

**JOINT INFORMATION PROCEEDINGS
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING**

JULY 2, 2018

JACKSON, WYOMING

The Jackson Town Council met in conjunction the Teton County Commission in a regular joint information session in the Commissioners Chambers located at 200 S. Willow Street at 2:00 P.M. Upon roll call the following were found to be present:

Chair & Commissioners: Chairman Mark Newcomb, Natalia Macker, Paul Vogelheim, Smokey Rhea, and Greg Epstein.
Mayor & Council: Mayor Pete Muldoon, Jim Stanford, Hailey Morton Levinson, Bob Lenz, and Don Frank.
Staff: Larry Pardee, Alyssa Watkins, Sherry Daigle, Billy Kirk, April Norton, Stacy Stoker, Tyler Sinclair, Alex Norton, Audrey Cohen-Davis, and Shelley Fairbanks.

Public comment was given by Ian Geister on behalf of JH Conservation Alliance Interns, thanking the Commissioners for approving the Wildlife Crossings Master Plan.

Consent Calendar. On behalf of the County, a motion was made by Paul Vogelheim and seconded by Greg Epstein to approve item A as presented on the Consent Calendar. On behalf of the Town, a motion was made by Hailey Morton Levinson and seconded by Bob Lenz to approve item A as presented on the Consent Calendar.

A. **Meeting Minutes.** To approve the June 4, 2018 regular joint meeting minutes, and special joint meeting minutes dated June 6-7 and June 18, 2018 as presented.

Chairman Newcomb called for the vote. The vote showed all in favor and the motion carried on behalf of the County. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Councilman Frank opposed and the motion carried on behalf of the Town.

Housing Department Rules and Regulations.

The Town Council will consider the Housing Rules and Regulations on Third Reading. The Board of County Commissioners will consider adoption of the Housing Rules and Regulations.

There was no public comment.

On behalf of the County, a motion was made by Natalia Macker and seconded by Paul Vogelheim to approve the Jackson/Teton County Housing Department Rules and Regulations as presented to be effective July 4, 2018. Chairman Newcomb called for the vote. The vote showed 4-1 in favor with Commissioner Epstein opposed and the motion carried.

On behalf of the Town, a motion was made by Hailey Morton Levinson and seconded by Jim Stanford to read Ordinance G in short title. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Councilman Lenz opposed and the motion carried on behalf of the Town.

Town Ordinance. Housing Director April Norton read Ordinance G in Short Title.

ORDINANCE G

AN ORDINANCE ADDING A NEW TITLE 16 TO THE TOWN OF JACKSON MUNICIPAL CODE REGARDING HOUSING WITH A NEW CHAPTER 16.10 ENACTING THE TOWN OF JACKSON HOUSING RULES AND REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

On behalf of the Town, a motion was made by Hailey Morton Levinson and seconded by Don Frank to approve Ordinance G on third reading as presented to be designated as Ordinance 1195. Mayor Muldoon called for a vote. The vote showed 3-2 in favor, with Councilman Stanford and Councilman Lenz opposed. The motion carried.

Housing Mitigation Requirements Land Development Regulations (LDRs) Updates.

Tyler Sinclair, Planning Director, presented to the Joint Board for consideration to replace Division 6.3 and delete Division 7.4 of the Land Development Regulations, pursuant to Section 8.7.1, LDR Text Amendments, to update the housing mitigation requirements on new development; and make other related changes throughout the LDRs.

Alex Norton, Long Range Planner, addressed the Joint Board regarding the two key issues as previously discussed. Key Issue #1: Mitigation Rate: straw poll to reduce the mitigation rate for nonresidential, non-lodging uses from 73% of year-round employees. The weighted year-round mitigation rate for all uses is 60% after applying a 55% mitigation rate to non-residential and 73% mitigation rate to lodging, and residential. Key Issue #2: Independent Calculation for Institutional Uses: straw poll direction to exempt daycare and early childhood education use from the housing mitigation rates and apply an independent calculation requirement to other private education uses. The adoption draft staff has made all institutional uses an independent calculation, with daycare and early childhood education and public/semi-public development entirely exempt from the requirements.

Discussion between the Joint Board and staff included county/town direction based on straw polls, is independent calculation the only method, independent calculation for private schools, daycare/school clustered together, why is public/semi-public development exempt, town direction vs. county direction, county did not approve straw poll as direction, undefined use on building permit-highest mitigation rate, K8-K9, mitigate at high rate – will not have to change uses, chart expanded but not filled in, residential development with commercial development, redevelopment increases the cost of space decreasing affordable housing, no net loss requirements is legally impermissible, types of demand: job growth/retirement/catch-up, mitigation can only address the job growth demand, tools other than mitigation include allowances/incentives/funding, work towards same mitigation rate between county and town, average across the industry vs. independent calculation, and burden on existing business owners.

Public comment was given by Stefan Fodor, Kelly Lockhart, Sandy Hessler, Diana Waycott, Jason Ochs, Wes Gardner, Courtney Marvin, Mark Barron, Skye Schell, and John Carney.

The meeting was recessed at 3:50pm and reconvened at 3:58pm.

Discussion between the Joint Board and staff included independent calculation for institutional uses with exemptions of private, licensed, non-profit K-12 educational institutions in addition to preschools/daycare, mitigation rates, policy rushed through, no changes in 25 years, rate increase should be incrementally, phased approach, policy requiring new developments pay for its impacts, and how the phased approach would work.

On behalf of the Town, a motion was made by Jim Stanford and seconded by Hailey Morton Levinson to read Ordinance L in short title again. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Councilman Frank opposed and the motion carried on behalf of the Town.

Town Ordinance. Town Attorney Audrey Cohen Davis read Ordinance L in Short Title.

Town of Jackson Ordinance L. AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) TO DELETE DIVISION 7.4 AND SECTION 9.5.V, AND AMEND DIVISIONS 6.3, 1.4, AND SECTIONS 1.9.3.B.2, 1.9.3.C.2, 2.2.2.C.2, 2.2.2.D.2, 2.2.3.C.2, 2.2.3.D.2, 2.2.4.C.2, 2.2.4.D.2, 2.2.5.C.2, 2.2.5.D.2, 2.3.1.B.1, 2.3.1.C.2, 2.3.1.D.2, 2.3.2.B.1, 2.3.2.C.2, 2.3.2.D.2, 2.3.10.B.1, 2.3.10.C.2, 2.3.10.D.2, 3.3.1.C.2, 3.3.1.D.2, 4.2.1.C.2, 4.2.1.D.2, 4.2.2.C.2, 4.2.2.D.2, 4.3.1.D.3, 4.3.1.F.6, 4.3.1.F.11.f, 6.1.3.B.2.d.i.b, 6.1.5.C.2.c, 6.1.11.B.3.c, 6.2.2.B.1, 7.8.3, 7.8.4, 9.5.A, 9.5.B, 9.5.E, 9.5.L, AND 9.5.N OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING THE AFFORDABLE WORKFORCE HOUSING REQUIRED TO BE PROVIDED WITH DEVELOPMENT, 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:

On behalf of the Town, a motion was made by Jim Stanford and seconded by Hailey Morton Levinson to approve Ordinance L on second reading. Mayor Muldoon called for a vote. The vote showed 3-2 in favor, with Councilman Lenz and Councilman Frank opposed. The motion carried.

On behalf of the County, a motion was made by Paul Vogelheim and seconded by Smokey Rhea to continue AMD2017-0004 to a Special JIM meeting on July 16 at 1:00pm, and direct staff to make the Board of County Commissioners directed modifications from the June 6-7 hearing and this hearing including the ideas and comments on a phasing approach, requesting staff fill in the Mitigation Rate K7-K13 Chart. Chair Newcomb called for a vote. The vote showed 4-1 in favor with Commissioner Epstein opposed and the motion carried.

SPET Process. This item was postponed to the August 6, 2018 meeting.

Adjourn. On behalf of the County, a motion was made by Natalia Macker and seconded by Greg Epstein to adjourn. The vote showed all in favor and the motion carried.

On behalf of the Town, a motion was made by Bob Lenz and seconded by Hailey Morton Levinson to adjourn to executive session to consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price in accordance with Wyoming Statute 16-4-405(a)(vii). The vote showed all in favor and the motion carried.

The meeting adjourned at 5:05 p.m.

TETON COUNTY

ATTEST:

Mark Newcomb, Chair

Sherry L. Daigle, County Clerk

minutes:sdf