

ORDINANCE G

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) REGARDING SECTIONS 7.1.5, 7.1.6, 7.4.2.E.2, 7.4.2.F.1.d, 7.5.3.H.3, 7.8.3.B.2, AND 7.8.4.B.2 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS PERTAINING TO DEVELOPMENT OPTION AND SUBDIVISION STANDARDS APPLICABLE IN ALL 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 as amended (part) is hereby amended and reenacted to add Sections 7.1.5 and 7.1.6 to the Town of Jackson Land Development Regulations to read as follows:

7.1.5. Floor Area Option (Ordinance G)

[Section number reserved, standards only apply in County]

7.1.6. Complete Neighborhood Planned Residential Development (CN-PRD) (Ordinance G)

[Section number reserved, standards only apply in County]

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1074 as amended (part) and Sections 7.4.2.E.2 and 7.4.2.F.1.d of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

7.4.2. Town Residential Affordable Housing Standards (Ordinance G)

E. Calculation of Affordable Housing Standards for Residential Development.

- 2. **Reduction in Percentage Requirement.** An applicant has the option of obtaining a reduction in the affordable housing by voluntarily restricting proposed units or lots so that they remain available over time to year-round residents who are employed in Teton County. Such units shall be known as "voluntary affordable housing units." The following formula shall be used to determine a reduced percentage requirement, if applicable. The units with sales prices that result in a reduction of the 25% affordable housing requirement must be restricted to occupancy by year-round residents who are employed full-time in Teton County, as set forth in the Jackson/Teton County Housing Rules and Regulations. The restriction shall be in a form acceptable to the Jackson/Teton County Affordable Housing Department. The reduced percentage requirement shall be calculated as follows:

$\frac{P - AP}{MH - AP} \times 0.25 = \text{Percent Affordable Housing Standard}^{* **}$
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Where

P = The price of an individual unit

AP = 3 x (1.2 x median income for Teton County)

MH = Median housing cost for Teton County

* The "Percent affordable housing standard" shall not exceed 25%.

** The formula shall apply only to prices between MH (median single family house price) and AP (affordable house price).

*** For residential developments in which no housing units are proposed, i.e., a subdivision of land only, "the price of the unit shall be 3 times the cost of the lot. For residential developments in which the price of individual lots or units varies, the formula shall be calculated for each unit; the resulting "Percent affordable housing standard" for all lots/units shall be averaged in order to obtain the reduced percentage standard for the development.

F. Method for Providing Affordable Housing

1. Production of New Units

d. **Requirements for Affordable Units.** Affordable housing units required by this Division shall meet the following requirements.

- i. **Sales and Occupancy Restrictions.** Required affordable housing units shall be restricted to sales terms and occupancy limitations, and voluntary affordable housing units shall be restricted to occupancy requirements, both of which comply with the Jackson/Teton County Housing Rules and Regulations. The required and voluntary affordable housing units may be restricted to rental units, if it is determined they will address an affordable housing need. The restrictions shall be in a form acceptable to the Jackson/Teton County Housing Department and may include deed restrictions, rights of first refusal, and shared ownership of land and/or housing unit with an affordable housing agency.
- ii. **Affordable Housing Categories.** The required affordable portion of each residential development shall provide housing units for persons in each of the three income categories described below, and in the percentage amounts stated herein. The housing units to be provided for persons in each income category shall be determined by the Jackson/Teton County Housing Department, in accordance with the housing unit types, minimum sizes and maximum prices described in the Jackson/Teton County Housing Rules and Regulations adopted herein by reference. Fractions in each category shall be combined to create a whole person when possible. Payment of an in-lieu fee shall be made for any remaining fraction of a person.
 - a). **Category 1.** No less than 1/3 of the persons required to be housed shall be provided with housing units affordable to low income households, unless a different proportion is recommended by the Jackson/Teton County Housing Department and approved by the Jackson Town Council.
 - b). **Category 2.** No less than 1/3 of the persons to be housed shall be provided with housing units affordable to moderate income households, unless a different proportion is recommended by the Jackson/Teton County Housing Department and approved by the Jackson Town Council.
 - c). **Category 3.** No more than 1/3 of the persons required to be housed shall be provided with housing units affordable to middle income households, unless a different proportion is recommended by the Jackson/Teton County Housing Department and approved by the Jackson Town Council.
- iii. **Voluntary Affordable Housing Units.** The voluntary affordable housing unit portion of a residential development shall be restricted in terms of initial sales or rental prices and occupancy, as set forth in the Teton County Housing Office Affordable Housing Guidelines.
- iv. **Location**
 - a). **General.** The affordable housing units shall be located on the same site as the free market portion of the development, unless all or a portion of the affordable units are approved, or required, to be located on another site within Teton County or the Town of Jackson.
 - b). **Off-site location.** Approval for an off-site location shall be made by the Jackson Town Council as part of the review of the Housing Mitigation Plan. Approval of an off-site location for the affordable housing units shall be based on the following criteria:
 - 1). Proximity of the proposed off-site location to employment centers, commercial services, and infrastructure;
 - 2). Compliance of the proposed off-site location with the Jackson/Teton County Comprehensive Plan and these LDRs. Impact of the affordable housing units on the ability of the site proposed for the residential development to properly function and the compatibility of affordable housing units with the character of surrounding lands.
 - 3). The ability of the proposed off-site location to accommodate the dwelling units within the permitted maximum gross density.
 - 4). The need to locate the units off-site to maintain general consistency in the value of the affordable housing subsidy with the typical value of subsidies provided by other developers.

- v. **Size and Materials Standards for Affordable Housing Units**
 - a). **Size limitations.** Affordable housing units shall comply with the minimum size requirements established within the Teton County Housing Office Affordable Housing Guidelines, adopted herein by reference.
 - b). **Materials.** Affordable housing units shall be constructed with building materials having a compatible exterior style to other units in the development. Each affordable housing unit shall include, at a minimum, a fully equipped kitchen and bathroom, areas for living and sleeping and designated areas for storage. Units shall comply with all applicable standards of the current building codes and all other development codes adopted by the Town of Jackson.
- vi. **Timing of Occupancy.** The affordable housing units shall be ready for occupancy no later than the date of the initial occupancy of the free market portion of the project, provided that the Jackson/Teton County Housing Department and developer have identified qualified buyers or renters, whichever is applicable. If the free market portion is to be developed in phases, the affordable housing units may be phased accordingly, provided that the Jackson/Teton County Housing Department and developer have identified qualified buyer or renters. If qualified buyers or renters have not been identified at a rate which keeps pace with the free market portion of the development, the provision of the affordable housing units may be delayed until such buyers or renters have been identified. The developer, with the support of the Jackson/Teton County Housing Department, shall make a good faith effort to market the required affordable housing units.
- vii. **Restricting Existing Housing Stock.** When restricting existing housing stock is used to meet the affordable housing requirement such housing will be subject to the following additional standards:
 - a). **Age.** Existing housing stock more than 15 years old from the date of certificate of occupancy to the date of approval of the Housing Mitigation Plan, may be accepted by Town Council on a case-by-case basis subject to review and recommendation by the Town's Chief Building Official and Planning Director;
 - b). **Inspection.** Each unit shall be subject to inspection and approval by the Town's Chief Building Official for compliance with current building code standards for life and safety; and,
 - c). **Housing Rules and Regulations.** All units are subject to the Jackson/Teton County Housing Rules and Regulations regarding quality standards for existing housing units.

SECTION III.

Section 1 of Town of Jackson Ordinance No. 1074 as amended (part) and Section 7.5.3.H.3 of the Town of Jackson Land Development Regulations is hereby amended and reenacted to read as follows:

7.5.3. School Exactions (Ordinance G)

H. Use of Land and Use of Funds

3. **Use of Land or Funds for Housing.** If the School District decides that land or funds dedicated pursuant to this Section should be used for housing, then the School District shall place a deed restriction on those housing units, restricting their occupancy solely to employees of the applicable School District and their families. In the event the inventory of housing exceeds the applicable School District's needs, the School Board may allow occupancy of the units through the Jackson/Teton County Housing Department.

SECTION IV.

Section 1 of Town of Jackson Ordinance No. 1074 as amended (part) and Sections 7.8.3.B.2 and 7.8.4.B.2 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

7.8.3. Deed Restricted Housing Exemption (Ordinance G)

B. Applicability

2. **Voluntary Restricted Housing.** Floor area in a residential unit that is subject to an affordable, employee, employment-based, or rental workforce deed restriction, acceptable to the Jackson/Teton County Housing Department, which is recorded with the County Clerk, that is not required by Div. 6.3., Div. 7.4., or another standard of these LDRs.

7.8.4. Workforce Housing Floor Area Bonus (Ordinance G)

B. Applicability

2. **Restricted Housing.** The restricted floor area provided pursuant to this Section shall be subject to an affordable, employee, employment-based, or rental workforce deed restriction, acceptable to the Jackson/Teton County Housing Department, which is recorded with the County Clerk.

SECTION V.

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

SECTION VI.

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 VII.

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 _____, 201_.

TOWN OF JACKSON

BY: _____
_____, 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 _____, 201_.

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

Town Clerk