



**BOARD OF COUNTY
COMMISSIONERS**



TOWN COUNCIL

JOINT INFORMATION MEETING AGENDA DOCUMENTATION

PREPARATION DATE: April 6, 2018
MEETING DATE: April 11, 2018

SUBMITTING DEPARTMENT: Housing
DEPARTMENT DIRECTOR: April Norton
PRESENTER: Stacy Stoker

SUBJECT: 2018 Jackson/Teton County Housing Rules and Regulations and First Reading of Ordinance for Approval by the Town Council

STATEMENT/PURPOSE

The Board of County Commissioners and Town Council are asked to confirm final policy direction for the Housing Department's Rules and Regulations. The Board of County Commissioners will direct staff to start the 45-day public comment period. The Town Council will then hold the first reading for the ordinance to approve the Rules and Regulations.

BACKGROUND/ALTERNATIVES

Beginning in May 2017, the Jackson/Teton County Housing Department and the Town and County Planning Departments have collaborated on a multi-faceted project called Engage 2017: Housing, Parking, and Natural Resources. Attached to this staff report you will find a memo summarizing the Engage 2017 Housing Department Rules and Regulations update, including community engagement and the public process followed.

On March 21, 2018 the Commission and Council met to brainstorm any additional changes to the Rules and Regulations. This conversation is summarized in the Jackson/Teton County Housing Rules and Regulations Memo for Final Confirmation that is attached to this staff report.

The Housing Rules and Regulations Review Draft that was released to you on March 9, 2018 has not been changed, however, further direction from the Town Council and Board of County Commissioners is needed. Staff has additional changes as well based on feedback from the Town and County attorneys. A table is attached that outlines each of these changes. Staff recommends that only the key issues be discussed today.

Today staff seeks final direction and confirmation of the direction received on March 21 for four key issues, and approval of the other minor changes summarized in the table attached to this staff report. Once that has been given, the following timeline will be followed:

- April 11: First Reading, Town
- April 20: Begin 45-day comment period, County
- May 21: Second Reading, Town
- June 4: Third Reading, Town and final approval, County

KEY ISSUES:

1. Livability Standards

a. *Functionally equivalent to market units.* This piece of the Livability Standards requires units within a development to be functionally equal to market units. For example, if market units have a patio, then restricted units should also have a patio. Or if market units have a dishwasher then so should restricted units. During the brainstorm session, some were okay with removing this and some had concerns. Staff is recommending language that requires functionally equivalent units with the flexibility for developers to propose something different.

b. *Washer/dryer hookups in ownership units.* Staff recommends requiring washer/dryer hookups in ownership units. JTCHA Board recommends only requiring there be a laundry area on site. During the brainstorm session, there was general consensus that in multi-unit buildings, a laundry area should be available in each building and it should be sufficient to serve the units in the building.

2. Rentals in Ownership Units

a. *Should room rentals be allowed?* Staff does not recommend allowing rentals except for special circumstance. During the brainstorm session no consensus was reached on this matter. Since the brainstorm session, staff has done some research into the Housing Trust's rental program. They currently have three owners who have been approved to rent a room and four to six owners who have shown some interest in the program. If rentals are allowed, staff recommends that they should be allowed in both Employment-based and Affordable units.

b. *If rentals are allowed, how to charge a fee.* An annual fee could be charged rather than collecting from the monthly rent. Staff estimates that if an annual fee is collected for each rental unit ten hours of staff time will be needed to process and track the rental each year amounting to approximately \$500 per unit. If the Housing Department processes the rent each month, approximately 22 hours of staff time will be needed per unit per year amounting to approximately \$1,100 per unit. If the intent of the fee is to cover staff time spent, then the annual fee should be \$500. If the intent is to cover staff time and provide some funding to housing, then it should be a higher amount.

c. *If rentals are allowed, maximum rents.* The JTCHA Board recommended splitting the rent 50/50 with the Housing Department and the owner. They did not have a recommendation on maximum rents. There wasn't much discussion at the brainstorming session about maximum rents. Staff is providing three options.

1. Half of 30% of the low end of the income range for a two-person household.

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|----------------------|---------------|
| a. <80% of AMI | \$550/month |
| b. 81 – 100% of AMI | \$730/month |
| c. 101 – 120% of AMI | \$915/month |
| d. Employment-based | \$1,280/month |

2. Half of 30% of income for a two-person household at some percent of median regardless of income range.

3. Set maximum rate based on 50% of AMI for all units: \$460/month

3. Critical Services Providers

This item was not a part of the twelve policy questions, however, at the joint retreat, staff was directed to bring it up during this process. During the brainstorming session there was general consensus on the definition and the process.

a. *Definition.* The general direction was to change the definition to allow community based institutional organizations and non-profits.

b. *Process.* During the brainstorm session, the general direction was for the Housing Manager to make recommendations to the JTCHA Board, and the JTCHA Board would either approve or deny the request.

4. Weighted Drawing

a. *Points for history applying.* The current lottery process allows households to begin receiving an extra entry in a drawing after being in the top preference group in three drawings. In the proposed weighted drawing system, these points are removed. Staff does not recommend including these points in the new system. Staff believes the old process of giving extra entries was flawed. The new process will give entries for verified years worked in Teton County and not for number of times entering drawings. It will be equitable for everyone in the drawing.

b. *Priority in ADA units for mobility impaired individuals.* The JTCHA Board recommended giving priority in ADA units to individuals who are mobility impaired. The current policy is to give preference to individuals who are mobility or hearing impaired. The JTCHA Board felt that it is fairly cheap and easy for someone who is hearing impaired to install flashing smoke detectors, however, it is very difficult to retrofit a unit for wheelchairs. During the brainstorm, there seemed to be general consensus in agreement with the JTCHA Board recommendation.

All recommended changes to the document and their sections are listed on the table. The key issues are marked in light purple on the spreadsheet.

MEETING AGENDA

Staff recommends the following agenda for the Joint Information Meeting (JIM) to give final direction and confirmation on the four key issues and approval of changes to the March 9 draft. The Special JIM will begin on April 11 at 6:00 p.m. in the Town Council Chambers.

A. Introductory Presentation. April Norton will facilitate the meeting, so the Mayor and Chair can participate in the content. Stacy Stoker will provide a quick review of the Jackson/Teton County Housing Rules and Regulations update.

B. Public Comment.

C. Key Issues. Discussion and decisions made on the Key Issues. Stacy Stoker will walk through the table of changes and answer content questions.

D. Other Changes

E. Motion

ATTACHMENTS

- Jackson/Teton County Housing Rules and Regulations (March 9 draft)
- Jackson/Teton County Housing Rules and Regulations Update – Summary: Provides a summary of the twelve policy questions and the final direction to staff that were incorporated into the Jackson/Teton County Housing Rules and Regulations.
- Jackson/Teton County Housing Rules and Regulations Table of changes to the March 9 document for Final Confirmation: Provides options for outstanding items that need confirmation.
- Selling Procedures
- Process for Default Contested Case Hearings
- Draft Ordinance G for approval at first reading by the Town

FISCAL IMPACT

Once the new Jackson/Teton County Housing Rules and Regulations are approved, staff will conduct a comprehensive public outreach campaign to inform community members of the changes. Funding for this is in the FY 19 Housing Department budget request.

STAFF IMPACT

Impacts to staff include updates to the existing collateral and website, updating restrictions (which will also require legal staff time), and communicating changes to the public. If room rentals are approved, staff time will be spent to set up, implement, administer, and enforce the program.

LEGAL REVIEW

Reviewed by Audrey Cohen-Davis and Erin Weisman. Ordinance prepared by Audrey Cohen-Davis.

RECOMMENDATION

Staff recommends approval and adoption of the Housing Department Rules and Regulations.

SUGGESTED MOTION

County: I move to direct staff to revise the Jackson/Teton County Housing Rules and Regulations to include the changes discussed today and to begin the 45-day public comment period.

Town: I move to approve Ordinance G on first reading, with the changes reflected at today's meeting.

Synopsis for PowerPoint (120 words max): A summary of the demand for workforce housing in Teton County, the tools available to create supply, and the relationship between the two.