

**OFFICIAL SUMMARY PROCEEDINGS OF THE BOARD OF  
COUNTY COMMISSIONERS, TETON COUNTY, WYOMING**

The Teton County Board of Commissioners met in special meeting on **June 26, 2023** in the Commissioners Chambers located at 200 S. Willow in Jackson, Wyoming. The meeting was called to order at 1:33 p.m.

Commission present: Luther Propst, Chair, Natalia Macker, Vice-Chair, Mark Newcomb, Greg Epstein, and Wes Gardner were present.

**ACTION ITEMS CONTINUED FROM JUNE 20, 2023**

**Matters from Planning and Development:**

- 6. Permit:** BDJ2023-0002  
**Applicant:** Taylor Cook, Nelson Engineering  
**Presenter:** Chandler Windom  
**Request:** A Boundary Adjustment pursuant to Section 8.5.5 of the Land Development Regulations to adjust the property boundaries between Lots 15 and 16 of the Double R Ranch II Subdivision.  
**Location:** 1350 and 1455 E Elk Drive are Lots 15 and 16 of the Double R Ranch II Subdivision. The parcels are a half mile south of Hoback Junction and Lot 15 is adjacent to the Snake River. Both lots are zoned Rural-3 and are in both the Natural and Scenic Resources Overlays.

Chandler Windom, Senior Planner, presented to the Board a Boundary Adjustment, pursuant to Section 8.5.5 of the Teton County Land Development Regulations to reconfigure two platted lots of the Double R Ranch II Subdivision.

A Zoning Compliance Verification (ZCV2023-0003) review of Land Development Regulations (LDR) compliance was recently completed for the proposed reconfiguration of Lots 15 & 16 in the Double R Ranch II Subdivision (Plat No. 680). This will result in a new plat map (the 3rd Amendment) of the Double R Ranch Subdivision. The purpose of the adjustment is to match the shared property boundary with the centerline of the Elk Drive easement.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve BDJ2023-0002, updated May 31, 2023 to adjust lot lines between Lots 15 and 16 of the Double R Ranch II Subdivision, based on the findings in Section 8.5.5, and the standards of Section 8.2.13.C of the Teton County Land Development Regulations as recommended by the Planning Director, and being able to make the finding pursuant to Wyoming Statute §34-12-108, that such partial vacation does not abridge or destroy any of the rights and privileges of other proprietors in Plat No. 680, and request the Teton County Clerk write "Vacate" on Lot 15 and Lot 16 of Plat No. 680 upon filing of a new plat. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

- 7. Permit:** MSC2023-0012  
**Applicant:** Julia Shaw, Jackson Hole Community Housing Trust  
**Presenter:** Grace Kelley  
**Request:** This miscellaneous planning request is for a fee waiver. The fee waiver is for the refund of a Floodplain Development Permit application associated with the housing development project that is being funded and organized by the Jackson Hole Community Housing Trust.  
**Location:** 9550 S Henry's Road is located south of town off of Highway 89 and Henry's Road. It is in the Suburban zone and in the Natural Resource Overlay.

Grace Kelley, Associate Planner, presented to the Board for consideration of approval a Fee Waiver Request for the Jackson Hole Community Housing Trust (FPR2023-0002), pursuant to finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054). The applicant stated the following in their fee waiver application: "Jackson Hole Community Housing Trust is a not-for-profit organization founded in 1991 The Jackson Hole Community Housing Trust Builds and Acquires affordable housing and ensures that these properties remain affordable in perpetuity. The housing trust also manages and monitors its affordable housing units." The application fees for FPR2023-0002 totaled \$600.

There was no public.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to APPROVE the Jackson Hole Community Housing Trust's Request MSC2023-0012, received February 24th, 2023, for a \$600 as associated with Planning permit FRP2023-0002, being able to make finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054).

Commissioner Epstein amended his motion to include the words "fee waver" after "\$600." Commissioner Newcomb seconded the motion and Chair Propst called for a vote. The vote showed all in favor and the motion carried.

- 8. Permit:** MSC2023-0014  
**Applicant:** WYDOT - Bob Hammond  
**Presenter:** Grace Kelley  
**Request:** This miscellaneous planning request is for a fee waiver regarding a refund of a Basic Use Permit application for the Wyoming Department of Transportation (WYDOT). This Basic Use Permit is associated with their project off of Highway 22 at the Stilson lot, and the intention of the permit is to allow the storage of equipment and materials on the neighboring property for that project, designating it as a staging area for that project.  
**Location:** This property is 4585 W Highway 22 and is adjacent to the Stilson lot off of Highway 22. It is in the Rural-2 zone and within the Scenic Resource Overlay

Ms. Kelley presented to the Board for consideration of approval a Fee Waiver Request for Wyoming Department of Transportation (WYDOT) (BUP2023-0011), pursuant to finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054).

The applicant stated the following in their fee waiver application: "Wyoming Department of Transportation is building a bridge of Highway 22 near the intersection of Highway 390 and Highway 22. The project is for the replacement and development of a new 4 lane bridge over the Snake River." The application fees for BUP2023-0011 totaled \$500.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the WYDOT Fee Waiver Request MSC2023-0014, received February 14th, 2023, for a \$500 fee waiver as associated with Planning permit BUP2023-0011, being able to make finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054).

Chair Propst called for a vote. The vote showed all in favor and the motion carried.

- 4. Permit:** PUD2022-0003 - **CONTINUED FROM JUNE 20, 2023**
- Applicant:** Jorgensen Associates, PC
- Presenter:** Hamilton Smith
- Request:** Teton County is reviewing applications to transfer density from Lot 23, to existing Lots 24 and 25 proposed Lots 29, 30 and 31 of the Ranch Homes 2nd Filing), within Subarea II of the Snake River Canyon Ranch Resort. The proposal includes an amendment to the Snake River Canyon Ranch Resort Master Plan to add Employee Housing as an approved Use to Lot 23 (PUD2022-0003). Total residential density allowed at the resort would not increase.
- Location:** Application to transfer density from Lot 23, to existing Lots 24 and 25 (proposed Lots 29, 30 and 31 of the Ranch Homes 2nd Filing), within Subarea II of the Snake River Canyon Ranch Resort. The sending and receiving lots are zoned Planned Resort (PR) and located within both the Natural Resources Overlay (NRO) and the Scenic Resources Overlay (SRO).

Hamilton Smith, Principal Planner, had presented on this Master Plan Amendment on June 20, 2023, and refreshed the Board on the details of this application.

The intent of this Amendment is to:

- a. Transfer a single dwelling unit with a short-term rental use (Lot 23) to a new lot proposed in concurrent Development Plan application, DEV2022-0005
- b. Add a definition for Employee Housing to Division 1, Section 1.7, Definitions, of the Snake River Canyon Ranch Resort Master Plan (SRCRRMP), as amended
- c. Revise the SRCRRMP Sub Area II Table C.1., Allowed Uses, to include Employee Housing as an allowed Use attributable to Lot 23, with a floor area maximum of 4,000 square feet and a height restriction of 20 feet
- d. Revise the SRCRRMP Sub Area II, Table D.1., Allowed Subdivision Development Options, to include Transfer of Units within Sub Area II

Brandon Schulte with Jorgensen Associates, on behalf of the Applicant, and Chris Swann, the Applicant, commented on the application.

Public comment was made by Amy Kuszak, Mark Sullivan, Matt Spaulding, Tammy Jenkins, Deborah Phelan, and Chris Demming, in-person, and by Tom Hirsch and Sherie Samuelian via Zoom.

Mr. Schulte responded to public comment.

The meeting recessed at 3:31 p.m. and reconvened at 3:37 p.m.

The Applicants answered questions from the Board.

#### Motion for PUD2022-0003

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve PUD2022-0003, to amend the Snake River Canyon Ranch Plan Planned Unit Development in accord with Section 8.7.3 of the Teton County Land Development Regulations, based upon the application dated June 29, 2022, and updated on May 10, 2023, having fully considered the five (5) findings for approval under Section 8.7.3.D. including the findings pursuant to Section 8.2.13.D., which have been satisfied and met with three (3) conditions of approval, as follows:

1. All past and current approved amendments shall be incorporated in the associated sections of the Master Plan, or in an appendix to the Master Plan, with final hard and electronic copies provided to the Planning Department no later than forty-five (45) days after approval by the Board. Subject to approval by the Teton County Planning Director and the Teton County Attorney's Office, the final Master Plan and Appendix or Affidavit of the Planning Director which references the final Master Plan shall be recorded in the Office of the Teton County, Wyoming Clerk within ninety (90) days of Board approval. This permit shall not take effect until the final revised Master Plan has been recorded with the Teton County Clerk.
2. Deed Restriction. To ensure continued compliance with the standards of the Teton County Land Development Regulations and Housing Department Rules & Regulations, the property (Lot 23) on which the restricted housing units are to be located shall be subject to a deed restriction for Workforce housing in perpetuity, in a form established and approved by the Housing Department. Prior to issuance of Certificate of Occupancy on the restricted housing units,
  - a. A special restriction drafted by the Housing Department using the applicable approved Restriction Template shall be recorded on the units/property. The applicant will be responsible for payment of recording fees.
  - b. The leasing agent or person managing residents shall attend a Compliance Conference with the Housing Department to learn how Workforce households are qualified for residency in restricted units.
  - c. The Housing Department shall inspect the site to ensure units were built to approved terms of Livability Standards.
3. Employee Housing shall be the only allowed Use for Lot 23 and shall be limited to a maximum floor area of 4,000 square feet.

Commissioner Epstein suggested a friendly amendment to the motion to add a condition #4: that the owner will place the land outside the building envelope into some kind of public access easement.

Commissioner Newcomb, the motion maker, rejected the friendly amendment.

Chair Propst called for a vote. The vote showed 2 in favor and the motion failed 2-3 with Commissioners Gardner and Epstein in the affirmative.

**5. Permit:** DEV2022-0005  
**Applicant:** Jorgensen Associates, PC  
**Presenter:** Hamilton Smith  
**Request:** An application to construct a one-story, 4,000 s.f. employee housing structure on Lot 23 of the Snake River Canyon Ranch River Homes, within Subarea II of the Snake River Canyon Ranch Resort. The proposal includes a transfer of residential density to split Lots 24 & 25, The Ranch Homes, Snake River Canyon Ranch, to be replatted as the proposed Lots 29, 30 and 31 in the same location. Total residential density allowed at the resort would not increase.  
**Location:** Lot 23, Snake River Canyon Ranch, The River Homes (Plat No. 1030) and Lots 24 & 25, The Ranch Homes (Plat No. 1031) within Subarea II of the Snake River Canyon Ranch Resort. The Lots are zoned Planned Resort (PR) and located within both the Natural Resources Overlay (NRO) and the Scenic Resources Overlay (SRO).

Hamilton Smith, Principal Planner, presented to the Board a brief overview of a Development Plan to permit a building with maximum floor area of 4,000 square feet and height of 20 feet, for residential use dedicated to employee housing.

Because this item's Staff Report and Planning Commission recommendation are contingent upon the approval of PUD2022-0003, the Board denied DEV2022-0005.

A motion was made by Commissioner Macker and seconded by Commissioner Gardner to approve DEV2022-0005 dated June 29, 2022, as amended on May 8, 2023, a Development Plan to permit a one-story, 4,000 square foot employee housing structure on Lot 23, The River Homes, Snake River Canyon Ranch through a density transfer to the Ranch Homes site as described in the application, having fully considered the five (5) findings for approval under Section 8.3.2. Chair Propst called for a vote. The vote showed 2 in favor and the motion failed 2-3 with Commissioners Gardner and Epstein in the affirmative.

Commissioner Epstein left the meeting at 4:04 p.m.

**EXECUTIVE SESSION - LITIGATION - Pursuant to Wy Statute §16-4-405(a)(iii)**

A motion was made by Commissioner Macker and seconded by Commissioner Gardner to enter executive session pursuant to WY Statute §16-4-405(a)(iii) concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party. Chair Propst called for a vote. The vote showed four in favor and the motion carried 4-0.

The meeting entered executive session at 4:05 p.m.

Commissioners present: Luther Propst, Natalia Macker, Mark Newcomb and Wes Gardner

Others: Board of County Commissioner Administrator Alyssa Watkins, County Clerk Maureen Murphy, and Deputy County Clerk Chalice Weichman.

Commissioner Gardner left the meeting at 4:32 p.m.

A motion was made by Commissioner Macker and seconded by Commissioner Newcomb to exit executive session. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

The meeting exited executive session at 4:32 p.m.

**ADJOURN**

A motion was made by Commissioner Macker and seconded by Commissioner Newcomb to adjourn. Chair Propst called for a vote. The vote showed three in favor and the motion carried 3-0. The meeting adjourned at 4:32 p.m.

Respectfully submitted,  
Chalice Weichman  
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Luther Propst, Chair

ATTEST:

\_\_\_\_\_  
Maureen E. Murphy, County Clerk