

**DRAFT: October 21, 2020**

7. **Replacement after Damage by Natural Disaster.** Replacement of an attached single-family unit (6.1.4.C.) or apartment (6.1.4.D.) that is demolished or destroyed by a natural disaster or through any manner not willfully accomplished by the owner, regardless of the extent of the demolition or destruction. The replacement shall be complete, or an application to complete shall be sufficient, within 18 months of the date of destruction.
8. **Mobile Home.** A mobile home (6.1.4.E.) or mobile home park (Sec. 7.1.4.).
9. **Dormitory.** A dormitory (6.1.4.F.).
10. **Group Home.** A group home (6.1.4.G.).
11. **Daycare.** A daycare or early childhood education use.
12. **Education.** A private school meeting the definition of Wyo. Stat. §21-4-101.
13. **Accessory Use.** An accessory use (Sec. 6.1.11.).
14. **Temporary Use.** A temporary use (Sec. 6.1.12.).
15. **Public/Semi-Public Zone.** Employee generating development in the public/semi-public zone.
16. **Alta Reduction.** Employee generating development west of the Tetons shall only be required to provide 25% of the amount of affordable workforce housing calculation pursuant to Sec. 6.3.3.

### **6.3.3. Amount of Affordable Workforce Housing Required**

(AMD2020-0003) (7/18/18)

#### **A. Requirement**

Any employee generating development to which this Division applies shall provide at least the amount of affordable workforce housing determined by the following calculations. The calculations vary by the use being proposed and are the function of the size of the proposal. The calculations are based on the analysis found in the Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended, and assume an affordable workforce housing unit houses 1.8 local employees.

Required Affordable Workforce Housing	
Use	Affordable Workforce Housing Units Required
Detached Single-Family Unit (6.1.4.B.) (Non-Local Occupancy, A.8.)	0.000017 * sf + (Exp(-15.49 + 1.59*Ln(sf)))/2.176
Detached Single-Family Unit (6.1.4.B.) (Local Occupancy, A.8.)	0.000017 * sf + (Exp(-16.14 + 1.59*Ln(sf)))/ 2.176
Attached Single-Family Unit (6.1.4.C.), Apartment (6.1.4.D.) (Non-Local Occupancy, A.8.)	0.000017 * sf + (Exp(-14.17 + 1.59*Ln(sf)))/ 2.176
Attached Single-Family Unit (6.1.4.C.), Apartment (6.1.4.D.) (Local Occupancy, A.8.)	0.000017 * sf + (Exp(-14.82 + 1.59*Ln(sf)))/ 2.176
Conventional Lodging (6.1.5.B.), Short-Term Rental Unit (6.1.5.C.)	<u>0.102 0.204</u> * room
Office (6.1.6.B.)	<u>0.0002150.000431</u> * sf
Retail (6.1.6.C.), Service (6.1.6.D.), Nursery (6.1.6.H.), Amusement (6.1.7.B.)	<u>0.0001880.000377</u> * sf
Restaurant/Bar (6.1.6.E.)	<u>0.0005230.001045</u> * sf
Mini-Storage Warehouse (6.1.6.G.)	<u>0.0000060.000011</u> * sf
Heavy Retail/Service (6.1.6.F.), Industrial Uses (Sec. 6.1.9.), Transportation/Infrastructure Uses (Sec. 6.1.10.)	<u>0.0001070.000214</u> * sf

- Schedule and Calculator Available.** A schedule of the requirement for employee generating development of various sizes and a calculator to use in determining the requirement are both available in the Administrative Manual. The residential requirement is a logarithmic equation because there is an exponential relationship between the size of a unit and the number of operations and maintenance employees generated.
- Use Not Listed.** For uses not listed, the Planning Director shall either find a use comparable to the proposed employee generating development and utilize the comparable calculation, or require the applicant to conduct an independent calculation pursuant to 6.3.3.B. to determine the requirement.
- Expansion.** In the case of an expansion to an existing building or use (6.3.2.A.1), the amount of affordable workforce housing required shall be calculated based on the difference between the requirement for the proposed and existing employee generating development.

**EXAMPLE:** A 5,000 sf office building proposing to add 1,500 sf would be required to provide 0.646 0.323 affordable workforce housing units (0.0002150.000431 \* 6,500 - 0.000215 0.000431 \* 5,000 = 0.646 0.323). A 3,000 sf detached single family home proposing to add 500 sf would be required to provide 0.017 affordable workforce housing units ((0.000017 \* 3,500 + Exp(-15.49 + 1.59\*Ln(3,500))/2.176) - (0.000017 \* 3,000 + Exp(-15.49 + 1.59\*Ln(3,000))/2.176) = 0.017).

- Change of Use.** In the case of a change of use, the amount of affordable workforce housing required shall be the difference between the requirement for the proposed use and the requirement for the existing use (6.3.2.A.1).

**EXAMPLE:** A proposal to use a 2,000 sf retail space as an office would be required to include 0.054 0.108 affordable workforce housing units (0.000215  $0.000431 * 2,000 - 0.0001880.000377 * 2,000 = 0.054 0.108$ ).

5. **Unknown Use.** For the development of floor area with an unknown use, the allowed use in the zoning district with the greatest need for affordable workforce housing shall be used, except that Restaurant/Bar use shall only be required in association with a Restaurant/Bar use permit.
6. **Sf.** In the calculations "sf" is equal to the habitable floor area (in square feet), including basement, of each residential, lodging, or nonresidential unit.
  - a. The calculation for a multi-unit building shall be the sum of the calculation for each unit.
  - b. Common hallways, entryways, stairways, and other circulation areas in buildings with multiple residential or nonresidential units, that are not within any individual unit, shall not be included in the calculation.
7. **Room.** In the calculations "room" is equal to a single lodging room. In the case of a conventional lodging or short-term rental with multiple bedrooms per unit, the number of rooms used in the calculation shall be the number of bedrooms, not the number of units.
8. **Local Occupancy Restriction.** The calculation for non-local occupancy shall be applied to all residential uses. In order to utilize the local occupancy calculation, a restriction shall be placed on the unit that requires compliance with the occupancy qualification requirement of the Housing Department Rules and Regulations. Placement of an affordable restriction or workforce restriction on a unit, as defined in the Housing Department Rules and Regulations, shall exempt the unit from any requirement pursuant to 6.3.2.C.1. However, 6.3.2.C.1 does not apply to an occupancy restriction placed to utilize the local occupancy calculation.

**EXAMPLE:** An applicant proposing to build 3 – 1,000 square foot attached single-family units would be required to provide 0.108 affordable workforce housing units ( $3 * (0.000017 * 1,000 + \text{Exp}(-14.17 + 1.59 * \text{Ln}(3,500)) / 2.176) = 0.108$ ). If a workforce restriction is placed on the units, they are exempt from the requirements of this Section. If an occupancy restriction is placed on the units, 0.081 affordable workforce housing units would be required ( $3 * (0.000017 * 1,000 + \text{Exp}(-14.82 + 1.59 * \text{Ln}(3,500)) / 2.176) = 0.081$ ).

9. **Removal of a Voluntary Restriction.** An affordable, workforce, or occupancy restriction voluntarily placed on a unit may be removed. In order to remove such a restriction, the affordable workforce housing required on the date of the removal shall be provided. In the case of removal of an occupancy restriction the affordable workforce housing requirement shall be calculated as a change of use from local to non-local occupancy.

10. **Update Requirement Regularly.** The determination of need for affordable workforce housing shall be evaluated and updated at least every 5 years to account for changes in the economic and demographic trends in the community. Updates shall be based on update to The Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended.

## B. Independent Calculation

Where applicable, an independent calculation shall establish the amount of affordable workforce housing required. The intent of the independent calculation is to identify a requirement for an industry that is proportional to the demand for affordable workforce housing that industry generates, where the general circumstances surveyed in the Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended, do not represent unique circumstances of the industry. The independent calculation is not intended to be business specific.

### 1. Applicability

- a. **Applicant option.** An applicant may elect to prepare an independent calculation of the required affordable workforce housing if the applicant believes the nature, timing, or location of the proposed employee generating development is likely to create less need for affordable workforce housing than otherwise required in this Section.
- b. **Unspecified use.** The Planning Director may require an independent calculation of the need created for required affordable workforce housing if:
  - i. A calculation for the proposed use is not established in Sec. 6.3.3.A.; or
  - ii. A proposed use does not rely on floor area; or
  - iii. The proposal is a Planned Resort estimating housing need pursuant to Sec. 4.3.1.F.6; or
  - iv. The Planning Director finds the employee generating development to be unique from the general circumstances surveyed in The Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended.

2. **Calculation Methodology.** An independent calculation shall use the methodology used in the Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013) to generate the calculations in 6.3.3.A. That methodology is represented by the following equation:

$$\text{Requirement (units per sf/room)} = [A/30/X^*Y] + [B/X^*Y] + [C/X^*Y] + [D/X^*Y]$$

- a. A = the number of construction workers needed to construct one sf or room of the use.