance W, which will be discussed later in the evening. Staff will note final decisions on each of the topics discussed and use these decisions to populate the motion for Ordinance W.

SUGGESTED MOTIONS

No formal motions are required for this item. Any desired changes to the Accessory Residential Units ordinance (Ordinance W) based on discussion of the above issues will be noted by Staff and will be included in the motion for Ordinance W later in the meeting.

Summary of Working Group Recommendations & Current Proposal

How are the Working Group’s suggestions different than Ordinance W?

The following tables summarize the similarities and differences between what the Council has passed thus far in Ordinance W and what the Working Group suggests. Changes proposed by the Working Group are shown in red.

NC-ToJ

Note, the Working Group also suggested Council consider prohibiting ARUs in the Gill Addition altogether.

	1 st Reading (Aug. 1st)	Working Group
All ARUs		
Required Permit	Basic Use Permit	Basic Use Permit
Prohibited	Budge Drive area	Budge Drive area
Enforcement	None	Rental Program / ARU Permit
Parking	1/ARU (< 2 bedrooms and < 500 sf) 2/ARU (≥ 2 bedrooms or ≥ 500 sf)	1/bedroom
Home Occupation	Allowed	Prohibited
Attached ARU		
Min. Site Area	0 sf	0 sf 7,500 sf (Gill Addition)
Density	1 per lot 2 per lot (w/alley or reverse front)	1 per lot 2 per lot (w/alley or reverse front)
Max. Size	800 sf	800 sf
Detached ARU		
Min. Site Area	7,500 sf	7,500 sf 15,000 sf (Gill Addition)
Density	1 per lot (w/alley or reverse front) 2 per lot (w/alley or reverse front)	1 per lot 2 per lot (w/alley or reverse front)
Max. Size	800 sf	500 sf (site < 15,000 sf) 800 sf (site ≥ 15,000 sf)
Street Setback	30'	30'
Side/Rear Setback	5'	5' (height < 14', rooftop deck prohibited) 10' (height ≥ 14', stepback allowed)

NC-2

	1 st Reading (Aug. 1st)	Working Group
All ARUs		
Required Permit	Basic Use Permit	Basic Use Permit
Enforcement	None	Rental Program / ARU Permit
Density	2 per lot (1 per primary unit)	2 per lot (1 per primary unit)
Parking	1/ARU (< 2 bedrooms and < 500 sf) 2/ARU (≥ 2 bedrooms or ≥ 500 sf)	1/bedroom
Home Occupation	Allowed	Prohibited
Attached ARU		
Min. Site Area	0 sf	0 sf
Max. Size	800 sf	800 sf
Detached ARU		
Min. Site Area	0 sf	7,500 sf
Max. Size	800 sf	500 sf (site < 15,000 sf) 800 sf (site ≥ 15,000 sf)
Street Setback	30'	30'
Side/Rear Setback	5'	5' (height < 14', rooftop deck prohibited) 10' (height ≥ 14', stepback allowed)

S-ToJ

	1 st Reading (Aug. 1st)	Working Group
All ARUs		
Required Permit	Basic Use Permit	Basic Use Permit
Density	1 per lot	1 per lot
Enforcement	None	Rental Program / ARU Permit
Parking	1/ARU (< 2 bedrooms and < 500 sf) 2/ARU (≥ 2 bedrooms or ≥ 500 sf)	1/bedroom
Home Occupation	Allowed	Prohibited
Attached ARU		
Min. Site Area	0 sf	0 sf
Max. Size	800 sf	800 sf
Detached ARU		
Min. Site Area	0 sf	12,000 sf
Max. Size	800 sf	500 sf (site < 24,000 sf) 800 sf (site ≥ 24,000 sf)
Street Setback	30'	30'
Side/Rear Setback	5'	5' (height < 14', rooftop deck prohibited) 10' (height ≥ 14', stepback allowed)

R-ToJ

	1 st Reading (Aug. 1st)	Working Group
All ARUs		
Required Permit	Basic Use Permit	Basic Use Permit
Density	1 per lot	1 per lot
Enforcement	None	Rental Program / ARU Permit
Parking	1/ARU (< 2 bedrooms and < 500 sf) 2/ARU (≥ 2 bedrooms or ≥ 500 sf)	1/bedroom
Home Occupation	Allowed	Prohibited
Attached ARU		
Min. Site Area	0 sf	0 sf
Max. Size	800 sf	800 sf
Detached ARU		
Min. Site Area	Prohibited	12,000 sf
Max. Size		500 sf (site < 24,000 sf) 800 sf (site ≥ 24,000 sf)
Street Setback		30'
Side/Rear Setback		5' (height < 14', rooftop deck prohibited) 10' (height ≥ 14', stepback allowed)

ORDINANCE W

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 2.3.14.C, 2.3.14.E, 2.3.15.C, 2.3.15.E, 2.3.16.C, 3.3.1.C, 3.3.1.E, AND 6.1.1 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO ALLOW ACCESSORY RESIDENTIAL UNITS IN THE NC-TOJ, NC-2, S-TOJ, AND R-TOJ ZONES, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Sections 2.3.14.C, 2.3.14.E, 2.3.15.C, 2.3.15.E, and 2.3.16.C of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 2. Complete Neighborhood Zones | Div. 2.3. Complete Neighborhood Legacy Zones
2.3.14. Neighborhood Conservation-Town (NC-ToJ) (9/07/16, Ord. xxxx)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NC-ToJ zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NC-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the NC-ToJ zone, however, all standards in Article 6. are applicable in the NC-ToJ zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	0 sf	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B, E.3.)	B	0 sf	see E.3	1/ARU if < 2 bedrooms and < 500 sf; otherwise, 2/ARU	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single-Family unit (detached)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf
Accessory Residential Unit	800 sf habitable

4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

Article 2. Complete Neighborhood Zones | Div. 2.3. Complete Neighborhood Legacy Zones
 2.3.14. Neighborhood Conservation-Town (NC-ToJ) (9/07/16, Ord. xxxx)

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NC-ToJ zone.

1. **Subdivision.** All new divisions of land within the NC-ToJ zone shall comply with Sec. 8.3.2., Sec. 8.5.3., and this Section. The maximum number of lots into which any given lot of record may be subdivided in the NC-ToJ zone shall be determined as follows:
 - a. **Maximum Number of Lots According to Prior Regulations.** The maximum number of lots into which a lot of record in the NC-ToJ zone can be subdivided shall not exceed the maximum number of lots that would have been permitted on the lot of record in the zones mapped on the Zoning Map, Town of Jackson, Wyoming, adopted on April 5, 1967, as amended from time to time with a final revision date of December 31, 1993, and as follows:
 - i. **LR-1.** The minimum lot area shall be 12,000 square feet per dwelling or building.
 - ii. **S-ToJ, MR-2 and All Others.** The minimum lot area shall be 7,500 square feet.
2. **Resubdivision.** Lots of record may not be combined with other lots of record for the purpose of resubdividing to increase density. However, resubdivision for other purposes where overall existing densities are retained or reduced shall be permitted.
3. **Accessory Residential Units (ARUs)**
 - a. Accessory residential units are prohibited north of West Broadway accessed via Budge Drive and West Broadway Avenue.
 - b. Detached accessory residential units shall only be permitted on lots that meet minimum lot size and have alley access or reverse street frontage.
 - c. A maximum of 1 ARU shall be permitted per lot; except that, 2 units may be permitted on lots that meet minimum lot size and have alley access or reverse street frontage.

C. Allowed Uses and Use Standards

Standards applicable to uses in the NC-2 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NC-2 zone. This Subsection is intended to indicate all of the use standards applicable in the NC-2 zone, however, all standards in Article 6. are applicable in the NC-2 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	0 sf	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	2 units per lot	2/DU	n/a
Attached Single-family Unit (6.1.4.C.)	B	0 sf	2 units per lot	2/DU +0.5 per DU if ≥ 3 units served by lot	n/a
Apartment	B	0 sf	2 units per lot		
Dormitory (6.1.4.F.)	C	0 sf	7 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	7 rooms per acre	0.5/bed	n/a
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B, E.5.)	B	0 sf	2 units per lot	1/ARU if < 2 bedrooms and < 500 sf; otherwise, 2/ARU	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single family unit (detached, attached, or apartment)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf
Accessory Residential Unit	800 sf habitable
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NC-2 zone.

1. Development is allowed according to the standards for single-family development and Urban Cluster Development in the AR/AC-ToJ zones.
2. There shall be 25 feet minimum separation between principal structures.
3. Subdivision. All new divisions of land within the NC-2 zone shall comply with Sec. 8.3.2, Sec. 8.5.3, and this Section. The maximum number of lots into which any given lot of record may be subdivided in the NC-2 zone shall be determined as follows:
 - a. **Maximum Number of Lots According to Prior Regulations.** The maximum number of lots into which a lot of record in the NC-2 zone can be subdivided shall not exceed the maximum number of lots that would have been permitted on the lot of record in the zone mapped on the Zoning Map, Town of Jackson, Wyoming, adopted on April 5, 1967, as amended from time to time with a final revision date of December 31, 1993, and as follows:
 - i. **LR-1.** The minimum lot area shall be 12,000 square feet per dwelling or building.
 - ii. **S-ToJ, MR-2 and All Others.** The minimum lot area shall be 7,500 square feet.
4. Resubdivision. Lots of record may not be combined with other lots of record for the purpose of resubdividing to increase density. However, resubdivision for other purposes where overall existing densities are retained or reduced shall be permitted.
5. **Accessory Residential Units (ARUs).** Where there are two primary dwelling units per site, there may only be a single ARU per primary dwelling unit.

C. Allowed Uses and Use Standards

Standards applicable to uses in the S-ToJ zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the S-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the S-ToJ zone, however, all standards in Article 6 are applicable in the S-ToJ zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	B	0 sf	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (<u>6.1.4.B.</u>)	Y	0 sf	1 unit per lot	2/DU	n/a
Dormitory (<u>6.1.4.F.</u>)	C	0 sf	15 rooms per acre	1/bed	n/a
Group Home (<u>6.1.4.G.</u>) (<u>E.1.</u>)	C	0 sf	15 rooms per acre	0.5/bed	n/a
Amusement/Recreation					
Outdoor Recreation (<u>6.1.7.C.</u>)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (<u>6.1.8.B.</u>)	C	0 sf	n/a	independent calculation	exempt

Y=Use allowed, no permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B)	B	0 sf	1 unit per lot	1/ARU if < 2 bedrooms and < 500 sf; otherwise, 2/ARU	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Real Estate Sales Office (6.1.12.C.)	B	0 sf	n/a	3.3/1,000 sf	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use	
Individual Use (floor area)	
Single-family unit (detached)	
Habitable floor area excluding basement (max)	8,000 sf
Gross floor area excluding basement (max)	10,000 sf
Habitable floor area (min)	1,000 sf
Accessory Residential Unit	800 sf habitable
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Sections 3.3.1.C and 3.3.1.E of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 3. Rural Area Zones | Div. 3.3. Rural Area Legacy Zones
 3.3.1. Rural Residential-Town (R-ToJ) (9/07/16, Ord. xxxx)

C. Allowed Uses and Use Standards

Standards applicable to uses in the R-ToJ zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the R-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the R-ToJ zone, however, all standards in Article 6 are applicable in the R-ToJ zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	0 ac	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 ac	1 unit per lot	2/DU	n/a
Dormitory (6.1.4.F.)	C	0 ac	7 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.) (E.2.)	C	0 ac	7 rooms per acre	0.5/bed	n/a
Commercial					
Nursery (6.1.6.H.)	C	0 ac.	n/a	2 per 1,000 sf + 1 per 4,000 sf outdoor display area + 1 per employee	independent calculation
Amusement/Recreation					
Outdoor Recreation (6.1.7.C.)	C	0 ac	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 ac	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 ac	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B., E.5.)	B	0 sf	1 unit per lot	1/ARU if < 2 bedrooms and < 500 sf; otherwise, 2/ARU	exempt
Home Occupation (6.1.11.D.)	B	0 ac	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 ac	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	--	n/a	1/employee + 1 off-street pick-up/drop-off	exempt

Y=Use allowed, no permit required B=Basic Use Permit (Sec. 8.4.1.) C=Conditional Use Permit (Sec. 8.4.2.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 ac	n/a	1 per 1,000 sf outdoor display area + 1 per employee	exempt
Farm Stand (6.1.12.E.)	B	0 ac	n/a	5 per 1,000 sf display area	exempt
Real Estate Sales Office (6.1.12.C.)	B	0 ac	n/a	3.3/1,000 sf	exempt
Temporary Shelter (6.1.12.D.)	B	0 ac	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 ac	n/a	1/employee	exempt

Y=Use allowed, no permit required B=Basic Use Permit (Sec. 8.4.1.) C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single family unit (detached)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf
Accessory Residential Unit	800 sq ft habitable
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

Article 3. Rural Area Zones | Div. 3.3. Rural Area Legacy Zones

3.3.1. Rural Residential-Town (R-ToJ) (9/07/16, Ord. xxxx)

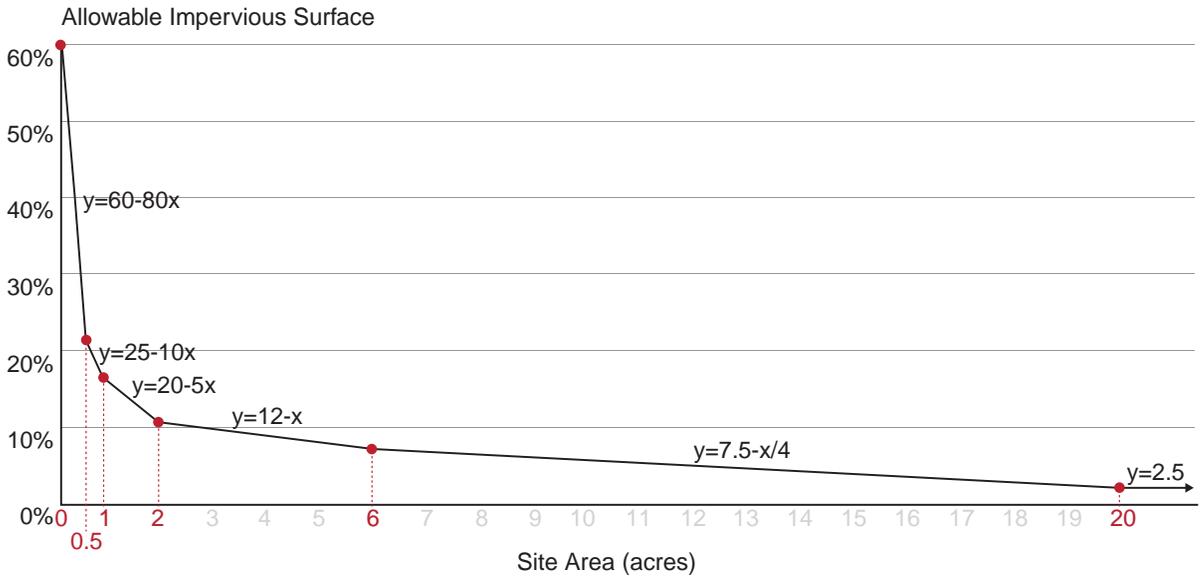
E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the R-ToJ zone.

1. For lots in developments with required open space, the lot coverage shall be calculated for the entire project area and allocated to each lot at the time a Development Plan is approved.

2. Impervious Surface Coverage for Residential Lots

- a. Impervious surface coverage for R-ToJ zone lots of 20 acres or less in size shall be determined by the table below:



- b. Impervious surface coverage for R-ToJ zone lots that are greater than 20 acres is 2.5 percent.

3. **Group Home Use Standards.** Group Home uses shall be located at least three hundred (300) feet from an existing dwelling unit unless the group home use was proposed as part of a development that included both the group home use and the dwelling units.
4. **Building Envelopes.** The building envelope for lots can be up to 2 acres in size, and the balance of the lot can count toward the open space requirement established in D.1.
5. **Accessory Residential Units (ARUs).** Accessory residential units shall be attached.

SECTION III.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 6.1.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 6. Use Standards Applicable in All Zones | Div. 6.1. Allowed Uses

6.1.1. Use Schedule (9/07/16, Ord. xxxx)

Div. 6.1. Allowed Uses

6.1.1. Use Schedule (9/07/16, Ord. xxxx)

The Use Schedule establishes the principal, accessory, and temporary uses allowed in each zone. The definitions and standards for each use are established in Sec. 6.1.2.-Sec. 6.1.12. and referenced in the table. Additional uses may be allowed in a zone as part of an allowed development option as specified in Div. 7.1. The permit required for each allowed use is designated using the following symbols.

- A. "Y" denotes an allowed use that does not require a use permit. Physical development permits are still required as applicable.
- B. "B" denotes an allowed use that requires a Basic Use Permit to be obtained pursuant to Sec. 8.4.1.
- C. "C" denotes an allowed use that requires a Conditional Use Permit to be obtained pursuant to Sec. 8.4.2. A conditional use is generally compatible with the character of a zone but requires individual review of its configuration, density, and intensity in order to mitigate effects that may be adverse to the desired character of the zone.
- D. "S" denotes an allowed use that requires a Special Use Permit to be obtained pursuant to Sec. 8.4.3. Special uses are inherently incompatible with the character of the zone, but essential to the community; and therefore some provision must be made for their existence and operation. Special uses require specified locations due to common neighborhood opposition. These locations shall be determined by a comprehensive community-wide selection process designed to identify locations that best serve the special use while minimizing the negative impacts and obtrusiveness. Special uses also require individual review of their configuration, density, and intensity in order to mitigate effects that are adverse to the desired character of the zone.

Town Legacy Zones																				
USE CATEGORY	Complete Neighborhood Zones											Rural Area Zones	Civic Zones	Def/ Stds						
	TS	UC	UC-2	UR	AC-ToJ	AR-ToJ	OP-ToJ	OP-2	BP-R	BP-ToJ	BC-ToJ	RB	MHP-ToJ	NC-ToJ	NC-2	S-ToJ	R-ToJ	P/SP-ToJ	P-ToJ	
Open Space																				6.1.2.
Agriculture	--	--	--	--	--	B	--	--	--	C	--	--	B	B	B	B	B	Y	Y	6.1.3.B.
Downhill Ski Area	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	6.1.3.C.
Residential																				6.1.4.
Detached Single-Family Unit	--	Y	Y	Y	Y	Y	Y	Y	--	Y	Y	Y	--	Y	Y	Y	Y	--	--	6.1.4.B.
Attached Single-Family Unit	--	B	B	B	B	--	C	C	B	--	--	B	--	B	--	--	--	--	--	6.1.4.C.
Apartment	--	B	B	B	B	--	C	C	B	--	--	B	--	B	--	--	--	--	--	6.1.4.D.
Mobile Home	--	--	--	--	--	--	--	--	--	--	--	--	B	--	--	--	--	--	--	6.1.4.E.
Dormitory	--	C	C	C	C	C	C	C	--	C	C	--	C	--	C	C	C	C	--	6.1.4.F.
Group Home	--	C	C	C	C	C	C	C	--	C	C	--	C	--	C	C	C	C	--	6.1.4.G.
Live/Work Unit	--	--	--	--	B	--	C	C	--	C	--	--	--	--	--	--	--	--	--	6.1.4.H.
Lodging																				6.1.5.
Conventional Lodging	C(LO)	B(LO)	B(LO)	B(LO)	--	B(LO)	--	--	--	C(LO)	--	--	--	--	--	--	--	--	--	6.1.5.B.
Short-Term Rental Unit	C(LO)	B(LO)	B(LO)	B(LO)	--	B(LO)	--	--	--	C(LO)	--	--	--	--	--	--	--	--	--	6.1.5.C.
Commercial																				6.1.6.
Office	B	B	B	B	--	B	B(OF)	B	B	C	--	C	B	--	--	--	--	C	--	6.1.6.B.
Retail	B	B	B	B	--	B	--	C	C	C	--	C	--	--	--	--	--	--	--	6.1.6.C.
Service	B	B	B	B	--	B	--	--	C	C	--	C	--	--	--	--	--	C	--	6.1.6.D.
Restaurant/Bar	B	B	B	B	--	B	--	--	C	C	--	C	--	--	--	--	--	--	--	6.1.6.E.
Heavy Retail/Service	--	--	C	--	C	--	--	--	B	B	C	C	--	--	--	--	--	C	--	6.1.6.F.
Mini-Storage Warehouse	--	--	C	--	C	--	--	--	B	B	C	C	--	--	--	--	--	C	--	6.1.6.G.
Nursery	--	--	--	--	B	--	--	--	C	C	--	C	--	--	--	--	--	C	--	6.1.6.H.

Key: Y = Use allowed without a permit B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required
 LO = Only allowed in Lodging Overlay Only OF = Only allowed in Office Overlay -- = Use not allowed

Town Legacy Zones																				
USE CATEGORY	Complete Neighborhood Zones										Rural Area Zones	Civic Zones	Def/ Stds							
	TS	UC	UC-2	UR	AC- ToJ	AR- ToJ	OP- ToJ	OP-2 ToJ	BP-R ToJ	BP- ToJ	BC- ToJ	RB ToJ		MHP- ToJ	NC- ToJ	NC-2 ToJ	S- ToJ	R- ToJ	P/SP- ToJ	P- ToJ
Amusement/Recreation																				
Amusement	C	C	C	--	B	--	--	--	--	--	--	--	--	--	--	--	--	--	--	<u>6.1.7.</u>
Outdoor Recreation	--	--	--	--	C	C	--	--	C	C	C	--	--	--	C	C	C	C	C	<u>6.1.7.B.</u>
Developed Recreation	--	B	B	--	B	--	--	--	C	C	C	--	--	--	--	--	--	C	--	<u>6.1.7.C.</u>
Outfitter/Tour Operator	--	C	C	--	C	--	--	--	C	C	C	--	--	--	--	--	--	--	--	<u>6.1.7.D.</u>
	--	C	C	--	C	--	--	--	C	C	C	--	--	--	--	--	--	--	--	<u>6.1.7.E.</u>
Institutional																				
Assembly	--	C	C	C	C	C	C	C	C	C	C	C	--	--	C	C	C	C	--	<u>6.1.8.</u>
Daycare/Education	--	B	B	--	B	--	C	--	C	C	--	--	--	--	--	--	--	C	--	<u>6.1.8.B.</u>
	--	B	B	--	B	--	C	--	C	C	--	--	--	--	--	--	--	C	--	<u>6.1.8.C.</u>
Industrial																				
Light Industry	--	--	--	--	C	--	--	--	B	B	C	C	--	--	--	--	--	C	--	<u>6.1.9.</u>
Heavy Industry	--	--	--	--	--	--	--	--	C	C	--	--	--	--	--	--	--	C	--	<u>6.1.9.B.</u>
	--	--	--	--	--	--	--	--	C	C	--	--	--	--	--	--	--	C	--	<u>6.1.9.C.</u>
Disposal	--	--	--	--	--	--	--	--	C	C	--	--	--	--	--	--	--	C	--	<u>6.1.9.D.</u>
Transportation/Infrastructure																				
Parking	--	--	--	--	C	--	--	--	--	--	--	--	--	--	--	--	--	C	--	<u>6.1.10.</u>
Utility Facility	--	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>6.1.10.B.</u>
Wireless Communication Facilities																				
Minor	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	<u>6.1.10.C.</u>
Major	--	--	--	--	--	--	--	--	C	--	--	--	--	--	--	--	--	C	--	<u>6.1.10.D.</u>
Heliport	--	--	--	--	C	--	--	--	C	C	C	--	--	--	--	--	--	C	--	<u>6.1.10.E.</u>

Key: Y = Use allowed without a permit B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required
 LO = Only allowed in Lodging Overlay Only OF = Only allowed in Office Overlay -- = Use not allowed

SECTION IV.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION V.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION VI.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2016.
PASSED 2ND READING THE ____ DAY OF _____, 2016.
PASSED AND APPROVED THE ____ DAY OF _____, 2016.

TOWN OF JACKSON

BY: _____
Sara Flitner, Mayor

ATTEST:

BY: _____
Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. ____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the ____ day of _____, 2016.

I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

Town Clerk

Thoughts on ARUs

ARUs do not help people pay their mortgage

Allowing a person to add an ARU will not help them make their mortgage payments. An 800 sf ARU will probably cost at least \$200,000 to build. If you put 10% down (\$20,000) you will now have an additional mortgage of around \$900 a month, plus you just spent \$20,000 in cash for the down payment. The most cost effective way to help with a mortgage is to rent out spare bedrooms. The Town could look at ways to incentivize this.

ARUs will not solve the housing problems

Planning Staff estimates few units will get built and even if the regulations are changed this year, nothing will likely get built for at least a year, so there is no need to rush into this. Allowing ARUs will increase the value of the lot, which will make them even less affordable to buy and will increase rents. Long term this makes the housing problem worse.

ARUs should not be allowed on lots less than 7500 sf

The impacts are too great and there is not enough room to provide adequate parking. There has to be a limit and we should stay with requiring a standard size lot

ARUs should not be allowed in stable neighborhoods

The 2012 Comp Plan envisions some neighborhoods as stable, which means the zoning will not change significantly. Adding additional units on single family lots is a significant change. There was significant discussion on this subject. If we do not follow the vision of the Comp Plan we wasted lots of time and money on a plan that means nothing. There is a procedure for modifying the Comp Plan and it should be followed if we feel the vision has changed, but the public must be allowed to participate in this discussion.

If ARUs are allowed outside the AR zone, only an attached unit should be allowed.

This is consistent with the character of single family neighborhoods. It allows a “mother in law apartment” which could be used for family members or rented out to others on a long term basis. Allowing detached units allows the owner to move the activity from the rental away from his or her main house and closer to the neighbors. This changes the character of the neighborhood and is not fair to the neighbors. Lots without alley access will have problems with parking and access to the units. They are not suitable for 2 ARUs.

Before Regulations are changed, Town should hold an open house on multiple days where people can determine what they and their neighbors can do under the proposed changes.

It is important for people to understand what is being proposed before any changes are made. Rushing this through will create problems.

ARUs should not be used for short term rentals

Short term rentals are not compatible with residential neighborhoods.

Rental of ARUs should be restricted to Owner Occupied Units

Many people support the idea of restricting rentals of ARUs to owner occupied units because they owner has a vested interest in finding good tenants who will not disrupt the community. This is especially true if the unit is attached. This idea is worth exploring, although enforcement might be a challenge.

Armond Acri

September 8, 2016

Jeanne Carruth

From: Sandy Birdyshaw
Sent: Wednesday, September 14, 2016 5:12 PM
To: Jeanne Carruth; Paul Anthony
Subject: FW: Thoughts on ARUs
Attachments: Thoughts on ARUs.docx

Hello, Council email for your file.

Thanks,

- Sandy Birdyshaw

From: ARMOND N ACRI [mailto:anacri_WY@msn.com]
Sent: Wednesday, September 14, 2016 4:13 PM
To: Town Council <ElectedOfficials@townofjackson.com>
Cc: Tyler Sinclair <tsinclair@ci.jackson.wy.us>
Subject: Thoughts on ARUs

My thoughts for the upcoming workshop on ARUs are attached. Thank you for considering them. I look forward to the discussion.

Armond Acri

Town of Jackson

Jeanne Carruth

From: Matt Faupel <mattfaupel@jhrea.com>
Sent: Thursday, August 18, 2016 1:02 PM
To: Town Council
Cc: April Norton; Tyler Sinclair
Subject: ARU discussion

I am writing in response to the last meeting you had regarding ARUs and the concerns from the public you are trying to address. As I mentioned before, the idea of allowing ARUs can be a no cost implementation of a number of workforce housing units without increasing the density of town, especially as we look at preservation being a huge issue being a huge hurdle with the potential of making the problem worse.

- 1) Parking – I believe this is something that should be considered but also with the flexibility of allowing parking to go to the property lines, not limiting it to a setback off the side lots, there is no reason for that.
- 2) Limiting to one ARU per lot does not make sense as it doesn't serve a real purpose. It is limited to one if there is no alley access which makes a lot of sense.
- 3) Requiring a CUP is a huge burden on the owner as having a neighbor getting to dictate what another neighbor does is unreasonable and the risk of that will scare away potential units. It costs money and time to come before the Council and ask for something and building the units is not necessarily a money maker so the risk to being told no is real as is the additional cost.
- 4) ARUs are expensive to create. I am currently moving an older 500 sqft home from the Snow King area to East Jackson. Real costs for this are about \$20k to unplug, move and plug the house back in – there is nothing you can do about this and it is cheaper than building from scratch. The other costs, permits, encroachment fees, hookup fees, utility fees, digging and foundation will cost about \$60,000 or \$120/sqft. If I had to build a home from scratch on top of this you would double the cost and be somewhere in the \$125k range for a 500 sqft unit. Adding costs to this in any fashion, a CUP requirement or the like, will only discourage the unit from being built. The real question we should be asking is how do we make that process more cost effective?
- 5) Shrinking the size – what is the purpose? A typical 2 bedroom apartment here is 750 sqft., the limit for the ARU is 800 sqft. Limiting the size means you are limiting the unit to a 1 bedroom meaning in no way can a working family live there which defeats ½ the purpose of the unit as well as limits the rent which then again disincentivizes the landowner from building it. What is the rationale for shrinking?
- 6) Insisting that only owner-occupied units are allowed to build - what happens when that unit sells to a non-owner occupant? Do you then tell them they cannot rent the two units and displace those two working families? Functionally this makes no sense. As mentioned above, I am personally trying to help the workforce housing situation and this idea is you simply telling me “thanks but no thanks”.
- 7) Preservation – one of the things that has been said by those who oppose this is that they do not want the character of their neighborhood to change. Not allowing ARUs will have the exact opposite effect. The neighborhood character they are referring to is having locals as their neighbors. With the price of a single family lot and the demand from the 2nd home market, in the next 20 years, every home that is a smaller, older

home in E Jackson will be bought, torn down and a 3,400 sqft 2nd home will be built, priced over \$2M (in today's dollars). The character they are trying to keep is gone. If, in the same situation, the aforementioned home is sold and the new owner puts up a 2,500 sqft home and an 800 sqft ARU, even if the owner is a 2nd home owner, you will retain the neighborhood character by having and local live on the property. This is exactly what they are asking for and what we as a community are trying to accomplish. Failing to do this will force you to consider every lot in E Jackson with a house built before 1990 and every piece of vacant land a loss of workforce housing down the road and makes preservation almost insurmountable.

Thank you for your consideration and work on the issue.

Matt Faupel

Jackson Hole Real Estate Associates

Owner/Associate Broker

307-690-0204 c

Christie's International Real Estate GLOBAL AFFILIATE OF THE YEAR 2011 | 2014

GRAHAM
FAUPEL
MENDENHALL & ASSOCIATES

JACKSON HOLE
REAL ESTATE
ASSOCIATES

CHRISTIE'S
INTERNATIONAL REAL ESTATE

**FROM THE DESK OF
JAMES A. CROWLEY, ESQ.**

JACKSON HOLE, WY
JAMES A. CROWLEY, PRINCIPAL, WY. STATE BAR # 6-2762

August 15, 2016

Mayor and Town Council
Town of Jackson
Jackson, WY

Dear Mayor and Town Council:

I apologize for not being able to attend tonight's meeting regarding Accessory Residential Units. I have business meetings with out of town clients that will run into the evening that I could not move.

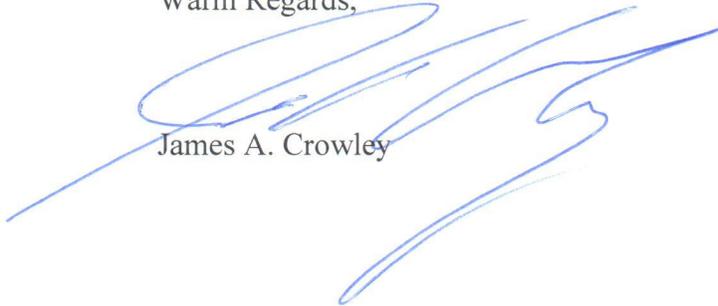
I regard the ARU tool as an important one for working to solve our workforce-housing crisis. I personally have built three of them over the years, so, I thought I would offer my personal perspective. These units have served as housing for a number of local people since built, and have operated as stepping-stones into permanent residence for almost all of those who have occupied them. Even with my limited supply of only three, those units have housed our current County Assessor, the current Director of our Teton County Fair, Journey School teachers, staff at the Parks and Recreation department, administrators at the Teton County Attorney's Office, third generation local business owners, and multiple children attending our schools. Additionally, I believe that while I was building my first unit, the current Town and County Planning Director, Tyler Sinclair, lived next door in an Accessory Residential Unit. My point here is that I feel strongly that these units have served as a great resource for providing housing to our local workforce, and commonly to the group of people that our Housing Authority targets as providing essential services. Because the tenants typically live on the same property as the owner of the primary residence, the selection process for stable long-term tenants seems to be somewhat self-regulating.

I realize that a concern has been voiced about ARUs being used in ways that disrupt neighborhood character, and I am sensitive to this issue. Although I have never experienced this issue with an ARU, I have had a negative experience with a "party house" being rented to a number of summer residents. It was a very disruptive

experience for the neighborhood; however, the Town was quite good about dealing with that problem once it had been reported. I would hope that the Town could give similar assurances to neighbors that such enforcement will be the case with all properties that inappropriately impact neighborhood values and character.

I would not have taken the time to write, if I did not believe that ARUs have the potential to provide a much-needed outlet for progress on the critical issue of workforce housing. I apologize again for not being available for any questions you may have had.

Warm Regards,



James A. Crowley

Jeanne Carruth

From: KAREN MERRELL Owner <kmerrell@centurylink.net>
Sent: Thursday, August 11, 2016 1:40 PM
To: Town Council; Sara Flitner
Subject: East Jackson Neighborhood Meeting
Attachments: East Jackson Homeowner.docx

Mayor Flitner and Town Council,

Thank you for attending our neighborhood meeting and listening to our concerns.

As an East Jackson home owner I am very concerned with the blanket amendment to increase density in single family neighborhoods. Increasing the density *will* and *does* change the character forever. My husband and I have been through this before.

I understand you feel we all need to do our part and that it will be self monitoring. To a certain extent it is. But once one person decides to sell, the new owner, usually an investor, buys the home and maximizes his income potential. Slowly the neighborhood begins to change and the families that make up the neighborhood community begin to move. Not financially able to relocate in Jackson, they leave the valley. Then their option is to commute. Thus leading to other issues. Over the last forty years I have seen this happen time and time again. ***Please see the attached letter.***

Please slow the process down. Don't put the burden on single family neighborhoods and force us out. We've worked too hard, for too long and want to enjoy our home and community neighborhoods.

Thank you,

Karen Merrell
45 Absaroka Dr.

Jeanne Carruth

From: mark deorsay <mdeorsay@hotmail.com>
Sent: Thursday, August 11, 2016 3:33 PM
To: Town Council
Subject: ARUs

To All Whom It Mat Concern,

As a town resident of nearly 20 years, I wanted to voice my opinion in favor of allowing ARUs. I cannot build an ARU on my property because I own a town home yet I feel strongly in favor of creating more rental opportunities for our workforce through density.

Thank you for your time and service to this community,

Mark DeOrsay
535 E Hall Ave.
Jackson, WY
83001

Jeanne Carruth

From: Robert ammann <robammann@hotmail.com>
Sent: Thursday, August 11, 2016 4:58 PM
To: Regan Kohlhardt
Cc: Jim Stanford
Subject: RE: ARUs

regan,

thank you very much for your reply.

i think that there are a few things you are missing.

1. how many of the people that thought snow king drive was a good place for arus live there? how many have even been there? did they look at a map and think "big lots, no problem" do they know how steep it is? do they know that most of the houses were built in the only spot possible to build? do they know that many of those houses needed variances even to be built at all. i believe that the maximum possible number of arus that could be built is 3-4, more likely, only one or two would be feasible. this does not count the illegal ones that are already there.

2. grandfathering. Do you really think that the proper response to someone willfully breaking the law for more than ten years and making hundreds of thousand of dollars is to say "thank you very much. keep right on doing it. and by the way here is a gift of half a million dollars to your property value. no questions asked. does that sound right?

3 not everyone would be able to build an aru. there is a big difference between putting another house on your property which increases your property value by half a million dollars and building a basement apartment that, statistically anyway, reduces the value of your property. also, i would guess that well over ninety percent of people that want to rent out their basements already do so. on snowking drive, many people would not even be able to do this, because there is no parking. three houses have short bridges for driveways. no possibility at all for parking for an aru. people already park on the street overnight in the winter on snowking drive. this is very dangerous because of how steep and curving it is. it is only a matter of time until it causes an accident. also it messes up the snowplowing, which really is critical for this street.

as far as the neighbor situation goes. i still believe that if the owner does not live on the property, it will eventually turn into a fratboy compound. how could it not if the landlord is xyz llc. from who knows where. they are always going to take more money over less money. which will always leave out the working families that need housing. these are the people that caused the problem in the first place. they don't care how nice you are, or how long you lived here. if they get more money from ten single guys, that is what they will do.

i am glad you had a nice experience in arus in a big city in a different country. but i do not think it translates to jackson unless the owners live on the property and know their tenants.

4. as an economist, i do not believe that the incentives are properly targeted. the people that have the most incentive are landlords.

why? because they have enough money to do this, and hey, who says no to a half a million or a million dollars.... think about it. i think that it is unlikely that people who need help with their mortgage to build these units. if somebody is having trouble with their mortgage, they probably will have trouble borrowing a few hundred thousand dollars to build another house. i understand the family that wants to build a house in their backyard for other family members. these people are not absentee landlords, but how many times do they come back later and want to subdivide the property and sell one of the houses. a few years ago, we even had some one

in jackson that said they wanted to build an aru, but the recession hit, so they figured since the family had been allowed to subdivide the lot with the aru, they should be able to subdivide without building the aru. i believe the town let them do this. also 800 square feet is to large. it is a three bedroom home. if there is a loft, because it is allowed to be twenty eight feet high. then it is a four bedroom home. don't laugh, i have friends in new york that live in 500 square ft three bedroom apartments and 640 square foot four bedroom apartments. it seems like it would be possible to build an 800 square foot aru on top of a four car garage that is twenty eight feet high, subdivide the property finish half of the garage, finish a loft and end up with a two thousand square foot house with a two car garage that you could sell for a million dollars. not exactly workforce housing. i really don't think you get workforce housing without

- a. owner has to live on the property.
- b. deed restricted to full time workers in teton county.
- c. no subdivision for any reason. ever.

5. this brings up the most important, and i believe, overlooked point. by doing this as a zoning change, we create a blanket upzone. the problem is "You Don't Even Have To Build The ARU To Get The HALF MILLION OR MILLION DOLLARS". how long do you think it will take to see ads saying" house for sale with approved plans for aru/guesthouse----1.5 million" or "house for sale with approved plans for guest . house and rental unit-----2 million"

so by doing this as an upzone, all you do is drastically increase property values this leads to.....increased housing costs. crazy huh. that is how unintended consequences work.

6. i do not believe that rezoning single family neighborhoods for higher density will help our housing situation. it will make it worse. we really the last of the middle class in jackson. we survived the gauntlet. we did not cause the housing shortage, why punish us and reward the ones that did. this will cause far more problems than it solves it will also make our quality of life worse. when people buy a single family house, with single family zoning which is not supposed to have more than three unrelated people living there, that is what they should get. the idea that you involuntarily upzone people is not right. you are basically saying this person gets a million dollars, that person gets a half a million dollars and that person gets reduced property values and a reduction in quality of life. this is wrong.

7. i believe the biggest problem for our housing situation is short term rentals. pesky greedy landlords again . to put these units back in the housing pool, we should raise the fine for a first offense to 10,000 dollars, increasing by 10,000 dollars for each additional offense. so fifth offense=50,000 dollars. we also need to hire a savvy person to enforce this. also if you really want to grandfather illegal rentals, fine them 100,000 dollars and use the money for affordable housing.

8. the thing no one wants to talk about. employee housing. employee housing. employee housing. employers need to house their own employees. why should the town and county have to subsidize housing for employees other than their own. if people who make less than 50,000 dollars can't find a place to live in jackson, then their employers have to step up.

thank you for your time i do appreciate that you are trying to help fix a situation that has been developing for a long time. if this was easy, it would have been fixed a long time ago-----rob
i apologize for my poor writing skills. i have not done this for 30 years

From: RKohlhardt@townofjackson.com
To: jstanford@ci.jackson.wy.us
CC: robammann@hotmail.com
Subject: RE: ARUs
Date: Tue, 9 Aug 2016 18:14:04 +0000

Hi Jim and Rob,

See below for my response in green. Rob, nice to meet you last night. Please feel free to be in touch if you have further questions:

1. 22 of 59 people that responded said the whole town was suitable for arus. not exactly a majority. 22 out of 59 people said they were in support of ARUs *everywhere*. There wasn't a single person who was flat out against ARUs anywhere in Town. We had 5 responses that were strongly against ARUs in the Gros Ventre Butte Area compared to 23 in favor, 4 were against having ARUs in the Gill Addition compared to 31 in favor, and 4 were against ARUs in the Snow King Dr/Upper Cache/E. Cache Creek area compared to 32 in favor.

2. existing illegal arus will be grandfathered. why???? reward people for breaking the law for all these years? As we discussed last night, by bringing these units out of the 'shadows,' we can ensure they meet building code regulations and are actually safe for people to live in. The point is that the entire community benefits if these previously illegal ARUs can now legally provide workforce housing. It's true that the Town has not effectively enforced its regulations in the past. This is something we are working on.

3. not everyone would be able to build this do to lot layout, already built houses etc. but their neighbor can. so they get all the benefits of a significant upzone, but others bear the costs in decrease of quality of life. Everybody is given the opportunity to have an ARU. If the lot is already built out, then property owners can convert existing parts of their homes into an ARU. A basement, for example, could be converted into an ARU. It's just that it may be more difficult for some people to fit an ARU onto their property depending on how much they have already built.

I understand your concern about bearing the decrease in quality of life, especially given your description of your current neighbors. However, not every ARU tenant will be a disrespectful neighbor. If I may, I would offer myself as an example. I lived in 4 ARUs in Vancouver, BC before returning home to Jackson.

4. i believe that this is completely landlord driven, not homeowner driven. most of these will be built by people who will be greatly enriched by this, but will not suffer any of the consequences. Yes, admittedly there will be landowners who use this amendment for financial benefit. However, I honestly did not speak with any of these landlords at the workshops. The people I spoke with were mothers who wanted to build an ARU for their children in the backyard, young families who wanted to supplement their mortgage, and Jackson residents who cannot currently find affordable housing.

Thanks for the comments Rob. Again, feel free to be in touch. My number is 732-8411 if you want to get in touch directly.

Regan

From: Jim Stanford
Sent: Monday, August 08, 2016 1:46 PM
To: Regan Kohlhardt <RKohlhardt@townofjackson.com>
Cc: robammann@hotmail.com
Subject: Fwd: ARUs

Hi, Regan.

This gentleman lives on Snow King Drive.

Can you please advise both of us what would be allowed under the proposed ARU amendment in that neighborhood?

Any other thoughts on the concerns he raises would be appreciated.

Rob, Regan is the planner who has been working for the town on this issue.

Thanks,

Jim

Sent from my iPad

Begin forwarded message:

From: Jim Stanford <jamesestanford@gmail.com>
Date: August 8, 2016 at 12:50:05 MDT
To: "jstanford@townofjackson.com" <jstanford@townofjackson.com>
Subject: Fwd: ARUs

----- Forwarded message -----

From: Robert ammann <robammann@hotmail.com>
Date: Mon, Aug 8, 2016 at 12:35 PM
Subject: RE: ARUs
To: Jim Stanford <jamesestanford@gmail.com>

hey jim, a couple of obvious concerns. they are 1. 22 of 59 people that responded said the whole town was suitable for arus. not exactly a majority. 2. existing illegal arus will be grandfathered. why?????. reward people for breaking the law for all these years? 3. not everyone would be able to build this do to lot layout, already built houses etc. but their neighbor can. so they get all the benefits of a significant upzone, but others bear the costs in decrease of quality of life. 4. i believe that this is completely landlord driven, not homeowner driven. most of these will be built by people who will be greatly enriched by this, but will not suffer any of the consequences. sorry for the rant, but i think this has been glossed over and we are making a big mistake-----rob

From: jamesestanford@gmail.com
Date: Mon, 8 Aug 2016 09:21:58 -0600
Subject: ARUs
To: robammann@hotmail.com

From today's paper, in case you missed it:

ARU walk, talk set tonight By John Spina

Jackson Hole Daily

Town officials will host a neighborhood meeting tonight to discuss accessory residential units and publicize the issue.

Citizens can meet with town officials at 5:30 p.m. on the corner of Wapiti Drive and East Broadway. The meeting will then move through town and officials will answer questions about a proposal to allow ARUs in neighborhood conservation zones one and two, as well as the rural and suburban zones.

In order to be enacted the ARU amendment must pass three consecutive readings without any alterations. The ordinance passed its first reading last Monday despite worries among some residents that they hadn't been informed of the amendment and how it would affect neighborhoods.

Today's neighborhood meeting was scheduled in response to those comments even though the town has already hosted four workshops on ARUs and the subject has come up in public meetings.

During those workshops support for ARUs appeared strong. But east Jackson resident Lorie Cahn believes a more comprehensive survey would show more opposition.

"Despite what you're being told I don't believe there's widespread support in single-family neighborhoods," Cahn said. "Frankly, most single-family owners weren't paying attention because we didn't think it applied to us."

After finding out about the proposal, Cahn surveyed her neighbors around East Broadway and Wapiti Drive and found that 77 percent of them were unaware that the plan to allow new ARUs to alleviate the employee housing shortage applied to their neighborhood. Last Monday she handed the council a petition signed by 25 homeowners who generally opposed ARUs in the area.

The second ordinance reading for the ARU amendment will take place at the Sept. 6 Town Council meeting. Final reading is set for Sept. 19.

Might be a good idea to take part in the walk and bring the discussion to your neighborhood. Second reading of the ordinance actually is Aug. 15.

JS

--

Jim Stanford

writer/photographer
Snake River boatman

Jackson Town Councilman

307-690-0626

--

Jim Stanford

writer/photographer
Snake River boatman

Jackson Town Councilman

307-690-0626



Virus-free. www.avast.com

Jeanne Carruth

From: Randy DePree <randydepree@gmail.com>
Sent: Thursday, August 11, 2016 6:01 PM
To: Town Council; Sara Flitner
Subject: ARUs In East Jackson

Mayor Flitner and the Town Council,

I moved to Jackson in June of 2014. I was lucky to be introduced to a couple who were just completing a home zoned ARU and I became a tenant of theirs for my first year in Jackson. The couple was very gracious and welcoming. They had me over for dinner parties and introduced me to so many people of all ages and interests around town. It was more than a landlord-tenant relationship, they were inviting me into the community

I bought a home in East Jackson in May of 2015 that is not zoned ARU, but had a grandfathered guest house. I was happy to be able to provide housing to a young couple in the guest house that summer. But, unfortunately, the guest house was in such bad shape, that I decided to forgo the extra income and tear it down for safety reasons. I am now just one person living on .24 acres, wanting to help alleviate the housing crisis in Jackson. I would love to provide separate living quarters for a family, but my hands are tied.

On Monday night, August 8th, I attended a gathering at Wapiti and Broadway. Some of the tone was "no change," and "renters are terrible." I did not speak up because I still feel very new to town. But, the more I thought about the conversations, the more I thought "no, they're wrong!" Who are these horrible neighbors they speak of? Where are they? I walk my dog all over East Jackson and I really like my neighbors. All in all, everyone I meet works hard, enjoys the outdoors and is very happy to be here.

The people, like myself, that I know, who want to build accessory units have no intention of packing them with hoards of people as suggested by those more vocal on Monday night. We're looking to provide housing for friends and families, people we'd enjoy sharing common areas of our properties. I for one, would like to pay it forward.

Please vote to re-zone East Jackson ARU.

Sincerely,

Randy DePree
560 E. Hansen Ave.
Jackson, WY 83001

Off the Record:

If people are throwing beer cans into your yard, what are you doing to encourage such friendly behavior?

Jeanne Carruth

From: ARMOND N ACRI <anacri_WY@msn.com>
Sent: Monday, August 15, 2016 4:27 AM
To: Town Council
Subject: ARI Ordinance

Please continue the readings of the ARU ordinance to a future meeting so you can answer the questions and concerns raised last Monday. Thank you.

Armond Acri

Jeanne Carruth

From: dave@verdepr.com on behalf of Dave Simpson <davesimpson67@gmail.com>
Sent: Monday, August 15, 2016 10:42 AM
To: Sara Flitner
Subject: Re: Meeting on accessory units?

Never mind! :)

Figured it all out.

On Mon, Aug 15, 2016 at 9:11 AM, Dave Simpson <davesimpson67@gmail.com> wrote:
Oh, and could you also e-mail me the e-mail address where I could write a note to the whole Town Council?

On Mon, Aug 15, 2016 at 9:10 AM, Dave Simpson <davesimpson67@gmail.com> wrote:
Hi Sara,

Dave Simpson here. Hope you're well.

I have a quick question. A friend told me yesterday there is a council meeting on the zoning change to allow accessory units in existing parts of town where they aren't currently allowed.

Can you tell me where and when this meeting is? He said it was today. (Sorry for not paying closer attention.)

Reason for my inquiry is, I would like to weigh in and extend my support for this change. I know there have been some people that have begun to oppose this change because they don't want to see more density in their neighborhoods. I would like to make sure elected official know that others who live in town (I live in east Jackson) support such a change.

My thinking is:

1) It makes total sense to allow more density in town, in a place where there is existing development. This is a relatively "easy" change to make that will have a positive impact on housing (relative to something like, say, annexation of the Gill/Lockhart property in South Park). My feeling is, if we can't have density in favor of housing in town, where can we have it? Obviously with 97.5 percent of our county in federal ownership, development options are limited.

2) This provides exactly the kind of housing the community needs - small, lower cost housing that would provide a place to live for people who work for a living (and a type that for the most part won't appeal to people who otherwise have the means to live here and not work, or live here part-time).

3) This change, as I understand it, doesn't preclude the need for homeowners to abide by current zoning standards for footprint, imperious surfaces, parking for the amount of housing on the lot, etc.

Obviously no one thing will solve our housing problem, but I believe this can be one proactive thing that can be done to help. Clearly there will need to be other initiatives, both private and public, to try to make a dent in the housing shortage.

Thanks in advance for letting me know where the meeting is, and for taking my above comments into account in the decision-making process.

Dave Simpson
[\(307\) 690-9906](tel:(307)690-9906)

Jeanne Carruth

From: dave@verdepr.com on behalf of Dave Simpson <davesimpson67@gmail.com>
Sent: Monday, August 15, 2016 11:23 AM
To: Town Council
Subject: Public comment on change to allow accessory units in some areas of town

Mayor and Town Councilors,

My name is Dave Simpson and I live in East Jackson, where I've lived for 26 years. I am writing with regard to the current proposal to allow accessory rental units in some parts of town, in zones where that is currently not allowed. It's my understanding the council will be discussing this tonight.

I would like to weigh in and extend my wholehearted support for this change, in favor of doing something to try to help with Jackson Hole's housing shortage. I know there have been some people in East Jackson who have begun to oppose this change because they don't want to see more density in their neighborhoods. I would like to make sure elected officials know that others who live in the same area support such a change. Town is where density belongs.

I would also ask that this letter be entered into the public record in support.

My reasoning is:

- 1) It makes complete sense to allow more density in town, in a place where there is existing development. This is a relatively "easy" change to make that will have a positive impact on housing (relative to something like, say, annexation/development of some of the lands adjacent to town in South Park, an issue of major contention years ago). My feeling is, if you can't have density in favor of housing in town, where can you have it? Obviously with 97.5 percent of our county in federal ownership, development options are limited. As well, this decision is aligned with the "town as heart" idea that has been part of the master development planning concept for many years.
- 2) This provides exactly the kind of housing the community needs - small, lower-cost housing that would provide a place to live for people who work for a living (and a type that for the most part won't appeal to people who otherwise have the means to live here part-time and/or live here and not work).
- 3) In terms of impacting existing neighborhoods, this change, as I understand it, doesn't preclude the requirement for homeowners to abide by current zoning standards for things like building footprint, pervious surfaces, parking appropriate for the amount of housing on the lot, etc. So it is not a major "upzoning" in favor of housing. It is simply allowing a second, rentable unit on a lot if the development potential already exists for that additional living space under the current zoning. The difference is simply that it's a distinct structure that could be rented on a long-term basis. The redevelopment potential is also clearly subject to existing situations on lots around town, where development may have already occurred without the benefit of foresight into later being able to build an accessory unit. So, it's not like every lot in town where this could happen will actually see it happen. Redevelopment takes time - all the more reason to get something like this moving sooner than later.
- 4) You're obviously not talking about, nor should you be, allowing short-term vacation rentals in these areas.

Obviously no one thing will solve Jackson Hole's housing problem, but I believe this is one proactive thing that the council can do to help. Clearly there will need to be many other initiatives, both private and public, to try to

make Jackson a place in the future that will be able to house any significant chunk of its workforce. But I applaud the council and planning staff for thinking about something that could be done proactively in the relative short term to try to make an impact on housing, and that's in line with placing density where density makes sense.

Thanks in advance for taking my above comments into account in your decision-making process.

Dave Simpson
(307) 690-9906

Jeanne Carruth

From: Destin Peters <destin@stinkyprints.com>
Sent: Thursday, August 11, 2016 10:35 AM
To: Bob Lenz; Hailey Morton Levinson; Jim Stanford; Don Frank; Sara Flitner
Subject: "ARU's Rile Residents"

Dear Councillors Frank, Lenz and Stanford,

Please be aware the article in this week's JHN&G covering Monday's neighborhood meeting is misleading - as I'm sure Mayor Flintner and Councilperson Levinson can attest.

There is no mention of comments or attendance of those supporting the proposed amendment allowing ARU's in NC, NC2 and SR. Approximately half of those in attendance supported the amendment and many provided clear, logical and passionate commentary to that effect. None of this made the paper.

Furthermore, it was interesting that the crowd supporting the amendment was more a bit younger and more diverse than the opponents. The supporters included mostly East Jackson homeowners and full time residents - many whom also run small businesses and have given many hours of volunteering to our community. This is the crowd I think of when I think "community" and "character". We are the future of this town.

Let's move this amendment forward now - it will be a great opportunity missed if we let it fall into the abyss of "analysis paralysis" that has stopped many other workable solutions.

Sincerely,

Destin Peters
Upper Cache Creek Dr.

Jeanne Carruth

From: Sharon Sanford <sesanford@bresnan.net>
Sent: Thursday, August 11, 2016 10:21 AM
To: Town Council
Subject: ARU's

We are writing to ask you to slow down the ARU process. We attended the neighborhood meeting on Monday night but we also attended the workshops offered by the planning department regarding ARU's so we feel that we were informed citizens. At one of the workshops we were told by a member of the planning staff that some neighborhoods would probably not be acceptable for ARU's and that the Gill addition would be one of them. Imagine our surprise when we read in the paper that because 22 people circled the whole town - their wishes would be the rule.

We understand your desire to try and fix the housing problem for people who need a place to live, but we also think you were elected to represent those of us who worked very hard to pay for our homes and protect our neighborhoods. If the ARU's are approved as they stand now we could have 8 new homes within 250 feet of us. I challenge you to tell me how that will not negatively impact the character of the street we have called home for nearly 40 years. There needs to be much more work done on this before it becomes the rule - otherwise developers will buy up properties, put as many units on them as they can, collect the rents and live someplace else. We do not see how this improves the quality of our community.

Thank you for your consideration.

Sharon and Rudy Sanford
140 Moose Street

Jeanne Carruth

From: Destin Peters <destin@stinkyprints.com>
Sent: Wednesday, August 10, 2016 9:39 AM
To: Bob Lenz; Hailey Morton Levinson; Jim Stanford; Don Frank; Sara Flitner
Cc: Tyler Sinclair
Subject: Housing....now!

Mayor and Town Council,

"I'm here, shut the gate!".

This is a great tongue in cheek quote from a conversation I had with Mrs. Budge (property owner to my West on Upper Cache) awhile back. We were in the midst of a conversation on Jackson's changes over the years, including housing and neighborhood density. She was mocking those who think we can just shut the door. We all know we can't.

It was frustrating to hear this attitude in our meeting Monday night. It was especially concerning to see those opposed to additional housing in their neighborhoods perk up when it was implied that Wilson was able to kick, scream and delay enough to exclude themselves from further density - shirking their duty to contribute to our community.

Do not delay the process. Delay will only send things the direction of previous housing solutions that have been bogged down. I'd like to think the individuals who are asking for more time are now diligently studying the LDR's and phoning our very responsive and capable planning staff to truly educate themselves on the issue. Unfortunately, I'll bet this is rare - I'm guessing they are gathering their pitchforks and torches and hoping they can emulate Wilson's "success".

More time is not needed. Realistically, a homeowner could study the regs in a few hours, make a few calls to planning and town government, gain actual understanding of the rules and then provide constructive input or criticism in a couple of days or less.

When I notice an issue has already been decided by our local government in a way that I don not agree with, I don't whine and claim their wasn't enough notice or imply that someone has "snuck one by". I realize it's not government's fault that "it's summer, I'm busy, etc" - instead, I blame myself for not paying attention and getting involved. We all need to own this responsibility - democracy isn't for the complacent.

The working families and small business owners of Jackson need you to move this forward now!

Thanks for your time and hard work on this,

Destin Peters
Upper Cache Creek

Destin Peters | Stinky Prints
www.stinkyprints.com
Jackson, Wy | 307.690.0498

Jeanne Carruth

From: Simon Jones <simon@jonessi.com>
Sent: Tuesday, August 09, 2016 5:00 PM
To: Town Council
Subject: ARU Amendment - fast approval is crucial

Please don't delay approving the new ARU amendment to the existing NC zones in town. As the current town council schedule is laid out, the third and final reading should occur at the September 6th meeting thus allowing the ordinance to go into effect the following day. Time is of the essence in order to get the needed permits to start building this fall. A fall start will allow for ample time to complete an ARU build prior to next summer when housing needs are the most desperate. Any delay in approving the amendment could derail that schedule, pushing construction start dates to April of next year at the earliest. An April start will not bring additional housing stock into the market before the next summer season is over.

Thank you,

Simon Jones

Jeanne Carruth

From: Tyler Sinclair - Teton County <tsinclair@tetonwyo.org>
Sent: Tuesday, August 09, 2016 2:21 PM
To: Town Council
Cc: Jeanne Carruth; Regan Kohlhardt
Subject: FW: Amendment to the Land Development Regulations to allow Accessory Residential Units

From: Jason Wells [<mailto:jasonvwells@hotmail.com>]
Sent: Tuesday, August 9, 2016 10:14 AM
To: Tyler Sinclair - Teton County <tsinclair@tetonwyo.org>
Subject: Amendment to the Land Development Regulations to allow Accessory Residential Units

Dear Tyler,

As a resident in East Jackson I am writing in support of the proposed amendment to the LDRs to allow ARUs. I believe that this is a positive change that will help mitigate the critical workforce housing shortage. I appreciate the various workshops, meetings, and notices that you have provided for the community to solicit input on this issue.

Best regards,

Jason Wells

8-1-16 Provided by Lorie Cahn during Ordinance W hearing.

We, the undersigned, are concerned that we did not receive notice from the Town of Jackson to the proposed amendments to the Comprehensive Plan to allow Accessory Residential Units (ARUs) in our neighborhood, which is Single Family-Neighborhood Conservation. The proposal to allow 1-2 ARUs of 800 sq ft with as little as 5-ft setbacks has the potential to significantly change the character of our neighborhood.

Name	Signature	Address	Against ARUs
<u>Mark O'Brien</u>	<u>Mark O'Brien</u>	<u>40 WAPITI DR</u>	✓
<u>Lorie Cahn</u>	<u>Lorie Cahn</u>	<u>15 Wapiti Dr</u>	✓
<u>MARY OBRINER</u>	<u>Mary O'Brien</u>	<u>40 WAPITI</u>	✓
<u>Rebecca Palazzolo</u>	<u>Rebecca Palazzolo</u>	<u>45 Wapiti Dr.</u>	✓
<u>Michael Palazzolo</u>	Michael Palazzolo	<u>"</u>	
<u>Ray E</u>	<u>Ray Eggers</u>	<u>25 Absaroka</u>	
<u>Maurcen O'Leary</u>	<u>Maurcen O'Leary</u>	<u>790 E Broadway</u>	✓
This is totally against town peripheral neighborhoods			
<u>Charles O'Leary</u>	<u>CHARLES O'LEARY</u>	<u>790 E Broadway</u>	✓
<u>HELEN C. O'Leary</u>	<u>Helen O'Leary</u>	<u>790 E Broadway</u>	✓
<u>Phillip Hargristen</u>	<u>Phillip Hargristen</u>	<u>770 E. Broadway</u>	✓
<u>Susan G. Clark</u>	<u>Susan G. Clark</u>	<u>15 Absaroka</u>	✓
<u>Beth A. Mouldeneth</u>	<u>Beth A. Mouldeneth</u>	<u>830 E. Broadway</u>	✓
<u>Silvia Davila</u>	<u>Silvia Davila</u>	<u>570 Rodeo Dr.</u>	✓
<u>Carmena Oaks</u>	<u>Carmena Oaks</u>	<u>4170 Balsam Ln.</u>	✓
<u>Shelley Rubrecht</u>	<u>Shelley Rubrecht</u>	<u>55 Wapiti</u>	✓
<u>Cristy Lian</u>	<u>Cristy Lian</u>	<u>970 Lake Dr</u>	✓
<u>Shirley Burzyaski</u>	<u>Shirley Burzyaski</u>	<u>700 E. Pearl</u>	✓
<u>Karen Merrell</u>	<u>Karen Merrell</u>	<u>45 Absaroka Dr</u>	✓

We, the undersigned, are concerned that we did not receive notice from the Town of Jackson to the proposed amendments to the Comprehensive Plan to allow Accessory Residential Units (ARUs) in our neighborhood, which is Single Family-Neighborhood Conservation. The proposal to allow 1-2 ARUs of 800 sq ft with as little as 5-ft setbacks has the potential to significantly change the character of our neighborhood.

Name	Signature	Address	✓ if against ARUs ✓
<u>Armand N. Acri</u>	<u>Armand N. Acri</u>	<u>2145 CORNICE LN.</u>	✓
<u>GREG MERRILL</u>	<u>G. Merrill</u>	<u>448 SNOW KING LOOP</u>	✓
<u>Gaye O'Connell</u>	<u>G. O'Connell</u>	<u>45 ABSAROKA</u>	✓
<u>Dean Erickson</u>	<u>Dean Erickson</u>	<u>20 Rancher</u>	✓
<u>Patricia Erickson</u>	<u>P. Erickson</u>	<u>20 Rancher</u>	✓
<u>Marisa Sullivan</u> ↔	<u>Marisa Sullivan</u>	<u>30 Rancher</u>	✓
<u>Anita Sullivan</u>	<u>Anita Sullivan</u>	<u>30 Rancher</u>	✓
<u>Craig Sparkie</u>	<u>C. Sparkie</u>	<u>30 Wapiti Drive</u>	✓
<u>Gretchen Sparkie</u>	<u>Gretchen Sparkie</u>	<u>30 Wapiti</u>	✓
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	

Jeanne Carruth

From: Tyler Sinclair
Sent: Thursday, July 14, 2016 2:37 PM
To: Town Council
Cc: Jeanne Carruth
Subject: FW: Accessory Residential Unit re: 140 N. Jean

From: Julie Erickson Simonds [<mailto:jesimonds@gmail.com>]
Sent: Thursday, July 14, 2016 2:36 PM
To: Tyler Sinclair <tsinclair@ci.jackson.wy.us>
Cc: Gregg Simonds <greggesimonds@gmail.com>
Subject: Accessory Residential Unit re: 140 N. Jean

Dear Tyler,

Thanks for taking the time to meet with my husband, Gregg and me on Monday. It was very instructional in beginning our quest to find out what the possibilities are (or might be) in order for us to use this property some day. We have owned it since 2008, when my mother passed away, and have had the same renters since 2009. They are a good multi-generational family, Gabby and Luis both work in town, have a daughter who has started elementary school and a little toddler boy. Gabby's mom Claudia lives with them and works in the community and helps care for her grandchildren. They treat the house like it's their own and pay for small repairs and maintenance since they know what a good deal they have. I was sick to hear that most people would be charging \$3000-\$5000/month for that house! How can working people afford that? How can I afford not to do that with the taxes going up because people are scraping and building high-end houses compounded with the trend that now it's 'cool' to live in town. It's a moral conundrum. I have not bought into the landlord 'business'. I've been in the business of preserving my childhood home until my husband and I reached the time in our lives when we could do something with it. A great solution for us would be if we could close off the addition that my parents added in about 1990 and turn the that into a studio apartment for us to use when we come to town and the front back into the 3-bdr house in which I grew up. We hope this provides another example of the positive benefits of allowing the Accessory Residential Unit. Another thought I've had is that we are providing affordable housing for three working adults. That is 3 fewer cars driving the canyon or pass, and two children who are better ready to learn because they don't have to commute with their parents. A woman I struck up a conversation with at the gas pump on our way back out of town said, "Thank you for renting to working people, it's hard here." I wonder if there is some kind of program for people like us to receive a subsidy for providing affordable housing. The structure is already in place and the tax-payers don't have to build/maintain more housing. The solution to the affordable housing crisis in Jackson and other Rocky Mtn ski towns will come from thinking outside the box.

Thanks again for your time. Maybe you could share this with the city when they meet on Monday.

Julie Erickson Simonds

Regan Kohlhardt

From: Tim Bohan <timvoan@gmail.com>
Sent: Monday, July 11, 2016 12:04 AM
To: Regan Kohlhardt
Subject: Re: Accessory Residential Unit Amendment - Your Comment

Hi Regan; I'm glad to see that the majority of the community is in support of the accessory unit idea. It is unfortunate that the butte is not included in the process. With 1.18 acres in town those of us that would choose to participate should be considered. Be it temporarily or the (Hill side Village) we all see the Town can't do it alone.

I am busy these days battling destruction rather than construction over this concept. I'm looking forward to a time one day soon when creative thinker's can mesh with bureaucratic philosophy and we create a balance that is within the vision of the LDRs

Respectfully,
Tim Bohan

Regan Kohlhardt

From: entertainment@juddgrossman.com on behalf of Judd Grossman
<jg@juddgrossman.com>
Sent: Wednesday, June 29, 2016 9:52 AM
To: Regan Kohlhardt
Cc: Tyler Sinclair
Subject: Accessory Residential Unit Amendment

Dear Planning Commission and Planning Department,

Please do not expand Accessory Residential Units (ARUs) into the Town Periphery neighborhoods. It is completely irresponsible to double or triple the density of these quiet neighborhoods on the edge of town. Density should be focused into the walkable urban core. The Comprehensive Plan has identified these Town Periphery neighborhoods as stable, low density, and low traffic. Preserving the character of these stable neighborhoods is the whole point of developing a comprehensive plan and identifying neighborhood character. The Town is steamrolling the Comprehensive Plan and these quiet periphery neighborhoods in the name of commercialism and political pandering. The fact that our economy is overheated and that commercial interests need a place to house their employees shouldn't lead to the haphazard destruction of these amazing neighborhoods that have been havens of peace and quiet for decades. The proper place to address workforce housing is in the walkable urban core - not in the low density periphery.

Self-righteous development advocates will call us NIMBYs for not willingly laying down and agreeing to become "low hanging" fruit crushed under the frantic rush to "do something" about affordable housing. But all of us who live in Jackson Hole are NIMBYs. Jackson Hole is our backyard and we have struggled for decades to preserve our open space, wildlife habitat, our town square and our stable residential neighborhoods. The balance between prosperity and preservation is an ongoing challenge. As a community we have decided that preservation of the character of our community is just as important as the money we can make by selling it off piece by piece.

Our amazing periphery neighborhoods are a sanctuary from the bustle of downtown, and a beautiful transitional zone to our to the Bridger-Teton National Forest and the National Elk Refuge. Now commercial interests want to literally put their employees in our backyards. This could be a financial windfall for property owners, but at the expense of the character of our low density Town Periphery neighborhoods. Density in the periphery brings traffic, and traffic is a character destroyer to low density neighborhoods. These neighborhoods are worth preserving even if it means a short term financial sacrifice for the property owners.

The Town needs to buck up and provide significant density bonuses for employment based deed restricted workforce housing in the walkable urban core where there is easy access to jobs, shopping, services and transit. Pushing density into the periphery is bad planning.

Judd and Mary Grossman

50 Rancher St.

Jackson

Jeanne Carruth

From: Matt Faupel <mattfaupel@jhrea.com>
Sent: Thursday, July 07, 2016 12:01 PM
To: Town Council
Subject: ARUs in town

As you are considering the proposal to allow ARUs in town, one of the pieces of feedback that is in the staff report is that some of the public thought this should be deed restricted. I wanted to shed a quick bit of light on that idea.

- 1) The ARU is already restricted, if it is rented, it has to be to an employee within Teton County
- 2) A further restriction on this does not make sense. I think the idea put forward in public comment was to make sure the ARU was not just a guest house. This idea, on the surface sounds decent but the reality is that it handcuffs the parcel long-term. If the owner simply wants guest quarters, to have a place to put their adult children while they are starting careers here, etc, but cannot do that with the ARU, they will simply build a larger house to accommodate that need which in the long run will sentence that property to not having a rental unit on it when it eventually sells. The ARU does not add any square footage entitlement and therefore, the proposed regulation, as it stands, is completely fine and best accomplishes the goal.

I think the effort to move forward with allowing ARUs in town is a fantastic thought that can bring workforce housing into the valley at zero cost to the taxpayer and one executable you can stand on while asking for the \$0.01 showing that you are not just trying to throw money at the problem and hope to solve it.

Thanks for your time.

Matt Faupel

Jackson Hole Real Estate Associates

Owner/Associate Broker

307-690-0204 c

Christie's International Real Estate GLOBAL AFFILIATE OF THE YEAR 2011 | 2014

GRAHAM
FAUPEL
MENDENHALL & ASSOCIATES

JACKSON HOLE
REAL ESTATE
ASSOCIATES

CHRISTIE'S
INTERNATIONAL REAL ESTATE

Jeanne Carruth

From: Tim Bohan <timvoan@gmail.com>
Sent: Tuesday, July 05, 2016 10:32 AM
To: Jeanne Carruth
Subject: Re: ARU Planning Commission hearing

My neighborhood was not included.

On Jul 1, 2016 2:52 PM, "Jeanne Carruth" <jcarruth@ci.jackson.wy.us> wrote:

You are receiving this email because you attended the Accessory Residential Unit public workshops held by the Town Planning Staff. The Accessory Residential Unit Amendment is being considered by the Planning Commission this Wednesday, July 6th at 6 pm. Any comments or feedback you have to share with the Planning Commissioners is welcome, and we encourage you to attend.

Thank you

Town of Jackson Planning & Building

Town of Jackson

P.O. Box 1687

Jackson, Wyoming 83001

(p) [\(307\)733-0440](tel:(307)733-0440)

(f) [\(307\) 734-3563](tel:(307)734-3563)

jcarruth@townofjackson.com

www.townofjackson.com

-





TOWN COUNCIL MEETING AGENDA DOCUMENTATION

PREPARATION DATE: July 14, 2016
MEETING DATE: July 18, 2015

SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Tyler Sinclair
PRESENTER: Regan Kohlhardt

SUBJECT: Item: P16-036 – Accessory Residential Unit Land Development Regulation Amendment

STATEMENT/PURPOSE

Consideration of a Land Development Regulation Text Amendment to allow Accessory Residential Units (ARUs) in the Neighborhood Conservation (NC), Neighborhood Conservation-2 (NC-2), Suburban (S), and Rural (R) zones.

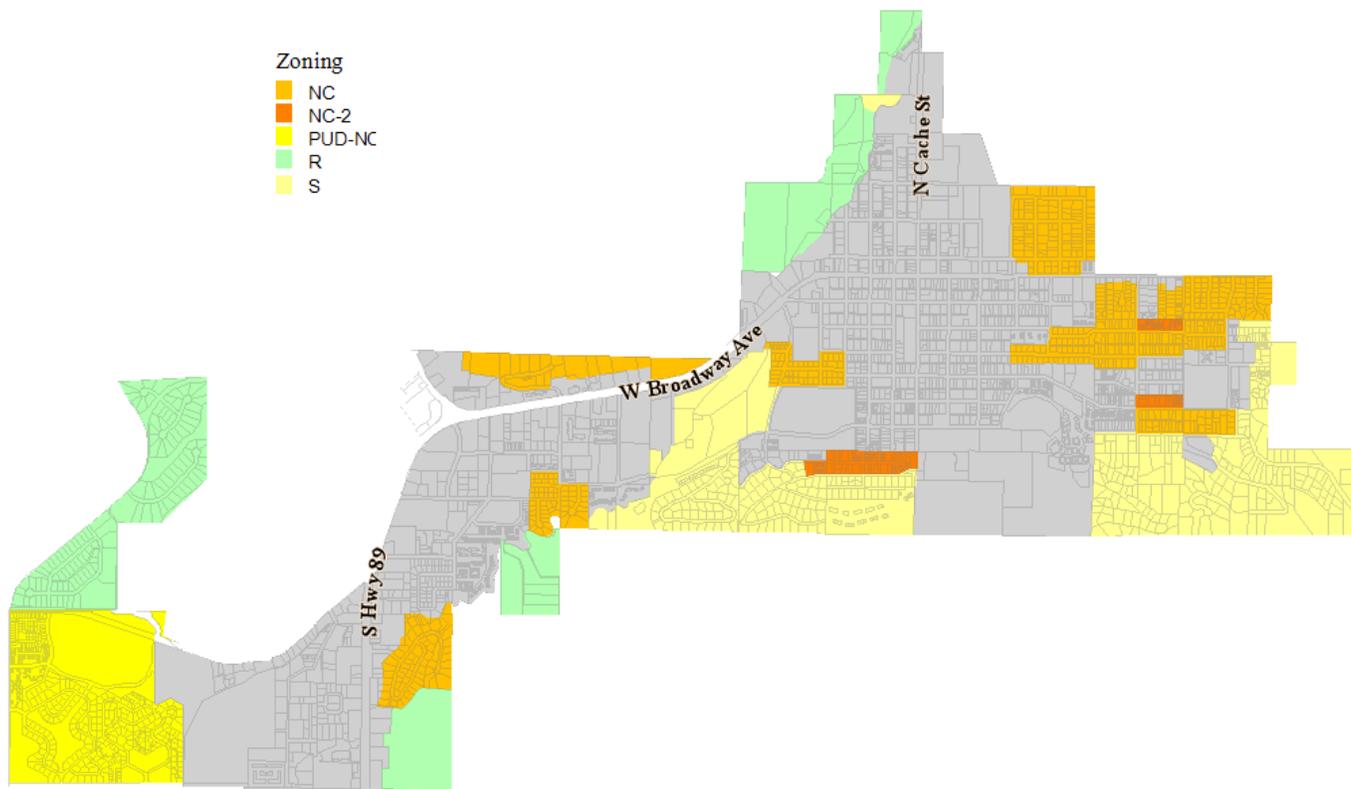
BACKGROUND/ALTERNATIVES

Applicable Regulations:

- Section 8.7.1 LDR Text Amendment
- Section 6.1.11.B Accessory Residential Units

Location:

The proposed amendment would apply in the NC, NC-2, S, and R-ToJ zones.



Why is this amendment being considered?

In March 2016, Town Council directed staff to explore allowing ARUs in Town zones where they are currently prohibited. The effort is considered a low-hanging fruit opportunity for providing additional workforce housing in the community. It is also the first step towards implementing the strategies outlined in the Housing Action Plan, which specifically identifies ARUs as being a low-cost and yet promising workforce housing supply.

To date, Staff has carried out one workshop with Town Council and four public, drop-in workshops. At the April 18th Council Workshop, Council directed Staff to explore allowing Accessory Residential Units in all remaining Town zones where they are not allowed. Only the Budge Drive Hillside area was excluded by Council from the scope of the amendment. Council further directed Staff that the amendment should be achieved in a timely manner and should capitalize on ‘low-hanging fruit’ opportunities for allowing ARUs in Town.

At the four public workshops, Staff asked the public specifically where they wanted to see ARUs allowed, how many ARUs per property should be allowed, and if there were any additional criteria or incentives for allowing ARUs that should be incorporated into the amendment. The workshops were held at the Jackson Senior Center, at Town Hall, at Jackson Elementary School, and at Teton County Library. In total, 59 people attended the workshops. Flyers and a “take-home” questionnaire were also available for those not able to attend the workshop at the Town Hall. Six people filled out the take-home questionnaire.

Workshop Results

Staff estimates that at least half of the workshop participants were working professionals with some insight into the community planning issues. These professionals included architects, land use planners,

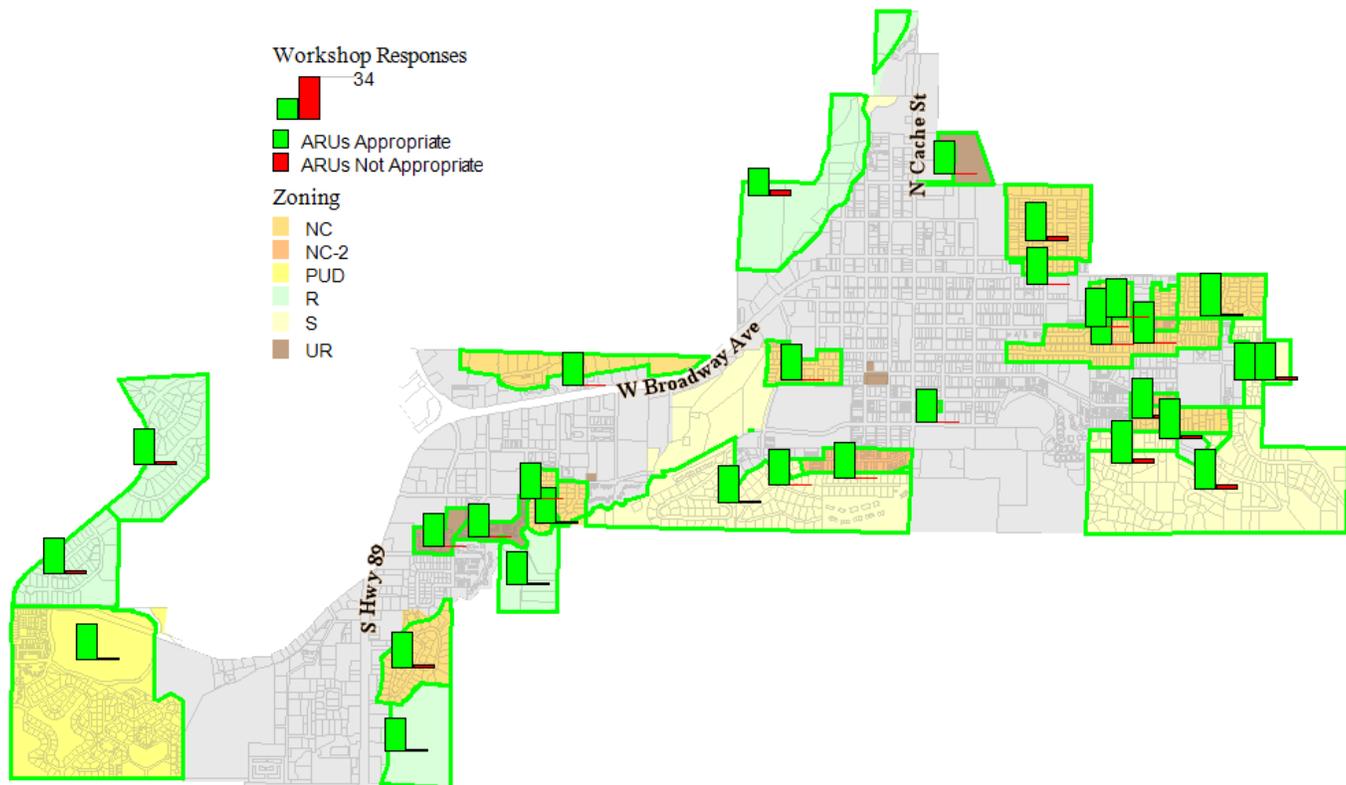
developers, land surveyors, consultants, and representatives from non-profits. This means that the workshop results are more representative of the perspectives and opinions of individuals with a professional interest in the topic of allowing ARUs in Town. At the same time, having the opportunity to hear from all of these professionals has provided expert advice on allowing ARUs in Town. Almost all of the workshop participants including the professionals present were residents of Town.

Where should ARUs be allowed?

A key component of the public workshop was to ask participants to identify on a map of Town where ARUs were appropriate and where they were not. Workshop participants were largely in favor of allowing ARUs in all areas under consideration. 22 participants explicitly stated they were in favor of allowing ARUs *everywhere*. Participants cited the following reasons for supporting ARUs in all Town zones:

- Workforce housing
- Additional income to assist with mortgage payments
- For family use to allow grown children to move home

The map below summarizes workshop participant sentiments about allowing ARUs in different areas of Town. Green shows support for ARUs, and Red shows opposition.



As the map illustrates, there was far more support for ARUs in the areas under consideration than opposition. The areas that had the most opposition to allowing ARUs were the East Gros Ventre Butte, Snow King Drive/ Upper Cache/ E. Cache Creek, Cache Creek Drive, and the Gill Addition. For each of these cases, there were only four to five individuals who expressed opposition to ARUs. In contrast, more than 30 participants identified these areas as appropriate for ARUs. It is worth noting again here that 22 of the participants made blanket statements about allowing ARUs everywhere, and thus their comments are not necessarily taking into account the specific characteristics of different areas under consideration. The data that informed the map is tabulated below.

Zoning	Subarea	Class	Common Name	Yes	No
NC	3.1	S	Kelly to Cache Creek E. of Redmond	32	3
NC	3.1	S	Hanson/Simpson/McCloud/McKean/Pioneer	32	1
NC	4.4	S	Stacy/Scott/Dogwood	29	2
NC	6.1	S	Gill Addition	31	4
NC	6.1	S	Hidden Ranch	29	3
NC	6.1	S	Wapiti/Absaroka/Rancher/Nelson	34	2
NC	2.6	T	SW Broadway/Redmond NC	31	0
NC	2.6	T	E. Broadway NC	30	0
NC	3.2	T	No Name/Stormy Circle	31	0
NC	3.2	T	Kelly/Flat Creek N. of Rodeo Grounds	29	0
NC	4.2	T	Budge Hillside	26	0
NC	4.3	T	Smith/Simon/Maple	29	0
NC-2	3.1	S	600 Block E. Kelly	32	3
NC-2	3.1	S	600 Block E. Simpson	33	1
NC-2	3.2	T	Aspen Dr.	29	0
PUD	5.5	S	Cottonwood	29	2
R	9.4	C	E. Gros Ventre Butte	23	5
R	15.1	P	Flat Creek Corridor Conservation Easement	27	2
R	15.1	P	Hillside S. of Hidden Ranch	26	2
R	5.5	S	Indian Springs	29	3
R	6.1	S	Indian Springs	29	3
S	3.1	S	Cache Creek Drive	34	4
S	3.4	S	Daisy Bush/Buffalo Head/Eastridge	30	2
S	6.1	S	Nelson FS Site	30	3
S	6.1	S	Pine/Spruce/Wister/Rodeo	30	2
S	6.2	S	Snow King Dr./Upper Cache/E. Cache Creek	32	4
S	3.2	T	Aspen/Pine/Flat Creek Corner	29	1
UR	4.4	S	Elk Run	27	0
UR	3.2	T	Old FS Site	26	0
UR	3.2	T	80 E. Karns	27	0
UR	4.3	T	Webster LaPlant/Mountain Resort	27	0

Staff has taken special note of where opposition to ARUs was highest relative to other areas of opposition. It remains likely that there are others who also oppose ARUs in these areas where opposition was strong who did not attend the workshop, and Staff is interpreting the results of the workshop to mean that these areas where four or more individuals expressed opposition to ARUs may be more sensitive to the impact of ARUs.

An interesting observation from the results of the workshop is that in areas where there was opposition to ARUs there was also some of the strongest support for ARUs. The exception to this observation is the E. Gros Ventre Butte area, which had relatively strong opposition as well as relatively weak support for ARUs. For the Cache Creek Drive, Snow King Drive/Upper Cache/E. Cache Creek, and Gill Addition areas, this means that allowing ARUs is a controversial topic. Many participants are highly in favor of allowing them while many others are opposed.

What kinds of incentives should be used to encourage landowners to build ARUs?

A second component of the workshop involved a discussion of the kinds of incentives that Staff could use to encourage property owners to build ARUs. The incentives for building an ARU discussed included the following:

- Parking space requirements
- Floor Area Bonus
- Flexible Setbacks
- Waiver or partial waiver of Planning & Building fees
- Waiver of sewer and water connection fees
- Pre-approved ARU Building Plans
- An ARU “How-to-Guide”
- Other incentives suggested by participants

The vast majority of participants were in favor of requiring one parking space per ARU versus waiving the requirement altogether or increasing it to 2 required spaces. The majority of participants were also in favor of using floor area bonuses, flexible setbacks, waiver of fees, and an ARU How-to-Guide for incentivizing ARUs construction. Having Pre-approved ARU Building Plans available for residents was slightly more controversial. While many participants like the idea of the cost and time savings a Pre-Approved Plan had, others were concerned about the “canned” or “cookie-cutter” appearance of ARUs that might be built as a result.

Other incentives that were suggested by participants are attached in the Workshop Results document.

Additional comments, hopes, and concerns

The third and final component to the workshop was to ask participants for additional comments and hopes and concerns regarding the amendment. A list of the written comments, hopes and concerns that participants offered is also attached as part of the Workshop Results document.

Some of the most common comments, hopes and concerns centered on the topics of parking, short-term rental and deed-restricting ARUs to prevent short-term rental, and design requirements. Regarding parking, the comments again reflected a desire to require only a single space for parking as well as to allow on-street parking in the winter. Many participants were concerned about short-term rental and recommended increased enforcement to prevent short-term rental. A total of 17 comments were written suggesting that ARUs be deed restricted. Lastly, ten comments conditioned support for allowing ARUs, suggesting they only be allowed if designed properly to suit the character of the neighborhood.

Project Description:

Based on the results of the public drop-in workshops and other research, Staff has drafted an amendment that will allow ARUs in the NC-ToJ, the NC-2, Suburban, and Rural zones. The amendment does not propose to allow ARUs in the Urban Residential (UR) zone. Specific ARU allowances per zone are described in the tables below.

Urban Residential

Not allowed.

The UR district would be appropriate for ARUs in terms of the character of the neighborhoods in this zone, but this zone also represents significant potential for greater density than an ARU allowance would provide. Encouraging ARUs now might preclude greater future opportunity for density. Thus, Staff

recommends reserving this zone for allowance of greater density, which will be determined more comprehensively by the upcoming Town Zoning amendment.

Neighborhood Conservation

Neighborhood Conservation-Town (NC-ToJ)			
<i>Allow ARUs?</i>	Yes.		
<i>How many?</i>	2 ARU per lot on alley or with double street frontage		
	1 ARU per lot <i>not</i> on alley		
<i>How big?</i>	800 habitable sq ft maximum		
<i>Flexible setbacks?</i>	Yes, for detached ARU only.		
	<i>Street Setback</i>	<i>Side Setback</i>	<i>Rear Setback</i>
	30'	5'	5'
<i>Bonus FAR?</i>	No.		
<i>Parking</i>	1 / ARU		
<i>Additional Zone Specific Standards</i>			
a. Detached accessory residential units shall only be permitted on lots with alley access or with double street frontage.			
b. Accessory residential units prohibited in the Budge Hillside area.			

Staff recommends allowing 1 ARU per lot in the NC-ToJ zone, and 2 ARUs where the property is located along an alley or where there exists double street frontage.

Why?

There are clear positives for allowing ARUs in the NC-ToJ.

- The NC-ToJ zone is, for the most part, centrally located near shops, services, and transit. Adding density here means tenants of the ARUs will have easy access to these amenities and alternative modes of transportation.
- Many of the Character District Subareas in NC-ToJ call for medium to high density and are therefore appropriate for ARUs.
- NC-ToJ properties located along an alley or with double street frontage are ideal locations for ARUs.
- The majority of workshop participants were in favor of allowing ARUs in this zone.

At the same time, there are drawbacks to allowing ARUs in this zone:

- Subarea 6.1 (includes the Gill Addition, Hidden Ranch, and Wapiti/Absaroka/Rancher/Nelson neighborhoods) calls for low to medium density single family homes whereas the other six subareas in the zone describe characters of medium density.
- Four public workshop responses indicated opposition to ARUs in the Gill Addition. Three were opposed to ARUs in the Hidden Ranch Neighborhood.

Taking these drawbacks into consideration, Staff recommends allowing only a single ARU per lot unless located on an alley or having double street frontage. Staff also recommends only allowing detached ARUs on lots located on an alley or with double street frontage. Finally, no additional floor area, lot coverage or flexibility with landscape surface area is proposed by the amendment. ARUs that are constructed must fit within the original LDR dimensional limitations outlined for the NC-ToJ zone. The goal of these

restrictions is to reduce visual and character impact on neighborhoods in NC-ToJ that are less appropriate for ARUs.

Neighborhood Conservation-2

Neighborhood Conservation-2-Family (NC-2)			
<i>Allow ARUs?</i>	Yes.		
<i>How many?</i>	2 ARUs per lot		
<i>How big?</i>	800 habitable sq ft maximum		
<i>Flexible setbacks?</i>	Yes, for detached ARU only.		
	<i>Street Setback</i>	<i>Side Setback</i>	<i>Rear Setback</i>
	30'	5'	5'
<i>Bonus FAR?</i>	No.		
<i>Parking</i>	1 / ARU		
<i>Additional Zone Specific Standards</i>			
a. Where there are two primary structures per lot, there may only be a single ARU per primary structure.			

Staff

recommends allowing two ARUs per lot in all of the NC-2 zone. The base allowance for principal single family dwelling units in NC-2 is two units. Where there are two principal dwelling units per site, there may only be a single ARU per principal dwelling unit.

Why?

Of all the zones under evaluation for ARUs, the NC-2 zone is the most appropriate.

- Existing character of NC-2 zone already features high density including townhomes and duplexes.
- 17 of the NC-2 lots are located on an alley or have double street frontage, thus representing ideal candidates for ARUs.
- NC-2 lots are centrally located, close to amenities and alternate transportation modes.
- Comprehensive Plan identifies Subarea 3.1 for ARU type density on lots with alleys.
- There was little opposition to allowing ARUs in NC-2 at the public workshop. 3 responses were opposed to having ARUs on the 600 Block of East Kelly, 1 was opposed to ARUs at 600 Block of East Simpson, and 0 were opposed to ARUs at the Aspen Drive area.

Similar to NC-ToJ, no additional floor area, lot coverage, or flexibility with landscape surface area is proposed by the amendment for ARUs in NC-2 in order to maintain the existing physical development character of the zone.

Suburban

Suburban-Town (S-ToJ)			
<i>Allow ARUs?</i>	Yes.		
<i>How many?</i>	1 ARU per lot		
<i>How big?</i>	800 habitable sq ft maximum		
<i>Flexible setbacks?</i>	Yes, for detached ARU only.		
	<i>Street Setback</i>	<i>Side Setback</i>	<i>Rear Setback</i>
	30'	5'	5'
<i>Bonus FAR?</i>	No.		
<i>Parking</i>	1 / ARU		
<i>Additional Zone Specific Standards</i>			
None.			

Staff recommends allowing one ARU – detached or attached - per lot in the Suburban zone.

Why?

There are two main reasons for allowing ARUs in the S-ToJ zone:

- Large lots have the space for added parking as well as the space to provide more of a buffer between the ARU and the neighboring property.
- Majority of workshop participants in favor of allowing ARUs here. In fact, the Cache Creek Drive area was identified in 35 responses as being appropriate for ARUs, representing the highest support out of all of the neighborhoods under evaluation.

There are also reasons not to allow ARUs in the S-ToJ zone:

- Relatively strong opposition to ARUs in the Cache Creek Drive and the Snow King Dr./Upper Cache/E. Cache Creek areas (4 individuals voted against ARUs in these areas, respectively).
- The Comprehensive Plan says that lots in Subarea 6.2 (Snowking Drive/ Upper Cache/E. Cache Creek) should only be allowed a single family home.
- S-ToJ consists of mostly Stable neighborhoods that currently have a low-density to medium-density character.
- S-ToJ neighborhoods are among the least accessible of the zones under evaluation, often with only a single road accessing the various properties. This could lead to ARUs having a more noticeable impact on traffic in neighborhoods where people are likely to be sensitive to change.

The amendment proposes allowing a single ARU per lot in the S-ToJ zone in order to bridge the polarized opinions about having ARUs in this zone. Further, it does not propose changes to floor area, lot coverage, or landscape surface ratio. Two ARUs would be inappropriate given the low density character of neighborhoods in Subarea 6.1, Low to Medium Density Neighborhoods and Subarea 6.2, Upper Cache. However, a single attached or detached ARU that is built within the existing physical development standards for the zone would grant those who want an ARU the ability to have one without overly impacting the character of the neighborhood. The large lots and the existing low density of the neighborhoods can also serve to absorb the impacts of ARUs better than other areas of Town can.

Rural

Rural-Town (R-ToJ)	
Allow ARUs?	Yes.
How many?	1 ARU per lot
How big?	800 habitable sq ft maximum
Flexible setbacks?	No.
Bonus FAR?	No.
Parking	1 / ARU
Additional Zone Specific Standards	
a. Accessory Residential Units shall be attached.	

Staff recommends allowing a single, attached ARU on Rural lots.

Why?

There are several justifications for allowing a single, attached ARU on R-ToJ lots:

- Large lots have the space for added parking as well as the space to provide more of a buffer between the ARU and the neighboring property.
- Neighboring lots in the County already allow one ARU.
- Workshop participants were least in favor of allowing ARUs in this zone compared to other zones, many citing wildlife permeability reasons. Requiring that ARUs be attached serves to cluster physical development and will therefore have less of an impact on wildlife in the area.
- Indian Springs/Tribal Trails is a Stable neighborhood with low to medium density and a variety of housing types. Of all of the Rural neighborhoods, ARUs are most appropriate in this area. However, the Indian Springs HOA will determine whether or not ARUs are ultimately allowed here.

No additional floor area, lot coverage, or flexibility with landscape surface ratio is granted, maintaining original physical development character of the zone.

All Zone Standards

Parking

In all zones, the amendment proposes to require 1 parking space per dwelling unit.

Why?

- Current regulations for accessory residential units in other Town zones require 1.25 parking spaces per ARU. In effect, this results in two parking spaces being provided for every ARU. Parking requirements have been waived in other communities (e.g., Portland, OR) because they can deter the construction of ARUs. Reducing the parking requirement to a single space thus gives property owners greater flexibility in terms of locating their ARU on their property.
- 32 workshop comments were in favor of requiring 1 parking space versus 9 who were in favor of requiring 2 parking spaces and 3 who were in favor of not requiring any parking spaces.
- Waiving the parking requirement completely is unreasonable given the prohibition of on-street parking in the winter. Waiving the parking requirement completely would also negatively impact neighbors as ARU tenants seek parking elsewhere.

Size of ARUs

The amendment proposes an 800 sq ft of habitable floor area maximum to ARUs in all four zones.

Why?

- This is consistent with what is already allowed in the Auto-Urban Residential (AR) zone. The 800 sq ft limit has been tested in the community and is serving the community well.
- The public workshop did not explicitly ask participants regarding a maximum size limit for ARUs, but 10 participants commented independently that 800 square feet of habitable floor area should be the maximum permitted.

Other Incentives

As discussed, many workshop participants were in favor of FAR bonuses, flexible setbacks, fee waivers, pre-approved building plans, an ARU how-to-guide, and amnesty for existing ARUs as incentives to encourage more ARUs to be built (or permitted) within the community. Upon consideration, Staff has elected not to include any of these incentives in the amendment with the exception of providing more flexible setbacks for detached accessory structures.

Why?

- The LDRs are not an appropriate place to incorporate an ARU how-to-guide, pre-made building plans, or policies around waiving fees. These efforts can be pursued outside of an amendment to the LDRs.
- Many of the neighborhoods under consideration for ARUs are part of Stable Subareas – defined as Subareas where no change to existing character is necessary. Staff has determined that floor area bonuses are inappropriate because they would contribute to a change in physical character in these areas.
- Flexible setbacks are allowed only for detached ARUs to help with privacy and adequate open space between a detached ARU and a principal dwelling unit.
- Considering this amendment in a timely manner has been identified as a priority. Incorporating design guidelines directly into the LDRs would delay the process significantly.

Deed Restrictions and Short-term Rental

Many workshop participants submitted comments regarding concerns about short-term rental of ARUs. The LDR definition of an ARU that this amendment relies on prohibits short-term rental in ARUs. It states that accessory residential units provide workforce housing and are restricted to persons that are:

- Employed within Teton County;
- Members of the same family occupying the principal dwelling unit; or
- Intermittent, nonpaying guests of the family occupying the principal dwelling unit.

In other words, the Town already prohibits short-term rental of ARUs. Staff does not recommend a requirement to deed-restrict ARUs permitted as part of this amendment out of concern that additional regulatory requirements will deter landowners from building ARUs.

STAFF ANALYSIS

KEY ISSUE 1: *Balancing the need for workforce housing with the complexity of allowing ARUs in existing neighborhoods.*

A first key issue of this amendment is balancing Council's direction to consider the amendment in a timely manner with incorporating standards that will help mitigate any negative impacts of the amendment. Council directed Staff to make this amendment surgical and concise in order to address workforce housing needs. Amending the LDRs to allow ARUs does have an impact on neighborhoods. It means increasing the use – the number of people and the number of cars – in these areas. While workshop participants were in favor of this increase in use, many also expressed a desire to have design guidelines or other such criteria governing how ARUs are constructed in a neighborhood. Design specifications and guidelines would help ensure that any ARUs built fit with neighborhood character.

Staff recognizes the importance of having these kinds of design specifications, but in light of the direction to pass this amendment in a timely manner by focusing on low-hanging fruit, Staff has not proposed to incorporate them into the amendment. As one workshop participant said, "Design standards can be mischief – very general if you do these at all. Good luck getting 'common agreement' on standards for design."

To keep the amendment concise, it has been drafted to mitigate impact to neighborhoods by specifying the type of ARU allowed and the number of ARUs allowed depending on Subarea character. Moreover, it mitigates impacts to physical character by not granting any changes to the total floor area allowed on a property to accommodate ARUs.

Staff intends to draft an ARU how-to-guide at a later date to incentivize and encourage property owners to construct quality ARUs that respect the character of the neighborhood and address neighbor concerns over ARUs. Similarly, other incentives such as fee waivers or reductions used to encourage ideal designs can be considered outside of the public process.

KEY ISSUE 2: *Definition of Stable Neighborhoods*

A second key issue with this amendment centers on the definition of a Stable Subarea. The Comprehensive Plan defines Stable Subareas as:

- Subareas in which no change to existing character is necessary;
- Development will be infill that maintains the existing identity or vitality;
- The subarea may benefit from strategic infill or development of non-existing Complete Neighborhood amenities.

The question is whether or not the addition of ARUs to a Stable neighborhood is within this definition of Stable Subareas. This is an important question to consider because the amendment proposes allowing ARUs in Stable Subareas. In the NC-ToJ Zone, three out of the six Subareas in the zone are Stable Subareas. In the NC-2 Zone, two out of three Subareas are Stable Subareas. In the Suburban Zone, all three Subareas are Stable. Finally, in the Rural Zone, all subareas are effectively Stable Subareas.

It is Staff's interpretation that the addition of ARUs does not change the character of any of these Stable Subareas. First, the amendment does not grant additional floor area for ARUs. ARU dimensions must fit within the LDR physical development specifications already identified for each zone (the one exception being for setbacks for detached ARUs). This means that ARUs will have little impact on the physical character of a neighborhood because the total physical development allowed on properties will not increase with ARUs.

Second, properties in single family neighborhoods in Jackson are becoming increasingly unaffordable for the local workforce. If second homeowners are instead purchasing these properties and occupying them for limited periods of time throughout the year, that would represent a change to existing character. None of these neighborhoods have a character description in the Comprehensive Plan that promotes vacant homes and dark windows.

Permitting ARUs can help to supplement the mortgage payments of workforce and help retain the single family vitality that comes with having people living year-round in their homes. Where second homes already exist, ARUs would allow a caretaker or renter to live on the property year-round.

Third, several of these Stable Subareas currently have a character that is compatible, and in some cases, that promotes allowing ARUs. The East Jackson Subarea (3.1) is described in the Comprehensive Plan as a subarea with a variety of housing, including single family, duplex and triplex with up to three units per lot when both a street and alley frontage is provided. Similarly, Stable Subareas 4.4 Midtown Residential and 5.5 West Jackson have character descriptions in the Comprehensive Plan that are compatible with ARU allowances.

Finally, across the nation, communities are interpreting ARUs as being part of the character of a single family neighborhood. Portland, OR, Seattle, WA, Denver, CO, and Durango, CO are all just a few examples of communities who see ARUs as part of single family neighborhoods.

KEY ISSUE 3: Zoning as an imperfect tool

A final key issue for this amendment is the use of ‘zones’ for allowing or not allowing ARUs. On one hand, zoning is the quickest tool for allowing ARUs. Where ARUs are not deemed appropriate, it is a simple matter of prohibiting them in that zone. For comparison, using a different tool like the overlay used for lodging provides for a more nuanced approach to deciding where ARUs are allowed. Parts of zones can be included in an overlay, and parts can be excluded. The downside to overlays are that they are more complex to define, require a longer public process, and are difficult to update during future planning processes.

For the purposes of considering this amendment in a timely manner, Staff has opted to use zoning to decide where to allow ARUs. However, zoning is also an imperfect tool. Our zoning code is outdated and does not reflect the community vision of the 2012 Comprehensive Plan. As a result, there are some zones – Suburban, for example – that have conflicting Character Subareas. The S-ToJ has Subareas that call for density (up to three dwelling units per lot) and that are a perfect fit for ARUs. At the same time, the S-ToJ has a Subarea with a completely distinct character that calls for no additional density and no more than a single family home on each lot.

The amendment does address these kinds of character difference. In S-ToJ, instead of allowing two ARUs per lot as some Subarea character descriptions in the zone call for, it restricts allowances to only one ARU. This report has already discussed the fact that no floor area bonuses or changes to landscape surface ratio have been allowed. This also serves to protect existing character.

Despite these kinds of restrictions designed to protect neighborhoods that are more sensitive to additional density, the imperfection of zoning as a tool for allowing ARUs needs to be recognized. If the Commission decides that ARUs are inappropriate in certain areas, Staff recommends either eliminating the entire zone where these areas are found from this amendment or determining a simple criteria that eliminate sensitive neighborhoods from the amendment. For zones that are eliminated entirely from consideration, there will be other opportunities to allow ARUs soon, when the District 3 through 6 rezones provide the opportunity to draw new zone boundaries based on Character Subareas. Staff recommends against using a piecemeal approach that excludes selected neighborhoods from the

amendment without specific criteria. It is expected to delay the process and to complicate the regulations in the future.

PLANNING COMMISSION DISCUSSION

The Planning Commission discussion focused on the following issues:

Stable Neighborhoods

The Planning Commission discussed the key issue of whether or not ARUs are appropriate in Stable Neighborhoods. Commissioner Stennis commented that his interpretation of the Comprehensive Plan's Stable Subareas was that neighborhood character could change but that physical development should not change. Thus, allowing ARUs while retaining original LDR specifications for FAR, LSR, and lot coverage fits within the definition of Stable Subareas. Commissioner Stennis also stated that the Amendment should treat all neighborhoods fairly by allowing ARUs in all zones. Commissioner Stennis agreed with Mr. Jorgensen that the Gill addition is more appropriate for ARUs than other areas – even despite the relatively strong opposition to allowing ARUs here - because most single family homes in this area are situated on multiple lots.

All three Commissioners ultimately agreed that allowing ARUs in Stable Subareas did not constitute a change to neighborhood character, and thus concurred with Staff's proposal to allow ARUs in these areas.

Limiting Allowance of Detached ARUs

The Planning Commission came to the consensus that detached ARUs should be permitted in all zones and made this their only condition of approval of the Amendment. One of Staff's justifications for not allowing detached ARUs in the NC-ToJ and R-ToJ zones was to protect neighborhood character by 'hiding' the ARU in the principal dwelling unit. The Planning Commissioners did not see allowing detached ARUs as being contrary to neighborhood character. Commissioner Janak and Vandenberg both said that detached ARUs help with decreasing the massing, bulk, and scale of buildings and would have as little or less of an impact on neighborhood character than attached ARUs. Commissioner Stennis thought that if detached structures are already allowed in the NC-ToJ, then a detached ARU should also be allowed.

Another of Staff's justification for not allowing detached ARUs specifically in the NC-ToJ zone was the lack of ability to run a second driveway into the backyard on standard 50 by 150 sq ft lots. Commissioner Janak pointed out that curb cut on most Town properties is a maximum of 40% of lineal frontage. This standard limits how many cars can be parked at the front of a property. Curb cut could indeed make it more difficult to run a driveway to an ARU located at the rear of the property, especially if the front of the property was already built out. Commissioner Janak suggested that a pathway to the back for accessing a detached ARU would be acceptable.

In sum, if property owners could fit a detached ARU on their property, while still meeting FAR, LSR, lot coverage, and parking requirements, then the Planning Commission recommended they be allowed.

Amnesty

The amendment does not incorporate amnesty for existing ARUs, though this was a topic explored during the workshops. The Planning Commissioners spoke favorably of an amnesty program as long as preexisting ARUs are brought into compliance with life safety standards.

It is Staff's opinion that a separate amnesty program for ARUs is not necessary. If the Amendment is approved, pre-existing unpermitted ARUs in the NC-2, NC-ToJ, R-ToJ, and S-ToJ zones will

automatically change from being illegal uses to conforming uses. Thus, as far as the Land Development Regulations and planning processes are concerned, preexisting ARUs will have been granted amnesty simply by being in the zones approved for ARUs in this amendment.

This being said, ARUs that are considered conforming to the LDRs are not necessarily considered legal by Building and Fire Codes. To establish the full legality of previously unpermitted ARUs, property owners will need to apply for a Change of Use Building Permit, which will be processed by the Building Department to ensure life safety standards are being met in these units.

Incentives

The Amendment also did not propose incorporating any kind of incentives into the regulations for encouraging the construction of ARUs. The Planning Commission agreed that the LDRs were not the appropriate place for these incentives and were also not in favor of incentives that waived Planning and Building Fees or Sewer Connection fees. They were in favor of an ARU How-to-Guide.

Permitting Process

Commissioner Stennis expressed frustration with the application process for constructing an ARU where both a Building Permit and a Basic Use Permit are required. Commissioner Janak agreed that requiring two permits was excessive. Commissioner Janak stated that simplifying the building permit and basic use permit process would be helpful.

Size

The Commissioners also discussed the appropriate size for ARUs. They were in favor of retaining Staff's recommendation of 800 sq ft habitable. Commissioner Vandenberg suggested increasing the size limit to 1000 gross sq ft to match residential ARU regulations in the County, but the Commissioners ultimately agreed to stay with 800 sq ft of habitable space.

Parking

The Planning Commission recommended keeping Staff's proposal of one parking space required per ARU. Commissioner Stennis stated that he agreed with some of the public comment that two spaces should be required given current trends of vehicle ownership in the community. Commissioner Vandenberg expressed a preference to retain the single parking space requirement, arguing that as the community continues to move towards the vision outlined in the Comprehensive Plan and Integrated Transportation Plan, Jackson residents will increasingly become less car dependent. Further, requiring two spaces would make it more difficult for property owners to construct ARUs. He was in favor of retaining the one space requirement, especially because many of these ARUs will be constructed in areas within walking distance of the downtown core.

STAFF FINDINGS:

Pursuant to *Section 8.7.1, LDR Text Amendment* of the LDRs, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

C.1: Is consistent with the purposes and organization of the LDRs;

Complies. The purposes of the LDRs are enumerated in Division 1.3, and are generally to implement the Comprehensive Plan and to promote the health, safety, and general welfare of the present and future inhabitants of the community. This amendment achieves these purposes by working towards provision of

workforce housing. It is consistent with the organization of the LDRs by using zones to allow or prohibit ARUs.

C.2: Improves the consistency of the LDRs with other provisions of the LDRs;

Complies. ARUs are permitted in 12 out of 18 zones in the Town of Jackson. This amendment proposes to allow ARUs in an additional four zones, thus improving consistency between zones by allowing ARUs in 16 out of 18 zones. The standards for ARUs in each of zones are consistent with one another in terms of the maximum size of ARUs and setbacks for detached ARUs.

C.3: Provides flexibility for landowners within standards that clearly define desired character;

Complies. The amendment provides landowners the opportunity to use existing floor area permitted on the property to build an ARU rather than just a single family home. The amendment also allows flexibility for ARU setbacks but maintains limits on floor area, density (a maximum of one or two ARUs is permitted), and parking to protect neighborhood character.

C.4: Is necessary to address changing conditions, public necessity, and/or state or federal legislation;

Complies. According to the 2016 Indicator Report, the Jackson/Teton Community is not meeting its goal of housing 65% of the workforce locally, and the trend would indicate that the community will struggle even more to housing its workforce in the future. The purpose of this amendment is to begin to address this trend by allowing a housing type that is not currently allowed.

C.5: Improves implementation of the Comprehensive Plan;

Complies. The amendment directly reflects the Comprehensive Plan's Strategy 5.2.S.2: Evaluate and update guesthouse and accessory residential unit regulations and Policy 5.2.e. which states that accessory residential units should be encouraged where appropriate in the community.

At a more general level, this amendment works towards achieving the Comprehensive Plan's overarching goal of housing 65% of the workforce locally by strategically locating a variety of housing types (Principle 5.2) by reducing the shortage of housing that is affordable to the workforce (Principle 5.3), and by taking advantage of one important tool for helping the community meet its housing goal (Principle 5.4). It also is the first step towards implementing the policies and strategies outlined in the Housing Action Plan, which highlight accessory residential units as a low cost, high potential opportunity to provide workforce housing.

This amendment serves to provide standards that support desired Character District Subarea character. The amendment's compliance with applicable Subareas are described below:

District 2, Town Commercial Core
Subarea 2.6 Mixed Use Office Residential

This TRANSITIONAL Subarea is envisioned to be a pedestrian-oriented mixed use area comprised of mixed use office or multifamily residential structures. The subarea currently contains a variety of single family residential, multifamily residential, office and institutional uses such as St. John’s Hospital, the National Elk Refuge Headquarters and Town and County administrative facilities. The future development pattern should locate buildings toward the street predominantly two stories in height. Parking should be minimized and screened from the view of the public right of way. Office, residential and local convenience commercial should be located on the first level with residential above and behind. Some limited local convenience commercial is desirable to serve the surrounding residential areas with the goal of reducing trips outside the neighborhood. The existing institutional uses shall remain as anchors to the local economy that provide many jobs and services to the community. The bulk, scale and intensity of the St. John’s campus has always been and will continue to be of a higher intensity than the surrounding mixed use and residential neighborhoods. Particular care and attention will be necessary to ensure a successful integration between this mixed use subarea and the adjacent Core Residential (Subarea 3.2). Particular attention will need to be given to the location of buildings, parking, types of uses, and intensity of uses to ensure a successful transition.

Complies. This Subarea contains lots zoned NC-ToJ. Given the proximity to the downtown core and the future density of mixed uses, ARUs are appropriate in this Subarea.

District 3, Town Residential Core

This residential, STABLE Subarea will continue to provide a variety of housings types, including single family, duplex and tri-plex with up to three units per lot when both a street and alley frontage is provided and up to two units per lot when only street or alley access is provided. Multifamily development is not currently found in this area and is not desirable in the future. Being a Stable Subarea, the size and scale of future buildings will be compatible with the existing character of the area, which includes a wide variety of building sizes and scales. Structures will be of comparable bulk and scale regardless of the number of units provided therein. Up to two stories will be allowed and may be configured in a variety of layouts, with both attached and detached units. Structures should be pulled toward the street where possible and building footprints should be minimized in order to allow for adequate yards and landscaping. Some areas with an existing single family character will maintain this characteristic in the future with only one dwelling unit per lot.

Subarea 3.1 East Jackson

Complies. East Jackson includes the NC-ToJ and the NC-2 zones. The amendment proposes to allow ARUs in both the NC-ToJ and the NC-2. Similar to how the character description for this Subarea reads, the amendment allows up to two ARUs to be built on lots with street and alleyway frontage or double street frontage. By allowing ARUs in these zones, the amendment promotes both diversity of housing and the density of housing called for in the character description.

Subarea 3.2 Core Residential

This residential, TRANSITIONAL Subarea is currently made up of a variety of single family and multifamily residential types, with some existing larger residential developments and non-conforming commercial uses. Redevelopment, revitalization and reinvestment are highly desired in this subarea. Due to its central location in the core of Town near employment and Complete Neighborhood amenities, the future character of this subarea will include some increased density and larger buildings than in East Jackson (Subarea 3.1). In addition, to the development pattern described for East Jackson (Subarea 3.1), multifamily residential uses will be encouraged in order to replace existing commercial uses and to blend the borders of the Town Commercial Core (District 2) with the Town Residential Core (District 3). Multifamily structures will be predominantly found on larger residential lots and along mixed use corridors. The size and scale of multifamily structures will be predominantly two stories with three stories considered in specific cases with proper design. The density and intensity found in areas containing multifamily structures may be greater than what is generally allowable in other areas. For these larger structures, the dominant building mass should be located near the street and be broken into multiple smaller buildings when possible. Parking should be minimized and screened from view as much as possible. In areas where office uses currently exist, consideration should be given to allow a mix of office and residential uses. Future mixed use office development should be of the same bulk, scale and intensity of the residential uses.

Complies. Core Residential is a Transitional Subarea currently made up of a variety of single family and multifamily residential homes and some commercial. Future character for this area includes additional density. ARUs are therefore appropriate in this Subarea. The Core Residential includes parts of the NC-ToJ, NC-2, and S-ToJ zones. All three zones allow ARUs and are thus in line with the proposed increased density of this Subarea.

District 4, Midtown

Subarea 4.2 Northern Hillside

This TRANSITIONAL Subarea must strike a delicate balance between allowing some mixed use and residential development while maintaining wildlife permeability and the natural form of the undeveloped hillsides. A key to successful future development will be to sensitively place development in harmony with the existing terrain in order to minimize land disturbance. Development intensity in this subarea should be less than that found within the adjacent Midtown Highway Corridor (Subarea 4.1). Structures will be allowed up to two stories and may be configured in a variety of layouts with attached and detached units blending into the natural surroundings. Smaller building footprints will be encouraged in order to provide adequate open and/or landscaped areas. A variety of residential types, including live/work, multifamily, and duplexes, may be appropriate in this area depending on the specific characteristics of a site and its existing topography. Low density single family housing may continue to be appropriate at the edges of this area, particularly when adjacent to existing undisturbed hillsides. Future development should address wildlife permeability and assist in guiding wildlife movement to future roadway crossings.

Complies. The Subarea includes lots zoned NC-ToJ and which are located in the Budge Hillside area. ARUs will be prohibited in the Budge Hillside area due to hillside stability concerns, and thus, the amendment has no impact on this Subarea.

This TRANSITIONAL Subarea in the core of the district will be critical in achieving the overall goal of transforming the area into a walkable mixed use district. Opportunities should be taken to expand the currently limited street network in order to break up large existing blocks and increase connectivity for all transportation modes. Key to this transition will be the addition of increased residential intensity in a variety of types and forms to take advantage of the Complete Neighborhood amenities in the area. Mixed use structures will be encouraged with non-residential uses located predominantly on the street level and residential units on upper levels. Multifamily structures in a variety of forms will also be desirable. Mixed use and multifamily residential buildings should be a combination of two and three story structures oriented to the street, though a buffer should be placed between buildings and the street with green space and/or hardscaping. Parking areas should be predominantly located behind buildings or screened from view. Live-work housing opportunities will be encouraged, as well as any other opportunities to promote local entrepreneurship. Single family residential units are not envisioned for this area. Particular care and attention will need to be given to ensure a successful transition between this mixed use subarea to the adjacent Midtown Residential (Subarea 4.3). The location of buildings and parking, types of uses and overall intensity of use should be considered to ensure a successful blend of these two subareas.

Subarea 4.3 Central Midtown

Complies. Midtown contains parts of the NC-ToJ zone. Allowing ARUs in this zone is in line with the Subarea character because they will contribute to the diversity of housing types available and because they add residential density.

This residential, STABLE Subarea should continue as a single family and multifamily residential neighborhood with a mix of ownership and rental units in close proximity to Complete Neighborhood amenities. Pedestrian and bicycle connections should be enhanced, both in terms of internal destinations and those beyond, particularly to schools in other districts. Portions of this subarea also function as a wildlife movement corridor. In the future, wildlife permeability to and from Flat Creek will be maintained and enhanced. Development should also occur in a manner that is sensitive to hillsides, and smaller building footprints should be encouraged in order to provide open and/or landscaped areas. Future improvements to Flat Creek and the adjacent pathway and park system will be needed to support the health of this natural feature for wildlife and residents.

Subarea 4.4 Midtown Residential

Complies. This Subarea contains properties zoned NC-ToJ. As proposed in the amendment, attached ARUs will be allowed on these properties. Given the multifamily allowance as part of the character of this Subarea, allowing ARUs is appropriate.

District 5, West Jackson

Subarea 5.5 West Jackson Residential

This residential, STABLE Subarea provides much of the community's workforce housing in a wide variety of housing types, including single family, duplex, tri-plex and multifamily. In the future, effort should be made to ensure that this neighborhood retains its vitality, cohesiveness and accessibility for the local workforce. An important goal of the subarea will be to maintain a strong sense of ownership and community in the area.

Complies. West Jackson Residential contains part of the NC-ToJ and R-ToJ zones, both of which will be allowed ARUs by the amendment. Given the workforce housing character of this Subarea, ARUs are appropriate here. This being said, the areas of West Jackson Residential being considered for this amendment are located within the Cottonwood Planned Unit Development or the Indian Springs Planned Unit Development. Consequently, the decision to allow ARUs or not will fall to the neighborhood HOAs.

District 6, Town Periphery

Subarea 6.1 Low to Medium Density Neighborhoods

This residential, STABLE Subarea is defined by low to medium density platted single family homes with some pockets of multifamily development which should be maintained in the future. Consideration of clustered/multifamily development to preserve large portions of open space and/ or wildlife habitat/movement corridors will also remain an option. In the future, building size should maintain the existing bulk and scale to avoid the construction of much larger homes than currently exist today. Development should be sensitive to the steep slopes, avalanche terrain and other natural features found in the subarea. Portions of this subarea also function as a wildlife movement corridor between the National Forest, Karns Meadow and the Southern hillsides of East Gros Ventre Butte. Wildlife permeability should be maintained or improved.

Complies. This Subarea contains lots zoned NC-ToJ, R-ToJ, and S-ToJ. ARUs are compatible in this subarea in the sense that they will not contribute to additional physical development. They must be built within the original standards for each zone as set out in the LDRs. For each of these zones, only a single ARU is proposed to be allowed. ARUs in the NC-ToJ and the R-ToJ are only permitted attached ARUs. In this way, the amendment respects the existing low density of the area and reduces impacts on wildlife. Detached ARUs are allowed in the S-ToJ because of the larger lot sizes. In short, the amendment balances the low to medium density character of this Subarea both by retention of current LDR physical development standards and by restricting the type and number of ARUs that can be built.

Subarea 6.2 Upper Cache

This residential, STABLE Subarea is defined as low density single family with a prevalence of landscape over the built environment. Future subdivision will be in keeping with the traditional development pattern with no increase in density beyond what exists on the ground today. On each lot, only a single family home will be allowed. In the future, building size should maintain the existing predominance of landscape over the built environment to avoid the construction of much larger homes than currently exist today. Wildlife permeability should be maintained or improved. Development should also occur in a manner that is sensitive to the steep slopes, avalanche terrain and other natural features found in the subarea. Commercial and recreational equestrian uses will be allowed, while other commercial uses producing large amounts of traffic and high impacts should be reduced. The addition of other Complete Neighborhood amenities is not desirable. Local residential streets will continue to be low volume with limited alternative mode improvements. Consideration of alternative mode improvements will be made on collector streets such as Cache Creek Drive.

Complies. Upper Cache contains properties zoned S-ToJ. The amendment allows ARUs in this zone, both detached and attached. Given the requirement that ARUs must be built within the current dimensional standards for floor area set out in the LDRs for the S-ToJ zone, they will not increase the physical development in the area. This mitigates the density impact ARUs might otherwise have on these neighborhoods. Allowing ARUs in this Subarea further supports existing character by preserving existing workforce housing, which is an overarching policy objective for District 6: Town Periphery. Second homeownership is increasingly challenging existing single family character in this area with larger houses

that sit vacant most of the year. Allowing ARUs serves to help workforce families afford their mortgage with supplemental rent income from an ARU, and it helps to provide rental stock for workforce families.

District 9, County Valley

Subarea 9.4 Gros Ventre Buttes

This CONSERVATION Subarea is characterized by scenic skylines and existing residential and resort-type development, as well as slope habitat for wildlife. Natural skylines should remain the defining characteristic of the subarea, while respecting private property rights. Development and redevelopment should be located and designed to preserve natural skylines, if nondevelopment conservation and incentives to restore natural skylines are not successful. Wildlife habitat and habitat connections should also be protected and enhanced through the location and design of development. In addition, existing highway commercial should be redeveloped into a residential character more consistent with the rest of the subarea to the extent possible.

Complies. The Gros Ventre Buttes are effectively a Stable Subarea whose character of prioritizing natural resources and open spaces should not change going forward. This Subarea contains lots zoned R-ToJ. The amendment proposes allowing a single attached ARU, which is in compliance with the character district's policy objective 7.3.b. Preserve existing workforce housing. Not allowing a detached ARU helps to reduce impacts on wildlife. Furthermore, by permitting a single ARU, the amendment improves consistency of the R-ToJ with neighboring County properties in Subarea 9.4 where ARUs are permitted.

District 15, County Periphery

Subarea 15.1 Large Outlying Parcels

This PRESERVATION Subarea is characterized by open space and rural character. It is comprised of large lots and isolated smaller lot subdivisions surrounded by public land. Generally the subarea has limited, clustered built form and provides critical wildlife habitat and movement corridors. Conservation is a priority, with a focus on preserving wildlife habitat and connectivity, while respecting private property rights. Development potential should be directed away from these critical areas where possible. Development that does occur should be clustered and designed to protect, wildlife habitat and permeability, scenic vistas, and the viability of agriculture. The scale of development should be of a rural character consistent with the historic agricultural compounds of the community. Given the remote nature of this subarea, on-site renewable energy and coordinating provision of services with adjacent jurisdictions is encouraged. Environmentally-sensitive roadway system enhancements that minimize impacts to the environment while improving the safety of access should be pursued.

Complies. This Subarea contains parcels zoned R-ToJ. Much of this land is under conservation easement and will not be developed. As a result, allowing ARUs within the R-ToJ in this Subarea will have little impact on existing character.

C.6: Is consistent with other adopted Town ordinances.

Complies. This amendment does not impact other adopted ordinances.

PUBLIC COMMENT

Neighbor notifications were not sent for this application because it applies Town-wide. See above for summary of workshop. Workshop responses are attached. Comments submitted to Associate Long-Range Planner Regan Kohlhardt via email in response to the public workshop have been incorporated into the

workshop results and responses. Comments submitted via email directed to the Planning Commission or Council are attached separately.

Public comment presented at the Planning Commission is summarized below.

Scott Pierson

Mr. Pierson asked the Commissioners to carefully consider size of units, pointing out that an 800 sq ft unit is likely to have two bedrooms. Mr. Pierson stated that a two bedroom unit is likely to have two cars, and that the Commissioners should carefully consider how to park those cars. His recommendation was to require two parking spaces.

Mr. Pierson also pointed out to the Commissioners that, by recommending approval of the amendment, they would be recommending approval of a doubling of density in the neighborhoods under consideration. Finally, he also expressed a concern that allowing ARUs would significantly drive up the price of single family properties. He explained a scenario in which the property owner lives in the ARU and rents out the principal dwelling unit for year round income.

Arne Jorgensen, Town of Jackson Resident

Mr. Jorgensen expressed support for the Amendment stating that ARUs are an important tool for allowing a wider variety of housing types. Mr. Jorgensen supported allowing ARUs in stable neighborhoods for the same reasons that Staff outlined in the Staff Report. He pointed out that adding an ARU in the Gill Addition is not doubling the density because most single family homes in this area actually sit on top of two lots. Allowing ARUs brings density to the existing allowance specified in the LDRs for the Gill Addition.

With regard to adding additional density, Mr. Jorgensen also brought up the point that, in some cases, construction of an ARU results from a shifting of bedrooms from one unit – the single family unit- to another unit, the ARU. He gave an example of parents with grown children who choose to convert part of their home into an ARU. As a result, he cautioned against interpreting the allowance of ARUs as resulting in added dwelling units. Instead, he recommended the Commissioners think about allocation of bedrooms.

Mr. Jorgensen also emphasized basement suites as an overlooked opportunity where ARUs can be constructed with very little visual impact to a neighborhood, and he recommended that Staff and the Planning Commission consider granting amnesty to existing ARUs. (Amnesty for unpermitted ARUs that preexist this amendment was a topic explored in the workshops, but no language on the topic was incorporated into the amendment itself.)

Mr. Jorgensen concluded by recommending a single parking space per ARU and a maximum size of 800 sq ft habitable or 500 sq ft habitable.

Richard Reese, Town of Jackson Resident

Mr. Reese identified himself as a resident of a NC-ToJ Neighborhood. He said ARUs would be consistent with the character of NC-ToJ, which is made up of a “tapestry and patchwork of different building forms.”

Mr. Reese also justified allowing ARUs in the proposed zones because he regularly is asked to design de-facto ARUs with imperfect kitchens in these zones. For background, one of the qualifications for classification as a dwelling unit is having a full kitchen. Some property owners have built accessory structures that function very much like an ARU but that do not have full kitchens. Thus, they use the structure like an ARU while sidestepping the regulations prohibiting or regulating ARUs. He also agreed

with Staff that neighborhoods are experiencing a change in character due to second home ownership, and that ARUs are one method to bring vitality back to these neighborhoods.

Mr. Reese concurred with Staff regarding a maximum size limitation of 800 sq ft habitable for ARUs. He recommend two parking spaces.

Destin Peters, Town of Jackson Resident

Mr. Peters identified himself as a resident of a Suburban property. He expressed support for the amendment, also brought up the fact that many de-facto ARUs are being built in his neighborhood already.

FISCAL IMPACT

There is no significant fiscal impact resulting from this amendment.

STAFF IMPACT

No impact to Staff outside of normal permit processing for physical developments.

LEGAL REVIEW

Complete, other than review of actual ordinances for presentation.

ATTACHMENTS

1. Proposed Amendment P16-036, Dated June 29th, 2016
2. Public Comment Received outside of workshop
3. Workshop Responses

RECOMMENDATION

PLANNING COMMISSION

The Planning Commission recommends **Approval** of **P16-036**, dated June 29th, 2016, an amendment to allow Accessory Residential Units in the Rural (R-ToJ), Suburban (S-ToJ), Neighborhood Conservation (NC), and Neighborhood Conservation – 2 (NC-2) zones, subject to one condition:

1. Allow detached ARUs in all zones.

The motion carried 3-0 with Commissioners Falcey and Holt absent.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of **P16-036**, dated June 29th, 2016, an amendment to the Land Development Regulations to allow Accessory Residential Units in the Rural (R-ToJ), Suburban (S-ToJ), Neighborhood Conservation (NC), and Neighborhood Conservation – 2 (NC-2) zones.

Staff is retaining original recommendation to only allow detached ARUs on NC-2 lots, NC-ToJ lots on alley ways or with double street frontage, or on S-ToJ lots. This being said, Staff is not opposed to the Planning Commission's condition of recommending approval that allows detached ARUs in all zones.

SUGGESTED MOTION

I move to **APPROVE P16-036**, dated June, 29 2016, an amendment to the Land Development Regulations to allow Accessory Residential Units in the Rural, Suburban, Neighborhood Conservation and Neighborhood Conservation – 2 zones; finding that the amendment is 1) Consistent with purposes and organization of the LDRs, 2) Improves the consistency of the LDRs with other provisions of the LDRs, 3) Provides flexibility for landowners within standards that clearly define desired character, 4) Is necessary to address changing conditions, public necessity and/or state or federal legislation, 5) Improves implementation of the Comprehensive Plan, and 6) Is consistent with other adopted Town ordinances.

Staff notes, that should Council want to include the Planning Commission recommended condition (or any other proposed changes) it would need to be added to the suggested motion.

P16-036, dated June 29, 2016, an amendment to the Land Development Regulations to allow Accessory Residential Units in the Rural, Suburban, Neighborhood Conservation and Neighborhood Conservation – 2 zones.

Neighborhood Conservation-2-Family (NC-2)								
B. Physical Development								
1. Structure Location and Mass								
	LSR (min)	Lot Coverage (max)	Street Setback (min)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	FAR (max)
Accessory Use	See standard for primary use with which associated							
Detached Accessory Structure	n/a	n/a	30'	5'	5'	28	2	n/a
C. Allowed Uses and Use Standards								
	1. Allowed Uses		2. Use Requirements					
	Density (max)		Parking (min)					
Accessory Residential Units	2 units per lot		1/DU					
3. Maximum Scale of Use								
Individual Use (floor area) (max)								
Accessory Residential Unit	800 sf habitable							
E. Additional Zone-specific Standards								
1. Accessory Residential Units (ARUs)								
a. Where there are two primary structures per site, there may only be a single ARU per primary structure.								

Neighborhood Conservation-Town (NC-ToJ)								
B. Physical Development								
1. Structure Location and Mass								
	LSR (min)	Lot Coverage	Street	Side Setback	Rear Setback	Height (max)	Stories (max)	FAR (max)
Accessory Use	See standard for primary use with which associated							
Detached Accessory	n/a	n/a	30'	5'	5'	28'	n/a	n/a
C. Allowed Uses and Use Standards								
1. Allowed Uses			2. Use Requirements					
	Density (max)		Parking (min)					
Accessory Residential Units	2 units per lot on alley or with double street frontage		1/DU					
	1 unit per lot not on alley							
3. Maximum Scale of Use								
Individual Use (floor area) (max)								
Accessory Residential Unit	800 sf habitable							
E. Additional Zone-specific Standards								
1. Accessory Residential Units (ARUs)								
a. Detached accessory residential units shall only be permitted on lots with alley access or with double street frontage.								
b. Accessory residential units prohibited north of West Broadway accessed via Budge Drive and West Broadway Avenue.								

Suburban-Town (S-ToJ)								
B. Physical Development								
1. Structure Location and Mass								
	LSR (min)	Lot Coverage	Street	Side Setback	Rear Setback	Height (max)	Stories (max)	FAR (max)
Accessory Use	See standard for primary use with which associated							
Detached Accessory Structure	n/a	n/a	30'	5'	5'	28	2	n/a
C. Allowed Uses and Use Standards								
1. Allowed Uses			2. Use Requirements					
	Density (max)		Parking (min)					
Accessory Residential Units	1 unit per lot		1/DU					
3. Maximum Scale of Use								
Individual Use (floor area) (max)								
Accessory Residential Unit	800 sf habitable							

Rural Residential - Town (R-ToJ)			
C. Allowed Uses and Use Standards			
	1. Allowed Uses	2. Use Requirements	
	Density (max)	Parking (min)	
Accessory Residential Units	1 unit per lot	1/DU	
3. Maximum Scale of Use			
Individual Use (floor area) (max)			
Accessory Residential Unit	800 sf habitable		
E. Additional Zone-specific Standards			
1. Accessory Residential Units (ARUs)			
a. Accessory residential units shall be attached.			

Regan Kohlhardt

From: entertainment@juddgrossman.com on behalf of Judd Grossman
<jg@juddgrossman.com>
Sent: Wednesday, June 29, 2016 9:52 AM
To: Regan Kohlhardt
Cc: Tyler Sinclair
Subject: Accessory Residential Unit Amendment

Dear Planning Commission and Planning Department,

Please do not expand Accessory Residential Units (ARUs) into the Town Periphery neighborhoods. It is completely irresponsible to double or triple the density of these quiet neighborhoods on the edge of town. Density should be focused into the walkable urban core. The Comprehensive Plan has identified these Town Periphery neighborhoods as stable, low density, and low traffic. Preserving the character of these stable neighborhoods is the whole point of developing a comprehensive plan and identifying neighborhood character. The Town is steamrolling the Comprehensive Plan and these quiet periphery neighborhoods in the name of commercialism and political pandering. The fact that our economy is overheated and that commercial interests need a place to house their employees shouldn't lead to the haphazard destruction of these amazing neighborhoods that have been havens of peace and quiet for decades. The proper place to address workforce housing is in the walkable urban core - not in the low density periphery.

Self-righteous development advocates will call us NIMBYs for not willingly laying down and agreeing to become "low hanging" fruit crushed under the frantic rush to "do something" about affordable housing. But all of us who live in Jackson Hole are NIMBYs. Jackson Hole is our backyard and we have struggled for decades to preserve our open space, wildlife habitat, our town square and our stable residential neighborhoods. The balance between prosperity and preservation is an ongoing challenge. As a community we have decided that preservation of the character of our community is just as important as the money we can make by selling it off piece by piece.

Our amazing periphery neighborhoods are a sanctuary from the bustle of downtown, and a beautiful transitional zone to our to the Bridger-Teton National Forest and the National Elk Refuge. Now commercial interests want to literally put their employees in our backyards. This could be a financial windfall for property owners, but at the expense of the character of our low density Town Periphery neighborhoods. Density in the periphery brings traffic, and traffic is a character destroyer to low density neighborhoods. These neighborhoods are worth preserving even if it means a short term financial sacrifice for the property owners.

The Town needs to buck up and provide significant density bonuses for employment based deed restricted workforce housing in the walkable urban core where there is easy access to jobs, shopping, services and transit. Pushing density into the periphery is bad planning.

Judd and Mary Grossman

50 Rancher St.

Jackson

Jeanne Carruth

From: Tim Bohan <timvoan@gmail.com>
Sent: Tuesday, July 05, 2016 10:32 AM
To: Jeanne Carruth
Subject: Re: ARU Planning Commission hearing

My neighborhood was not included.

On Jul 1, 2016 2:52 PM, "Jeanne Carruth" <jcarruth@ci.jackson.wy.us> wrote:

You are receiving this email because you attended the Accessory Residential Unit public workshops held by the Town Planning Staff. The Accessory Residential Unit Amendment is being considered by the Planning Commission this Wednesday, July 6th at 6 pm. Any comments or feedback you have to share with the Planning Commissioners is welcome, and we encourage you to attend.

Thank you

Town of Jackson Planning & Building

Town of Jackson

P.O. Box 1687

Jackson, Wyoming 83001

(p) [\(307\)733-0440](tel:(307)733-0440)

(f) [\(307\) 734-3563](tel:(307)734-3563)

jcarruth@townofjackson.com

www.townofjackson.com

-



Jeanne Carruth

From: Matt Faupel <mattfaupel@jhrea.com>
Sent: Thursday, July 07, 2016 12:01 PM
To: Town Council
Subject: ARUs in town

As you are considering the proposal to allow ARUs in town, one of the pieces of feedback that is in the staff report is that some of the public thought this should be deed restricted. I wanted to shed a quick bit of light on that idea.

- 1) The ARU is already restricted, if it is rented, it has to be to an employee within Teton County
- 2) A further restriction on this does not make sense. I think the idea put forward in public comment was to make sure the ARU was not just a guest house. This idea, on the surface sounds decent but the reality is that it handcuffs the parcel long-term. If the owner simply wants guest quarters, to have a place to put their adult children while they are starting careers here, etc, but cannot do that with the ARU, they will simply build a larger house to accommodate that need which in the long run will sentence that property to not having a rental unit on it when it eventually sells. The ARU does not add any square footage entitlement and therefore, the proposed regulation, as it stands, is completely fine and best accomplishes the goal.

I think the effort to move forward with allowing ARUs in town is a fantastic thought that can bring workforce housing into the valley at zero cost to the taxpayer and one executable you can stand on while asking for the \$0.01 showing that you are not just trying to throw money at the problem and hope to solve it.

Thanks for your time.

Matt Faupel

Jackson Hole Real Estate Associates

Owner/Associate Broker

307-690-0204 c

Christie's International Real Estate GLOBAL AFFILIATE OF THE YEAR 2011 | 2014

GRAHAM
FAUPEL
MENDENHALL & ASSOCIATES

JACKSON HOLE
REAL ESTATE
ASSOCIATES

CHRISTIE'S
INTERNATIONAL REAL ESTATE

Regan Kohlhardt

From: Tim Bohan <timvoan@gmail.com>
Sent: Monday, July 11, 2016 12:04 AM
To: Regan Kohlhardt
Subject: Re: Accessory Residential Unit Amendment - Your Comment

Hi Regan; I'm glad to see that the majority of the community is in support of the accessory unit idea. It is unfortunate that the butte is not included in the process. With 1.18 acres in town those of us that would choose to participate should be considered. Be it temporarily or the (Hill side Village) we all see the Town can't do it alone.

I am busy these days battling destruction rather than construction over this concept. I'm looking forward to a time one day soon when creative thinker's can mesh with bureaucratic philosophy and we create a balance that is within the vision of the LDRs

Respectfully,
Tim Bohan

Workshop Results

The ARU public drop-in workshops had three stations: A Mapping Station, an Incentives Station, and a Hopes and Concerns Summary Station.

Results from the Mapping Station have been incorporated into the Staff Report.

This document contains the results of the Incentives Station and the Hopes and Concerns Station.

Incentives Station:

The Incentives Station asked workshop participants to 'vote' on a variety of posted incentives using red or green dots. Red signified a vote against the incentive. Green signified a vote in support of the incentive. Participants were also asked to suggest and vote on their own incentives. The results from this station are incorporated into the table on the following page.

Incentives	Votes Against	Votes in Support
Parking Incentives		
0 Spaces	13	3
1 Space	2	32
2 Space	7	9
0 if near transit	11	18
Site Specific Incentives		
Square Footage Bonus	11	29
Flexible Setbacks	11	35
Amnesty Incentive		
Amnesty for all unpermitted ARUs	1	34
Amnesty only for those in zones where they are allowed or will be allowed	2	22
Process Specific Incentives		
Waiver or partial waiver of planning and building fees	5	33
Waiver of sewer and water connection fees	8	27
Pre-approved ARU Building Plans	11	22
An ARU "How-to-Guide"	0	38
Write your own Incentive		
Incentives for alleys (+ Corner lots)		2
Incentivize green/off-grid		
Incentivize multi-year leases		
Do not allow for short term rentals		1
Town Improve infrastructure – pave alleys, bury powerline, upgrade main water/sewer lines		3
Deed Restrict to workers and family – no short term rentals		3
Tax incentive for housing long-term employee (deed restrict?)		2
Allow temporary or units without foundations for 3-5 years with Building code relief and Deed restrictions. Quick, inexpensive, and well-designed = economics ++		1
Incentives given for “Deed restricted” or rental control units		3
Affordability is a key concern. If we allow ARUs to be rented but people charge unaffordable rents (more than \$1,800), what’s the point?		3
With housing on the alley, Town should pave Alley		1
And bury utilities		2
Any additional house parking for renters must be provided	2	
Providing plans for studios or 1-bdr units could encourage people to consider building. Taking existing garage and large shed structures and turning them into studios.		
Make them safe, must comply with Building Code		

Hopes and Concerns Station:

The Hopes and Concerns Station asked participants to share any hopes, concerns, or additional comments they had about the amendment. Participants also shared comments throughout the entire workshop. The table below is a summary of how many comments were received on a particular topic. The written incentives participants suggested in the incentives station are also included in this table.

Written Incentives, Hopes, Concerns, & Comments Tabulation	
Category	# of Comments
Parking	
1 space/bedroom	4
Winter street parking	11
Don't change parking requirement from current	4
0 if near START bus	4
# of ARUs	
1 everywhere	11
2 ARUs per lot	2
2 ARUs with Conditions (alleyway, design, etc.)	6
1 ARU if Minimum Lot Size	1
3 ARUs	1
Setbacks	
In favor of flexible setbacks	7
No change to setbacks	6
FAR/Size	
FAR Bonus	2
No Bonus	4
Larger lots should be allowed larger ARUs	1
Lots on alleys should have FAR bonus	3
800 sq ft maximum	8
Less than 800 sq ft	2
Design Requirements	10
Prohibition of Short-term rental	14
Prohibition of short-term rental with Deed Restriction	16
Property owners required to live onsite	2

Participant Comments:

The actual comments from participants are included in the following pages. Participants' wording has been retained as much as possible. A number preceded by a *plus* or a *minus* sign and placed within parenthesis at the end of a comment shows where other participants 'voted' on the comment. The *plus* sign indicates other participants were in support of the comment. The *minus* sign indicates other participants were against the comment.

Why allow ARUs?

I would hope this amendment would make it possible for my son to move back to his hometown by providing him an apartment that he could have now and then switch over to the house and me to the apartment when I retire.

That these will make a dent in our housing situation

Let homeowners help solve the housing crisis with responsible ARU development (+2)

An easy idea to let the private market solve the housing issue.

Having ARUs allows more working families to afford housing because of the extra income - great!

Think this helps working families make their numbers work.

Wildlife not a concern in Town

Not a detriment to neighborhood, try it out before afraid

Son wants to move back home. Can't afford own home.

Single people

Need more commercial options for young adults

ARUs take SF homes from being only 2nd homes to having a workforce element. Put them wherever you can.

Effect on affordable housing prices

New workforce housing, makes primary house more affordable

These help working families afford the mortgage

Makes perfect sense

Provides clean/safer option [for affordable housing]

Very much in favor of increasing availability of ARU development, and do not feel residential "character" is a reasonable basis for denial if all other site metrics comply.

Locational

Biggest target E Jackson, Aspens/Pine3.2 Provide an anchor to extend downtown corridor to Snow King

District 6 should have 1 as is consistent with character

Subarea 6.1 - Hospital staff needs

Subarea 6.1 1 per lot, 1 parking space, smaller, 500 sq ft, attached only, basement good

Subarea 6.2 - Home owner should have option considering space

NC-ToJ - smaller than principle, <800 sq ft or less gross

In NC-ToJ, use existing detached structure setback

NC-2 Townhomes have great value -> 2 times the homes but half the size/price

S-ToJ – 2 @ 800 sq ft instead of bigger

S-ToJ – Grade issue, creeks design, problem with little above big, etc.

Periphery to avoid congestion

S-ToJ - Caretaker makes sense

S-ToJ – Standalone as well, all types

I live in East Jackson, (surrounded by AR), I would like to have the option to have at least 1 extra unit. I'm not sure if I want the entire neighborhood to have 2 extra units. I don't want to see lots of cars everywhere.

Wildlife concerns in periphery

All single family areas should be considered. Areas with alleys should be prioritized (+2)

Definitely on an alley

Everybody's in. Test it for 3-5 yrs.

Anywhere with design review

If you can fit it, you can have it

ARUs should be allowed if they fit - Creek/hillside already limit development

Wherever as long as they meet LDR FAR standards

Locate near bus, but don't preclude anywhere

AR – Be able to sell them – and or townhome plat or TIC structure.

Allow additional FAR in AR zoning (+2)

Increase all F.A.R.s in AR zoning! Closer to town and more transitional (+1)

Consider incentives in AR

Parking

1 spot per bedroom (2 max)

Take parking off streets (+1)

No parking requirement [if density focused in the walkable core]

Parking 1/unit including main

ARU need parking 1.25 per

Allow on street in winter

Allow parking in winter – increase Public Works budget, monitor and regulate parking citywide, on street parking slows traffic

Conform to dim standards per current LDRs for accessory structure

Must provide access and parking

Need parking commission/authority

Allow alternate street parking in the winter

Need to reduce vehicle reliance and thereby reduce parking

1 parking space per unit, Zero parking requirement on start line

Less than 650 sq ft: 1 parking space

Must park on site

Shared drive to get to back

On street parking in winter

Dual access not necessary, can park without

1 everywhere, 2 driven by access to parking (1 min & 1 max), and lot size

1 space is sufficient

1 parking space

1 max parking – owner/renter can sort it out

Do not change street parking standards, and buses

Alley Rentals with parking

At least one space per unit

Allow on street parking year round, plowing schedule (+5)

Only in the walkable urban core of Jackson (+1)

1 spot max! None required. (+2)

Need to provide residential parking passes for off-site parking.

If we could alternate parking on different sides of the street for different nights (for plowing), it could help with parking.

of adults versus bedrooms set parking

Alternate side winter parking

Rare someone would not have a vehicle so I think there should be space for 1 vehicle on the property (+1)

Must have parking for each person (exc. Children)

Increased Traffic Congestion

Gill addition has no alley access creating more congestion on streets

Lack of parking causing congestion, what about in winter

Concern with parking. Should not have units w/ many bedrooms as everyone will want a car.

Winter parking is a big issue. ARUs need off-street winter parking.

Incentives

Reduce but not completely waive [fee waivers]

Incentives only if deed restricted to workers & family

The approved plan/template is ok but would also like to see people to also use their own plan if they wish to encourage less “cookie cutter” neighborhoods (+2)

I am not certain if I am in favor of complete cost/fee waiver. I think I would favor reduced cost/fees as the homeowner will get return on investment with rental income.

If fee is waived, require deed restriction (4 greens)

Simplifying the process and allowing flexibility with setbacks and permit/hook-up fees would be a big incentive to me.

Possible tax break for property owners who provide income based rentals

Ability to rent rooms (nix 3 unrelated)

Incentive for workforce housing – get additional sq ft for ARU (beyond lot SF)

Consider additional FAR for larger lots or suburban zoning.

Conform to dim standards per current LDRs for accessory structure

No FAR increase

Increase LSR for access

How to adjust LSR to allow access to ARU when no alley access?

Leeway on LSR

Keep permitting cost to applicants low

Provide pre-approved plans

ARU 'how-to' guide and marketing brochures by zone

No FAR change

Need to reduce LSR to pack it but there is no wildlife value to a green yard

FAR bonus for ARU

Flexibility with setbacks would be a large incentive for me. Five foot side yard setbacks would be helpful. Reduced rear setbacks on lots with alley access makes sense. (+4)

Flexibility with setbacks – Huge incentive. It would've benefitted the design of my property to be able to connect studio to the main house.

Setbacks already small. Reduction not likely to make a big difference to owner but will annoy neighbor. (-4)

Reduce height as the setbacks are reduced (+1)

Same setbacks as current accessory structure setback in LDRs

Think about winter snow and where one puts snow removed from roofs, etc. [with regard to reducing setbacks]

Box or cube designed buildings should be reduced in height. They have a more significant impact on bulk/scale (-2)

Size of ARU

Cap at 800 sq ft (+1)

Cap size of ARUs (+2)

Smaller is better. Make rules that incentivize that

Let developer determine size of units within FAR

Size limit. 800 sf?

1st ARU 800 sq ft, 2nd 600 sq ft or total FAR of 1400-1500 for 2 ARUs

800 sq ft too big, but no need to change. 2 – 500 sq ft, 1 800 sq ft

Make sure proportioned

600 sq ft to 700 sq ft

800 sq ft (+2)

Detached ARU not over 500 ft

Number of ARUs per lot

I'm leaning toward just allowing 1 additional unit in areas where it is currently zoned single family.

Alleys can allow second ARU

1 ARU per typical lot, larger lots proportionally more, or like in AR zone

1 per lot

Allow 2 ARU on Alley lots

1 ARU per lot would be appropriate (+2)

Architectural standards to make them more compatible thus acceptable

2-3 ARUs per lot

2 ARUs are better than 1

Most places: 2, make 1 based on lot size

Double, alley, >50ft frontage

is an issue of proportions. Don't want to be apartment

ARU Type

Kits or move-on units or RPTs are allowed, because cost of construction is so high, it forces high rents to pay for ARU construction

Add new use category for "no foundation" units – "temporary" or "roll on" units so they can be reviewed on their own merit and appropriateness

I like the idea of allowing basement apartments and accessory units close to town amenities.

Would like one off garage, not as excited about attached – but would plumb/wire for future

Can't do all detached. End up with a camp

Site specific.

Rent control and condition of ARU.

All types (+2)

Attached or detached - ok

ARU attached or detached – either ok.
Attached and detached with alleys
Allow 1 detached or 2 attached – keep FAR same
No mobile home
Allow on wheels
Trailers/containers too
Garage or basement wouldn't even be noticed

Occupancy

They will be short-term rented/enforcement (+1)
Policing will become a neighborhood issue unless the town steps up enforcement of rentals
Renters must list contact info. I.e., phone, email, residence address
Need to build in way for rents to be affordable. Shouldn't be market as owner would want tenants who have higher salaries and this won't help alleviate the problem for seasonal, low-paid workers.
Priority for homeless vets for small apartment dorm style
Concern about short term rental
Go ahead and restrict that process to employment based deed restriction
Rentals only
Deed restrict for employment base only. Of course family would be exempt. No rent restriction.
No short term housing in these units
Not short term rented
No short term rental and enforce!
For workers & family members – deed restriction
No condos
No separate ownership
No short term rental
Deed restrict 2nd unit – employment based
Deed restrict 4 rent only
Rental based, rental to people working in Jackson

Longer term only

Have to be employed (maybe just in summer can't be a climbing bum)

Not in favor of rental period regulations but for maybe 3 months minimum to deter lodging uses

Character

RPTS should not be allowed. Neighborhood character is at stake and stable neighborhoods should be respected.

It's crazy to triple the density of periphery neighborhoods. Density should be focused into the walkable urban core. Do not expand the ARU map (+2)

Character is maintained. Provide guidelines and regulations to ensure this.

Design standard should be developed and adopted before allowing additional units in stable zones.

ARUs allow way too much density in Town periphery.

Density should be focused in walkable core.

Have to show how design doesn't intrude on neighbor.

Less about zone, more about criteria.

Design standards can be mischief – very general if you do these at all. Good luck getting “common agreement” on standards for design

Other Criteria

Make sure to address topography/safety

No min lot size

Minimum 2 50 X 150 lots to have an ARU

Density should be sq ft, not number of units

Proximity to neighbor, proximity of access, parking 1 max, lot size, lot dimension, slopes

At least one of the units on a site should be occupied by property owner

Require property owners to live in one of the units

Min. life safety standards for non-conforming ARUs

General

Pass this year! Allow more FAR in AR zoning Too!

I hope the Chamber steps up to organize business community support (\$) for housing. They so far have not stepped up.

Good format for thoughtful discussion. ARU are very site specific decisions - too difficult to generalize. Will likely get bigger bang with a multifamily zone.

Keep focus on this as short term option. Larger issues can be addressed in district 3/4 discussions. Thank you for moving this forward.

Please pull out all stops to do all we can do, and do well, for housing. If business does not want to pay workers a wage commiserate with Jackson costs, then let the rest of us make it work to house people!

NIMBY

People won't build them.

My primary concern is that this option will not be used to the maximum possible

Need residential accessible parking structure

Might be better off just going upzone.

Maybe consider "good landlord program" see Building Code

Keep financing obstacles in mind

Consider subdividing and deeding to non-profit who can issue a ground lease and manage unit

Downtown apartment living / increase density and 4 story

Relation to neighbor

Need place to play and be outside

Not everyone can afford to build one of these just because it's allowed

Dormitory housing, seasonal housing, RV Park

Please maximize density; perhaps beyond ARU capacity (missing middle housing)

Get rid of separation requirement

Maintain wildlife & preserve open space