

Jackson Town Council Regular Meeting

June 1, 2020

6:00 PM

Town Council Chambers

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS. **PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING**

I. WEBEX LINK FOR PUBLIC PARTICIPATION

To join, click on the link or copy it to your browser:

<https://townofjacksonwy.webex.com/townofjacksonwy/onstage/g.php?MTID=ee188b7944435ce7cf5c90591106ab7e5>

If the link does not work, join at webex.com with Meeting ID **960 805 884** Password: **toj**

II. OPENING

- A. Call to Order and Roll Call
- B. Pledge of Allegiance
- C. Announcements/Proclamations

III. PUBLIC COMMENT

This section is reserved for questions and comments from the public on items that are not otherwise included in this agenda. As a general practice, the Council will not hold discussion or debate these items. Nor will they make any decisions on items presented during this time but rather refer items to staff for follow-up. If you would like to communicate with the Council during the meeting, please address them during open public comment, when public comment is called for on a specific item, or send an email to Council@jacksonwy.gov.

IV. CONSENT CALENDAR

All matters listed in this section are considered to be of routine nature by the governing body and will be enacted in one motion, unless it is removed from the consent calendar and considered separately by Council. Public comment may be given on any item.

- A. Meeting Minutes:
 - 1. May 18, 2020 special workshop
 - 2. May 18, 2020 regular workshop
 - 3. May 18, 2020 regular meeting
 - 4. May 19, 2020 special workshop
- B. Disbursements
- C. Special Event: Jackson Hole High School Graduation Parade
- D. Special Event: Food Bank of the Rockies Drop Off / Distribution Event
- E. Special Event: Hole Food Rescue Sprouts Mobile Events
- F. Special Event: Chamber of Commerce Temporary Visitor Information Tent
- G. Temporary Sign Permit: Gem and Mineral Show (P20-061)
- H. Temporary Sign Permit: Jackson Hole High School & Summit Innovations School (P20-099)
- I. Encroachment Agreements at 135 E Broadway for Bella Cosa (P20-072) and Garden Home Design (P20-074), and Persephone (P20-073)

Please note that at any point during the meeting, the Mayor and Council may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

V. PUBLIC HEARINGS, DISCUSSION AND/OR POSSIBLE ACTION ITEMS

A. Administration

1. Downtown Summer Business Implementation and Parking (Tyler Sinclair)

B. Planning

1. **Item P19-262, P20-069 & -070:** Amendment to Final Development Plan for Pine Glades PUD. *This item will be continued to June 15.*
2. **Item P20-009 & 010:** Development Plan and Hillside Conditional Use Permit for Bluffs Development at 984 Budge Drive. *This item will be continued to June 15.*
3. **Item P20-035 & -036:** Development Plan and Hillside Conditional Use Permit for 808 Upper Redmond (Brendan Conboy)
4. **Item P20-071:** Final Plat at 135 E Broadway (Genevieve Block) (Brendan Conboy)
5. **Item P20-079:** Partial Vacation at 305 E. Deloney Avenue (Tyler Valentine)

VI. RESOLUTIONS

VII. ORDINANCES

- A. **Ordinance R:** An Ordinance Amending Jackson Municipal Code regarding Prohibiting Smoking in Public Buildings (Presented for 3rd Reading and Designated #1253)
- B. **Ordinance S:** An Ordinance Adopting the 2020 National Electrical Code (Presented for 3rd Reading and Designated #1254)
- C. **Ordinance Q:** An Ordinance Prohibiting the Sale of Flavored Tobacco Products (Presented for 1st Reading, Roxanne Robinson)

VIII. MATTERS FROM MAYOR AND COUNCIL

- A. Town Buildings COVID-19 Policy
- B. Board and Commission Reports

IX. MATTERS FROM THE TOWN MANAGER

- A. Town Manager's Report

X. ADJOURN

Complete the Census online at [My2020Census.gov](https://my2020census.gov)

Please note that at any point during the meeting, the Mayor and Council may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

TOWN COUNCIL PROCEEDINGS - **UNAPPROVED**

MAY 18, 2020

JACKSON, WYOMING

The Jackson Town Council met in special workshop session in the Council Chambers of the Town Hall at 150 East Pearl at 10:08 A.M. Upon roll call the following were found to be present:

TOWN COUNCIL: *via Webex*: Mayor Pete Muldoon, Vice-Mayor Hailey Morton Levinson, Jim Stanford, Jonathan Schechter, and Arne Jorgensen.

STAFF: Larry Pardee, Tyler Sinclair, Kelly Thompson, Roxanne Robinson, Zolo, Johnny Ziem, and Sandy Birdyshaw.

Town of Jackson Budget. Larry Pardee and Tyler Sinclair made comment on the budget direction given to date. The Council discussed program adjustments and the capital program. A special workshop to continue budget discussion was added for Tuesday, May 19th at 9:00 a.m.

Adjourn. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to adjourn. The vote showed all in favor and the motion carried. The meeting adjourned at 12:11 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk

Published JH News & Guide: May 27, 2020

TOWN COUNCIL PROCEEDINGS - **UNAPPROVED**

MAY 18, 2020

JACKSON, WYOMING

The Jackson Town Council met in regular workshop session in the Council Chambers of the Town Hall at 150 East Pearl at 3:00 P.M. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person*: Mayor Pete Muldoon. *via Webex*: Vice-Mayor Hailey Morton Levinson, Arne Jorgensen, Jonathan Schechter, and Jim Stanford

STAFF: Larry Pardee, Roxanne Robinson, Tyler Sinclair, Lea Colasuonno, Zolo, Johnny Ziem, and Sandy Birdyshaw.

Re-opening Downtown and all Town Businesses and Parking Discussion. Tyler Sinclair facilitated discussion on ways to reopen businesses as COVID-19 pandemic restrictions relax and proposed waiting until next summer to implement parking regulations. Brian Schilling made comment on a Smart Growth America grant that would provide funding related to re-opening efforts. Johnny Ziem made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Jim Stanford to direct staff to move forward with the Smart Growth America grant application. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to postpone implementation of most of the downtown short-term parking changes, in particular not changing the three-hour downtown parking to two-hours and not converting the Home Ranch parking to three-hour parking. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Stanford opposed. The motion carried.

Discussion was held on private parking. Paul Anthony made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to direct the planning director to provide flexibility and creativity in applying parking standards on private property in accordance with public health standards through October 31, 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Discussion turned to signage and food trucks at town parks or in residential zones. Larry Pardee, Todd Smith, and Lea Colasuonno made staff comment.

Public comment was given by Jeff and Lou Ann Roush, and Chad Marsh.

Discussion was held on ideas and concerns including food trucks, blocking off one or two parking spaces, certain street closures at certain days or times of the week, a rolling or staggered authorization so all streets aren't closed at the same time, one way street closures, to include the Chamber of Commerce, turning the street into an active pedestrian access area, square use at the height of summer and maintaining distancing, reconfigure parking to parallel to increase area for pedestrian movement, target use at corners, and including a two-block radius of the square.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to direct staff to research and bring back items as discussed today at a meeting to be determined by the Mayor; including (but not limited to) the use of food trucks downtown, private parking, an application process for people wanting to use the public right of way or other public properties. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Hailey Morton Levinson to adjourn. The vote showed all in favor and the motion carried. The meeting adjourned at 4:47 P.M. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

TOWN COUNCIL PROCEEDINGS - UNAPPROVED

MAY 18, 2020

JACKSON, WYOMING

The Jackson Town Council met in regular session in the Council Chambers of the Town Hall located at 150 East Pearl at 6:02 P.M. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person*: Mayor Pete Muldoon. *via Webex*: Vice-Mayor Hailey Morton Levinson, Arne Jorgensen, Jim Stanford, and Jonathan Schechter.

STAFF: Larry Pardee, Roxanne Robinson, Lea Colasuonno, Zolo, Paul Anthony, Roger Schultz, Johnny Ziem, Rich Ochs, and Sandy Birdyshaw.

Public Comment. Carl Pelletier commented on a request from Carolyn Little to honor Jackson High School seniors by hanging orange and black ribbons between May 30 and June 8. Public comment was given by Willie Watsabaugh regarding the Town's budget.

Consent Calendar. A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve the consent calendar including items A-H as presented with the following motions. There was no public comment on the Consent Calendar.

A. **Meeting Minutes.** To approve the meeting minutes as presented for the May 4, 2020 special workshop and regular meeting, and special workshops on May 11 and May 13, 2020.

B. **Disbursements.** To approve the disbursements as presented. Ace Hardware \$1,678.08; Advanced Pump & Equipment, Inc \$47,452.46; All-Star Auto Parts \$19.17; Antler Motel, Inc. \$3,200.00; Art Association \$600.00; AT&T \$251.88; Best Best & Krieger \$708.00; Bison Lumber \$1,060.80; Bliss Cargo \$27.03; Blue Spruce Cleaners, Inc \$348.16; BMV LLC \$173.44; Brower Psychological Services Inc \$325.00; C & A Professional Cleaning Serv LLC \$6,752.45; Carquest Auto Parts Inc. \$256.82; Centurylink \$485.36; Chargepoint, Inc \$11,168.00; City Of Driggs \$1,906.32; CMI - Teco \$39.53; Commercial Tire-ID Falls \$498.48; Control System Technology, Inc. \$4,875.00; Convergeone, Inc \$33,362.17; Dbr Inc. \$190.00; Delcon Inc \$7,947.81; Dell \$2,671.92; Delta Dental Plan Of Wyoming \$3,875.60; DPC Industries, Inc. \$1,731.06; Energy Laboratories Inc. \$1,374.00; Entenmann-Rovin Co \$953.20; Evans Construction Inc \$254.59; Fish Creek Excavation LLC \$9,019.93; Fleetpride \$1,630.71; Freedom Mailing Service Inc. \$1,845.76; Friends Of Pathways \$7,816.00; Galls Inc. \$210.00; Garmin USA \$64.95; Garrett, Robert \$31.39; Geittmann Larson Swift LLP \$1,430.00; Gillig LLC \$731.15; Grafix Shoppe Inc. \$1,390.00; Hach Company \$1,565.49; Handy Plumbing LLC \$1,253.65; Harrington, Steve \$22.69; Hd Fowler Company \$2,758.20; High Country Linen \$408.20; Hirst Applegate, LLP \$1,818.00; Hunt Construction Inc \$3,021.00; Interstate Battery \$299.80; Jackson Animal Hospital \$574.00; Jackson Curbside Inc. \$985.00; Jackson Hole Law, Pc \$3,005.25; Jackson Hole News & Guide \$4,532.37; Jackson Lumber Inc \$320.24; Jh20 Water Conditioning & Filtration \$73.00; Jorgensen Associates, Pc \$5,340.00; Kellerstrass Enterprises, Inc \$10,715.36; Lincoln County Sheriff \$5,390.00; Local Gov't Liability Pool \$1,000.00; LoganSimpson \$14,949.80; Lower Valley Energy Inc \$16,664.71; Mcbath, Donnie \$306.17; Metroquip Inc \$425.69; Mountain Electrical \$13,406.00; Napa Auto Parts Inc. \$302.99; Nelson Engineering \$38,095.50; One Call Of Wyoming \$495.00; Premier Truck- Salt Lake City \$163.94; QA Balance Services Inc. \$430.00; Quadient, Inc Dept 3689 \$1,000.00; Raftelis \$47,250.09; Respond First Aid Systems \$89.95; Rocky Mountain Appraisals \$3,400.00; Ron's Towing \$462.50; Safety Supply & Sign Co., Inc. \$4,392.38; Schmidt, Brian \$155.00; Snake River Roasting \$314.98; Spring Creek Animal Hospital \$255.16; Stinky Prints, Inc \$1,260.00; Swagit Productions, LLC \$1,775.00; Team Laboratory Chemical Corp \$1,700.00; Teton County Clerk \$154,595.50; Teton County Integrated Solid Waste/Recy \$15,172.80; Teton County Special Fire Fund \$152,763.99; Teton County-Fund 10 \$42,626.93; Teton County-Fund 13 \$29.69; Teton Motors Inc \$4,006.88; Teton Tools LLC \$113.00; Teton Trash Removal, Inc. \$45.50; Thomson West \$893.85; Thyssen Krupp Elevator Corp. \$2,871.97; Titan Machinery \$184.19; Trefonas Law, P.C. \$908.82; Uline \$194.29; Upper Case Printing Ink \$220.80; USA Blue Book \$115.59; Verizon Wireless \$5,640.79; Wamco Lab, Inc. \$350.00; Watts Steam Store Rocky Mt. Inc \$32.20; Weller Truck Parts \$71.33; West Fork Construction \$199,257.66; Westbank Sanitation \$703.40; Westwood Curtis \$406,559.52; Wyoming Assoc Of Chiefs \$350.00; Xerox Corporation \$280.26; Xylem CCI \$782.00; Y2 Consultants, LLC \$250.50; Yellow Iron Excavation, LLC \$647.09; YSI Incorporated \$782.00.

C. **Municipal Court Report for April 2020.** To accept the April 2020 Municipal Court Report into the record.

- D. **Special Event Application for People's Market.** To approve the special event application made by Slow Foods of the Tetons for the People’s Markets, subject to the conditions and restrictions listed in the staff report.
- E. **Special Event Application for Touch A Truck.** To approve the traffic control request made by the Jackson Hole Children’s Museum for the Jackson Hole Children’s Museum Touch-a-Truck special procession.
- F. **Temporary Sign Permit: JH Classical Academy (P20-084).** To approve the temporary banner in conjunction with Jackson Hole Classical Academy subject to four conditions of approval. 1. use of the site shall be granted by the property owner. 2. The sign shall not be located on the sidewalks or in the public right of way. 3. The site shall state the date(s) of the advertised “virtual shadow day.” 4. The sign for Merit Scholarships may be installed at 105 Buffalo Way, Albertsons from May 19, 2020 to June 2, 2020.
- G. **Memorandum of Understanding for Law Enforcement Services at the Airport.** To approve the Law Enforcement MOU between the Town of Jackson and the Jackson Hole Airport Board and authorize the Mayor to execute the agreement.
- H. **Encroachment Agreement at 174 N King for Canopies (P20-048).** To approve the Encroachment Agreement between the Town of Jackson and Jackson Hole Community Housing Trust to allow encroachment of canopies into the Town right-of way at 174 North King Street subject to the recommended conditions, approval by the Town Engineer and Town Attorney, and further authorize the Mayor to execute an Encroachment Agreement.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Request from Carolyn Little to honor JHHS graduates. A motion was made by Jonathan Schechter and seconded by Hailey Morton Levinson to approve the request made by Carolyn Little to put up ribbons around town to commemorate the JHHS Class of 2020 and extend this privilege to any other high schools wishing to do something similar. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Resolution 20-13: A Resolution Adopting the Wyoming Region 8 Hazard Mitigation Plan. Rich Ochs made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve Resolution 20-13 A Resolution Adopting the Wyoming Region 8 Hazard Mitigation Plan.

Teton County Resolution #20-024 Town of Jackson Resolution #20-13
Wyoming Region 8 Hazard Mitigation Plan Adoption Resolution

- WHEREAS**, Teton County, Wyoming, and the Town of Jackson, Wyoming, have the potential to experience disasters that can damage commercial, residential, and public properties, displace citizens and businesses, close streets and bridges dividing the county and municipality, and present general public health and safety concerns; and
- WHEREAS**, Teton County, the Town of Jackson, and the Teton Conservation District have prepared a Hazard Mitigation Plan that identifies goals and mitigation actions to reduce overall impacts and potential for loss of life or damage to property from natural hazards; and
- WHEREAS**, the U.S. Congress passed the Disaster Mitigation Act of 2000 (“Disaster Mitigation Act”) emphasizing the need for pre-disaster mitigation of potential hazards and which made available hazard mitigation grants to state and local governments; and
- WHEREAS**, an adopted Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and
- WHEREAS**, the Wyoming Region 8 Hazard Mitigation Plan has been developed in accordance with the FEMA-prescribed mitigation planning process and meets current state and federal requirements; and
- WHEREAS**, the Wyoming Office of Homeland Security and the Federal Emergency Management Agency Region VIII officials have reviewed the Wyoming Region 8 Hazard Mitigation Plan, and approved it contingent upon this official adoption of the participating governing bodies; and

WHEREAS, Teton County, the Town of Jackson, and the Teton Conservation District desire to formally adopt the Wyoming Region 8 Hazard Mitigation Plan for implementation.

NOW, THEREFORE, be it resolved by the Teton County Board of County Commissioners, the Town Council of the Town of Jackson, Wyoming, and the Board of Supervisors of the Teton Conservation District, in regular session duly assembled, that:

1. The Wyoming Region 8 Hazard Mitigation Plan is hereby adopted as an official plan of Teton County, the Town of Jackson, and the Teton Conservation District.
2. The Board of County Commissioners delegates the responsibility for annual review and monitoring of implementation to the County Emergency Management Coordinator.
3. Each local government shall pursue implementation of the projects contained in the Plan as resources allow.
4. Each local government shall consider and incorporate into other plans elements of the Hazard Mitigation Plan as appropriate.

PASSED, APPROVED, AND ADOPTED this 18th day of May 2020.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Resolution 20-14: A Resolution Revoking the Delegation of Authority for COVID-19 Response Resolution #20-04. Rich Ochs made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Jim Stanford to adopt Resolution 20-14 revoking the delegation of authority for COVID-19 response as presented.

JOINT RESOLUTION: TETON COUNTY, WYOMING RESOLUTION #20-025. TOWN OF JACKSON, WYOMING RESOLUTION #20-14. REVOCATION OF DELEGATION OF AUTHORITY FOR COVID-19 RESPONSE

WHEREAS, the Teton County Board of County Commissioners and the Jackson Town Council approved a *Delegation of Authority for COVID-19 Response Resolution* on March 30, 2020 which granted the power to oversee the complete management of the COVID-19 Response Incident to a Unified Command whose members are:

Fire Chief Brady Hansen, Jackson Hole Fire/EMS
Jodie Pond, Director, Teton County Health Department
Sheriff Matt Carr, Teton County Sheriff
Police Chief Todd Smith, Jackson Police Chief

WHEREAS, the assumption of command began on March 16, 2020 and has continued until today's date. The *Delegation of Authority for COVID-19 Response Resolution* states in Paragraph 5 that the assumption of command shall continue until such time as this Resolution is revoked or modified; and

WHEREAS, through review of the metrics provided by the State of Wyoming, review of the current data available for Teton County, and through consultation with the Teton District Health Officer, the Unified Command has recommended to the Jackson Town Council and Teton County Board of County Commissioners to revoke the current delegation of authority to the Unified Command; and

WHEREAS, it is recognized by Unified Command that there may be a need in the future to delegate authority to the Unified Command again to respond to COVID-19, and the current Unified Command members are willing and able to accept that delegation of authority if the Jackson Town Council and Teton County Board of County Commissioners decides that is the best course of action.

NOW THEREFORE, be it resolved by the Teton County Board of County Commissioners and the Jackson Town Council that the delegation of authority to the Unified Command to oversee the complete management of the COVID-19 response is revoked and the delegation of authority shall cease at 7:00 p.m. on Wednesday, May 20, 2020.

IT IS FURTHER RESOLVED, that the members of the Unified Command should remain ready for the delegation of authority to be granted again in the future to manage the COVID-19 response if data begins to show a need as determined by the Jackson Town Council and Teton County Board of County Commissioners.

IT IS FURTHER RESOLVED, that the Jackson Town Council and Teton County Board of County Commissioners sincerely thank and praise the efforts of the Unified Command; especially Sheriff Matt Carr, Police Chief Todd Smith, Fire/EMS Chief Brady Hansen, and Public Health Director Jodie Pond; for their work and efforts as the Unified Command.

PASSED, APPROVED, AND ADOPTED this 18th day of May 2020.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Jackson Hole Airport Board Budget. Airport Director Jim Elwood made comment. Roxanne Robinson made staff comment.

A motion was made by Jonathan Schechter and seconded by Arne Jorgensen to approve the Airport Board’s proposed FY 2021 budget, as amended to require the Board to re-program the budget in two ways and as approved by the Town and Teton County Attorney’s office:

1. \$250,000 to be transferred to the Teton County Sheriff’s office for aircraft search and rescue purposes, unless FAA determines that the transfer would be unlawful. This transfer would be based upon a finding that this support would benefit the airport by enhancing community acceptance and any lawful basis.
2. \$70,000 to support advocacy efforts to advance additional local control to further align with our local community vision.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

RFQ Award for Low-Income Multifamily Housing Developer. April Norton made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to direct staff to negotiate a contract for services with Summit Housing Group and bring the contract back for final review and approval no later than the June 15, 2020 regular council meeting. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Stanford opposed. The motion carried.

Item P19-262, P20-069 & -070: Amendment to Final Development Plan for Pine Glades PUD. A motion was made by Jonathan Schechter and seconded by Hailey Morton Levinson to continue these items to the regularly scheduled Town Council meeting on June 1, 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Item P20-009 & 010: Development Plan and Hillside Conditional Use Permit for Bluffs Development at 984 Budge Drive. A motion was made by Hailey Morton Levinson and seconded by WHO to continue these items to the Town Council meeting scheduled for June 1, 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Item P19-242: Conditional Use Permit for Snow King Gondola, Zip Line, and Snow Making Pump House. Tyler Sinclair requested this item be continued to June 15 instead of June 1st. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to continue the items to the next scheduled Town Council meeting on June 15, 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinances. A motion was made by Jonathan Schechter and seconded by Hailey Morton Levinson to read ordinances in the short title. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance P: An Ordinance Amending the Jackson Municipal Code regarding Compensation for Mayor and Council.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 787, 717, 326, AND 226 AND SECTIONS 1-3 OF TOWN OF JACKSON ORDINANCE NO. 1 AND SECTION 2.08.010 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING COMPENSATION FOR MAYOR AND COUNCILMEN; 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:

A motion was made by Hailey Morton Levinson and seconded by Jim Stanford to approve Ordinance P on third reading and designate it Ordinance 1252. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Schechter opposed. The motion carried.

Ordinance Q: An Ordinance Adding Chapter 8.35 to the Jackson Municipal Code Prohibiting the Sale of Flavored Tobacco Products.

AN ORDINANCE ADDING CHAPTER 8.35 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON PROHIBITING THE SALE OF FLAVORED TOBACCO PRODUCTS 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:

Public comment was given by Heather Franklin of the Curran-Seeley Foundation, Thomas Briant of the National Association of Tobacco Outlets, Holly Robb of Maverik, Jason Mincer with the American Cancer Society, and Jodi Radke with Tobacco Free Kids.

Lea Colasuonno made staff comment.

A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to continue Ordinance Q to the Town Council meeting on June 1, 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance R: An Ordinance Amending Jackson Municipal Code regarding Prohibiting Smoking in Public Buildings.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NO. 461 (PART), AND CHAPTER 8.34 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON PROHIBITING SMOKING AND E-CIGARETTE USAGE IN PUBLIC BUILDINGS 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:

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve Ordinance R on second reading. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance S: An Ordinance Adopting the 2020 National Electrical Code.

AN ORDINANCE AMENDING AND REENACTING SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 313, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 325, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 413, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 633, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 706, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 803, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 886, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 899, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 990, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1057, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1101, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1171 AND SECTION 15.20.010 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON BY CHANGING THE VERSION OF THE NATIONAL ELECTRICAL CODE ADOPTED BY REFERENCE FROM THE 2017 EDITION TO THE 2020 EDITION, WITH CERTAIN AMENDMENTS AND FOR ALLOWING ELECTRICAL PERMIT FEES TO BE SET BY RESOLUTION OF THE TOWN COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED, THAT:

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve Ordinance S on second reading. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Matters from Mayor and Council. Hailey Morton Levinson made comment on getting the word out for people to complete the census. Jim Stanford made comment on the Parks and Recreation Board meeting and requiring facemask use. Arne Jorgensen made comment on clear cutting private lots. Jim Stanford made comments of appreciation to the streets team.

Town Manager’s Report. A motion was made by Hailey Morton Levinson and seconded by Jim Stanford to accept the Town Manager’s Report into the record. The Town Manager’s Report contained an update the 165/185 North Glenwood Project, May sales and lodging tax, and the BUILD Grant application. Larry Pardee made comment on safety measures being put in place so Town Hall may be reopened. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Adjourn. A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to adjourn the meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 8:11 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk
Publish JH News & Guide: May 27, 2020

TOWN COUNCIL PROCEEDINGS - **UNAPPROVED**

MAY 19, 2020

JACKSON, WYOMING

The Jackson Town Council met in special workshop session in the Council Chambers of the Town Hall at 150 East Pearl at 9:00 A.M. Upon roll call the following were found to be present:

TOWN COUNCIL: *via Webex*: Vice-Mayor Hailey Morton Levinson, Jim Stanford, Jonathan Schechter, and Arne Jorgensen. Mayor Pete Muldoon joined at 9:11a.m.

STAFF: Larry Pardee, Tyler Sinclair, Kelly Thompson, Roxanne Robinson, Jason Wright, Todd Smith, Brady Hansen, Steve Ashworth, and Sandy Birdyshaw.

Town of Jackson Budget. Larry Pardee and Tyler Sinclair facilitated discussion on department program budgets. Brady Hansen made comment.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jim Stanford to adjourn. The vote showed all in favor and the motion carried. The meeting adjourned at 10:11 a.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk

Published JH News & Guide: May 27, 2020

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6350	4IMPRINT	052720	Advertising & Outreach supplies.	05/27/2020	2,243.48	.00	
Total 6350:					2,243.48	.00	
328	842-NCPERS GROUP WYOMIN	842062020	PAYROLL DEDUCTIONS	05/13/2020	112.00	112.00	05/27/2020
Total 328:					112.00	112.00	
51	ACE HARDWARE	697037	vinegar to clean flush valve	05/08/2020	2.99	.00	
51	ACE HARDWARE	697430	plug for welding cord	05/12/2020	11.99	.00	
51	ACE HARDWARE	697620	Hanger zip ties for COVID Banner	05/13/2020	19.97	.00	
51	ACE HARDWARE	698588	Replacement keys for evidence lo	05/20/2020	6.98	.00	
Total 51:					41.93	.00	
21	ADVANCED INDUSTRIAL SUPP	5191341	safety goggles	05/12/2020	153.98	.00	
Total 21:					153.98	.00	
2269	AFLAC	940310	ACCOUNT #y9599	05/25/2020	2,831.24	2,831.24	05/27/2020
Total 2269:					2,831.24	2,831.24	
6453	AMERICAN SHOOTERS LAS VE	345161	Ammunition for range training. .4	05/06/2020	2,374.00	.00	
6453	AMERICAN SHOOTERS LAS VE	345767	Ammunition for range training (.30	05/15/2020	708.00	.00	
Total 6453:					3,082.00	.00	
4614	C & A PROFESSIONAL CLEANI	052120	Bunk house cleaning	05/21/2020	75.00	.00	
4614	C & A PROFESSIONAL CLEANI	053120	May Town Hall Gym Cleaning	05/28/2020	177.78	.00	
4614	C & A PROFESSIONAL CLEANI	060120	June Town Hall Cleaning	05/28/2020	3,968.18	.00	
4614	C & A PROFESSIONAL CLEANI	063020	June Town Hall gym cleaning	05/28/2020	702.76	.00	
4614	C & A PROFESSIONAL CLEANI	JUNE 2020	June PW monthly cleaning	05/28/2020	2,079.79	.00	
4614	C & A PROFESSIONAL CLEANI	JUNE2020	June parking garage cleaning	05/28/2020	446.85	.00	
Total 4614:					7,450.36	.00	
544	CENTURYLINK	307-111-5050	Monthly CL bill for account P-307-	05/07/2020	1,918.26	.00	
544	CENTURYLINK	307-733-3106	Monthly CL bill for account 307-73	05/13/2020	38.62	.00	
Total 544:					1,956.88	.00	
605	CNA SURETY	070320	BOND FOR CLERKS & TREASU	05/27/2020	609.50	.00	
Total 605:					609.50	.00	
4887	CONTROL SYSTEM TECHNOLO	9636	labor to install Berger control pane	05/12/2020	6,763.00	.00	
4887	CONTROL SYSTEM TECHNOLO	9644	Well 7 SCADA	05/19/2020	928.00	.00	
Total 4887:					7,691.00	.00	
6475	CONVERGEONE, INC	10010	Monthly cost for Council, P&Z Co	05/08/2020	318.11	.00	
6475	CONVERGEONE, INC	10011	Annual renewal for ToJ Webex pl	05/08/2020	500.80	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6475:					818.91	.00	
708	DELTA DENTAL PLAN OF WYO	05152020	JUNE PREMIUM	05/15/2020	592.80	592.80	05/27/2020
Total 708:					592.80	592.80	
5996	DUDE SOLUTIONS, INC	INV-66078	Dude MaintenanceEdge annual m	05/01/2020	4,767.34	.00	
Total 5996:					4,767.34	.00	
3408	E.R. OFFICE EXPRESS	15459	100ct - Verbatim DVD-R (Evidenc	05/15/2020	46.00	.00	
3408	E.R. OFFICE EXPRESS	15459	50ct - Innovera CD/DVD Envelope	05/15/2020	14.18	.00	
Total 3408:					60.18	.00	
1134	ENERGY LABORATORIES INC.	312347	weekly wastewater testing	05/08/2020	114.00	.00	
1134	ENERGY LABORATORIES INC.	313975	weekly wastewater testing	05/18/2020	302.00	.00	
Total 1134:					416.00	.00	
6673	EVENSON, TERRI LYNN	052020	REFUND CASE #20-03-0001	05/20/2020	85.00	85.00	05/21/2020
Total 6673:					85.00	85.00	
3195	FERGUSON ENTERPRISES, IN	0745389	Parts to fix some leaking sewer pi	05/12/2020	58.28	.00	
3195	FERGUSON ENTERPRISES, IN	8224313	zurn vaccum breaker, parking gar	05/12/2020	8.24	.00	
3195	FERGUSON ENTERPRISES, IN	8224313	zurn vaccum breaker, parking gar	05/12/2020	9.76	.00	
Total 3195:					76.28	.00	
6676	Fodor Law Office	052720	Return Over Payment for P20-095	05/27/2020	500.00	.00	
Total 6676:					500.00	.00	
4271	GRAND TARGHEE RESORT	052720	FEDERAL GRANT REIMBURSE	05/27/2020	73,519.00	.00	
Total 4271:					73,519.00	.00	
4988	HD FOWLER COMPANY	I5461654	FOR WATER DIVISION. Spade b	05/13/2020	10.00	.00	
4988	HD FOWLER COMPANY	I5461654	FOR WATER DIVISION. Spade b	05/13/2020	304.68	.00	
4988	HD FOWLER COMPANY	I5463517	INBOUNDE FRT BILLABLE	05/14/2020	18.00	.00	
Total 4988:					332.68	.00	
96	HIGH COUNTRY LINEN	0188477	Home Ranch operating supplies	04/13/2020	7.50	.00	
96	HIGH COUNTRY LINEN	0189954	mats	04/29/2020	220.50	.00	
96	HIGH COUNTRY LINEN	S0186781	black liners	03/25/2020	77.91	.00	
96	HIGH COUNTRY LINEN	S0192486	2 Purell 2 Liter Pump Hand Sanitizer@27.80 each 55.60	05/20/2020	135.60	.00	
Total 96:					441.51	.00	
36	IDAHO STATE TAX COMMISSIO	05272020	MAY WITHHOLDINGS	05/27/2020	3,885.00	3,885.00	05/27/2020
Total 36:					3,885.00	3,885.00	
2	JACKSON CURBSIDE INC.	00027804	Home Ranch recycling	05/10/2020	645.00	.00	
2	JACKSON CURBSIDE INC.	00027817	April downtown recycling	05/11/2020	985.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 2:					1,630.00	.00	
6474	JACKSON HOLE LAW, PC	1193	April Professional Services Bill Mu	04/30/2020	1,500.00	.00	
Total 6474:					1,500.00	.00	
131	JACKSON HOLE NEWS & GUID	310017	AD#377088	03/31/2020	164.10	.00	
131	JACKSON HOLE NEWS & GUID	310839	AD#377088	04/30/2020	10.90	.00	
131	JACKSON HOLE NEWS & GUID	311159	May 4 Budget Workshop Meeting	05/13/2020	45.93	.00	
131	JACKSON HOLE NEWS & GUID	311161	May 4 Regular Town Council mee	05/13/2020	730.63	.00	
131	JACKSON HOLE NEWS & GUID	311162	Ordinance 1251	05/13/2020	121.08	.00	
131	JACKSON HOLE NEWS & GUID	311397	RFP for tenant internet services	05/20/2020	166.44	.00	
131	JACKSON HOLE NEWS & GUID	311397	RFP for tenant internet services	05/20/2020	.56	.00	
131	JACKSON HOLE NEWS & GUID	311575	5-18 Regular Mtg Minutes 6pm	05/27/2020	559.45	.00	
131	JACKSON HOLE NEWS & GUID	311575	5-19 Special Workshop minutes 9	05/27/2020	33.40	.00	
131	JACKSON HOLE NEWS & GUID	311575	5-18 Special JIM minutes 1pm	05/27/2020	87.68	.00	
131	JACKSON HOLE NEWS & GUID	311575	5-18 Special workshop minutes 1	05/27/2020	33.40	.00	
131	JACKSON HOLE NEWS & GUID	311575	5-18 Workshop Minutes 3pm	05/27/2020	83.50	.00	
131	JACKSON HOLE NEWS & GUID	311580	Town Ordinance 1252 OrdP Salar	05/27/2020	91.85	.00	
131	JACKSON HOLE NEWS & GUID	311581	Notice of FY21 Town Budget	05/27/2020	208.75	.00	
Total 131:					2,337.67	.00	
5810	JACKSON HOLE RADIO	20040191	Census	04/30/2020	1,000.00	.00	
5810	JACKSON HOLE RADIO	20040192	Census	04/30/2020	1,000.00	.00	
5810	JACKSON HOLE RADIO	20040193	census	04/30/2020	1,000.00	.00	
5810	JACKSON HOLE RADIO	20040194	Covid	04/26/2020	1,800.00	.00	
5810	JACKSON HOLE RADIO	20040195	Covid	04/26/2020	1,800.00	.00	
5810	JACKSON HOLE RADIO	20040196	Covid	04/26/2020	1,800.00	.00	
Total 5810:					8,400.00	.00	
114	JACKSON LUMBER INC	00546824-001	construction materials for PW cha	04/17/2020	38.71	.00	
Total 114:					38.71	.00	
6675	Johnston, Emily	052620	Refund for 1 in water meter purch	05/26/2020	193.00	.00	
Total 6675:					193.00	.00	
139	JORGENSEN ASSOCIATES, PC	44412-REVISE	Phase 1 Contract Core Services F	05/12/2020	180,712.36	.00	
Total 139:					180,712.36	.00	
6674	KELLAMS, MIRIAM	052720	JPD Mission statement in vinyl. New Vendor: Miriam Kellams	05/27/2020	100.00	.00	
Total 6674:					100.00	.00	
5473	KELLERSTRASS ENTERPRISES	1183985	antifreeze for inventory	05/05/2020	165.36	.00	
5473	KELLERSTRASS ENTERPRISES	D23367	fuel for resale at PW fuel Island	04/28/2020	10,508.58	.00	
Total 5473:					10,673.94	.00	
4902	KOIS BROTHERS EQUIPMENT	119781	parts to fix the snow blower	05/20/2020	647.56	.00	
Total 4902:					647.56	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
671	LINCOLN NATIONAL LIFE	107747 062020	107747 JUNE PREMIUM	05/22/2020	6,001.02	6,001.02	05/27/2020
671	LINCOLN NATIONAL LIFE	4090586444	107391 JUNE PREMIUM	05/20/2020	1,225.59	1,225.59	05/27/2020
Total 671:					7,226.61	7,226.61	
156	LOWER VALLEY ENERGY INC	20594	PW police garage	05/28/2020	156.84	.00	
156	LOWER VALLEY ENERGY INC	20594	parking garage gas	05/28/2020	74.47	.00	
156	LOWER VALLEY ENERGY INC	20594	PW south shop	05/28/2020	205.64	.00	
156	LOWER VALLEY ENERGY INC	20594	Home Ranch	05/28/2020	19.56	.00	
156	LOWER VALLEY ENERGY INC	20594	PW east storage bld	05/28/2020	224.96	.00	
156	LOWER VALLEY ENERGY INC	20594	PW main	05/28/2020	748.62	.00	
156	LOWER VALLEY ENERGY INC	20594	PW west shop billing	05/28/2020	192.05	.00	
156	LOWER VALLEY ENERGY INC	20594	START Bus	05/28/2020	1,111.64	.00	
156	LOWER VALLEY ENERGY INC	20594	Parking Garage	05/28/2020	953.39	.00	
156	LOWER VALLEY ENERGY INC	92050-002 042	ANIMAL SHELTER	05/28/2020	189.21	.00	
156	LOWER VALLEY ENERGY INC	92050-008 042	CEMETARY	05/28/2020	45.27	.00	
156	LOWER VALLEY ENERGY INC	92050-014 042	HEAT TAPE	05/28/2020	99.10	.00	
156	LOWER VALLEY ENERGY INC	92050-092 042	315 ADAMS CANYON	05/28/2020	298.78	.00	
156	LOWER VALLEY ENERGY INC	92050-359 042	MILLER PARK PARKING LOT	05/28/2020	45.01	.00	
156	LOWER VALLEY ENERGY INC	92050-375 042	155 EAST PEARL AVE	05/28/2020	23.99	.00	
156	LOWER VALLEY ENERGY INC	92050-376 042	149 EAST PEARL	05/28/2020	148.10	.00	
156	LOWER VALLEY ENERGY INC	92050-377 042	145 EAST PEARL	05/28/2020	74.87	.00	
156	LOWER VALLEY ENERGY INC	92050-378 042	145 EAST PEARL	05/28/2020	16.24	.00	
156	LOWER VALLEY ENERGY INC	92050-379 042	145 EAST PEARL	05/28/2020	16.24	.00	
156	LOWER VALLEY ENERGY INC	92050-380 042	145 EAST PEARL	05/28/2020	40.80	.00	
156	LOWER VALLEY ENERGY INC	92050-386 042	145 EAST PEARL	05/28/2020	56.83	.00	
Total 156:					4,741.61	.00	
3843	MATTHEWS, LANI	39 040720	DRUG & ALCOHOL TESTING	04/07/2020	255.00	.00	
3843	MATTHEWS, LANI	39 040720	DRUG & ALCOHOL TESTING	04/07/2020	1,698.00	.00	
3843	MATTHEWS, LANI	39 040720	DRUG & ALCOHOL TESTING	04/07/2020	241.35	.00	
Total 3843:					2,194.35	.00	
3841	MIKE'S OILFIELD SERVICES IN	29010	spring cleaning headworks. tried	05/14/2020	3,992.00	.00	
Total 3841:					3,992.00	.00	
3932	MILLER SANITATION	15998	downtown trash pickup	04/27/2020	2,590.00	.00	
Total 3932:					2,590.00	.00	
5717	MORILLON-ARELLANO, SHELLI	052220	reimbursement for notary renewal	05/22/2020	30.00	.00	
Total 5717:					30.00	.00	
226	O'RYAN CLEANERS	1000805-03-31	Uniform Cleaning for March.	03/31/2020	57.85	.00	
Total 226:					57.85	.00	
4894	PLATT	0G93543	snow king LED project	04/15/2020	1,196.80	.00	
4894	PLATT	0I01715	snow king LED project	04/30/2020	971.61	.00	
4894	PLATT	0I01715	snow king LED project	04/30/2020	2,678.51	.00	
Total 4894:					4,846.92	.00	
6274	REES, DAVID	052220	reimburse for antibiotics after acci	05/22/2020	22.99	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6274:					22.99	.00	
2291	ROCKY MOUNTAIN APPRAISAL	TOJPLAN/A	Appraisal for alley east of Town S	04/06/2020	1,700.00	1,700.00	05/15/2020
Total 2291:					1,700.00	1,700.00	
5111	SCHMILLEN, SCOTT	01995	Plugged urinal drain	04/21/2020	392.50	.00	
5111	SCHMILLEN, SCOTT	02006	PW office drain plugged, line clog	05/19/2020	350.00	.00	
Total 5111:					742.50	.00	
4691	SCHOW'S TRUCK CENTER	C005046109	brake kit for bus 202	05/14/2020	586.26	.00	
Total 4691:					586.26	.00	
6672	SCHULTZ, JOSHUA	051420	BAIL REFUND CASE 20-03-0256	05/14/2020	1,190.00	1,190.00	05/18/2020
Total 6672:					1,190.00	1,190.00	
4359	SHERWIN-WILLIAMS CO.	4400-5	street paint, parking garage	05/18/2020	401.25	.00	
4359	SHERWIN-WILLIAMS CO.	4453-4	Paint for parking garage	05/20/2020	461.30	.00	
4359	SHERWIN-WILLIAMS CO.	4456-7	Street paint, various colors. 145 g	05/20/2020	1,892.50	.00	
4359	SHERWIN-WILLIAMS CO.	4456-7	Street paint, various colors. 145 g	05/20/2020	401.25	.00	
Total 4359:					3,156.30	.00	
6671	St Louis County Sheriffs Office	051520	Protection Order Service Fee	05/15/2020	36.00	36.00	05/15/2020
Total 6671:					36.00	36.00	
6660	SUBLETTE COUNTY SHERIFF'S	123	Airport services by the Sublette C	05/19/2020	3,850.00	.00	
Total 6660:					3,850.00	.00	
1054	SUNRISE ENVIRONMENTAL	109616	sanitizing wipes for the PD Patrol.	04/08/2020	1,113.42	.00	
Total 1054:					1,113.42	.00	
6670	TAYLOR GEO- ENGINEERING, L	203	984 Budge drive geotech review	04/29/2020	1,495.00	.00	
Total 6670:					1,495.00	.00	
405	TETON COUNTY FAIR BOARD	1754	Lighting costs for police training at	05/27/2020	300.00	.00	
Total 405:					300.00	.00	
1355	TETON COUNTY TRANSFER ST	454594	1 ton of yard waste	04/23/2020	83.00	.00	
Total 1355:					83.00	.00	
1614	TETON COUNTY-FUND 10	052620	quarterly contract	05/26/2020	9,115.73	.00	
Total 1614:					9,115.73	.00	
3955	THOMSON WEST	842237260	April Westlaw Charges for Legal	04/30/2020	446.92	.00	
3955	THOMSON WEST	842237260	LIBRARY PLAN CHANGES	04/30/2020	446.93	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 3955:					893.85	.00	
70	THYSSEN KRUPP ELEVATOR C	3005225602	parking garage contract service fo	05/01/2020	307.62	.00	
70	THYSSEN KRUPP ELEVATOR C	3005283827	elevator service	05/28/2020	307.62	.00	
Total 70:					615.24	.00	
6363	TMSC LLC	020-005-SKEC	snow king LED project	05/11/2020	2,090.00	.00	
6363	TMSC LLC	2020-005-SKE	snow king LED project	05/11/2020	12,045.00	.00	
Total 6363:					14,135.00	.00	
90	UTILITY TECHNICAL SERVICE	8193	Leak detection	05/26/2020	5,346.81	.00	
Total 90:					5,346.81	.00	
3420	VISA	04232020	APRIL VISA	04/23/2020	9,196.42	9,196.42	05/18/2020
Total 3420:					9,196.42	9,196.42	
5022	VISION SERVICE PLAN - (WY)	809381341	JUNE PREMIUM	05/17/2020	1,761.92	1,761.92	05/27/2020
Total 5022:					1,761.92	1,761.92	
3619	WY CHILD SUPPORT ENFORCE	05202020	case #209790	05/20/2020	146.76	146.76	05/20/2020
Total 3619:					146.76	146.76	
4139	WY WORKERS' SAFETY & COM	05272020	JUNE PREMIUM	05/27/2020	7,575.16	7,575.16	05/27/2020
Total 4139:					7,575.16	7,575.16	
504	WYDOT	052720	Transfer License plates	05/27/2020	2.00	.00	
Total 504:					2.00	.00	
2547	WYOMING FINANCIAL INSUAN	14442	Federal form 1094/1095 prep fee	05/13/2020	1,541.00	.00	
Total 2547:					1,541.00	.00	
329	WYOMING RETIREMENT SYST	192988	MaY CONTRIBUTIONS	05/26/2020	30,123.77	30,123.77	05/27/2020
329	WYOMING RETIREMENT SYST	192989	MAY CONTRIBUTIONS	05/26/2020	27,422.69	27,422.69	05/27/2020
329	WYOMING RETIREMENT SYST	192990	MAY CONTRIBUTIONS	05/26/2020	46,612.63	46,612.63	05/27/2020
Total 329:					104,159.09	104,159.09	
2842	YELLOW IRON EXCAVATION, L	46242	dumpster pick up	04/30/2020	325.00	.00	
2842	YELLOW IRON EXCAVATION, L	46245	Dumpster service	04/30/2020	200.00	.00	
Total 2842:					525.00	.00	
Grand Totals:					512,869.10	140,498.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
--------	-------------	----------------	-------------	--------------	--------------------	-------------	-----------

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

TOWN OF JACKSON VISA BILLS

ANIMAL SHELTER/CONTROL

jackson animal hospital	395.12		
smiths	47.04		
amazon step stool	32.65		
jackson animal hospital	20.00	\$	494.81

FINANCE

CNA surety	50.00		
gfoa	35.00	\$	85.00

FLEET SHOP

amazon power mirrors	54.68	\$	54.68
----------------------	-------	----	--------------

INFORMATION TECHNOLOGY

concrete 5	90.00		
j2 metro fax	7.95		
garmin	64.95		
amazon	78.99		
go daddy	159.98		
iphone payment	64.50		
iphone payment	64.50		
logme in	25.74		
dish network	34.42	\$	591.03

PERSONNEL/TOWN CLERK

indeed	14.48		
pinky g's	96.50		
the wort	98.60		
aviation & occupational	90.00	\$	299.58

POLICE - ADMINISTRATION

lookout mountain logo	77.42		
signup genius tips	269.89		
staples	103.83		
ups	11.07	\$	462.21

POLICE - PATROL

amazon tactical patches	11.96		
FBINAA Chapter	300.00	\$	311.96

PUBLIC WORKS

staples	41.98	\$	41.98
---------	-------	----	--------------

SEWER DEPARTMENT

sprayers plus	49.98		
fedex	28.70		
amazon batteries	15.98		
amazon batteries & staples	49.60	\$	144.26

START

staples	11.65		
doodle	53.88		
travel expenses CA return buses	4,775.56		
crown trophy	50.79		
smiths	16.12	\$	4,908.00

STREET EXPENDITURES

staples	154.98	\$	154.98
---------	--------	----	---------------

TOWN ENGINEER

water worth it booklets	1,180.75	\$	1,180.75
-------------------------	----------	----	-----------------

TOWN-WIDE SERVICES

usps	7.75		
staples documents	399.43		
facebook ads	60.00	\$	467.18

VISA ALLOCATION	\$	(9,196.42)	
-----------------	----	-------------------	--



TOWN OF JACKSON

TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: May 27, 2020
MEETING DATE: June 1, 2020

SUBMITTING DEPARTMENT: Town Clerk
DEPARTMENT DIRECTOR: Roxanne DeVries Robinson
PRESENTER: Carl Pelletier

SUBJECT: Jackson Hole High School Graduation Parade

STATEMENT/PURPOSE

Approve special events including services of Town personnel.

BACKGROUND/ALTERNATIVES

Jackson Hole High School requests Council permission to hold a driving parade for graduating seniors to travel from JHHS to the Town Square on Saturday, June 6, 2020 from approximately 1:00pm until 1:30pm.

The procession would begin at JHHS and travel towards the Town Square. Once at the Town Square, the parade would circle the Town Square and disperse. It is estimated that 200 vehicles would be involved in the procession.

The organizers have requested the Police Department to provide escort and traffic control at some of the major intersections in town to allow the procession to proceed throughout the parade route.

The Police Department indicated that they could utilize 6 on-duty patrol officers and 2 community service officers on the town route.

The applicant will work with the Jackson Police Department on the details of the route and exact operations. The Police Department has indicated that they would provide a plan for the applicant to follow as well as a briefing to all of the participants prior to the procession.

COMPREHENSIVE PLAN ALIGNMENT

This event aligns with our Quality of Life which is important to our community. Providing these services for our community members in a manner that better achieves our Vision will enhance the livability and appeal of our community. Due to COVID-19 and the current health orders that are currently in place, this would allow the graduating senior class to have a socially distant celebration and recognition in town.

STAKEHOLDER ANALYSIS

The application has been submitted for review and comment to all Town departments.

FISCAL IMPACT

N/A

STAFF IMPACT

Staff impact would include the utilization of all 6 JPD patrol officers on duty that day as well as the 2 Community Service Officers on duty that day to provide an escort on the parade route.

LEGAL REVIEW

N/A

ATTACHMENTS

Special Event Application

RECOMMENDATION

Should Council wish to approve the application, staff recommends approval be subject to the following conditions and restrictions:

1. The applicant shall work with the Jackson Police Department on the exact route and execution of the parade.
2. The applicant and participants will comply with all directions, procedures and instructions implemented by the JPD.
3. If asked, the participants in the parade will participate in a safety briefing provided by the Jackson Police Department prior to the parade.
4. The applicant gain the approval of the Teton County Health Department and follow all of the state and local health orders in place at the time of the parade.
5. The participants will obey all traffic signals on the route unless otherwise instructed by a member of the Jackson Police Department.
6. The participants will conclude this parade in a timely manner.
7. The applicant and participants will comply with any additional requirements provided by the Town staff or the Town Council.

SUGGESTED MOTION

I move to approve the request made by Jackson Hole High School for the graduation senior class car procession as presented in the staff report.

Special Event Application

Submit Completed Document To:

Town Hall
Town of Jackson - Special Events
150 East Pearl Street
P.O. Box 1687
Jackson, Wyoming 83001

cpelletier@townofjackson.com
(307) 733-3932 ext. 1112 (phone)
(307) 739-0919 (fax)



**A completed application
must be submitted at least
21 days prior to your event.**

Non-Profit Fee: \$25
For-Profit Fee: \$150

APPLICANT INFORMATION

Name of Event: Jackson Hole High School Graduation Parade

Name of Organization: Jackson Hole High School

Type of Organization: ☐ Non-Profit ☒ Public Agency ☐ For-Profit Business

Mailing Address: PO Box 568

City: Jackson State: Wyoming Zip Code: 83001

Name of Person Completing Application: Michael Hansen

Email Address: mhanzen@tcsd.org

Work Phone: 3072001942 Cell Phone: 3072001942

EVENT INFORMATION

Type of Event: ☐ Run / Walk ☐ Concert ☐ Filming ☐ Assembly
☒ Parade ☐ Festival ☐ Biking ☐ Education
☐ Other: _____

Description & Purpose of Event *(Attach additional sheets if necessary):* _____

We would like to have our seniors have a parade around the town square after graduation on _____

Location of Event: From JHHS to town square Alternative Location: None

Date(s) of Event: June 6 2020 Event Operating Hours: Approximately

Event Set Up Begins Date: June 06, 2020 Time: 1:00

Event Clean Up Ends Date: June 06, 2020 Time: 1:30

Special Event Application

EVENT INFORMATION (Continued)

Estimated Event Attendance (Spectators and Participants) Per Day: 200 Total Event: 200

Special Considerations (check all that apply):

- | | | |
|--|---|--|
| ☐ Alcoholic Beverages | ☐ Cooking/Grilling | ☐ Electricity Requested |
| ☐ Food Sales | ☐ Merchandise Sales | ☐ Recurring Event |
| ☐ Ticketed Admission | ☐ Sound Amplification | ☐ Pets or Animals |
| ☐ Tents | ☐ Street Closure | ☐ Sidewalk Closure |
| ☐ Overnight Parking | ☐ Overnight RV Camping | ☐ Use of Town Square |

Event Co-Sponsor (s): None

All for-profit organizations must submit a letter of event sponsorship from a non-profit organization if sales are requested on public property.

Will you be charging admission or a fee for your event? ☐ Yes ☒ No

Alternative Contact Information During the Event (someone besides applicant who will be on site and available for Town personnel or Police to contact during the event):

Name: Mary Tisi Cell Phone: 307 690 3640

EVENT SITE PLAN

On a separate sheet of paper, provide a Site Plan sketch of the event. Include maps or a diagram of the entire event including the names of streets or areas that are part of the venue and the surrounding area. The plan should include the following (if applicable):

- | | |
|---|---|
| ☐ Tents (X) | ☐ Food Vendors (FV) |
| ☐ Beverage Vendors (BV) | ☐ Alcohol Vendors (A) |
| ☐ Portable Toilets (T) | ☐ Hand Washing Sink (HWS) |
| ☐ Stages or Amplified Sound (SO) | ☐ Bleachers (BL) |
| ☐ Garbage Receptacles (G) | ☐ Recycling Receptacles (RR) |
| ☐ Retail Merchants (RM) | ☐ Security (P) |
| ☐ Fire Lane (FL) | ☐ Fire Extinguishers (EX) |
| ☐ First Aid / EMS (FA) | ☐ Barricades (B) |
| ☐ Electricity / Generator (EL) | ☐ Trailers, Vehicles, Storage (TR) |

Fire hydrants or sidewalk curb breaks that are used for ADA accessibility may not be blocked at any time.

Special Event Application

STREET / SIDEWALK / PUBLIC PARKING LOT - CLOSURE REQUESTS

Will the event close any street, sidewalk, alley or public parking lot? ☐ Yes ☐ No

Area of Closure Request	Date(s)	Start Time	End Time
-------------------------	---------	------------	----------

None, just want the police/sheriff's office to turn on lights sirens and do a quick lap around the			

The applicant will be responsible for production, posting and removal of "No Parking" and "Handicap Parking" signs along Town streets where public parking spaces exist within the event site. If the event involves a closure this will be need to be coordinated with the Jackson Police Department at least 2 weeks prior to the requested closure date. Jackson Police Department: (307) 733-1430. All parking signs, road signs, cones and barricades must be taken down immediately following the event's ending time.

Will the event restrict / close access to any public parking spaces? ☐ Yes ☒ No

If "Yes", how many parking spaces will be unavailable due to the event: _____ parking spaces

Will the event closure requests impact any START Bus routes? ☒ Yes ☐ No

If "Yes", which routes will be impacted? Has START Bus been contacted about this impact?

Route Description: Not sure which routes, START Bus contacted? ☐ Yes ☒ No

RESIDENT AND/OR BUSINESS NOTIFICATION

Events that require road closures, parking space closures, or sidewalk closures or may cause disruption for the Town of Jackson residents, businesses, churches, etc. may be required to mail or hand deliver notification to the affected parties within a two block radius at least one week prior to the event's Town Council consideration meeting. Notices must reflect the date(s), day(s), time(s) and location(s) of the event, types of activities taking place at the event, the event coordinator's contact information and the date and time of the Town Council meeting.

Have you provided a sample of the notice and a proposed list of recipients?

☐ Yes ☒ No

Special Event Application

TOWN EQUIPMENT REQUESTS

Indicate the type and the quantity of items that you are requesting:

_____ Large Street Barricades	_____ "Road Closed" Street Signs
_____ Small Sidewalk Barricades	_____ "Local Traffic Only" Street Signs
_____ 28 Inch Street Cones	_____ "Detour" Street Signs
_____ Candlestick Cones	_____ 32-Gallon Recycling Bins

☼ The equipment above can be arranged through the Public Works Department (307) 733-3079. A \$500 deposit will be required at the time of pick-up for equipment. The applicant is responsible for arranging the pick up of equipment from the Public Works Department as well as returning equipment immediately following the event. The Town of Jackson will only deliver equipment to parades and Town sponsored events.

☼ The Town of Jackson has a very limited number of recycling bins that can be utilized as part of your event's recycle plan. The applicant will be responsible for emptying the recycle containers and cleaning the bins before they are returned to the Public Works Department.

☼ If you are uncertain of the exact number of equipment needed please feel free to contact either the special event coordinator or the Public Works Department for additional information.

☼ Additional equipment such as bleachers, electrical spiderboxes, etc., can be requested through the Parks and Recreation Department (307) 732-5753.

TOWN SERVICES REQUESTS

Indicate the Town services that you are requesting. *Please note: you will need to coordinate services with individual departments and a fee may be associated with your request.*

POLICE DEPARTMENT

(307) 733-1430

☐ Event Security	☐ Mounted Horse Patrol	☐ Traffic Control
☐ Race Lead Vehicle	☐ Parade Lead Vehicle	☐ General Presence
☐ Towing / Ticketing	☐ Assistance with Parking Closures	☐ Assistance with Street Closures

Please describe in detail your request: _____

Just want to allow the seniors to have a short parade lap around the town square once

The Chief of Police determines if police services will be needed at the special event for public safety concerns. The Chief of Police will also determine the number of police officers to staff the event. Fees may be associated with the need for additional police services at the event.

Special Event Application

TOWN SERVICES REQUESTS (Continued)

PUBLIC WORKS DEPARTMENT (307) 733-3079

☐ Street Sweeping

☐ Snow Removal

☐ Street Marking

Please describe in detail your request

PARKS AND RECREATION DEPARTMENT (307) 732-5753

☐ Irrigation Locates - Any event placing stakes in turf must obtain irrigation locates.

☐ Electricity Access

☐ Turf / Tree Care - Any additional mowing, raking, trimming or spraying needs.

☐ Additional Public Restroom Cleaning

Please describe in detail your request: _____

**Please note: if you are requesting the use of a public park or public ball field you must confirm and reserve your space through the Parks and Recreation Department. The only exception is George Washington Memorial Park (Town Square), which does not require a reservation form.*

Is the requested event site a public park or ball field? ☐ Yes ☒ No

If "Yes", has the site been reserved with Parks and Recreation? ☐ Yes ☒ No

FIRE / EMS DEPARTMENT (307) 733-4732

☐ Foot Patrol

☐ Ambulance

☒ Fire Engine

☐ Rescue Truck

☐ Bicycle Patrol

☐ Event Site Inspection

Please describe in detail your request: If they could join the parade that would be great, if not

Special Event Application

TOWN SERVICES REQUESTS (Continued)

START BUS

(307) 732-8651

☐ Event Specific Shuttle(s)

Please describe in detail your request: _____

VOICE / MUSIC AMPLIFICATION REQUESTS

Will your event have any amplified sound? ☐ Yes ☒ No

If "Yes", please indicate times: Start Time: _____ Finish Time: _____

Will your event feature any musical entertainment? ☐ Yes ☒ No

If "Yes", please attach the schedule of any music or entertainment proposed to occur during event.

SIGN or BANNER REQUESTS

Are you requesting to hang signs or banners? ☐ Yes ☒ No

If "Yes", have you completed a sign permit application? ☐ Yes ☒ No

A Sign Permit Application will need to be submitted along with this application if signs are requested. This permit can be accessed on the Town of Jackson website or through the Planning Department.

INSURANCE REQUIREMENTS

An insurance certificate is required prior to the start of your event. This certificate must name the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and must also state that coverage is primary and non-contributory is required for every event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. **The additional insured language on the certificate may not include any limitations or exclusions.** Insurance certificates are subject to the review and approval of the Town Attorney. Please be sure to include alcohol liability if there will be alcohol at the event. You must supply insurance before your event.

A certificate of insurance is attached: ☐ Yes ☒ No

Special Event Application

PORTABLE RESTROOMS AND SINKS

The Town of Jackson requires the applicant to provide additional chemical toilets or portable toilets for all events with an anticipated peak time attendance exceeding 75 people.

You are required to provide portable restroom facilities at your event unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during your event. The Town of Jackson may determine the total number of required restroom facilities required on a case-by-case basis based on the presence of food and drink at the event and the maximum number of attendees at your event during peak time. The Town of Jackson may determine that you need to coordinate with Parks and Recreation for additional public restroom cleanings if you intend on using a public restroom as part of your restroom facility plan.

Do you plan to provide portable restroom facilities? ☐ Yes ☒ No

If "Yes", please indicate the total number of portable toilets and number of ADA accessible toilets.

Total Number of Portable Toilets: _____ Number of ADA Accessible Portable Toilets: _____

If "No", please explain: People will be in vehicles and I expect the entire event to only last 30

Portable restrooms may not be located within 50 feet of any food vendor.

Restroom Company: _____

Restroom Drop off / Pick Up Date for Drop Off: Time for Drop Off:_____

Date for Pick Up: _____ Time for Pick Up: _____

ALCOHOL

Will there be alcoholic beverages at the event? ☐ Yes ☒ No

Will you be offering any alcoholic beverages besides beer? ☐ Yes ☒ No

If "Yes", what will be offered in addition to beer?

If you are planning on serving alcoholic beverages at your event, then either a completed Malt Beverage Permit (beer only) or Catering Permit (beer, wine and/or spirits) must be submitted. You can access these applications on the Town of Jackson website.

Special Event Application

VENDORS / MERCHANTS / SALES

Will anything be sold at your event?

☐ Yes

☒ No

If you are planning on selling items at your event then you will need to complete either an Exposition Business License (for 2 or more vendors) or a Transient Merchant License (for 1 vendor). A complete list of vendors, including a vendor tax ID, must be submitted to the Town of Jackson and to the State of Wyoming's Department of Revenue prior to the event. Both the Exposition License and the Transient Merchant License are on the Town of Jackson's website.

Please describe any sales activity at your event:

Will any food or beverages be sold at your event?

☐ Yes

☒ No

If "Yes", you will need to contact the Teton County's Department of Environmental Health prior to the event (307) 732-8490.

TRASH REMOVAL PLAN

All events are required to have a plan for the collection removal of trash during and after the event. The trash receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the waste removal plan. ***For assistance with formulating a Trash Removal Plan please contact Integrated Solid Waste and Recycling at (307) 732-5771.***

Will you be using a waste company for your waste removal plan?

☐ Yes

☒ No

If "Yes", which company will you be using? _____

How many trash receptacles will be supplied for your event? _____

When will the trash receptacles be delivered? _____

When will the trash receptacles be picked up and removed from site? _____

Describe your plan for the collection and removal of trash during your special event:

Applicants are responsible for cleaning and restoring the site immediately following the event. Please pick up all trash associated with your event including, but not limited to paper, bottles, cans, signs, course markings, etc. The cost of any employee overtime incurred because of an applicant's failure to clean / restore the site following the event will be borne by the applicant and will be considered in future application requests. If you believe that no litter will be generated during your event please state this in your plan.

Special Event Application

SUSTAINABLE EVENT PLANNING

The Town of Jackson encourages all special events to strive to be sustainable in our community and for our environment. We have partnered with the **Teton County Integrated Solid Waste and Recycling (ISWR)** to offer opportunities to help your special event to be as "green" as possible. Opportunities available:

- ☐ Rental / Use of Recycling Bins for Special Events
- ☐ Use of JH20 Water Bottle Refilling Station for Special Events
- ☐ Consultation on Conducting Green Special Events

Please contact the Waste Diversion and Outreach Coordinator at ISWR at 307-732-5771.

RECYCLING PLAN

All events are required to have a plan for the collection and removal of recyclable materials during and after the event. The recycling receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the recycling collection and removal plan. ***For assistance with formulating a Recycling Plan please contact Teton County Integrated Solid Waste and Recycling (ISWR) at (307) 732-5771.***

Will you be using a company for your recycling plan? ☐ Yes ☒ No

If "Yes" which company will you be using? _____

How many recycling receptacles will they (or you) supply for your event? _____

When will these recycling receptacles be delivered? _____

When will recycling receptacles be picked up and removed from site? _____

Describe your plan for collection and removal of recyclable materials during your special event: _____

Applicants are responsible for cleaning and restoring the site immediately following the event. If you believe that no recyclable materials will be generated during your event please state this in your plan. For a list of recyclables and how they need to be sorted, or for information about where the recycling bins are located call ISWR (307) 732-5771.

Special Event Application

SIGNIFICANT EVENT CHANGES

Has this event been approved in the Town of Jackson in previous years?

☐ Yes ☒ No

If "YES" please indicate any significant changes to the event request since its last approval:

STANDARD CONDITIONS OF APPROVAL

Please review the following standard list of conditions and restricts for events. Initial the bottom of each page indicating that you have read, understand and agree to these conditions and restrictions.

GENERAL

The event shall be conducted in a timely, safe and professional manner.

All town ordinances, including, but not limited to noise, possession and use of weapons, open fires and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.

The applicant shall advise and instruct all participants, volunteers, vendors, merchants and spectators on event conditions, restrictions, prohibitions and responsibilities as indicated by the Town Council in the staff report.

Initials: MH

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TRASH / CLEAN UP

The applicant shall clean up immediately following each event and shall be responsible for the collection and removal of all refuse generated by the event.

If trash will be generated from the event, then the applicant must supply extra trash and containers and dispose of all trash generated by the event. Trash containers shall not be permitted to overflow.

If recyclable materials are generated from the event, then the applicant is required to provide recycling containers and provide for the removal of all recycled material. Recycling containers shall not be permitted to overflow.

STREETS

Fire department access roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets (IFC 503.2.1). Booths and tents may be erected on either side of street, however, a 20 foot straight path must be provided.

SIDEWALKS

The applicant shall not block walkways or otherwise obstruct pedestrian traffic.

All walkways, boardwalks, entrances and ADA ramps must be kept open and unobstructed at all times

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

POWER / ELECTRICAL

Electrical power is available from Town Square. The applicant shall coordinate all power needs with the Parks & Recreation Department's Park Manager (307-733-5057) at least three (3) business days prior to the event.

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).

ADDITIONAL PERMIT & LICENSE FEES

The applicant shall apply and pay for all licenses and/or permits prior to the events.

Initials: MH

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TOWN EQUIPMENT

The use of the Parks & Recreation Department bleachers shall be coordinated through that department (307) 732-5753.

Barricade, road sign, cone and recycle bin use shall be coordinated through the Public Works Department. The applicants shall be responsible for pick up, setup, placement and disassembly and return. All equipment use require a \$500 damage deposit that must be submitted at the time of pick up at the Public Works Department to protect against any loss or damage.

All barricades, cones, bins and road signs must be removed immediately following the event. These items must be returned the same location as they were picked up.

PORTABLE RESTROOMS

If applicable, the applicant shall provide an adequate number of port-a-potties at the event site and shall arrange for their removal immediately at the conclusion of the event.

The applicant shall ensure all port-a-potties are placed on paved areas.

INSURANCE

The applicant and all participating organizations are required to maintain liability insurance in the amount of \$1,000,000.00. Prior to the event, each organization shall provide a certificate of insurance naming the Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers and must also state that coverage is primary and non-contributory. The Town Attorney shall approve all certificates of insurance.

FOOD / VENDING

The applicant shall obtain the necessary food service permits from Teton County Environmental Health.

The applicant shall provide additional trash receptacles in the food service areas.

Per Section 5.20 of the Municipal Code: The applicant shall be responsible for ensuring that all sales tax receipts are remitted to the Wyoming Department of Revenue and in no event later than the thirtieth day of the month following the exposition [and] acquire and keep on file names, addresses and phone numbers of all participants.

In addition to providing a list of all participating vendors, artists, and merchants, along with their social security numbers and addresses, to the Wyoming Department of Revenue, pursuant to Jackson Municipal Code Section 5.20.020 A.1.b., the applicant shall also provide that same list to the Town of Jackson Finance Department.

Vendors shall not dump hot water or other liquids on the turf.

Initials: MH

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ALCOHOL

The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises. All ID's must be checked and ID bracelet system may be required.

Only 16oz or small plastic cups are used for beer and alcohol sales.

No alcohol shall be served in bottles or glass containers.

The applicant shall be responsible to be alert to and report any instances of underage drinking to the Jackson Police Department.

It is recommended that servers be TIPS trained prior to serving alcohol. No "over serving" shall be allowed to occur or serving to obviously intoxicated persons.

Participants shall not be permitted to leave the event with open containers.

No more than two beers shall be sold to any person at any one time.

TOWN PARKS

The applicant shall coordinate the use of any public park (including the Town Square), including reservations, paperwork and applicable fees, with the Parks and Recreation Department.

The applicant shall coordinate park reservation and the payment of Parks & Recreation fees at least 30 days prior to the event.

The applicant is required to provide turf protection in front of and behind any table or other exhibit where crowds will stand. The applicant shall abide by all Parks & Recreation Department recommendations with regards to turf protection.

Vehicles are prohibited on all turf areas of any park or anywhere within the Town Square.

No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.

Use of Town Square shall be subject to the submission to and approval of staff of a detailed site plan, indicating set-up, safety procedures and turf protection, and the imposition of such other conditions or restrictions deemed necessary.

Irrigation locates are required if stakes are placed in the ground. Applicant may forfeit damage deposit if an irrigation locate is not conducted and irrigation equipment is damaged.

Per Municipal Code, dogs are not allowed in Town Parks.

Initials: MH

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TENTS

Irrigation locates are required before any tents may be erected or stakes or any other items are placed in any public park, including the Town Square. The applicant shall coordinate all water locates with the Parks & Recreation Department's Park Manager (307-732-5793) at least three (3) business days prior to the event.

All tents having an area in excess of 200 square feet shall require advance permitting through the Fire Department unless open on all sides (IFC 105.6.43).

Tents which can hold over 50 or more occupants must provide the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC 3103.6).

Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2).

Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).

Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).

Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).

All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7)

Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).

Any cooking performed within tents shall require advance approval by the Fire Department (IFC 3104.15.3 – 3104.15.7).

Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).

FAIR GROUNDS / RODEO GROUNDS

All use of the Rodeo Grounds shall be coordinated through and subject to the approval of the Fair Manager under the authority of the Parks and Recreation Department.

Anyone camping at the Rodeo Grounds shall indicate that they are affiliated with the group by placing a card in the windshield of their vehicle. Campers are reminded that fires are not permitted.

Initials: MH

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ROAD CLOSURES / PUBLIC PARKING CLOSURES

The applicant shall notify all business, residences, churches, etc. affected by the street closures and public parking closures prior to the public hearing.

The applicant shall notify, in advance, all business, residences, churches, etc. affected by the street closures and public parking closures and shall provide advance community radio and/or newspaper announcements regarding the event and the closures.

The applicant shall coordinate all road closures with the Police Department and shall provide an adequate number of volunteers to assist with traffic control and barricade setup/removal during each event.

The applicant shall coordinate all road closures with START, Fire/EMS, Public Works and the Police Department. Volunteer placement and assignments shall be reviewed and approved in advance with the Police Department.

The applicant shall be responsible for producing, posting and removing the temporary No Parking signs. No Parking signs must be posted two days prior to the parking closures. The applicant should meet with the Police Department two weeks prior to the event to discuss the procurement, posting and removal of the signs.

Emergency vehicle access lanes shall be maintained during the event.

FIREWORKS

All fireworks displays must be approved by the Fire Chief prior to the event.

The Fire Department will monitor the firing area potential for wildfire. The Department will make recommendations directly to the applicant for mitigation and will give final approval the day of the event.

The application shall be subject to the review and approval of the Fire Department and any additional conditions or restrictions placed by such Department.

Please note, that the conditions and restrictions listed above are standard for special events held in Town, additional conditions or restrictions may be required by the Town Council and/or staff upon further review of the application.

I have read and understand the standard conditions for events. I have answered all of the questions in this application truthfully and to the best of my knowledge.

APPLICANT: 
Signature

APPLICANT: Michael M Hansen
Printed Name

DATE: 05/27/2020

TITLE: Activities Director JHHS/JHMS



TOWN OF JACKSON

TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: May 28, 2020
MEETING DATE: June 1, 2020

SUBMITTING DEPARTMENT: Town Clerk
DEPARTMENT DIRECTOR: Roxanne DeVries Robinson
PRESENTER: Carl Pelletier

SUBJECT: Food Bank of the Rockies Drop Off / Distribution

STATEMENT/PURPOSE

Approve special events including services of Town personnel and use of Town Property.

BACKGROUND/ALTERNATIVES

Jackson Hole Cupboard and St. John's Church working with Natalia Macker are requesting to host a food bank drop off and distribution day in Jackson on Saturday, June 27, 2020 between the hours of 1:00 PM and 3:00 PM.

The location of this event would be on Glenwood Street (between Deloney Avenue and Gill Avenue) in front of the St. John's Church.

The organizers have requested the closure of the slanted parking spaces in front of St. John's Church on the east side of Glenwood Street between the hours of 8:00 AM and 4:00 PM for the parking of - and access to - the food bank truck.

The organizers are also requesting that Glenwood Street (between Deloney and Gill) be temporarily limited to one-way traffic (heading north) for the distribution process. This would essentially be a continuation of the one-way that is currently in place on Glenwood Street (between Broadway and Deloney). The request to limit traffic to one-way flow would be from approximately 1:00 PM until approximately 3:00 PM to facilitate the distribution process.

The applicant will work with the Public Works Department for street signage to facilitate this request. The applicant would work with the Jackson Police Department on the details of the parking closures and the exact operations of the one-way traffic flow.

COMPREHENSIVE PLAN ALIGNMENT

This event aligns with our Quality of Life which is important to our community. Providing these services for our community members in a manner that better achieves our Vision will enhance the livability and appeal of our community.

STAKEHOLDER ANALYSIS

The application has been submitted for review and comment to all Town departments.

FISCAL IMPACT

N/A

STAFF IMPACT

Staff impact would include the utilization on-duty public works to facilitate the use of any road signs and barricade to implement a temporary one-way traffic pattern. On-duty Community Service Officers would be utilized to assist with the parking closure and any traffic flow considerations.

LEGAL REVIEW

N/A

ATTACHMENTS

Event Request

RECOMMENDATION

Should Council wish to approve the application, staff recommends approval be subject to the following conditions and restrictions:

1. The applicant shall be responsible for procuring, producing, and posting any “No Parking” signs needed prior to the event.
2. The applicant will work with the Jackson Police Department on the instructions for posting and removing “No Parking” signs.
3. The applicant will work with the Public Works Department to facilitate pick up and return of any road signs and barricades needed for the event.
4. The applicant will work with the Jackson Police Department on the exact execution of the temporary one-way traffic flow and participants will comply with all directions, procedures and instructions implemented by the JPD.
5. The applicant will gain the approval of the Teton County Health Department and follow all of the state and local health orders in place at the time of the distribution.
6. Insurance: An insurance certificate that names the “Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers” and states that coverage is primary and non-contributory is required at least ten days prior to the event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town Attorney.
7. The applicant will clean up following the event.
8. The applicant and participants will comply with any additional requirements provided by the Town staff or the Town Council.

SUGGESTED MOTION

I move to approve the request made by the Jackson Hole Cupboard and St. John’s Church for the food drop and distribution event as presented in the staff report.

Hi Carl –
I think I'm catching you when you are back!

Here are the details as we know them for the food bank drop off/distribution in June.

Date: June 27

Time: Truck from Food Bank of the Rockies will arrive at 11, distribution will be from 1-3pm. Probably best for the no parking to be 8am-4pm?

Host: Jackson Cupboard/St. John's Church

Location: Glenwood St between Deloney & Gill.

Request is to have the slanted parking spaces blocked off and then to have Glenwood be one way (extending the oneway that is by the Wort). The truck will park outside St. John's on Glenwood for the distribution. The church is being used as part of the handwashing stations.

Please let me know what other questions you have and I can get them answered.

Thank you!
Natalia

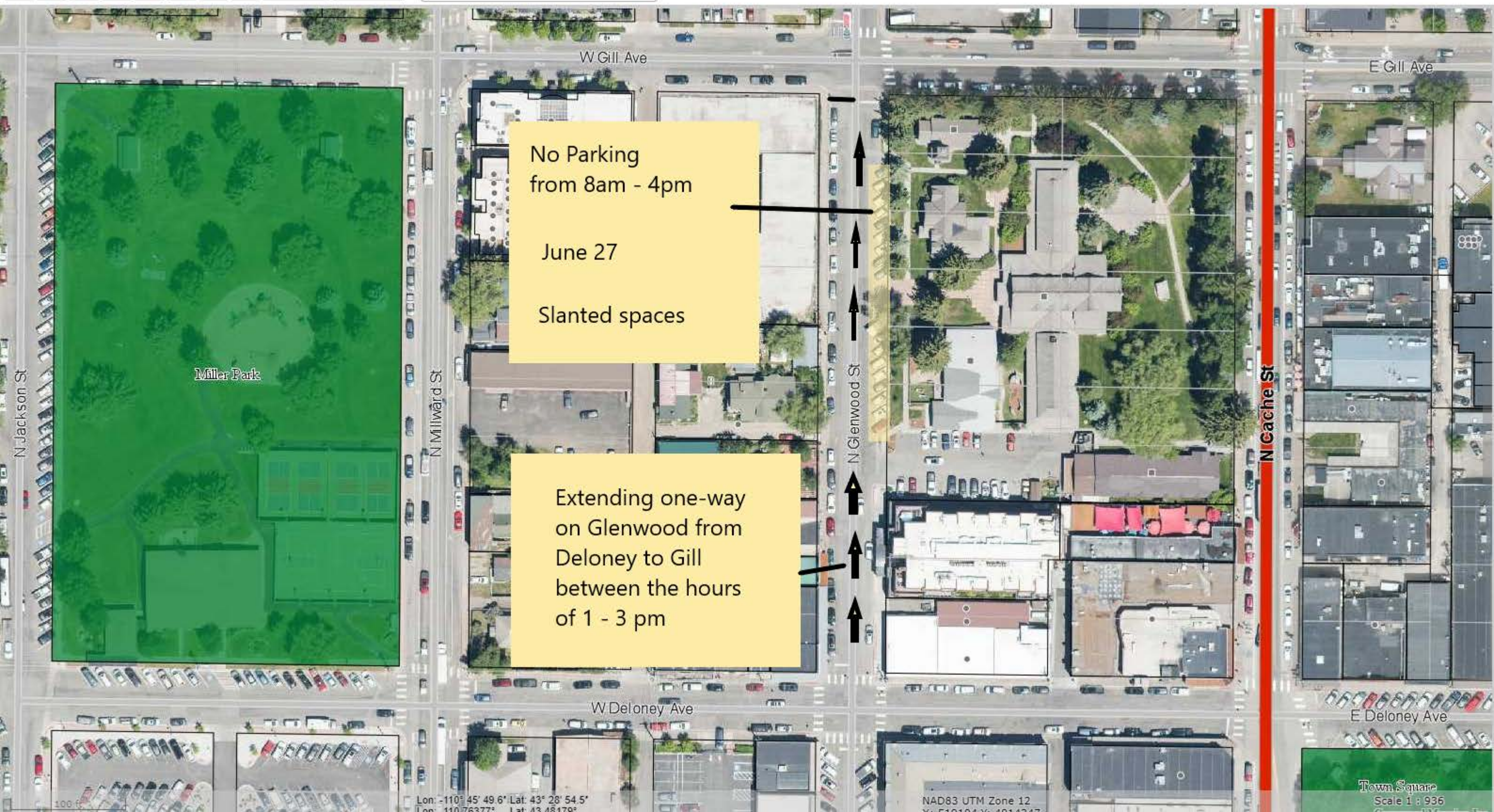
Natalia D. Macker
Chairwoman
Teton County Commission

nmacker@tetoncountywy.gov

307.732.8406 (direct)

307.413.6413 (mobile)

www.tetoncountywy.gov



No Parking
from 8am - 4pm

June 27

Slanted spaces

Extending one-way
on Glenwood from
Deloney to Gill
between the hours
of 1 - 3 pm

Miller Park

W Gill Ave

E Gill Ave

N Glenwood St

N Cache St

W Deloney Ave

E Deloney Ave

100 ft

Lon: -110° 45' 49.6" Lat: 43° 28' 54.5"
Lon: -110.76377° Lat: 43.48170°

NAD83 UTM Zone 12
X: 510104 Y: 4014247

Town Square
Scale 1 : 936



TOWN OF JACKSON

TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: May 28, 2020
MEETING DATE: June 1, 2020

SUBMITTING DEPARTMENT: Town Clerk
DEPARTMENT DIRECTOR: Roxanne DeVries Robinson
PRESENTER: Carl Pelletier

SUBJECT: Special Event: Sprout Mobile

STATEMENT/PURPOSE

Approve special events including use of public property.

BACKGROUND/ALTERNATIVES

Jackson Hole Food Rescue requests Council permission to hold an ongoing food distribution program to provide free lunches to local children everyday from June 11, 2020 through August 28, 2020 at Powderhorn Park and Mike Yokel Park.

The applicant is requesting to park a food distribution vehicle at Powderhorn Park and at Mike Yokel Park for approximately 30 minutes each day to distribute free lunches and free books to local children.

The applicant is working closely with Jackson / Teton County Parks and Recreation Department on this program. Camp Jackson will be in session at these two parks throughout the summer.

The applicant is not requesting a closure of any parking spaces, rather permission to utilize an open parking space and the opportunity to distribute food at the parks.

COMPREHENSIVE PLAN ALIGNMENT

This event aligns with our Quality of Life which is important to our community. Providing these services for our community members in a manner that better achieves our Vision will enhance the livability and appeal of our community.

STAKEHOLDER ANALYSIS

The application has been submitted for review and comment to all Town departments.

FISCAL IMPACT

None

STAFF IMPACT

None

LEGAL REVIEW

On Going

ATTACHMENTS

Special Event Application

RECOMMENDATION

Should Council wish to approve the application, staff recommends approval be subject to the following conditions and restrictions:

1. The applicant shall work with the Jackson / Teton County Parks and Recreation Department on the exact location setup and execution of the program.
2. The applicant will clean up following each event.
3. Insurance: An insurance certificate that names the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and states that coverage is primary and non-contributory is required at least ten days prior to the event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town Attorney.

SUGGESTED MOTION

I move to approve the request made by Hole Food Rescue for the Mobile Sprouts food distribution program as presented in the staff report.

Special Event Application

Submit Completed Document To:

Town Hall
Town of Jackson - Special Events
150 East Pearl Street
P.O. Box 1687
Jackson, Wyoming 83001

cpelletier@townofjackson.com
(307) 733-3932 ext. 1112 (phone)
(307) 739-0919 (fax)



**A completed application
must be submitted at least
21 days prior to your event.**

Non-Profit Fee: \$25
For-Profit Fee: \$150

APPLICANT INFORMATION

Name of Event: Sprout Mobile

Name of Organization: Hole Food Rescue

Type of Organization: ☒ Non-Profit ☐ Public Agency ☐ For-Profit Business

Mailing Address: PO Box 2955

City: Jackson State: WY Zip Code: 83001

Name of Person Completing Application: Hannah Cooley

Email Address: hannah@holefoodrescue.org

Work Phone: 307.201.3010 Cell Phone: _____

EVENT INFORMATION

Type of Event: ☐ Run / Walk ☐ Concert ☐ Filming ☐ Assembly
☐ Parade ☐ Festival ☐ Biking ☐ Education
☒ Other: Lunch Distribution to children

Description & Purpose of Event *(Attach additional sheets if necessary):* _____

Sprout Mobile will travel to 4 locations everyday to provide children a free lunch and a free

Location of Event: Mike Yokel & Powderhorn Park Alternative Location: na

Date(s) of Event: June 15 - August 28 Event Operating Hours: 30 min at each

Event Set Up Begins Date: June 15, 2020 Time: 10 am

Event Clean Up Ends Date: August 28, 2020 Time: 1 pm

Special Event Application

EVENT INFORMATION (Continued)

Estimated Event Attendance (Spectators and Participants) Per Day: 20-30 Total Event: na

Special Considerations (check all that apply):

- | | | |
|--|---|---|
| ☐ Alcoholic Beverages | ☐ Cooking/Grilling | ☐ Electricity Requested |
| ☐ Food Sales | ☐ Merchandise Sales | ☒ Recurring Event |
| ☐ Ticketed Admission | ☐ Sound Amplification | ☐ Pets or Animals |
| ☐ Tents | ☐ Street Closure | ☐ Sidewalk Closure |
| ☐ Overnight Parking | ☐ Overnight RV Camping | ☐ Use of Town Square |

Event Co-Sponsor (s): _____

All for-profit organizations must submit a letter of event sponsorship from a non-profit organization if sales are requested on public property.

Will you be charging admission or a fee for your event? ☐ Yes ☒ No

Alternative Contact Information During the Event (someone besides applicant who will be on site and available for Town personnel or Police to contact during the event):

Name: Ash Hermanowski Cell Phone: 802.585.4061

EVENT SITE PLAN

On a separate sheet of paper, provide a Site Plan sketch of the event. Include maps or a diagram of the entire event including the names of streets or areas that are part of the venue and the surrounding area. The plan should include the following (if applicable):

- | | |
|---|---|
| ☐ Tents (X) | ☐ Food Vendors (FV) |
| ☐ Beverage Vendors (BV) | ☐ Alcohol Vendors (A) |
| ☐ Portable Toilets (T) | ☐ Hand Washing Sink (HWS) |
| ☐ Stages or Amplified Sound (SO) | ☐ Bleachers (BL) |
| ☐ Garbage Receptacles (G) | ☐ Recycling Receptacles (RR) |
| ☐ Retail Merchants (RM) | ☐ Security (P) |
| ☐ Fire Lane (FL) | ☐ Fire Extinguishers (EX) |
| ☐ First Aid / EMS (FA) | ☐ Barricades (B) |
| ☐ Electricity / Generator (EL) | ☐ Trailers, Vehicles, Storage (TR) |

Fire hydrants or sidewalk curb breaks that are used for ADA accessibility may not be blocked at any time.

Special Event Application

STREET / SIDEWALK / PUBLIC PARKING LOT - CLOSURE REQUESTS

Will the event close any street, sidewalk, alley or public parking lot? ☐ Yes ☒ No

Area of Closure Request	Date(s)	Start Time	End Time
-------------------------	---------	------------	----------

na

The applicant will be responsible for production, posting and removal of "No Parking" and "Handicap Parking" signs along Town streets where public parking spaces exist within the event site. If the event involves a closure this will be need to be coordinated with the Jackson Police Department at least 2 weeks prior to the requested closure date. Jackson Police Department: (307) 733-1430. All parking signs, road signs, cones and barricades must be taken down immediately following the event's ending time.

Will the event restrict / close access to any public parking spaces? ☒ Yes ☐ No

If "Yes", how many parking spaces will be unavailable due to the event: 1 parking spaces

Will the event closure requests impact any START Bus routes? ☐ Yes ☒ No

If "Yes", which routes will be impacted? Has START Bus been contacted about this impact?

Route Description: _____ START Bus contacted? ☐ Yes ☒ No

RESIDENT AND/OR BUSINESS NOTIFICATION

Events that require road closures, parking space closures, or sidewalk closures or may cause disruption for the Town of Jackson residents, businesses, churches, etc. may be required to mail or hand deliver notification to the affected parties within a two block radius at least one week prior to the event's Town Council consideration meeting. Notices must reflect the date(s), day(s), time(s) and location(s) of the event, types of activities taking place at the event, the event coordinator's contact information and the date and time of the Town Council meeting.

Have you provided a sample of the notice and a proposed list of recipients?

☐ Yes ☐ No

Special Event Application

TOWN EQUIPMENT REQUESTS

Indicate the type and the quantity of items that you are requesting:

_____ Large Street Barricades	_____ "Road Closed" Street Signs
_____ Small Sidewalk Barricades	_____ "Local Traffic Only" Street Signs
_____ 28 Inch Street Cones	_____ "Detour" Street Signs
_____ Candlestick Cones	_____ 32-Gallon Recycling Bins

☼ The equipment above can be arranged through the Public Works Department (307) 733-3079. A \$500 deposit will be required at the time of pick-up for equipment. The applicant is responsible for arranging the pick up of equipment from the Public Works Department as well as returning equipment immediately following the event. The Town of Jackson will only deliver equipment to parades and Town sponsored events.

☼ The Town of Jackson has a very limited number of recycling bins that can be utilized as part of your event's recycle plan. The applicant will be responsible for emptying the recycle containers and cleaning the bins before they are returned to the Public Works Department.

☼ If you are uncertain of the exact number of equipment needed please feel free to contact either the special event coordinator or the Public Works Department for additional information.

☼ Additional equipment such as bleachers, electrical spiderboxes, etc., can be requested through the Parks and Recreation Department (307) 732-5753.

TOWN SERVICES REQUESTS

Indicate the Town services that you are requesting. *Please note: you will need to coordinate services with individual departments and a fee may be associated with your request.*

POLICE DEPARTMENT

(307) 733-1430

☐ Event Security	☐ Mounted Horse Patrol	☐ Traffic Control
☐ Race Lead Vehicle	☐ Parade Lead Vehicle	☐ General Presence
☐ Towing / Ticketing	☐ Assistance with Parking Closures	☐ Assistance with Street Closures

Please describe in detail your request: _____

The Chief of Police determines if police services will be needed at the special event for public safety concerns. The Chief of Police will also determine the number of police officers to staff the event. Fees may be associated with the need for additional police services at the event.

Special Event Application

TOWN SERVICES REQUESTS (Continued)

PUBLIC WORKS DEPARTMENT (307) 733-3079

☐ Street Sweeping

☐ Snow Removal

☐ Street Marking

Please describe in detail your request

PARKS AND RECREATION DEPARTMENT (307) 732-5753

☐ Irrigation Locates - Any event placing stakes in turf must obtain irrigation locates.

☐ Electricity Access

☐ Turf / Tree Care - Any additional mowing, raking, trimming or spraying needs.

☐ Additional Public Restroom Cleaning

Please describe in detail your request: _____

**Please note: if you are requesting the use of a public park or public ball field you must confirm and reserve your space through the Parks and Recreation Department. The only exception is George Washington Memorial Park (Town Square), which does not require a reservation form.*

Is the requested event site a public park or ball field? ☐ Yes ☐ No

If "Yes", has the site been reserved with Parks and Recreation? ☐ Yes ☐ No

FIRE / EMS DEPARTMENT (307) 733-4732

☐ Foot Patrol

☐ Ambulance

☐ Fire Engine

☐ Rescue Truck

☐ Bicycle Patrol

☐ Event Site Inspection

Please describe in detail your request: _____

Special Event Application

TOWN SERVICES REQUESTS (Continued)

START BUS

(307) 732-8651

☐ Event Specific Shuttle(s)

Please describe in detail your request: _____

VOICE / MUSIC AMPLIFICATION REQUESTS

Will your event have any amplified sound? ☐ Yes ☐ No

If "Yes", please indicate times: Start Time: _____ Finish Time: _____

Will your event feature any musical entertainment? ☐ Yes ☒ No

If "Yes", please attach the schedule of any music or entertainment proposed to occur during event.

SIGN or BANNER REQUESTS

Are you requesting to hang signs or banners? ☐ Yes ☒ No

If "Yes", have you completed a sign permit application? ☐ Yes ☒ No

A Sign Permit Application will need to be submitted along with this application if signs are requested. This permit can be accessed on the Town of Jackson website or through the Planning Department.

INSURANCE REQUIREMENTS

An insurance certificate is required prior to the start of your event. This certificate must name the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and must also state that coverage is primary and non-contributory is required for every event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. **The additional insured language on the certificate may not include any limitations or exclusions.** Insurance certificates are subject to the review and approval of the Town Attorney. Please be sure to include alcohol liability if there will be alcohol at the event. You must supply insurance before your event.

A certificate of insurance is attached: ☐ Yes ☒ No

Special Event Application

PORTABLE RESTROOMS AND SINKS

The Town of Jackson requires the applicant to provide additional chemical toilets or portable toilets for all events with an anticipated peak time attendance exceeding 75 people.

You are required to provide portable restroom facilities at your event unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during your event. The Town of Jackson may determine the total number of required restroom facilities required on a case-by-case basis based on the presence of food and drink at the event and the maximum number of attendees at your event during peak time. The Town of Jackson may determine that you need to coordinate with Parks and Recreation for additional public restroom cleanings if you intend on using a public restroom as part of your restroom facility plan.

Do you plan to provide portable restroom facilities? ☐ Yes ☒ No

If "Yes", please indicate the total number of portable toilets and number of ADA accessible toilets.

Total Number of Portable Toilets: _____ Number of ADA Accessible Portable Toilets: _____

If "No", please explain: We will be at each location for only 30 minutes.

Portable restrooms may not be located within 50 feet of any food vendor.

Restroom Company: _____

Restroom Drop off / Pick Up Date for Drop Off: Time for Drop Off:_____

Date for Pick Up: _____ Time for Pick Up: _____

ALCOHOL

Will there be alcoholic beverages at the event? ☐ Yes ☒ No

Will you be offering any alcoholic beverages besides beer? ☐ Yes ☒ No

If "Yes", what will be offered in addition to beer?

If you are planning on serving alcoholic beverages at your event, then either a completed Malt Beverage Permit (beer only) or Catering Permit (beer, wine and/or spirits) must be submitted. You can access these applications on the Town of Jackson website.

Special Event Application

VENDORS / MERCHANTS / SALES

Will anything be sold at your event?

☐ Yes

☒ No

If you are planning on selling items at your event then you will need to complete either an Exposition Business License (for 2 or more vendors) or a Transient Merchant License (for 1 vendor). A complete list of vendors, including a vendor tax ID, must be submitted to the Town of Jackson and to the State of Wyoming's Department of Revenue prior to the event. Both the Exposition License and the Transient Merchant License are on the Town of Jackson's website.

Please describe any sales activity at your event:

Will any food or beverages be sold at your event?

☐ Yes

☒ No

If "Yes", you will need to contact the Teton County's Department of Environmental Health prior to the event (307) 732-8490.

TRASH REMOVAL PLAN

All events are required to have a plan for the collection removal of trash during and after the event. The trash receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the waste removal plan. ***For assistance with formulating a Trash Removal Plan please contact Integrated Solid Waste and Recycling at (307) 732-5771.***

Will you be using a waste company for your waste removal plan?

☐ Yes

☒ No

If "Yes", which company will you be using? _____

How many trash receptacles will be supplied for your event? _____

When will the trash receptacles be delivered? _____

When will the trash receptacles be picked up and removed from site? _____

Describe your plan for the collection and removal of trash during your special event:

Applicants are responsible for cleaning and restoring the site immediately following the event. Please pick up all trash associated with your event including, but not limited to paper, bottles, cans, signs, course markings, etc. The cost of any employee overtime incurred because of an applicant's failure to clean / restore the site following the event will be borne by the applicant and will be considered in future application requests. If you believe that no litter will be generated during your event please state this in your plan.

Special Event Application

SUSTAINABLE EVENT PLANNING

The Town of Jackson encourages all special events to strive to be sustainable in our community and for our environment. We have partnered with the **Teton County Integrated Solid Waste and Recycling (ISWR)** to offer opportunities to help your special event to be as "green" as possible. Opportunities available:

- ☐ Rental / Use of Recycling Bins for Special Events
- ☐ Use of JH20 Water Bottle Refilling Station for Special Events
- ☐ Consultation on Conducting Green Special Events

Please contact the Waste Diversion and Outreach Coordinator at ISWR at 307-732-5771.

RECYCLING PLAN

All events are required to have a plan for the collection and removal of recyclable materials during and after the event. The recycling receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the recycling collection and removal plan. ***For assistance with formulating a Recycling Plan please contact Teton County Integrated Solid Waste and Recycling (ISWR) at (307) 732-5771.***

Will you be using a company for your recycling plan? ☐ Yes ☒ No

If "Yes" which company will you be using? _____

How many recycling receptacles will they (or you) supply for your event? _____

When will these recycling receptacles be delivered? _____

When will recycling receptacles be picked up and removed from site? _____

Describe your plan for collection and removal of recyclable materials during your special event: _____

Applicants are responsible for cleaning and restoring the site immediately following the event. If you believe that no recyclable materials will be generated during your event please state this in your plan. For a list of recyclables and how they need to be sorted, or for information about where the recycling bins are located call ISWR (307) 732-5771.

Special Event Application

SIGNIFICANT EVENT CHANGES

Has this event been approved in the Town of Jackson in previous years?

☐ Yes

☒ No

If "YES" please indicate any significant changes to the event request since its last approval:

STANDARD CONDITIONS OF APPROVAL

Please review the following standard list of conditions and restricts for events. Initial the bottom of each page indicating that you have read, understand and agree to these conditions and restrictions.

GENERAL

The event shall be conducted in a timely, safe and professional manner.

All town ordinances, including, but not limited to noise, possession and use of weapons, open fires and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.

The applicant shall advise and instruct all participants, volunteers, vendors, merchants and spectators on event conditions, restrictions, prohibitions and responsibilities as indicated by the Town Council in the staff report.

Initials: HC

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TRASH / CLEAN UP

The applicant shall clean up immediately following each event and shall be responsible for the collection and removal of all refuse generated by the event.

If trash will be generated from the event, then the applicant must supply extra trash and containers and dispose of all trash generated by the event. Trash containers shall not be permitted to overflow.

If recyclable materials are generated from the event, then the applicant is required to provide recycling containers and provide for the removal of all recycled material. Recycling containers shall not be permitted to overflow.

STREETS

Fire department access roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets (IFC 503.2.1). Booths and tents may be erected on either side of street, however, a 20 foot straight path must be provided.

SIDEWALKS

The applicant shall not block walkways or otherwise obstruct pedestrian traffic.

All walkways, boardwalks, entrances and ADA ramps must be kept open and unobstructed at all times

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

POWER / ELECTRICAL

Electrical power is available from Town Square. The applicant shall coordinate all power needs with the Parks & Recreation Department's Park Manager (307-733-5057) at least three (3) business days prior to the event.

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).

ADDITIONAL PERMIT & LICENSE FEES

The applicant shall apply and pay for all licenses and/or permits prior to the events.

Initials: HC

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TOWN EQUIPMENT

The use of the Parks & Recreation Department bleachers shall be coordinated through that department (307) 732-5753.

Barricade, road sign, cone and recycle bin use shall be coordinated through the Public Works Department. The applicants shall be responsible for pick up, setup, placement and disassembly and return. All equipment use require a \$500 damage deposit that must be submitted at the time of pick up at the Public Works Department to protect against any loss or damage.

All barricades, cones, bins and road signs must be removed immediately following the event. These items must be returned the same location as they were picked up.

PORTABLE RESTROOMS

If applicable, the applicant shall provide an adequate number of port-a-potties at the event site and shall arrange for their removal immediately at the conclusion of the event.

The applicant shall ensure all port-a-potties are placed on paved areas.

INSURANCE

The applicant and all participating organizations are required to maintain liability insurance in the amount of \$1,000,000.00. Prior to the event, each organization shall provide a certificate of insurance naming the Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers and must also state that coverage is primary and non-contributory. The Town Attorney shall approve all certificates of insurance.

FOOD / VENDING

The applicant shall obtain the necessary food service permits from Teton County Environmental Health.

The applicant shall provide additional trash receptacles in the food service areas.

Per Section 5.20 of the Municipal Code: The applicant shall be responsible for ensuring that all sales tax receipts are remitted to the Wyoming Department of Revenue and in no event later than the thirtieth day of the month following the exposition [and] acquire and keep on file names, addresses and phone numbers of all participants.

In addition to providing a list of all participating vendors, artists, and merchants, along with their social security numbers and addresses, to the Wyoming Department of Revenue, pursuant to Jackson Municipal Code Section 5.20.020 A.1.b., the applicant shall also provide that same list to the Town of Jackson Finance Department.

Vendors shall not dump hot water or other liquids on the turf.

Initials: HC

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ALCOHOL

The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises. All ID's must be checked and ID bracelet system may be required.

Only 16oz or small plastic cups are used for beer and alcohol sales.

No alcohol shall be served in bottles or glass containers.

The applicant shall be responsible to be alert to and report any instances of underage drinking to the Jackson Police Department.

It is recommended that servers be TIPS trained prior to serving alcohol. No "over serving" shall be allowed to occur or serving to obviously intoxicated persons.

Participants shall not be permitted to leave the event with open containers.

No more than two beers shall be sold to any person at any one time.

TOWN PARKS

The applicant shall coordinate the use of any public park (including the Town Square), including reservations, paperwork and applicable fees, with the Parks and Recreation Department.

The applicant shall coordinate park reservation and the payment of Parks & Recreation fees at least 30 days prior to the event.

The applicant is required to provide turf protection in front of and behind any table or other exhibit where crowds will stand. The applicant shall abide by all Parks & Recreation Department recommendations with regards to turf protection.

Vehicles are prohibited on all turf areas of any park or anywhere within the Town Square.

No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.

Use of Town Square shall be subject to the submission to and approval of staff of a detailed site plan, indicating set-up, safety procedures and turf protection, and the imposition of such other conditions or restrictions deemed necessary.

Irrigation locates are required if stakes are placed in the ground. Applicant may forfeit damage deposit if an irrigation locate is not conducted and irrigation equipment is damaged.

Per Municipal Code, dogs are not allowed in Town Parks.

Initials: HC

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TENTS

Irrigation locates are required before any tents may be erected or stakes or any other items are placed in any public park, including the Town Square. The applicant shall coordinate all water locates with the Parks & Recreation Department's Park Manager (307-732-5793) at least three (3) business days prior to the event.

All tents having an area in excess of 200 square feet shall require advance permitting through the Fire Department unless open on all sides (IFC 105.6.43).

Tents which can hold over 50 or more occupants must provide the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC 3103.6).

Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2).

Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).

Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).

Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).

All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7).

Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).

Any cooking performed within tents shall require advance approval by the Fire Department (IFC 3104.15.3 – 3104.15.7).

Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).

FAIR GROUNDS / RODEO GROUNDS

All use of the Rodeo Grounds shall be coordinated through and subject to the approval of the Fair Manager under the authority of the Parks and Recreation Department.

Anyone camping at the Rodeo Grounds shall indicate that they are affiliated with the group by placing a card in the windshield of their vehicle. Campers are reminded that fires are not permitted.

Initials: HC

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ROAD CLOSURES / PUBLIC PARKING CLOSURES

The applicant shall notify all business, residences, churches, etc. affected by the street closures and public parking closures prior to the public hearing.

The applicant shall notify, in advance, all business, residences, churches, etc. affected by the street closures and public parking closures and shall provide advance community radio and/or newspaper announcements regarding the event and the closures.

The applicant shall coordinate all road closures with the Police Department and shall provide an adequate number of volunteers to assist with traffic control and barricade setup/removal during each event.

The applicant shall coordinate all road closures with START, Fire/EMS, Public Works and the Police Department. Volunteer placement and assignments shall be reviewed and approved in advance with the Police Department.

The applicant shall be responsible for producing, posting and removing the temporary No Parking signs. No Parking signs must be posted two days prior to the parking closures. The applicant should meet with the Police Department two weeks prior to the event to discuss the procurement, posting and removal of the signs.

Emergency vehicle access lanes shall be maintained during the event.

FIREWORKS

All fireworks displays must be approved by the Fire Chief prior to the event.

The Fire Department will monitor the firing area potential for wildfire. The Department will make recommendations directly to the applicant for mitigation and will give final approval the day of the event.

The application shall be subject to the review and approval of the Fire Department and any additional conditions or restrictions placed by such Department.

Please note, that the conditions and restrictions listed above are standard for special events held in Town, additional conditions or restrictions may be required by the Town Council and/or staff upon further review of the application.

I have read and understand the standard conditions for events. I have answered all of the questions in this application truthfully and to the best of my knowledge.

APPLICANT: _____

Signature

APPLICANT: Hannah Cooley

Printed Name

DATE: 05/19/2020

TITLE: Director of Programs



TOWN OF JACKSON

TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: May 28, 2020
MEETING DATE: June 1, 2020

SUBMITTING DEPARTMENT: Town Clerk
DEPARTMENT DIRECTOR: Roxanne DeVries Robinson
PRESENTER: Carl Pelletier

SUBJECT: Jackson Hole Chamber of Commerce Temporary Visitor Information Tent in the Town Square

STATEMENT/PURPOSE

Approve special events including the use of George Washington Memorial Park and Town Property

BACKGROUND/ALTERNATIVES

Jackson Hole Chamber of Commerce is requesting to set up 2 temporary visitor information tents: one in the George Washington Memorial Park and one outside the Home Ranch Lot Welcome Building.

The tents would be 10 foot by 10 foot pop-ups that would be removed after each day. The tents would be staffed by Chamber of Commerce paid staff and volunteers. The information booths would operate between the hours of 10:00 AM until 4:00 PM. The booths would be operational 5 to 7 days a week depending on need and staffing. Following each day the tent would be taken down and removed from the Town Square and from the Home Ranch property, respectively.

The purpose of the tents would be to provide distribution of masks and area information. The masks are free and being offered to encourage more wearing of masks for locals and visitors. The information we would offer would be Town of Jackson Maps, the Chamber of Commerce Explorer magazine, as well as a state map and general directions and referrals.

The equipment utilized at each location would include a 10 X 10 tent, buffet style table and a few chairs, along with Chamber of Commerce information signage. This equipment would be set up and torn down each day. Since this is a collaborative effort with donations and volunteers, we will also have signage at each table recognizing those partners.

The location of the tents would be on Jackson Hole Town Square, Southeast Elk Antler facing the corner of Cache & Broadway and at the Home Ranch outside of the East entrance in the corner facing the JH Historical Museum.

These temporary visitor information tents would remain in operation until the operations at the Jackson Hole & Greater Yellowstone Visitor Center and the Home Ranch Welcome Center return to normal operations.

COMPREHENSIVE PLAN ALIGNMENT

This event aligns with our Quality of Life which is important to our community. Providing these services for our community members in a manner that better achieves our Vision will enhance the livability and appeal of our community.

STAKEHOLDER ANALYSIS

The application has been submitted for review and comment to all Town departments.

FISCAL IMPACT

N/A

STAFF IMPACT

N/A

LEGAL REVIEW

On Going

ATTACHMENTS

Event Request

RECOMMENDATION

Should Council wish to approve the application, staff recommends approval be subject to the following conditions and restrictions:

1. The applicant shall work with Parks and Recreation on the placement and care of the tent in George Washington Memorial Park.
2. The applicant will gain the approval of the Teton County Health Department and follow all of the state and local health orders in place.
3. Insurance: An insurance certificate that names the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and states that coverage is primary and non-contributory is required at least ten days prior to the event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town Attorney.
4. No signs shall be erected in any public right-of-way. Any and all signs placed on public property shall not be located on sidewalks blocking pedestrian travel, and placement of signage shall be subject to JPD regulations and enforcement.
5. The applicant shall use all means necessary not to damage the turf on the George Washington Memorial Park including utilizing turf protection as instructed by the Parks and Recreation Department.
6. All walkways, entrances and ADA ramps must be kept open at all times.
7. Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2)
8. Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).
9. Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).
10. Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).
11. All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7)
12. Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).
13. All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).
14. The applicant will clean up following the event.
15. The applicant and participants will comply with any additional requirements provided by the Town staff or the Town Council.

SUGGESTED MOTION

I move to approve the request made by the Jackson Hole Chamber of Commerce for the temporary visitor information booths as presented in the staff report.

Town Square & Home Ranch Temporary Visitor Info & Mask Distribution

Timeline: As soon as we are able to get approval from you and your departments until we will say September 30th. We would anticipate a 10am to 4pm operation, from 5 to 7 days a week. This would be operated by Chamber of Commerce staff or volunteers through the Chamber of Commerce. While we may not be there the entire time, this will give us that allowable framework.

Purpose: Distribution of masks and area information. The masks are free and being offered to encourage more wearing of masks for locals and visitors. The information we would offer would be Town of Jackson Maps, the Chamber of Commerce Explorer magazine, as well as a state map and general directions and referrals.

Equipment: Each location would have a 10 X 10 tent, buffet style table and a few chairs, along with Chamber of Commerce Information signage. This equipment would be set up and torn down each day. Since this is a collaborative effort with donations and volunteers, we will also have signage at each table recognizing those partners.

Locations: Jackson Hole Town Square, Southeast Elk Antler facing the corner of Cache & Broadway. Home Ranch outside of the East entrance in the corner facing the JH Historical Museum.

Call my cell phone with any questions. 307-413-9602

Thank you,

Rick Howe
JH CHAMBER OF COMMERCE



TOWN OF JACKSON

AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: PLANNING & BUILDING

PRESENTER: PAUL ANTHONY

MEETING DATE: JUNE 1, 2020

SUBJECT: TEMPORARY SIGN PERMIT – Gem and Mineral Show

STATEMENT/PURPOSE

To approve or deny relief from the Town's sign ordinance for the use of temporary signage not requiring a special event or exposition license.

BACKGROUND/ALTERNATIVES

The applicant has requested a temporary banner to be located at:

105 Buffalo Way, Albertsons during:
June 14, 2020 to June 20, 2020

Section 6.5.1.C.4 of the Town's Land Development Regulations allows Council to approve up to four (4) off-site banners. The event does not require any Town services; therefore, a special event license is not required. Staff recommends approval, as the Town has permitted such signs in the past, as long as all other regulations for signage are complied with.

COMPREHENSIVE PLAN ALIGNMENT

Staff finds that the proposal is consistent with Comprehensive Plan.

STAKEHOLDER ANALYSIS

None

FISCAL IMPACT

None

STAFF IMPACT

None

LEGAL REVIEW

N/A

ATTACHMENTS

Applicant Submittal

RECOMMENDATION

The Planning Director makes no recommendation for the banner to be located in one location subject to the following conditions:

1. The use of the site shall be granted by the property owner.
2. The signs shall not be located on the sidewalks or in the public right of way.
3. The sign for the Gem and Mineral Show may be installed at:
105 Buffalo Way, Albertsons during:
June 14, 2020 to June 20, 2020

SUGGESTED MOTION

I move to **approve** the temporary banner in conjunction with Wyoming State Gem and Mineral Society subject to three (3) conditions of approval.

(Although Staff is not making a recommendation of the application, the motion is made in the affirmative.)



TEMPORARY SIGN PERMIT APPLICATION

Planning & Building Department

150 East Pearl Ave.
P.O. Box 1687
Jackson, WY 83001

ph: (307) 733-0440
www.townofjackson.com

First, go to www.townofjackson.com/245/Temporary-Sign-Permit for process and other necessary information.

EVENT NAME:

Event Name: Gem & Mineral Show Physical Address of Event: 10937 Hwy 189 Big Piney, WY
Description of Event: Annual Convention of Rocky Mountain Fed. of Mineralogical Societies, annual show for Wyoming State Mineral & Gem Society, & annual show for Sublette County Rock Hounds.
Grand Opening ☐ Yes ☒ No X

EVENT SPONSOR/APPLICANT: Name: Sublette County Rock Hounds

Mailing Address: PO Box 1351 Phone: (307) 260-6442
E-mail: Big Piney, WY ZIP: 83113
jimgray@wyoming.com Non-Profit: ☒ For Profit: ☐

TEMPORARY BANNER LOCATION: Consent from Property Owner Required

Business/Description: <u>Albertson's</u>	Business/Description: _____
Physical Address: <u>105 Buffalo Way</u>	Physical Address: _____
Dates of Display: <u>June 14-20, 2020</u>	Dates of Display: _____
Consent from Owner Obtained? Yes ☒ No ☐	Consent from Owner Obtained? Yes ☐ No ☐
Business/Description: _____	Business/Description: _____
Physical Address: _____	Physical Address: _____
Dates of Display: _____	Dates of Display: _____
Consent from Owner Obtained? Yes ☐ No ☐	Consent from Owner Obtained? Yes ☐ No ☐

SUBMITTAL REQUIREMENTS. Have you attached the following? Please answer accordingly.

Yes ☒ No ☐ Illustration of each proposed sign that includes dimensions, colors, materials and type of sign.
Yes ☒ No ☐ Installation specifications, and any structural details or specifications required for freestanding signs.

Under penalty of perjury, I hereby certify that I have read this application and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of the Town of Jackson to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Jim Gray
Signature of Authorized Event Applicant

Club + WSMGS
President

3-12-2020
Date

Rocky Mountain Federation of Mineralogical
Societies Convention

&

Wyoming State Mineral & Gem Society Annual

Sublette County Rock Hounds Club

Gem & Mineral Show

Marbleton/Big Piney, Jct. of Hwys 189 & 351

Sublette County Fairgrounds

June 19, 20, 21, 2020

ties to posts
on building

*Rocky Mountain Federation of Mineralogical Societies convention
&
Wyoming State Mineral & Gem Society show*

Gem & Mineral Show 2020

Theme

***ROCK & ROLL WITH
WYOMING ROCKS***

Hosted by the Sublette County Rock Hounds

June 19th, 20th, & 21st

**at the Sublette County Fairgrounds
10937 Hwy 189, Big Piney, Wyoming**

Friday & Saturday 9-5, Sunday 9-4

***Dealers, lectures, demonstrators, exhibits, field trips, Mr. Bones, Fossil
Butte National Monument walking fish fossil, fluorescent mineral
display, kids' activities, food concession & more!***

Admission: \$2.00 adults, kids free



and a funding contribution made by Pinedale Travel & Tourism Commission www.VisitPinedale.org

Contact: jimgray@wyoming.com



TOWN OF JACKSON

AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: PLANNING & BUILDING

PRESENTER: PAUL ANTHONY

MEETING DATE: June 1, 2020

SUBJECT: TEMPORARY SIGN PERMIT – Jackson Hole High School and Summit Innovations School
Graduation

STATEMENT/PURPOSE

To approve or deny relief from the Town's sign ordinance for the use of temporary signage not requiring a special event or exposition license.

BACKGROUND/ALTERNATIVES

The applicant has requested a temporary banner under Section 5.6.1.C.4.d of the LDRs to be located at:

105 Buffalo Way, Albertsons during:
June 1, 2020 to June 14, 2020

Section 6.5.1.C.4 of the Town's Land Development Regulations allows Council to approve up to four (4) off-site banners. The event does not require any Town services; therefore, a special event license is not required. Staff recommends approval, as the Town has permitted such signs in the past, as long as all other regulations for signage are complied with.

COMPREHENSIVE PLAN ALIGNMENT

Staff finds that the proposal is consistent with Comprehensive Plan.

STAKEHOLDER ANALYSIS

None

FISCAL IMPACT

None

STAFF IMPACT

None

LEGAL REVIEW

N/A

ATTACHMENTS

Applicant Submittal

RECOMMENDATION

The Planning Director makes no recommendation for the banners to be located in one location subject to the following conditions:

1. The use of the site shall be granted by the property owner.
2. The sign shall not be located on the sidewalks or in the public right of way.
3. The site shall state the date(s) of the advertised “virtual shadow day.”
4. The sign for JHHS and SIS may be installed at:
105 Buffalo Way, Albertsons during:
June 1, 2020 to June 14, 2020

SUGGESTED MOTION

I move to **approve** the temporary banner in conjunction with Jackson Hole High School and Summit Innovations School subject to four (4) conditions of approval.

(Although Staff is not making a recommendation of the application, the motion is made in the affirmative.)



TEMPORARY SIGN PERMIT APPLICATION

Planning & Building Department

150 East Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

First, go to www.townofjackson.com/245/Temporary-Sign-Permit for process and other necessary information.

EVENT NAME:

Event Name: Class of 2020 JHHS/SIS Physical Address of Event: 1910 High School Road
Description of Event: Banner to celebrate the graduates of JHHS/SIS
Grand Opening ☐ Yes ☐ No ☐

EVENT SPONSOR/APPLICANT: Name:

Mailing Address: PO Box 568, Jackson WY Phone: 307 690 3640
E-mail: mtisi@tcsd.org ZIP: 83001
Non-Profit: ☒ For Profit: ☐

TEMPORARY BANNER LOCATION: Consent from Property Owner Required

Business/Description: <u>Albertsons</u>	Business/Description: _____
Physical Address: <u>105 Buffalo Drive</u>	Physical Address: _____
Dates of Display: <u>6/1-6/14</u>	Dates of Display: _____
Consent from Owner Obtained? Yes ☐ No ☐	Consent from Owner Obtained? Yes ☐ No ☐
Business/Description: _____	Business/Description: _____
Physical Address: _____	Physical Address: _____
Dates of Display: _____	Dates of Display: _____
Consent from Owner Obtained? Yes ☐ No ☐	Consent from Owner Obtained? Yes ☐ No ☐

SUBMITTAL REQUIREMENTS. Have you attached the following? Please answer accordingly.

Yes ☒ No ☐ Illustration of each proposed sign that includes dimensions, colors, materials and type of sign.
Yes ☐ No ☒ Installation specifications, and any structural details or specifications required for freestanding signs.

Under penalty of perjury, I hereby certify that I have read this application and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of the Town of Jackson to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Signature of Authorized Event Applicant

Mary Tisi

Applicant Name Printed

5/20/20

Date

Community Engagement C

Title

Banner 120 X 180

13 oz exterior grade banner stock

Banner will read:

Congratulations JHHS/SIS Class of 2020

Felicidades JHHS/SIS Class of 2020

School Logo (Bucking Bronco) will be displayed on the banner as well as pics of the graduates.



Exposure Signs is currently creating the banner



TOWN OF JACKSON

AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Public Works

PRESENTER: Floren Poliseo, PW Director

MEETING DATE: June 1, 2020

SUBJECT: P20-072, -073, -074: Encroachment Agreements with Café G, LLC for properties located at 135 E Broadway, 170 E Deloney Ave, and 145 E Broadway

STATEMENT/PURPOSE

Present to the Town Council consideration of an Encroachment Agreement with property owner Café G, LLC for the following existing encroachments into the Town right-of-way:

- 135 E Broadway: Belle Cose covered boardwalk and support columns extending approximately 7.6' x 37.3' into East Broadway (Application P20-072)
- 170 E Deloney: Garden Home Design staircase extending approximately 0.85' x 7.3' into East Deloney Avenue (Application P20-074)
- 145 E Broadway: Persephone entry stairs and deck extending approximately 1.7' x 44.3' into East Broadway (Application P20-073)

BACKGROUND/ALTERNATIVES

The above listed encroachments are located on the properties to be platted as Lot 1 and Lot 3 of the Genevieve Block Addition to the Town of Jackson according to Final Plat Application P20-071. The existing property owned by and being subdivided by Café G LLC is shown on this map:



The subject property is located within the Town of Jackson Downtown Core (DC) and Urban Commercial (UC) zoning districts.

Specific to these proposed Encroachment Agreements, the owner seeks to formalize existing encroachments into public rights-of-way, which will remain after subdivision, to satisfy a condition of approval for its development plan.

COMPREHENSIVE PLAN ALIGNMENT

This project supports the Town Comprehensive Plan as follows.

Common Value 1: Ecosystem Stewardship

The Comprehensive Plan does not list any applicable policy objectives for this Common Value in District 2. Nonetheless, the applicant has proposed a Development Plan which preserves considerable greenspace in the heart of town.

Common Value 2: Growth Management

4.1.d: Maintain Jackson as the economic center of the region

The DC and UC zones are intended to support mixed-use development which includes commercial spaces that serve local businesses, residents and visitors. These properties help preserve the businesses that are major attractions for locals and visitors alike all year.

4.2.c: Create vibrant walkable mixed use subareas

These businesses preserve the human-scale walkable mixed use character of the block fronting East Broadway Avenue.

4.2.d: Create a Downtown Retail Shopping District

The current occupants and use of these properties serve residents and visitors. The existing businesses on site currently are classified as retail and sell wares in addition to food and beverage.

Common Value 3: Quality of Life

6.2.b: Support businesses located in the community because of our lifestyle

The existing encroachments help support the existing locally owned and locally popular businesses on East Broadway Avenue.

6.3.a: Ensure year-round economic viability

These businesses operate year-round to serve the community and its visitors and help generate sales tax revenues.

STAKEHOLDER ANALYSIS

Stakeholders include the applicant and business owners, and residents of and visitors to the Town of Jackson. The Town Council is the final decision maker on all policy decisions regarding the public right-of-way.

FISCAL IMPACT

None.

STAFF IMPACT

Town Planning, Legal, and Engineering staff coordinate to process and produce the encroachment agreement, 8-12 hours of staff time.

LEGAL REVIEW

The legal review is ongoing as needed.

ATTACHMENTS

Two proposed Encroachment Agreements and their supporting documents:

- Lot 1 (Belle Cose and Garden Home Design)
- Lot 3 (Persephone)

RECOMMENDATION

Staff recommends approval of the Encroachment Agreements between the Town of Jackson and Café G, LLC to allow the existing covered boardwalk, stairs, and entry deck to encroach into the Town's East Broadway and East Deloney Avenue public rights-of-way.

SUGGESTED MOTION

I move to approve the Encroachment Agreements between the Town of Jackson and property owner Café G, LLC upon approval by the Town Engineer and Town Attorney and authorize the Mayor to execute all necessary contract Agreements.

ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT ("Agreement"), by and between Café G, LLC, with an address of PO Box 7372, Jackson, WY, 83002, hereinafter referred to as "Encroaching Party" and the TOWN OF JACKSON, a municipal corporation of the State of Wyoming, with an address of P.O. Box 1687 Jackson, WY 83001 hereinafter referred to as "Town," together "Parties," provides as follows:

WHEREAS, Encroaching Party is the owner in fee simple of that certain real property in Teton County, Wyoming, described as follows:

Street Address: 135 East Broadway Ave and 170 East Deloney Ave.

Location: Lot 1 of the Genevieve Block Addition to the Town of Jackson, Plat _____.

PIDN: 22-41-16-27-3-_____

WHEREAS, the Town is the owner of certain public rights-of-way known as East Broadway Avenue and East Deloney Avenue, which public rights-of-way adjoin Encroaching Party's property;

WHEREAS, the Encroaching Party does encroach in a portion of the above-noted public rights-of-way as set forth in Exhibit A, attached hereto and made a part hereof, for:

1. Belle Cose, covered boardwalk and support columns – extending into East Broadway Avenue approximately 8.0' x 37.50' (hereinafter, "Belle Cose Encroachment").
2. Garden Home Design, staircase – extending into East Deloney Avenue approximately 0.85' x 7.50' (hereinafter, "Garden Home Encroachment").

All as shown on Exhibit A , (collectively hereinafter "Encroaching Property"), and

WHEREAS, on June 1, 2020 the Jackson Town Council voted to approve an Encroachment Agreement between the Town of Jackson and the Encroaching Party for the Encroaching Property subject to final review and approval by the Town Attorney and Town Engineer and the following conditions:

1. Encroachments requires Town Council Approval.
2. Applicant shall provide all the required exhibits for the Encroachment Agreement. Exhibits shall be to scale on 8.5"X11" paper as approved by the Town Engineer.
3. Applicant is responsible for all Teton County Clerk recording fees.
4. The owner must agree not to erect any signs obstructing or otherwise compromising the usefulness and/or effectiveness of any traffic control devices or restricting sight distance in the vicinity.
5. When necessary the Town Reserves the right to use the canopy or posts in lieu of street signposts.
6. Term: Upon extension, removal, or destruction of the Encroaching Property shall cease.

WHEREAS, Encroaching Party recognizes that it cannot acquire any right, title, or interest in and to the said public rights-of-way by adverse possession or otherwise due to the encroachment.

NOW, THEREFORE, IT IS HEREBY AGREED that for and in consideration of the aforesaid premises and good and valuable consideration, the receipt of which is hereby acknowledged, paid by each of the said parties to the other, Encroaching Party and the Town do mutually covenant and agree as follows:

1. ACKNOWLEDGMENT OF TOWN'S RIGHTS:

Encroaching Party acknowledges the Town's exclusive rights, title, and interest in the public rights-of-way and that it cannot acquire any right, title, or interest in the afore-referenced public right-of-way now or hereafter.

2. AGREEMENT TO ALLOW ENCROACHMENT:

The Town agrees that Encroaching Party shall have the right to have the Encroaching Property within the Town right-of-way to the extent set forth herein.

3. ENCROACHING PARTY OBLIGATIONS:

Encroaching Party must maintain the Encroaching Property in a safe and structurally sound manner. All repairs and reconstruction work must be completed such that thereafter the Encroaching Property meets the standards of the Building Code of the Town of Jackson adopted at the time of repair and reconstruction.

Encroaching Party must maintain the Encroaching Property such that it does not allow water to leak onto the sidewalk.

Any snow removed from the Encroaching Property to the Town right-of-way must be removed from the Town right-of-way by the Encroaching Party at the time of removal from the Encroaching Property. The Encroaching Party may not store, stockpile or leave any snow removed from the Encroaching Property in the Town right-of-way for any appreciable period of time. Encroaching Party is responsible for obtaining any required permits for the snow removal.

4. RIGHT TO MAINTAIN:

Encroaching Party shall have the right from time to time to go upon the adjoining Town right-of-way for the purpose of maintaining the Encroaching Property, provided that any damage occurring to the property of the Town as a result of such maintenance shall be corrected or repaired at the sole expense of Encroaching Party or its successors and assigns. Under no circumstances shall the Encroaching Party be allowed to increase the existing encroachment, absent written approval (including applicable regulatory approval) from the Town. Notwithstanding the foregoing, no provision in this Agreement shall limit or prohibit the Town from pursuing its right of eminent domain with regard to the Encroaching Property and no provision of this Agreement shall limit or prohibit Encroaching Party from defending its property therefrom.

4. RELEASE OF CLAIMS:

Encroaching Party, and its successors or assigns hereby releases and holds harmless the Town from any and all damage, claim, cause, or right of action which may arise from normal Town use, maintenance, construction, repair or replacement activities by the Town associated with the Town rights-of-way in its present configuration and alignment and any of the present utilities within the Town rights-of-way and which may arise due to the proximity of the Encroaching Property to the work activity being conducted by the Town.

6. INDEMNIFICATION:

Encroaching Party, and its successors in interest and assigns, hereby agrees to indemnify and hold harmless the Town of Jackson from any and all losses, damages, claims, causes of action, or rights of action, including reasonable attorney's fees, which the Town may incur as a result of or in any way related to the construction, use, and/or maintenance of the Encroaching Property. The Town will give the Encroaching Party prompt notice of any claims against it arising from or related to such Encroaching Property and the Encroaching Party will be kept fully informed and advised of material matters relating to the defense and handling of such claim by the Town, its insurers, or its attorneys. Nothing in this Agreement shall alter, amend, modify, or diminish the existing statutory, constitutional, or legal defenses of the Town in relation to such claims under the Wyoming law.

7. BINDING COVENANT:

The provisions of this Agreement shall operate as a covenant running with all parcels of land above described and shall bind both parties hereto and their respective successors and assigns in ownership.

8. TERM OF AGREEMENT:

This instrument and all the covenants contained herein shall remain in force and effect until such time as the Town or Encroaching Party removes the Encroaching Property. Removal of Encroaching Property by the Town shall be based on legitimate municipal interests, including but not limited to the Town's need to use additional right-of-way, and shall be at the Town's sole cost. Notice of removal shall state the timeframe within which the improvements shall be removed, and said timeframe shall not be less than two months. Removal of Encroaching Property by the Encroaching Party shall require approval by the Town and will be at the sole cost of the Encroaching Party. Upon extension, removal, or destruction of the Encroaching Property, all rights of Encroaching Party, its successors, and assigns, hereunder to the encroachment, shall cease.

9. NO THIRD-PARTY BENEFICIARY:

This Agreement is made solely and specifically among and for the benefit of the parties hereto, and their respective successors and assigns, and no other person or entity will have any rights, interest, or claims hereunder or be entitled to any benefits under or on account of this Agreement as a third party beneficiary or otherwise.

10. HEADINGS:

Headings used in this Agreement are for convenience only and shall not be deemed to constitute a part hereof, or shall not be deemed to limit, characterize, or in any way affect the provisions of this Agreement.

11. MODIFICATION IN WRITING:

No modification, waiver, amendment, addition or cancellation of this document shall be effective unless in writing and signed by both parties.

12. BINDING EFFECT AND SEVERABILITY:

This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, legal representatives, successors, and permitted assigns unless voluntarily terminated upon agreement by all parties or their heirs, legal representatives, successors, and permitted assigns. If a Court finds any provision of this Agreement to be invalid or unenforceable, such finding shall not render the entire Agreement void or unenforceable. If feasible, the offending provision shall be deemed modified within the limits of enforceability or validity. If the offending provision cannot be modified, it shall be stricken and all other provision of this Agreement in all other respects shall remain valid and enforceable.

13. RECORDING:

This Agreement shall be executed upon its approval by the Jackson Town Council and shall thereupon be filed with the Town Clerk and recorded in the Land Records of Teton County, Wyoming at the Encroaching Party's sole cost.

14. GOVERNING LAW AND FORUM:

This Agreement shall be construed in accordance with the laws of the State of Wyoming. The parties agree that the Courts of the State of Wyoming and the Federal Courts of the United States located in the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving this Agreement or its subject matter. The parties irrevocably submit and consent to such jurisdiction and venue and waive any right they may have to seek a change of jurisdiction or venue.

15. COUNTERPARTS:

This Agreement may be executed in multiple counterparts, each of which shall be an original but all of which together constitute one and the same instrument.

16. SOVEREIGN IMMUNITY:

The Town of Jackson does not waive its sovereign immunity by entering into this agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Encroachment Agreement.

17. WAIVER:

A waiver by the either party regarding the breach of any of the provisions of this Encroachment Agreement shall not bar the right of the parties to enforce the terms of this Agreement.

18. ENTIRE AGREEMENT:

The parties intend this statement of their Agreement, specifically including the Recitals, to constitute the complete, exclusive, and fully integrated statement of their agreement. As such, it is the sole expression of their agreement, and they are not bound by any other agreements of whatsoever kind or nature.

IN WITNESS WHEREOF, the effective date of this agreement is _____.

[signatures follow on next page]

ENCROACHING PARTY

By: _____

Print Name: _____

Its: _____

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by _____, as its
property owner this ____ day of _____, 2020.

Witness my hand and official seal.

Notary Public

My commission Expires:

TOWN OF JACKSON,

**a municipal corporation
of the State of Wyoming**

By: _____
Pete Muldoon, Mayor

Attest: _____
Sandra P. Birdyshaw, Town Clerk

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Pete Muldoon, as Mayor of the Town of Jackson, and Sandra P. Birdyshaw, as the Town Clerk, who are each personally known to me or has each established their identity and authority to me by reasonable proof, this _____ day of _____, 2020.

Witness my hand and official seal.

Notary Public

My commission Expires:

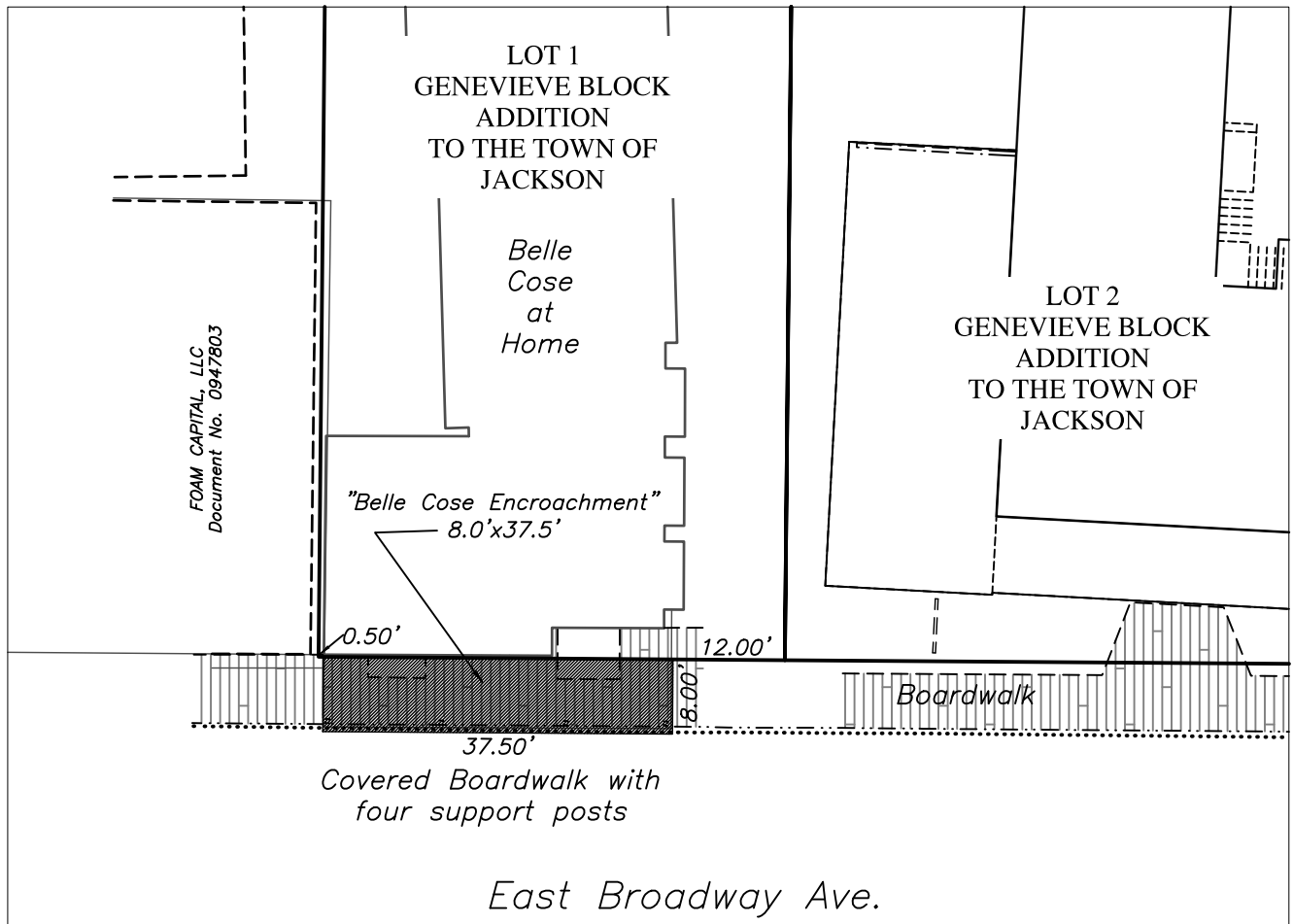


EXHIBIT A
"Belle Cose Encroachment"

Lot 1 Genevieve Block
Addition to the Town of Jackson
Page 1 of 2

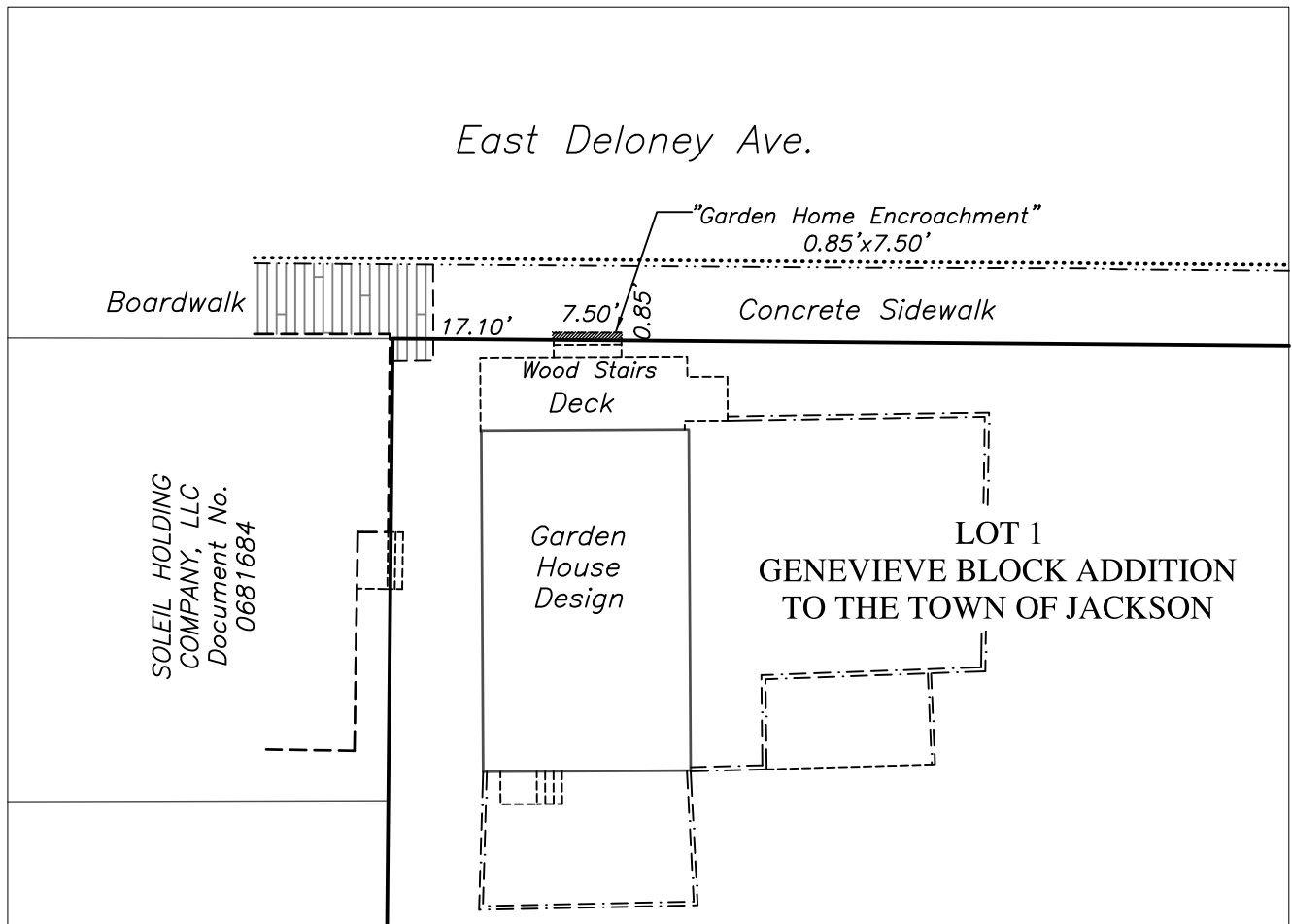


EXHIBIT A
"Garden Home Encroachment"

ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT ("Agreement"), by and between Café G, LLC, with an address of PO Box 7372, Jackson, WY, 83002, hereinafter referred to as "Encroaching Party" and the TOWN OF JACKSON, a municipal corporation of the State of Wyoming, with an address of P.O. Box 1687 Jackson, WY 83001 hereinafter referred to as "Town," together "Parties," provides as follows:

WHEREAS, Encroaching Party is the owner in fee simple of that certain real property in Teton County, Wyoming, described as follows:

Street Address: 145 East Broadway Ave.

Location: Lot 3 of the Genevieve Block Addition to the Town of Jackson, Plat _____.

PIDN: 22-41-16-27-3-_____

WHEREAS, the Town is the owner of certain public rights-of-way known as East Broadway Avenue and East Deloney Avenue, which public rights-of-way adjoin Encroaching Party's property;

WHEREAS, the Encroaching Party does encroach in a portion of the above-noted public rights-of-way as set forth in Exhibit A, attached hereto and made a part hereof, for:

1. Persephone, stairs and entry deck – extending into East Broadway Avenue by 2.0' x 44.0' (hereinafter, "Persephone Encroachment")

All as shown on Exhibit A, (collectively hereinafter "Encroaching Property"), and

WHEREAS, on June 1, 2020 the Jackson Town Council voted to approve an Encroachment Agreement between the Town of Jackson and the Encroaching Party for the Encroaching Property subject to final review and approval by the Town Attorney and Town Engineer and the following conditions:

1. Encroachments requires Town Council Approval.
2. Applicant shall provide all the required exhibits for the Encroachment Agreement. Exhibits shall be to scale on 8.5"X11" paper as approved by the Town Engineer.
3. Applicant is responsible for all Teton County Clerk recording fees.
4. The owner must agree not to erect any signs obstructing or otherwise compromising the usefulness and/or effectiveness of any traffic control devices or restricting sight distance in the vicinity.
5. When necessary the Town Reserves the right to use the canopy or posts in lieu of street sign posts.
6. Term: Upon extension, removal, or destruction of the Encroaching Property shall cease.

WHEREAS, Encroaching Party recognizes that it cannot acquire any right, title, or interest in and to the said public rights-of-way by adverse possession or otherwise due to the encroachment.

NOW, THEREFORE, IT IS HEREBY AGREED that for and in consideration of the aforesaid premises

and good and valuable consideration, the receipt of which is hereby acknowledged, paid by each of the said parties to the other, Encroaching Party and the Town do mutually covenant and agree as follows:

1. ACKNOWLEDGMENT OF TOWN'S RIGHTS:

Encroaching Party acknowledges the Town's exclusive rights, title, and interest in the public rights-of-way and that it cannot acquire any right, title, or interest in the afore-referenced public right-of-way now or hereafter.

2. AGREEMENT TO ALLOW ENCROACHMENT:

The Town agrees that Encroaching Party shall have the right to have the Encroaching Property within the Town right-of-way to the extent set forth herein.

3. ENCROACHING PARTY OBLIGATIONS:

Encroaching Party must maintain the Encroaching Property in a safe and structurally sound manner. All repairs and reconstruction work must be completed such that thereafter the Encroaching Property meets the standards of the Building Code of the Town of Jackson adopted at the time of repair and reconstruction.

Encroaching Party must maintain the Encroaching Property such that it does not allow water to leak onto the sidewalk.

Any snow removed from the Encroaching Property to the Town right-of-way must be removed from the Town right-of-way by the Encroaching Party at the time of removal from the Encroaching Property. Encroaching Party may not store, stockpile or leave any snow removed from the Encroaching Property in the Town right-of-way for any appreciable period of time. Encroaching Party is responsible for obtaining any required permits for the snow removal.

4. RIGHT TO MAINTAIN:

Encroaching Party shall have the right from time to time to go upon the adjoining Town right-of-way for the purpose of maintaining the Encroaching Property, provided that any damage occurring to the property of the Town as a result of such maintenance shall be corrected or repaired at the sole expense of Encroaching Party or its successors and assigns. Under no circumstances shall the Encroaching Party be allowed to increase the existing encroachment, absent written approval (including applicable regulatory approval) from the Town. Notwithstanding the foregoing, no provision in this Agreement shall limit or prohibit the Town from pursuing its right of eminent domain with regard to the Encroaching Property and no provision of this Agreement shall limit or prohibit Encroaching Party from defending its property therefrom.

4. RELEASE OF CLAIMS:

Encroaching Party, and its successors or assigns hereby releases and holds harmless the Town from any and all damage, claim, cause, or right of action which may arise from normal Town use, maintenance, construction, repair or replacement activities by the Town associated with the Town rights-of-way in its present configuration and alignment and any of the present utilities within the Town rights-of-way and

which may arise due to the proximity of the Encroaching Property to the work activity being conducted by the Town.

6. INDEMNIFICATION:

Encroaching Party, and its successors in interest and assigns, hereby agrees to indemnify and hold harmless the Town of Jackson from any and all losses, damages, claims, causes of action, or rights of action, including reasonable attorney's fees, which the Town may incur as a result of or in any way related to the construction, use, and/or maintenance of the Encroaching Property. The Town will give the Encroaching Party prompt notice of any claims against it arising from or related to such Encroaching Property and the Encroaching Party will be kept fully informed and advised of material matters relating to the defense and handling of such claim by the Town, its insurers, or its attorneys. Nothing in this Agreement shall alter, amend, modify, or diminish the existing statutory, constitutional, or legal defenses of the Town in relation to such claims under the Wyoming law.

7. BINDING COVENANT:

The provisions of this Agreement shall operate as a covenant running with all parcels of land above described and shall bind both parties hereto and their respective successors and assigns in ownership.

8. TERM OF AGREEMENT:

This instrument and all the covenants contained herein shall remain in force and effect until such time as the Town or Encroaching Party removes the Encroaching Property. Removal of Encroaching Property by the Town shall be based on legitimate municipal interests, including but not limited to the Town's need to use additional right-of-way, and shall be at the Town's sole cost. Notice of removal shall state the timeframe within which the improvements shall be removed, and said timeframe shall not be less than two months. Removal of Encroaching Property by the Encroaching Party shall require approval by the Town and will be at the sole cost of the Encroaching Party. Upon extension, removal, or destruction of the Encroaching Property, all rights of Encroaching Party, its successors, and assigns, hereunder to the encroachment, shall cease.

9. NO THIRD-PARTY BENEFICIARY:

This Agreement is made solely and specifically among and for the benefit of the parties hereto, and their respective successors and assigns, and no other person or entity will have any rights, interest, or claims hereunder or be entitled to any benefits under or on account of this Agreement as a third party beneficiary or otherwise.

10. HEADINGS:

Headings used in this Agreement are for convenience only and shall not be deemed to constitute a part hereof, or shall not be deemed to limit, characterize, or in any way affect the provisions of this Agreement.

11. MODIFICATION IN WRITING:

No modification, waiver, amendment, addition or cancellation of this document shall be effective unless in writing and signed by both parties.

12. BINDING EFFECT AND SEVERABILITY:

This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, legal representatives, successors, and permitted assigns unless voluntarily terminated upon agreement by all parties or their heirs, legal representatives, successors, and permitted assigns. If a Court finds any provision of this Agreement to be invalid or unenforceable, such finding shall not render the entire Agreement void or unenforceable. If feasible, the offending provision shall be deemed modified within the limits of enforceability or validity. If the offending provision cannot be modified, it shall be stricken and all other provision of this Agreement in all other respects shall remain valid and enforceable.

13. RECORDING:

This Agreement shall be executed upon its approval by the Jackson Town Council and shall thereupon be filed with the Town Clerk and recorded in the Land Records of Teton County, Wyoming at the Encroaching Party's sole cost.

14. GOVERNING LAW AND FORUM:

This Agreement shall be construed in accordance with the laws of the State of Wyoming. The parties agree that the Courts of the State of Wyoming and the Federal Courts of the United States located in the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving this Agreement or its subject matter. The parties irrevocably submit and consent to such jurisdiction and venue and waive any right they may have to seek a change of jurisdiction or venue.

15. COUNTERPARTS:

This Agreement may be executed in multiple counterparts, each of which shall be an original but all of which together constitute one and the same instrument.

16. SOVEREIGN IMMUNITY:

The Town of Jackson does not waive its sovereign immunity by entering into this agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Encroachment Agreement.

17. WAIVER:

A waiver by the either party regarding the breach of any of the provisions of this Encroachment Agreement shall not bar the right of the parties to enforce the terms of this Agreement.

18. ENTIRE AGREEMENT:

The parties intend this statement of their Agreement, specifically including the Recitals, to constitute the complete, exclusive, and fully integrated statement of their agreement. As such, it is the sole expression of their agreement, and they are not bound by any other agreements of whatsoever kind or nature.

IN WITNESS WHEREOF, the effective date of this agreement is [Day Month Year].

[signatures follow on next page]

ENCROACHING PARTY

By: _____

Print Name: _____

Its: _____

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by _____, as its
property owner this____day of_____, 2020.

Witness my hand and official seal.

Notary Public

My commission Expires:

**TOWN OF JACKSON,
a municipal corporation
of the State of Wyoming**

By: _____
Pete Muldoon, Mayor

Attest: _____
Sandra P. Birdyshaw, Town Clerk

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

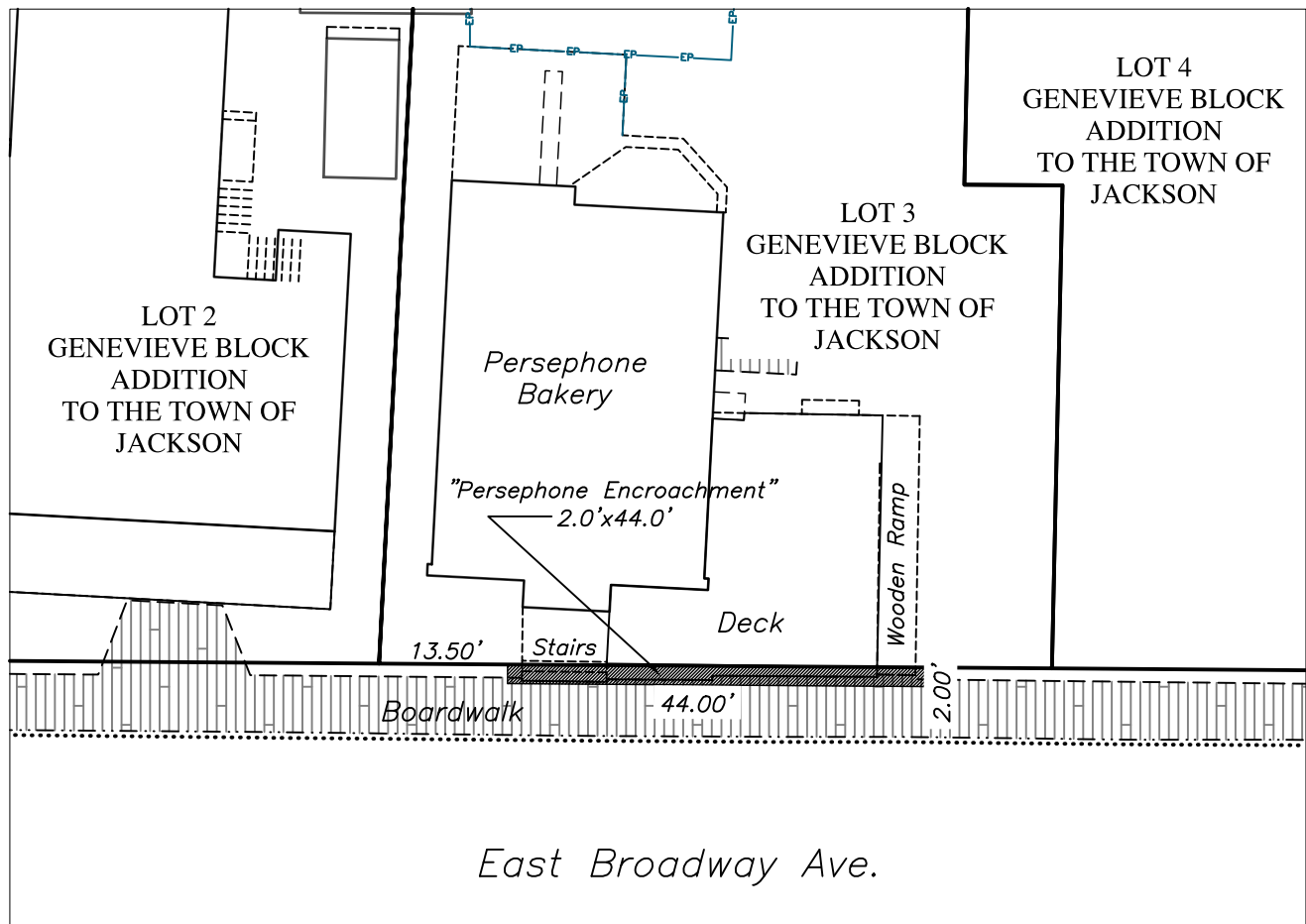
The foregoing instrument was acknowledged before me by Pete Muldoon, as Mayor of the Town of Jackson, and Sandra P. Birdyshaw, as the Town Clerk, who are each personally known to me or has each established their identity and authority to me by reasonable proof, this _____ day of _____, 2020.

Witness my hand and official seal.

Notary Public

My commission Expires:

Notary Public



*EXHIBIT A
Showing
"Persephone Encroachment"

Lot 3 Genevieve Block
Addition to the Town of Jackson*



TOWN OF JACKSON

TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: May 28, 2020
MEETING DATE: June 1, 2020

SUBMITTING DEPARTMENT: Community Development
DEPARTMENT DIRECTOR: Tyler Sinclair
PRESENTER: Tyler Sinclair

SUBJECT: C20-001: Re-opening Town Businesses

STATEMENT/PURPOSE

For Council to provide staff direction on proceeding with Town COVID-19 business support projects aimed at supporting the re-opening of Town businesses in response to COVID-19.

BACKGROUND/ALTERNATIVES

At the May 18 Town Council workshop, Council and staff discussed possible ways the Town could support local businesses as they re-open for the summer tourist season with restrictions and limitations as a result of COVID-19. The goal for the Town's efforts would be to:

- Provide a safe, clean and inviting atmosphere addressing social distancing guidelines of maintaining 6 feet between individuals in our downtown and throughout town
- Support our local economy through our critical Summer season

Based upon Council direction, staff put together the following seven (7) projects for Council consideration on ways the Town could support these efforts:

1. Signage and Messaging
2. Use of Public Spaces
3. Food Trucks – Private Property
4. Food Trucks – Public Property
5. Extended Sidewalks/Street Closure on Center Street and Deloney
6. Parklets in Town Right of Way for restaurant seating, retail display, office space, flex spaces, etc.
7. Downtown Cleaning and Sanitizing

Please see attached to this report a project description for each topic outlining the goal of the project, impacts to Town staff and funding, permitting process and overall pros/cons.

In preparation for the meeting Council should consider the following questions for each proposed project:

- Should the Town proceed to implement the project?
- What requirements and/or limitations should be placed on the project?
- What limitations regarding Town staffing and funding should be placed on the project?
- Who can apply?
- Etc.

In addition, to the above projects staff considered but are not proposing the following projects at this time due to the amount of staff time and funding involved:

- Use of Town Parks and other Town property for temporary retail sales or events.
 - Should another organization choose to organize and coordinate this type of project(s) Town staff would assist in processing the required Special Event Permit(s).
- Complete or Partial Closure of Town Streets above and beyond that presented above.
 - Staff has not pursued this idea further having received feedback that consensus among businesses on the merits of this idea are mixed

In support of Project #6: Parklets in Town Right of Way, staff has completed a grant application to the Wyoming Business Council for Placemaking. Please see the attached application form for further details including the required Town matching fund requirement. Staff has provided a motion related to the submission of this application below.

COMPREHENSIVE PLAN ALIGNMENT

Staff finds the proposed projects are in alignment with Chapter 6: A Diverse and Balanced Economy and Chapter 8: Quality Community Service Provision.

STAKEHOLDER ANALYSIS

Stakeholders involved in this issue include all Town residents, the business community and visitors.

FISCAL IMPACT

Below staff have provided an estimated fiscal impact by individual project:

1. Signage and Messaging - \$500.00
2. Use of Public Spaces - \$500.00
3. Food Trucks – Private Property – N/A
4. Food Trucks – Public Property - \$500.00 - \$2,000.00
5. Extended Sidewalks/Street Closure on Center Street and Deloney - \$2,000.00 - \$50,000.00
6. Parklets in Town Right of Way for Private Use - \$500.00
7. Downtown Cleaning and Sanitizing - \$3,000.00 - \$5,000.00

Total: \$7,000 - \$55,500

STAFF IMPACT

Please see individual project descriptions.

LEGAL REVIEW

On-going. The Town Attorney has been involved in the preliminary discussions on these projects. Based upon Council direction further significant review and consideration may be required.

ATTACHMENTS

- Project Descriptions
 1. Signage and Messaging
 2. Use of Public Spaces

3. Food Trucks – Private Property
 4. Food Trucks – Public Property
 5. Extended Sidewalks/Street Closure on Center Street and Deloney
 6. Parklets in Town Right of Way for restaurant seating, retail display, office space, flex spaces, etc.)
 7. Downtown Cleaning and Sanitizing
- Wyoming Business Council – Placemaking Grant Application
 - Town Council Workshop Staff Report, dated May 18, 2020

RECOMMENDATION

Staff recommends Council direct staff to proceed with the Town COVID-19 business support projects as described in this report.

SUGGESTED MOTIONS

Item A

I move to direct staff to implement the following Town COVID-19 business support projects as described in this report and as directed by Council at this meeting:

1. Signage and Messaging
2. Use of Public Spaces
3. Food Trucks – Private Property
4. Food Trucks – Public Property
5. Extended Sidewalks/Street Closure on Center Street and Deloney
6. Parklets in Town Right of Way for restaurant seating, retail display, office space, flex spaces, etc.)
7. Downtown Cleaning and Sanitizing

Item B

I move to approve of the grant submittal to the Wyoming Business Council for adding ‘parklets’ in the downtown in the amount of \$2500 which requires a \$250 match from the Town of Jackson and authorize Mayor Muldoon to execute any and all documents associated with that grant application submittal.

Town Re-Opening

Project Overview

#1 Signage and Messaging

Project Description? Recognizing current public health guidelines and shifts in use around the downtown corridor, the Town of Jackson plans to provide messaging about wearing masks, keeping distance, and general hygiene expectations for locals and visitors. Such signage has already been created and will be distributed to businesses and posted around town.

In addition, with new parklets and other activated spaces, town staff will create explanatory signs encouraging people to utilize spaces as well as wayfinding signs to parks and opens spaces where people can enjoy being outside while keeping physical distance between themselves and others.

Who Can Apply? Signs about public health guidelines will be provided to any business that might be interested in posting them in their establishments.

Who will be the Responsible Town/Joint Department? Who is the Project Manager? Community Development, specifically Susan Scarlata, will be responsible for creating and distributing signage and overall project management.

What other Departments will need to be involved? How? Support will be sought, when needed, from the Town's PIO, Carl Pelletier.

What is the anticipated Staff Impact of the Project? Staff anticipates a few hours to distribute signs, a few hours to create new signs for wayfinding and explanations, and a few hours for installation. This should not be arduous or take too much time.

What is the fiscal impact to the Town? \$500 for printing and laminating signs

What is the Review Process for the Project? Required Application? Fee? Time to Review? etc. An application and review will not be needed. Instead, Susan and Carl will stop by businesses, offer signs, and distribute to any business that is interested.

What are the pros and cons of providing the program? Pros will be visitors and locals understanding expectations concerning behaviors in terms of both public health guidelines, use of newly activated spaces, and where else to go to enjoy being outside.

Other?

Town Re-Opening
Project Overview
#2 Use of Public Spaces

Town Core-

Miller Park
 North Park
 Center for the Arts Lawn
 Town Square
 Town Hall Lawn
 TC General Services Lawn

Town Non-core-

Powderhorn Park (*Camp Jackson During the Day)
 Phil Baux park
 Wayne May Park
 Mike Yokel Park (*Camp Jackson During the Day)
 Garaman Park
 Maple Way Post Office lawn
 Fairgrounds

Project Description? *Public green spaces can be utilized for gathering helping to support carry-out dining and socially distant gathering. The sites identified could be utilized passively for community use. The following project components may be considered to help support and better accommodate passive use:*

1. Wayfinding Signage: Installation of directional signage from the town core to the identified public spaces.



2. Portable Picnic Tables: Providing additional tables at the public spaces.



Who Can Apply? *Public spaces can be utilized by all for passive use. .*

Who will be the Responsible Town/Joint Department? Who is the Project Manager?
Parks and Rec., Public Works, and Pathways

What other Departments will need to be involved?
TOJ Admin., Legal, and Police.

What is the anticipated Staff Impact of the Project? *Utilization of public spaces for passive enjoyment will have minimal operational impact. Tables shall be portable and easily moved by staff during maintenance. Additional trash collection may be required depending on the intensity of use. Installation of wayfinding signs will require the largest amount of staff time for installation.*

What is the fiscal impact to the Town? *Capital cost would be the addition of public picnic tables and trash receptacles, and the purchase of wayfinding signs. Tables are approximately \$450 each. Tables are square with singular seats on each side. The estimated number of tables for facility capacity is 24 for core facilities, and 20 for non-core facilities. Wayfinding signs range in cost from \$65 to \$125 each. Staff estimates 24 signs.*

What is the Review Process for the Project? Required Application? Fee? Time to Review? etc.
Passive use does not require a review process

What are the pros and cons of providing the program? *The primary pro is activating our public spaces to allow the community to gather in a socially distant manner, along with supporting restaurant take-out dining. The cons to the program are increased operation maintenance and capital furniture/sign costs.*

Town Re-Opening

Project Overview

#3 Food Trucks on Private Property

Project Description

The purpose of this project is for the Town to allow additional economic opportunities and flexibility for food trucks to locate on commercial private property and private parking lots throughout town. Food trucks will provide additional food options for tourists and locals to enjoy while promoting “social distancing” and while restaurants cannot be at full capacity.

General concept: The Town would allow existing restaurants (or possibly any food truck owner) to use private commercial property/commercial parking areas by applying for a Basic Use Permit (BUP) and an Administrative Adjustment, if necessary, to modify parking requirements where parking is being reduced. All private commercial parking areas may be considered provided food trucks can be located safely.

Timing of food truck operation:

- Through October 31, 2020;
- All days
- Daily: 8am – 9pm

Who Can Apply?

One clear option would be to allow only those with Town Business License for a restaurant (brick and mortar restaurant) and Food Truck License from the Teton County Environmental Health Department to participate in this program. Or, we could expand to also allow any food truck not associated with a brick and mortar restaurant to participate.

Note: *According to the TC Environmental Health Department, there are only about 3 or 4 food trucks that are currently licensed and associated with a brick and mortar restaurant in the Town. However, there are about another 10 food trucks that are licensed and not associated with a brick and mortar restaurant.*

Who will be the Responsible Town/Joint Department? Who is the Project Manager?

The Town Planning Department would be the lead department.

In addition, each food truck will need to submit a Food Truck Permit Application (Mobile Food Preparation Vehicle Checklist) to Jackson Hole Fire/EMS for approval (this is different than the required license from the TC Environmental Health Department.)

What other Departments will need to be involved? How?

The Primary other departments involved will be those responsible for health and safety, such as the Fire Marshall, police, and the TC Environmental Health Department.

What is the anticipated Staff Impact of the Project?

The number of staff hours required will depend on the number of applications the Town receives, which is unknown at this time. However, staff understands that there are not a lot of existing food trucks eligible for this program (see limits above on who can apply and number of existing licenses). Total staff

time to review each BUP and Administrative Adjustment could vary significantly, but could be approximately 3 - 7 hours per application, with additional staff time likely from the Police and Environmental Health Departments to monitor compliance of the food trucks with ongoing safety requirements and any conditions of approval.

No reduction in the existing level of service is expected in any Town Department due to allowing food trucks as proposed.

What is the fiscal impact to the Town?

Other than additional staff time, no additional or separate expenditure of public funds should be required to facilitate the food truck program. On the revenue side, additional foods sales would result in a proportional increase in sales tax.

What is the Review Process for the Project? Required Application? Fee? Time to Review? etc.

Each food truck seeking to operate will first need a valid Town Business License and a Food Truck License from the Teton County Environmental Health Department. In addition, they will need to get a BUP (see above answer), which costs \$500. The Administrative Adjustment fee is also \$500 but the two fees could be consolidated into one \$500 fee. The review time varies a bit, but our goal would be to get these reviewed in 2 – 3 weeks.

Finally, each food truck will need to submit a Food Truck Permit Application (Mobile Food Preparation Vehicle Checklist) to Jackson Hole Fire/EMS for approval. There is no fee for this application.

What are the pros and cons of providing the program?

- The pros are that food trucks will increase the capacity of existing restaurants to serve food and make money, while still complying with social distancing requirements. This will increase economic activity in the Town and provide a more active and enjoyable experience for visitors and locals alike.
- The cons are that the food trucks could create conflicts with parking, traffic flow, neighboring property owners, cause litter, and create other annoyances if not done right. Also, depending on who is ultimately allowed to have a food truck, existing restaurants could feel that food trucks are unfairly competing against them.

Other? *What other considerations should the Town be aware of regarding the Project*

Trash: Additional food trucks could cause a significant increase in food-related trash, requiring additional trash receptacles and trash pick-up by private property owners and/or food truck vendors.

Key Questions for Council

- Who should be eligible for program – only existing brick and mortar restaurants? All food trucks in Teton County? Those based outside of Teton County?
- Are certain commercial areas not appropriate for food trucks?
- Are staff's suggested time limits appropriate?
- Should Council waive all or some application fees related to food trucks?

Town Re-Opening

Project Overview

#4 Food Trucks – Public Property

Project Description

The purpose of this project is for the Town to allow additional economic opportunities and flexibility for food trucks to locate in the Town ROW (mostly downtown). Food trucks will provide additional food options for tourists and locals to enjoy while promoting “social distancing” and while restaurants cannot be at full capacity. Guidance for food trucks to locate in private parking lots is provided in a separate project.

General concept: The Town will designate locations on public property (e.g., on-street parking, parking lots) where food trucks can locate with a Special Events Permit (SEP). The approved SEP would not designate a particular parking space for each food truck but would allow each permitted food truck to choose any approved location on a first come – first served basis. In terms of timing, the Town will set a clear end date (e.g., October 31, 2020) and daily time restrictions to govern when food trucks may operate. Thus, as long as food trucks are located on an approved block during the approved hours, etc., they are fine.

Staff has used the following criteria for determining appropriate locations for food trucks:

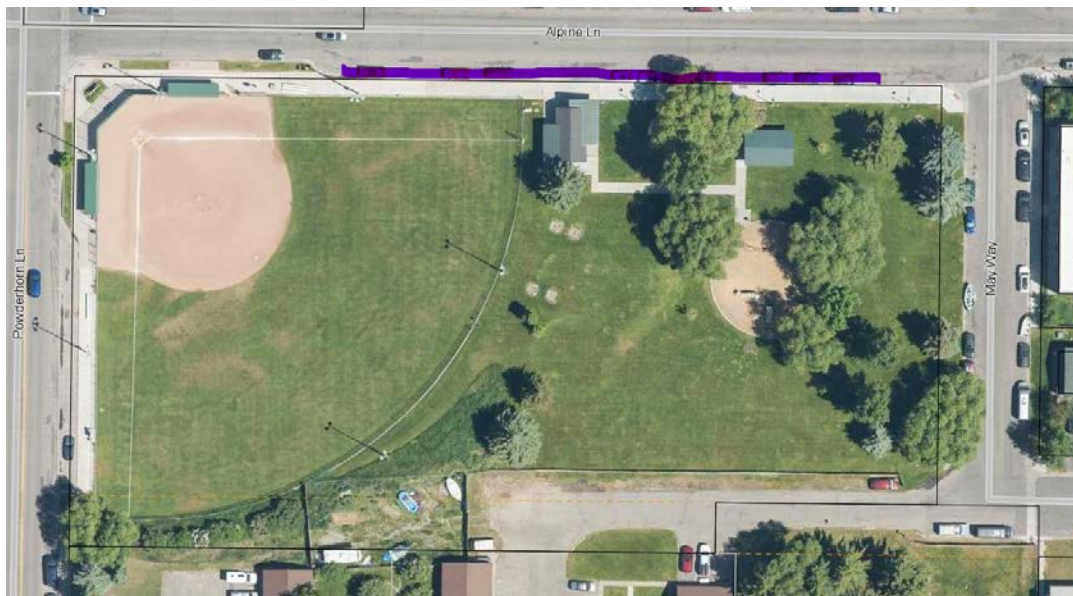
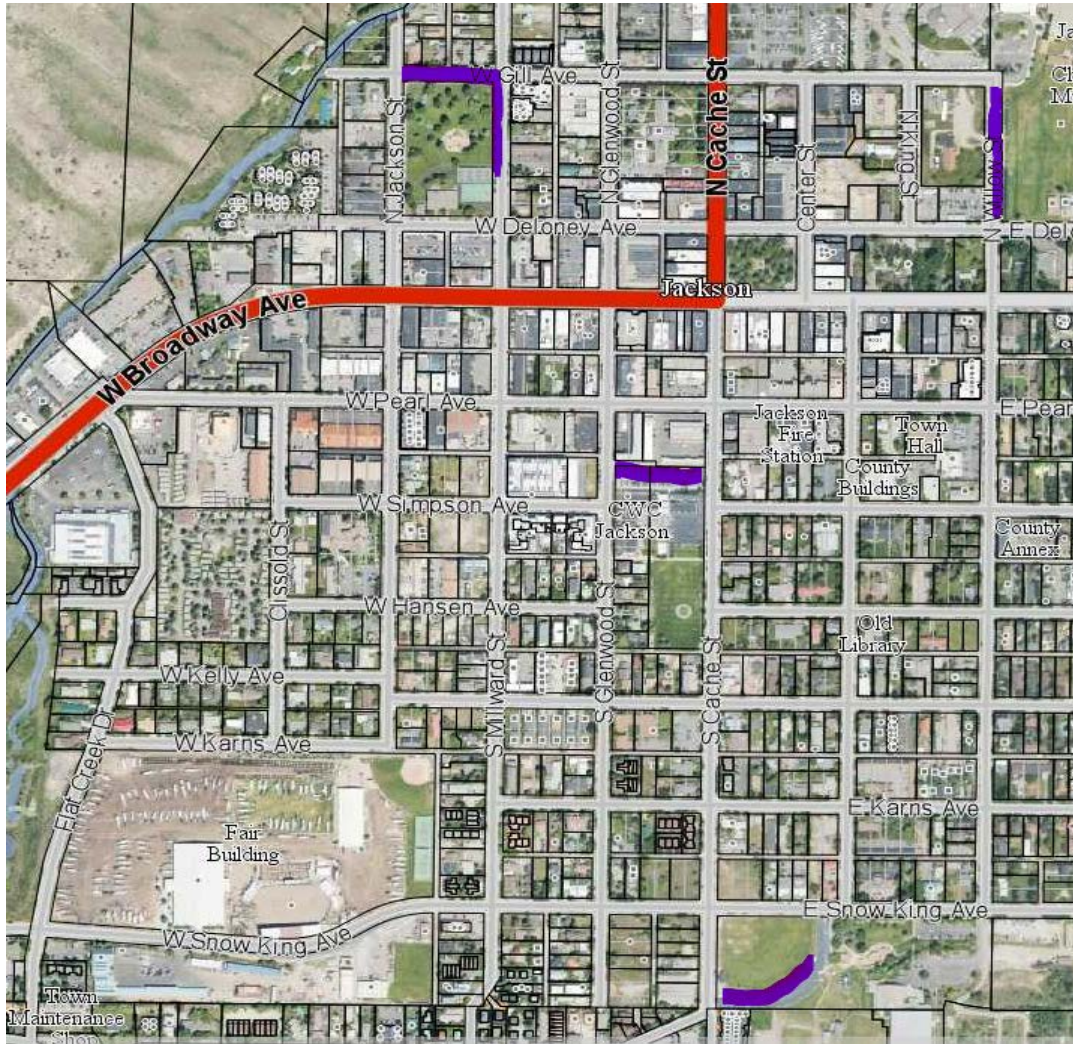
- Adequate ROW width to accommodate food trucks and patrons;
- Close to public bathrooms;
- Close to convenient area/open space to sit and eat food;
- Not immediately adjacent to an existing restaurant

Based on these criteria, staff recommends that the following locations be eligible for food trucks (see map below):

- N. Willow Street (between Deloney and Gill) on the east side of the street only
 - o 400 lineal feet
- Miller Park – Gill Avenue (south side of street) and N. Millward (west side of street)
 - o 500 lineal feet
- Phil Baux Park – Internal parking area
 - o 300 lineal feet
- Center for the Arts – South Cache Street and/or parking lot
 - o 300 lineal feet
- Powderhorn Park – Alpine Lane (south side of street)
 - o 300 lineal feet
- Other?

Timing of food truck operation:

- Through October 31, 2020;
- All days
- Daily: 8am – 9pm



Who Can Apply?

One clear option would be to allow only those with Town Business License for a restaurant (brick and mortar restaurant) and Food Truck License from the Teton County Environmental Health Department to participate in this program. Or, we could expand to also allow any food truck not associated with a brick and mortar restaurant to participate.

***Note:** According to the TC Environmental Health Department, there are only about 3 or 4 food trucks that are currently licensed and associated with a brick and mortar restaurant in the Town. However, there are about another 15 food trucks that are licensed and not associated with a brick and mortar restaurant.*

Who will be the Responsible Town/Joint Department? Who is the Project Manager?

Each food truck business will be required to submit a Special Event Permit application to the Town for approval by the Town Council.

In addition, each food truck will need to submit a Food Truck Permit Application (Mobile Food Preparation Vehicle Checklist) to Jackson Hole Fire/EMS for approval (this is different than the required license from the TC Environmental Health Department.)

What other Departments will need to be involved? How?

The Administration Department would likely take the lead in the review of a Special Event Permit (SEP) but the following departments would also be involved:

- Planning: Checks SEP for use requirements and other zoning compliance issues;
- Town Attorney: Checks SEP legal requirements for SEP and use of ROW, etc;
- Police: Checks SEP for traffic, parking, and other public safety issues;
- Fire Marshall: Checks SEP and Food Truck Permit Application for fire hazard, emergency access, and other related issues. Under Fire Code, Fire Marshall can only regulate/inspect food trucks (vehicles with engine included) but not food trailers (no engine included);
- Health Department: Already provides Food Truck License and checks for sanitary, food handling, and waste disposal. Does inspections.
- Public Works: Checks SEP for proper use of the Public ROW, traffic flow, etc.

What is the anticipated Staff Impact of the Project?

The number of staff hours required will depend on the number of applications the Town receives, which is unknown at this time. However, staff understands that there are not a lot of existing food trucks eligible for this program (see limits above on who can apply and existing licenses). Total staff time to review each SEP will be approximately 2 -3 hours per application, with additional staff time likely from the Police and Environmental Health Departments to monitor compliance of the food trucks with ongoing safety requirements and any conditions of approval.

No reduction in the existing level of service is expected in any Town Department due to allowing food trucks as proposed.

What is the fiscal impact to the Town?

Additional staff time, install of temporary signage to clearly define where the food trucks are allowed to locate and additional trash pick up and trash can locations. On the revenue side, additional foods sales would result in a proportional increase in sales tax.

What is the Review Process for the Project? Required Application? Fee? Time to Review? etc.

Each food truck seeking to operate in the public ROW will first need a valid Town Business License and a Food Truck License from the Teton County Environmental Health Department. In addition, they will need to get a Special Event Permit (see above answer). This process costs \$150 for for-profit businesses. The review time varies a bit, but our goal would be to get these reviewed and in front of the Council in 2 – 3 weeks.

Finally, each food truck will need to submit a Food Truck Permit Application (Mobile Food Preparation Vehicle Checklist) to Jackson Hole Fire/EMS for approval. There is no fee for this application.

What are the pros and cons of providing the program?

- The pros are that food trucks will increase the capacity of existing restaurants to serve food and make money, while still complying with social distancing requirements. This will increase economic activity in the Town and provide a more active and enjoyable experience for visitors and locals alike.
- The cons are that the food trucks could create conflicts with traffic flow, neighboring property owners, cause litter, and create other annoyances if not done right. Also, depending on who is ultimately allowed to have a food truck, existing restaurants could feel that food trucks are unfairly competing against them.

Other? *What other considerations should the Town be aware of regarding the Project*

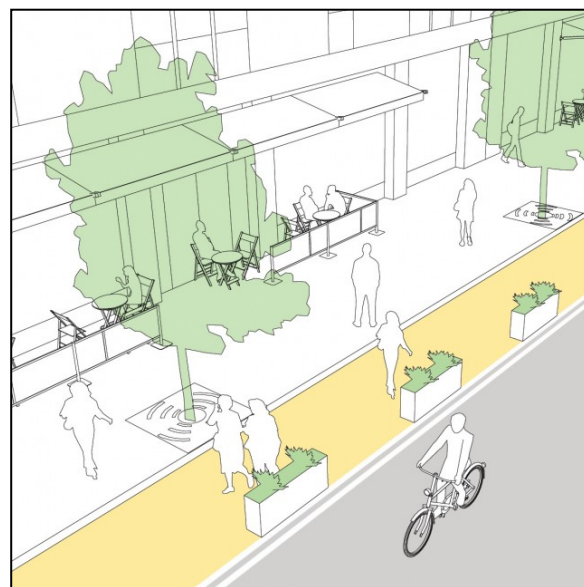
Trash: Additional food trucks could cause a significant increase in food-related trash, requiring additional trash receptacles and trash pick-up by the Town. Or food truck vendors could be required to haul away their trash as well.

Key Questions for Council

- Who should be eligible for program – only existing brick and mortar restaurants? All food trucks in Teton County? Those based outside of Teton County?
- Are the areas identified by staff appropriate for food trucks? Are there other areas you want to identify?
- Are staff's suggested time limits appropriate?
- Should Council waive all or some application fees related to food trucks?

Town Re-Opening - Project Overview

#5 Extended Sidewalks/Street Closure on Center Street and Deloney



Project Description

Summary: Expand existing sidewalks in congested downtown areas to provide sufficient space for pedestrians to practice social distancing.

Problem: Existing sidewalks in the downtown core are typically a maximum of 8' wide (less in many places), which is not wide enough to accommodate physical distancing at any level of pedestrian traffic. One-way sidewalks are highly infeasible, and the increase in activities such as waiting to pick up takeout food that result in queuing on the sidewalk also results in increased pedestrian congestion and requires additional space. The need to install additional elements such as signage, hand-sanitizing stations, and maybe portable restrooms will exacerbate congestion on sidewalks. The status quo of how public space is allocated will force pedestrians to violate public health recommendations and will likely lead to confusion and/or conflicts.

Solution: Reallocate existing street space to provide sufficient space of at least 6' for physically distant walking and/or queuing (e.g. waiting for takeout orders) and installation of signage or other amenities in areas of downtown that are typically congested with pedestrian traffic. There is plenty of room within the public right of way to accommodate physical distancing, but much of this space is currently assigned to motor vehicles and vehicle storage. Reallocating six additional feet on both sides of the street will provide extra space to accommodate pedestrian traffic and other amenities while still providing access and storage for motor vehicles.

Proposal: Staff recommends starting with a limited-area implementation of a couple block faces on Center St. and Deloney Ave. around the Town Square and up to the Home Ranch parking lot. This will allow a test of the concept without overburdening town staff or resources and will focus on the areas that typically see the greatest amount of pedestrian congestion. Staff has outlined two proposals for discussion, **but there are certainly other options that could also be considered.**

- **Option A: Sidewalk Extensions (SW+) – see attached layout for Option A**
 - Extend sidewalks into the street area by placing a combination of light and heavy separation barriers at 6'-8' off the curb face. (See below for a definition of "light" and "heavy" separation).

- Maintain general purpose vehicular access with one-way travel lane and parking on one side of the street.
- Includes the four faces of the Town Square, Center St. from Broadway to Gill, and Deloney from Cache to Center.
- **Option B: Combo Pedestrian Streets and Sidewalk Extensions – see attached layout**
 - Convert the north and east sides of the Town Square (Deloney from Cache to Center and Center St. from Broadway to Deloney) to pedestrian streets. Restriction would allow vehicular traffic for emergency and delivery loading/unloading (before 9:00 am and after 8:00 pm), but would be closed to through traffic to the general public and public vehicle storage.
 - Extend sidewalks as in Option A for the other areas.
 - The full street conversion on the two block faces around the Town Square is likely easier for Public Works to manage and allows for easier conversion of space around the Town Square for special events like the Farmer’s Market.
 - Note: this option could also be implemented as a “Slow Street” that allows for shared space between pedestrians and through traffic but implements measures to dramatically slow vehicle speeds.
- Items common to both options:
 - Sidewalk Extensions can be combined with reallocating space for parking/outdoor dining flex space (“parklets”) as needed.
 - Center St. is wide enough that a number of combinations could be explored. Such as: extend sidewalks on one side but keep as is on the other; add parklet flex space on the west side, east side, or both sides; two-way traffic with parking on one side or doing one-way with parallel parking on both sides; others.
 - Additional tools for implementation:
 - [https://nacto.org/wp-content/uploads/2020/05/NACTO Streets-for-Pandemic-Response-and-Recovery 2020-05-21.pdf](https://nacto.org/wp-content/uploads/2020/05/NACTO%20Streets-for-Pandemic-Response-and-Recovery%2020-05-21.pdf)
 - <http://tacticalurbanismguide.com/>
- Separation
 - **Light separation:** for visibility and to emphasize the new edge of the motor vehicle roadway. Light separation can also be used for projects that are limited to specific times of day or days of the week. Light separation includes: traffic cones, freestanding delineator posts, traffic barrels, sawhorses, movable parade barricades, small planters, and traffic control barricades such as A-frames.
 - **Heavy separation:** for the most sensitive locations such as the beginning of lane closure on high-volume streets. Heavy separation includes: water-filled barriers, concrete barriers, filled barrels, large planters, flexible posts and delineators.

*Spray-chalk or spray-paint the preferred locations of barriers to ease implementation.

Who Can Apply? This would primarily be a Town-led effort to identify streets for extended sidewalks, but individual businesses or street blocks in other areas of downtown could also submit an application.

Who will be the Responsible Town/Joint Department? Who is the Project Manager?

Public Works would lead on planning and implementation. Pathways can assist with planning and some implementation.

What other Departments will need to be involved? How?

Planning for permitting and traffic issues. Fire/EMS for emergency access and planning.

What is the anticipated Staff Impact of the Project? This will depend largely on the size of the project area (i.e. how many streets) and whether the extensions are permanent/semi-permanent (i.e. seasonal) or are temporary (i.e. installed/removed on a daily or weekly basis). Selected Public Works staff and the Pathways Coordinator would be heavily impacted. Planning, Fire/EMS, Police would need to review.

What is the fiscal impact to the Town? Sidewalk extensions can be implemented mostly with on-hand supplies so the majority of the cost would be restricted to staff time and equipment hours. It is likely that some new signs would be needed. The materials needed will be a mix of heavy barriers (concrete and wood barricades), light separation (cones, delineators), and signage.

What is the Review Process for the Project? Required Application? Fee? Time to Review? etc.

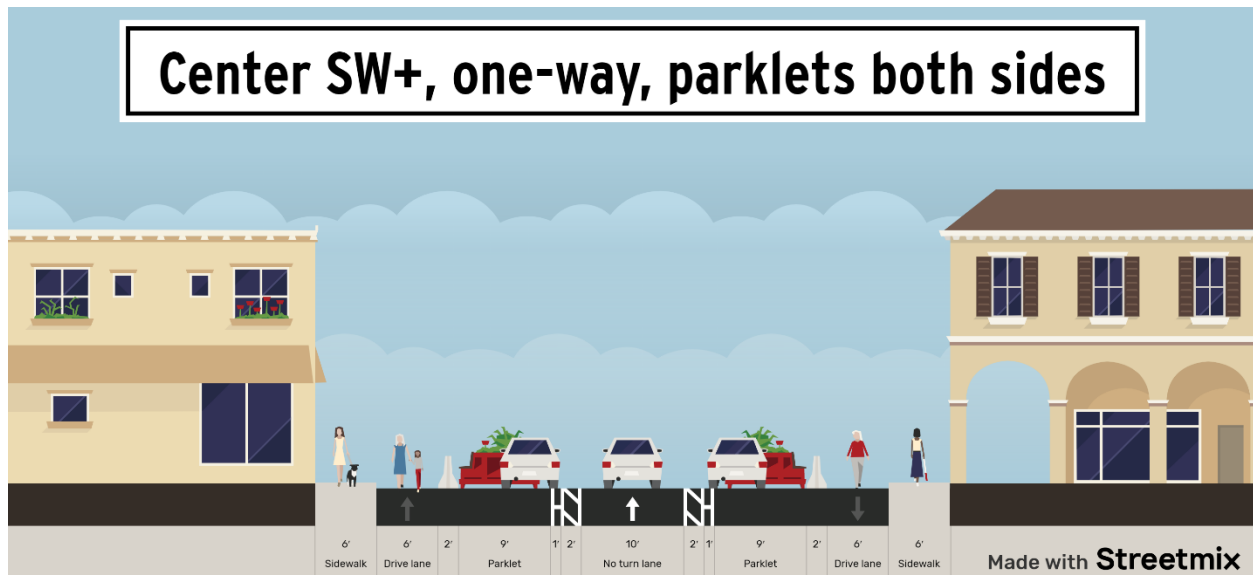
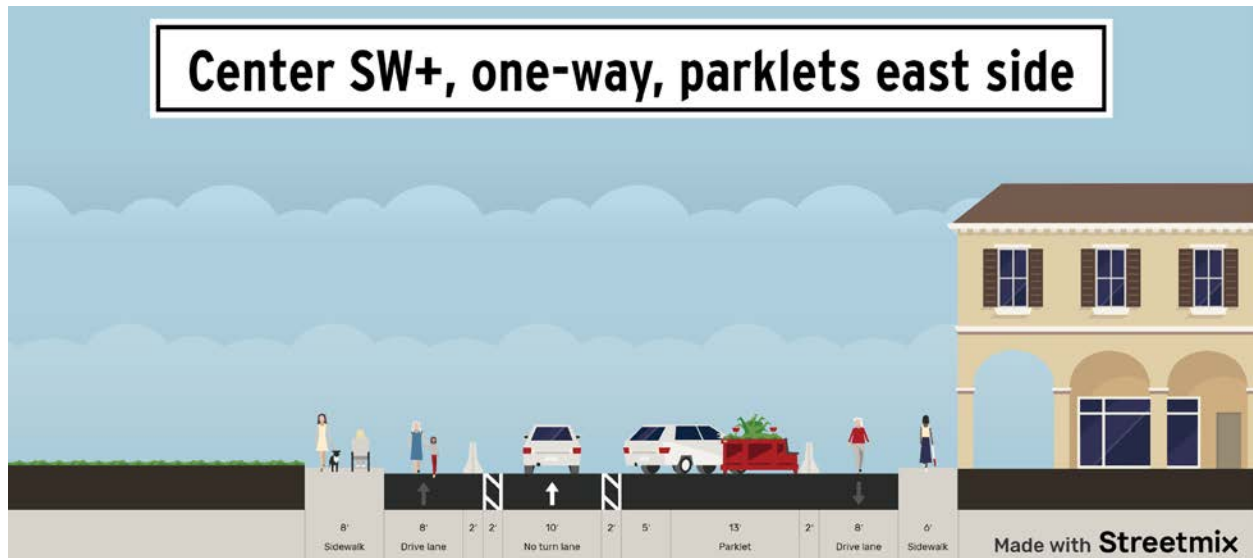
Council approval required. (Blocks on North Cache or West Broadway would require DOT approval). Staff proposes a plan for the downtown core streets and Council reviews and approves. No required application or fee. If individual businesses or blocks want to apply, the process should be as simple as sending an email request to the Town with the street block where they want to extend the sidewalk and any suggestions or specific ideas. Staff will then prepare a plan for Council approval.

What are the pros and cons of providing the program?

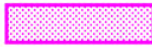
Pros: provide safe public access to stores and businesses in high congestion areas of downtown. There will provide a significant safety and convenience benefit to visitors and a financial benefit to businesses. Cons: will have to (temporarily) remove parking from one side of the street, perhaps make some streets one-way. This may cause some confusion for motorists, however this can be mitigated with good signage. Depending on the extent of the project, there could be a substantial impact on Town staff and a potential financial cost to the Town.

Other? There is a basic safety and public health question to consider when evaluating this proposal, in that it is literally impossible to maintain 6' separation on many of our current sidewalks without forcing people to step into moving traffic. We should also keep in mind the need to provide a minimum safe width for a combined sidewalk and buffer of at least 10' (wider in congested areas) when considering future development projects and development standards in the Town of Jackson.

Cross-section of a couple possible scenario (NOTE: there are multiple possible layouts—these are just two).

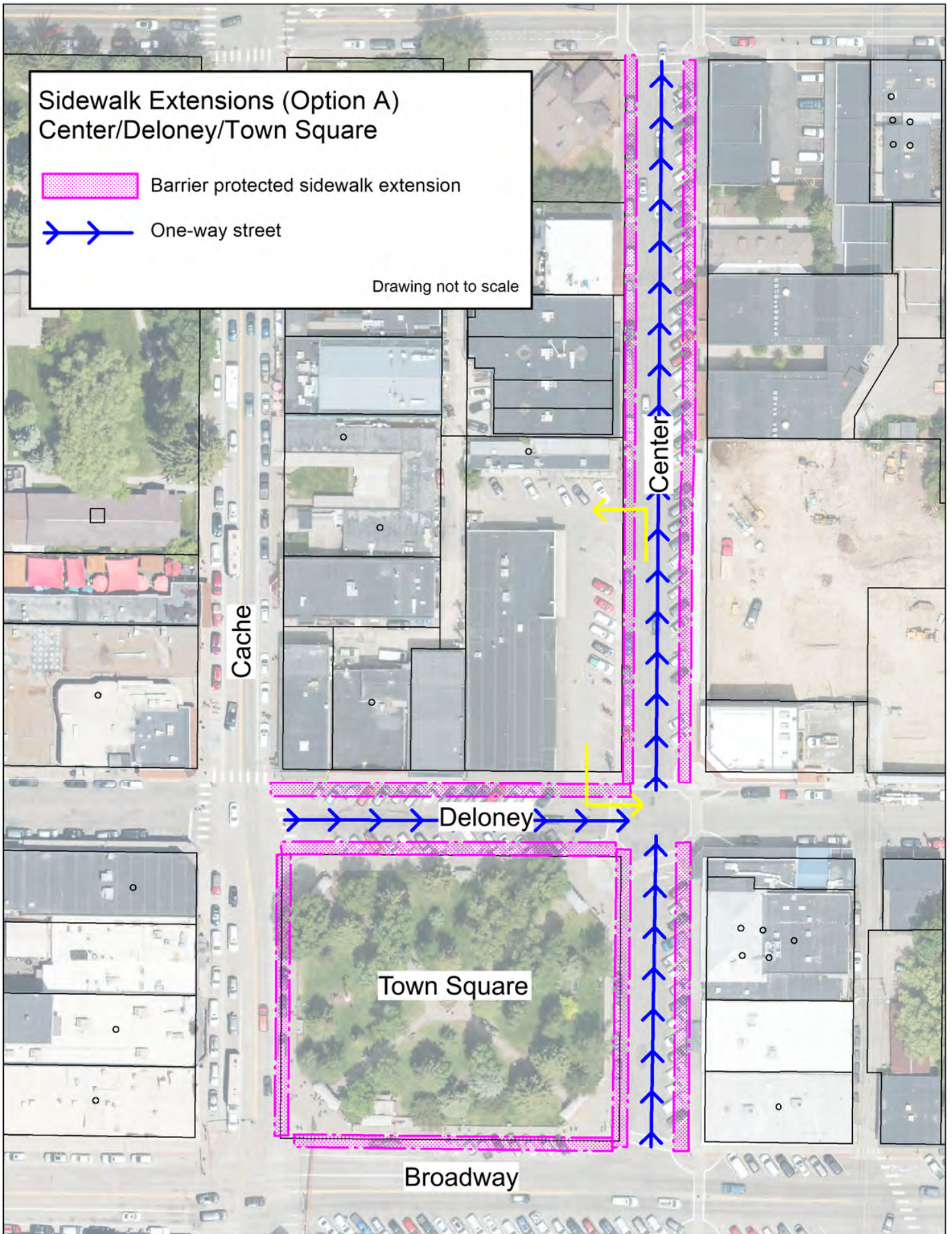


Sidewalk Extensions (Option A) Center/Deloney/Town Square

 Barrier protected sidewalk extension

 One-way street

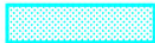
Drawing not to scale



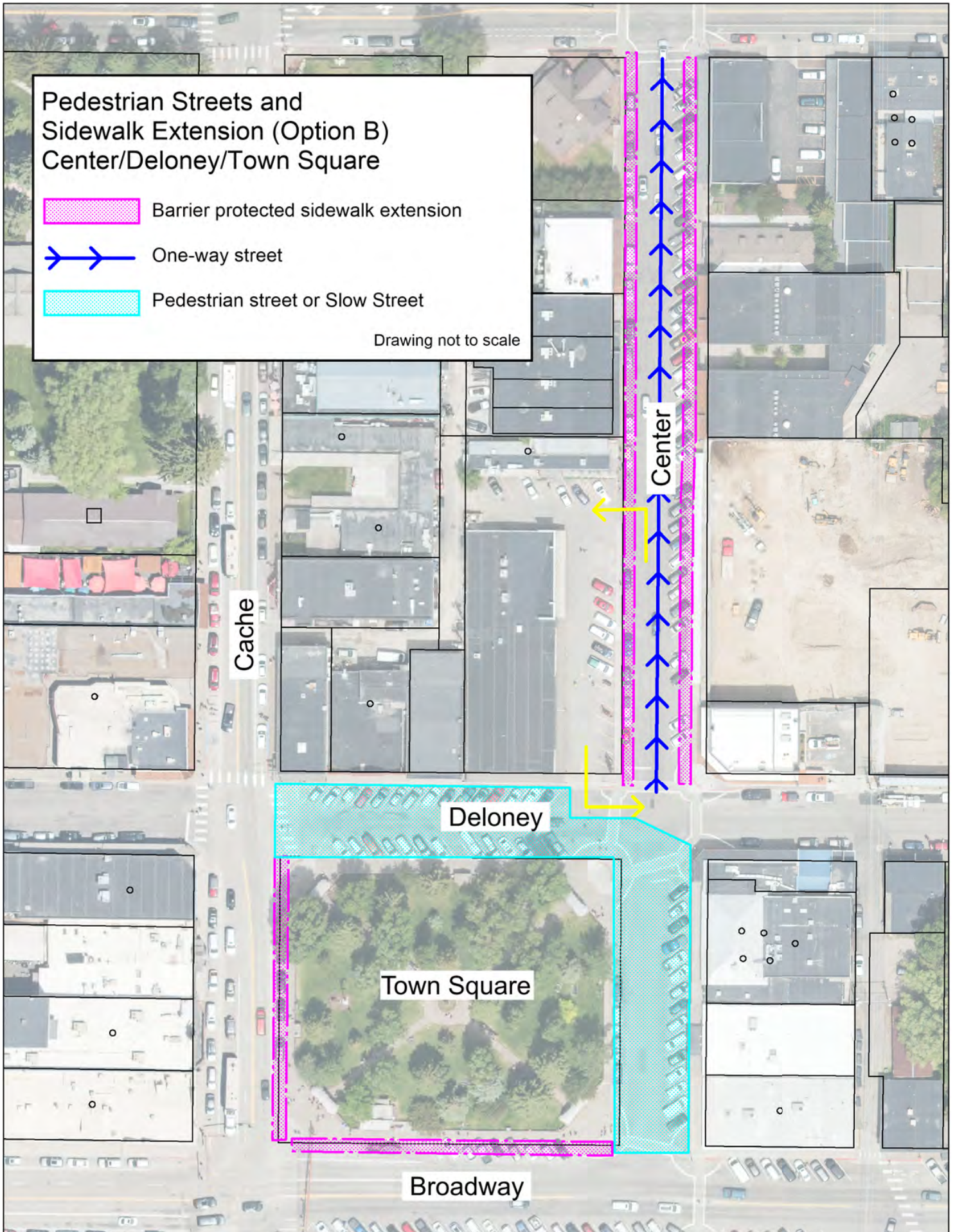
Pedestrian Streets and Sidewalk Extension (Option B) Center/Deloney/Town Square

 Barrier protected sidewalk extension

 One-way street

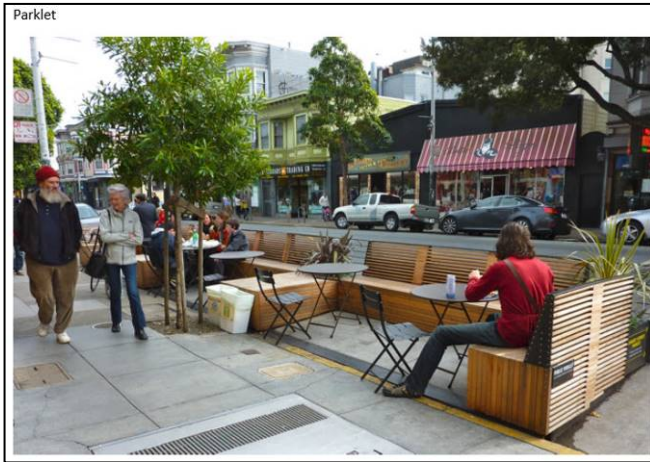
 Pedestrian street or Slow Street

Drawing not to scale



Town Re-Opening - Project Overview

#6 Parklets – Flex Space for Parking, Outdoor Seating, Office, and Retail Space



Summary: Provide flex space for parking, outdoor seating, office, and retail uses so that businesses can comply with physical distancing guidelines while resuming operations.

Problem: Restaurants and other businesses are allowed to reopen but must do so at reduced capacity (usually 50% of normal or less). This may not be financially feasible for many businesses to stay open, which will have significant impacts to businesses and the Town in terms of jobs, revenue, and sales tax. Stores, markets, and restaurants may need outdoor space for seating and queuing in order to stay financially solvent.

Solution: Reallocate on-street parking spaces to provide space for all businesses but especially outdoor dining so that restaurants can comply with physical distancing guidelines while resuming dine-in operations. This space could also be used for outdoor merchandise display for retail or other businesses. Often called “parklets,” these usually involve repurposing public street space typically allotted to vehicle storage by creating a space for seating using a level platform protected by non-permanent barriers.

Proposal: Staff recommends that this be primarily a business-led initiative where individual businesses would apply to the Town for the right to convert a vehicle parking space to a different use. The business would then provide the design for review and would handle the construction and ongoing maintenance. Separately, the Town could also consider implementing some “general use” parklets in areas that are not directly in front of businesses, such as around the Town Square. These would not be intended for use by customers of a specific business but would be available to the general public.

- Business responsibility
 - Propose site for converting one or more parking spaces. Spaces should probably be in front of the business.
 - There may be circumstances where the Town would want to consider applications for using space that is not directly in front of the business—for example, if the business frontage is on a WYDOT-controlled road and does not allow this type of use.
 - Provide a design proposal and use description
 - Construction and maintenance

- Town of Jackson responsibility
 - Review proposals in a timely manner, through the Special Event Permit application process
 - Provide additional traffic calming or safety barriers as needed
 - Generally, where there is mixed pedestrian and vehicle activity, the slower the vehicle speeds (ideally 15mph or less), the safer it is for everyone. If there are multiple parklets clustered on a block, it would be a good idea to implement a Slow Street as well.
 - Issue building permits as needed, if over 30" above grade



Who Can Apply? Individual businesses or groups of adjacent businesses.

Who will be the Responsible Town/Joint Department? Who is the Project Manager?

Administration and Planning would coordinate the project review process, but multiple TOJ departments would be involved in review. For Town led-installations and any necessary support for individual applications (such as supplemental barriers), Public Works would likely be the lead on planning and implementation. Pathways can assist with planning and some implementation.

What other Departments will need to be involved? How?

Planning for permitting and traffic issues. Legal for using public ROW for commercial purposes. Fire/EMS for emergency access and planning.

What is the anticipated Staff Impact of the Project? Staff from multiple TOJ departments would be involved in review, which would probably take 30-60 minutes per application. Selected Public Works staff and the Pathways Coordinator could see additional time impacts on specific projects.

What is the fiscal impact to the Town? As little as \$500 or up to \$50,000 for each installation, totally depending on how much the Town wants to participate in funding the materials and construction. For simply reviewing applications there would be very little cost. Providing materials for the platform and other amenities (heat lamps, planters, seating, tables, canopies) would significantly increase the cost. There may be funding available from the state for small businesses for projects like these. Additional items like supplemental barriers, bike racks, trash cans, and other amenities will increase the cost to the Town.



What is the Review Process for the Project? Required Application? Fee? Time to Review? etc.

Businesses submit a Special Event application to Town for review. Include a drawing and details. Town staff reviews (1-2 weeks?).

What are the pros and cons of providing the program?

Pros: provide a potentially substantial increase in commercial space and customer volume for businesses while allowing social distancing. Will convert vehicle storage (which is not the most financially productive use of space) to retail and dining space, which generates far more economic activity per square foot and has significant benefits for businesses and the Town. Keeps street available for multiple uses and preserves vehicle storage.

Cons: will temporarily convert parking to other uses in selected spaces. This is likely to be met with resistance from some businesses.

Other

- Additional Resources
 - o <https://www.smartgrowthamerica.org/app/legacy/documents/parklet-policy-toolkit.pdf>
 - o <http://www.minneapolismn.gov/www/groups/public/@publicworks/documents/webcontent/wcmssp-196948.pdf>
 - o https://nacto.org/wp-content/uploads/2020/05/NACTO_Streets-for-Pandemic-Response-and-Recovery_2020-05-21.pdf
 - o http://www.seattle.gov/Documents/Departments/SDOT/PublicSpaceManagement/Parklet_Handbook_DIN_2017.pdf



Town Re-Opening

Project Overview

#7 Downtown Cleaning and Sanitizing

Project Description? *This project aims to project sanitization stations in the downtown core. The Town will seek to provide these stations in specific locations and manage them (refill) as needed.*

Who Can Apply? *No application needed for this project.*

Who will be the Responsible Town/Joint Department? Who is the Project Manager? *Town Public Works will be responsible, and Johnny Ziem is the project lead.*

What other Departments will need to be involved? How? *Possibly Park and Rec. They can assist in monitoring the stations in the Town Square if needed. Community outreach may also be needed for education on the locations of stations.*

What is the anticipated Staff Impact of the Project? *Assistant Public Works Director and Streets Manager. I estimate roughly 5 to 8 hours a week for this project.*

What is the fiscal impact to the Town? *Roughly \$3,000 to \$5,000 to purchase depending on type and number. Most likely would be included in Community Initiatives, Public Engagement*

What is the Review Process for the Project? Required Application? Fee? Time to Review? etc. *No review required for this item.*

What are the pros and cons of providing the program? *Pros: shows the Town is concerned with COVID, is taking initiative with disinfection, and shows support for downtown business owners.
Cons: Will take time to manage and refill. The biggest concern is acquiring dispensers as they are currently impossible to find and are may be available to purchase in 4 – 8 months.*

Other? *The only concern I see is the availability of purchasing these items, as there are hundreds of companies and municipalities buying them as well.*



Placemaking Funding Application

Purpose: The primary intent of this program is to implement projects that have been identified in the Placemaking Power of 10 Training Exercises and have been chosen through a public engagement process. Please call us if you want help with either of these exercises.

Eligibility: Non-profit organizations/municipalities that participated in Placemaking training. If your organization is not already registered as a vendor with the Wyoming Business Council, request a Vendor Packet.

Funds: **NOTE: Placemaking proposals are only available to those communities that participated in Placemaking Training.** Placemaking requests are for up to **\$2,500**. Submit one application for each project. DO NOT combine projects. Placemaking Kit Grants have different amounts and are listed on the website.

All grant awards are subject to the availability of funds.

Match: A minimum 10% cash match is required for each project.

Due Date: Grant deadlines are February 1, April 1 and September 1.

Complete application, scan and send it electronically to kim.porter@wyo.gov or via USPS to Wyoming Business Council, Attention: Kim Porter, 214 W 15th Street, Cheyenne, WY 82002

1. APPLICATION INFORMATION

Applicant (Organization or governmental legal name): Town of Jackson

Name of Contact Person: Susan Scarlata & Floren Poliseo

Mailing Address: P.O. Box 1687 | Jackson, WY 83001

Office Phone and cell phone numbers: 307-733-0440 x1110 (office) 415-602-6824 (cell)

Email: sscarlata@jacksonwy.gov

DECLARATION: I HEREBY CERTIFY THE INFORMATION GIVEN IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Program contact signature and date:

5/27/2020

5/27/2020



Placemaking Funding Application

Print or type name and title: Floren Poliseo, Director of Public Works 5/27/2020
Susan Scarlata, Community Engagement Specialist 5/27/2020

Mayor or Municipal representative Signature:
Mayor Pete Muldoon

WBC, Regional Director Signature _____

Project Name: Activating Downtown Jackson with Parklets

Describe the project: To encourage people to enjoy the amenities of our town and Town Square, shop, eat, be outside, and maintain physical distance between one another, this project will utilize the public right-of-way to create parklets and outdoor places for small businesses and their patrons to utilize. Due to the COVID-19 pandemic, restaurants and retail businesses are permitted to reopen but at reduced capacity or with recommendations for social distancing. This could have significant impacts on businesses in terms of paying staff, revenue, and mental health for people packed in small spaces with COVID-19 still being a concern. This project developed organically in our town's Economic Recovery Task Force, pulled together in week five of response to the pandemic. As this group of more than thirty people, representing numerous organizations and businesses, discussed the coming summer, everyone felt that creating more inviting outdoor spaces that are thoughtfully designed with placemaking ideals, would allow for locals and visitors to engage more fully and spend more authentic time in town while also providing additional space to maintain space between groups. The solution we have developed is to reallocate on-street parking spaces to create space for outdoor dining so that restaurants and other businesses can comply with physical distancing guidelines, resume dine-in operations, and serve numbers closer to previous capacity. We are envisioning these new parklets will re-envision what are typically seen only as parking spaces as delineated spaces for people to occupy and more fully engage in Jackson's downtown.

Has the applicant/community previously received funding for a placemaking project? No, the Town of Jackson has not specifically been funded for a placemaking project. That said, last year Jackson Hole Public Art developed and hosted a "Parking Day" where local organizations took up residence in various parking spots around town. Carrie Geraci, the Director of Public Art, and a regular partner for the town, created and executed this project and we intend to work with her on lessons learned and best-practices.

Why is this a priority for your organization? This project has quickly become a priority as it developed organically in partnership between the Town of Jackson and local businesses. Town of Jackson elected officials have long posited possibilities to utilize parking spaces and the public right-of-way to further activate the downtown area. When it has come up before though, there has not been much appetite from businesses to alter what is already working or consider placemaking during the crowded tourist season. One positive aspect of the COVID-19 pandemic seems to be a newfound perspective and openness to experimentation with Jackson's downtown corridor as this idea was brought forward by businesses.



Placemaking Funding Application

How did you come up with the project? Describe the community engagement.

In the throes of dealing with the COVID-19 pandemic, Teton County's Emergency Operations Center tasked the Jackson Hole Chamber of Commerce with pulling together an Economic Recovery Task Force. The task force is made up of more than thirty local leaders, communicators, and business owners that meet weekly and also serve on subgroups. Initially, there were three subgroups but in the larger task force and through public comment to the town, an idea for placemaking kept bubbling to the top. Given this reality, it soon became clear that a fourth subgroup was needed to brainstorm ideas and develop plans for creating outside spaces that businesses can activate and customers can patronize to embrace physical distancing guidelines while enjoying our town and contributing to the local economy. This subgroup of

the Recovery Task Force has continued to meet to brainstorm and contribute ideas. A committee within the town of Jackson has also been meeting to work on execution. In addition, various smaller groups of business owners around Town Square have also contributed perspective and comment.

Timeline of your project:

June 1 – June 15: Further planning, purchase of materials, and creation of system for utilization

June 15: Start of parklet creation, learning in-situ, and iteration

July 1 – Sept. 15: Parklet utilization, engagement, and continued iterations

Estimated No. of Volunteer Hours: 50

Total Amount of Grant Request: \$2,500

Match Amounts	
Cash Match	\$250
In-kind funding	\$1,000
Donations	\$1,000
Total:	\$2,250

Description of Item	Costs
10 Small Tables	\$1,000
20 Chairs	\$1,250
Planters for boundaries (with donated time for execution)	\$500
TOTAL	\$2,750



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: MAY 28, 2020
MEETING DATE: JUNE 1, 2020

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: PAUL ANTHONY
PRESENTER: TYLER VALENTINE

SUBJECT: **ITEM P19-262, P20-069 & P20-070:** AMENDMENT TO THE FINAL (MAJOR) DEVELOPMENT PLAN FOR PINE GLADES PLANNED UNIT DEVELOPMENT (PUD).

APPLICANT/AGENT: BILL COLLINS – COLLINS PLANNING ASSOCIATES

PROPERTY OWNER: PINE CANYON, LLC

REQUESTED ACTION

The applicant is requesting approval of an amendment to the approved Final Development Plan for the Pine Glades Planned Unit Development (PUD), specifically to:

- **P19-262:** Modify the exterior materials on the existing duplex at 140 & 142 Pine Glades Drive from a wood/stone combination to primarily stone.
- **P20-069:** Remove the in-road heating element in Phase 1 (Pine Glades Drive) and in the future Phase 2 (Jessica Lane)
- **P20-070:** Approve a trail plan that would allow public access through the site on trails only (with the exception of the cul-de-sac) and would include newly recorded access easements.

Staff is requesting that these items be continued to the next regularly scheduled Town Council meeting on June 15, 2020.

SUGGESTED MOTIONS

I move to continue these items to the regularly scheduled Town Council meeting on June 15, 2020.



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: MAY 28, 2020
MEETING DATE: JUNE 1, 2020

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: PAUL ANTHONY
PRESENTER: TYLER VALENTINE

SUBJECT: **ITEM P20-009 & 010:** DEVELOPMENT PLAN & HILLSIDE CONDITIONAL USE PERMIT (CUP) FOR A FUTURE 5-LOT SUBDIVISION AT 984 BUDGE DRIVE.

APPLICANT: JORGENSEN ASSOCIATES – BRENDAN SCHULTE

OWNER: BLUFFS DEVELOPMENT GROUP, LLC

REQUESTED ACTION

The applicant is requesting approval of a Development Plan and Hillside Conditional Use Permit (CUP) for a future 5-lot subdivision of a 1.47 acre lot at 984 Budge Drive located in the Neighborhood Low Density – 5 (NL-5) zoning district. These applications are required prior to submitting a subdivision plat.

Staff is requesting that these items be continued to the regularly scheduled Town Council meeting on June 15, 2020.

SUGGESTED MOTIONS

I move to **continue** these items to the Town Council meeting scheduled for June 15, 2020.



TOWN OF JACKSON

TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: MAY 28, 2020
MEETING DATE: JUNE 1, 2020

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: PAUL ANTHONY
PRESENTER: BRENDAN CONBOY

SUBJECT: **ITEM P20-035 & P20-036:** DEVELOPMENT PLAN AND HILLSIDE
CONDITIONAL USE PERMIT FOR A LAND DIVISION AT 808 UPPER
REDMOND ROAD IN THE NEIGHBORHOOD LOW DENSITY – 1 (NL-1) ZONE.

APPLICANT: Y2 CONSULTANTS, MARK FELLERMAN

OWNER: THOMPSON FAMILY TRUST

REQUESTED ACTION

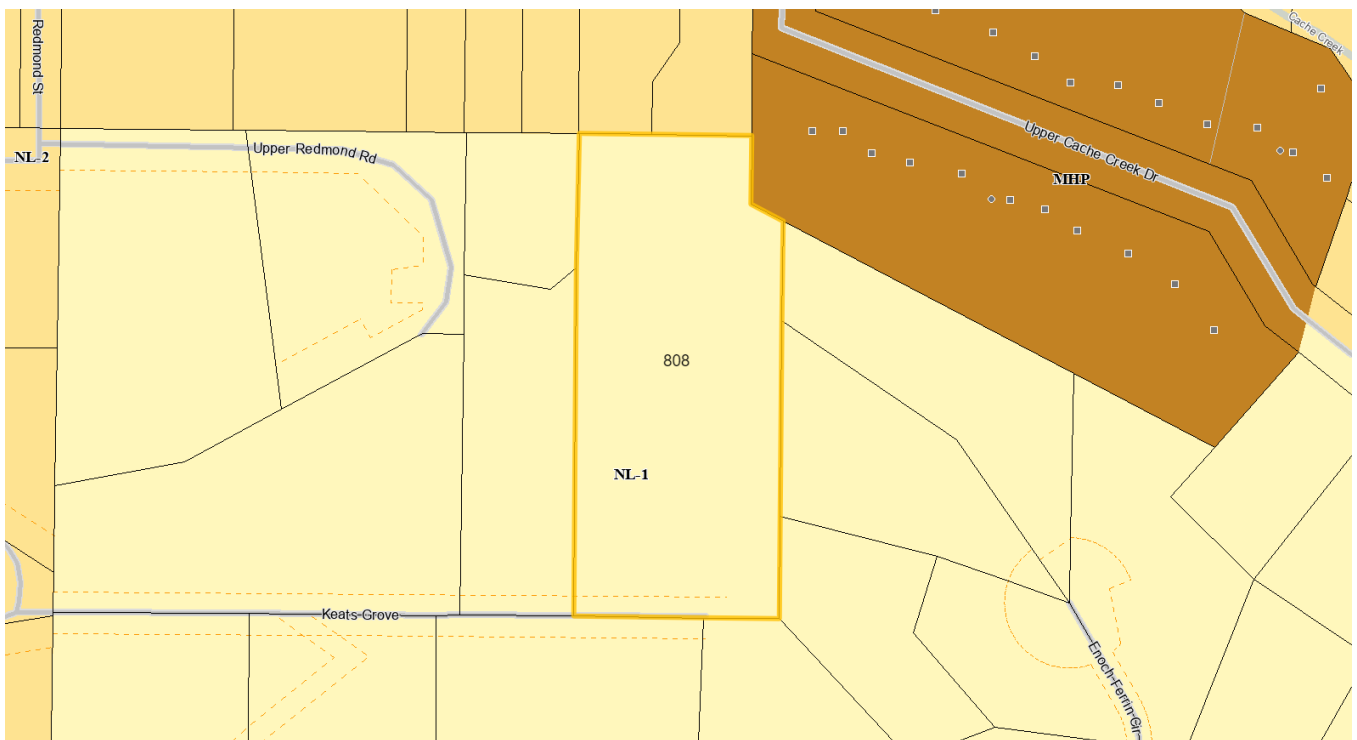
The applicant, representing Thompson Family Trust, is requesting approval of a Development Plan and a Hillside Conditional Use Permit for a two lot subdivision at 808 Upper Redmond Road in the Neighborhood Low Density– 1 (NL-1) zoning district prior to submitting a subdivision plat to divide a 2.04 acre lot into two lots: a 1.03 acre (44,978.9 sf) northern lot, and a 1.01 acre (43,883.5 sf) southern lot. No physical development is proposed with this application.

APPLICABLE REGULATIONS

Section 8.3.2. Development Plan
Section 5.4.1.C.5 & Sec. 8.4.2. Hillside Conditional Use Permit

LOCATION

The property is located at 808 Upper Redmond Road and legally known PT. N1/2 SE1/4, SEC. 34, TWP. 41, RNG. 116 TRACT C-1, PT. TRACT C-2. An aerial photo and zoning map are shown on the following page:



BACKGROUND

The subject property is a 2.04 acre (88,862.4 sf) lot within the Neighborhood Low Density – 1 (NL-1) zoning district. The surrounding zoning to the north is Neighborhood Low Density-2, Mobile Home Park (MHP) to the northeast, and NL-1 to the east south and west.

PROJECT DESCRIPTION

Item A (P20-035) – Development Plan: The applicant is proposing to subdivide the 2.04 acre subject property into two lots, however prior to submittal of a Subdivision Plat the Land Development Regulations (LDRs) require that a Development Plan be submitted and approved for the proposed lot configuration to confirm that the newly created lots are consistent with the LDRs in terms of minimum lot size, access, setbacks, etc. The proposed site plan shows two new lots of slightly over an acre apiece which meet the minimum lot size of 1 acre in the NL-1 zone. There are two existing structures on the lot: a 4,134 sf two story ranch home and a 1,600 sf shed. The existing single family home will remain on the northern lot (Lot 1) while the shed on the southern lot (Lot 2) is proposed to be removed from the property upon approval of the subdivision.

Item B (P20-036) – Hillside CUP: Under Sec. 5.4.1.D Standards for Hillside Areas, any lot of record with an average cross-slope of 10% requires a Hillside CUP to allow any terrain disturbance, even if the proposed development would not disturb any slope of greater than 10%. Single-family detached homes on lots legally platted prior to November 9, 1994 are exempted, however because the applicant is further subdividing the lot into two lots, the exemption no longer applies. Because the applicant's lot contains cross slopes in excess of 10%, the applicant is required to receive approval of a Hillside Conditional Use Permit in order to subdivide the lot.

STAFF ANALYSIS

Conformance with the Comprehensive Plan

This site is located within District 6, specifically Subarea 6.2 – Upper Cache which is a stable area which limits the amount of density to one single-family home per lot and encourages hillside sensitive development toward steep slopes, landscaping and wildlife corridors. As stated in the Staff Findings section below, staff finds that the proposed project is in conformance with the Comprehensive Plan. The proposed development meets many of the goals of the Comprehensive Plan as the applicant is not proposing more dwelling units than permitted. The applicant has also addressed hillside development through a geotechnical report and submitted a wildlife report to address any potential wildlife concerns.

Staff has reviewed the proposed development for compliance with the dimensional limitations of the NL-1 zone. The dimensional limitations for each lot are listed on the following tables:

Lot 1 – Northern Lot

	Allowed / Required	Proposed	Complies?
--	---------------------------	-----------------	------------------

Minimum Lot Size	1 acre (43,560 sf)	1.03 acre (44,979 sf)	Yes
Maximum FAR	17,991 sf (0.40) (10,000 sf individual building max)	4,134 sf (0.09)	Yes
Minimum LSR	0.60 (60%)	>60%	Yes
Street Yard Setback (west)	25'	25'	Yes
Rear Setback (east)	40'	40'+	Yes
Side Setback (north)	15'	15'+	Yes
Side Setback (south)	15'	15'+	Yes
Parking	2	2	Yes
Curb Cut (Max)	20'	26' (existing)	Yes
Height: roof pitch $\geq$ 6/12 (max)	30'	<30'	Yes

Lot 2 – Southern Lot

	Allowed / Required	Proposed	Complies?
Minimum Lot Size	1 acre (43,560 sf)	1.01 acre (43,884 sf)	Yes
Maximum FAR	17,554 sf (0.40) (10,000 sf individual building max)	TBD*	TBD*
Minimum LSR	0.60 (60%)	>60%	TBD*
Primary Setback (north)	25'	25'	TBD*
Rear Setback (south)	40'	40'	TBD*
Side Setback (east)	15'	15'	TBD*
Side Setback (west)	15'	15'	TBD*
Parking	2	TBD*	TBD*
Curb Cut (Max)	20'	12' (N/A, no street frontage)	TBD*
Height: roof pitch $\geq$ 6/12 (max)	30'	TBD*	TBD*

*Minimum parking requirements, height, and all other dimensional limitations not covered herein to be assessed if/when a Building Permit is submitted for Lot 2.

Access/Utilities

Proposed Lot 1 (northern lot) takes its access from the existing 26' wide drive aisle accessed from the neighboring property at 809 Upper Redmond Road (under common ownership) which takes access from Upper Redmond Road. The applicant has provided a 30' wide access easement across the southwest portion of Lot 1 for the benefit of proposed Lot 2, however there is no access easement existing across 809 Upper Redmond Road. The Town Engineer has identified a series of conditions in the Departmental Review that are required prior to subdivision plat recordation to address access and utilities. The Planning Director has clarified that as a condition of approval, all required utility and access easements both within the proposed subdivision and for the benefit of the proposed subdivision, including across neighboring property such as 809 Upper Redmond Road, will be required concurrently with subdivision plat recordation.

Park and School Exactions

The applicant has not submitted worksheets for Park and School Exactions, however, the lot is not subject to exaction fees until the time of plat recordation. When a lot is subdivided without physical development proposed, an average of a 3-bedroom detached single family home is used to calculate Park & School Exactions. The Park Exactions are calculated at \$2,700 and the School Exactions are calculated at \$2,000.

Affordable and Workforce Housing Fees

Per Div. 6.3, the applicant will be required to pay an Affordable and Workforce Housing fee-in-lieu prior to the issuance of a Building Permit for Lot 2 if/when it is developed.

Hillside Conditional Use Permit

The applicant's site requires a Hillside CUP for subdivision. The applicant has submitted a Geotechnical Report and a Visual Impact Analysis as part of this application. The Town Engineer has added conditions of approval to his departmental review which stipulate that prior to building permit issuance for development, slope stability will have to be reassessed once the design for a proposed development is available and a stability analysis shall specify the specific method used and consider seismic conditions. Town Engineering and Town Planning staff have reviewed the documents for the purposes of this Development Plan as detailed in the findings below.

PLANNING COMMISSION

The applicant appeared before the Planning Commission on May 6, 2020 and received a unanimous recommendation of approval for both items with the Commission finding that the application was straightforward and met the requirements of the LDRs.

STAFF FINDINGS

Item A: Pursuant to Section 8.3.2 Development Plan of the Land Development Regulations, a development plan shall be approved upon finding the application:

- 1. Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan.***

Complies. The proposed development is located within District 6 Town Periphery and within Subarea 6.2 Upper Cache of the 2012 Comprehensive Plan. Policy objectives for Subarea 6.2 Upper Cache follow:

This residential, STABLE Subarea is defined as low density single family with a prevalence of landscape over the built environment. Future subdivision will be in keeping with the traditional development pattern with no increase in density beyond what exists today. On each lot, only a single family home will be allowed. In the future, building size should maintain the existing predominance of landscape over the built environment to avoid the construction on much larger homes than currently exist today. Wildlife permeability should be maintained or improved. Development should also occur in manner that is sensitive to steep slopes, avalanche terrain and other natural features found in the subarea. Commercial and recreational equestrian uses will be allowed, while other commercial uses producing large amounts of traffic and high impacts should be reduced. The addition of other Complete Neighborhood amenities is not desirable. Local residential streets will continue to be low

volume with limited alternative mode improvements. Consideration of alternative mode improvements will be made on collector streets such as Cache Creek Drive.

Complies. Staff has analyzed the proposed application for consistency with the Future Desired Characteristics of District 6 and the Character Defining Features of Subarea 6.2 Upper Cache. In completing this analysis staff finds that the proposed application is consistent with the described future character of this area by proposing a two-lot single-family subdivision that does not increase the density beyond the allowance within the NL-1 zone. The proposed lots meet the minimum lot size requirement of this zone and are in keeping with the existing neighborhood character.

In addition, Staff has analyzed this application for consistency with the Policy Objectives of Character District 6: Town Periphery as follows, finding that no other policies of the Jackson/Teton Comprehensive Plan are applicable.

Common Value 1: Ecosystem Stewardship

Policy 1.1.c: Design for wildlife permeability

Complies. Staff finds that the proposed project is designed for wildlife permeability based on the Wildlife Report conducted by Y2. The analysis concluded that no significant environmental concerns are present and the proposal is not anticipated to have significant adverse impacts on wildlife as the property has limited habitat of forage value for ungulates.

Policy 1.3.b: Maintain expansive hillside and foreground vistas

Complies. Staff finds that the proposed project will maintain the required amount of open space and hillside vistas by meeting the minimum LSR requirement of 60% for NL-1 lots. The applicant is not proposing to develop or disturb the hillside any more than allowed by the LDRs.

Common Value 2: Growth Management

Policy 4.3.a: Preserve and enhance stable areas

Complies. Staff finds that the proposed subdivision does preserve and enhance stable areas as the proposal is for a single-family home lot which is allowed and encouraged with subarea 6.2. In addition, the location of the proposed building envelop on Lot 2 is generally where slopes have previously been disturbed.

Policy 4.4.d: Enhance natural features in the built environment

Not applicable.

Common Value 3: Quality of Life

Policy 5.3.b: Preserve existing workforce housing stock

Not applicable.

- 2. Achieves the standards and objective of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO), if applicable.***

Complies. Staff finds that the proposed Development Plan is not located in the NRO or the SRO.

3. ***Does not have significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.***

Complies. The development will be subject to mitigation of park and school impacts through payment of exactions at the ratio required in the LDRs for residential development at the time of Subdivision Plat recordation. Staff finds that the two lot subdivision will not have a significant impact on other public facilities and services as the development does not expand the anticipated growth within the NL-1 zone based upon allowable lot size and density.

4. ***Complies with the Town of Jackson Design Guidelines, if applicable.***

Not Applicable. Design Guidelines do not apply to residential development less than three attached units.

5. ***Complies with all relevant standards of these LDRs and other Town Ordinances.***

Complies. Staff finds that the Development Plan proposal is in compliance with all relevant LDR standards.

6. ***Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.***

Not applicable. No previous applicable permits or approvals.

Item B: Pursuant to Section 5.4.1.D.5 Findings for Hillside Areas of the Land Development Regulations, the following finding shall be made for the approval of a Conditional Use Permit.

Findings. *The following finding shall be made before granting a Conditional Use Permit for hillside areas: that the mitigation measures identified will be effective in mitigating any adverse impacts identified, and associated with the proposed physical development, uses, development option, or subdivision.*

Complies. Town Engineering has reviewed the applicant's geo-technical report and has approved the application with conditions. A condition of approval states that prior to building permit issuance for the development slope stability will have to be reassessed once the design for a proposed development is available. Stability analysis shall specify the specific method used and consider seismic conditions.

In addition, Pursuant to Section 8.4.2.C (Conditional Use Permit Standards) of the Land Development Regulations, a Hillside CUP requires that the following regular CUP findings shall be made for the approval of a Hillside CUP.

1. ***Compatibility with Future Character.*** *The proposed Conditional Use shall be compatible with the desired future character of the area.*

Complies. See Item A, Finding 1.

2. **Use Standards.** *The proposed Conditional Use shall comply with the use specific standards of Division 6.1.*

Complies. Detached single family homes are an allowed use within the NL-1 zone. Development on newly subdivided lots with cross slopes greater than or equal to 10% is allowed with a Conditional Use Permit.

3. **Visual Impacts.** *The design, development, and operation of the proposed Conditional Use shall minimize the visual impact of the proposed use on adjacent lands.*

Complies. Staff has reviewed the Visual Impact Analysis submitted by the applicant and finds that the design, development, and operation of the proposed Conditional Use minimizes the visual impact of the proposed use on adjacent lands.

4. **Minimizes adverse environmental impact.** *The development and operation of the proposed Conditional Use shall minimize adverse environmental impacts.*

Complies. Staff has reviewed the applicant's Wildlife Report which finds wildlife use of the property minimal. Staff finds no adverse environmental impacts with the development and operation of the proposed Conditional Use.

5. **Minimizes adverse impacts from nuisances.** *The development and operation of the proposed Conditional Use shall minimize adverse impacts from nuisances.*

Complies. No known adverse impacts from nuisances have been identified by the development and operation of the proposed Conditional use.

6. **Impact on Public Facilities.** *The proposed Conditional Use shall not have a significant adverse impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMT facilities.*

Complies. Staff finds that the proposal will have no significant adverse impact on public facilities.

7. **Other Relevant Standards/LDRs.** *The development and operation of the proposed Conditional Use shall comply with all standards imposed on it by all other applicable provisions of the LDRs and all other Town Ordinances.*

Complies. Staff finds that the proposed use and development complies with the provisions of the LDRs. The proposed development meets all other applicable regulations such as Setbacks, FAR, LSR, etc. In addition the proposed use and development complies with all other Town Ordinances.

8. **Previous Approvals.** *The proposed Conditional Use shall be in substantial conformance with all standards or conditions of any prior applicable permits or approvals*

Not applicable.

[ATTACHMENTS](#)

Applicant Submittal

Applicant's Revised Submittal
Departmental Reviews

PUBLIC COMMENT

None at this time.

FISCAL IMPACT

There will be no significant fiscal impact to the Town if the proposed project is approved.

STAFF IMPACT

There will be no significant impact to staff resources if the proposed project is approved.

LEGAL REVIEW

Ongoing as required.

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

The Planning Director and the Planning Commission recommend approval of a Development Plan and a Hillside Conditional Use Permit for the property addressed as 808 Upper Redmond Road, subject to the department reviews attached to the staff report dated May 28, 2020 and the following condition of approval:

1. All required utility and access easements both within the proposed subdivision and for the benefit of the proposed subdivision, including across adjacent property such as 809 Upper Redmond Road, will be required concurrently with subdivision plat recordation.

SUGGESTED MOTIONS

Item A – Development Plan: Based upon the findings for a Development Plan as presented in the staff report and by the applicant for Item P20-035 related to 1) Consistency with the Comprehensive Plan; 2) Achieves purpose of NRO & SRO overlays; 3) Impact of public facilities & services; 4) Compliance with Town Design Guidelines; 5) Compliance with LDRs & Town Ordinances; 6) Conformance with past permits & approvals, I move to make findings 1-6 as set forth in Section 8.3.2.C (Development Plan) of the Land Development Regulations to **approve** a land division at the property addressed as 808 Upper Redmond Road, subject to the department reviews attached to the staff report dated May 28, 2020, and the following condition of approval:

1. All required utility and access easements both within the proposed subdivision and for the benefit of the proposed subdivision, including across adjacent property such as 809 Upper Redmond Road, will be required concurrently with subdivision plat recordation.

Item B – Hillside Conditional Use Permit: Based upon the findings as presented in the staff report and as made by the applicant for Item P20-036, I move to make findings 1-8 as set forth in Section 8.4.2. (Conditional Use Permit) of the Land Development Regulations related to 1) Compatibility with Future

Character; 2) Use Standards; 3) Visual Impacts; 4) Minimizes adverse environmental impact; 5) Minimizes adverse impacts from nuisances; 6) Impact on Public Facilities; 7) Other Relevant Standards/LDRs; and 8) Previous Approvals for a Conditional Use Permit as well as findings required by Sec. 5.4.1 Steep Slopes regarding hillside mitigation measures to **approve** a Hillside CUP for a land division at the property addressed as 808 Upper Redmond Road, subject to the department reviews attached to the staff report dated May 28, 2020.



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: Thompson 2-Lot Subdivision
Physical Address: 808 Upper Redmond Road
Lot, Subdivision: PT. N1/2 SE1/4, SEC. 34, TWP. 41, RNG. 116 TRACT C-1, PT. TRACT C-2 PIDN: 22-41-16-34-4-00-006

PROPERTY OWNER.

Name: Thompson Family Trust Phone: 690-5160
Mailing Address: PO Box 615, Jackson, WY ZIP: 83001
E-mail: george@thompsonpalmer.com

APPLICANT/AGENT.

Name: Y2 Consultants - Mark Fellermann Phone: 733-2999
Mailing Address: PO Box 2870, Jackson, WY ZIP: 83001
E-mail: mark@y2consultants.com

DESIGNATED PRIMARY CONTACT.

_____ Property Owner ☒ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit	Physical Development	Interpretations
_____ Basic Use	_____ Sketch Plan	_____ Formal Interpretation
☒ Conditional Use -Hillside	☒ Development Plan	_____ Zoning Compliance Verification
_____ Special Use	_____ Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	_____ LDR Text Amendment
_____ Administrative Adjustment	_____ Subdivision Plat	_____ Map Amendment
_____ Variance	_____ Boundary Adjustment (replat)	Miscellaneous
_____ Beneficial Use Determination	_____ Boundary Adjustment (no plat)	_____ Other: _____
_____ Appeal of an Admin. Decision	_____ Development Option Plan	_____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: P19-192 Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

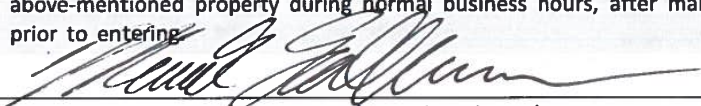
SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

- ☒ **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.
- ☒ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at www.townofjackson.com/DocumentCenter/View/102/Town-Fee-Schedule-PDF.
- ☒ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.


Signature of Property Owner or Authorized Applicant/Agent

Mark Fellermann

Name Printed

2/26/2020

Date

Survey Department Manager

Title

LETTER OF AUTHORIZATION

Thompson Family Trust, "Owner" whose address is: PO Box 615
Jackson, WY 83001

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

, as the owner of property
more specifically legally described as: PT N 1/2 SE 1/4 Sec. 34 Twp. 41, Rng 116
Tract C-1, PT. Tract C-2

(If too lengthy, attach description)

HEREBY AUTHORIZES Y2 CONSULTANTS, LLC as
agent to represent and act for Owner in making application for and receiving and accepting
on Owners behalf, any permits or other action by the Town of Jackson, or the Town of
Jackson Planning, Building, Engineering and/or Environmental Health Departments
relating to the modification, development, planning or replatting, improvement, use or
occupancy of land in the Town of Jackson. Owner agrees that Owner is or shall be deemed
conclusively to be fully aware of and to have authorized and/or made any and all
representations or promises contained in said application or any Owner information in
support thereof, and shall be deemed to be aware of and to have authorized any subsequent
revisions, corrections or modifications to such materials. Owner acknowledges and agrees
that Owner shall be bound and shall abide by the written terms or conditions of issuance of
any such named representative, whether actually delivered to Owner or not. Owner agrees
that no modification, development, platting or replatting, improvement, occupancy or use of
any structure or land involved in the application shall take place until approved by the
appropriate official of the Town of Jackson, in accordance with applicable codes and
regulations. Owner agrees to pay any fines and be liable for any other penalties arising out
of the failure to comply with the terms of any permit or arising out of any violation of the
applicable laws, codes or regulations applicable to the action sought to be permitted by the
application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing
on behalf of a corporation, partnership, limited liability company or other entity, the
undersigned swears that this authorization is given with the appropriate approval of such
entity, if required.

OWNER:

George L Thompson
(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: Trustee

(if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or
other non-individual Owner)

STATE OF Wyoming)
)SS.
COUNTY OF Teton)

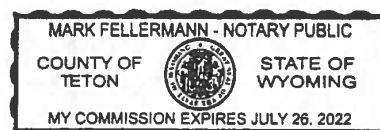
The foregoing instrument was acknowledged before me by George Thompson this 7 day of
August, 2019.

WITNESS my hand and official seal.

[Signature]
(Notary Public)

My commission expires:

(Seal)



TOWN OF JACKSON
LAND DEVELOPMENT REGULATIONS
DIVISION 7.5.2 - PARK EXACTIONS

DATE: 12/16/2019

CASH-IN-LIEU OF LAND DEDICATION: SECTION 49660

1. PROJECT NAME: Thompson Hillside CUP/DEV
2. LOCATION: _____
3. PROJECT NUMBER: P19-192

4. CALCULATE PROPOSED PROJECT POPULATION:

<u>UNIT TYPE</u>	<u># OF UNITS</u>	<u>X</u>	<u>PERSONS HOUSED PER UNIT</u>	<u>PROJECTED POPULATION</u>
STUDIO	_____		1.25	_____
1 BEDROOM	_____		1.75	_____
2 BEDROOM	_____		2.25	_____
3 BEDROOM	<u>2</u>		3.00	<u>6</u>
4 BEDROOM	_____		3.75	_____
5 BEDROOM	_____		4.50	_____
EACH ADDITIONAL BEDROOM	_____		0.50	_____
DORMITORY	_____		1 per 150 sf of net habitable area	_____
TOTAL				_____

5. CALCULATE REQUIRED PARK ACREAGE:

$$\frac{6}{\text{TOTAL PROJECTED POPULATION}} \times \frac{9 \text{ ACRES}}{1000 \text{ RESIDENTS}} = \frac{0.054}{\text{REQUIRED ACRES}}$$

6. CALCULATE CASH-IN-LIEU:

$$\frac{0.054}{\text{REQUIRED ACRES}} \times \$100,000 \text{ (VALUE OF LAND)} = \$ \text{CASH-IN-LIEU}$$

7. FOR INFORMATION ON PROVIDING AN INDEPENDENT CALCULATION, SEE LDR SECTION 7.5.2 OPTION FOR INDEPENDENT CALCULATION OF DEDICATION STANDARDS

TOWN OF JACKSON
LAND DEVELOPMENT REGULATIONS
DIVISION 7.5.3 - SCHOOL EXACTIONS
DATE: 12/16/2019

CASH-IN-LIEU OF LAND DEDICATION: SECTION 49770

1. PROJECT NAME: Thompson Hillside CUP/DEV
2. LOCATION: 808 Upper Redmond
3. PROJECT NUMBER: P19-192

4. CALCULATE REQUIRED DEDICATION OF LAND:

LAND DEDICATION REQUIREMENT	X	# OF UNITS	=	LAND DEDICATION
.020 ACRES PER UNIT SINGLE & TWO-FAMILY		<u>808 Upper Redmond Road</u>		<u>0.040 AC</u>
.015 ACRES PER UNIT MULTI-FAMILY		<u> </u>		<u> </u>

5. CALCULATE CASH IN-LIEU:

$$\frac{0.040}{\text{LAND DEDICATION STANDARD}} \times \$100,000 \text{ (VALUE OF LAND)} = \$ \frac{5,400}{\text{CASH-IN-LIEU}}$$

6. FOR INFORMATION ON PROVIDING AN INDEPENDENT CALCULATION, SEE LDR SECTION 7.5.3 OPTION FOR INDEPENDENT CALCULATION OF DEDICATION STANDARDS



y2consultants.com
307 733 2999

CONSULTANTS

ENGINEERING, SURVEYING & PLANNING
LANDSCAPE ARCHITECTURE, GIS
NATURAL RESOURCE SERVICES

THOMPSON SUBDIVISION 1ST FILING

DEVELOPMENT PLAN AND HILLSIDE CONDITIONAL USE PERMIT
LOTS 1 & 2

Prepared by:

Y2 Consultants, LLC
ATTN: Melissa Ruth
P.O. Box 2870
Jackson, WY 83001

Prepared for:

Thompson Family Trust
P.O. Box 615
Jackson, WY 83001

February 26, 2020

(Intentionally Left Blank)

Contents

Introduction	1
Physical Development	1
Structure Location and Mass	1
Maximum Scale of Development	1
Site Development	1
Landscaping- Division 5.5.....	2
Fencing- Section 5.1.2	2
Environmental Standards- Division 5.1 & 5.2	2
Natural Resource Buffers.....	2
Irrigation Ditch Setbacks.....	2
Wild Animal Feeding.....	2
Natural Resource Overlay Standards	2
Bear Conflict Area Standards	2
Scenic Standards- Division 5.3.....	2
Exterior Lighting	2
Scenic Resource Overlay Standards	2
Natural Hazards to Avoid- Division 5.4.....	2
Steep Slopes	2
Areas of Unstable Soils	3
Fault Areas	3
Floodplains	3
Wildland Urban Interface.....	3
Grading, Erosion Control, and Stormwater- Division 5.7.....	3
Use Standards	3
Allowed Uses- Division 6.1	3
Parking- Division 6.2.....	3
Affordable Workforce Housing - Division 6.3.....	4
Maximum Scale of Use	4
Operational Standards - Division 6.4	4
Development Options.....	4
Allowed Subdivision and Development Options.....	4
Division 7.1 Development Option Standards.....	4

Division 7.2 Subdivision Standards	4
Residential Subdivision Requirements	5
Division 7.5 Development Exaction Standards.....	5
Infrastructure- Division 7.6 & 7.7	5
Division 7.6 Transportation Facility Standards.....	5
Division 7.7 Required Utilities	5
Development Plan Findings.....	5
Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan	5
Achieves the standards and objective of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO)	6
Does not have a significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities	6
Complies with the Town of Jackson Design Guidelines, if applicable	6
Complies with all relevant standards of these LDRs and other Town Ordinances.....	6
Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals	6
Hillside Conditional Use Permit Findings	7
Mitigation measures identified will be effective in mitigating any adverse impacts identified, and associated with the proposed physical development, use, development option, or subdivision	7
Is compatible with the desired future character of the area.....	7
Complies with the use specific standards of Div. 6.1	7
Minimizes adverse visual impacts	7
Minimizes adverse environmental impacts	7
Minimizes adverse impacts from nuisances.....	8
Minimizes adverse impacts on public facilities.....	8
Complies with all other relevant standards of these LDRs and all other Town Ordinances.....	8
Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals	8
Appendix A : Proposed Lot Lines (P.1)	A-1
Appendix B : Park Exactions Calculations	B-1
Appendix C : School Exactions Calculations	C-1
Appendix D : Visual Resource Analysis	D-1
Appendix E : Utility Connections and CONCEPTUAL STORMWATER management and Access (C1.1)	E-1
Appendix F : Geotechnical Report – Addendums 1 & 2	F-1
Appendix G : Wildlife Report	G-1

(Intentionally Left Blank)

INTRODUCTION

Thompson Family Trust currently owns a parcel located at 808 Upper Redmond Road within the Town of Jackson. The subject parcel is a 2.04-acre parcel zoned Neighborhood Low-1 (NL-1). Access to the existing lot is via a 40' access easement from Upper Redmond Road.

Two (2) lots are proposed with this subdivision, both 1.02 acres in size and in harmony with the existing neighborhood character (See Appendix A for proposed lot lines). The minimum lot size in this zone is one acre for single-family lots.

PHYSICAL DEVELOPMENT

The table below summarizes the existing and proposed physical development conditions.

	LDR Requirement/ Allowance	Existing	Proposed Lot 1	Proposed Lot 2
Lot Size	1 acre	2.04 ac (88862.4 sf)	1.03 ac (44,978.9 sf)	1.01 ac (43,883.5 sf)
Floor Area Ratio (FAR)	0.4	5,734 sf	4,134 sf	1,600 sf
Minimum Landscape Surface Ratio (LSR)	0.6 (60%)	> 60%	> 60%	> 60%
Building Height Maximum	30'	< 30'	< 30'	< 30'
Primary Street Setback	25'	> 25'	> 25'	N/A
Side Interior Setback	15'	> 15'	> 15'	N/A
Rear Setback	15'	> 15'	> 15'	N/A
Parking	2/DU	2	2	N/A

STRUCTURE LOCATION AND MASS

There are two structures currently on the lot: a 4,134-sf two-story ranch home and a 1,600-sf shed, comprising approximately 5,734 sf according to County Assessors Records.

The NL-1 zone allows for a maximum floor area ratio (FAR) of 0.4. This subdivision would locate the existing ranch home on Proposed Lot 1 and the 1,600-sf shed on Proposed Lot 2. Each lot will be just over one acre in size.

MAXIMUM SCALE OF DEVELOPMENT

There are two structures currently on the lot: a 4,134-sf two-story ranch home and a 1,600-sf shed that are conforming to all setbacks. The shed is proposed to be removed upon approval of this subdivision.

The NL-1 zone limits individual building size to 10,000 sf. Both existing structures are less than 10,000 sf and no additional physical development is proposed with this application.

SITE DEVELOPMENT

No additional site development is proposed with this application. A 30' driveway easement is proposed to provide access to Lot 2 across Lot 1. The current owner is not planning to develop Lot 2 at this time, with the exception of removing the existing shed. The existing site development on Lot 1 complies with the NL-1 zone specific standards.

LANDSCAPING- DIVISION 5.5

The minimum landscape surface ratio in the NL-1 zone is 0.60. A minimum of one plant unit is required per residential lot. No physical development is proposed with this subdivision, and both lots currently comply with all landscaping and landscape surface ration requirements. Final landscaping plans will be included in future building permit submittals.

FENCING- SECTION 5.1.2

There are no existing fences on the property and this Development Plan and Conditional Use Permit application do not anticipate fencing.

ENVIRONMENTAL STANDARDS- DIVISION 5.1 & 5.2

NATURAL RESOURCE BUFFERS

There are no natural resources on the property which require buffers from development. A Wildlife Report is provided as part of this Conditional Use Permit/Development Plan application as Appendix G.

IRRIGATION DITCH SETBACKS

There are no irrigation ditches on this property.

WILD ANIMAL FEEDING

Wild animal feeding is prohibited, and none is proposed.

NATURAL RESOURCE OVERLAY STANDARDS

The property is not within the Natural Resource Overlay.

BEAR CONFLICT AREA STANDARDS

This property is not within either bear conflict priority Area 1 or 2.

SCENIC STANDARDS- DIVISION 5.3

EXTERIOR LIGHTING

Exterior lighting will be addressed upon submittal of a building permit for Lot 2. All future development will comply with Town of Jackson exterior lighting standards.

SCENIC RESOURCE OVERLAY STANDARDS

This property is not within the Scenic Resource Overlay.

NATURAL HAZARDS TO AVOID- DIVISION 5.4

A Geotechnical Analysis was performed as required for the Hillside Conditional Use Permit. This report analyzed steep slopes, areas of unstable soils, and fault areas and is included as Appendix F of this application.

STEEP SLOPES

The site has an average cross slope in excess of 10%. As such, a geotechnical slope stability report is attached as Appendix F of this application. The geotechnical report concluded that some steep slopes are man-made. The steep

slopes in the western and northern portion of the lot are man-made as a result of historical road, driveway, and home-site construction. The steep slopes along the eastern property boundary and a portion of the southern property boundary were determined to be naturally occurring.

AREAS OF UNSTABLE SOILS

As stated in the Geotechnical Report, the topsoil and loam are not suitable to provide support for foundations and should be removed prior to construction. Upon removal of the topsoil and loam, the westerly portion of the lot is suitable for construction with shallow footings. The rest of the lot would require pile footings for stability. The report recommends that proposed structures be constructed in the western and northern portions of the lot to avoid unstable soils.

FAULT AREAS

The Jackson thrust fault is located approximately 1000 feet South of the property and the Cache Creek thrust fault is located approximately 2000 feet North of the subject property. All future building will comply with seismic design criteria in affect at the time of submission of a building permit.

FLOODPLAINS

There are no floodplains associated with this subdivision.

WILDLAND URBAN INTERFACE

The property is located within the Wildland Urban Interface. As such, future construction will include fire sprinklers, and a firetruck turnaround if the driveway is in excess of 150 feet, and trees within 10 feet of any proposed structure will be removed to comply with the Wildland Urban Interface Ignition Resistant construction standards and the Town Of Jackson ordinances.

GRADING, EROSION CONTROL, AND STORMWATER- DIVISION 5.7

Required grading and erosion control measures have not been determined at this time because the owner is not proposing any physical development. Future building design will comply with the regulations in effect at the time of submission of a grading pre-application request.

Stormwater is anticipated to drain from the southwestern most edge of Lot 2 to the northeastern edge and into the existing drainage ditch along the eastern property boundary. Conceptual stormwater retention and movement is depicted in Appendix E. Final stormwater run-off calculations and design will be included in future building permit submittals.

USE STANDARDS

ALLOWED USES- DIVISION 6.1

Detached single-family residential use is an allowed use in the NL-1 with no use permit required.

PARKING- DIVISION 6.2

Two (2) parking spaces are required for future residential development on Lot 2. Parking spaces for Lot 2 residential development will be provided onsite off street. No physical development is proposed with this subdivision. Future

proposed development on both lots will comply with the parking requirements in place at the time of building permit submission.

AFFORDABLE WORKFORCE HOUSING - DIVISION 6.3

This Division does not apply to an application for a single-family subdivision. This Division will be applied to each lot in the subdivision at the time a building permit is submitted. Affordable housing fees will be paid upon submission of a building permit for Lot 2. Lot 1 is an existing single-family home and has paid all affordable workforce housing fees.

MAXIMUM SCALE OF USE

No physical development is proposed with this application. All future development will comply with the maximum scale of use requirements at the time of building permit submission.

OPERATIONAL STANDARDS - DIVISION 6.4

No outside storage, noise vibration, electrical disturbances, or fire and explosive hazards are proposed or anticipated with this residential subdivision. All trailers and vehicles, as well as the existing shed will be removed from Lot 2 with the approval of this subdivision. Refuse and Recycling enclosures are not proposed for this two-lot subdivision.

DEVELOPMENT OPTIONS

ALLOWED SUBDIVISION AND DEVELOPMENT OPTIONS

DIVISION 7.1 DEVELOPMENT OPTION STANDARDS

This application is for a two-lot subdivision within the Town of Jackson. The two proposed lots meet the 43,560-sf minimum lot size of the NL-1 zone.

DIVISION 7.2 SUBDIVISION STANDARDS

7.2.2 STANDARDS APPLICABLE TO ALL SUBDIVISIONS

A Subdivision Improvements Agreement (SIA) addressing access, signs/lights, water treatment, water supply, fire control measures, storm drainage, utilities, parking, and landscaping will accompany the Subdivision Plat application.

7.2.3 LAND DIVISION STANDARDS

This development plan is for a 2-lot residential subdivision and meets all standards of this Section. The minimum lot size in this zone is one acre. Each of the lots is approximately 1.02 acres, above the minimum lot size in the NL-1 zone.

7.2.4 CONDOMINIUM AND TOWNHOUSE SUBDIVISIONS

This development plan is not for a townhouse or condominium subdivision.

RESIDENTIAL SUBDIVISION REQUIREMENTS

DIVISION 7.5 DEVELOPMENT EXACTION STANDARDS

7.5.2 PARK EXACTIONS

The park exaction fee in lieu calculation is attached as Appendix B.

7.5.3 SCHOOL EXACTIONS

The school exaction fee in lieu calculation is attached as Appendix C.

INFRASTRUCTURE- DIVISON 7.6 & 7.7

DIVISION 7.6 TRANSPORTATION FACILITY STANDARDS

7.6.2 ACCESS TO ROADS, STREETS, AND HIGHWAYS

Lot 1 (the northern lot) will be accessed via Upper Redmond Road, where the primary access is currently located. Lot 2 (the southern lot) will also be accessed via Upper Redmond Road via an easement across Lot 1.

7.6.3 STREETS, ALLEYS, AND EASEMENTS

This subdivision does not affect any alleys.

DIVISION 7.7 REQUIRED UTILITIES

All required utilities for Lot 2 are existing along the eastern property boundary. There are no irrigation systems or fuel storage tanks proposed with this application. An exhibit depicting proposed utility connections is attached as Appendix E.

DEVELOPMENT PLAN FINDINGS

IS CONSISTENT WITH THE DESIRED FUTURE CHARACTER DESCRIBED FOR THE SITE IN THE JACKSON/TETON COUNTY COMPREHENSIVE PLAN

Complies. The Teton County GIS locates the property within Comprehensive Plan Subarea 6.2- Upper Cache. This Subarea is classified as "stable" and defined primarily by medium- to low-density single-family homes with a predominance of landscape over the built environment.

The proposed 2 lots will maintain existing wildlife permeability between the National Forest, Karns Meadow, and East Gros Ventre Butte. This low-density development will encourage wildlife to move through the residential area and into the adjacent public lands in a similar fashion as neighboring existing development. The development setbacks in this zone, combined with the density of this proposal, allow movement corridors for wildlife and encourage movement through the residential neighborhood.

No physical development is proposed with this application. However, upon building applications, the applicant shall meet the goals and objectives outlined in the Comprehensive Plan and Town LDRs.

ACHIEVES THE STANDARDS AND OBJECTIVE OF THE NATURAL RESOURCE OVERLAY (NRO) AND SCENIC RESOURCES OVERLAY (SRO)

Not applicable. A Visual Resource Analysis is attached as Appendix D. The proposed subdivision only affects PIDN: 22-41-16-34-4-00-006 which is not within the NRO or SRO

DOES NOT HAVE A SIGNIFICANT IMPACT ON PUBLIC FACILITIES AND SERVICES, INCLUDING TRANSPORTATION, POTABLE WATER AND WASTEWATER FACILITIES, PARKS, SCHOOLS, POLICE, FIRE AND EMS FACILITIES

Complies. The development will be subject to mitigation of park and school impacts through payment of exactions at the ratio required in the LDRs for residential development at the time of Subdivision Plat recordation. Exaction fee calculations for park and school impacts are attached as Appendix B and Appendix C. Refer to Appendix E for locations of utility connections.

COMPLIES WITH THE TOWN OF JACKSON DESIGN GUIDELINES, IF APPLICABLE

Not Applicable. The proposed subdivision does not include physical development and, therefore, does not apply to TOJ Design Guidelines. TOJ Design Guidelines do not apply to residential development less than three attached units.

COMPLIES WITH ALL RELEVANT STANDARDS OF THESE LDRS AND OTHER TOWN ORDINANCES

Complies. The proposed subdivision complies with relevant standards, outlined in the NL-1 zone. The proposed subdivision lot sizes are in conformance with the NL-1 zone standards. Please see Appendix A, Proposed Lot Lines, for subdivision lot sizes and configuration.

IS IN SUBSTANTIAL CONFORMANCE WITH ALL STANDARDS OR CONDITIONS OF ANY PRIOR APPLICABLE PERMITS OR APPROVALS

Complies. The applicant is unaware of any prior permits or approvals that conflict with this project.

HILLSIDE CONDITIONAL USE PERMIT FINDINGS

MITIGATION MEASURES IDENTIFIED WILL BE EFFECTIVE IN MITIGATING ANY ADVERSE IMPACTS IDENTIFIED, AND ASSOCIATED WITH THE PROPOSED PHYSICAL DEVELOPMENT, USE, DEVELOPMENT OPTION, OR SUBDIVISION

Complies. A Geotechnical Analysis was completed for this subdivision and the final report is attached as Appendix F. The Geotechnical Report does not identify any adverse impacts resulting from this development that need to be identified.

IS COMPATIBLE WITH THE DESIRED FUTURE CHARACTER OF THE AREA

Complies. The Teton County GIS locates the property within Comprehensive Plan Subarea 6.2- Upper Cache. This Subarea is classified as “stable” and defined primarily by medium- to low-density single-family homes with a predominance of landscape over the built environment. This 2-lot subdivision is consistent with surrounding neighborhood development and meets the future desired character of Subarea 6.2.

This proposed subdivision meets the minimum lot size requirement of the zone and will maintain existing wildlife permeability between the National Forest, Karns Meadow, and East Gros Ventre Butte. This low-density development will encourage wildlife to move through the residential area and into the adjacent public lands in a similar fashion as neighboring existing development. The development setbacks in this zone, combined with the density of this proposal, allow movement corridors for wildlife and encourage movement through the residential neighborhood.

No physical development is proposed with this application. However, upon building applications, the applicant shall meet the goals and objectives outlined in the Comprehensive Plan and Town LDRs.

COMPLIES WITH THE USE SPECIFIC STANDARDS OF DIV. 6.1

Complies. No physical development is proposed with this application. However, is anticipated that the proposed Lot 2 will be sold and developed as a Detached single-family home, which is an allowed use within the NL-1 zone. Development on newly subdivided lots with cross slopes greater than or equal to 10% is allowed with a Conditional Use Permit.

MINIMIZES ADVERSE VISUAL IMPACTS

Complies. A Visual Resource Analysis was performed for this subdivision and is attached as Appendix D. This Visual Resource Analysis shows that the design, development, and operation of the proposed Conditional Use minimizes any visual impact of the proposed use on neighboring lots. All future development on proposed Lot 2 will meet the TOJ LDR landscaping and screening requirements for residential use at the time of building permit application.

MINIMIZES ADVERSE ENVIRONMENTAL IMPACTS

Complies. A Wildlife Use and Habitat Review Report is attached as Appendix G. The report states that no adverse environmental impacts will result with the development and operation of the proposed Conditional Use.

MINIMIZES ADVERSE IMPACTS FROM NUISANCES

Complies. The applicant is unaware of any adverse impacts from nuisances pertaining to this development and conditional use permit.

MINIMIZES ADVERSE IMPACTS ON PUBLIC FACILITIES

Complies. The development will be subject to mitigation of park and school impacts through payment of exactions at the ratio required in the LDRs for residential development at the time of Subdivision Plat recordation. Exaction fee calculations for park and school impacts are attached as Appendix B and Appendix C. Refer to Appendix E for locations of utility connections.

COMPLIES WITH ALL OTHER RELEVANT STANDARDS OF THESE LDRS AND ALL OTHER TOWN ORDINANCES

Complies. The proposed subdivision complies with relevant standards, outlined in the NL-1 zone. The proposed subdivision lot sizes are in conformance with the NL-1 zone standards. Please see Appendix A, Proposed Lot Lines, for subdivision lot sizes and configuration.

IS IN SUBSTANTIAL CONFORMANCE WITH ALL STANDARDS OR CONDITIONS OF ANY PRIOR APPLICABLE PERMITS OR APPROVALS

Complies. The applicant is unaware of any prior permits or approvals that conflict with this project.

APPENDIX A: PROPOSED LOT LINES (P.1)

APPENDIX B: PARK EXACTIONS CALCULATIONS

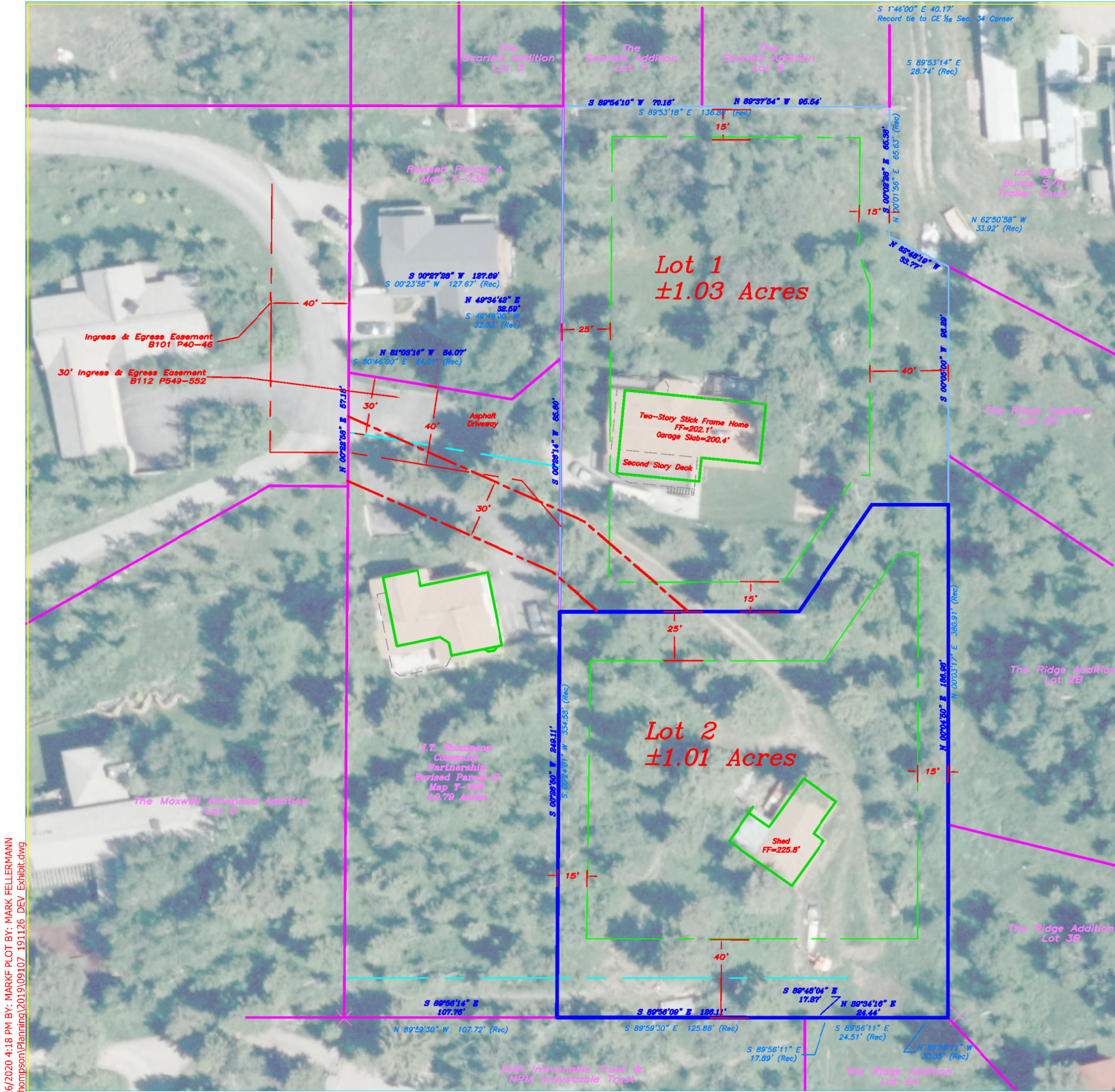
APPENDIX C: SCHOOL EXACTIONS CALCULATIONS

APPENDIX D: VISUAL RESOURCE ANALYSIS

APPENDIX E: UTILITY CONNECTIONS AND CONCEPTUAL STORMWATER MANAGEMENT AND ACCESS (C1.1)

APPENDIX F: GEOTECHNICAL REPORT – ADDENDUMS 1 & 2

APPENDIX G: WILDLIFE REPORT



LEGEND

(E) - EXISTING (P) - PROPOSED

PROPERTY BOUNDARY

ADJ PROPERTY BOUNDARY

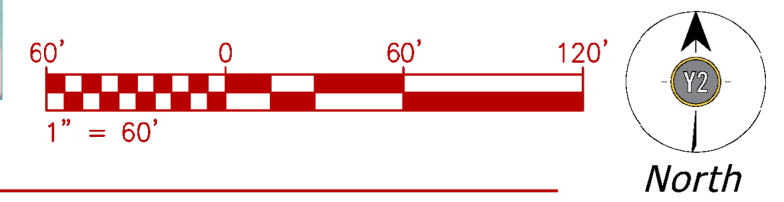
ACCESS EASEMENT

BUILDING ENVELOPE

PROPERTY BOUNDARY

ADJ PROPERTY BOUNDARY

ACCESS EASEMENT



Subdivision Access Concept

Y2

y2consultants.com

307 733 2999

DRAWN BY:

MKR

REVIEWED BY:

MWF

808 Upper Redmond Road Subdivision

George Thompson

808 Upper Redmond Road

Jackson, WY 83002

JOB NO:

09107

SET TITLE:

Development Plan Application

PLOT DATE:

12.04.2019

TITLE

DATE

Client Review

12/04/19

Revision

2/26/2020

Proposed Boundaries

SHEET:

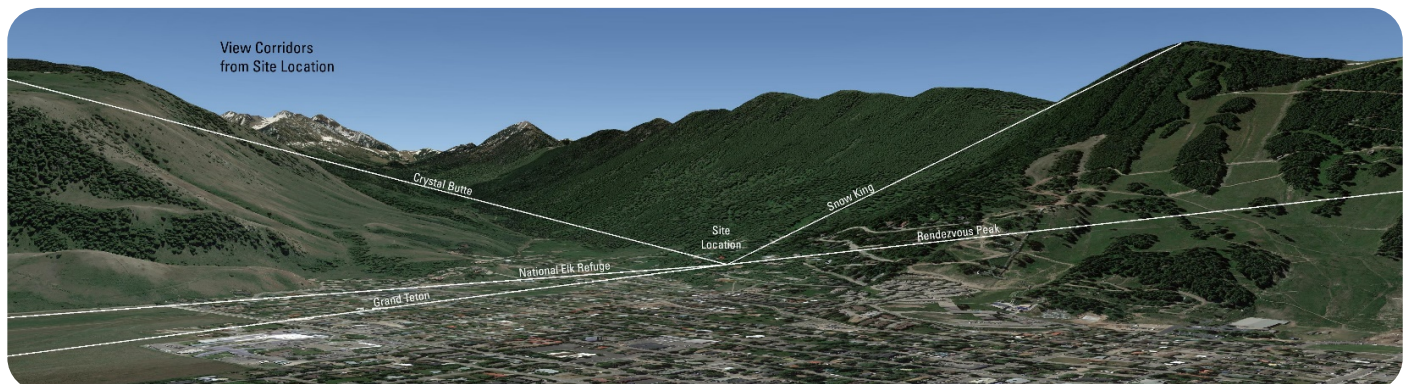
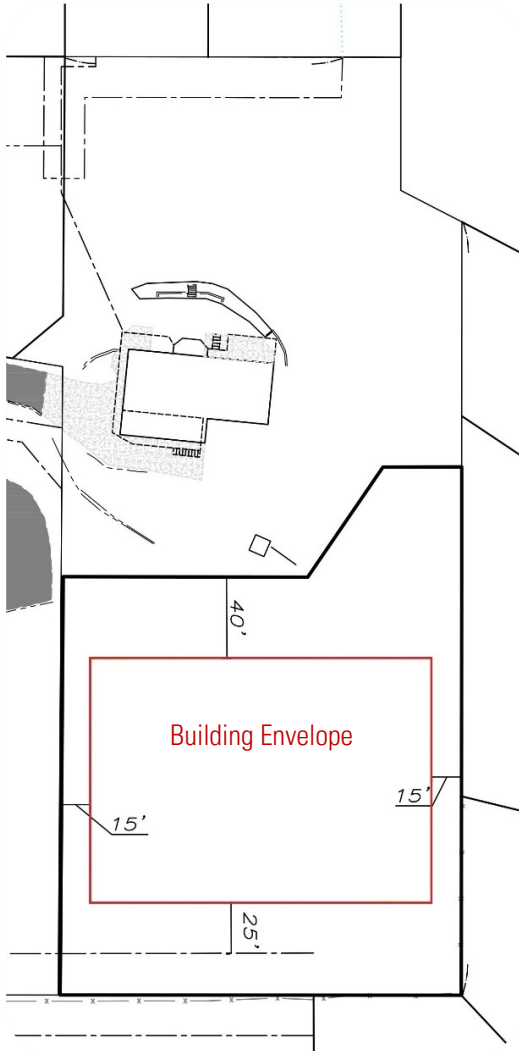
P.1

LAST SAVED: 2/26/2020 4:18 PM BY: MARK FELLERMANN
F:\2009\09107 Thompson\Planning\2019\09107 191126 DEV Exhibit.dwg

36 of 91

Thompson Family Trust – 808 Upper Redmond Road

Visual Resource Analysis



Looking South from Hansen Ave. and Redmond St.



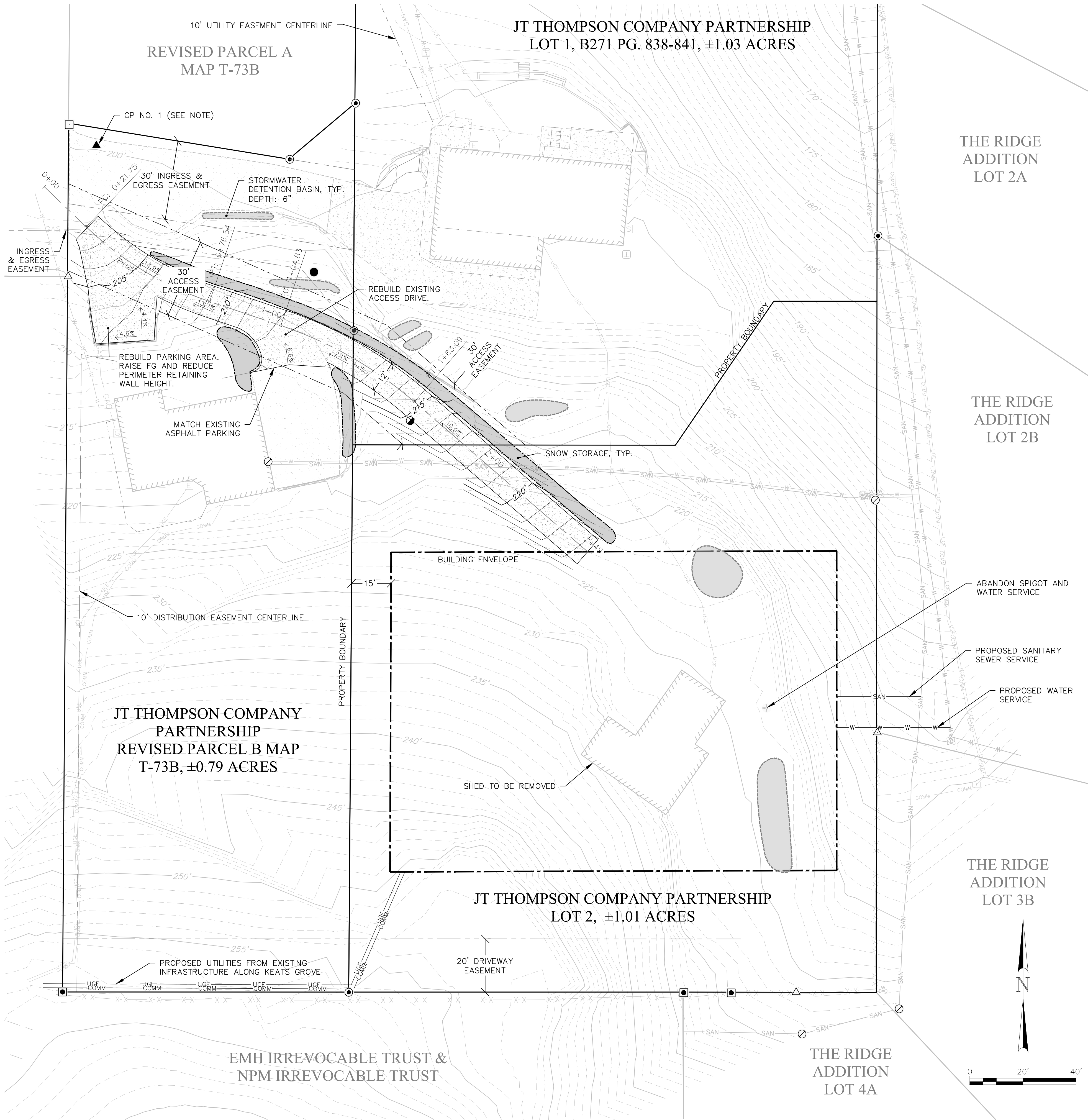
Looking South from Hansen Ave. and Hall Ave. Alley



Looking Southeast from Redmond St. and Upper Cache Creek Rd.



LAST SAVED: 2/26/2020 9:37 AM BY: JACOB66 PLOT BY: VINCE ROUX
F:\2009\00107 Thompson\Civil\ACAD\00107 GRADING-F.dwg



GENERAL NOTES:

- EXISTING TOPOGRAPHY CONSISTS OF DATA COLLECTED DURING GROUND SURVEY SUPPLEMENTED WITH TETON COUNTY LIDAR DATA BEYOND THE LIMITS OF THE SURVEY SOUTH AND WEST OF THE PROPERTY BOUNDARIES.
- GRADING, UTILITY DESIGN, AND STORMWATER MANAGEMENT SHOWN HEREON ILLUSTRATES FEASIBILITY AND CONSTRUCTIBILITY. FINAL DESIGN AND UTILITY LOCATIONS WILL BE DETERMINED AT GRADING AND EROSION CONTROL PERMIT SUBMITTAL.
- MULTIPLE UTILITIES MAY SHARE TRENCHES WHERE APPLICABLE.
- SYMBOLS IN GRAY ON THE SITE PLAN INDICATE THAT THE FEATURE IS EXISTING.

SURVEY NOTES:

BUILDING FOOTPRINTS AS SHOWN HEREON REPRESENT FIELD MEASUREMENTS MAPPED AS PART OF THIS SURVEY AND ARE NOT INTENDED TO REPRESENT ARCHITECTURAL DIMENSIONS. ROOF EAVES WERE NOT MAPPED AS PART OF THIS SURVEY.

UNDERGROUND UTILITIES SHOWN HEREON WERE MAPPED FROM MARKINGS PROVIDED BY MAGIC VALLEY PRIVATE UTILITY LOCATE COMPANY ON APRIL 25, 2016.

NO WETLAND MAPPING WAS DONE UNDER THIS SURVEY.

BASE ELEVATION = 200.0' AT CP NO. 1 AS SHOWN HEREON. (LOCAL DATUM)

TOPOGRAPHIC FEATURES REPRESENTED ON THIS MAP SHOW CONDITIONS DETERMINED BY A FIELD SURVEY MADE FROM APRIL 27 TO MAY 3, 2016 AND ON AUGUST 5, 2016 AND MAY NOT REFLECT CHANGES MADE SUBSEQUENT TO THOSE DATES.

BASIS OF BEARING IS N00°24'00"E ALONG THE WEST LINE OF REVISED PARCEL B.

CURRENT ZONING = NL-1 (SUBURBAN - TOWN OF JACKSON)
DEVELOPMENT SETBACKS ARE ESTABLISHED BY THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS, EFFECTIVE APRIL 1, 2016, REFER TO COUNTY DOCUMENT

STREET: 25'
SIDE: 15'
REAR: 40'

LEGEND

(E) - EXISTING (P) - PROPOSED

	(E) STRUCTURE
	PROPERTY BOUNDARY
	BUILDING ENVELOPE
	(E) EASEMENT
	(P) EASEMENT
	(E) MAJOR CONTOUR
	(E) MINOR CONTOUR
	(P) MAJOR CONTOUR
	(P) MINOR CONTOUR
	(E) EDGE OF ASPHALT
	(P) EDGE OF ASPHALT
	(E) EDGE OF CONCRETE
	(E) EDGE OF GRAVEL
	(P) EDGE OF GRAVEL
	(E) FENCE
	(E) WATER MAIN
	(E) WATER SERVICE
	(P) WATER SERVICE
	(E) SEWER MAIN
	(E) SEWER SERVICE
	(P) SEWER SERVICE
	(E) COMMUNICATIONS LINE
	(P) COMMUNICATIONS LINE
	(E) UNDERGROUND ELECTRIC
	(P) UNDERGROUND ELECTRIC
	(P) SNOW STORAGE
	(P) STORMWATER BASIN

- INDICATES A BRASS CAP INSCRIBED "RLS 578" FOUND THIS SURVEY
- INDICATES A BRASS CAP INSCRIBED "RLS 164" FOUND THIS SURVEY
- INDICATES A 5/8" DIA. REBAR WITH PLASTIC CAP INSCRIBED "PLS 3831" FOUND THIS SURVEY
- INDICATES A 5/8" DIA. REBAR WITH ALUMINUM CAP INSCRIBED "PE & LS 578" FOUND THIS SURVEY
- INDICATES A 5/8" DIA. REBAR WITH ALUMINUM CAP INSCRIBED "PLS 6447" FOUND THIS SURVEY
- INDICATES A 5/8" DIA. REBAR WITH NO CAP FOUND THIS SURVEY
- INDICATES A STEEL T-STAKE WITH CHROME CAP INSCRIBED "RLS 3889" FOUND THIS SURVEY
- INDICATES A STEEL T-STAKE WITH CHROME CAP INSCRIBED "PE & LS 2612" FOUND THIS SURVEY
- INDICATES A STEEL DISTURBED T-STAKE WITH NO CAP FOUND THIS SURVEY
- INDICATES A STEEL SPIKE SET THIS SURVEY FOR ORIENTATION AND MAPPING PURPOSES.
- SEWER CLEANOUT
- TELEPHONE PEDESTAL
- ELECTRIC PEDESTAL
- ELECTRIC METER
- SEWER MANHOLE
- WATER MANHOLE
- WATER VALVE
- DRAIN PIPE
- POWER POLE
- GUY WIRE
- SATELLITE DISH
- SPIGOT
- GAS VALVE
- YARD LIGHT
- ELECTRIC SWITCH ON WOOD POST
- IRRIGATION CONTROL VALVE

DRAWING SET TITLE	DATE
DEV & CUP	11/12/2019
DEV & CUP	02/17/2020
DEV & CUP	02/26/2020
DRAWN BY: VAR	
CHECKED BY: VAR	
JOB #: 09107	

CONSULTANTS
ENGINEERING, SURVEYING & PLANNING
LANDSCAPE ARCHITECTURE, GIS
NATURAL RESOURCE SERVICES



THOMPSON CONDITIONAL USE PERMIT

THOMPSON FAMILY TRUST

808 UPPER REDMOND ROAD
JACKSON, WY 83001

DEV & CUP EXHIBIT

C1.1

GEOTECHNICAL REPORT

808 UPPER REDMOND ROAD
TOWN OF JACKSON, WYOMING

Prepared by:
Y2 Consultants, LLC
Zia Yasrobi, PE

Prepared for:
George Thompson
P.O. Box 615
Jackson, WY 83001



Addendum 1

Revised January 19, 2020

(This Page Intentionally Left Blank)

CONTENTS

INTRODUCTION	4
SITE DESCRIPTION	4
PROPOSED DEVELOPMENT	4
SCOPE OF SERVICES	4
SITE INVESTIGATION	4
FIELD Visit	4
OBSERVED SOILS	5
GROUNDWATER	5
GEOLOGY	5
SEISMICITY AND GEOLOGIC HAZARDS	5
GEOTECHNICAL RECOMMENDATIONS	6
FOUNDATION	6
SLAB-ON-GRADE CONSTRUCTION	7
ACCESS DRIVEWAY	7
LATERAL EARTH PRESSURE	8
EXCAVATION AND SHORING	8
COMPACTION	8
NATURAL AND MAN-MADE SLOPES	9
SLOPE STABILITY	9
OTHER CONSIDERATIONS	10
CONCLUSIONS	10
LIMITATIONS	11

Tables

Table 1. Structural Fill Specifications.....	6
Table 2. Slab-on-Grade Construction	7
Table 3. Driveway Specifications	8
Table 4. Lateral Earth Pressures	8
Table 5: Soil properties used in slope stability analysis.....	9
Table 6: Results of slope stability analysis.	10

Appendix

FIGURES

- Figure 1. Vicinity Map
- Figure 2. Proposed Development
- Figure 3. Geologic Map
- Figure 4. Seismic Criteria
- Figure 5. Test Pit Locations Map
- Figure 6. Landslide Map
- Figure 7. Foundation Backfill
- Figure 8. Existing Condition Survey

TEST PIT LOGS

GEOTECHNICAL LABORATORY TEST RESULTS

TEST PIT PHOTOS

SLOPE STABILITY ANALYSIS RESULTS

INTRODUCTION

SITE DESCRIPTION

The subject property is located at 808 Upper Redmond Road, Town of Jackson, Wyoming Appendix Figure 1. The northern half of the lot is developed with a single family residence. The southern half of the lot houses a shed. The ground slopes down to the northeast. This geotechnical investigation focuses on the southern half of the lot.

PROPOSED DEVELOPMENT

The subject site is comprised of a shed and a parking area at the southern portion of the site, and two access points – one from the north, and one from the southwest. The proposed development includes demolition of the existing shed and the potential for construction new residential building(s). The proposed access would be from the southwest. Appendix Figure 2 illustrates the proposed building envelope for the subdivided lot.

SCOPE OF SERVICES

Y2 Consultants LLC (Y2) performed a geotechnical investigation at the subject site to provide geotechnical engineering recommendations for a single-family home and access driveway. The results of this geotechnical investigation are included in this report along with recommendations for foundation, slab-on-grade, excavation and access road construction. As the site is located on a slope of notable grade, slope stability analysis was performed to determine long-term stability of the slope and evaluate the feasibility of the proposed development.

Scope of services for this work included a review of published geology, seismic and soils information for the project site, advancing and logging four exploratory test pits to classify soils and determine the presence/absence of groundwater, and performing geotechnical analyses to provide recommendations for proposed development on the subject property.

SITE INVESTIGATION

FIELD VISIT

On October 1, 2019, Y2 conducted a subsurface investigation at the site which included excavation of four (4) test pits to depths varying from 7 to 13 ft below grade. Test pits were located within the general proximity of the proposed development at different locations on the slope to identify slope stratigraphy. The locations of the test pits are shown in Appendix Figure 5.

The test pits were excavated by a subcontractor retained by Y2. A Professional Geotechnical Engineer from Y2 supervised work completed by field crew who classified, logged and sampled soils in the field. Soil classifications, moisture conditions, and presence of organics or other notable features were recorded in the field logs. Samples were taken from the test pits for further geotechnical laboratory testing at Y2. The results from the geotechnical lab testing are enclosed in the Appendix.

OBSERVED SOILS

All test pits encountered a thin surficial layer of topsoil at the ground surface underlain by a layer of loam extending to depths of about 3 to 3.5 ft below grade in test pits 1 and 2, and to the full depth of test pits at 13 and 4 ft below grade in test pits 3 and 4, respectively. The loam in test pits 1 and 2 was underlain by a layer of dense to very dense gravel and boulders, extending to the full depth at 7 to 8 ft below grade.

Test pit 4 was located at the bottom of a slope at the southern portion of the site. The slope wall near test pit 4 was cut to identify the soil condition of the slope. Based on field observations the subject slope is comprised of native dense to very dense gravel and boulder.

Additional geotechnical laboratory testing (sieve analysis) was conducted on select samples collected from the gravel and boulder layer. The test pit logs, and laboratory test results are included in the Appendix.

GROUNDWATER

At the time of investigation groundwater was not observed in the test pits. It should be noted that groundwater may fluctuate seasonally due to precipitation and surface runoff. However, due to the absence of ground water in the test pits and the sloping topography of the site, ground water is not expected to cause any complications during construction.

GEOLOGY

The geology of the subject property is found on the Geologic map of the Cache Creek Quadrangle, Teton County, Wyoming. An adapted version of this map is included in Appendix Figure 3. According to the map, the majority of the property consists of Landslide debris. Quaternary Alluvium is mapped in the northern part of the property.

Surface geology regimes that are present in the project area are shown in Appendix Figure 3. These regimes are defined as follows. Each of these descriptions (*Italicized*) is taken from Geologic map of the Cache Creek Quadrangle (USGS)

Qa –Alluvium (Quaternary) – Valley and stream deposits of gravel with lesser amounts of sand, silt, and clay.

Qls – Landslide debris– Chaotically mixed boulders and finer rock debris emplaced by mass movement

SEISMICITY AND GEOLOGIC HAZARDS

Teton County is located within the Intermountain Seismic Belt (ISB), a zone of seismicity extending south to Arizona and north into Montana. Jackson thrust fault is located approximately 1000 feet South of the property Appendix Figure 3. The Cache Creek thrust fault is located approximately 2000 feet North of the subject property.

According to the Wyoming Multi-Hazard Mitigation Plan, the Teton Fault and other Quaternary faults in northwestern Wyoming are considered capable of generating magnitude 7.0 to 7.5 earthquakes (Wyoming Office of Homeland Security 2016-2021). Strong ground motion at the project site can be expected if a sizeable earthquake occurs along the Teton Fault or other regional faults. Seismic design criteria, provided by the USGS, are shown in Appendix Figure 4.

Loose saturated sands and silts may liquify when exposed to seismic shaking. Evaluation of the potential for liquefaction during a large magnitude earthquake is beyond the scope of the investigation for this site.

GEOTECHNICAL RECOMMENDATIONS

FOUNDATION

The topsoil material and loam are not suitable to provide support for the proposed foundations. The topsoil, vegetation and loam should be removed from the construction area. The unsuitable materials in the building foundation area should be excavated to the underlying layer of dense to very dense gravel and boulders prior to placement of foundations.

Based on information obtained from the test pit investigation, the southeast portion of the site, near Test Pits 3 and 4, has a deep layer of loam which is not suitable as foundation subgrade material. Therefore, it is recommended that proposed structures be constructed in the westerly or northerly portion of the subdivided lot.

The foundations should be at least two feet above seasonally high groundwater with footings below the frost depth of 36-inches. Seasonal high depth-to-groundwater should be determined prior to construction. Although, per the findings of this investigation, groundwater is not expected to impact construction at this site.

Based on the results of the test pits excavation, the underlying dense to very dense layer of gravel and boulders is competent to support conventional spread footings for the proposed development.

The proposed house can be designed with conventional shallow spread footings supported on the underlying dense to very dense gravel and boulder layer with a bearing pressure of 5,000 pounds per square foot (psf). The recommended soil bearing pressure assumes a minimum footing depth of 36 inches and a maximum total settlement of 0.5 inches for individual footing and 0.3 inches for differential settlement between the footings.

The above analysis assumes a maximum width of 4 feet for continuous footings and a maximum dimension of 12 feet for isolated footings. Construction of large footing sizes can lead to increased settlement as the bearing pressure bulb can extend deeper into the soil profile resulting in larger settlement than specified.

Any excessively loose material or soft spots encountered in the footing subgrade will require sub-excavation to the level of underlying competent soil and backfilling with structural fill placed in layers with a maximum thickness of 8 inches, compacted to 98% of maximum density per ASTM D698 (Standard Proctor). The compaction and testing should be carried out under the supervision of Y2.

Structural fill should meet the gradation specifications defined in Table 1. Structural fill material should be clean sand and gravel free of topsoil, organic debris such as roots or brush, with all material greater than 6-inches removed.

Table 1. Structural Fill Specifications

Sieve	% Passing
6-inch greater	Removed
5-inch	90 to 100
3/4-inch	60
No. 200	0 to 5

Bearing capacity values and settlement shall be checked for each combination of load to determine whether settlement or bearing capacity will control the response of the footing. Foundation elements supporting large concentrated loads should be analyzed on an individual basis to determine settlement and bearing characteristics

The gravel and boulder layer contains large size particles that should not bear directly against the footings and foundation walls. Oversize material, such as large cobble greater than 6 inches in diameter, should not be used as backfill against footings or foundation walls.

A waterproofing barrier should be installed on the exterior surface of the foundation wall, between the foundation wall and back fill. The waterproof barrier should extend from below the footing to above the finished grade. The waterproof barrier should be a sheet membrane waterproof barrier. Prior to installing the waterproof barrier any holes, spalling, or recesses in the concrete wall resulting from removal of the forms should be sealed. Foundation drains comprised of at minimum, 4-inch diameter corrugated pipes to be installed around the perimeter of the foundation.

SLAB-ON-GRADE CONSTRUCTION

For slab-on-grade construction the unsuitable material including the topsoil and silty clay loam should be removed to the level of underlying gravel and boulders deposit. A Professional Geologist and/or Structural Engineer from Y2 should observe the site conditions after the unsuitable material is excavated and before the imported fill is placed and compacted to ensure that site conditions have not changed and to verify bearing soils. Thickened edge slab should be at least two feet above seasonal high groundwater and native soils compacted to 95% of maximum density per ASTM D698 (Standard Proctor). A moisture barrier should be installed above the compacted native material finished by placing 6 to 8 inches of angular fill material, such as ¾ inch minus crush base (Table 2). Rebar or wire mesh may be installed and will be designed by a structural engineer during the structural design phase of the project.

Table 2. Slab-on-Grade Construction

Material	Thickness (in inches)
Concrete Thickened Edge Slab	4
Angular Course - ¾ inch Minus Crush Base Material	6 to 8
Polypropylene Moisture Barrier	One Layer 10 ml (TenCate or Geotex equivalent)
Compacted Structural Fill	To meet finished grade

ACCESS DRIVEWAY

Remove organics, topsoil, and upper soil layers to a depth sufficient for the proposed road section. A Professional Geotechnical Engineer from Y2 should observe the site conditions after the unsuitable material is excavated and before the imported fill is placed and compacted to ensure that site conditions have not changed and to verify bearing soils. Compact native material and place Geotextile fabric. Place and compact angular material in lifts no greater than 8 inches in thickness. Finally place road surfacing material. See Table 3 for specific drive section recommendations.

Table 3. Driveway Specifications

Access Driveway Components	Thickness
Asphalt Surface (optional)	3"
¾ inch Minus Crush Base Material	6"
Structural Fill, 2 inch minus crush	18" minimum
Compacted Native Soil	8"
Geotextile	Mirafi RS580i

LATERAL EARTH PRESSURE

Structural fill or native gravel may be used as back fill material for foundation walls. Large cobbles and large angular boulders, greater than 6 inches in diameter, should not be used as backfill against footings and foundations walls.

Lateral earth pressure parameters were calculated using Rankine and Jaky's theory with the assumption that the foundations are above groundwater elevation. Results are depicted in Table 4., assuming a horizontal backfill:

Table 4. Lateral Earth Pressures

Backfill Material	Unit Weight (pcf)	Earth Pressure Coefficients		
		K _o	K _a	K _p
Structural Fill	130	0.50	0.33	3.00
Native Gravel	140	0.44	0.28	3.54

EXCAVATION AND SHORING

Excavations for retaining walls and foundations shall conform to applicable OSHA and State of Wyoming safety standards. Excavations shall be laid back to safe slopes or properly shored. Excavations and shoring operations shall be conducted in accordance with the most recent versions of the OSHA Construction Standards for Excavations, Part 1926, Subpart P and Wyoming Public Works Standard Specifications. If site conditions observed during the excavation stage of construction are different than those detailed in this report, the structural design may need to be adjusted. A Professional Geotechnical Engineer from Y2 should observe the site conditions after the unsuitable material is excavated and before the imported fill is placed and compacted to ensure that site conditions have not changed and to verify bearing soils. More information on applicable shoring can be found in the OSHA Excavations: Hazard Recognition in Trenching and Shoring Technical Manual Section VL Chapter 2. https://www.osha.gov/dts/osta/otm/otm_v/otm_v_2.html.

COMPACTION

The imported pit-run material should be placed and compacted with an adequately sized vibratory compactor suitable to the size of the excavation. Pit-run should be placed in lifts of 8-inch thickness or less, brought to optimal moisture content and compacted to a density of 95% in accordance with standard ASTM D698. Laboratory testing such as Atterberg Limits and standard Proctor should be completed on proposed fill material prior to use as fill. Y2 recommends the pit-run fill be tested for moisture content compaction during placement using field methods for determining the density such as the Nuclear Gauge Method. Subgrade conditions and compaction should be observed by Y2.

NATURAL AND MAN-MADE SLOPES

Based on visual observations in the field, soil samples, and a review of historical imagery, Y2 assessed the presence of man-made steep slopes. During the site-visit additional test-pits, 4 and 5, were added from the trench behind the existing building. The natural slope consists of top soil, followed by loam, and finally bearing soil, in this case dense gravel. Test Pit 3 indicated that from top to bottom there is no gravel layer but rather silty-clay was observed indicating that this area was filled with the excavated material from the upper slope.

Some slopes at the subject site are considered natural. These are primarily along the east property boundary, and a portion of the center of the south property boundary. Elsewhere the slopes have been disturbed either from excavation of material or deposits of excavated material. These soil transpositions were related to historical road, driveway, and home-site constructions. The locations are shown on Appendix Figure 8.

SLOPE STABILITY

One slope cross section (Section A) was derived from topographic information for slope stability analysis. The cross-section location was selected based on slope height and inclination to represent critical slope conditions within the study area and to obtain sufficient coverage of the subject slope. The location of the slope cross section is presented in Appendix Figure 8.

A detailed engineering analysis of slope stability was carried out for Section A using the computer software Slope/w, using several standard methods of limit equilibrium analysis. These methods of analysis allow for the calculation of Factors of Safety for hypothetical or assumed failure surfaces throughout the slope.

For a specific failure surface, the Factor of Safety is defined as the ratio of the available soil strength resisting movement, divided by the gravitational forces tending to cause the movement. The Factor of Safety of 1.0 represents a "limiting equilibrium" condition where the slope is at a point of pending failure as the soil resistance is equal to forces tending to cause movement. It is common to require a Factor of Safety greater than 1.0 to ensure stability of the slope. The typical Factor of Safety used for engineering design of slopes for stability, ranges from about 1.3 to 1.5 for developments situated close to the slope. The most common design guidelines are based on a 1.5 minimum Factor of Safety against potential slope slides.

The analysis was carried out by preparing a model of the slope geometry and subsurface conditions while analyzing numerous failure surfaces through the slope in search of the minimum or critical Factor of Safety for specific slope conditions. The pertinent data obtained from topographic survey, and test pit information were used as input data for the slope stability analysis. Many calculations were carried out to examine the Factor of Safety for varying depths of potential failure surfaces.

Based on the field investigation results, the following average soil properties were utilized for the soil strata in the slope stability analysis:

Table 5: Soil properties used in slope stability analysis.

Stratum	Unit Weight (pcf)	Cohesion (psf)	Angle of Internal Friction (degree)
Loam	120	208	30
Gravel	127	0	36

The above soil strength parameters are based on effective stress analysis for long-term slope stability. It should be noted that these soil parameters are relatively conservative. This is based on the results of the sieve analysis results, site observations, and engineering judgement.

As previously noted, all test pits remained dry upon completion of drilling. No groundwater was encountered during the field investigation.

The results of the slope stability analysis are presented in the Appendix and summarized as follows:

Table 6: Results of slope stability analysis.

Section	Average Existing Slope Inclination	Factor of Safety
A	5.0 H : 1 V±	1.85

The minimum computed factor of safety for the overall stability of the analyzed section is higher than the minimum 1.5 required factor of safety. Therefore, the existing slope profile is considered stable in the long-term and we anticipate that the proposed development can be carried out safely with regards to the slope stability. Slope stability will have to be reassessed once the design for a proposed development is available.

As previously mentioned in the geology section of this report and from observations in the GIS maps. This property consists of landside debris. From the aerial photos comparing the site in 1945 to the present it can be concluded that there have been no considerable changes in the topography confirming that there are no active landslides in this area during recent years. This does not preclude the possibility of a landslide at this site.

Based on current and past conditions, along with the calculated factor of safety and other information provided in this report, this site is deemed suitable to develop.

OTHER CONSIDERATIONS

- Topsoil should be stripped and stockpiled for future use.
- Final grade, slopes, and landscaping should be sloped away from foundation areas. Site drainage recommendations should be provided by a Civil Engineer. Trees should be kept away from foundation and other structural elements.
- Y2 should be retained to provide comment on final plans and specifications to ensure the geotechnical recommendations in this report are sufficient.
- Foundation recommendations were made assuming the removal of unsuitable material followed by replacement with structural fill material.
- Moisture and water in crawl spaces is likely. The installation of a moisture barrier, ventilation, and water flow-through should be included in the crawl space design.
- The Scope of Services was for geotechnical information and analysis only and does not address any environmental or biological conditions on the subject property.

CONCLUSIONS

The minimum computed factor of safety for overall stability of the analyzed section at this site is higher than the minimum 1.5 required factor of safety. There have not been any active landslides in this area during recent years. Based on field observations, the subject slope is comprised of native dense to very dense gravel and boulder. From a

geotechnical perspective, it is the opinion of Y2 that the westerly portion of the site to the line defined by Test Pit 1-4 is suitable for the proposed development using shallow footings. Everything to the East of the line defined by Test Pit 1-4 will require the use of pile footings. This site is suitable for construction provided the recommendations contained in this report are followed.

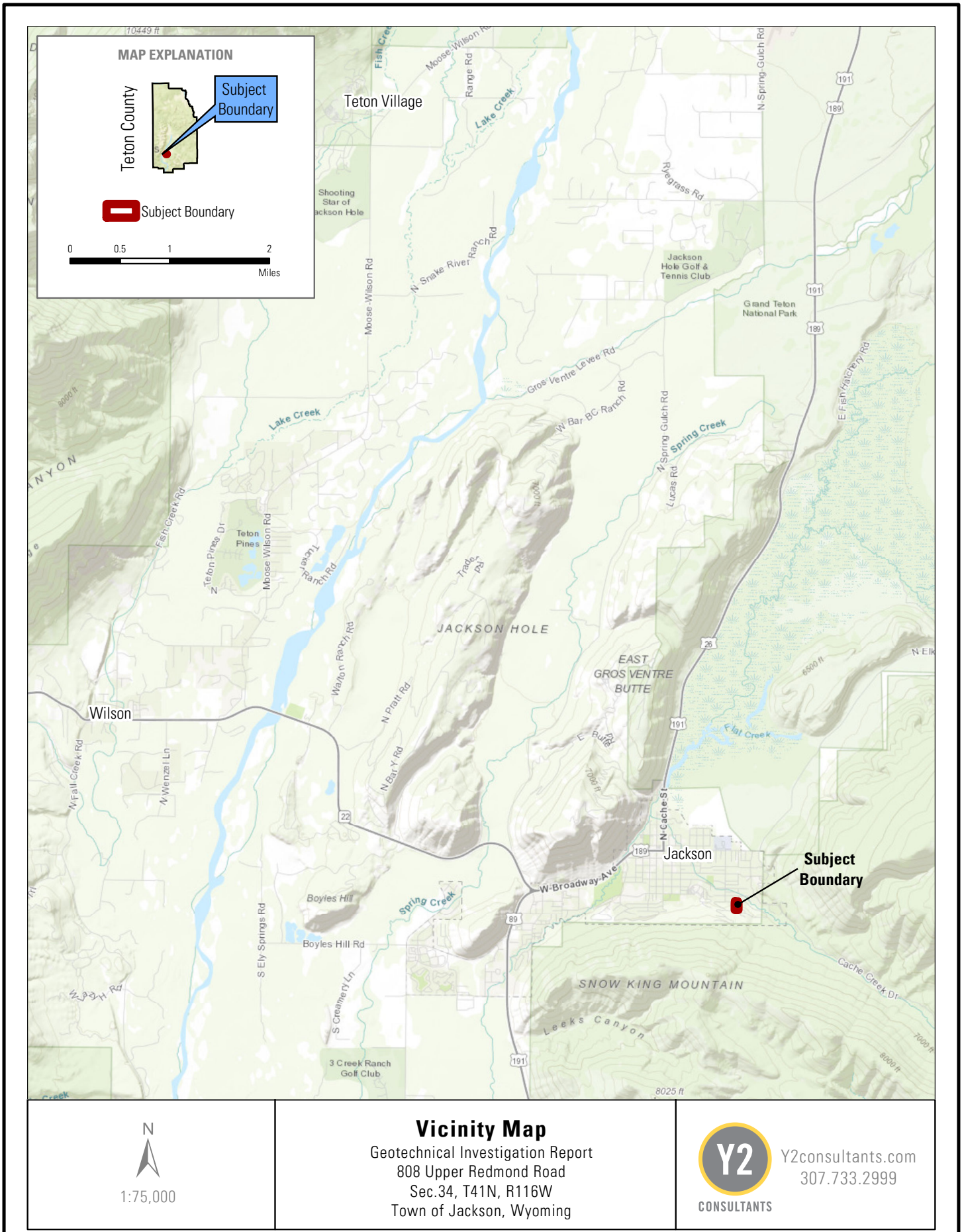
LIMITATIONS

The geotechnical recommendations in this report are based on limited subsurface investigation and review of published literature. Subsurface conditions vary, and the possibility exists that unfavorable conditions are present on the property not identified during this limited investigation. Findings in this report are limited to data collected onsite and do not account for fill zones and variability in soils throughout the property. Recommendations in this report are based on general engineering properties of soils and conditions observed onsite. Y2 Consultants, LLC should be retained to observe actual subsurface conditions during excavation activities to provide additional recommendations as needed.

The information and recommendations contained in this report are specific to the defined subject property. This report is for the sole use of the Thompson Family Trust (the "Client"), LLC and Y2 Consultants, LLC; no other use is authorized without written permission from Y2 Consultants, LLC.

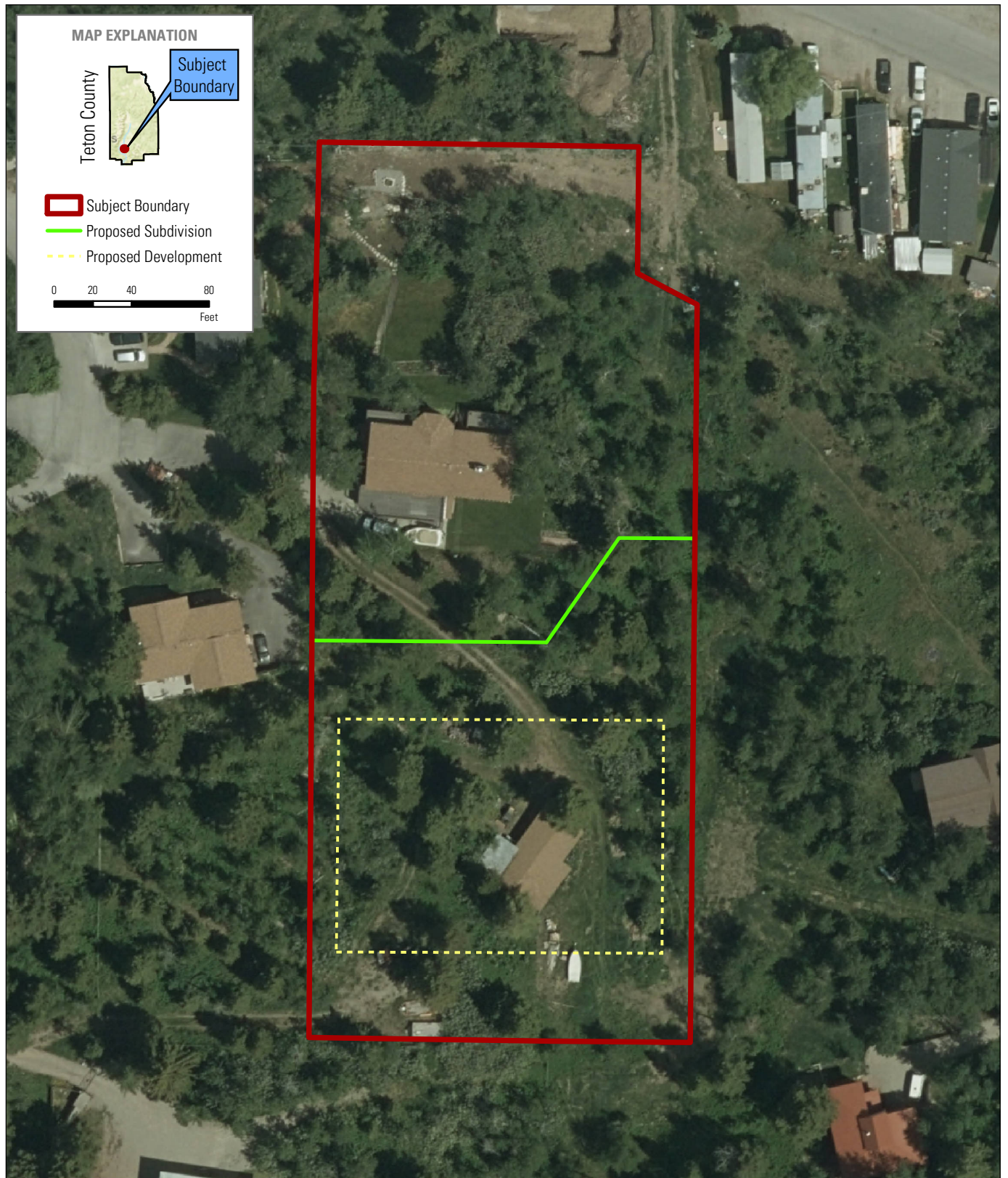
APPENDIX

FIGURES



F:\2009\09107 Thompson\GIS\09107_VicinityMap.mxd

FIGURE 1

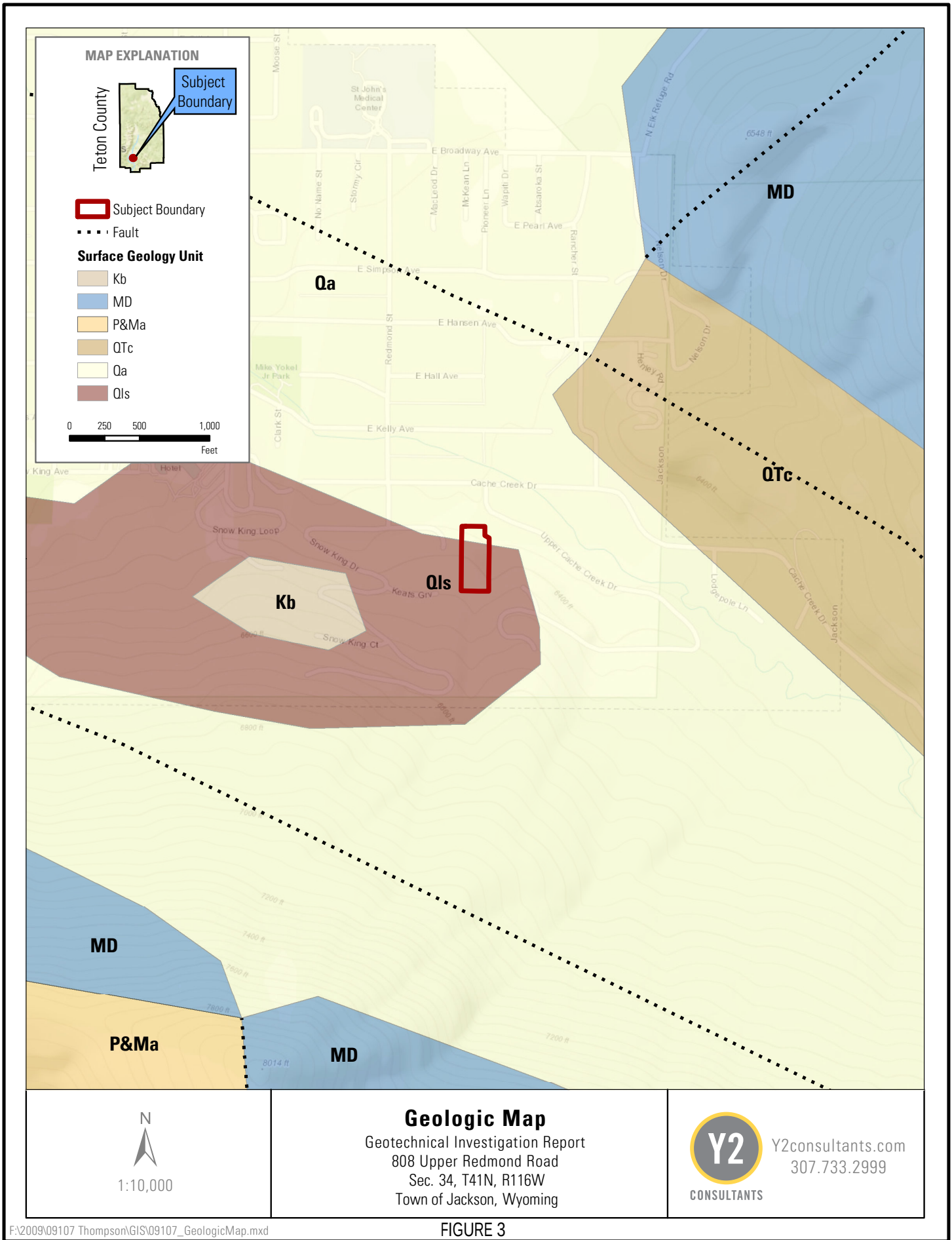


Proposed Development

Geotechnical Investigation Report
808 Upper Redmond Road
Sec. 34, T41N, R116W
Town of Jackson, Wyoming



Y2consultants.com
307.733.2999



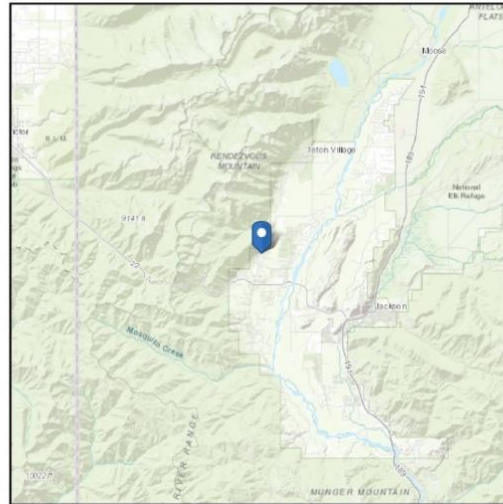
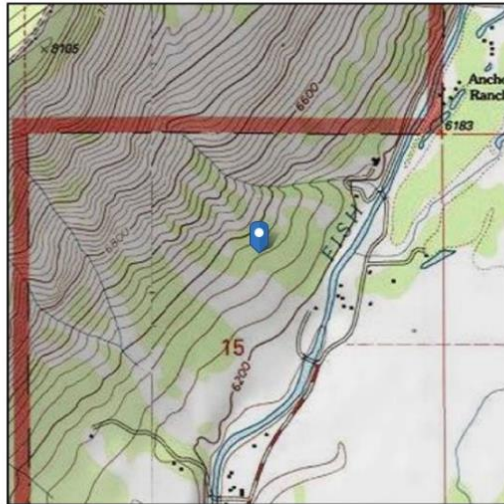


ASCE 7 Hazards Report

Address:
No Address at This
Location

Standard: ASCE/SEI 7-16
Risk Category: II
Soil Class: D - Default (see
Section 11.4.3)

Elevation: 6322.27 ft (NAVD 88)
Latitude: 43.519109
Longitude: -110.870619



Seismic

Site Soil Class: D - Default (see Section 11.4.3)
Results:

S_S	1.041	S_{D1}	N/A
S_1	0.351	T_L	8
F_a	1.2	PGA	0.462
F_v	N/A	PGA_M	0.555
S_{MS}	1.249	F_{PGA}	1.2
S_{M1}	N/A	I_e	1
S_{DS}	0.833	C_v	1.308

Ground motion hazard analysis may be required. See ASCE/SEI 7-16 Section 11.4.8.

Data Accessed: Thu Oct 10 2019

Data Source: [USGS Seismic Design Maps](#)

Data Source:
<https://asce7hazardtool.online/>

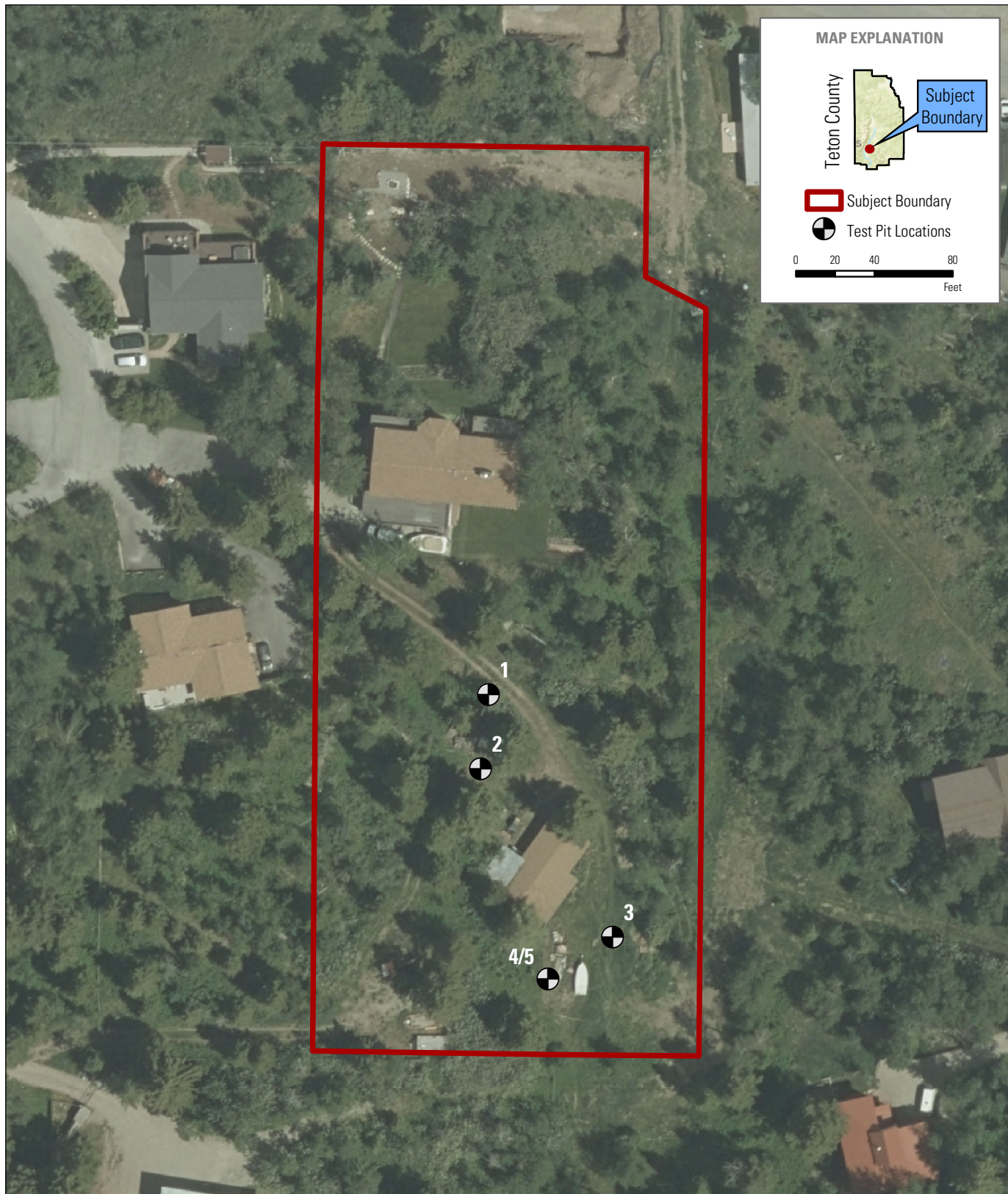
Seismic Criteria
Geotechnical Investigation Report
2491 N Fish Creek Road
Sec. 15, T41N, R116W
Teton County, Wyoming



Y2consultants.com
307.733.2999

F:\2019\19063_Henderson\GIS\ESRI\19063_SeismicCriteriaMap.mxd

Figure 4



MAP EXPLANATION

Teton County

Subject Boundary

Subject Boundary

Test Pit Locations

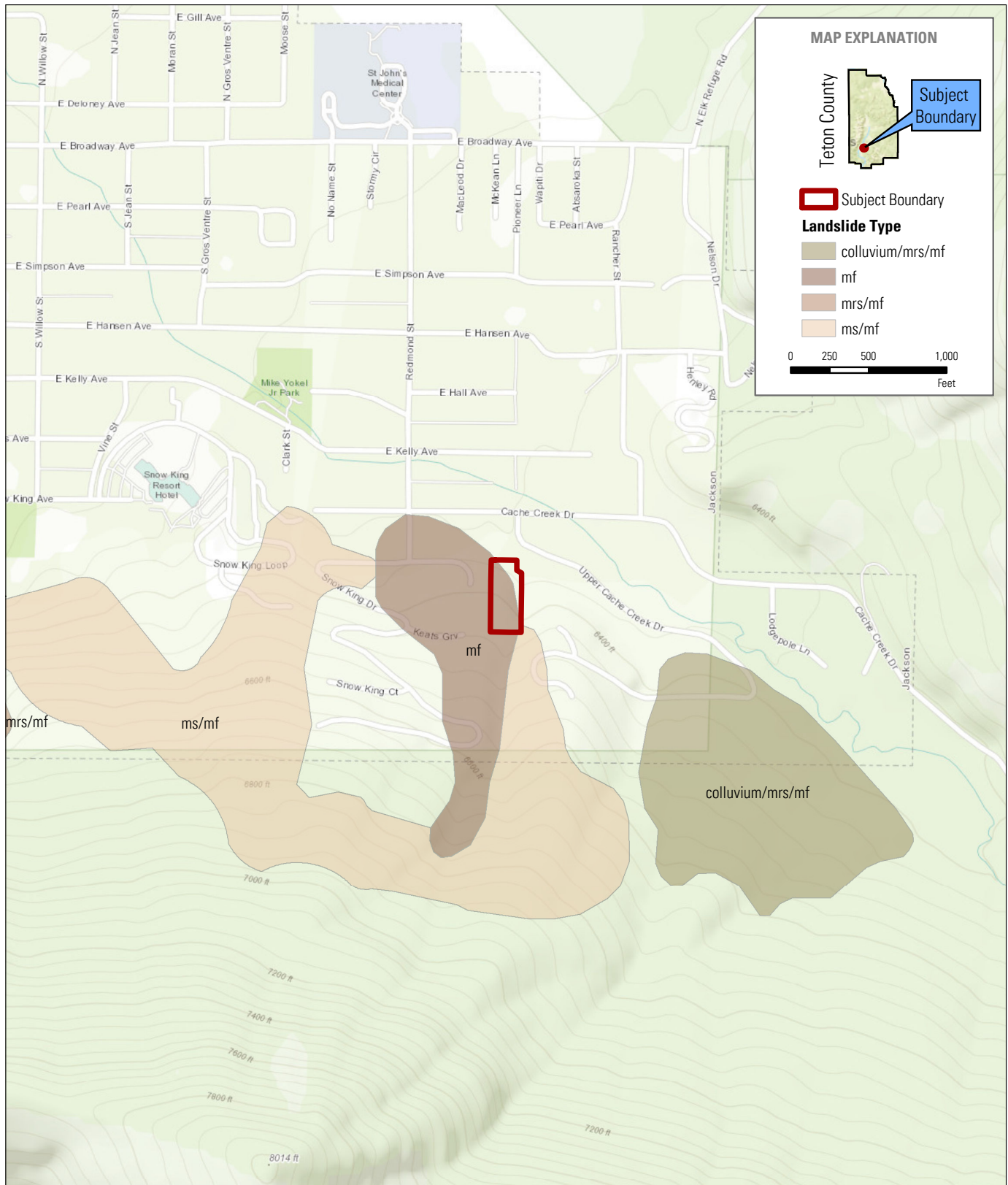
0 20 40 80
Feet



Test Pit Location Map
 Geotechnical Investigation Report
 808 Upper Redmond Road
 Sec. 34, T41N, R116W
 Town of Jackson, Wyoming



Y2consultants.com
 307.733.2999



N

1:10,000

Landslide Map
 Geotechnical Investigation Report
 808 Upper Redmond Road
 Sec. 34, T41N, R116W
 Town of Jackson, Wyoming



Y2consultants.com
 307.733.2999

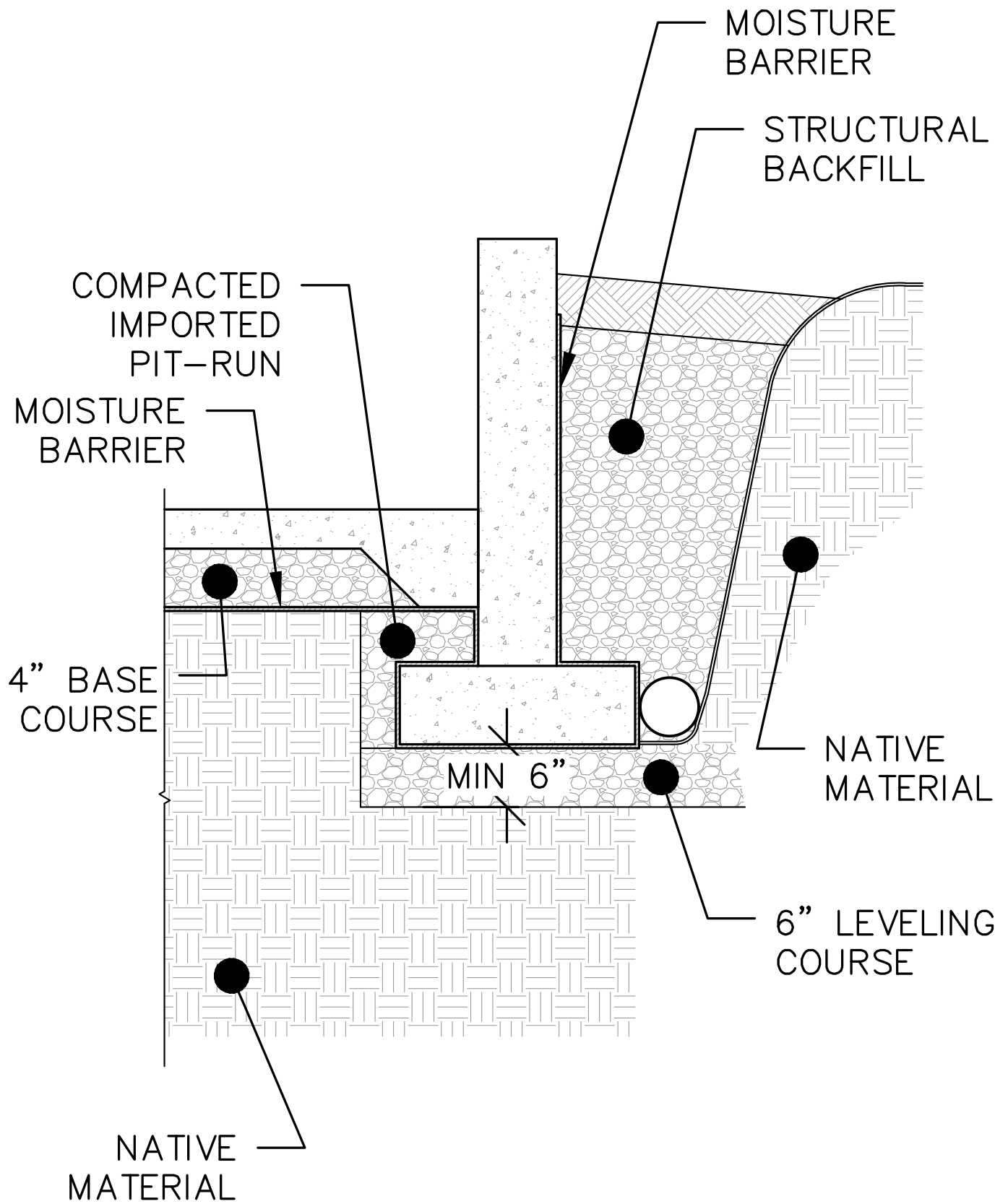
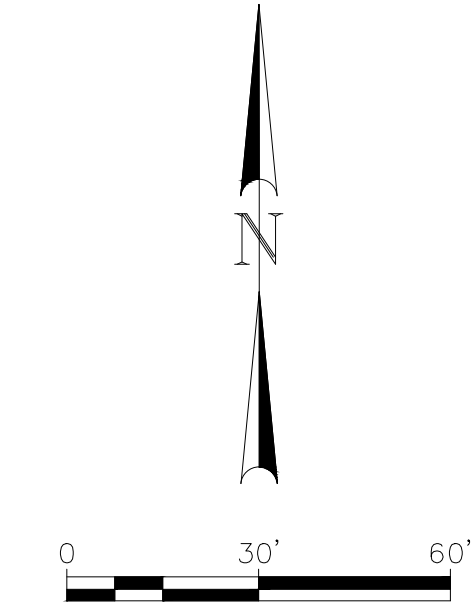
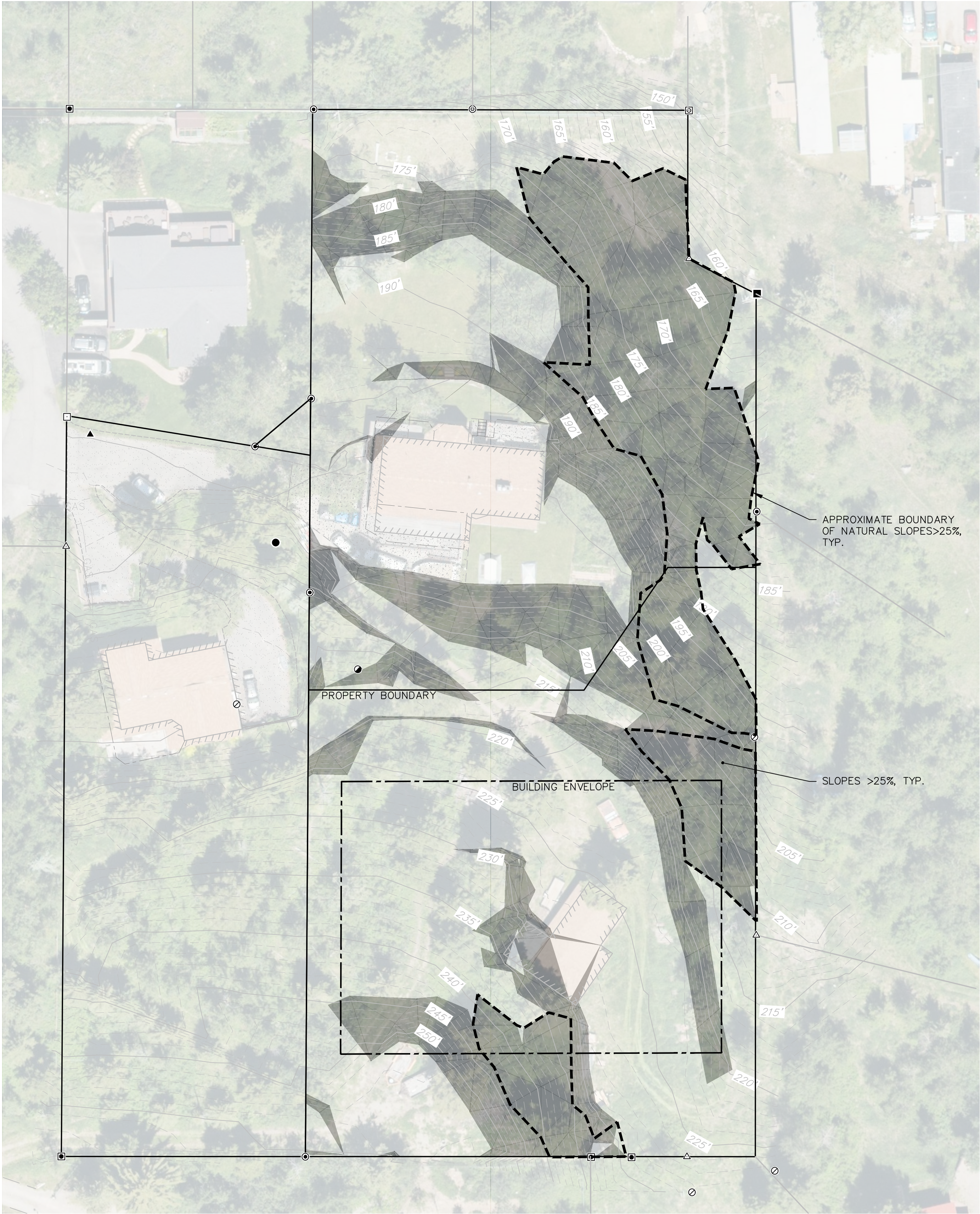


FIGURE 7



NOTES:
EXISTING TOPOGRAPHY CONSISTS OF DATA
COLLECTED DURING GROUND SURVEY.

THOMPSON CONDITIONAL USE PERMIT
THOMPSON FAMILY TRUST
808 UPPER REDMOND ROAD
JACKSON, WY 83001

SLOPES EXHIBIT

FIG. 8

DATE	DRAWING SET TITLE
11/12/2019	DEV & CUP
DRAWN BY: JG	CHECKED BY: VR
	JOB #: 09107

Y2

CONSULTANTS

ENGINEERING, SURVEYING & PLANNING

LANDSCAPE ARCHITECTURE, GIS

NATURAL RESOURCE SERVICES

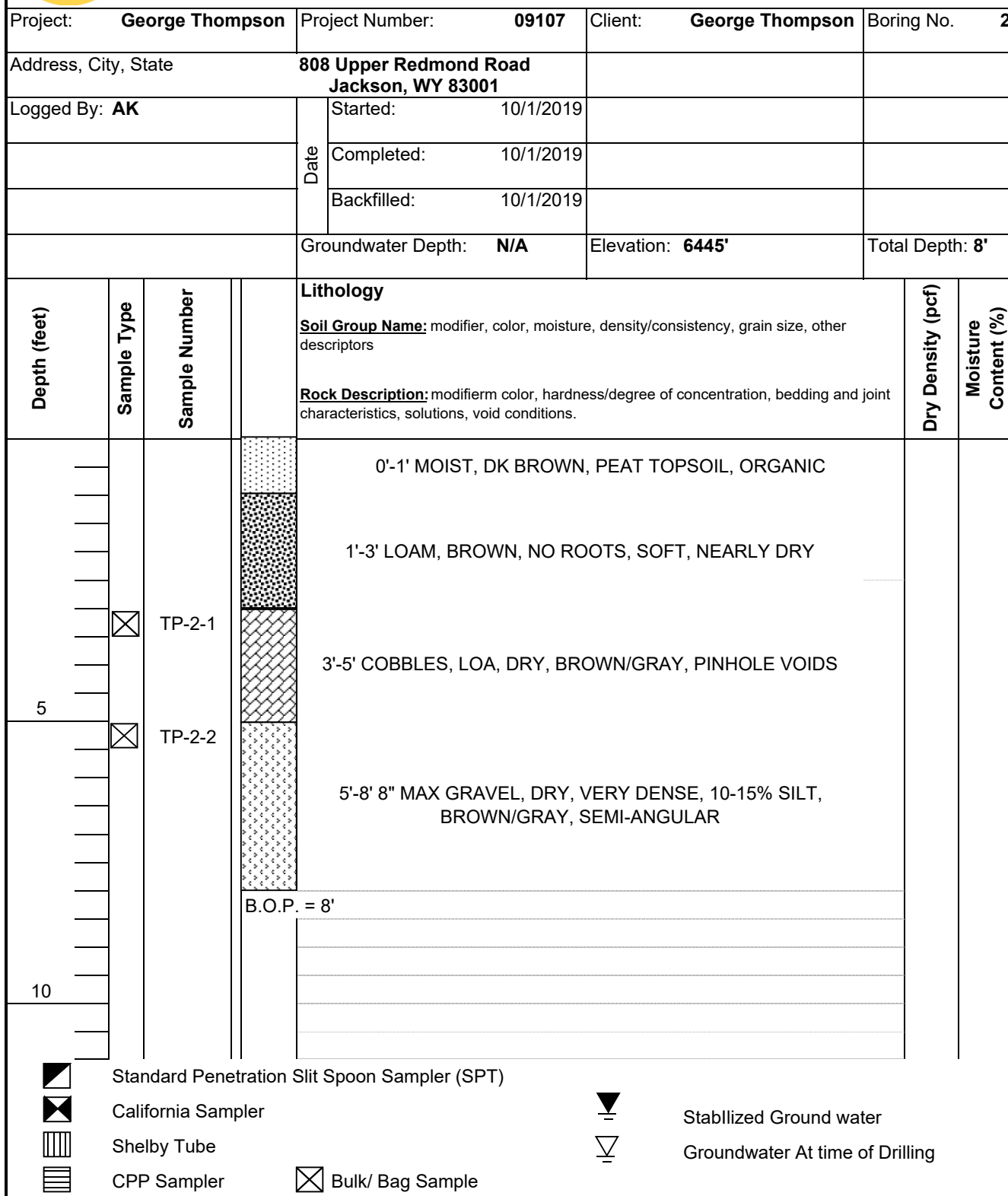
y2consultants.com

307.733.2959

TEST PIT LOGS

[illegible]

- 63 of 91





Y2 CONSULTANTS

Project: George Thompson	Project Number: 09107	Client: George Thompson	Boring No. 3
Address, City, State 808 Upper Redmond Road Jackson, WY 83001			
Logged By: AK	Date	Started: 10/1/2019	
		Completed: 10/1/2019	
		Backfilled: 10/1/2019	
Groundwater Depth: N/A		Elevation: 6440'	Total Depth: 13'

Depth (feet)	Sample Type	Sample Number	Lithology	Dry Density (pcf)	Moisture Content (%)
			Soil Group Name: modifier, color, moisture, density/consistency, grain size, other descriptors Rock Description: modifier color, hardness/degree of concentration, bedding and joint characteristics, solutions, void conditions.		
0'-1'	☒	TP-3-1	MOIST, DK BROWN, PEAT TOPSOIL, ORGANIC		
1'-2'			GRAY LOAM		
2'-8'			SILTY LOAM, PIECES OF WOOD, ROOTS, DK BROWN, WET, SMALL PINHOLE VOIDS		
8'-13'	☒	TP-3-2	SOFT GRAY, PINHOLE VOIDS, LOAM, MAN-MADE, UNCONSOLIDATED DEPOSIT, CALCIUM CARBONATE, ONE 1' DIA. ROCK FOUND AT 10'		
B.O.P. = 13'					



Standard Penetration Slit Spoon Sampler (SPT)



California Sampler



Shelby Tube



CPP Sampler



Bulk/ Bag Sample



Stabilized Ground water



Groundwater At time of Drilling

66 of 91



CONSULTANTS

Project: George Thompson	Project Number: 09107	Client: George Thompson	Cut # 1
Address, City, State 808 Upper Redmond Road Jackson, WY 83001			
Logged By: AK	Date	Started: 10/1/2019	
		Completed: 10/1/2019	
		Backfilled: 10/1/2019	
	Groundwater Depth: N/A	Elevation: 6450'	

Depth (feet)	Sample Type	Sample Number			Lithology <u>Soil Group Name:</u> modifier, color, moisture, density/consistency, grain size, other descriptors <u>Rock Description:</u> modifier color, hardness/degree of concentration, bedding and joint characteristics, solutions, void conditions.	Dry Density (pcf)	Moisture Content (%)
5 10					2' CUT ON NATURAL SIDE WALL, GRAY LOAM		

- | | |
|--|---|
| | Standard Penetration Slit Spoon Sampler (SPT) |
| | California Sampler |
| | Shelby Tube |
| | CPP Sampler |
| | Bulk/ Bag Sample |
| | Stablized Ground water |
| | Groundwater At time of Drilling |

GEOTECHNICAL LABORATORY TEST RESULTS

Moisture Content Summary

Standard: ASTM D6913

Project Number:	09107
------------------------	-------



Sample ID: 09107-1-1 Depth: 1' Date: 10/7/2019

Mass of Container (g)	174.3	Moisture Content
Mass of Container + Wet Soil (g)	280.3	8%
Mass of Container + Dry Soil (g)	272.5	

Tested: DW/SH
Checked: VR

Sample ID: 09107-3-1 Depth: 1' Date: 10/7/2019

Mass of Container (g)	175.0	Moisture Content
Mass of Container + Wet Soil (g)	266.4	20%
Mass of Container + Dry Soil (g)	251.0	

Tested: DW/SH
Checked: VR

Sample ID: 09107-3-2 Depth: 8' Date: 10/7/2019

Mass of Container (g)	175.1	Moisture Content
Mass of Container + Wet Soil (g)	258.4	31%
Mass of Container + Dry Soil (g)	238.9	

Tested: DW/SH
Checked: VR

Sample ID: 09107-2-1 Depth: 3' Date: 10/7/2019

Mass of Container (g)	175.3	Moisture Content
Mass of Container + Wet Soil (g)	267.4	7%
Mass of Container + Dry Soil (g)	261.5	

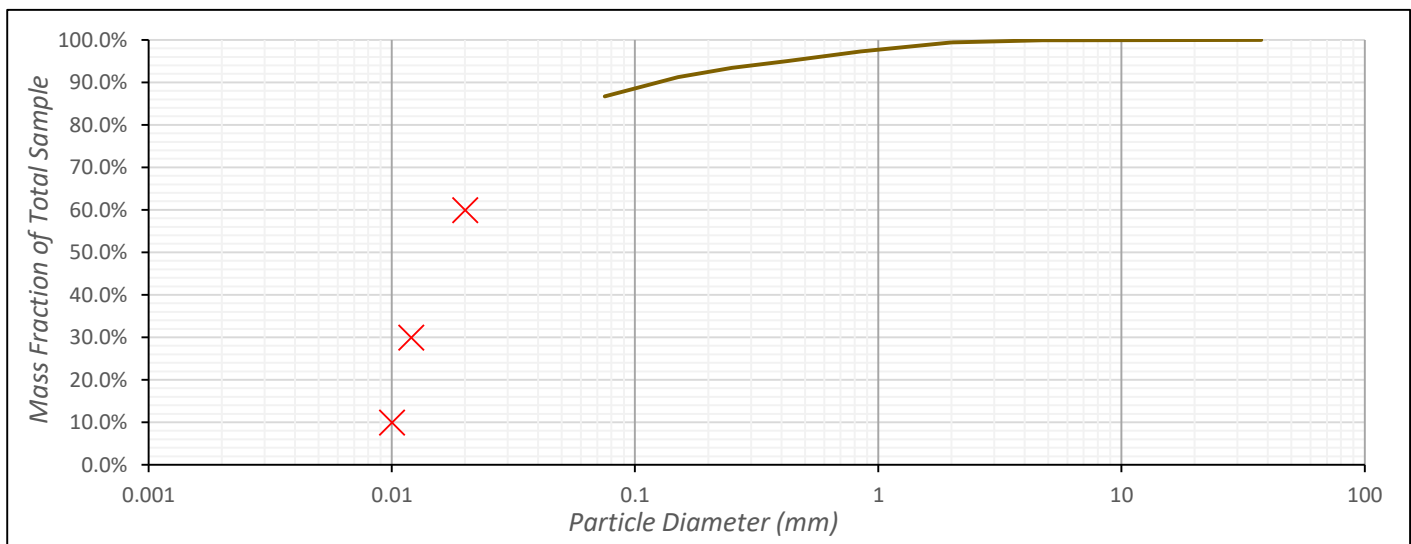
Tested: DW
Checked: VR

Soil Analyses

(Sieve, Atterberg, Hydrometer & Moisture)



Project Number: 09107						
Sample Depth: 3'			Sample No: 09107-2-1			
Sample Date: 10/1/2019			Tested By: AK/DW/SH		Checked By: AK	
Sieve Number	Diameter (mm)	Mass of Empty Sieve (g)	Mass of Sieve + Soil Retained (g)	Soil Retained (g)	Soil Retained (%)	Soil Passing (%)
1 1/2"	37.5	0.0	0.0	0.0	0.0%	100.0%
1/4"	6.35	789.4	789.8	0.4	0.1%	99.9%
#4	4.75	509.8	509.8	0.0	0.0%	99.9%
#10	2	478.3	480.6	2.3	0.5%	99.4%
#20	0.85	635.3	645.4	10.1	2.1%	97.3%
#40	0.425	362.2	373.0	10.8	2.3%	95.0%
#60	0.25	554.1	561.9	7.8	1.6%	93.4%
#100	0.15	522.0	532.3	10.3	2.2%	91.2%
#200	0.075	320.5	342.0	21.5	4.5%	86.7%
Pan	0	372.7	377.8	5.1	1.1%	85.7%
Washed Material				408.1	85.7%	
Sum of Total Sample				476.4	100.0%	



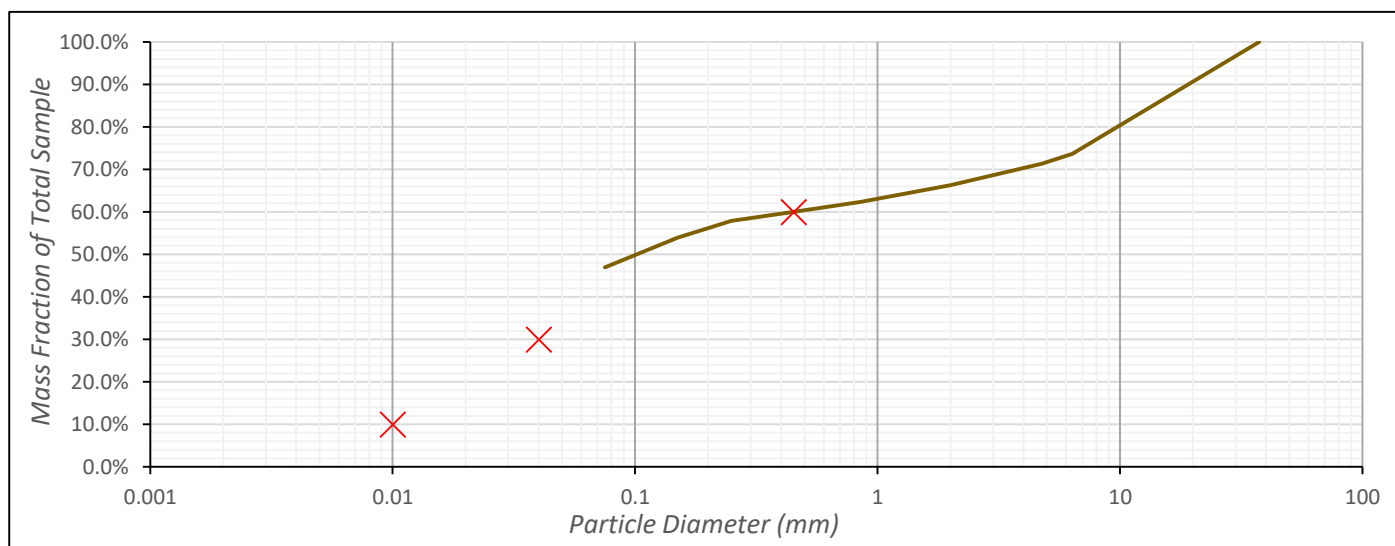
Gravel Content	0.1%	D ₁₀ (mm) =	0.010	Cu =	2.00
Sand Content	13.2%	D ₃₀ (mm) =	0.012	Cc =	0.72
Fines Content	86.7%	D ₆₀ (mm) =	0.020		
Sample Classification	Silt ML ML			Plastic Limit	0.0%
Classification Abbreviation				Liquid Limit	0.0%
Fine Classification				Plasticity Index	0.0%
Moisture Content					
Mass of Container (g)			175.3	Moisture Content	
Mass of Container + Wet Soil (g)			267.4	7%	
Mass of Container + Dry Soil (g)			261.5		

Soil Analyses

(Sieve, Atterberg, Hydrometer & Moisture)



Project Number: 09107						
Sample Depth: 5'			Sample No: 09107-2-2			
Sample Date: 10/1/2019			Tested By: AK/DW/SH		Checked By: AK	
Sieve Number	Diameter (mm)	Mass of Empty Sieve (g)	Mass of Sieve + Soil Retained (g)	Soil Retained (g)	Soil Retained (%)	Soil Passing (%)
1 1/2"	37.5	0.0	0.0	0.0	0.0%	100.0%
1/4"	6.35	789.4	1089.8	300.4	26.4%	73.6%
#4	4.75	509.8	535.9	26.1	2.3%	71.3%
#10	2	478.3	535.5	57.2	5.0%	66.3%
#20	0.85	635.3	680.4	45.1	4.0%	62.3%
#40	0.425	362.2	391.0	28.8	2.5%	59.8%
#60	0.25	554.1	576.4	22.3	2.0%	57.8%
#100	0.15	522.0	566.4	44.4	3.9%	53.9%
#200	0.075	320.5	399.7	79.2	7.0%	47.0%
Pan	0	372.7	388.1	15.4	1.4%	45.6%
Washed Material				519.5	45.6%	
Sum of Total Sample				1138.4	100.0%	



Gravel Content	28.7%	D ₁₀ (mm) =	0.01	Cu =	45.00
Sand Content	24.3%	D ₃₀ (mm) =	0.04	Cc =	0.36
Fines Content	47.0%	D ₆₀ (mm) =	0.45		
Sample Classification	Silty Gravel with Sand			Plastic Limit	0.0%
Classification Abbreviation				Liquid Limit	0.0%
Fine Classification				Plasticity Index	0.0%
Moisture Content					
Mass of Container (g)			NA	NA	
Mass of Container + Wet Soil (g)			NA		
Mass of Container + Dry Soil (g)			NA		

TEST PIT PHOTOS



TP 1



TP 2



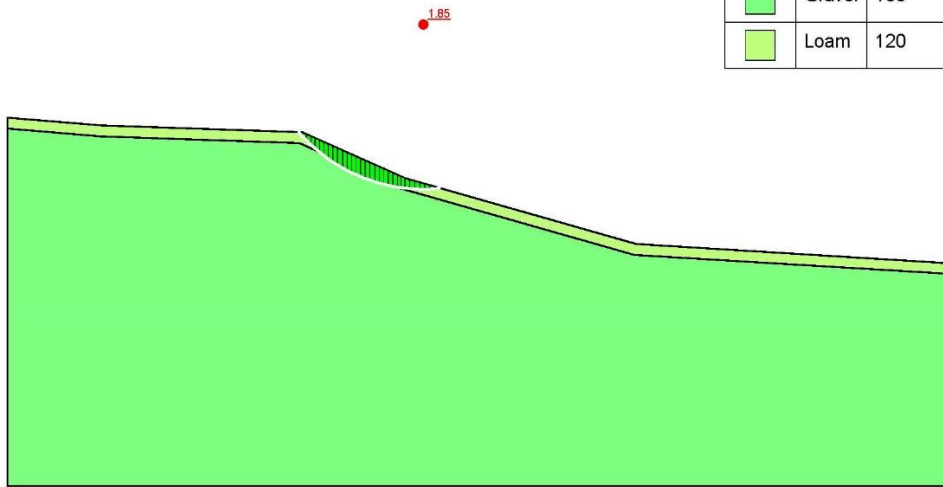
TP 3



TP 4

SLOPE STABILITY ANALYSIS RESULTS

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	Gravel	138	0	36
	Loam	120	208	30



February 26, 2020

Geotechnical Report
Addendum 2 – revised driveway slope stability analysis
808 Upper Redmond Road, Jackson, WY

This letter serves as Addendum 2 to the original Geotechnical Report by Y2 Consultants for 808 Upper Redmond Road dated November 14th, 2019.

The design and location of the proposed access road was revised after completion of the 11/14/19 report. Revision 1 is dated 1/28/2020, and revision 2 is dated 2/26/2020. Revision 1 includes small retaining walls less than 4 feet in height. Revision 2 does not include any retaining walls. Slope stability analyses were carried out on revision 1 to verify the stability of the slopes in the proposed condition. The subsurface information and soil strength parameters for slope stability analyses were discussed in the original report.

Two new slope cross sections (Sections B and C; see Sheet C1.2, enclosed) were developed for the slope stability analysis using the finished grade topography. The results of the slope stability analysis are enclosed, and a summary is provided in the following table:

Section	Average Existing Slope Inclination	Factor of Safety
B	5.5 H : 1 V±	2.69
C	5.2 H : 1 V±	2.52

The minimum computed factor of safety for the overall stability of the analyzed sections are higher than the minimum 1.5 required factor of safety. Therefore, the slope profiles are considered stable in the long-term and the proposed development can be carried out safely with regards to the slope stability.

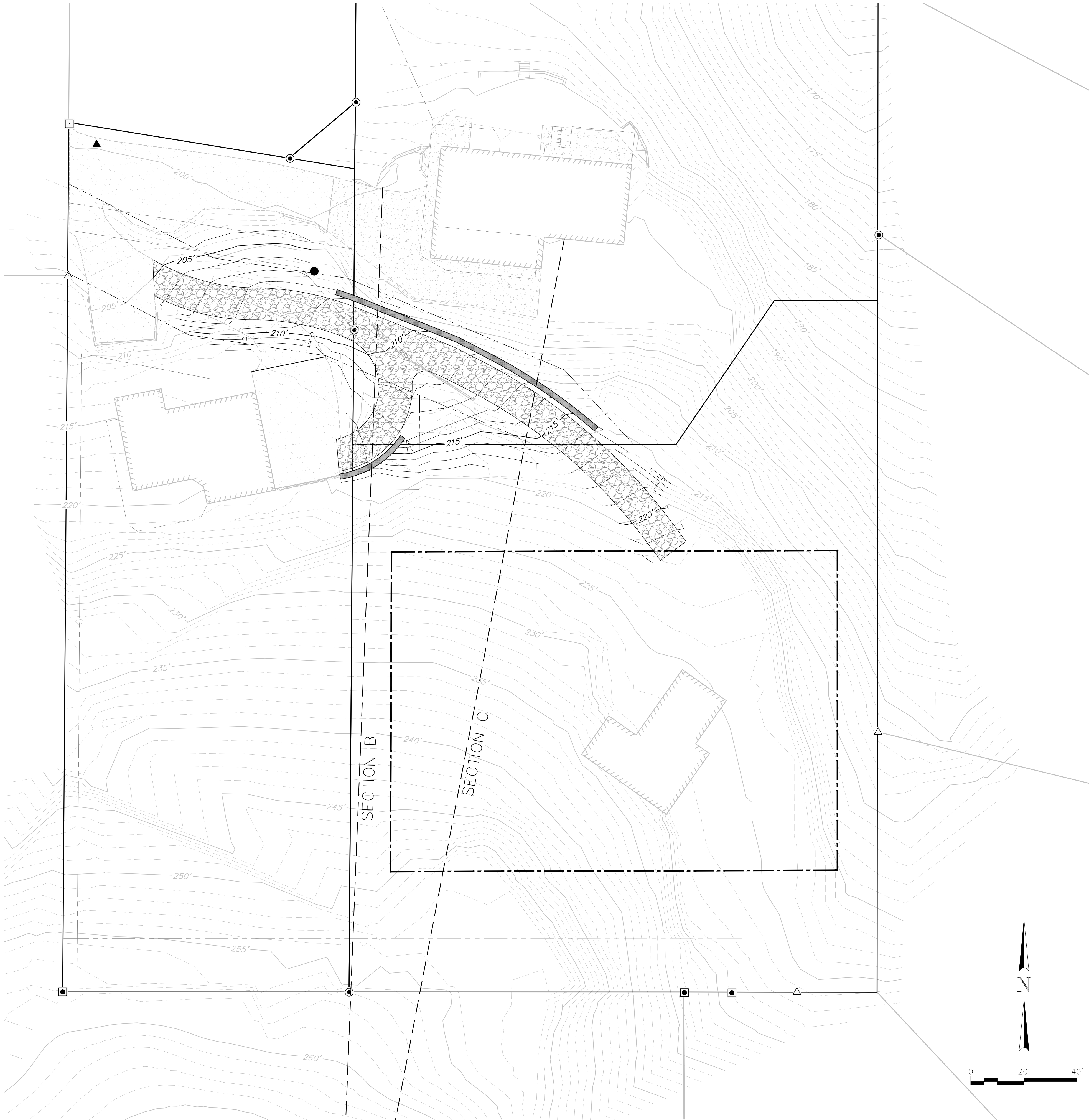
The revision 2 driveway was reviewed in the context of the original Geotech report and subsequent slope stability analyses (original, and for revision 1 presented herein), and its effect on slope stability is considered to be lesser than for either of the first 2 iterations (original and revision 1). Additional slope stability analyses were not conducted, but the slope profiles of revision 2 are considered stable in the long-term and the proposed development can be carried out safely with regards to the slope stability.

Encl: *Sheet C1.2 Slope Stability Sections*
Slope stability analysis results



Zia Yasrobi, PE

LAST SAVED: 1/30/2020 11:36 AM BY: VINCE ROUX
f:\2019\09107 Thompson\Civil\cad 2016\09107_Grading.dwg



GENERAL NOTES:

- EXISTING TOPOGRAPHY CONSISTS OF DATA COLLECTED DURING GROUND SURVEY SUPPLEMENTED WITH TETON COUNTY LIDAR DATA BEYOND THE LIMITS OF THE SURVEY SOUTH AND WEST OF THE PROPERTY BOUNDARIES.
- GRADINGS, UTILITY DESIGN, AND STORMWATER MANAGEMENT SHOWN HEREON ILLUSTRATES FEASIBILITY AND CONSTRUCTIBILITY. FINAL DESIGN AND UTILITY LOCATIONS WILL BE DETERMINED AT GRADING AND EROSION CONTROL PERMIT SUBMITTAL.
- MULTIPLE UTILITIES MAY SHARE TRENCHES WHERE APPLICABLE.
- SYMBOLS IN GRAY ON THE SITE PLAN INDICATE THAT THE SYMBOL IS EXISTING.

SURVEY NOTES:

BUILDING FOOTPRINTS AS SHOWN HEREON REPRESENT FIELD MEASUREMENTS MAPPED AS PART OF THIS SURVEY AND ARE NOT INTENDED TO REPRESENT ARCHITECTURAL DIMENSIONS. ROOF EAVES WERE NOT MAPPED AS PART OF THIS SURVEY.

UNDERGROUND UTILITIES SHOWN HEREON WERE MAPPED FROM MARKINGS PROVIDED BY MAGIC VALLEY PRIVATE UTILITY LOCATE COMPANY ON APRIL 25, 2016.

NO WETLAND MAPPING WAS DONE UNDER THIS SURVEY.

BASE ELEVATION = 200.0' AT CP NO. 1 AS SHOWN HEREON. (LOCAL DATUM)

TOPOGRAPHIC FEATURES REPRESENTED ON THIS MAP SHOW CONDITIONS DETERMINED BY A FIELD SURVEY MADE FROM APRIL 27 TO MAY 3, 2016 AND ON AUGUST 5, 2016 AND MAY NOT REFLECT CHANGES MADE SUBSEQUENT TO THAT DATE.

BASIS OF BEARING IS N00°24'00"E ALONG THE WEST LINE OF REVISED PARCEL B.

CURRENT ZONING = NL-1 (SUBURBAN – TOWN OF JACKSON)
DEVELOPMENT SETBACKS ARE ESTABLISHED BY THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS, EFFECTIVE APRIL 1, 2016, REFER TO COUNTY DOCUMENT

STREET: 25'
SIDE: 15'
REAR: 40'

LEGEND

(E) - EXISTING (P) - PROPOSED

	(E) STRUCTURE
	PROPERTY BOUNDARY
	BUILDING ENVELOPE
	(E) EASEMENT
	(P) EASEMENT
	(E) MAJOR CONTOUR
	(E) MINOR CONTOUR
	(P) MAJOR CONTOUR
	(P) MINOR CONTOUR
	(E) EDGE OF ASPHALT
	(P) EDGE OF ASPHALT
	(E) EDGE OF CONCRETE
	(E) EDGE OF GRAVEL
	(P) EDGE OF GRAVEL
	(E) FENCE
	(E) WATER MAIN
	(E) WATER SERVICE
	(P) WATER SERVICE
	(E) SEWER MAIN
	(E) SEWER SERVICE
	(P) SEWER SERVICE
	(E) COMMUNICATIONS LINE
	(P) COMMUNICATIONS LINE
	(E) UNDERGROUND ELECTRIC
	(P) UNDERGROUND ELECTRIC
	(P) SNOW STORAGE
	(P) STORMWATER BASIN

- INDICATES A BRASS CAP INSCRIBED "RLS 578" FOUND THIS SURVEY
- INDICATES A BRASS CAP INSCRIBED "RLS 164" FOUND THIS SURVEY
- INDICATES A 5/8" DIA. REBAR WITH PLASTIC CAP INSCRIBED "PLS 3831" FOUND THIS SURVEY
- INDICATES A 5/8" DIA. REBAR WITH ALUMINUM CAP INSCRIBED "PE & LS 578" FOUND THIS SURVEY
- INDICATES A 5/8" DIA. REBAR WITH ALUMINUM CAP INSCRIBED "PLS 6447" FOUND THIS SURVEY
- INDICATES A 5/8" DIA. REBAR WITH NO CAP FOUND THIS SURVEY
- INDICATES A STEEL T-STAKE WITH CHROME CAP INSCRIBED "RLS 3889" FOUND THIS SURVEY
- INDICATES A STEEL T-STAKE WITH CHROME CAP INSCRIBED "PE & LS 2612" FOUND THIS SURVEY
- INDICATES A STEEL DISTURBED T-STAKE WITH NO CAP FOUND THIS SURVEY
- INDICATES A STEEL SPIKE SET THIS SURVEY FOR ORIENTATION AND MAPPING PURPOSES.
- SEWER CLEANOUT
- TELEPHONE PEDESTAL
- ELECTRIC PEDESTAL
- ELECTRIC METER
- SEWER MANHOLE
- WATER MANHOLE
- WATER VALVE
- DRAIN PIPE
- POWER POLE
- GUY WIRE
- SATELLITE DISH
- SPIGOT
- GAS VALVE
- YARD LIGHT
- ELECTRIC SWITCH ON WOOD POST
- IRRIGATION CONTROL VALVE

THOMPSON CONDITIONAL USE PERMIT

THOMPSON FAMILY TRUST

808 UPPER REDMOND ROAD
JACKSON, WY 83001

SLOPE STABILITY
SECTIONS

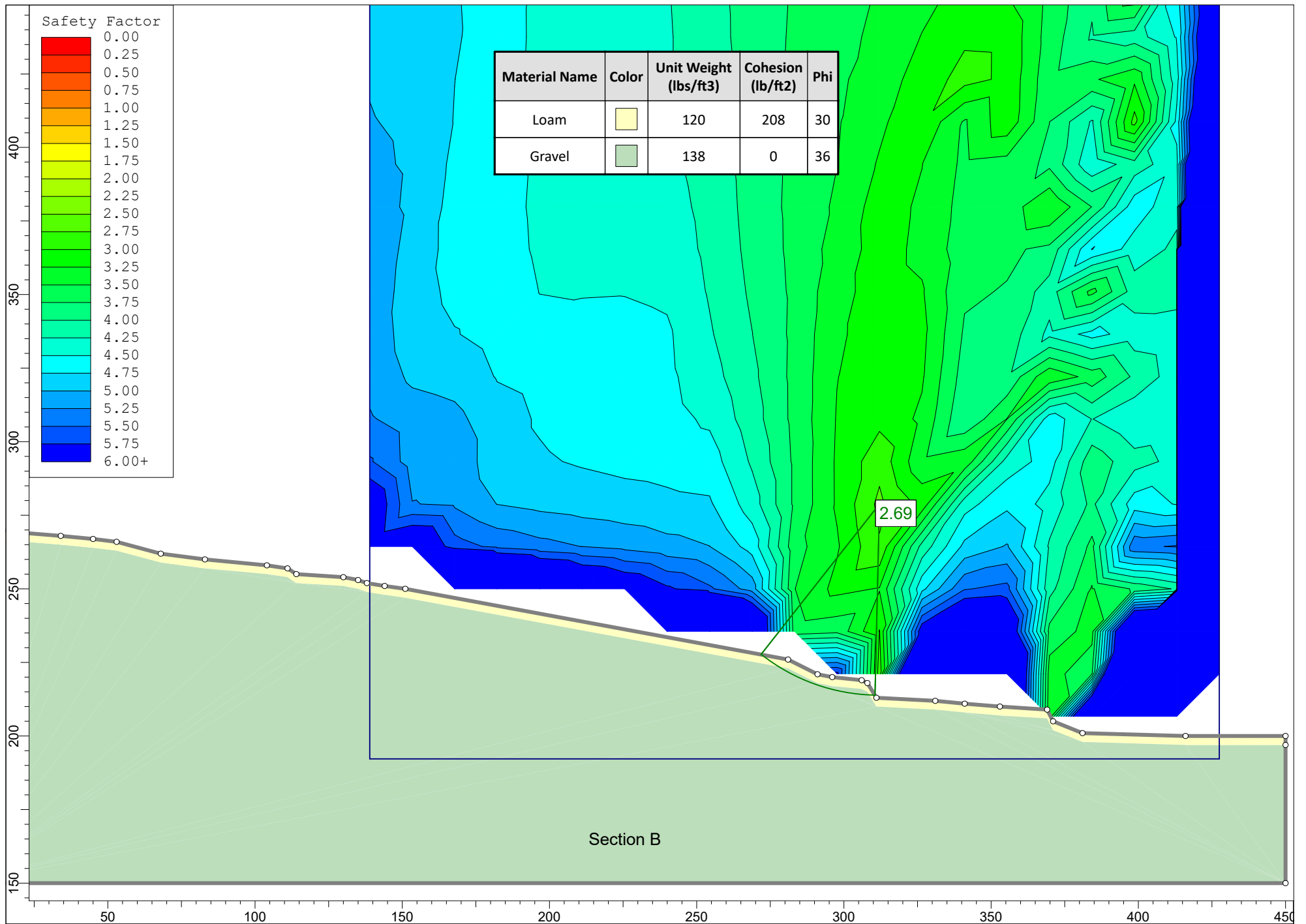
C1.2

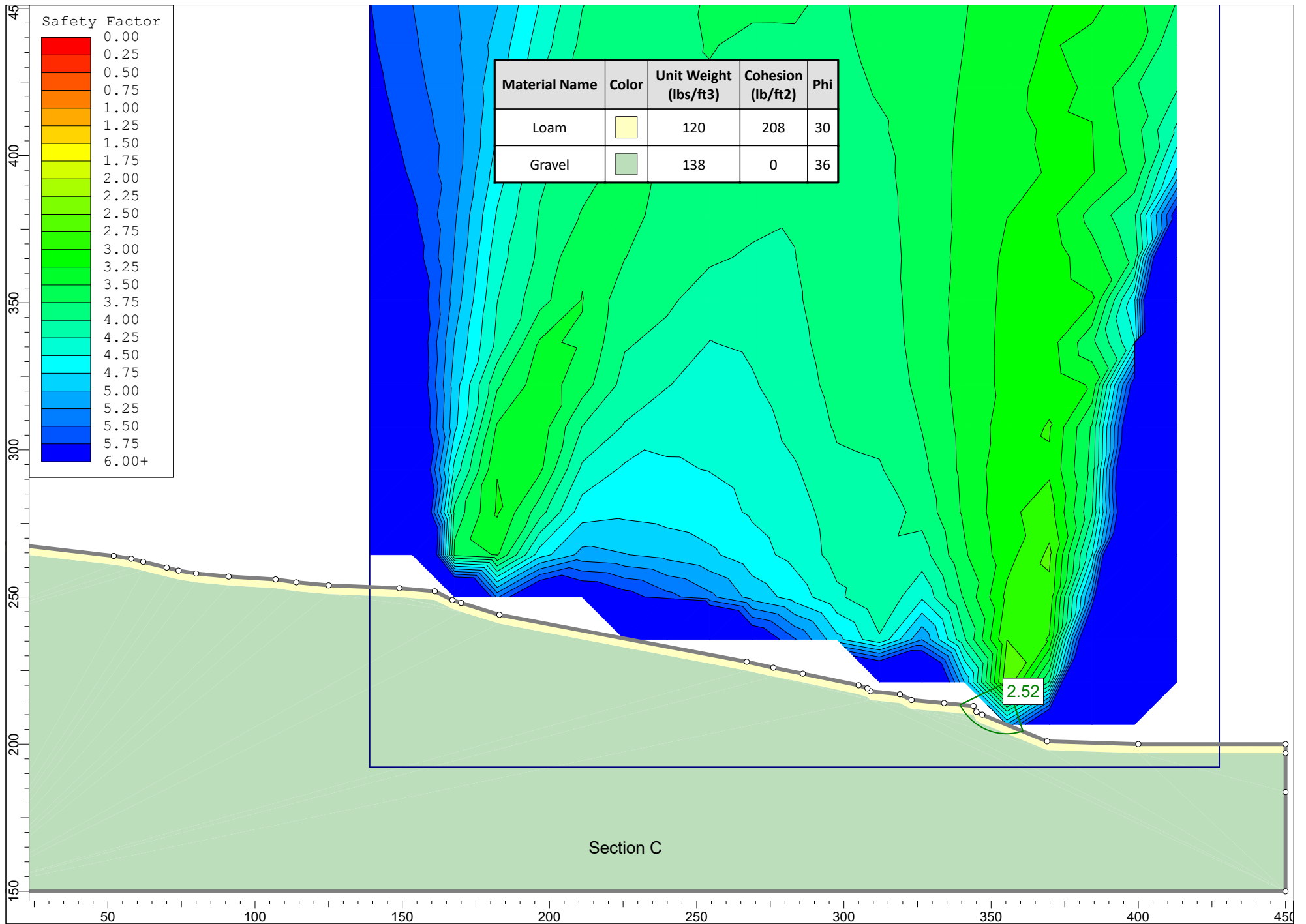
DRAWING SET TITLE	DEV & CUP
DATE	11/12/2019
	1/28/2020
	DEV & CUP

DRAWN BY: AK
CHECKED BY: VR
JOB #: 09107

CONSULTANTS
ENGINEERING, SURVEYING & PLANNING
LANDSCAPE ARCHITECTURE, GIS
NATURAL RESOURCE SERVICES

Y2
y2consultants.com
307 733 2999





November 8, 2019

Town of Jackson
Planning Department
150 E Pearl Avenue
Jackson, WY 83001

RE: Wildlife report, 808 Upper Redmond Drive

To Whom it May Concern

A site visit was completed on the parcel located at 808 Upper Redmond Road to determine what, if any, wildlife habitat value is provided by the parcel. The 2.04 parcel (PIDN 22-41-16-34-4-00-006) is located in east Jackson between Cache Creek Drive and Upper Cache Creek Drive, east of Snow King Drive.

A review of historical aerial imagery shows the parcel was historically covered with a relatively dense aspen stand with few conifers (Figure 1). The parcel was developed into a single-family residence with an associated unit between 1978 and 1983; recent aerial imagery shows the invasion of conifers into the aspen stand. This is a common occurrence when wildfire is removed from aspen systems (Figure 2).

Today, the property is surrounded by developed parcels. Dense development is located northeast of the parcel in the Budge Mobile Home Park. Single family residences are the primary development in the area.

Teton County remotely sensed vegetation cover types and mapped vegetation within the Town of Jackson. The subject parcel is mapped as Mixed Evergreen-Aspen forest. The site visit confirmed the vegetation was consistent with that cover type.

Several vehicle trails extend through the property (Figure2), potentially created from tree clearing efforts. Little dead or downed wood was observed during the site visit. The trails appear to be used regularly.

Habitat for large ungulates (mule deer, elk and moose) is limited on this parcel. With limited understory and little regeneration in the remnant aspen clone, there is little forage value. Deer and elk will browse conifers, but there are higher-value habitats without the human disturbance nearby which are likely preferred by ungulates. Domestic pets (cats and dogs) also negatively impact the potential habitat value of the site for wildlife.

The parcel may provide some roosting and nesting habitat for hummingbirds, flycatchers and woodpeckers. Historic and current human impacts, including the removal of all dead and downed wood, decrease the habitat value of this site.

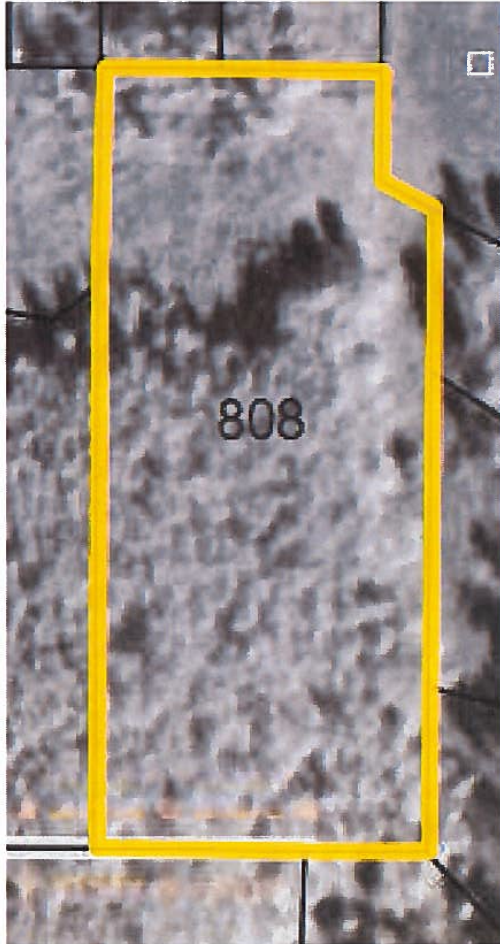


Figure 1. 1955 aerial imagery.



Figure 2, 2019 aerial imagery.

Please let me know if I can provide any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brenda Younkin', written in a cursive style.

Brenda Younkin, MS, CBMC
Owner
Brenda@y2consultants.com



y2consultants.com
307 733 2999

ENGINEERING, SURVEYING & PLANNING
LANDSCAPE ARCHITECTURE, GIS
NATURAL RESOURCE SERVICES

April 13, 2020

Town of Jackson Planning and Building Department
Attn: Brendan Conboy
PO Box 1687
Jackson, WY 83001
BConboy@jacksonwy.gov
(307) 733-0440

RE: Response to P20-035 & P20-036 Department Reviews

Dear Brendan,

I want to take this opportunity to reply to the department review comments received on April 6, 2020 from the Town Engineer, Brian Lenz, and his recommendation for denial. I appreciate that you took the time to talk to the Planning Director and for continuing these items until the May 6 Planning Commission Meeting and the June 1 Town Council Meeting. That will give Y2 and George Thompson the opportunity to address Brian's concerns.

The response to Brian's opinion from Y2's engineers and surveyors follows:

Project Specific Comments

Item 1. – "All existing easements for water and sewer utilities shall be shown..."

- a. Plat 562 does not list any record document information for this easement. The owner(s) of the subdivided land did not own the property encumbered by the easement and therefore did not have the legal right to grant the easement as shown on Plat 562. Title reports run for the property did not show a record document that conveys this easement properly, so we've shown a new easement on the draft plat attached.
- b. Utility easements for utilities that enter the platted property are shown on the draft plat provided, and separate documents will be drafted and recorded where utilities fall outside of the platted property. Additionally, as part of any future conveyance of Thompson property an agreement relating to the drainage grading will be included in the form of an easement or other legally binding agreement. As this is a proposed driveway alignment and design it is our desire to hold off drafting easements for these small irregularly shaped areas until we are sure that they are necessary. If mitigation can occur within the 30-foot-wide easement shown, we would prefer to not encumber the property more.
- c. Easements for 809 Upper Redmond are shown on the draft plat.

Item 2. – Several engineering principles and designs were considered during the design of the proposed access:

1. Sharing the 809 Upper Redmond access drive offers an opportunity to rebuild the lower portion of this drive in order to reduce the steep slopes (16%+) and thereby improving the usability and safety of this existing driveway, both for residents and for emergency vehicles. Although this may add costs it also provides a quantifiable benefit.
2. The available space in front (west) of the 808 Upper Redmond residence between the building and the retaining wall is narrow (approximately 30 feet). Vehicles parked west of the residence limit the remaining space for a driveway to the proposed south lot (20 feet for parking, 10 feet left for drive). This narrowing also occurs at a curve in the path of travel; vehicle turn radii and overhangs require additional space through curves. The proximity of the parked vehicles and the existing retaining wall preclude the use of this space in its current conditions that includes sufficient clear zone, particularly for larger vehicles, according to the Teton County Fire Resolution minimums to ensure optimal access for emergency vehicles. Winter snow conditions exacerbate these conditions. Modifications to this area in order to meet those minimum driveway design standards would require demolition of the existing retaining wall and construction of a new retaining wall. This work would cause considerable disturbance to existing vegetation and slopes and add significant additional construction costs.
3. The existing access starts relatively steep (17-20%) and would require re-grading to achieve a useable, safe, and Fire Resolution-compliant driveway grade. This re-grading (cut, rather than fill) would likely undermine the foundation of the existing retaining wall, thereby also creating a situation wherein the retaining wall must be demolished and reconstructed, creating disturbance of slopes and vegetation, and adding cost.
4. The existing access will be reclaimed and revegetated.
5. It was our client's intent to access this lot from the south through an easement that he has enjoyed the use of for many decades and which has been deemed legal access for others. Neighbors who do not want him to enjoy continued use of this easement have turned this into a legal issue that our client is not interested in fighting at this time. Access from the north has always been a less desirable option and we would be happy to revert to what was always seen as legal access from the south by our client.

Item 3. – The proposed access easement across 809 Upper Redmond will be recorded prior to or contemporaneously with the plat or transfer of ownership, whichever comes first.

Geotech Report

Item 4. – The method used to determine slope stability is identified in the Geotech Report Addendum 1 (1/19/2020) on Page 9.

Item 5. – The seismic analysis is described in the Geotech Report Addendum 1 (1/19/2020) on Page 5 and supplemented by Appendix Figures 3 and 4. The factor of safety for each slope stability analysis is provided; for Section A, in the Geotech Report Addendum 1 (1/19/2020) on Page 10; for Sections B and C, in Addendum 2 (2/26/2020) on Page 1.

Item 6. – The slope stability analysis at Section A is no longer relevant as it relates to a previous driveway design and is superseded by the analyses completed for Sections B and C as part of Addendum 2 (2/26/2020).



Sincerely,

A handwritten signature in blue ink, appearing to read 'Zia', enclosed within a blue oval.

Zia Yasrobi, PE
Owner
zia@y2consultants.com

A handwritten signature in black ink, appearing to read 'Mark Fellermann', written in a cursive style.

Mark Fellermann, PLS
Survey Department Manager
mark@y2consultants.com

88 of 91

Town of Jackson
Project Plan Review History

PLANNING

Project Number	P20-035	Applied	2/27/2020	STOL
Project Name	Dev Plan - 808 Upper Redmond	Approved		
Type	DEVPLAN	Closed		
Subtype		Expired		
Status	STAFF REVIEW	Status		

Applicant	Y2 Consultants	Owner	THOMPSON FAMILY TRUST
------------------	----------------	--------------	-----------------------

Site Address	City	State	Zip
808 Upper Redmond Road	JACKSON	WY	83001

Subdivision	Parcel No	General Plan
	22411634400006	

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact					
Notes					
Building	APPROVED	3/10/2020	3/31/2020	3/19/2020	
Kelly Sluder					
Fire	APPROVED W/CONDITI	3/10/2020	3/31/2020	3/18/2020	Shall be reviewed under IWUIC
Kathy Clay					
Joint Housing Dept	APPROVED	3/10/2020	3/31/2020	3/12/2020	See Comments
Stacy Stoker					
(3/12/2020 1:15 PM SAS)					
This application is for a 2 lot subdivision with no construction. There is no Housing Mitigation Requirement at time of subdivision. The Housing Mitigation will be paid in fees at time of building permit.					
Legal	NO COMMENT	3/10/2020	3/31/2020	3/12/2020	
Lea Colasuonno					
Parks and Rec	NO COMMENT	3/10/2020	3/31/2020	3/11/2020	
Steve Ashworth					
(3/11/2020 2:20 PM STOL)					
No comment regarding P20-35&036 from P&R. Thanks.					
Andy Erskine, CPSI					
Pathways	NO COMMENT	3/10/2020	3/31/2020	3/19/2020	
Brian Schilling					
(3/20/2020 8:49 AM STOL)					
No comments from Pathways.					
Planning		3/10/2020	3/31/2020		
Brendan Conboy					

Type of Review Contact Notes	Status	Dates			Remarks
		Sent	Due	Received	
Police Todd Smith (3/11/2020 2:19 PM STOL) No comments on this one from me. Thank you.	NO COMMENT	3/10/2020	3/31/2020	3/11/2020	

Todd

Public Works Brian Lenz (4/6/2020 6:48 AM BTL) Development Plan and CUP Hillside – DENIED	DENIED	3/10/2020	4/3/2020	4/3/2020	
--	--------	-----------	----------	----------	--

P20-035 (Dev Plan) & 20-036 (CUP Hillside)
ADDRESS: 808 Upper Redmond
OWNER: Thompson Family Trust
APPLICANT: Y2 Consultants – Mark Fellerman

4/3/2020
Brian Lenz, 733-3079

DATE OF SUBMITTAL: 4/10/2020
DATE OF MATERIALS: 2/26/20 Site plan; 1/19/2020 Geotech Addendum 1; Geotech Addendum 2 2/26/2020
REVISION NO.:00

The engineering division has reviewed your application for a DEVELOPMENT PLAN submitted on and with application materials as dated above.

*The following items need to be addressed prior to Development Plan Approval.

PROJECT SPECIFIC COMMENTS

1. All existing easements for water and sewer utilities shall be shown. Where easements do not exist, new easements shall be granted with the new development. Easements shall provide a minimum of 15 feet, preferably 20 feet due to the hillside terrain, on each side of the main.
 - a. Plat 562 shows that there is a 20-foot wide easement for utilities along the east side of the proposed development. If this easement does not exist, show it as a future easement.
 - b. Show easements for utilities and drainage on adjacent properties.
 - c. The water and sewer utilities to 809 Upper Redmond that cut through the proposed lot require easements to be recorded on the plat or contemporaneously with the plat. Show this easement on the plan, a minimum 20 feet wide easement, preferably 30 feet wide due to the hillside terrain, centered over the utilities.
2. The proposed access to drive to the south lot does not follow the existing drive to the barn. Provide a statement as to why this access cannot be used in order to minimize disturbance to slopes and preserve existing vegetation; LDRS 5.7.2.A.9 & 5 respectively.
3. The proposed access easement is across 809 Upper Redmond which is not part of the development plan but under the same ownership. Provide a note and/or statement that the proposed access easement will be recorded prior to or contemporaneously with the plat or transfer of ownership, whichever comes first.

GEOTECH REPORT

4. Specify the specific methods that were used to determine the stability.
5. Provide the seismic analysis and factor of safety for slope stability.
6. Figure 8: Clarify where Section A is located. Identifying the test pits on Figure 8 would also be helpful for reference.

Public Works Brian Lenz	APPROVED W/CONDITI	4/14/2020	4/24/2020	4/23/2020	
----------------------------	--------------------	-----------	-----------	-----------	--

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact					
Notes					
(4/23/2020 11:03 AM BTL)					
Development Plan and CUP Hillside – APPROVED with CONDITIONS					

P20-035 (Dev Plan) & 20-036 (CUP Hillside)
 ADDRESS: 808 Upper Redmond
 OWNER: Thompson Family Trust
 APPLICANT: Y2 Consultants – Mark Fellerman

4/22/2020
 Brian Lenz, 733-3079

DATE OF SUBMITTAL: 4/10/2020
 DATE OF MATERIALS: 2/26/20 Site plan; 1/19/2020 Geotech Addendum 1; Geotech Addendum 2 2/26/2020
 REVISION NO.:01 Letter April 13, 2020

The engineering division has reviewed your application for a DEVELOPMENT PLAN submitted on and with application materials as dated above.

CONDITIONS OF APPROVAL:

1. Prior to or contemporaneously with the plat, grant minimum 20 feet wide utility easements benefitting the Town for water and sewer utilities. Easements should be a minimum 20 feet wide due to the hillside terrain. Coordinate the location and size of the easements with Town of Jackson Public Works.
2. Prior to or contemporaneously with the plat, or transfer of ownership, whichever comes first, grant utility easements across the development benefitting 809 Upper Redmond and any utility easements required across 809 Upper Redmond benefitting the development.
3. Prior to or contemporaneously with the plat, or transfer of ownership, whichever comes first, grant the proposed access easement to Lot 2 across 809 Upper Redmond, which is not part of the development plan but under the same ownership.
4. Prior to building permit issuance for the development slope stability will have to be reassessed once the design for a proposed development is available. Stability analysis shall specify the specific method used and consider seismic conditions.

START NO COMMENT 3/10/2020 3/31/2020 3/11/2020
 Darren Brugmann
 (3/11/2020 2:20 PM STOL)
 No Comments from START at this time.

Darren.



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: MAY 28, 2020
MEETING DATE: JUNE 1, 2020

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: PAUL ANTHONY
PRESENTER: BRENDAN CONBOY

SUBJECT: **ITEM P20-071:** SUBDIVISION PLAT FOR A SIX LOT SUBDIVISION AT 135 AND 175 EAST BROADWAY IN THE DOWNTOWN CORE (DC) AND URBAN COMMERCIAL (UC) ZONES.

APPLICANT: CIRQUE CONSULTING, LLC / MR. GEORGE PUTNAM

OWNER: CAFÉ G, LLC

REQUESTED ACTION

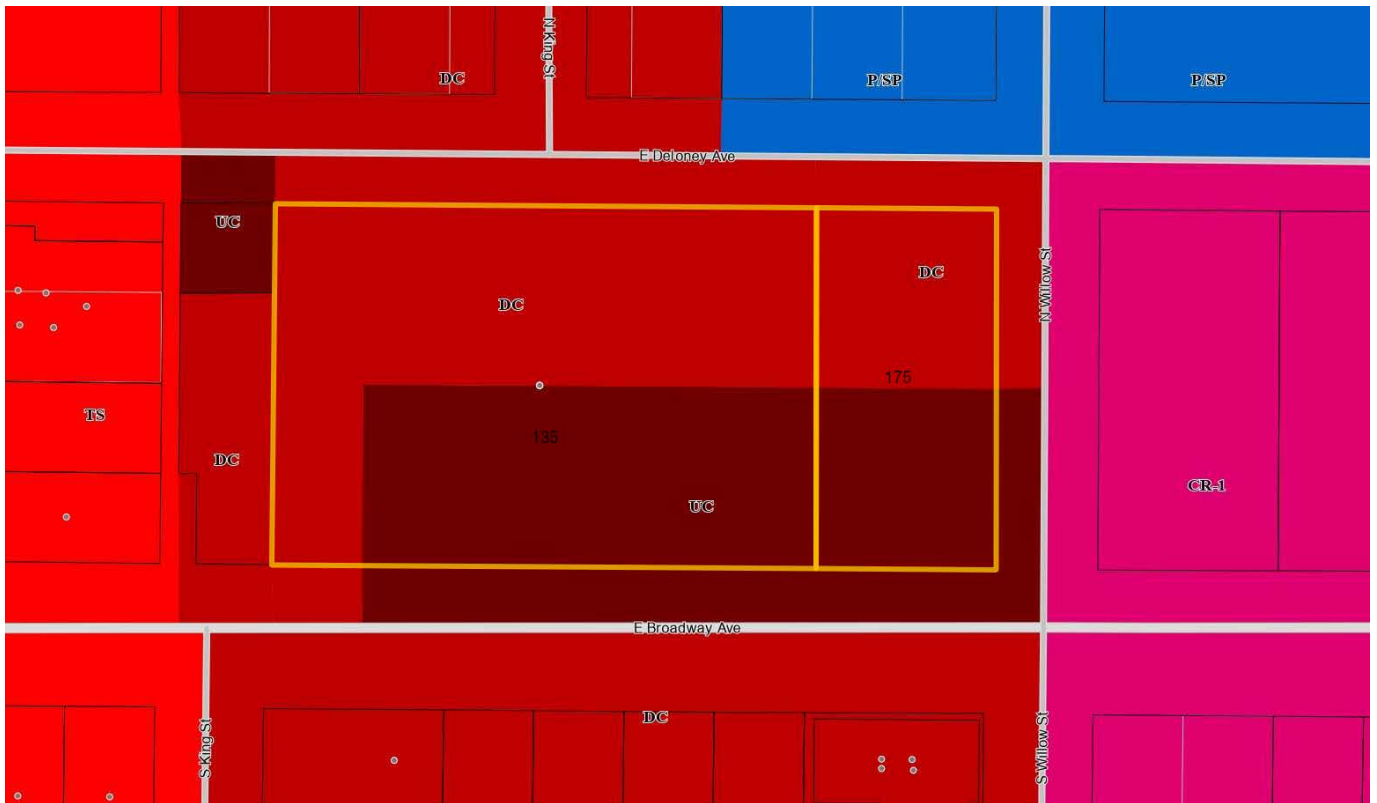
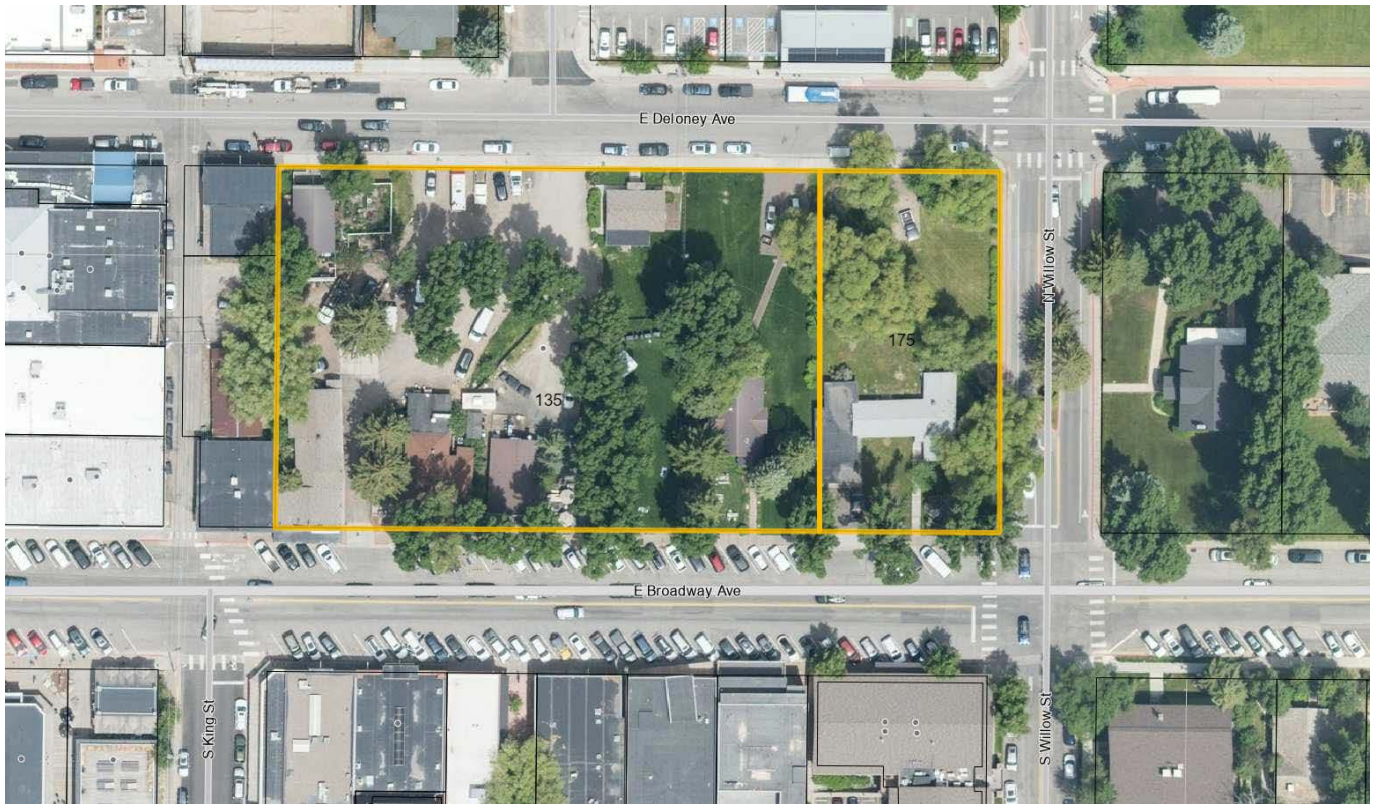
The applicant is requesting approval of a Subdivision Plat to divide the existing two (2) parcels into six (6) separate legal lots of record located at 135 and 175 East Broadway Avenue.

APPLICABLE REGULATIONS

Section 8.5.3.C Subdivision Plat

LOCATION

The properties are located at 135 & 175 East Broadway Avenue, legally described as parcels PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116 and PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116. An aerial photo and zoning map are shown below:



[BACKGROUND](#)

Existing Site Characteristics:

The subject property is 1.84 acres (approximately 80,150 SF). 135 East Broadway is 1.38 acres (60,113 SF) and 175 East Broadway is .46 acres (20,038 SF). The property at 135 E. Broadway has six existing structures on it including Belle Cose (facing Broadway), the Home Design and the Workshop buildings facing Deloney, and three buildings of historical significance, Café Genevieve, Persephone Bakery, and the Healthy Being Juicery. The second smaller parcel at 175 E. Broadway has one primary structure that serves as a residential unit on the southern portion of the site (also known as the Pillowfluffer building). The northern portion of the parcel contains the Cache Creek stormwater channel and no structures at this time. The parcels are split zoned between Urban Commercial (UC) zoning and Downtown Core (DC) zoning, please see the map above.

The overall site also contains considerable green open space and large cottonwood trees that add considerably to the character of the site. Taken together, the parcels are a ‘triple frontage’ property, meaning that they are bounded by three street frontages – Broadway on the south, Deloney on the north and Willow on the east. There is currently no alley serving the site largely as a result of the parcels never being subdivided. Adjacent properties are in the following zoning districts:

- The properties to the north across East Deloney Avenue are zoned Downtown Core (DC) and Public Semi/Public (P/SP);
- The properties to the east across North Willow Street are zoned Commercial Residential - 1 (CR-1);
- The properties to the south across East Broadway Avenue are zoned Downtown Core (DC); and
- The adjacent properties to the west are zoned Downtown Core (DC) at 105 E Broadway (P19-114 Zoning Map Amendment), Urban Commercial (UC) at 164 E Deloney Ave, and Town Square (TS) further west.

Zoning Map Amendment:

The current owner and applicant applied for a Zoning Map Amendment and on July 15, 2019 the Jackson Town Council voted to approve Items P19-105 & P19-107 to change the eastern and northern portions of 135 and 175 East Broadway Avenue from Urban Commercial (UC) to Downtown Core (DC). This rezone has resulted in two (2) different zoning districts on each parcel, however, the Zoning Map Amendment did not adjust the boundary lot lines in any way which was the subject of the Development Plan, Item P19-249, and this Subdivision Plat application. The final ordinance reading was completed and approved on September 3, 2019. The newly configured zoning is shown above.

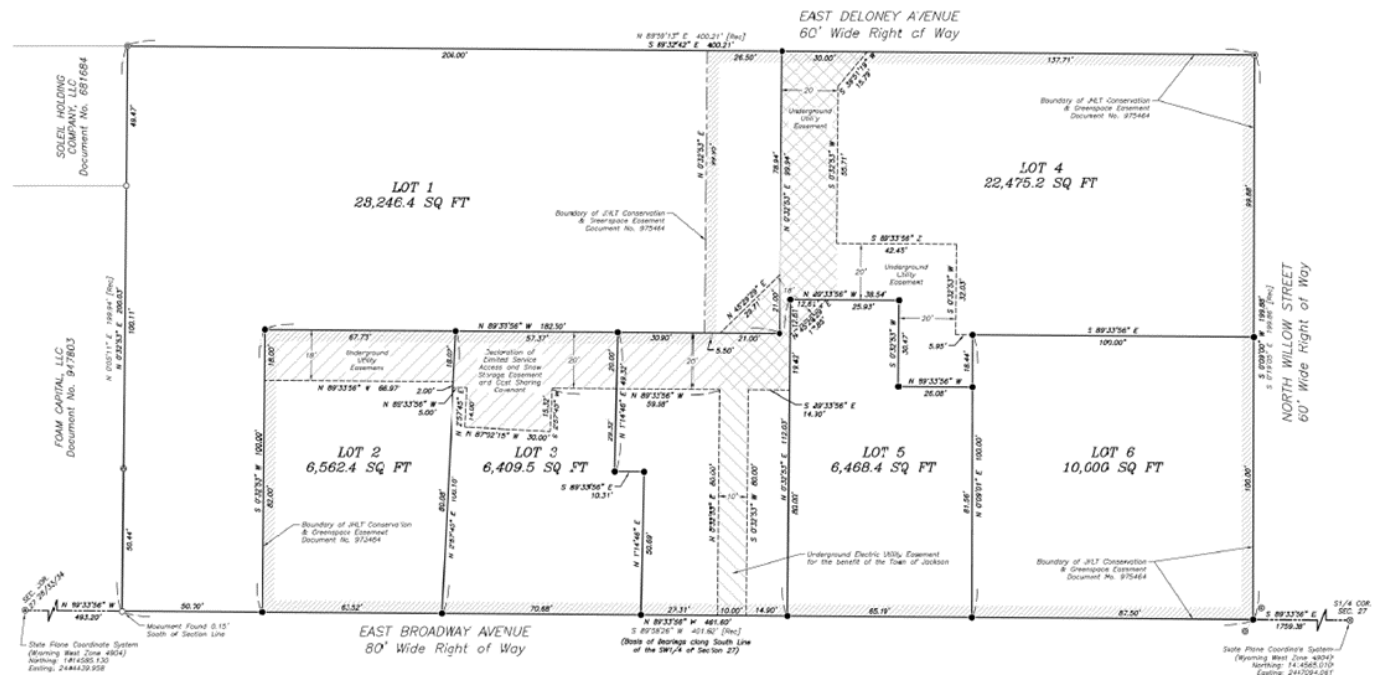
Development Plan

The Town Council approved Item P19-249, Development Plan, on February 3, 2020, for the applicant’s proposed subdivision of the two parcels into six lots. There was significant discussion related to loading for the site and the proposed access drive aisle. The request was approved unanimously by the Town Council with the following condition:

- 1. There shall be a twenty-five (25) foot long loading zone established by the Town on the public right of way contiguous to the driveway for the Café G property which may be amended by the Town as it governs future public right of ways*

PROJECT DESCRIPTION

The applicant is pursuing approval of a Subdivision Plat to subdivide the two (2) parcels into a total of six (6) lots on the 1.84 acre subject site. Please see draft plat attached to the application for greater detail.



Lot 1 is 28,246.4 SF. This is the lot with the greatest future development potential, and is governed by Downtown Core (DC) zoning. The existing businesses fronting Deloney Avenue will remain in place until the current or future owner desires to redevelop all or a portion of the lot. There is no development contemplated as part of this application.

Lot 2 is 6,562.4 SF, zoned Urban Commercial (UC), and contains the historic cabin operating as Café Genevieve (1,722 SF). Per the Conservation Easement and habitable floor area contemplated in this Development Plan, the building is entitled to a maximum expansion of an additional 150 SF over existing floor area.

Lot 3 is 6,409.5 SF, zoned Urban Commercial (UC), and contains the historic cabin operating as Persephone Bakery (1,189 SF). Per the Conservation Easement and habitable floor area allocation contemplated in this Development Plan, the building is entitled to a maximum expansion of an additional 150 SF over existing floor area.

Lot 4 is 22,475.2 SF, contains no structures, and per the Conservation Easement and habitable floor area allocation of this Development Plan is allotted 0.0 SF of floor area and will remain as greenspace. The extinguishment of development rights on this parcel and the reduced FAR potential on the adjacent lots results in a reduction of 37,356 SF of floor area that could otherwise be developed on the entire site. The lot is split zoned between Urban Commercial (UC) zoning and Downtown Core (DC) zoning. The lot contains the greenspace fronting East Broadway Avenue between Persephone Bakery and the Healthy Being Café & Juicery, as well as the greenspace behind the Healthy Being Café & Juicery and the residence at 175 E. Broadway (Pillowfluffer) with frontage on North Willow Street and East Deloney Avenue.

Lot 5 is 6,468.4 SF and contains the historic cabin operating as the Healthy Being Café and Juicery (1,177 SF). Per the Conservation Easement and habitable floor allocation contemplated in this Development Plan, the building is entitled to a maximum expansion of an additional 500 SF over existing floor area.

Lot 6 is 10,000 SF and contains a one-story ranch structure (2,412 SF) currently used as a residential rental property. Past uses of the property have included retail and office (aka Pillowfluffer). Per the Conservation Easement and habitable floor area allocation contemplated in this Development Plan, the building is entitled to a maximum of 10,000 SF of habitable floor area.

STAFF ANALYSIS

Subdivision Standards/Utilities:

The ability to subdivide property by land division is allowed within the UC and DC zones. The minimum lot size in both the UC and DC zone is 5,000 SF. Each of the proposed six (6) lots exceed this minimum lot size requirement

Lots 1-6 will be provided Potable Water Supply and Sanitary Sewer Systems designed in accordance with LDR Standards in Sec. 7.7.2 & 7.7.3 to allow connection to the Town of Jackson water supply and wastewater treatment facilities as shown on the applicant's Genevieve Block Project Utility Plans. The applicant has provided a draft Subdivision Improvements Agreement with this application which will be reviewed by the Town Engineer and Town Attorney prior to signing the agreement.

Setbacks:

The proposed lot configurations conform to setbacks for the UC and DC zone for the existing structures. While the structure on proposed Lot 6 (Pillowfluffer) is an existing nonconforming structure to the side yard setback, the proposed side yard lot line is the same as the existing lot line and therefore there is no increase in the nonconformity. Any future development on Lot 6 that replaces the existing structure will need to conform to the UC zone setbacks and other development standards. In that respect, all future development on any lot is subject to the development standards, (i.e. height, setbacks, etc.) of the zone in which it is located at the time of submittal. The Conservation Easement also sets separate 'development area' building envelopes for Lots 2, 3, 5, and 6. Please see the staff report for Item P19-249, Development Plan, for greater detail regarding the conservation easement and development areas.

Affordable and Workforce Housing:

The applicant has allocated credits for affordable workforce housing from the lots which contain historic structures subject to the Conservation Easement across the subdivision but primarily to the development lot, Lot 1. Affordable and workforce housing requirements will be assessed at the time of Building Permit Submittal. Please see the staff report for Item P19-249, Development Plan, for greater detail regarding the affordable workforce housing credits by lot.

Access/Loading Standards:

Internal access to the site is via a service drive off of East Deloney Avenue. The applicant intends to remove the existing service access adjacent to Café Genevieve at the completion of development on Lot 1 which may not occur for many years. The Fire Chief has confirmed that a fire access turnaround is not required within the service access drive because the length of the block north to south is only 200 feet, therefore any structure

on site can be accessed from the road within the limitations of 150 feet for fire hose extensions. Any new structures that are built in excess of 5,000 SF will require fire sprinkling.

As a condition of approval for Item P19-249, Development Plan, an on-street loading zone along the northeast portion of the site on East Deloney Avenue contiguous to the driveway for the Café G property shall be installed:

1. *There shall be a twenty-five (25) foot long loading zone established by the Town on the public right of way contiguous to the driveway for the Café G property which may be amended by the Town as it governs future public right of ways.*

The Planning Director has stated that the timing of establishing the loading zone will depend upon when improvements are made by the applicant to the site to install the access drive aisle, and that parking in this location should remain until the improvements are completed.

Nonconformities/Encroachments:

There are no nonconforming uses on the subject property. No new or greater physical nonconformities are created as a result of the proposed subdivision. The structure on proposed Lot 6 (Pillowfluffer) is an existing physically nonconforming structure to the side yard setback. Because the proposed side yard lot line is the same as the existing lot line there is no increase in the nonconformity. Any future development on Lot 6 that replaces the existing structure will need to conform to the UC zone setbacks and other development standards.

There are existing encroachments on various buildings on both 135 and 175 E Broadway Avenue that are being addressed in separate applications for Encroachment Agreements concurrently with this application for a Subdivision Plat.

PUBLIC COMMENT

Staff has not received any public comment at this time.

LEGAL REVIEW

Ongoing as required.

STAFF FINDINGS

8.5.3.C. Subdivision Plat. All subdivision plat proposals may be approved only if all of the following findings are made:

1. *The proposed project is in substantial conformance with an approved development plan or development option plan.*

Complies. Staff finds the proposed filing of the Genevieve Block Addition to the Town of Jackson to be in substantial conformance with the previously approved Development Plan, Item P19-249.

2. *The proposed project complies with the standards of this Section.*

Complies. Staff finds that the proposed project complies with the subdivision standards of Section 8.5.3.

3. *The proposed project complies with the subdivision standards of Division 7.2.*

Complies. Staff finds that the applicant has submitted all required documents required by the subdivision standards, thus staff finds that the proposed project complies with Division 7.2. The Town Engineer and Town Attorney will review all draft materials including the Subdivision Improvements Agreement, easements, etc. prior to signing.

4. *The proposed project complies with all other relevant standards of these LDRs*

Complies. Staff finds that the proposed project complies with all other relevant standards of these LDRs.

ATTACHMENTS

Departmental Reviews
Applicant Submittal

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

The Planning Director recommends **approval** of a Subdivision Plat for the subdivision of two (2) parcels into six (6) lots for the properties located at 135 & 175 East Broadway Avenue, subject to the departmental reviews attached to this staff report dated May 28, 2020 and the following condition of approval:

1. Within thirty (30) calendar days from the date of Town Council approval, the applicant shall satisfactorily address all comments made by the Town of Jackson and other reviewing entities included in the attached Departmental Reviews and submit the corrections to the Planning Department. The Planning Director shall review and approve all required changes prior to recording the plat with the County Clerk.

SUGGESTED MOTIONS

Based upon the findings as presented in the staff report and as made by the applicant for Item P20-071, I move to make findings 1-4 as set forth in Section 8.5.3.C (Subdivision Plat) of the Land Development Regulations relating to 1) Conformance with Development Plan or Development Option Plan; 2) Complies with standards of Section 8.5.3. Subdivision Plat; 3) Complies with standards of Division 7.2. Subdivision Standards; and 4) Complies with other relevant standards of these LDRs, to **approve** a Final Plat for the Genevieve Block Addition to the Town of Jackson for the property located at 135 & 175 East Broadway Avenue, subject to the departmental reviews attached to this staff report dated May 28, 2020, and the following condition of approval:

1. Within thirty (30) calendar days from the date of Town Council approval, the applicant shall satisfactorily address all comments made by the Town of Jackson and other reviewing entities included in the attached Departmental Reviews and submit the corrections to the Planning Department. The Planning Director shall review and approve all required changes prior to recording the plat with the County Clerk.

PLANNING

Project Number P20-071 **Applied** 4/16/2020 **STOL**
Project Name Final Plat - Genevieve Block **Approved**
Type FINAL PLAT **Closed**
Subtype LAND DIVISION **Expired**
Status STAFF REVIEW **Status**
Applicant Cirque Consulting **Owner** CAFE G, LLC
Site Address **City** **State** **Zip**
135 E BROADWAY AVENUE JACKSON WY 83001
Subdivision **Parcel No** **General Plan**
22411627300010

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact Notes County Clerk Mary Smith (5/7/2020 11:50 AM STOL) I have a few comments.	APPROVED W/CONDITI	4/16/2020	5/7/2020	5/7/2020	

1. There are 3 documents to be recorded titled Declaration of Limited Service Access & Snow Storage Easement and Cost Sharing Covenant and Declaration of Underground Utility Easement and Declaration of Underground Electrical Utility Easement that all have exhibits attached which have metes and bounds legal descriptions on them. My question is are these documents being recorded before the plat? If so we would index them to the current pin numbers for the parcels as they exist now. If they are being recorded after the plat is recorded then those exhibits would need to be updated to show which lots would be affected by these documents in the Genevie Block Addition.
2. Is the Partial Vacation of Utility Easements being recorded before or after the plat is recorded? The book and pages called out in this pt vacation are for the current existing lots.
3. The Subdivision Improvements and Agreement and Escrow Agreement has no exhibits attached. Also the notary block for Paul Anthony need to be updated.

Everyone have a great day!

Thank you,

Mary Smith

Legal
Lea Colasuonno
(5/7/2020 5:45 AM LC)
APPROVED W/CONDITI 4/16/2020 5/7/2020 5/7/2020

All the documents - the easements, easement vacations, Affidavit Affecting Title, SIA, Plat etc. – must be approved by the Town Attorney and Town Engineer.

Planning
Brendan Conboy
4/16/2020 5/7/2020

Plat Review-Survey
Ken Magrath
APPROVED W/CONDITI 4/16/2020 5/7/2020 5/11/2020 kmagrath@jorgeng.com

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact Notes (5/11/2020 10:41 AM STOL) May 11, 2020 Town of Jackson Planning & Building Department P.O. Box 1687 Attn: Tiffany Stolte and Brendan Conboy Re: P20-071 Genevieve Block Addition Plat Review Dear Tiffany and Brendan, I have reviewed the plat submitted with the above-referenced subdivision application. I find the following errors and/or omissions for plat and application that fall under Surveyor purview: 1. CERTIFICATE OF SURVEYOR – a. Both the Certificate of Surveyor and the Certificate of Owner refer to Map T-20K for the legal description of the land to be subdivided. While it is fine to include this reference in the legal description in order to add clarity, the actual deed of conveyance is the reference that is needed and is the proper instrument to reference. Map T-20K is a Map of Survey and has no authority as a instrument of conveyance or ownership. b. in paragraph 5 should add the word “foregoing” as the third word, and as stated above should say “is identical to Parcel 1 and Parcel 2 of that Warranty Deed of record..... etc. 2. CERTIFICATE OF OWNER – a. Paragraph 5 states “that this subdivision is subject to the following easements” and then indicates they will be conveyed by separate instrument, though language is a bit ambiguous. Then in the next paragraph it refers to an “Underground Utility Easement” which is “hereby granted” across the area noted in the legend”. It is unclear to me which areas are being granted by this plat and which areas are being created by separate instrument. For instance, the unhatched area shown as Underground Utility Easement in Lot 4 is included in the area of the description for “Underground Utility Easement for the Benefit of Lots 1-6”, so does not appear to be created by this plat. The point is, I’m not sure, and the plat should be crystal clear about this. Then as the next element it’s always tricky when easements are recorded “contemporaneously” with the plat. I would recommend that the surveyor state these instruments are to be “recorded by separate instrument” and then be sure when recording the documents they are recorded after the plat in the order and not before. The instruments themselves should refer to the plat (which is recorded first). Likewise, it is extremely important to have consistency between this plat and the partial vacation of easements, (which I assume will happen prior to recording). If the vacation happens before the plat it is important to show only the end result on the plat. b. a. see item 1. a. above. This review of submitted information is for general compliance with Town of Jackson and State of Wyoming subdivision requirements. I do not assume responsibility for correctness of dimensions or calculations. This review indicates only that an examination of the materials in the application has been made. Thank you for the opportunity to perform this review. Sincerely, Kenneth Magrath Wyoming PLS #8469 Jorgensen Associates, P.C.					
Plat Review-Title	APPROVED W/CONDITI	4/16/2020	5/7/2020	5/8/2020	nancy@title22consultants.com
<none>					

Type of Review	Status	Dates			
		Sent	Due	Received	Remarks
Contact					
Notes					
(5/8/2020 10:47 AM STOL)					
See attachement					
(5/11/2020 10:10 AM STOL)					
TITLE 22 CONSULTANTS					
PLAT REVIEW - Overview					
Proposed Plat: Genevieve Block Addition to the Town of Jackson					
Platted From: Part of SW/SW/27/41/116 (Parcels 1 and 2 as conveyed via instrument recorded as Document 0975462)					
Located: Town of Jackson					
Owner/Subdivider: Cafe G, LLC, a Wyoming limited liability company					
Additional Documents to be Recorded Provided with Plat: Four Easement instruments as enumerated in the Certificate of Owner, Affidavit Affecting Title Regarding Development Allocations, Vacation of LVE Easements, Affidavit of Acceptance (owner), Certificate of Engineer via Affidavit. Possibly Subdivision Improvement Agreement (?) – see below comments.					
Title Report provided by Wyoming Title & Escrow Effective Date: 9.13.19					
Note: Title 22 Consultants has not prepared a title report or conducted a “patent to present” search of subject land; we are basing our review on the title report provided by the title company identified above.					
New documents filed of record subsequent to the effective date:					
? N/A					
PLAT REVIEW – Technical Review (Non Statutory)					
ACCESS: Legal access is provided via Public streets					
EASEMENTS/ENCUMBRANCES: All easements cited on the title report ? Are ? Are Not shown on the proposed plat (located and/or included in the Certificate of Owner).					
Comments: Encroachments burdening Lot 1 as set forth in recorded instruments 0975460 and 0975461 are not cited in the Certificate of Owner or shown on the face of the plat.					
STREETS/ALLEYS:					
? Dedicated to the public					
? Private, with rights of way granted to each lot owner					
? N/A, no streets or alleys within plat boundary					
PLAT REVIEW – Technical Review (Statutory)					
LOT DIMENSIONS ? Are ? Are Not properly shown.					
Lots ? Are ? Are Not PROGRESSIVELY NUMBERED.					
CERTIFICATES					
Certificate of Owner(s) ? Included, but to be executed via separate Affidavit					
Certificate of Surveyor ? Included ? Not included					
Certificate of Acceptance from ? Town of Jackson ? Teton County ? Included ? Not Included					
Certificate of Mortgagee(s) ? Included ? To be provided via separate Affidavit ? N/A					
PLAT REVIEW – Conclusions					
Recommendations: Title 22 Consultants strongly recommends the following changes to the proposed plat:					
N/A, this is a well executed plat, with no significant changes needed.					
Comments/General Observations: For your review and consideration, may not require changes, although some could provide helpful clarification to the plat and other recorded documents:					
1. Owner/Subdivider’s Name: Neither the vesting deed nor the Secretary of State show an accent over the “e” in Cafe, but the proposed documents to be recorded with the plat all appear as “Café G, LLC.”					
2. Grant of Easements: The proposed documents to be recorded contain a paragraph titled “Grant of Non-Exclusive Easements.” However, there is no actual grant contained in the paragraph. Rather, the Declarant “declares and establishes” the easements. This may appear nit-picky, but we are addressing this in the event an owner requires affirmative title insurance in regard to any of these easements (title companies often require very clear granting language in order to insure easements).					
3. Metes and bounds legal description of the land being subdivided: The land was conveyed to the current owner as 2 separately described metes and bounds parcels (Parcel 1 and Parcel 2). The Certificate of Surveyor utilizes a new legal description, describing the					

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact					
Notes					
land as one parcel. While it does say this description is “identical to those parcels shown on Map T-20K,” it would be helpful to modify this to read: “identical to those parcels shown on Map T-20K, and as conveyed as Parcel 1 and Parcel 2 in that Warranty Deed recorded as Document Number 0975462.”					
4. Lot 1 Encroachments: As previously mentioned, the encroachments into Lot 1 from the Foam and Soleil parcels, as set forth in Documents 0975460 and 0975461, are not cited or plotted on the proposed plat.					
5. Lot 4 Designation: The proposed documents to be recorded separately identify the Northern Portion and the Southern Portion of Lot 4. This could also be a helpful clarification on the plat.					
6. Document Titles: The titles of the documents to be recorded vary slightly between the documents themselves, and how they are named/cited in the Certificate of Owner. Ideally, these would be identical.					
7. Declaration of Limited Service Access/Snow Storage Easement: This document grants various easements as shown on the attached exhibit. However, only Easement Strip A is shown on the plat, Strips B and C are not shown.					
8. Declaration of Landscape Maintenance Easement: This is cited in the Certificate of Owner, but we did not receive a copy to review.					
9. Subdivision Improvement Agreement: Is this document to be recorded in the form provided? If so, it would be unusual to bundle this with the Escrow Instructions and spread those details on the public record.					

Next Steps:

1. ENTITY DOCS – The owner should provide a copy of the LLC Operating Agreement and all amendments for review, to make sure the plat properly identifies the entity, and that the Certificate of Owner is executed by the correct party.
2. EXECUTION/ACKNOWLEDGEMENT - Once the plat and all documents to be recorded have been executed and notarized, carefully review as to proper execution and acknowledgement prior to recordation. Please also verify that all Exhibits are attached and properly labeled.
3. IMPLEMENT THE SOLUTIONS identified above, and provide corrected plat and documents to Title 22 Consultants for final review. There is no additional charge for up to one hour of subsequent review. N/A, does not apply in this instance.

PLAT REVIEW – Disclaimer

Title 22 Consultants is not providing legal services or a legal opinion, and is not licensed to practice law in the State of Wyoming or any other state. Further, Title 22 Consultants is not providing any type of insurance service, or title insurance, and is not authorized to transact insurance in the State of Wyoming or any other state, and is not a licensed abstractor or title agent as set forth in Wyoming Statutes. Please consult an attorney or duly licensed title company if you have legal questions, or questions about the insurability of the land to subdivided pursuant to the proposed plat.

Plat Review submitted by:

Date: 5.5.20

Nancy Hughes, Manager, Title 22 Consultants, LLC, a Wyoming limited liability company

Police NO COMMENT 4/16/2020 5/7/2020 4/17/2020
 Todd Smith
 (4/17/2020 12:26 PM STOL)
 No concerns.
 Todd Smith

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact					
Notes					
Public Works	APPROVED W/CONDITI	4/16/2020	5/7/2020	5/7/2020	
Brian Lenz					
(5/7/2020 12:55 PM BTL)					
FINAL PLAT – APPROVED w CONDTITIONS					

P20-071

ADDRESS: 135-175 E Broadway Ave (Genevieve Block)

OWNER: Café G, LLC

APPLICANT: Cirque Consulting, George Putnam

5/7/2020

Brian Lenz, 733-3079

DATE OF SUBMITTAL: 4/16/20

DATE OF MATERIALS: 4/14/20

REVISION NO.:

BOND FOR MONUMENTATION: \$7,250.

Bond will be released once monumentation for the subdivision has been set or verified to be in place and not disturbed by written statement by a licensed surveyor.

The engineering division has reviewed your application for a FINAL PLAT submitted on and with application materials as dated above.

PRIOR TO PLAT AND ASSOCIATED APPLICATION DOCUMENTS FINALIZATION THE FOLLOWING SHALL BE ADDRESSED:

GENERAL

1. All the documents - easements, easement vacations, Affidavit Affecting Title, SIA, Plat etc. – must be approved by the Town Attorney and Town Engineer prior to finalization
2. Provide final paper drafts for approval prior to printing final documents.

ELECTRIC UTILITY EASEMENT BENEFITTING THE TOWN

1. Applicant should pay all recording fees for the easement.
2. Clarify / define Benefitting Party
3. Section 6: clarify definition of current Owners

LIMITED ACCESS AND SNOW STORAGE EASEMENT AND COST SHARING COVENANT

1. The Driveway surface shall be an all-weather surface capable of supporting the imposed loads of the allowed access vehicles.
2. Clarify how tie votes are settled.
3. Clarify if there is board or entity responsible for the ongoing management.

DECLARATION OF UNDERGROUND UTILITY EASEMENT

1. Clarify how tie votes are settled.
2. Clarify if there is board or entity responsible for the ongoing management.
3. Clarify how the pro rata is determined, e.g. by lot area, length along the utility, etc.
4. Clarify how routine maintenance, e.g. the sand oil separator on the storm line are managed.
5. Clarify if there is a reserve fund for the Expenses.

SUBDIVISION IMPROVEMENT AGREEMENT

1. The SIA is subject to final review and approval by the Town prior to finalizing for signature and recordation.
2. Infrastructure Estimate shall include the cost of monumentation.
3. Provide Infrastructure Estimate for review

PLAT MAP:

CERTIFICATE OF ACCEPTANCE

Project Reviews

Report By: Brendan Conboy

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	

Notes

1. References to Sandy Birdyshaw, should be Sandra P. Birdyshaw
2. Due to signature process with the Town, multiple notary acknowledgements are required for Town Signatures.

NOTES

1. Add a note for, NO PUBLIC MAINTENANCE OF SEWAGE COLLECTION SYSTEM
2. Add a note for, NO PUBLIC MAINTENANCE OF WATER DISTRIBUTION SYSTEM
3. Add a note, NO PUBLIC MAINTENANCE OF STORMWATER COLLECTIONS AND TREATMENT SYSTEMS
4. The above notes can be combined into one note.
5. Add a note for, NO PUBLIC MAINTENANCE OF LIMITED SERVICE ACCESS

CERTIFICATE OF OWNER

1. Add the following statement: that access to sewer and water facilities, including pipelines, manholes, meters and valves, is hereby granted to the Town of Jackson.

CERTIFICATE OF ENGINEER

1. Add stormwater to the statement.

PLAT SHEETS

1. The private limited access easement should be 20 feet throughout, or wider in the curve.
2. Show Snow Storage Easement Strips B and C
3. Verify that the Lot 6 south lot line dimension is correct, labeled 87.5, scales at 100 feet. Check all distance and bearings.
4. Provide an exhibit for review showing the utilities and access within their easements. Development plans show the east boundary of the ToJ Utility easement 9.4 feet from the Lot 4 east boundary and the Plat scales at approximately 14 feet.



PO Box 7775
Jackson, WY 83002 307-413-5424

April 14, 2020

Brendan Conboy
Town of Jackson Planning and Building
PO Box 1687
Jackson, WY 83001

RE: Genevieve Block Final Plat Application

Dear Brendan,

On behalf of the applicant/owner, Café G, LLC, please accept this letter and the accompanying materials as a formal application for Final Plat within the Town of Jackson for property located at 135 and 175 E. Broadway Ave.

This submittal is in accordance with Development Plan P19-249, approved at the February 3, 2020 Town Council meeting. Pursuant to the approval of the fee waiver request for this project also made on February 3, 2020, application fees are not included with this submittal.

Included for your review are the following:

- Planning Application & Findings
- Letter of Authorization
- Ownership and Encumbrance Report
- Receipt of Request for Publication of Notice of Intent to Subdivide
- Draft Limited Service Access and Snow Storage Easement and Cost Sharing Covenant
- Draft Underground Utility Easement
- Draft Underground Utility Easement for the benefit of Town of Jackson
- Draft Subdivision Improvement Agreement
- Draft Affidavit Affecting Title Summary of Development Rights
- Draft Affidavit and Acknowledgement and Acceptance of Plat
- Draft Partial Vacation of Utility Easements
- Draft Final Plat prepared by Y2 Consultants

Please do not hesitate to contact me at (307) 413-5424 should you have any questions with this submittal. We look forward to hearing from you upon your sufficiency determination.

Sincerely,

George Putnam
Cirque Consulting, LLC



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: Genevieve Block
Physical Address: 135 & 175 E. Broadway Ave.
Lot, Subdivision: Pt. SW1/4 SW1/4 Sec. 27 T41N, R117W, Teton County, WY PIDN: 22-41-16-27-3-00-010 & 22-41-16-27-3-00-009

PROPERTY OWNER.

Name: Cafe G, LLC Phone: 307-733-7057
Mailing Address: PO Box 7372 Jackson, WY ZIP: 83002
E-mail: rlevy@jhattorneys.com

APPLICANT/AGENT.

Name: Cirque Consulting, LLC, George Putnam Phone: 307-413-5424
Mailing Address: PO Box 7775, Jackson, WY ZIP: 83002
E-mail: gputnam@cirqueconsulting.com

DESIGNATED PRIMARY CONTACT.

_____ Property Owner ☒ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit	Physical Development	Interpretations
_____ Basic Use	_____ Sketch Plan	_____ Formal Interpretation
_____ Conditional Use	_____ Development Plan	_____ Zoning Compliance Verification
_____ Special Use	_____ Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	_____ LDR Text Amendment
_____ Administrative Adjustment	☒ _____ Subdivision Plat	_____ Map Amendment
_____ Variance	_____ Boundary Adjustment (replat)	Miscellaneous
_____ Beneficial Use Determination	_____ Boundary Adjustment (no plat)	_____ Other: _____
_____ Appeal of an Admin. Decision	_____ Development Option Plan	_____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____
Original Permit #: P19-249 Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

n/a **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

X **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at www.townofjackson.com/DocumentCenter/View/102/Town-Fee-Schedule-PDF.

X **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.



Signature of Property Owner or Authorized Applicant/Agent
George Putnam, Cirque Consulting, LLC

Name Printed

4/13/20

Date
Principal

Title



PO Box 7775
Jackson, WY 83002 307-413-5424

Genevieve Block Addition to the Town of Jackson
Final Plat Findings Response
Town of Jackson Land Development Regulations
Section 8.5.3.C Findings

1. *Is in substantial conformance with an approved development plan or development option plan or is a condominium or townhouse subdivision of existing physical development;*

THIS FINDING CAN BE MET. The proposed Final Plat is in conformance with Development Plan P19-249 approved by the Town of Jackson on February 3, 2020, together with departmental reviews and the one (1) condition of approval which reads:

“There shall be a twenty-five (25) foot long loading zone established by the Town on the public right-of-way contiguous to the driveway for the Café G property which may be amended by the Town as it governs future public rights of ways.”

2. *Complies with the standards of this Section.*

THIS FINDING CAN BE MET. The proposed Final Plat is in conformance with Section 8.5.3 of the Town of Jackson Land Development Regulations as shown in the accompanying submittal application materials, plat contents, notice of intent to subdivide, and draft documents including the Subdivision Improvement Agreement.

3. *Complies with the subdivision standards of Div. 7.2.; and*

THIS FINDING CAN BE MET. The proposed Final Plat is in conformance with applicable standards of Section 7.2 Subdivision Standards of the Town of Jackson Land Development Regulations according to the UC and DC zoning allowances for subdivision and the approved Development Plan P19-249 including proposed Subdivision Improvements as submitted, reviewed and approved by the Town of Jackson.



PO Box 7775
Jackson, WY 83002 307-413-5424

4. *Complies with all other relevant standards of these LDRs and other Town Ordinances.*

THIS FINDING CAN BE MET. The proposed Final Plat complies with all other relevant standards of the Town of Jackson Development Regulations and other Town Ordinances.

LETTER OF AUTHORIZATION

Cafe G, LLC

, "Owner" whose address is: PO Box 7372 Jackson, WY

83002

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

_____, as the owner of property
more specifically legally described as: 135 & 175 E. Broadway Ave. Pt. SW1/4 SW1/4
Section 27 T41N, R117W, 6th P.M. Town of Jackson, Teton County, Wyoming

(If too lengthy, attach description)

HEREBY AUTHORIZES Cirque Consulting, LLC, George Putnam

_____, as
agent to represent and act for Owner in making application for and receiving and accepting
on Owners behalf, any permits or other action by the Town of Jackson, or the Town of
Jackson Planning, Building, Engineering and/or Environmental Health Departments
relating to the modification, development, planning or replatting, improvement, use or
occupancy of land in the Town of Jackson. Owner agrees that Owner is or shall be deemed
conclusively to be fully aware of and to have authorized and/or made any and all
representations or promises contained in said application or any Owner information in
support thereof, and shall be deemed to be aware of and to have authorized any subsequent
revisions, corrections or modifications to such materials. Owner acknowledges and agrees
that Owner shall be bound and shall abide by the written terms or conditions of issuance of
any such named representative, whether actually delivered to Owner or not. Owner agrees
that no modification, development, platting or replatting, improvement, occupancy or use of
any structure or land involved in the application shall take place until approved by the
appropriate official of the Town of Jackson, in accordance with applicable codes and
regulations. Owner agrees to pay any fines and be liable for any other penalties arising out
of the failure to comply with the terms of any permit or arising out of any violation of the
applicable laws, codes or regulations applicable to the action sought to be permitted by the
application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing
on behalf of a corporation, partnership, limited liability company or other entity, the
undersigned swears that this authorization is given with the appropriate approval of such
entity, if required.

OWNER:

[Signature]

(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: *MANAGER*

(if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or
other non-individual Owner)

STATE OF *Wyoming*)
)SS.
COUNTY OF *Teton*)

The foregoing instrument was acknowledged before me by *Robbin Lem* this *4th* day of
November, 2019.

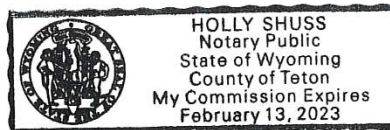
WITNESS my hand and official seal.

Holly Shuss
(Notary Public)

My commission expires:

February 13, 2023

(Seal)



OWNERSHIP AND ENCUMBRANCE REPORT

Issued To:

Levy Coleman Brodie LLP
1110 Maple Way, Suite 7
Jackson, WY 83001
(307)733-7057

Report No.: W-20934
Effective Date: September 13, 2019
Current Date: October 2, 2019
Cost: \$\$0.00

Project Reference: Café G, LLC

Property Address: 135 East Broadway Avenue, Jackson, WY 83001
175 East Broadway Avenue, Jackson, WY 83001

County: Teton

1. According to the last deed appearing of public record, title to the fee simple estate or interest in the land described or referred to in this Report at the effective date hereof appears to be vested in:

Cafe G, LLC, a Wyoming limited liability company

2. The land referred to in this Report is described as follows:

See Exhibit "A" Attached Hereto and Made a Part Hereof

Issued By:

WYOMING TITLE & ESCROW, INC.
Liz Jorgenson/Christina Feuz, Co-Managers
Phone: 307.732.2983

This Ownership and Encumbrance Report is not a Commitment for Title Insurance nor is it an Abstract of Title. This Ownership and Encumbrance Report is for informational purposes only, does not necessarily contain all defects, liens or encumbrances of record, and may not be relied upon as a representation of the record regarding the subject property, and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1:

A portion of the SW¼ SW¼ of Section 27, T41N, R116W, 6th P.M., Teton County, Wyoming, described as follows:

Beginning at a point 494 feet east of the Section Corner common to Sections 27, 28, 33 and 34, T41N, R116W, 6th P.M., on the south line of said Section 27; thence northerly and at right angles to the south line of said Section 27, 200 feet; thence easterly and parallel to said Section line, 300 feet; thence southerly and at right angles to the said southerly Section line, 200 feet; thence westerly along said Section line 300 feet, to the Point of Beginning.

PARCEL 2:

That part of the SW¼SW¼, Section 27, T41N, R116W, 6th P.M., Teton County, Wyoming, being more particularly described as follows:

Beginning at a point on the section line eight hundred six and one half (806½) feet East of the Southwest corner of Section 27, Township 41 North, Range 116 West, 6th P.M., thence East along said section line, eighty seven and one half (87½) feet, thence North one hundred and fifty (150) feet, thence West eighty seven and one half (87½) feet, thence South one hundred and fifty (150) feet to the Point of Beginning; and

Beginning at a point on the section line seven hundred ninety four (794) feet East of the Southwest corner of Section 27, Township 41 North, Range 116 West, 6th P.M., thence East along said section line twelve and one half (12½) feet, thence north one hundred fifty (150) feet, thence West twelve and one half (12½) feet, thence South one hundred fifty (150) feet to the Point of Beginning; and

Beginning at a point which is 150 feet north of a point on the section line, 794 feet east of the southwest corner of Section 27, Township 41 North, Range 116 West, 6th P.M.,
thence east 100 feet,
thence north 50 feet,
thence west 100 feet,
thence south 50 feet to the Point of Beginning.

PIDN: 22-41-16-27-3-00-010, 22-41-16-27-3-00-009

ENCUMBRANCES WHICH AFFECT THE SUBJECT PROPERTY APPEAR TO BE (BUT ARE NOT NECESSARILY LIMITED TO) THE FOLLOWING:

1. Taxes, special and general, assessment districts and service areas for the year 2019. (Parcel 1)
Tax ID No.: OJ-001663
1st Installment: \$14,986.63 OPEN
2nd Installment: \$14,986.63 OPEN

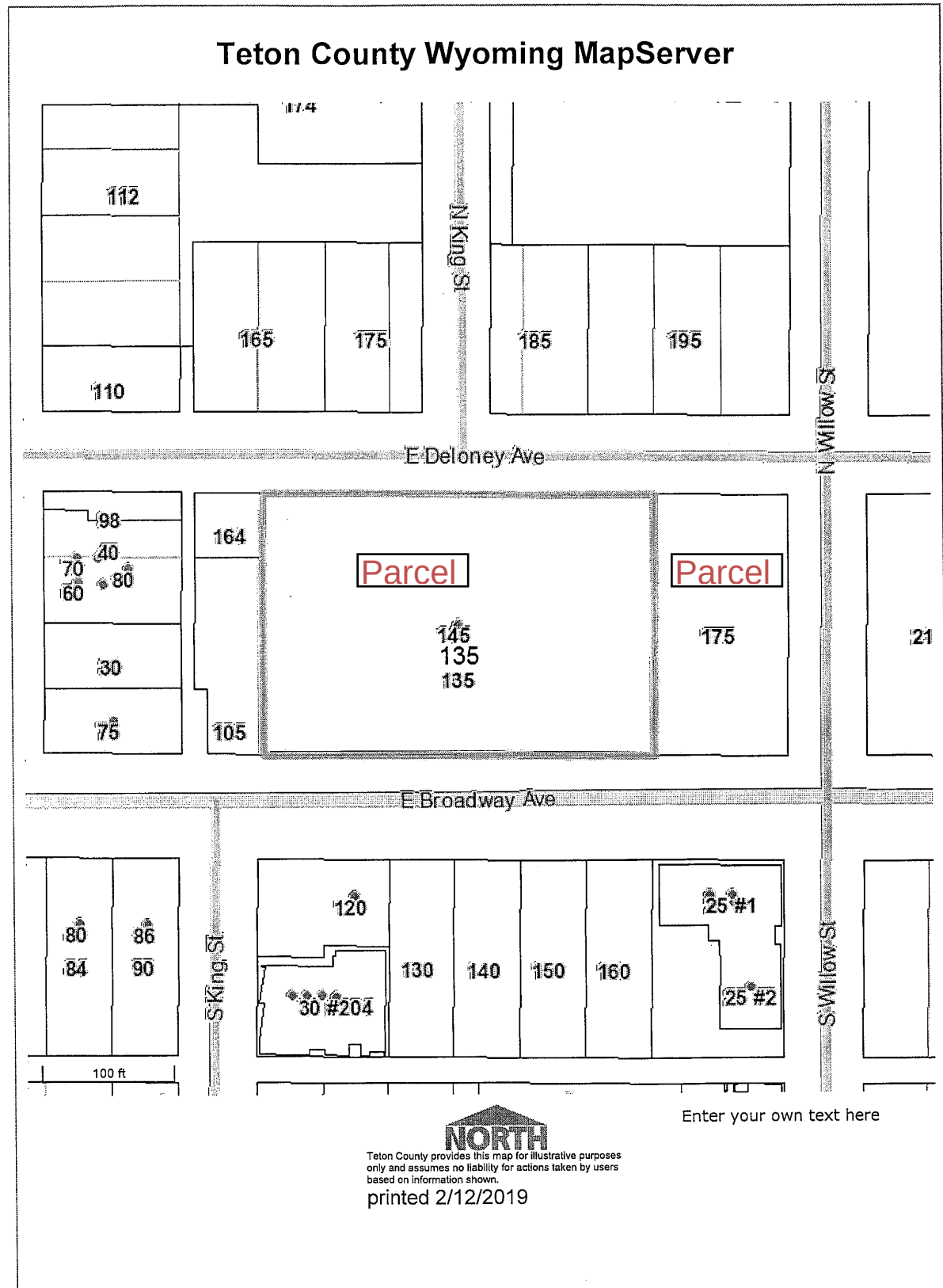
Note: First Installment is delinquent November 10. Second Installment is delinquent May 10.
2. Taxes, special and general, assessment districts and service areas for the year 2019. (Parcel 2)
Tax ID No.: OJ-001889
1st Installment: \$2,827.43 OPEN
2nd Installment: \$2,827.42 OPEN

Note: First Installment is delinquent November 10. Second Installment is delinquent May 10.
3. Agreement for Purchase of Power by and between Lower Valley Power and Light, Inc. and Abi Garaman, setting forth terms, recorded March 20, 1990, as (instrument) 0295486 (book) 222 (page) 536, Official Records. (Parcel 1)
[B222P536](#)
4. An easement over said land for electric distribution circuits and incidental purposes, as granted to Lower Valley Power and Light, Inc., recorded November 13, 1992, as (instrument) 0340619 (book) 261 (page) 165, Official Records. (Parcel 1)
[B261P165](#)
5. An easement over said land for electric distribution circuits and incidental purposes, as granted to Lower Valley Power and Light, Inc., recorded January 22, 1996, as (instrument) 0410678 (book) 315 (page) 378, Official Records. (Parcel 1)
[B315P378](#)
6. Matters Disclosed by Record of Survey recorded March 26, 2019, as (instrument) Map T-20K, Official Records.
[Map T-20K](#)
7. Unrecorded leaseholds, if any, rights of parties in possession other than the vestee(s) herein, rights of secured parties under financing statements as to personal property located on the premises herein and the rights of tenants to remove trade fixtures.
8. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records, relating specifically to activity on the Cafe Genevieve restaurant building site.
9. Encroachments as disclosed by Improvement Location Survey Prepared for Cafe G, LLC, dated May 31, 2019, Project No. 19035, Y2 Consultants, including the following:
 - a. 1.3 foot stairway encroachment from the west by the Soleil Holding Company, LLC parcel;
 - b. 0.8 building eave encroachment from the west by the Foam Capital, LLC building;
 - c. Eave, deck and wooden walkway encroachments onto public rights of way;

- d. Building encroachments onto utility easement recorded as Document No. 0410678;
- e. Building encroachment onto utility easement recorded as Document No. 0340619

- 10. Encroachment Agreement by and between Foam Capital, LLC, a Wyoming limited liability company and Deloney Street, LLC, a Wyoming limited liability company, setting forth terms, recorded August 16, 2019, as (instrument) 0975460, Official Records. (Parcel 1)
[Doc 0975460](#)
- 11. Encroachment Agreement by and between Soleil Holding Company, LLC, a Wyoming limited liability company and Deloney Street, LLC, a Wyoming limited liability company, setting forth terms, recorded August 16, 2019, as (instrument) 0975461, Official Records. (Parcel 1)
[Doc 0975461](#)
- 12. An easement upon the terms, conditions and provisions contained therein for the purpose shown below and rights incidental thereto as granted to the Jackson Hole Land Trust, a Wyoming non-profit corporation, in a document recorded August 16, 2019, as (instrument) 0975464, Official Records:
Purpose: Conservation and Greenspace Easement
[Doc 0975464](#)

***** End of Encumbrances *****



George Putnam

From: JHN&G Legals <legals@jhnewsandguide.com>
Sent: Monday, March 30, 2020 1:23 PM
To: George Putnam
Subject: Re: Notice of Intent to Subdivide...

Great will do.

Our deadline is at 3:00pm on Thursday for the following week's Jackson Hole News&Guide.

Thank you,

Rudy Perez
Legal Notices
(307) 733-2047
www.jhnewsandguide.com
Jackson Hole News&Guide | Jackson Hole Daily

On Mar 30, 2020, at 11:43 AM, George Putnam <gputnam@cirqueconsulting.com> wrote:

Hi Rudy,

Yes, please run it on the 8th & 15th.

Please let me know what your deadline is for notices to make the next week's Wednesday paper.

Thanks,

-George

George Putnam

Cirque Consulting, LLC
185 E. Hansen Ave
P.O. Box 7775
Jackson, WY 83002
Ph: 307-413-5424

From: JHN&G Legals <legals@jhnewsandguide.com>
Sent: Monday, March 30, 2020 11:09 AM
To: George Putnam <gputnam@cirqueconsulting.com>
Subject: Re: Notice of Intent to Subdivide...

Hi George,

The notice was submitted after our deadline so the soonest I can run the notice will be on April 8th. Please let me know if you would like to proceed and what the new run dates would be.

Thank you,

Rudy Perez

Legal Notices

(307) 733-2047

www.jhnewsandguide.com

Jackson Hole News&Guide | Jackson Hole Daily

On Mar 27, 2020, at 4:16 PM, George Putnam <gputnam@cirqueconsulting.com> wrote:

Hi Rudy,

Can you please run the below notice again on April 1 and April 8.

NOTICE OF INTENT TO SUBDIVIDE

Notice is hereby given that in accordance with Chapter 18-5-306 Wyoming Statutes, 1977, as amended, that the Café G, LLC, owner of two unplatted parcels within the Town of Jackson intends to apply for a permit to subdivide into six lots. The project is generally located at 135 & 175 E. Broadway Ave., Jackson, Wyoming.

Filing for said permit will occur at a regular meeting of the Jackson Town Council. Please contact the Town of Jackson Planning Department at (307) 733-0440 for the scheduled meeting date and additional information.

Do not print contents below line:

Please publish: April 1 and April 8, 2020

Bill to:

Cirque Consulting

P.O. Box 7775

Jackson, WY 83002

Many thanks,

-George Putnam

**DECLARATION OF
LIMITED SERVICE ACCESS AND SNOW STORAGE EASEMENT
AND COST SHARING COVENANT**

CAFÉ G, LLC, a Wyoming limited liability company (hereafter referred to as “Declarant”) and the Jackson Hole Land Trust, a Wyoming nonprofit corporation (“JHLT”) execute this DECLARATION OF LIMITED SERVICE ACCESS AND SNOW STORAGE EASEMENT AND COST SHARING COVENANT (this “Declaration”) to be effective as of the date this instrument is recorded in the land records of Teton County, Wyoming (the “Effective Date”) .

RECITALS

WHEREAS, Declarant owns that certain real property located in the Town of Jackson, Teton County, Wyoming that is more particularly described as Lots 1, 2, 3, 4, and 5 of the Genevieve Block Addition to the Town of Jackson according to that certain plat to be recorded in the Office of the Teton County Clerk the same date hereof (“Lot 1,” “Lot 2,” “Lot 3,” “Lot 4,” “Lot 5,” respectively, or the “Burdened Property,” collectively, or a “Lot” individually and the “Lots” generally);

WHEREAS, Declarant desires to declare and establish in, under, over and across the Burdened Property an express, non-exclusive limited service access, snow removal and snow storage easement appurtenant to and for the benefit of only Lot 2, Lot 3, Lot 4 and Lot 5 (the “Benefited Property”), according to the terms and conditions set forth herein;

WHEREAS, Declarant desires to declare and establish a cost sharing covenant for the Benefited Property with respect to the allocation of maintenance, repair and replacement of the Driveway (as defined below), according to the terms and conditions set forth herein;

WHEREAS, JHLT has a conservation interest in the Burdened Property pursuant to that certain Conservation Easement recorded on portions of the Burdened Property on August 16, 2019 as Document Number 0975464 (the “JHLT Conservation Easement”), and JHLT desires a Driveway width as narrow as reasonably possible to provide the use contemplated and a surface that is aesthetically pleasing and not necessarily asphalt;

WHEREAS, Declarant and JHLT agreed that the costs of maintaining, repairing and replacing the Driveway from time to time should be fairly allocated to the Benefited Property on the basis of what a driveway with an asphalt surface would ordinarily cost to maintain, repair and replace, taking into consideration the limited use to which this Driveway will be put, and any excess costs should be fairly allocated to Lot 4, which is contemplated to be owned by a JHLT affiliate;

WHEREAS, JHLT agrees that the Easement set forth herein is in accordance with the JHLT Conservation Easement and the cost sharing contemplated herein is an adequate exchange for the protections afforded to the JHLT interest in the aesthetic attributes of the Driveway;

DECLARATIONS

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein as if set forth in their entirety below, Declarant hereby declares that the Burdened Property shall be held, sold, transferred, conveyed and occupied subject to the covenants, conditions, restrictions, easements, uses and privileges hereafter set forth, all of which shall be binding upon all parties having or acquiring any right, title and interest in the Burdened Property and shall inure to the benefit of the Benefited Property, as follows:

1. Grant of Non-Exclusive Easement. Declarant hereby declares and establishes for the benefit of the Owners (as defined below) of the Benefitted Property and each of their heirs, successors, assigns, employees, agents, contractors and licensees, a non-exclusive limited service access, snow removal and snow storage easement in, under, over and across those portions of the Burdened Property legally described on **Exhibit A** attached hereto and designated as the “Limited Service Access & Snow Storage Easements” on the map attached hereto as **Exhibit B** (the “Easement”), subject to the terms and conditions set forth herein.

2. Construction, Maintenance, Repair and Replacement of Driveway Surface; Snow Storage and Snow Removal.

(a) Initial Construction. Declarant shall construct the driveway located within the Easement (the “Driveway”). The width and surface material of the Driveway shall be determined by the JHLT in its sole discretion provided that such width and surface material is reasonably sufficient for the purposes for which the Easement was created as set forth in this Declaration and the ability of the service vehicles to utilize the Driveway without damage to the Burdened Property. If at any time in the future, the width or surface material chosen by JHLT is “deemed to be insufficient for the purposes for which this Easement was created” then the Owner of Lot 4 (contemplated to be an entity affiliated with the JHLT) will bear the entire cost to widen the Driveway width or replace the surface material sufficient to reasonably facilitate the use of the Driveway for the purposes contemplated by this Declaration. For purposes of this paragraph, the width or surface material shall only be deemed to be insufficient for the purposes for which this Easement was created if one of the following occurs: (i) service vehicles are causing damage beyond reasonable ordinary wear and tear to the Burdened Property (for example, by continually driving off of the edge of the Driveway surface and creating ruts along the sides of the Driveway), or (ii) service providers are refusing to service the Benefited Properties because of the road width or the surface material.

(b) Driveway Surface Maintenance and Repair. After the initial construction, the Benefited Properties may maintain and repair the Driveway as they deem necessary. Immediately after such maintenance or repair work is complete, the Owner(s) undertaking such work shall remediate the areas surrounding the Driveway in the Burdened Property to the condition they were in immediately prior to the work being performed. The frequency and scope of maintenance and repair of the Driveway surface as well as contracting for the services required for such maintenance, repair and remediation of the Burdened Property shall be determined by the majority vote of the Owners of Lot 2, Lot 3, Lot 4, and Lot 5, with each Lot having one vote. All such future maintenance, repair and remediation of the Driveway surface and surrounding Burdened Property shall be paid for by the Owners of Lot 2, Lot 3, Lot 4 and Lot 5 as follows: All maintenance and repair shall first be estimated as if the Driveway were an asphalt surface having sustained the limited use contemplated by this Declaration. Then the maintenance and

repair shall be estimated for the actual existing surface of the Driveway and the actual maintenance or repair required at the time. To the extent the estimate for actual repair or maintenance exceeds the hypothetical asphalt surface estimate, the Lot 4 owner shall pay all such excess estimated costs and remediation costs. To the extent there is a maintenance, repair or remediation cost remaining (the "Driveway Maintenance Costs"), such Driveway Maintenance Costs shall be allocated to the Owners as follows: the Owners of Lot 2, Lot 3 and Lot 5 shall pay the Driveway Maintenance Costs based upon the following formula, which takes into account the fact that the Owners of Lot 2 and Lot 3 use the entire length of the Driveway and the Owner of Lot 5 uses only the first half of the Driveway: (i) 50% of the total Driveway Maintenance Costs shall be split equally among the Owners of Lot 2, Lot 3, and Lot 5; and (ii) 50% of the total Driveway Maintenance Costs shall be split equally between the Owner of Lot 2 and the Owner of Lot 3. By way of example, if the total Driveway Maintenance Driveway Costs are \$100, the Owner of Lot 5 shall be allocated \$16.67, the Owner of Lot 2 shall be allocated \$41.67 and the Owner of Lot 3 shall be allocated \$41.67.

(c) Replacement of Driveway Surface. At such time that the repair of the surface of the Driveway becomes impractical, and replacement of the Driveway surface is reasonably required, the Owners shall undertake to replace the Driveway surface and the cost for such replacement, and necessary remediation of the Burdened Property as set forth herein, shall be split among the Owners of Lot 2, Lot 3, Lot 4 and Lot 5 as follows: The Owners of the four Lots shall obtain estimates to replace the Driveway surface with asphalt and estimates to replace the Driveway surface with a material chosen by Lot 4 (provided such material is adequate to allow the uses of the Driveway contemplated by this Declaration as set forth above for the initial installation). If and to the extent the estimate chosen (and the actual cost associate with the work performed) exceeds the estimate for replacement of the Driveway surface with asphalt, the Owner of Lot 4 shall pay such difference. The remainder of the amount due (which should be no less than the amount of the estimate to replace the Driveway surface with asphalt) shall be paid by the Owners of Lot 2, Lot 3, and Lot 5 in the same formula set forth above for Driveway Maintenance Costs set forth in subsection 2(b) above.

(d) Snow Removal Expenses; Snow Storage. The Owners of Lot 2, Lot 3, and Lot 5 shall contract for and manage the snow removal necessary to maintain the limited access along the Driveway to their Lots. All management decisions will be taken by majority vote with each of the three Lots having one vote. The Owners of Lot 2, Lot 3, and Lot 5 shall pay the costs of snow removal based upon the formula set forth for Driveway Maintenance Costs set forth in subsection 2(b) above. The Owners shall be permitted to store snow in the areas depicted as "New Snow Storage Easements" on the attached Exhibit "B".

(e) Lien to Secure Payment. The maintenance and repair costs specially allocated to Lot 4, Driveway Maintenance Costs, Driveway replacement costs, and snow removal costs allocated to each of the Owners shall be due and payable within ten (10) days of receipt of notice of each Owner's allocated share of such costs. If any Owner fails to pay in full any amounts due hereunder within sixty (60) days of receipt of notice, in addition to all other remedies set forth herein and at law and in equity, the other Owners shall each have a lien against the applicable non-paying Lot to secure payment of any costs due hereunder (subject to the limitations of Wyoming law) and any costs of collection (including attorneys' fees). Such lien shall be superior to all other liens, except (a) the liens of all taxes, bonds, assessments, and other levies which by law would be superior, and (b) the lien or charge of any mortgage. Such lien, when delinquent, may be enforced by suit, judgment, and judicial or non-judicial foreclosure as provided for by

Wyoming law. The sale or transfer of Lot 2, Lot 3, Lot 4 or Lot 5 shall not affect the lien or relieve any such Lot from the lien for any subsequent amounts owed.

3. **Restrictions.** The purpose of the Easement granted herein shall be limited to, and this Declaration shall be subject to, the following restrictions:

(a) The Driveway shall be and remain a private Driveway and the scope of its usage shall be limited to ingress and egress to and from the Benefited Properties by (i) pedestrians and (ii) vehicles but only for the purposes of sewer and grease trap clean-out, and garbage and recycling pick-up from the Benefited Properties, and for snow plowing and snow removal from the Benefited Properties, the storage of snow removed from the Benefited Properties, and necessary repair, maintenance or replacement of the Driveway as contemplated herein, or the necessary repair, maintenance and replacement of utilities that lie beneath or immediately adjacent to the Driveway and contemplated by any other easements burdening the Burdened Property.

(b) The Driveway shall not be used for parking at any time.

4. **No Merger.** This Declaration and the easements and rights declared and established herein are intended to remain separate from the Declarant's fee simple interest in the Benefited Property and the Burdened Property and shall not merge therewith.

5. **Construction.** Any recitals in this Declaration are represented by the parties to be accurate and constitute a part of the substantive agreement. This Declaration shall be construed in accordance with the laws of the State of Wyoming. Venue is in Teton County, Wyoming.

6. **Enforcement.** For purposes of this Declaration, an "Owner" or "Owners" shall mean all record owners, whether one or more, of fee simple title to any Lot within the Burdened Property or the Benefited Property as the context may require or any portion thereof, and their respective heirs, successors and assigns. The Owners of all Lots within the Benefited Property or the Burdened Property and the JHLT (as to the limitations on use of the Driveway only) shall each be entitled to enforce the terms and conditions set forth herein. If any party is required to take action to enforce the terms and conditions of this Declaration, the defaulting party agrees to pay all costs incurred by the non-defaulting party, including attorney's fees, whether suit is brought or not.

7. **Term.** The easements, covenants, conditions and restrictions contained in this Declaration shall be effective commencing on the date of recordation of this Declaration in the Office of the Clerk of Teton County, Wyoming and shall remain in full force and effect thereafter in perpetuity, unless this Declaration is modified, amended, canceled or terminated by the written consent of all the current Owners and the JHLT (as to the limitations on use of the Driveway only).

8. **No Assumption of Liability.** Declarant, by declaring and establishing the Easement, does not assume any responsibilities or liabilities with respect thereto, nor shall Declarant at any time incur any liability for failure to comply with any law, ordinance, regulation or order with respect to the Easement contained herein.

9. **Reservation.** The Declarant reserves unto itself, its guests, invitees, legal representatives, heirs, successors and assigns, the right to use the surface and subsurface of the Easement, including but not limited to the Driveway. The Declarant further reserves unto itself, its heirs, successors and assigns, the right to grant additional easements in, under, over and across the Burdened Property for any purpose as Declarant deems necessary, in Declarant's sole discretion so long as such additional grants do not unreasonably interfere with the rights and benefits granted to the Owners herein.

10. **Real Covenants.** All covenants, conditions, easements, rights, benefits and privileges granted, created, reserved or declared by this Declaration shall be covenants appurtenant, running with the land, binding upon, inuring to the benefit of, and enforceable by the Owners of the Benefited Property and the Burdened Property and the JHLT. Each Owner, by acceptance of a deed conveying title to their respective Lot or any portion thereof, or the execution of a contract for the purchase thereof, or the acceptance of a license or lease therefore, or the taking possession thereof, shall for itself, his successor and assigns, be deemed to (i) accept such deed, contract, lease, license or possession upon and subject to each and all of the provisions of this Declaration, and (ii) covenant to and with Declarant (and all of Declarant's successors and assigns with respect to Lot 2, Lot 3, Lot 4 and Lot 5) and the JHLT to keep, observe, comply with and perform the requirements of this Declaration, whether or not any reference to this Declaration is contained in the instrument by which such Owner or other person acquired said interest. Declarant, as the current owner of fee simple title to Lot 1, Lot 2, Lot 3, Lot 4 and Lot 5, expressly intends to and by the recording of this Declaration in the Office of the Clerk of Teton County, Wyoming, does hereby subject Lot 1, Lot 2, Lot 3, Lot 4 and Lot 5 to the provisions of this Declaration.

11. **Entire Agreement.** This Declaration embodies and constitutes the entire agreement with respect to the subject matters hereof and all prior or contemporaneous agreements, understandings, representations, statements are merged into this Declaration.

12. **Severability.** In case any one or more of the provisions contained in this Declaration shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Declaration shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

DATED as of the Effective Date.

DECLARANT:

Café G, LLC,
a Wyoming limited liability company

By: _____
Name: Robbin Levy Mommsen
Title: Manager

(acknowledgments and further signature on following page)

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Robbin Levy Mommsen, as Manager of Café G, LLC, a Wyoming limited liability company, this ____ day of _____, 2020.

Witness my hand and official seal.

Notary Public
My commission expires:

Acknowledgement as to the consent of the Jackson Hole Land Trust, a Wyoming nonprofit corporation, regarding the obligations, terms and conditions set forth herein:

**Jackson Hole Land Trust,
a Wyoming nonprofit corporation**

By: _____
_____, its _____

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by _____, as _____ of Jackson Hole Land Trust, a Wyoming nonprofit corporation, this ____ day of _____, 2020.

Witness my hand and official seal.

Notary Public
My commission expires:

Legal Description of Limited Service Access & Snow Storage Easements

Three (3) strips of land situated in the SW1/4SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, being more particularly described by the following metes and bounds:

STRIP A: Limited Service Access & Snow Storage Easement

BEGINNING at the northwest corner of the northern portion of Lot 4 as shown on that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming, said corner being marked by an aluminum cap inscribed "PLS 16012";

THENCE S 89°32'42" E, 30.00 feet, along the north line of said northern portion of Lot 4 to a point;

THENCE S 39°51'19" W, 15.79 feet, departing said north line to a point;

THENCE S 0°32'53" W, 75.71 feet, to a point of intersection with the north line of Lot 5 as shown on said Plat;

THENCE N 89°33'56" W, 3.49 feet, along said north line to a point;

THENCE S 45°29'29" W, 17.85 feet, departing said north line to a point of intersection with the west line of said Lot 5;

THENCE S 0°32'53" W, 19.42 feet, along said west line to a point;

THENCE N 89°33'56" W, 84.48 feet, departing said west line to a point;

THENCE S 2°57'45" W, 15.32 feet to a point;

THENCE N 87°02'15" W, 30.00 feet to a point;

THENCE N 2°57'45" E, 14.00 feet to a point;

THENCE N 89°33'56" W, 5.00 feet, to a point of intersection with the east line of Lot 2 as shown on said Plat;

THENCE N 2°57'45" E, 2.00 feet, along said east line to a point;

THENCE N 89°33'56" W, 66.97 feet, departing said east line to a point of intersection with the west line of said Lot 2;

THENCE N 0°32'53" E, 18.00 feet, along said west line to the northwest corner of said Lot 2, as marked by an aluminum cap inscribed "PLS 16012";

THENCE S 89°33'56" E, 67.73 feet, to the north corner common to said Lot 2 and Lot 3 as shown on said Plat, as marked by an aluminum cap inscribed "PLS 16012";

THENCE S 89°33'56" E, 57.37 feet, to the north corner common to said Lot 3 and the southern portion of said Lot 4, as marked by an aluminum cap inscribed "PLS 16012";

THENCE S 89°33'56" E, 36.40 feet, along the north line of said southern portion of Lot 4 to a point;

THENCE N 45°29'29" E, 29.73 feet, departing said north line to a point of intersection with the west line of said northern portion of Lot 4;

THENCE N 0°32'53" E, 78.94 feet, along said west line to the **POINT OF BEGINNING**.

Said strip encompasses 6,200.2 square feet, more or less.

STRIP B: Snow Storage Easement

COMMENCING at the northwest corner of the northern portion of Lot 4 as shown on that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming, said corner being marked by an aluminum cap inscribed "PLS 16012";

THENCE S 89°32'42" E, 30.00 feet, along the north line of said northern portion of Lot 4 to the **POINT OF BEGINNING**;

THENCE S 89°32'42" E, 12.94 feet, continuing along said north line to a point;
THENCE S 39°51'19" W, 20.43 feet, departing said north line to a point;
THENCE S 0°32'53" W, 72.12 feet, to a point of intersection with the north line of Lot 5 as shown on said Plat;
THENCE N 89°33'56" W, 10.00 feet, along said north line to a point;
THENCE N 0°32'53" E, 75.71 feet, departing said north line to a point;
THENCE N 39°51'19" E, 15.79 feet to the **POINT OF BEGINNING**.

Said strip encompasses 920.2 square feet, more or less.

STRIP C: Snow Storage Easement

COMMENCING at the southwest corner of Lot 5 as shown on that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming, said corner being marked by an aluminum cap inscribed "PLS 16012";
THENCE N 0°32'53" E, 70.00 feet, along the west line of said Lot 5 to the **POINT OF BEGINNING**;

THENCE N 89°33'56" W, 84.90 feet, departing said west line to a point;
THENCE N 2°57'45" E, 10.01 feet to a point;
THENCE S 89°33'56" E, 84.48 feet, to a point of intersection with said west line;
THENCE S 0°32'53" W, 10.00 feet to the **POINT OF BEGINNING**.

Said strip encompasses 846.9 square feet, more or less.

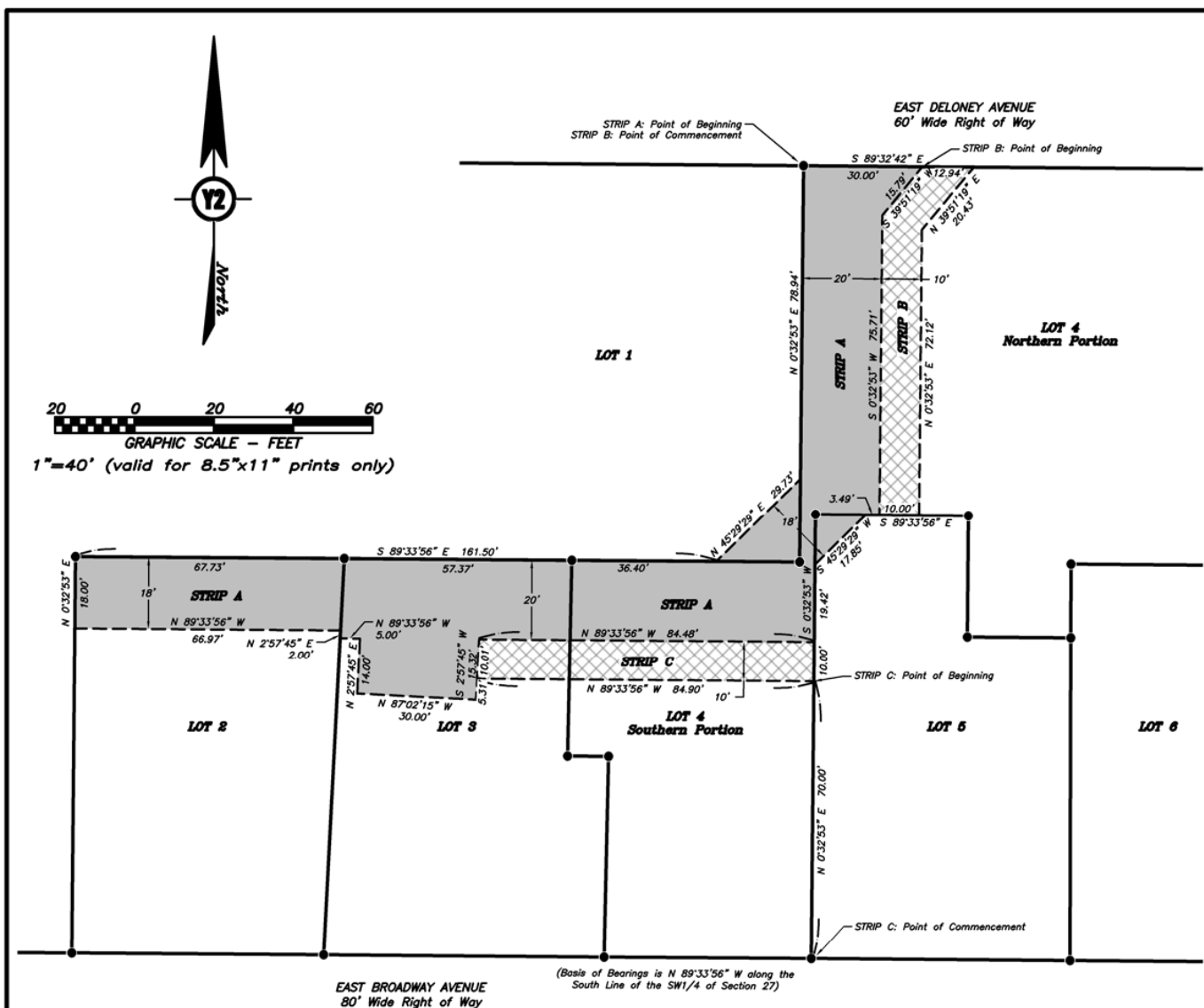
The basis of bearings for these descriptions is N 89°33'56" W along the south line of the SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, as shown on that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming.

All in accordance with the exhibit entitled "Limited Service Access & Snow Storage Easements for the Benefit of Lots 2, 3, 4, & 5" recorded concurrently with this legal description in the Office of the Clerk of Teton County, Wyoming.

Y2 Consultants, LLC

April 1, 2020

Y2 Project #19035
Prepared by MWW

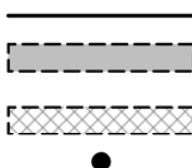


NOTES

Bearings and distances shown hereon are record from that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming.

The basis of bearings for this survey is N 89°33'56" W along the south line of the SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, as shown on said Plat.

LEGEND



Record Property Boundary

STRIP A: New Limited Service Access & Snow Storage Easement

STRIPS B & C: New Snow Storage Easements

Aluminum Cap Inscribed "PLS 16012"

Limited Service Access & Snow Storage Easements for the Benefit of Lots 2, 3, 4, & 5

Project Number • 19035
Project Path • F:\2019\19035\Survey\ACAD\19035_200214_PLAT.dwg
Drawn By • MWW
Reviewed By • MWF
Drawing Date • April 1, 2020
Revision Date •

Exhibit__

Cafe G, LLC

Being a portion of the
SW1/4SW1/4 of Section 27
T. 41 N., R. 116 W., 6th P.M.,
Teton County, Wyoming



Y2 Consultants
180 South Willow St.
P.O. Box 2870
Jackson, WY 83001
Y2consultants.com

**DECLARATION OF
UNDERGROUND UTILITY EASEMENT**

CAFÉ G, LLC, a Wyoming limited liability company (hereafter referred to as “Declarant”) executes this DECLARATION OF UNDERGROUND UTILITY EASEMENT (this “Declaration”) to be effective as of the date this instrument is recorded in the land records of Teton County, Wyoming (the “Effective Date”).

RECITALS

WHEREAS, Declarant owns that certain real property located in the Town of Jackson, Teton County, Wyoming that is more particularly described as Lots 1, 2, 3, 4, 5 and 6 of the Genevieve Block Addition to the Town of Jackson according to that certain plat to be recorded in the Office of the Teton County Clerk the same date hereof (“Lot 1,” “Lot 2,” “Lot 3,” “Lot 4,” “Lot 5,” “Lot 6,” respectively, or a “Lot” individually and the “Lots” generally);

WHEREAS, Declarant desires to declare and establish in, under, over and across those portions of the Lots legally described on **Exhibit A** attached hereto and designated as the “New Easement” on the map entitled “Underground Utility Easement for the Benefit of Lots 1-6” attached hereto as **Exhibit B** (the “Easement” or the “Burdened Property”), subject to the terms and conditions set forth herein, an express, non-exclusive underground utility easement appurtenant to and for the benefit of all of the Lots (the “Benefited Property”), according to the terms and conditions set forth herein;

DECLARATIONS

NOW, THEREFORE, Declarant hereby declares that the Burdened Property shall be held, sold, transferred, conveyed and occupied subject to the covenants, conditions, restrictions, easements, uses and privileges hereafter set forth, all of which shall be binding upon all parties having or acquiring any right, title and interest in the Burdened Property and shall inure to the benefit of the Benefited Property, as follows:

1. Grant of Non-Exclusive Easement. Declarant hereby declares and establishes for the benefit of the Owners (as defined below) of the Benefited Property and each of their heirs, successors, assigns, employees, agents, contractors and licensees, a non-exclusive underground utility easement in, under, over and across the Burdened Property for the installation, repair, maintenance and replacement of underground utilities along with necessary above-ground appurtenances.

2. Maintenance, Repair and Replacement of Utilities.

(a) **Initial Installation.** Within one year of the recordation date of this Declaration, Declarant will have installed certain utility lines within the Easement to the extent required by the Town of Jackson for the subdivision improvements for the Genevieve Block Addition to the Town of Jackson (collectively, the “Utility Lines”).

(b) Future Additions to the Utility Lines. Any Owner or group of Owners of a Lot or Lots within the Benefited Property may choose to install additional utility lines provided the installation or operation of such additional lines does not negatively impact the services provided by the original Utility Lines to the Benefited Property. Immediately after completing the installation of additional utility lines, the Owner(s) undertaking the work shall remediate the Burdened Property to the condition it was in prior to undertaking the work. All costs associated with the installation of such additional utility lines as well as remediation of the Burdened Property to its condition prior to the new installation shall be paid by the Owner or Owners choosing to install such additional lines.

(c) Maintenance, Repair and Replacement of Utility Lines. The cost and expense for any necessary maintenance, repair or replacement of the Utility Lines, along with the costs to remediate the Burdened Property after the repair work is complete (collectively the costs for the maintenance, repair, replacement and remediation shall be referred to as the “Expense”), shall be allocated pro rata to each Lot that is benefited by the particular line requiring maintenance. For example, if electrical lines serve and benefit all of the Lots and the electrical lines require repair, then the Expense shall be shared pro rata by all Lots. If only Lot 3 is served by the potable water service and the water line requires repair or replacement, then only Lot 3 shall pay the Expense associated with the repair or replacement. Immediately after completing the maintenance, repair or replacement of Utility Lines, the Owner(s) undertaking the work shall remediate the Burdened Property to the condition it was in prior to undertaking the work. All Owners of Lots that benefit from the applicable utility service shall cooperate in the selection of contractors to perform the maintenance, repair, replacement or remediation work required hereunder. The majority vote of the affected Owners, with one vote per Lot, shall determine the selection of contractors and the scope of work performed.

(d) Lien to Secure Payment. To the extent any necessary maintenance, repairs or replacement occurs on any of the existing Utility Lines within the Easement and an Owner of a Lot that is benefited by such existing Utility Lines fails to pay their pro rata share of the Expense within sixty (60) days of receipt of notice of their share of the amount due, in addition to all other remedies set forth herein and at law and in equity, the other Owners shall each have a lien against the applicable non-paying Lot to secure payment of any fees due hereunder (subject to the limitations of Wyoming law) and any costs of collection (including attorneys’ fees). Such lien shall be superior to all other liens, except (a) the liens of all taxes, bonds, assessments, and other levies which by law would be superior, and (b) the lien or charge of any mortgage. Such lien, when delinquent, may be enforced by suit, judgment, and judicial or non-judicial foreclosure as provided for by Wyoming law. The sale or transfer of the non-paying Lot or the Lot whose Owner commenced the lien shall not affect the lien or relieve any such non-paying Lot from the lien for any subsequent amounts owed.

3. No Merger. This Declaration and the easements and rights declared and established herein are intended to remain separate from the Declarant’s fee simple interest in the Benefited Property and the Burdened Property and shall not merge therewith.

4. Construction. Any recitals in this Declaration are represented by the parties to be accurate and constitute a part of the substantive agreement. This Declaration shall be construed in accordance with the laws of the State of Wyoming. Venue is in Teton County, Wyoming.

5. **Enforcement.** For purposes of this Declaration, an “Owner” or “Owners” shall mean all record owners, whether one or more, of fee simple title to any Lot within the Burdened Property or the Benefited Property as the context may require or any portion thereof, and their respective heirs, successors and assigns. The Owners of all Lots shall each be entitled to enforce the terms and conditions set forth herein. If any party is required to take action to enforce the terms and conditions of this Declaration, the defaulting party agrees to pay all costs incurred by the non-defaulting party, including attorney’s fees, whether suit is brought or not.

6. **Term.** The easements, covenants, conditions and restrictions contained in this Declaration shall be effective commencing on the date of recordation of this Declaration in the Office of the Clerk of Teton County, Wyoming and shall remain in full force and effect thereafter in perpetuity, unless this Declaration is modified, amended, canceled or terminated by the written consent of all the current Owners.

7. **No Assumption of Liability.** Declarant, by declaring and establishing the Easement, does not assume any responsibilities or liabilities with respect thereto, nor shall Declarant at any time incur any liability for failure to comply with any law, ordinance, regulation or order with respect to the Easement contained herein.

8. **Reservation.** The Declarant reserves unto itself, its guests, invitees, legal representatives, heirs, successors and assigns, the right to use the Easement. The Declarant further reserves unto itself, its heirs, successors and assigns, the right to grant additional easements in, under, over and across the Burdened Property for any purpose as Declarant deems necessary, in Declarant’s sole discretion so long as such additional grants do not unreasonably interfere with the rights and benefits granted to the Owners herein.

9. **Real Covenants.** All covenants, conditions, easements, rights, benefits and privileges granted, created, reserved or declared by this Declaration shall be covenants appurtenant, running with the land, binding upon, inuring to the benefit of, and enforceable by the Owners of the Benefited Property and the Burdened Property. Each Owner, by acceptance of a deed conveying title to their respective Lot or any portion thereof, or the execution of a contract for the purchase thereof, or the acceptance of a license or lease therefore, or the taking possession thereof, shall for itself, his successor and assigns, be deemed to (i) accept such deed, contract, lease, license or possession upon and subject to each and all of the provisions of this Declaration, and (ii) covenant to and with Declarant (and all of Declarant’s successors and assigns with respect to the Lots) to keep, observe, comply with and perform the requirements of this Declaration, whether or not any reference to this Declaration is contained in the instrument by which such Owner or other person acquired said interest. Declarant, as the current owner of fee simple title to each of the Lots, expressly intends to and by the recording of this Declaration in the Office of the Clerk of Teton County, Wyoming, does hereby subject the Lots to the provisions of this Declaration.

10. **Entire Agreement.** This Declaration embodies and constitutes the entire agreement with respect to the subject matters hereof and all prior or contemporaneous agreements, understandings, representations, statements are merged into this Declaration.

11. **Severability.** In case any one or more of the provisions contained in this Declaration shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this

Declaration shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

DATED as of the Effective Date.

DECLARANT:

Café G, LLC,
a Wyoming limited liability company

By: _____
Name: _____
Title: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me by _____, as _____ of Café G, LLC a Wyoming limited liability company, this ____ day of _____, 20____.

Witness my hand and official seal.

Notary Public
My commission expires:

Legal Description of Underground Utility Easement

A strip of land situated in the SW1/4SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, being more particularly described by the following metes and bounds:

BEGINNING at the northwest corner of the northern portion of Lot 4 as shown on that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming, said corner being marked by an aluminum cap inscribed "PLS 16012";

THENCE S 89°32'42" E, 30.00 feet, along the north line of said northern portion of Lot 4 to a point;

THENCE S 39°51'19" W, 15.79 feet, departing said north line to a point;

THENCE S 0°32'53" W, 55.71 feet to a point;

THENCE S 89°33'56" E, 42.45 feet to a point;

THENCE S 0°32'53" W, 32.03 feet to a point;

THENCE S 89°33'56" E, 5.95 feet, to the northwest corner of Lot 6 as shown on said Plat, and marked by an aluminum cap inscribed "PLS 16012";

THENCE S 0°09'01" W, 18.44 feet, along the west line of said Lot 6 to the northeast corner of Lot 5 as shown on said Plat, and marked by an aluminum cap inscribed "PLS 16012";

THENCE N 89°33'56" W, 26.08 feet, departing said west line and along the north line of said Lot 5 to a point marked by an aluminum cap inscribed "PLS 16012";

THENCE N 0°32'53" E, 30.47 feet, continuing along said north line to a point marked by an aluminum cap inscribed "PLS 16012";

THENCE N 89°33'56" W, 25.93 feet, continuing along said north line to a point;

THENCE S 45°29'29" W, 17.85 feet, departing said north line to a point of intersection with the west line of said Lot 5;

THENCE S 0°32'53" W, 19.42 feet, along said west line to a point;

THENCE N 89°33'56" W, 84.48 feet, departing said west line to a point;

THENCE S 2°57'45" W, 15.32 feet to a point;

THENCE N 87°02'15" W, 30.00 feet to a point;

THENCE N 2°57'45" E, 14.00 feet to a point;

THENCE N 89°33'56" W, 5.00 feet, to a point of intersection with the east line of Lot 2 as shown on said Plat;

THENCE N 2°57'45" E, 2.00 feet, along said east line to a point;

THENCE N 89°33'56" W, 66.97 feet, departing said east line to a point of intersection with the west line of said Lot 2;

THENCE N 0°32'53" E, 18.00 feet, along said west line to the northwest corner of said Lot 2, as marked by an aluminum cap inscribed "PLS 16012";

THENCE S 89°33'56" E, 67.73 feet, to the north corner common to said Lot 2 and Lot 3 as shown on said Plat, and marked by an aluminum cap inscribed "PLS 16012";

THENCE S 89°33'56" E, 57.37 feet, to the north corner common to said Lot 3 and the southern portion of said Lot 4, as marked by an aluminum cap inscribed "PLS 16012";

THENCE S 89°33'56" E, 36.40 feet, along the north line of said southern portion of Lot 4 to a point;

THENCE N 45°29'29" E, 29.73 feet, departing said north line to a point of intersection with the west line of said northern portion of Lot 4;

THENCE N 0°32'53" E, 78.94 feet, along said west line to the **POINT OF BEGINNING**.

Said strip encompasses 7,769.5 square feet, more or less.

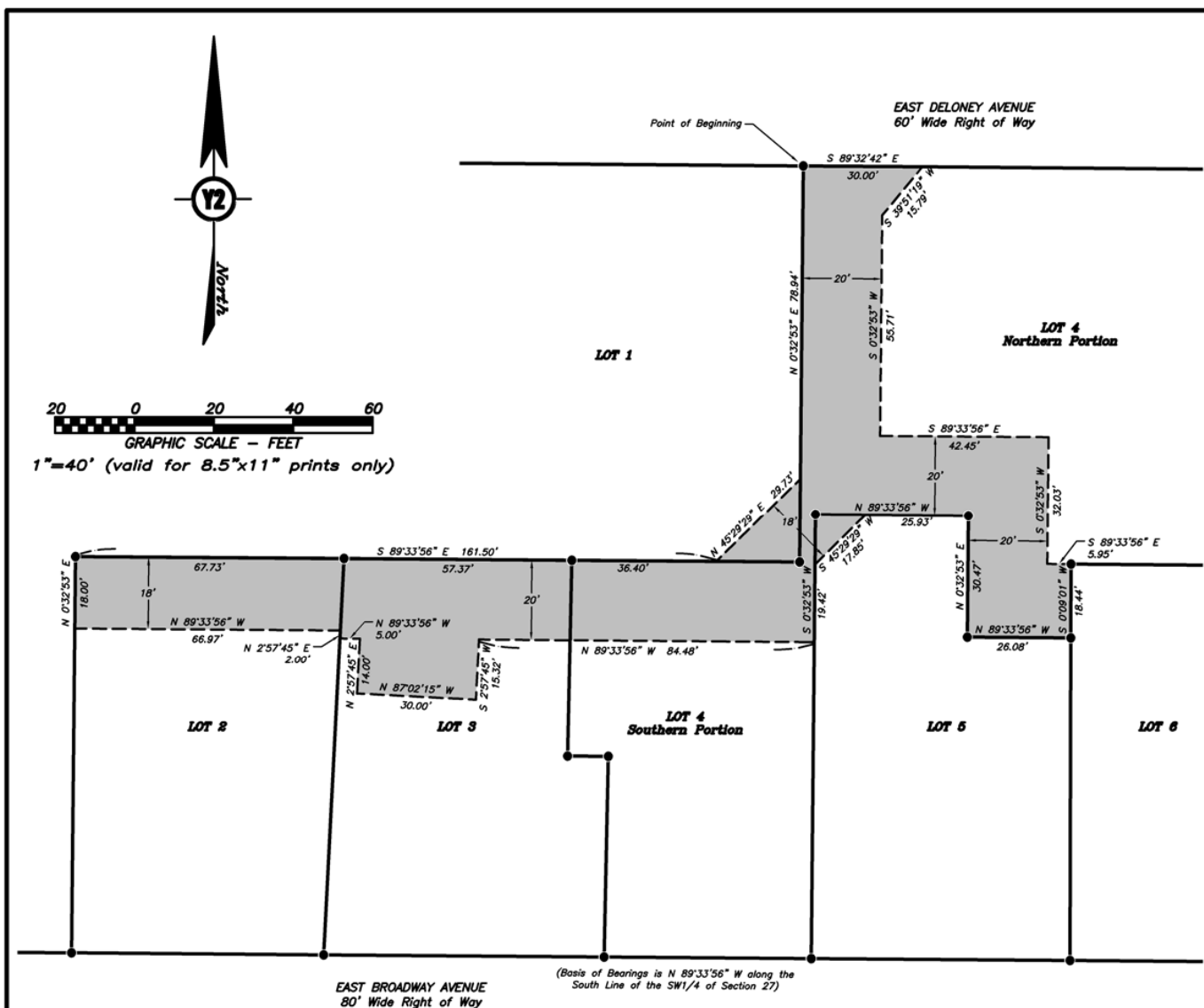
The basis of bearings for this description is N 89°33'56" W along the south line of the SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, as shown on that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming.

All in accordance with the exhibit entitled "Underground Utility Easement for the Benefit of Lots 1-6" recorded concurrently with this legal description in the Office of the Clerk of Teton County, Wyoming.

Y2 Consultants, LLC

April 1, 2020

Y2 Project #19035
Prepared by MWW



NOTES

Bearings and distances shown hereon are record from that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming.

The basis of bearings for this survey is N 89°33'56" W along the south line of the SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, as shown on said Plat.

LEGEND

- Record Property Boundary
- New Easement
- Aluminum Cap Inscribed "PLS 16012"

Underground Utility Easement for the Benefit of Lots 1 - 6

Project Number • 19035
 Project Path • F:\2019\19035\Survey\ACAD\19035_200214_PLAT.dwg
 Drawn By • MWW
 Reviewed By • MWF
 Drawing Date • April 1, 2020
 Revision Date •

Exhibit__

Cafe G, LLC

Being a portion of the
 SW1/4SW1/4 of Section 27
 T. 41 N., R. 116 W., 6th P.M.,
 Teton County, Wyoming



Y2 Consultants
 180 South Willow St.
 P.O. Box 2870
 Jackson, WY 83001
 Y2consultants.com

**DECLARATION OF
UNDERGROUND ELECTRICAL UTILITY EASEMENT
FOR BENEFIT OF TOWN OF JACKSON**

CAFÉ G, LLC, a Wyoming limited liability company (hereafter referred to as “Declarant”) executes this DECLARATION OF UNDERGROUND ELECTRICAL UTILITY EASEMENT for benefit of the TOWN OF JACKSON (this “Declaration”) to be effective as of the date this instrument is recorded in the land records of Teton County, Wyoming (the “Effective Date”).

RECITALS

WHEREAS, Declarant owns that certain real property located in the Town of Jackson, Teton County, Wyoming that is more particularly described as Lots 1, 4, and 5 of the Genevieve Block Addition to the Town of Jackson according to that certain plat to be recorded in the Office of the Teton County Clerk the same date hereof (“Lot 1,” “Lot 4,” “Lot 5,” respectively, or a “Lot” individually and the “Lots” generally);

WHEREAS, Declarant desires to declare and establish in, under, over and across those portions of the Lots legally described on **Exhibit A** attached hereto and designated as the “New Easement” on the map entitled “Underground Electric Utility Easement for the Benefit of the Town of Jackson” attached hereto as **Exhibit B** (the “Easement” or the “Burdened Property”), subject to the terms and conditions set forth herein, an express, non-exclusive underground electric utility easement appurtenant to and for the benefit of the Town of Jackson (the “Benefited Party”), according to the terms and conditions set forth herein;

DECLARATIONS

NOW, THEREFORE, Declarant hereby declares that the Burdened Property shall be held, sold, transferred, conveyed and occupied subject to the covenants, conditions, restrictions, easements, uses and privileges hereafter set forth, all of which shall be binding upon all parties having or acquiring any right, title and interest in the Burdened Property and shall inure to the benefit of the Benefited Party, as follows:

1. Grant of Non-Exclusive Easement. Declarant hereby declares and establishes for the benefit of the Benefited Party its employees, agents, and contractors, a non-exclusive underground electric utility easement in, under, over and across the Burdened Property for the installation, repair, maintenance and replacement of underground electric utilities along with necessary above-ground appurtenances.

2. Maintenance, Repair and Replacement of Utilities. The Benefited Party may undertake any required maintenance, repair or replacement of the underground electric utility lines within the Easement that it deems necessary. Immediately after completing such maintenance, repair or replacement, the Benefited Party shall remediate the Burdened Property to the condition it was in prior to undertaking the maintenance, repair or replacement. The Benefited Party shall pay all costs and expenses for any necessary maintenance, repair or

replacement of the electric utility lines in the Easement, along with the costs to remediate the Burdened Property.

3. **No Merger.** This Declaration and the easements and rights declared and established herein are intended to remain separate from the Declarant's fee simple interest in the Benefited Party and the Burdened Property and shall not merge therewith.

4. **Construction.** Any recitals in this Declaration are represented by the parties to be accurate and constitute a part of the substantive agreement. This Declaration shall be construed in accordance with the laws of the State of Wyoming. Venue is in Teton County, Wyoming.

5. **Enforcement.** If any party is required to take action to enforce the terms and conditions of this Declaration, the defaulting party agrees to pay all costs incurred by the non-defaulting party, including attorney's fees, whether suit is brought or not.

6. **Term.** The easements, covenants, conditions and restrictions contained in this Declaration shall be effective commencing on the date of recordation of this Declaration in the Office of the Clerk of Teton County, Wyoming and shall remain in full force and effect thereafter in perpetuity, unless this Declaration is modified, amended, canceled or terminated by the written consent of all the current Owners.

7. **No Assumption of Liability.** Declarant, by declaring and establishing the Easement, does not assume any responsibilities or liabilities with respect thereto, nor shall Declarant at any time incur any liability for failure to comply with any law, ordinance, regulation or order with respect to the Easement contained herein.

8. **Reservation.** The Declarant reserves unto itself, its guests, invitees, legal representatives, heirs, successors and assigns, the right to use the Easement. The Declarant further reserves unto itself, its heirs, successors and assigns, the right to grant additional easements in, under, over and across the Burdened Property for any purpose as Declarant deems necessary, in Declarant's sole discretion so long as such additional grants do not unreasonably interfere with the rights and benefits granted to the Benefited Party herein.

9. **Real Covenants.** All covenants, conditions, easements, rights, benefits and privileges granted, created, reserved or declared by this Declaration shall be covenants appurtenant, running with the land and binding upon the Burdened Property. Each owner, by acceptance of a deed conveying title to their respective Lot or any portion thereof, or the execution of a contract for the purchase thereof, or the acceptance of a license or lease therefore, or the taking possession thereof, shall for itself, his successor and assigns, be deemed to (i) accept such deed, contract, lease, license or possession upon and subject to each and all of the provisions of this Declaration, and (ii) covenant to and with Declarant (and all of Declarant's successors and assigns with respect to the Lots) to keep, observe, comply with and perform the requirements of this Declaration, whether or not any reference to this Declaration is contained in the instrument by which such owner or other person acquired said interest. Declarant, as the current owner of fee simple title to each of the Lots, expressly intends to and by the recording of this Declaration in the Office of the Clerk of Teton County, Wyoming, does hereby subject the Lots to the provisions of this Declaration.

11. Severability. In case any one or more of the provisions contained in this Declaration shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Declaration shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

DECLARANT:

By: _____
Name: _____
Title: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me by _____, as _____ of Café G, LLC a Wyoming limited liability company, this _____ day of _____, 20____.

Witness my hand and official seal.

Notary Public
My commission expires:

Legal Description of Underground Electric Easement

A strip of land situated in the SW1/4SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, being more particularly described by the following metes and bounds:

BEGINNING at the northwest corner of the northern portion of Lot 4 as shown on that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming, said corner being marked by an aluminum cap inscribed "PLS 16012";
THENCE S 89°32'42" E, 30.00 feet, along the north line of said northern portion or Lot 4 to a point;
THENCE S 39°51'19" W, 15.79 feet, departing said north line to a point;
THENCE S 0°32'53" W, 75.71 feet, to a point of intersection with the north line of Lot 5 as shown on said Plat;
THENCE N 89°33'56" W, 3.49 feet, along said north line to a point;
THENCE S 45°29'29" W, 17.85 feet, departing said north line to a point of intersection with the west line of said Lot 5;
THENCE S 0°32'53" W, 19.42 feet, along said west line to a point;
THENCE N 89°33'56" W, 14.90 feet, departing said west line to a point;
THENCE S 0°32'53" W, 80.00 feet, to a point of intersection with the south line of the southern portion of said Lot 4;
THENCE N 89°33'56" W, 10.00 feet, along said south line to a point;
THENCE N 0°32'53" E, 100.00 feet to a point of intersection with the north line of said southern portion of Lot 4;
THENCE N 45°29'29" E, 29.73 feet, departing said north line to a point of intersection with the west line of said northern portion of Lot 4;
THENCE N 0°32'53" E, 78.94 feet, along said west line to the **POINT OF BEGINNING**.

Said strip encompasses 3,464.1 square feet, more or less.

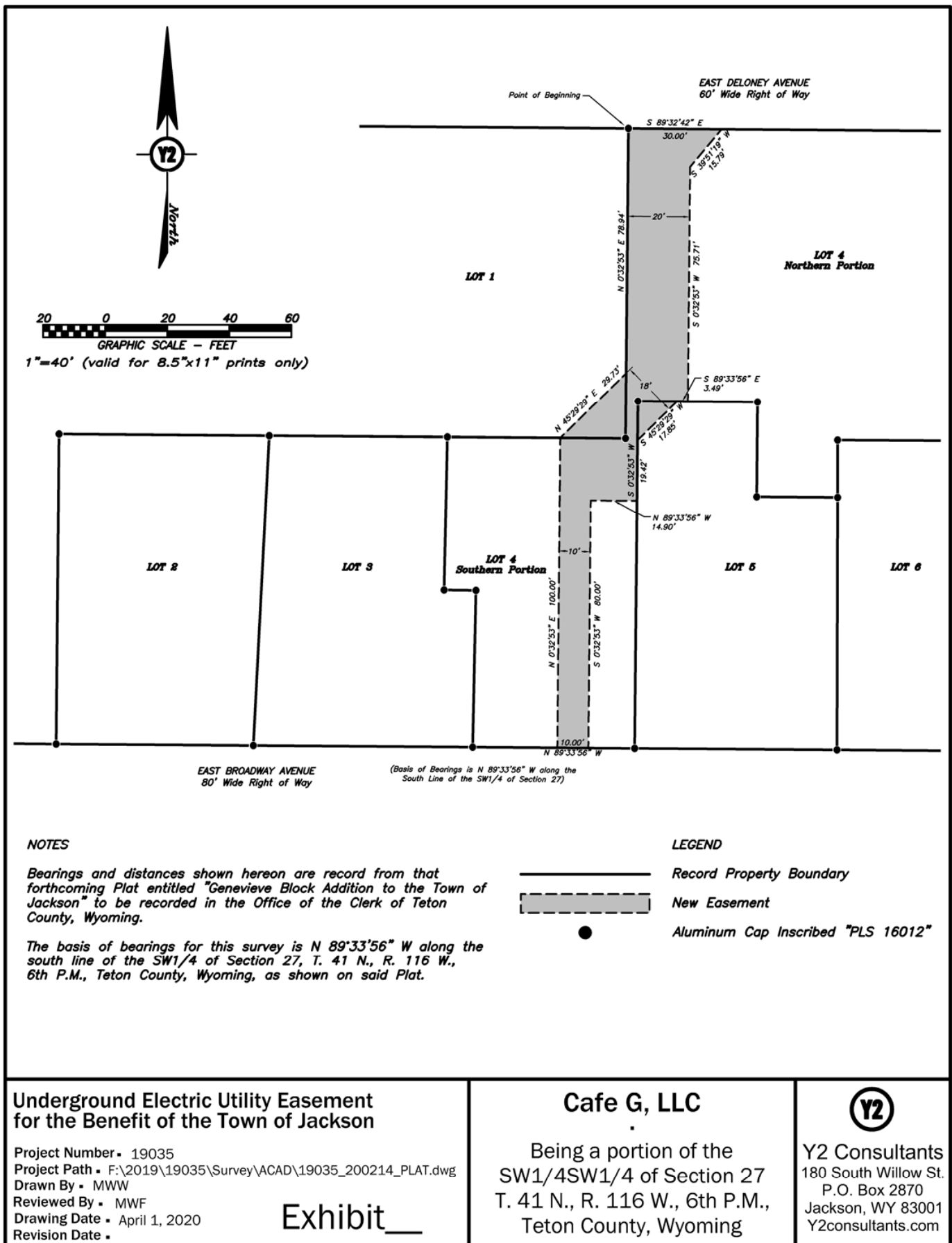
The basis of bearings for this description is N 89°33'56" W along the south line of the SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, as shown on that forthcoming Plat entitled "Genevieve Block Addition to the Town of Jackson" to be recorded in the Office of the Clerk of Teton County, Wyoming.

All in accordance with the exhibit entitled "Underground Electric Utility Easement for the Benefit of the Town of Jackson" recorded concurrently with this legal description in the Office of the Clerk of Teton County, Wyoming.

Y2 Consultants, LLC

April 1, 2020

Y2 Project #19035
Prepared by MWW



GENEVIEVE BLOCK ADDITION TO THE TOWN OF JACKSON
SUBDIVISION IMPROVEMENTS AGREEMENT
and
ESCROW AGREEMENT AND INSTRUCTIONS

This *Genevieve Block Addition to the Town of Jackson Subdivision Improvements Agreement and Escrow Agreement and Instructions* (this “Agreement”) is entered into by and among **Café G, LLC, a Wyoming limited liability company** (the “Café G”), **Town of Jackson, a municipal corporation of the State of Wyoming** (the “Town”), and **Wyoming Title & Escrow Company** (the “Escrow Holder”) on the date last executed below (the “Effective Date”).

RECITALS

WHEREAS, Café G submitted a Final Development Plan (P19-249), which Development Plan was approved by the Town Council on February 3, 2020 (the “Development Plan”) and a Final Plat Application for the subdivision of two (2) parcels located at 135 and 175 E. Broadway Ave. into six (6) lots further described as:

Lots 1-6 of the Genevieve Block Addition to the Town of Jackson, recorded in the Office of the Clerk of Teton County, Wyoming; and

WHEREAS, Café G submitted a Final Plat Application for the subdivision of the property subject to and in accordance with the Development Plan; and

WHEREAS, Café G is required to construct certain improvements (the “Improvements”) as a part of the approval of the final plat for the Genevieve Block Addition and associated Development Plan; and

WHEREAS, the Town of Jackson Land Development Regulations require that a Subdivision Improvements Agreement be executed by Café G and the Town, and security for the payment of Café G’s obligations be provided to Town; and

WHEREAS, the plans and specifications for the Improvements are attached hereto as **Exhibit A** and incorporated herein by this reference (the “Plans and Specifications”) and an estimate of the cost for installation of the Improvements is _____ in U.S. Currency (\$ _____ USD), the detail of which is attached hereto as **Exhibit B** and incorporated herein (the “Infrastructure Estimate”); and

WHEREAS, Town and Café G wish to have Café G submit One Hundred Twenty-Five Percent (125%) of the Infrastructure Estimate to the Escrow Holder to be held pursuant to this Agreement for the duration of the installation of the Improvements to secure the Café G obligation to complete the Improvements; and

WHEREAS, Town and Café G wish to confirm the terms and conditions of the escrow and release thereof all in accord with the terms and conditions of this Agreement; and

WHEREAS, the Town Council approves of the terms and conditions of this Subdivision Improvement Agreement for the Genevieve Block Addition to the Town of Jackson.

NOW, THEREFORE, IT IS HEREBY AGREED that for and in consideration of the aforesaid premises and the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, paid by each of the said parties to the other, Café G on its own behalf or any successor in interest or assign, the Town and the Escrow Holder do mutually covenant and agree as follows:

1. CAFÉ G TO COMPLY.

Café G shall comply with all improvement requirements contained in Section 7.2.2.A.1 of the Town of Jackson Land Development Regulations, the Development Plan approved by Town Council on February 3, 2020 and the Plans and Specifications attached hereto, and the requirements of the Town Planning and Zoning Commission and Town Council for this subdivision. Improvements shall be engineered, designed, constructed, and installed solely at Café G's own cost and expense.

2. DEVELOPMENT PLAN AND FINAL PLAT REQUIREMENTS INCORPORATED.

The requirements of the Town Council, as set forth in its approval of the Development Plan and Final Plat are hereby incorporated herein by reference as though fully set forth. Development and use of all land within the subdivision is limited to that conveyed by the Development Plan, Final Plat and the Land Development Regulations of the Town of Jackson, as they may be amended from time to time.

3. APPROVED SUBDIVISION INFRASTRUCTURE IMPROVEMENT PLANS AND SPECIFICATIONS.

The Plans and Specifications attached hereto and approved by the Town Engineer and maintained on file in the office of the Town Engineer, and any revision of said improvement plans and specifications approved by said Town Engineer are hereby incorporated herein by reference as though fully set forth. All improvement work required by Café G under this Agreement shall be in accordance with the Plans and Specifications. No construction of required improvements shall commence until after approval of a Final Development Plan and approval of all design and construction drawings by appropriate agencies. The Café G, its contractors and subcontractors, shall follow all instructions received from the Town's inspectors. Prior to construction, the Café G or his engineer shall schedule a preconstruction meeting with Town Engineering at a mutually agreeable time and location with all parties concerned, including the Town staff, to review the program for the construction work.

4. ESTIMATED COST OF SUBDIVISION INFRASTRUCTURE IMPROVEMENTS AND SECURITY THEREFORE.

The list of improvements and the total cost of improvements required by this Agreement as estimated by a professional engineer licensed in the State of Wyoming on behalf of the Café G, and as approved by the Town Engineer, is attached hereto and on file with the Town Engineer. Café G shall deposit into escrow with Escrow Holder the sum of _____ (\$ _____ USD) (which sum shall be referred to herein as the "Funds"), which is One Hundred Twenty-Five Percent (125%) of the Infrastructure Estimate. Café G and Town hereby instruct Escrow Holder to hold the Funds in escrow according to the instructions and pursuant to the agreement between Town and Café G, all as provided in this Agreement.

5. UNDERGROUND ELECTRICAL POWER, TELEPHONE, TELEGRAPH, CABLE TELEVISION, AND GAS FACILITIES.

All electrical power, telephone and telegraph communication, cable television, and gas facilities within the subdivision shall be installed underground, except that above-ground facilities necessary to serve underground facilities, other installation of peripheral overhead electrical transmission and distribution feeder lines, or other installation of either temporary or peripheral overhead communications, distance, trunk, or feeder lines may be allowed. Café G understands and agrees that any and all said facilities that are to be constructed within or under any driveway improvements shall be in place prior to the construction of the surface of the limited utility access drive improvements. Café G affirms that the public utility companies, including the cable television company enfranchised by the Town, providing the said services and facilities to and within the subdivision have been directly consulted by Café G through its officers, agents, or employees and that Café G is informed as to the approximate cost to Café G of the provision and

installation of said facilities and services underground and that the requirements for said facilities have been considered in the preparation of the subdivision improvement plans.

6. EXACTIONS.

There are no exactions required to be paid by Café G to the Town associated with this Subdivision.

7. TIME FOR COMPLETION.

Café G agrees to install all improvements as required and further agrees that all such work of improvements shall be fully completed within one year following the recordation of the Final Plat, unless upon written request of Café G made to the Town Engineer said time is extended by the Town, which extension shall not be unreasonably withheld.

8. LIABILITY.

Café G agrees to carry a comprehensive general liability policy with minimum limits of \$500,000 for each occurrence and \$1,000,000 annual aggregate for bodily injury and \$500,000 for each occurrence and \$1,000,000 annual aggregate for property damage or a combined single limit policy with minimum limits of \$1,000,000 for each occurrence and \$2,000,000 annual aggregate which includes coverage for manufacturer and contractors, independent contractors, products, completed operations, and personal injury.

9. PERFORMANCE TESTING AND INSPECTION.

Café G shall be required to obtain a Town approved State of Wyoming licensed engineer to perform and/or monitor all testing required per the Town standards. Café G shall be responsible for obtaining all required Town permitting and abiding by the conditions set forth within same. Café G shall be required to complete all construction work and necessary performance tests on installed infrastructure per the existing Town standards. The Town shall have the right, but not the obligation, to be present at any and all such performance tests and to perform periodic observation of any and all phases of construction. Café G shall notify the Public Works Department prior to the commencement of any performance test or any placement of asphalt pavement or concrete curb and gutter and shall provide opportunity for a representative of the Town to be present at the test or placement. Within five (5) business days of a request for inspection the Town Engineer shall inspect the completed infrastructure and either approve or disapprove of the installation. Any disapproval shall be made with specificity to allow the Café G to fix the infrastructure. The Planning Director and/or Town Engineer may require that a professional engineer, landscape architect, or other professional licensed or certified to practice in the State of Wyoming certify completion of the improvements. If the Town Engineer determines that any of the improvements are not constructed in substantial compliance with the Plans and Specifications attached hereto and on file with the Town Engineer, or if the completion of remaining Infrastructure may damage completed infrastructure, the Town Engineer shall furnish the Developer a list of specific deficiencies of constructed or partially constructed improvements and shall be entitled to withhold approval of any requested full or partial release of the Funds reasonably determined to be sufficient to ensure correction of any deficiencies.

10. RELEASE OF ESCROWED FUNDS. Café G and Town hereby agree that the Funds shall be used to pay for the costs incurred by Café G for the Improvements in accordance with the Infrastructure Estimate. When Café G has invoices from its contractor for work performed, Café G shall submit to Town a request for payment specifying whether the invoice is consistent with the Infrastructure Estimate or, if it differs, an explanation of any differences between the estimate and the actual charges for the work performed. Within Five (5) business days, Town shall review the request for payment and upon approval authorize the release of that portion of the Funds from the escrow to Café G. Café G shall submit such approved invoices to Escrow Holder and Escrow Holder shall issue a check to Café G or to Café G's contractor – as may be specified by Café G – from the Funds in the amount reflected on the approved invoice. Town may reasonably withhold approval of such invoices only if, and to the extent, invoices are

submitted for portions of the Improvements that have not actually been performed or if the costs therefore are higher than the Infrastructure Estimate without reasonable explanation.

11. SHORTFALL IN FUNDS. In the event that all invoices for the Improvements submitted by Café G exceed the amount of the Funds, Café G shall be liable to pay such excess amounts. In the event adequate funds are not available from the Funds to pay an invoice submitted to Escrow Holder hereunder, Escrow Holder shall notify Town and Café G of such shortfall and Escrow Holder shall disburse whatever of the Funds remain to Café G to pay the last invoice provided. Escrow Holder shall have no further liability thereafter.

12. COMPLETION OF IMPROVEMENTS, WITH FUNDS REMAINING IN ESCROW. If Funds remain in the escrow account upon completion of the Improvements, Café G shall notify Town and Escrow Holder of completion of the Improvements and the final payment of all invoices due thereunder within ten (10) business days of such completion and final payment and Escrow Holder shall release any remaining funds to Café G.

13. CLOSING OF ESCROW. Upon the distribution of all Funds, Escrow Holder shall close the escrow created by this Escrow Agreement.

14. DEVELOPMENT COORDINATION.

Unless specifically provided in this Agreement to the contrary, the contact person representing the Town shall be the Town Engineer who shall have general responsibility for coordinating development of the improvements required herein. Café G shall notify the Town Engineer when improvements shall be installed.

15. MISCELLANEOUS.

a. Dispute Between Town and Café G. If a dispute arises and Escrow Holder receives written notice of such dispute from either Town or Café G, or receives inconsistent instructions from Town and Café G, or receives instructions from either Town or Café G to which the other party does not consent within ten (10) business days, Escrow Holder shall hold the Funds in its escrow account until Town and Café G agree in writing as to its disposition, or alternatively, Escrow Holder may initiate an interpleader action in the Teton County District Court and the costs and reasonable attorneys' fees incurred by Escrow Holder in doing so may be directly deducted by Escrow Holder from the Funds. Notwithstanding the foregoing, if either Town or Café G is held liable for such costs and reasonable attorneys' fees pursuant to Section 15(b) of this Agreement, such party shall be required to replenish the Funds accordingly or otherwise reimburse Town, in the case of Café G being liable, for such amounts that were deducted from the Funds.

b. Attorneys' Fees and Expenses in the Event of Dispute. If a dispute arises and Escrow Holder initiates an interpleader action in the Teton County District Court and the dispute is caused by the failure of either Town or Café G to give the Escrow Holder the requisite notices pursuant to this Escrow Agreement, then the other party shall be entitled to recover from the party failing to give notices the following: such party's reasonable attorneys' fees and costs associated with the interpleader action; as well as the costs and reasonable attorneys' fees paid to Escrow Holder associated with the interpleader action pursuant to this Escrow Agreement. Furthermore, if any dispute between Town and Café G with respect to this Escrow Agreement results in litigation or other proceedings, including an interpleader action initiated by the Escrow Holder, the substantially prevailing party shall be reimbursed for all of its reasonable costs and expenses by the party not substantially prevailing, including, without limitation, reasonable attorneys and experts' fees and costs incurred in connection with such litigation or other proceeding and/or any appeal thereof. Such costs, expenses and fees shall be included in and made a part of the judgment recovered by the substantially prevailing party. The provisions of this paragraph shall survive any termination of this Escrow Agreement.

c. Payment of Escrow Fee. Cafe G agrees to pay Escrow Holder an escrow fee in the amount of Five Hundred Dollars (\$500.00), which shall be paid by Café G when the Funds are submitted to escrow.

d. Escrow Holder's Agreement. Escrow Holder agrees to act in strict accordance with this Escrow Agreement.

e. Indemnity. The parties hereto agree to indemnify and hold the Escrow Holder harmless from and against all liability, costs (including attorney's fees), expenses, claims, damages and/or losses incurred by or asserted against Escrow Holder and arising in connection with or related to this Escrow Agreement and/or Funds, except for liability, claims, costs, expenses damages or losses arising as a result of gross negligence or willful misconduct of the Escrow Holder. The liability of the Escrow Holder is limited only to account for the Funds which come into its possession.

f. Delays, Errors. The Escrow Holder shall not be liable to any party for loss of damage caused by, related to, or following as a consequence from delays in disbursement which are caused by the reasonable periods of time required for Escrow Holder to obtain any authorizations and consents from the parties which these instructions require in the opinion of the Escrow Holder. Escrow Holder shall not be liable for any loss or damage resulting from default, error, action or omissions of any other person, firm or corporations, nor for any loss or damage resulting from the expiration of any time limit or other delay not solely caused by failure of Escrow Holder to proceed in its ordinary course of business. Escrow Holder shall not be liable for any loss or damage whatsoever, not solely and directly caused by Escrow Holder's own negligence.

g. Dispute Resolution: In the event of a dispute between the parties regarding the disbursement of the Funds, or in the event Escrow Holder received inconsistent demands or instructions regarding the Escrow Funds, Escrow Holder may refuse to make any further disbursement of funds pending resolution to the dispute. Escrow Holder shall send written notice at least 24 hours in advance of any interpleader action stating such dispute and its intention to commence an interpleader action joining the parties, and shall be entitled to reimbursement from Town and/or Café G.

h. No Assurance: Town and Café G hereby acknowledge that Escrow Holder's only obligation under the Agreement is to hold and disburse the Funds pursuant to this Escrow Agreement.

i. Notice. Any notice required to be given hereunder shall be provided to the parties by e-mail and shall be deemed given upon transmission of e-mail without return error to the following addresses and numbers:

If to Cafe G: Robbin Levy Mommsen at rlevy@jhattorneys.com

With copy to: George Putnam at gputnam@cirqueconsulting.com

If to Town: Brian Lenz at btlenz@jacksonwy.gov

With copy to: Lea Colasuonno at lcolasuonno@jacksonwy.gov

If to Escrow Holder: Liz Jorgenson at ejorgenson@wyomingtitle.com

Any of the parties hereto may change their notice addresses and/or facsimile numbers by written notice to all other parties of this Escrow Agreement.

Genevieve Block Addition to the Town of Jackson - Subdivision Improvements Agreement
and Escrow Agreement and Instructions

j. Entire Agreement. It is further understood and agreed between the parties that this Escrow Agreement constitutes the entire agreement between Escrow Holder and the other parties hereto regarding disbursement procedures and requirements and the duties and obligations of Escrow Holder.

k. This Escrow Agreement shall be governed by the laws of the State of Wyoming and any question arising hereunder shall be construed or determined according to such laws. Venue for any actions or proceedings arising under, growing out of, or in any way related to this Escrow Agreement shall be instituted and prosecuted only in courts located in the County of Teton, State of Wyoming, and each party hereto expressly waives its right to cause any such actions or proceedings to be instituted or prosecuted elsewhere.

16. BINDING EFFECT OF AGREEMENT AND MODIFICATIONS:

This Agreement shall run with the land included within the subdivision and shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto. No modification of the terms of this Agreement shall be valid unless in writing and executed with the same formality as this Agreement, and no waiver of the breach of the provisions of any section of this Agreement shall be construed as a waiver of any subsequent breach of the same section or any other sections which are contained herein.

17. TITLE AND AUTHORITY:

Café G warrants to the Town that it is the record owner of the Subject Property upon which the development shall be constructed or is acting in accordance with the authority of the owner. The undersigned further warrants having full power and authority to enter into this Agreement.

18. SEVERABILITY:

This Agreement is to be governed and construed according to the laws of the State of Wyoming. In the event that any provision of this Agreement is held to be in violation of Town, State or Federal laws and hereby rendered invalid or unenforceable as to any party or circumstance, such finding shall not render that provision invalid or unenforceable as to any other persons or circumstances. If feasible, any such offending provision shall be deemed to be modified to be within the limits of enforceability or validity; however, if the offending provision cannot be so modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.

Agreed and entered into to be effective on the Effective Date.

**Town of Jackson,
a municipal corporation
of the State of Wyoming**

By: _____
Pete Muldoon, Mayor

Attest: _____
Sandy Birdyshaw, Town Clerk

APPROVED AS TO FORM:

By: _____
Lea Colasuonno, Town Attorney

APPROVED AS TO CONTENT:

Genevieve Block Addition to the Town of Jackson - Subdivision Improvements Agreement
and Escrow Agreement and Instructions

By: _____
Brian Lenz, Town Engineer

By: _____
Paul Anthony, Town Planning Director

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Pete Muldoon as Mayor of the Town of Jackson this ____ day of _____, 20__.

Witness my hand and official seal.

Notary Public
My commission Expires:

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Sandy Birdyshaw as Town Clerk of the Town of Jackson this ____ day of _____, 20__.

Witness my hand and official seal.

Notary Public
My commission Expires:

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Lea Colasuonno as Town Attorney of the Town of Jackson this ____ day of _____, 20__.

Witness my hand and official seal.

Notary Public
My commission Expires:

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Brian Lenz as Town Engineer of the Town of Jackson this ____ day of _____, 20__.

Witness my hand and official seal.

Notary Public
My commission Expires:

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Paul Anthony as Planning Director of the Town of Jackson this ____ day of _____, 20__.

Witness my hand and official seal.

Notary Public
My commission Expires:

CAFE G

By: _____
Robbin Levy Mommsen, Manager, Café G, LLC, a Wyoming limited liability company

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Robbin Levy Mommsen, Manager of Café G, LLC a Wyoming limited liability company, this ____ day of _____, 20__.

Witness my hand and official seal.

Notary Public
My commission Expires:

ESCROW HOLDER

Wyoming Title & Escrow

By: _____
Name: _____
Title: _____
Dated: _____

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by _____ as _____
_____ of Wyoming Title & Escrow this _____ day of _____, 2020.
Witness my hand and official seal.

Notary Public
My commission expires: _____

Affidavit Affecting Title
RE: Summary of Development Allocations
Genevieve Block Addition to the Town of Jackson

Comes now PAUL ANTHONY, TOWN OF JACKSON PLANNING DIRECTOR, who being sworn on his oath, deposes and says:

THAT the Jackson Town Council on February 3, 2020, did approve the Development Plan (P19-249) for the subdivision of two (2) parcels into six (6) lots for the properties located at 135 and 175 E. Broadway Ave. being further described as:

Lots 1-6 of the Genevieve Block Addition to the Town of Jackson, according to that plat recorded in the Office of the Clerk of Teton County, Wyoming on even date herewith.

(PIDN: _____) based upon the findings as presented in the staff report and as made by the applicant and subject to the department reviews attached hereto and the following condition of approval:

1. There shall be a twenty-five (25) foot long loading zone established by the Town on the public right-of-way contiguous to the driveway for the Café G property which may be amended by the Town as it governs future public rights of ways.

THAT certain development allocations were approved as part of the Development Plan (P19-249) and shall govern future development of the Lots 1-6 of the Genevieve Block Addition to the Town of Jackson.

THAT the Summary of Development Allocations, included as **Exhibit A** attached hereto and made part hereof this affidavit shall serve as record of the allocations approved as deviations from existing zone-specific standards included in the Town of Jackson Land Development Regulations and shall be deemed to be vested development rights for Lots 1-6 of the Genevieve Block Addition to the Town of Jackson.

Further your Affiant sayeth naught.

Paul Anthony, Director of Planning & Building,
Town of Jackson

STATE OF WYOMING)
)ss
COUNTY OF TETON)

The foregoing Affidavit Affecting Title being subscribed, sworn to and acknowledged before me by Paul Anthony, Director of Planning & Building, Town of Jackson, this ____ day of _____, 2020.

WITNESS my hand and official seal.

Notary Public

My Commission Expires: _____

Exhibit A

Summary of Development Allocations Genevieve Block Addition to the Town of Jackson

Future development of all lots in the Genevieve Block Addition to the Town of Jackson shall be subject to the specific standards of the applicable zone district, as the same may be changed from time to time, in which the lot is located, except as otherwise set forth in the following tables, which shall set the minimum applicable standard and supersede any lesser calculation of applicable zone-specific standards. The following development standards pertaining to Floor Area, Parking, Workforce Housing and Water and Sewer connections for Lots 1-6 of the Genevieve Addition to the Town of Jackson are granted recognition pursuant to Development Plan (P19-249) approved by the Jackson Town Council on February 3, 2002, with further detail in the Development Plan (P19-249) on file with the Town of Jackson Planning Department, and as specifically summarized in the following Tables A-D:

Table A. Floor Area Allocation Table

	<u>Gross Site Area</u> ¹	<u>FAR Max (1.3)</u> ²	<u>Floor Area Allocation</u> ³
Lot 1	28,270	36,751	52,000
Lot 2	6,562	8,531	1,872
Lot 3	6,411	8,334	1,339
Lot 4	22,475	29,218	37,356
Lot 5	6,470	8,411	1,677
Lot 6	10,000	13,000	10,000
Total:	80,188	104,244	104,244

Notes:

- ¹ Represents square feet as determined by 2019 field survey by Y2 Consultants
- ² UC and DC Zone Districts FAR = 1.3
Lot 4 is allocated a total of 37,356 sf. of floor area from Lots 2-6 and such floor area is recognized as extinguished under the terms of the Conservation Easement, recorded as
- ³ Document No. 975464 in the records of the County Clerk of Teton County, Wyoming.

Table B. Parking Allocation Table

	On Street Parking Spaces ¹	TOJ Parking Credits ²	Parking Fee-in-Lieu Previously Paid	Total Parking Allocated per Lot
Lot 1	15	19.59	15	49.59
Lot 2	4	10	12	26
Lot 3	7	5		12
Lot 4	2			2
Lot 5	5	11		16
Lot 6	<u>3</u>	<u>2</u>	<u>2.38</u>	<u>7.38</u>
Total:	36	47.59	29.38	112.97

Notes:

- ¹ On-street parking existing as of date of Genevieve Block Addition Plat recordation, subtracting two spaces to be consumed by dedicated loading zone. On-street parking may increase as existing curb-cuts are reclaimed with future development.
- ² Parking Credits per 2005 Town of Jackson Parking Credit Table based on 1988 use

Table C. Workforce Housing Allocation Table

	Historic Building Exemption ¹	Allocation of Affordable Units Credit or Exemption ^{2 3 4}
Lot 1		6.900
Lot 2	2.062	0.180
Lot 3	0.512	0.180
Lot 5	<u>0.507</u>	0.599
Lot 6	-	<u>1.218</u>
Total:	3.081	9.077

Notes:

- Per TOJ LDR Section 6.3.2.C.3 Historic buildings are exempt from all Div 6.3 standards and equal floor area elsewhere on the site is also exempt (historic bldg bonus)
- ¹ Allocation of recognized Employee Generating Units Credit and Historic Exemption bonus units
- ² units
- ³ Allocation of 6.9 units to Lot 1 shall be unrestricted to future use
- Lots 2, 3, & 5 are allocated affordable unit exemption to correspond with additional floor area permitted to be added to historic buildings for each lot contemplated in Table A for
- ⁴ restaurant/bar use

Table D. Water and Sewer Connection Table

	<u>Existing Floor Area</u>	<u>2019 Use</u>	<u>Existing Sewer Connection</u>	<u>Additional connection fee paid</u>	<u>Existing Water Meter</u>
Lot 1	3,917	Retail	3		3 @ 3/4"
Lot 2	1,722	Restaurant	1	20 seats ¹	1 @ 3/4"
Lot 3	1,189	Retail	1	24 seats ²	1 @ 3/4"
Lot 5	1,177	Retail	1	17 seats ³	1 @ 3/4"
Lot 6	<u>2,467</u>	<u>Residential</u>	<u>1</u>	-	<u>1 @ 3/4"</u>
Total:	10,472		7		7 @ 3/4"

Notes:

- ¹ Sewer Fees for 20 deck seats paid in 1990
Sewer Fees paid in 2013 for 20 seats, 358 sf "non-fixed seats" @ restaurant
- ² assessment
- ³ Sewer Fees paid in 2013 & 2014 for 17 seats; "prepackaged paper service"

**Affidavit of
Acknowledgment and
Acceptance of Final Plat**

KNOW ALL MEN BY THESE PRESENTS:

Robbin Levy Mommsen, Manager, Café G, LLC a Wyoming limited liability company does hereby depose and say:

1. that I am Robbin Levy Mommsen, Manager, Café G, LLC a Wyoming limited liability company, who owns real property in Teton County, Wyoming, being Parcels 1 and 2 described in Exhibit "A" attached to that Warranty Deed, recorded in the Office of the Clerk of Teton County, Wyoming as Document # 0975462;

2. that I have examined a copy of the Final Plat of the proposed subdivision titled **Genevieve Block Addition to the Town of Jackson** dated _____, 2020;

3. that I hereby consent to the subdivision as described in the Certificate of Surveyor and Certificate of Owner found on said plat;

4. that I intend that my signature to and the recording of this Affidavit shall have the same force and effect as my signature to the Certificate of Owner as contained on said final plat.

DATED this ____ day of _____, 2020

Café G, LLC
a Wyoming limited liability company

Robbin Levey Mommsen
Manager

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing Affidavit of Acknowledgement and Acceptance of Final Plat being subscribed and sworn to before me by Robbin Levy Mommsen, Manager, Café G, LLC a Wyoming limited liability company, this _____ day of _____, 2020.

Witness my hand and official seal.

Notary Public

My Commission Expires:

DRAFT

Partial Vacation of Utility Easements

On October 14, 1992 and April 7, 1994, RIDGE CREEK INVESTMENT COMPANY, a limited partnership, ("Grantor") granted to Lower Valley Power and Light, Inc., a cooperative corporation (now known as Lower Valley Energy, a cooperative corporation) two perpetual easements and rights-of-way for the construction and continued maintenance, repair, alteration and replacement of the electrical distribution circuits of said Lower Valley Power and Light, Inc. to be constructed and maintained under, over, upon and across the premises of said grantor in Teton County, Wyoming.

Said easement granted on October 14, 1992 ("Easement A") was recorded in the Office of the Clerk of Teton County, Wyoming, on November 13, 1992, Document #0340619, in Book 261 page, 165;

Said easement granted on April 7, 1994 ("Easement B") was recorded in said Office on January 22, 1996 as Document # 0410678, in Book 315 page, 378;

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Lower Valley Energy, a cooperative corporation, does by this instrument, vacate, release and quitclaim to CAFÉ G, LLC a Wyoming limited liability company (current owner of Parcels 1 and 2 described in Exhibit "A" attached to that Warranty Deed, recorded in said Office as Document # 0975462 PIDN: 22-41-16-27-3-00-010 and 22-41-16-27-3-00-009) all right, title and interest in and to any part of said Easement A and Easement B that lies within said Parcels 1 and 2.

IN WITNESS WHEREOF, the undersigned has caused this Partial Vacation of Easement to be executed and to be effective on this _____ day of _____, 2020.

Lower Valley Energy,
a Cooperative Corporation
(f/k/a Lower Valley Power and Light, Inc.)

By: _____
Richard Knori, Director of Engineering

[illegible]

The foregoing instrument was acknowledged before me by Richard Knori, Director of Engineering of Lower Valley Energy, a cooperative corporation, who being duly sworn did dispose and say that he executed this instrument on behalf of said Lower Valley Energy as its free act and deed this ____ day of _____, 2020.

Witness my hand and official seal.

Notary Public

My commission expires:

CERTIFICATE OF OWNER

STATE OF WYOMING)
COUNTY OF TETON) ss

The undersigned owner and proprietor hereby certifies that the foregoing subdivision of those parcels shown on Map T-20K recorded in the Office of the Clerk of Teton County, Wyoming, and lying within the SW1/4SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming is with their free consent and in accordance with their desires:

that the name of the subdivision shall be the GENEVIEVE BLOCK ADDITION TO THE TOWN OF JACKSON;

that this subdivision contains 6 lots, LOT 1 through LOT 6, as shown hereon;

that this subdivision is in accordance with and SUBJECT TO those terms and conditions of the Final Development Plan, Item P19-249, approved by the Jackson Town Council on the 3rd day of February, 2020 and as referenced in that Affidavit Affecting Title RE: Summary of Development Allocations Genevieve Block Addition to the Town of Jackson recorded in said Office contemporaneously with this Plat;

that this subdivision is subject to the following easements as specifically limited, defined, and described in each easement document recorded contemporaneously with this plat, and as shown hereon for reference:

1. Declaration of Limited Service Access and Snow Storage Easement and Cost Sharing Covenant for the benefit of Lots 2, 3, 4, & 5;
2. Underground Utility Easement for the benefit of lots 1-5;
3. Underground Electrical Utility Easement for the benefit of the Town of Jackson;
4. Declaration of Landscape Maintenance Easement and Cost Sharing Covenant for the benefit of Lot 4

that a non exclusive easement in, over, and across the area noted in the legend hereon as "Underground Utility Easement", is hereby granted to Lower Valley Energy, Inc., and Charter Communications, and their successors and assigns, for access to, and for the construction, maintenance, and repair of utility services for said subdivision;

that sanitary mains, storm sewer installations, and water main within the foregoing subdivision shall be privately owned and maintained by individual lot owners, and the point of tie-in to the sewer collection facilities and water main of the Town of Jackson shall be at the point of connection located in East Deloney Avenue.

that this subdivision is subject to that Jackson Hole Land Trust Conservation and Greenspace Easement described in Document No. 975464 recorded in said Office and shown hereon;

that access across all roads, driveways, and parking areas located within said subdivision is hereby granted to emergency vehicles including police, ambulances, and fire department vehicles;

that all rights under and by virtue of the Homestead Exemption Laws of the State of Wyoming are hereby waived and released;

that this subdivision is subject to any other easements, restrictions, reservations, rights-of-way, and conditions of record including, but not limited to those shown hereon;

SIGNATURE BY SEPARATE AFFIDAVIT

Cafe G, LLC, a Wyoming Limited Liability Company

CERTIFICATE OF ACCEPTANCE

STATE OF WYOMING)
COUNTY OF TETON) ss

The foregoing GENEVIEVE BLOCK ADDITION TO THE TOWN OF JACKSON was approved at the regular meeting of the Town Council held on the _____ day of _____, 2020 in accordance with Section 15-1-415, Wyoming State Statutes, and the Town of Jackson Land Development Regulations.

Attest:

Sandy Birdshaw, Clerk

Pete Muldoon, Mayor

Brian Lenz, Town Engineer

Paul Anthony, Planning Director

ACKNOWLEDGMENT

STATE OF WYOMING)
COUNTY OF TETON) ss

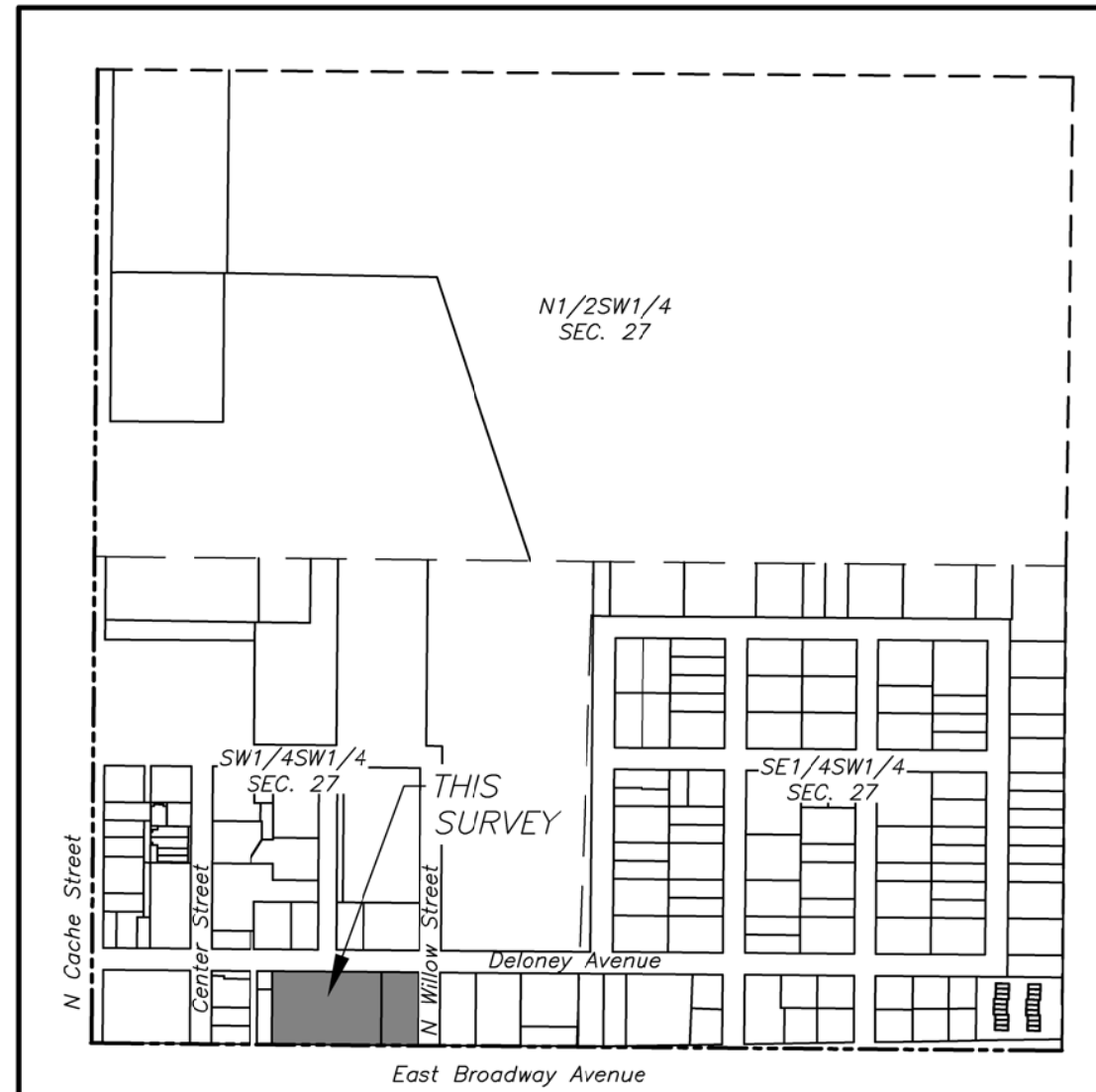
The foregoing instrument was acknowledged before me by Sandy Birdshaw, Clerk; Pete Muldoon, Mayor; Brian Lenz, Town Engineer; and Paul Anthony, Planning Director on this _____ day of _____, 2020.

Witness my hand and official seal.

Notary Public

My commission expires:

VICINITY MAP



SW1/4 of Section 27,
T. 41 N., R. 116 W., 6th P.M.,
Teton County, WY

Scale: 1" = 500'

CERTIFICATE OF SURVEYOR

STATE OF WYOMING)
COUNTY OF TETON) ss

I, Mark Fellermann, a Professional Land Surveyor of Jackson, Wyoming, hereby certify, to the best of my knowledge and belief:

that this plat was made from the notes of an actual survey conducted under my direction during February, March, and May of 2019, and from records on file with the Office of the Clerk of Teton County, Wyoming, and that it correctly represents the points and corners found at the time of said survey;

that this plat correctly represents the final plat of the GENEVIEVE BLOCK ADDITION TO THE TOWN OF JACKSON within the SW1/4SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming;

that existing water rights under the John P. Simpson Appropriation diverting from Coche Creek Ditch, Permit No. 1539, with a priority of June 7, 1897, will be abandoned in accordance with Wyoming State Statutes.

that the GENEVIEVE BLOCK ADDITION TO THE TOWN OF JACKSON is IDENTICAL to those parcels shown on Map T-20K recorded in said Office, being more particularly described as follows:

BEGINNING at a point on the south line of said Section 27, said point lying S 89°33'56" W, 493.20 feet from the southwest corner of said Section 27, and marked by an aluminum cap inscribed "PLS 16012" found this survey;

THENCE S 89°25'24" W, 401.60 feet, along said south line to a point marked by a mag nail with a washer inscribed "PLS 16012" set this survey;

THENCE N 0°09'00" E, 199.88 feet, departing said south line to a point marked by an aluminum cap inscribed "PLS 8469" found this survey;

THENCE N 89°32'42" W, 400.21 feet to a point marked by a washer inscribed "PLS 8469" found this survey;

THENCE S 0°32'52" W, 200.03 feet to the POINT OF BEGINNING;

Said parcel encompasses 1.84 acres, more or less.

The basis of bearings for this survey is referenced to a direct GPS measurement and is considered geodetic (geodetic north using WGS84, NAD83), resulting in a bearing of N 89°33'56" W along the south line of the SW1/4 of Section 27, as shown hereon.

Mark Fellermann
Wyoming Professional Land Surveyor No. 16012

ACKNOWLEDGMENT

STATE OF WYOMING)
COUNTY OF TETON) ss

The foregoing instrument was acknowledged before me by Mark Fellermann on this _____ day of _____, 2020.

Witness my hand and official seal.

Notary Public

My commission expires:

CERTIFICATE OF ENGINEER

STATE OF WYOMING)
COUNTY OF TETON) ss

I, James W. Gute, hereby certify that the water distribution and sewer collection facilities designed for the foregoing subdivision are adequate and safe, and meet Federal, State, and Town of Jackson requirements if built as designed, and operated and maintained correctly.

SIGNATURE BY SEPARATE AFFIDAVIT

James W. Gute
Wyoming Registered Professional Engineer No. 10027

GENERAL NOTES

THIS SUBDIVISION WILL BE CONNECTED TO THE TOWN OF JACKSON WATER SUPPLY AND SEWAGE COLLECTION AND TREATMENT SYSTEMS.

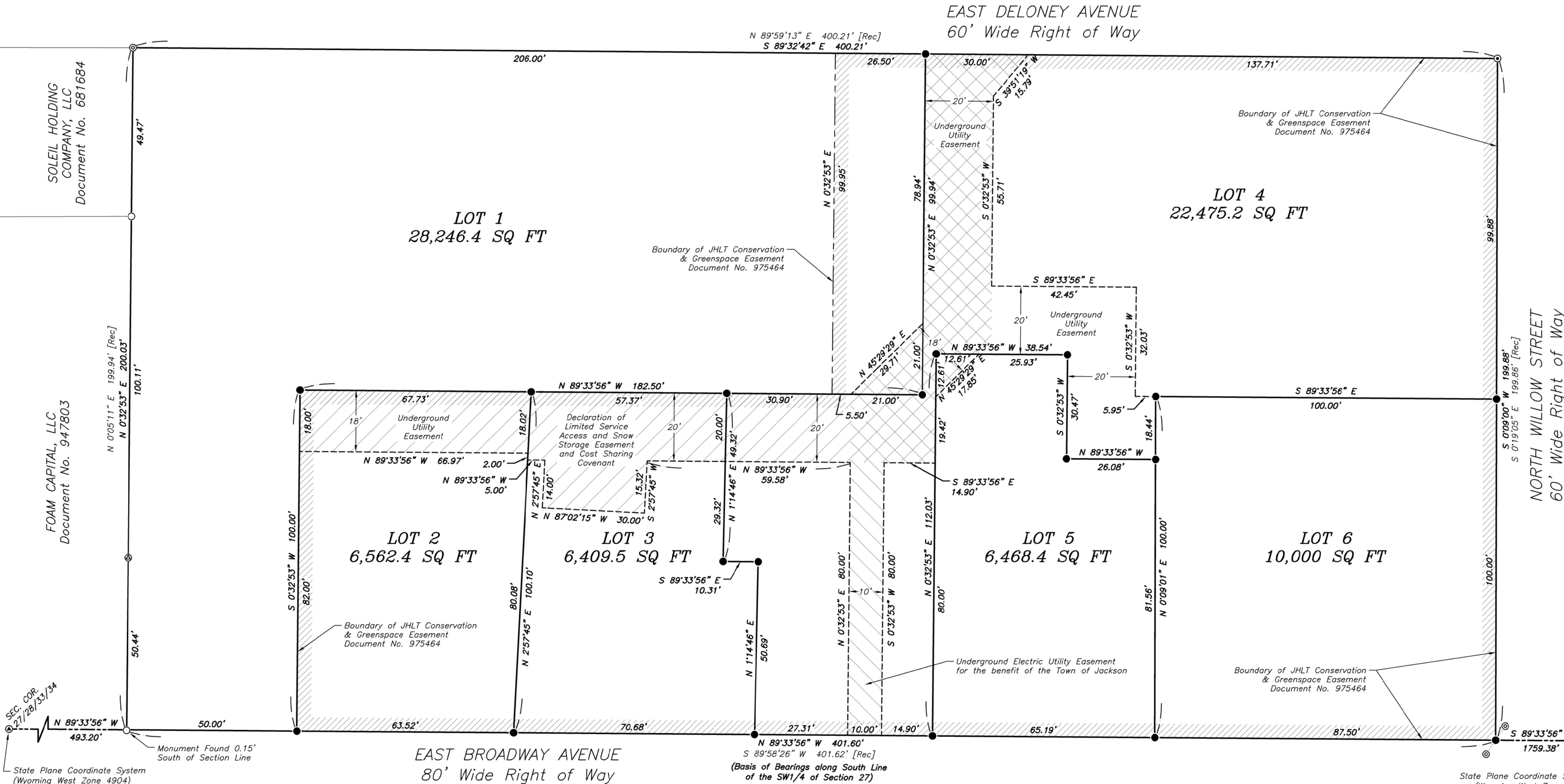
PUBLIC MAINTENANCE OF EAST DELONEY AVENUE, EAST BROADWAY AVENUE, AND NORTH WILLOW STREET. NO PUBLIC MAINTENANCE OF PRIVATE ACCESS AREAS WITHIN THIS SUBDIVISION.

THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO THE FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE.

SELLER DOES NOT WARRANT TO THE PURCHASER THAT THEY HAVE ANY RIGHTS TO THE NATURAL FLOW OF ANY STREAM OR RIVER WITHIN OR ADJACENT TO THIS SUBDIVISION.

WYOMING LAW DOES NOT RECOGNIZE ANY RIPARIAN RIGHTS TO THE CONTINUED NATURAL FLOW OF A STREAM OR RIVER TO PERSONS LIVING ON THE BANKS OF THE STREAM OR RIVER.

THIS SUBDIVISION SHALL NOT BE SUBJECT TO FURTHER DIVISIONS, EXCEPT LOT 1 MAY BE FURTHER SUBDIVIDED AS PERMITTED BY THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS.



OWNER:
CAFE G, LLC
P.O. BOX 7372
JACKSON, WYOMING 83002

SURVEYOR:
Y2 CONSULTANTS
180 SOUTH WILLOW ST.
P.O. BOX 2870
JACKSON, WYOMING 83001
PHONE: 307-733-2999

NUMBER OF LOTS: 6
AVERAGE ACREAGE/LOT: 0.31 ACRES
TOTAL PROJECT ACREAGE: 1.84 ACRES

PREPARATION DATE: FEBRUARY 18, 2020

Project Number 19035
Project Path F:\2019\19035_CafeG\Survey\ACAD\19035_20014_PLAT.dwg
Drawn By MWV
Reviewed By MWV
Drawing Date February 18, 2020
Revision Date

LEGEND

- Indicates a 24-inch long, 5/8-inch diameter rebar with an aluminum cap inscribed "PLS 16012", or a Mag Nail with a washer inscribed "PLS 16012" set this survey
- Indicates an aluminum cap inscribed "PLS 16012" found this survey
- ⊙ Indicates an aluminum cap inscribed "PLS 8469" found this survey
- ⊙ Indicates a mag nail with a washer inscribed "PLS 8469" found this survey
- ⊙ Indicates a brass cap inscribed "PLS 164" found this survey
- ⊙ Indicates a brass cap with illegible markings found this survey
- ⊙ Calculated point - nothing found or set this survey

- Measured Property Boundary
- Adjoining Property Boundary
- - - Section Line
- - - Underground Utility Easement
- - - Declaration of Limited Service Access and Snow Storage Easement and Cost Sharing Covenant
- - - Underground Electric Utility Easement to T.O.J.
- - - Boundary of JHLT Conservation and Greenspace Easement
- Measured Bearing and Distance
- Record Bearing and Distance (Map T-20K)



we define, design & deliver
the places that you play, live & work



Y2 Consultants
180 South Willow St.
P.O. Box 2870
Jackson, WY 83001
y2consultants.com
Ph: 307-733-2999



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: MAY 28, 2020
MEETING DATE: JUNE 1, 2020

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: PAUL ANTHONY
PRESENTER: TYLER VALENTINE

SUBJECT: **ITEM P20-079:** A REQUEST FOR APPROVAL OF A PARTIAL VACATION WITHOUT REPLAT TO VACATE A PROPERTY LINE AND CREATE A SINGLE LOT FROM LOTS 9 & 10, BLOCK 7, L.G. GILL SUBDIVISION.

APPLICANT: JUNE NYSTROM

OWNER: JUNE NYSTROM

STATEMENT/PURPOSE

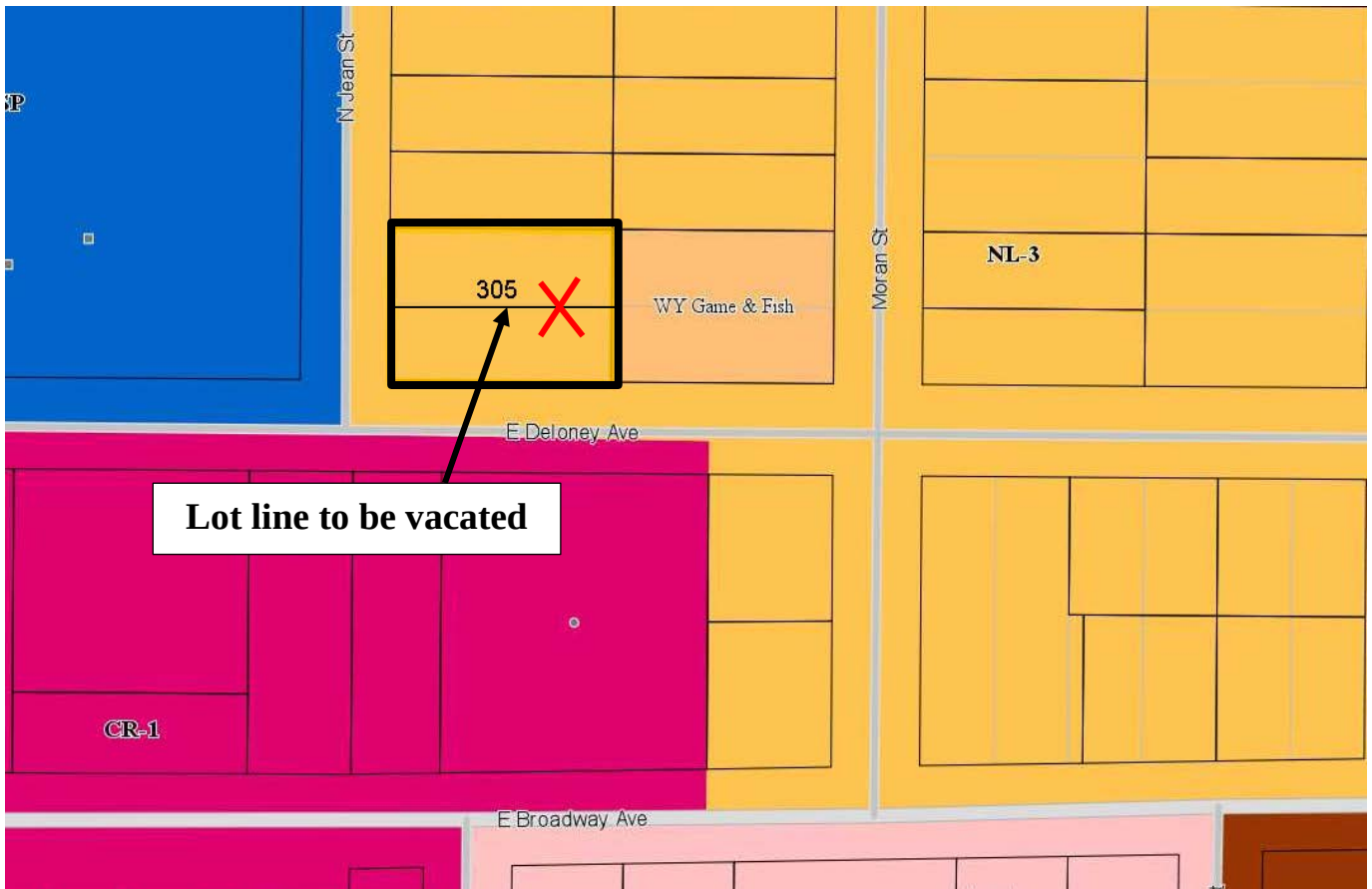
Applicant is requesting a Partial Vacation Without Replat, pursuant to LDR Section 8.2.13.C.5, to combine two lots (Lots 9 & 10) into one lot (Lot 9a) by vacating the subject lot line in the L.G. Gill Subdivision.

APPLICABLE REGULATIONS

LDR Section 8.2.13.C. Subdivision Plat Amendment

LOCATION

The property is located at 305 E. Deloney Avenue and legally described as Lots 9 & 10, Block 7, L.G. Gill Subdivision. An aerial photo of the parcel and immediate neighborhood is shown below:



BACKGROUND

The subject property is located within the Neighborhood Low Density -3 (NL-3) zoning district and is 0.34 acres (15,000 sf) in size. The site (Lots 9 & 10) consists of a 1,168 sf single-story home with 912 sf basement built in 1963.

PROJECT DESCRIPTION

The applicant is requesting a Partial Vacation Without Replat, pursuant to LDR Section 8.2.13.C.5, to combine two lots (Lots 9 & 10) into one lot (Lot 9a) by vacating the shared lot line in the L.G. Gill Subdivision. The new single lot would be referred to as Lot 9a and would be .34 acres in size.

STAFF ANALYSIS / STAFF FINDINGS

The L.G. Gill Subdivision is a recorded plat that may be amended through the vacation process as authorized by state statutes. The Partial Vacation Without Replat process in Sec. 8.2.13.C.5 requires applications to meet the following standards:

Section 8.2.13.C.5. Partial Vacation Without Replat. Vacation of one or more building envelopes, notes, a lot line for the purpose of combining one or more lots, or a private road or utility easement does not require a new plat provided the following standards are met:

- a) an instrument shall be filed with the County Clerk stating that the proposed partial vacation does not abridge or destroy any rights and privileges of other proprietors in the plat, and it shall include an acknowledgement by all parties affected by the vacation and an acknowledgement by Town Council;*

Complies, as conditioned. The applicant has provided an appropriate affidavit to be recorded with the County Clerk that the proposed lot vacation and combinations should not have any significant or adverse impact on the other lots in the subdivision. Staff agrees that the submitted instrument meets the intent of Sec. 8.2.13.C.5.a.

- b) if approved, the County Clerk shall make the appropriate annotation on the plat referencing the vacated notations and shall also include on said plat, the volume and page in which the instrument of partial vacation is recorded;*

Complies, as conditioned. The applicant's instrument provides direction to the County Clerk to make the necessary changes to the plat to effect the lot combination, provided that the instrument is modified consistent with the comments from the County Clerk's office.

- c) A map may need to be provided for a building envelope vacation; and*

Not applicable.

- d) For a lot combination, language shall be included in the partial vacation instrument that states that the combined lots shall be treated as one lot for purposes of the LDRs and cannot be resubdivided without further approval from the Town.*

Complies. The submitted instrument includes language consistent with this requirement.

Staff confirms that the Applicant's request for a Partial Vacation Without Replat meets the required standards as outlined above. The required instrument for the Partial Vacation Without Replat is attached.

ATTACHMENTS

Applicant Submittal
Departmental Reviews

FISCAL IMPACT

None identified.

STAFF IMPACT

None identified.

LEGAL REVIEW

Ongoing as needed.

STAFF RECOMMENDATION/ CONDITIONS OF APPROVAL

The Planning Director recommends that Town Council approve the Partial Vacation Without Replat for Lots 9 and 10 of the L.G. Gill Subdivision subject to the Land Development Regulations, departmental reviews attached hereto, and the following condition of approval:

1. The applicant shall address the comments from the County Clerk's office within 30 days of approval of this Partial Vacation Without Replat application.

SUGGESTED MOTION

Pursuant to the standards in Section 8.2.13.C.5. Partial Vacation Without Replat, I move to **approve** the Partial Vacation Without Replat to vacate the lot line between Lots 9 and 10 and combine the lots into one lot (Lot 9a) in the L.G. Gill Subdivision, subject to the Land Development Regulations and this staff report dated May 28, 2020, and the following condition of approval:

1. The applicant shall address the comments from the County Clerk's office within 30 days of approval of this Partial Vacation Without Replat application.



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: N/A
Physical Address: 305 E. DELONEY AVE
Lot, Subdivision: LOT 9 AND 10, BLOCK 7, L.G. GILL SUBDIVISION PIDN: 22-41-16-27-3-10-013

PROPERTY OWNER.

Name: JUNE NYSTROM Phone: HM: 733-0117 cell: 690-9396
Mailing Address: P.O. Box 4341, JACKSON, WY ZIP: 83001
E-mail: JUNENYSTROM@GMAIL.COM

APPLICANT/AGENT.

Name: OWNER Phone: _____
Mailing Address: _____ ZIP: _____
E-mail: _____

DESIGNATED PRIMARY CONTACT.

☒ Property Owner ☐ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit	Physical Development	Interpretations
☐ Basic Use	☐ Sketch Plan	☐ Formal Interpretation
☐ Conditional Use	☐ Development Plan	☐ Zoning Compliance Verification
☐ Special Use	☐ Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	☐ LDR Text Amendment
☐ Administrative Adjustment	☐ Subdivision Plat	☐ Map Amendment
☐ Variance	☐ Boundary Adjustment (replat)	Miscellaneous
☐ Beneficial Use Determination	☐ Boundary Adjustment (no plat)	☒ Other: <u>PARTIAL VACATION</u>
☐ Appeal of an Admin. Decision	☐ Development Option Plan	☐ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: N/A Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

X **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees. CREDIT CARD BY PHONE

N/A **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at www.townofjackson.com/DocumentCenter/View/102/Town-Fee-Schedule-PDF.

N/A **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

June Suzanne Nystrom
Signature of Property Owner or Authorized Applicant/Agent
June Suzanne Nystrom
Name Printed

4-22-2020
Date
owner
Title

Abandonment of Lot Split Line
(Partial Vacation without Replat)
305 East Deloney Ave

Whereas, June Nystrom is the sole owner of this property and has been since 1994, and

Whereas, the Owner has no intention of ever selling the property, and has in fact filed a Transfer on Death Deed to her son with the Teton County Clerk, and

Whereas, the original plat created double lots for most properties in the subdivision, and

Whereas, the residence built on the property in 1963 sits astride the lot split line, and

Whereas, no other property in the subdivision is involved or affected by this request,

The Owner wishes to Abandon (Vacate) the Lot Split Line between Lot 9 and Lot 10 of Block 7 of the L.G. GILL SUBDIVISION and combine the two Lots into Single Lot to here forth be labeled and referred to as Lot 9A and consisting of .34 acres, and

Whereas, the combined lots shall be treated as one for all purposes under these LDR's and cannot be re-divided without receiving approval under the LDR's in effect at that time, and

The Owner with this application and affidavit requests the Teton County Clerk to make the appropriate annotations on Plat No. 139 referencing the abandonment (vacation) of the lot split line between Lots 9 and 10 and update the Teton County Map to reflect this change, and

Further, all the above is in accordance with the Town of Jackson Land Development Regulations, Section 8.2.13, paragraph C.5 Partial Vacation without Replat, and is expressly permitted by said regulations.

OWNER ACKNOWLEDGEMENT:

signature June S. Nystrom print name June S. Nystrom

Notary:

TOWN/COUNTY ACKNOWLEDGEMENT:

_____ title _____

Notary:

PLANNING

Project Number	P20-079	Applied	4/23/2020	STOL
Project Name	Partial Vactaion - 305 E. Deloney	Approved		
Type	MINOR BOUNDARY ADJUS	Closed		
Subtype	NO PLAT	Expired		
Status	STAFF REVIEW	Status		

Applicant		Owner	NYSTROM, JUNE
------------------	--	--------------	---------------

Site Address	City	State	Zip
305 E DELONEY AVENUE	JACKSON	WY	83001

Subdivision	Parcel No	General Plan
GILL, L G	22411627310013	

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact					
Notes					
County Clerk		4/23/2020	5/14/2020		
Mary Smith					

Legal		4/23/2020	5/14/2020		
Lea Colasuonno					

Planning	APPROVED W/CONDITI	4/23/2020	5/14/2020	5/29/2020	
Tyler Valentine					
(5/29/2020 8:40 AM TV)					
Please see staff report.					

Public Works	NO COMMENT	4/23/2020	5/14/2020	5/1/2020	
Caitlin Barilec					

ORDINANCE R

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NO. 461 (PART), AND CHAPTER 8.34 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON PROHIBITING SMOKING AND ECIGARETTE USAGE IN PUBLIC BUILDINGS 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

SECTION I.

Section 1 of Town of Jackson Ordinance No. 461 (part) and Chapter 8.34 Smoking in Public Buildings of the Municipal Code of the Town of Jackson is hereby amended and reenacted to read as follows:

CHAPTER 8.34 SMOKING IN PUBLIC FACILITIES PROHIBITED

Sections:

8.34.010 Definition.

8.34.020 Prohibition.

8.34.030 Repealed.

8.34.040 Repealed.

8.34.010 Definition.

- A. ***Smoke or smoking*** means the act of burning any nicotine products, weed, filler or plant of any kind in a cigarette, cigarette paper, cigar, pipe or in any other device whatsoever and/or actively using, inhaling or exhaling any electronic cigarettes, vapor material or flavored tobacco products of any kind.
- B. ***Public Facility*** means any facility, including, but not limited to, buildings, property, recreation areas and public parks which are owned, leased, or otherwise operationally controlled, or wholly funded by the Town of Jackson or the Jackson Hole Airport, with the exception of public sidewalks, public streets, public alleys, or public surface parking lots. (Ord. __§1, 2020; Ord. 461 § 1 (part), 1993.)

8.34.020 Prohibition.

- A. It shall be unlawful to smoke or carry lighted nicotine products, electronic cigarettes, vapor material or flavored tobacco products in any form in any Public Facilities of the Town of Jackson or the Jackson Hole Airport, including but not limited to all interior spaces, courtyards, atriums, balconies, and bus stops.
- B. Smoking nicotine products, electronic cigarettes, vapor material or flavored tobacco products is prohibited within 25 feet of all doorways, outdoor air intakes, and operable windows of Public Facilities.

C. Smoking nicotine products, electronic cigarettes, vapor material or flavored tobacco products is prohibited in all outdoor seating areas, picnic tables, patios and foot paths of Public Facilities, even if beyond the 25-foot limit.

(Ord. §1; Ord. 461 § 1 (part), 1993.)

8.34.030 Repealed. (Ord. §1; Ord. 461 § 1 (part), 1993.)

8.34.040 Repealed. (Ord. §1; Ord. 461 § 1 (part), 1993.)

SECTION II.

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

SECTION III.

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 IV.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE _4th_ DAY OF May, 2020.

PASSED 2ND READING THE _18th_ DAY OF May, 2020.

PASSED AND APPROVED THE ____ DAY OF ____, 2020.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandra P. Birdyshaw, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.

COUNTY OF TETON)

I hereby certify that the foregoing Ordinance _____ 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 ____, 2020. I further certify that the foregoing Ordinance was duly recorded on page ____ of Book ____ of Ordinances of the Town of Jackson, Wyoming.

Sandra P. Birdyshaw, Town Clerk

ORDINANCE S

AN ORDINANCE AMENDING AND REENACTING SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 313, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 325, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 413, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 633, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 706, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 803, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 886, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 899, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 990, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1057, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1101, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1171 AND SECTION 15.20.010 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON BY CHANGING THE VERSION OF THE NATIONAL ELECTRICAL CODE ADOPTED BY REFERENCE FROM THE 2017 EDITION TO THE 2020 EDITION, WITH CERTAIN AMENDMENTS AND FOR ALLOWING ELECTRICAL PERMIT FEES TO BE SET BY RESOLUTION OF THE TOWN COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION I.

Section 2 of Town of Jackson Ordinance No. 313, Section 1 of Town of Jackson Ordinance No. 325, Section 1 of Town of Jackson Ordinance No. 413, Section 1 of Town of Jackson Ordinance No. 633, Section 1 of Town of Jackson Ordinance No. 706, Section 1 of Town of Jackson Ordinance No. 803, Section 1 of Town of Jackson Ordinance No. 886, Section 1 of Town of Jackson Ordinance No. 899, Section 1 of Town of Jackson Ordinance No. 990, Section 1 of Town of Jackson Ordinance No. 1057, Section 1 of Town of Jackson Ordinance No. 1101, Section 1 of Town of Jackson Ordinance No. 1171 and Section 15.20.010 of the Municipal Code of the Town Of Jackson are hereby amended and reenacted to read as follows:

15.20.010 Adoption of the National Electrical Code

A. The National Electrical Code, including Tables, Appendices and Uniform Administrative Code Provisions, by references, 2020 Edition, NFPA 70 (a document of the National Fire Protection Association, Inc.) with the following amendments:

- 1. ARTICLE 230, Services, SECTION VI, Service Equipment – Disconnecting Means, SUBSECTION 230.7, (A), (1) Readily Accessible Location**, replace with:

The service disconnecting means shall be installed outside of the building or structure at a readily accessible location. Exception: Services of 300 amp or less with line to line meter sockets with the service disconnect directly behind the meter base and connected to the meter base with rigid conduit are allowed to have service disconnect inside the building. Feeders to other buildings or structures are required to have a disconnect on the exterior.

- 2. ARTICLE 250, Grounding, SECTION III, Grounding Electrode System and Grounding Electrode Conductor, SUBSECTION 250.52, (A), (3) Concrete-Encased Electrode**, Add sentence:

All services over 200 amperes in size shall have at least 20 ft in length of bare copper conductor sized in accordance with Table 250-66 installed in the foundation footers and with enough length added to connect in the main disconnect.

- 3. ARTICLE 300, Wiring Methods, SECTION I, General Requirements, SUBSECTION 300.1, Scope, SUBSECTION (A) All Wiring Installations**, Add:

All electrical wiring installed in buildings, structures or premises designed using the International Building Code located in Teton County shall be installed in accordance with the following wiring methods:

1. Article 320, Armored Cable: Type AC
2. Article 330, Metal-Clad Cable: Type MC
3. Article 332, Mineral-Insulated, Metal-Sheathed Cable: Type MI
4. Article 342, Intermediate Metal Conduit: Type IMC
5. Article 344, Rigid Metal Conduit, Type RMC

- 6. Article 348, Flexible Metal Conduit, Type FMC
- 7. Article 350, Liquid-tight Flexible Metal Conduit: Type LFMC
- 8. Article 358, Electrical metallic Tubing: Type EMT

Electrical Fee Schedule			
Valuation of Electrical Work			Fee
1.00	to	500.00	27.23
500.01	to	600.00	30.75
600.01	to	700.00	34.32
700.01	to	800.00	37.84
800.01	to	900.00	41.36
900.01	to	1,000.00	44.94
1,000.01	to	1,100.00	48.46
1,100.01	to	1,200.00	51.98
1,200.01	to	1,300.00	55.55
1,300.01	to	1,400.00	59.07
1,400.01	to	1,500.00	62.59
1,500.01	to	1,600.00	66.17
1,600.01	to	1,700.00	69.69
1,700.01	to	1,800.00	73.21
1,800.01	to	1,900.00	76.78
19,00.01	to	2,000.00	80.30
2,000.01	to	3,000.00	90.86
3,000.01	to	4,000.00	105.00
4,000.01	to	5,000.00	119.13
5,000.01	to	6,000.00	133.32
6,000.01	to	7,000.00	147.46
7,000.01	to	8,000.00	161.65
8,000.01	to	9,000.00	175.78
9,000.01	to	10,000.00	189.92
10,000.01	to	11,000.00	204.11
11,000.01	to	12,000.00	218.24
12,000.01	to	13,000.00	232.43
13,000.01	to	14,000.00	246.57
14,000.01	to	15,000.00	260.70
15,000.01	to	16,000.00	274.89
16,000.01	to	17,000.00	303.22
17,000.01	to	18,000.00	317.35
18,000.01	to	19,000.00	331.49
19,000.01	to	20,000.00	345.68
20,000.01	to	21,000.00	359.81
21,000.01	to	22,000.00	374.00
22,000.01	to	23,000.00	388.14
23,000.01	to	24,000.00	402.27
24,000.01	to	25,000.00	416.96
25,000.01	to	50,000.00	\$416.96 for the first \$25,000.00 plus \$10.62 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00.
50,000.01	to	100,000.00	\$682.33 for the first \$50,000.00 plus \$7.10 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.
100,000.01 and up			\$1,037.08 for the \$100,000.00 plus \$5.89 for each additional \$1,000.00 or fraction thereof.

Temporary Services – a fee of \$25.00 will be charged for all temporary services to be connected.

SECTION II.

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

SECTION III.

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 a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall take effect from and after the date of its publication following approval and adoption.

PASSED 1ST READING THE __ DAY OF __, 2020.

PASSED 2ND READING THE ____ DAY OF ___, 2020.

PASSED AND APPROVED THE __ DAY OF __, 2020.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandra P. Birdyshaw, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
COUNTY OF TETON)ss.
TOWN OF JACKSON)

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 ____, 2020.

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

Sandra P. Birdyshaw, Town Clerk



TOWN OF JACKSON

AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Administration

PRESENTER: Lea Colasuonno

WORKSHOP DATE: June 1, 2020

SUBJECT: Flavored Vape Product Prohibition Ordinance – First Reading

STATEMENT/PURPOSE

The Town Council continued first reading of Ordinance Q at the May 18, 2020 Town Council meeting in order to address concerns regarding the ban on all flavored nicotine.

BACKGROUND/ALTERNATIVES

The Town Council discussed issues related to banning all flavored nicotine products versus banning only flavored vape products, as well as other issues. Jodi Radke, Director of the Rocky Mountain/Great Plains Region of the Campaign for Tobacco-Free Kids raised concern about flavor enhancers and the need to include menthol as a flavor. Her concerns have been incorporated into the revised ordinance presented for first reading. Numerous others making public comment brought up a concern about banning only flavored vape versus banning all flavored tobacco products. The revised attached ordinance bans only flavored vape products and would not include a ban on flavored chewing tobacco or flavored regular cigarettes.

State law also allows the Town of Jackson to license nicotine retailers similar to liquor licensing. Requiring a license to sell nicotine and charging a fee for that license may lead to better compliance with underage sales prohibitions for regular nicotine products. Initial research conducted by the Town Clerk with other Wyoming municipalities did not result in much information due to a lack of results. It could be that the lack of response was due to COVID-19 and minimal staffing issues. The Jackson Police Department conducted some initial research and it appears there would be 15 establishments that would be subject to a nicotine license should the Council choose to pursue licensing. Should the Council be interested, it would be appropriate to direct staff to research this possibility, determine the fiscal and staff impacts of such a licensing program, meet with affected businesses to understand concerns and then report this information back to the Council at an upcoming workshop prior to the presentation of any kind of ordinance for first reading. Please understand that with the current situation of reduced staffing and cutbacks, asking staff to conduct additional research into this issue at this time and/or adding additional enforcement requirements should be given serious consideration prior to moving forward. Impacts of research or additional enforcement requirements would have implications on the Town Attorney, the Police Department, the Town Clerk's office and the Finance staff.

The Council has many options available to them including:

1. Accept the proposed changes to Ordinance Q as presented and approve it on first reading.
2. Discuss Ordinance Q, make changes, and adopt it as amended on first reading.
3. Adopt the Ordinance and also direct staff to research nicotine licensing in the Town of Jackson and bring the results of that research back to Council at an upcoming workshop, understanding it may be some time before research is presented due to the current staffing levels and workload.
4. Postpone action until further discussion can occur either at a workshop or regular meeting.
5. Take no action.
6. Other.

COMPREHENSIVE PLAN ALIGNMENT

Prohibiting the sale of flavored vape products would support Principle 1.2 – Preserve and enhance water and air quality in that it may reduce the use of flavored vape products as they would not be available for sale in the Town of Jackson.

STAKEHOLDER ANALYSIS

The stakeholders involved with this type of action would include retailers that sell these products, consumers of these products, health care providers serving patients that develop health issues as a result of using these products, parents of youth that will be assured the products cannot be obtained within Town limits, educators responsible for teaching youth that have nicotine in their system as a result of using these products, public health officials invested in protecting and improving the overall health of the community, etc.

FISCAL IMPACT

The fiscal impact of banning these sales may result in a marginal decrease in sales and use taxes. Ordinance passage has fiscal impacts associated with advertising. Upon passage of an ordinance, retailers would need to be educated about the change and this would be accomplished in the most cost-effective manner possible.

STAFF IMPACT

Staff impact of preparing/amending the draft ordinance continues to be notable and involves work from Lea Colasuonno, Town Attorney; Todd Smith, Chief of Police; Michelle Weber, Support/Training Sergeant; and Roxanne Robinson, Assistant Town Manager. Passage of the ordinance on third reading will require codification, education of the public, and enforcement by the Jackson Police Department. Should the Council also direct staff to research nicotine licensing, it would have a notable impact on staff. Additional hours would be required by the Town Attorney, Asst Town Manager, Town Clerk, Chief of Police, Support Sergeant and others. It may result in a combined additional 40-60 hours of staff time.

LEGAL ISSUES

Ongoing.

ATTACHMENTS

Ordinance Q redline version.

RECOMMENDATION

Staff recommends Council accept the proposed changes to Ordinance Q as presented and approve it on first reading.

SUGGESTED MOTION

I move to accept the proposed changes to Ordinance Q as presented and approve it on first reading.

ORDINANCE Q

AN ORDINANCE ADDING CHAPTER 8.35 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON PROHIBITING THE SALE OF FLAVORED ELECTRONIC CIGARETTES OR FLAVORED VAPOR MATERIAL 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

SECTION I.

There is hereby added Chapter 8.35 of Title 8 Sale of Flavored Electronic Cigarettes or Flavored Vapor Material Prohibited of the Municipal Code of the Town of Jackson as follows:

CHAPTER 8.35
SALE OF FLAVORED ELECTRONIC CIGARETTES OR FLAVORED VAPOR MATERIAL
PROHIBITED

Sections:

8.35.010	Legislative Findings
8.35.020	Purpose
8.35.030	Definitions
8.35.040	Sale of Flavored Tobacco Products Prohibited
8.35.050	Reverse Preemption

8.35.010 Legislative Findings

WHEREAS, the Town of Jackson, Wyoming (“Town”) is a municipal corporation existing pursuant to the laws of the Wyoming Constitution, the Wyoming Statutes, and the Town Charter; and

WHEREAS, the Town has a responsibility to protect the health of its youth, citizens and guests; and

WHEREAS, the use of tobacco products by the children is a pediatric disease of considerable proportions that results in new generations of tobacco-dependent children and adults; and

WHEREAS, a consensus exists within the scientific and medical communities that tobacco products are inherently dangerous and cause cancer, heart disease, and other serious adverse health effects; and

WHEREAS, nicotine is an addictive drug; and

WHEREAS, the Town Council finds and determines that prohibiting the sale of flavored electronic cigarettes or flavored vapor material would help address the health problems associated with such use by youth in the community, and would be in the best interest of the public health, safety, and welfare of the Town.

8.35.020 Purpose

This chapter is enacted to prohibit the sale of flavored tobacco products within the Town of Jackson.

8.35.030 Definitions

As used in this Chapter the following definitions apply:

- A. **Characterizing Flavor** means any distinguishable taste or aroma, other than the taste or aroma of tobacco, imparted either prior to or, during consumption of a tobacco product or Component Part thereof, including, but not limited to, tastes or aromas relating to any fruit, mint, menthol, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb or spice and concepts such as spicy, arctic, ice, cool, warm, hot, mellow, fresh, and breeze or any “concept flavor” that imparts a taste or aroma that is distinguishable from tobacco flavor but may not relate to any particular known flavor; provided, however, that no tobacco product shall be determined to have a Characterizing Flavor solely because of the use of additives or flavorings or the provision of ingredient information.
- B. **Distinguishable** means perceivable by the sense of smell or taste.
- C. **Electronic Cigarette** shall have the meaning set forth in Wyo. Stat. § 14-3-301, as amended.
- D. **Flavor Enhancer** means any product designed, manufactured, produced, marketed or sold to produce a Characterizing Flavor when added to any unflavored Electronic Cigarette.
- E. **Flavored Electronic Cigarette** means any Electronic Cigarette that imparts a Characterizing Flavor. A public statement or claim made or disseminated by the manufacturer of an Electronic Cigarette, or by any person authorized or permitted by the manufacturer to make or disseminate public statements

concerning such Electronic Cigarette, that such Electronic Cigarette has or produces a Characterizing Flavor and/or usage of text or images, or both, on the Electronic Cigarette labeling or packaging to explicitly or implicitly indicate that the Electronic Cigarette imparts a Characterizing Flavor, shall constitute presumptive evidence that such Electronic Cigarette is a Flavored Electronic Cigarette.

- F. **Flavored Vapor Material** means any Vapor Material that imparts a Characterizing Flavor. A public statement or claim made or disseminated by the manufacturer of a Vapor Material, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such Vapor Material, that such Vapor Material has or produces a Characterizing Flavor and/or usage of text or images, or both, on the Vapor Material labeling or packaging to explicitly or implicitly indicate that the Vapor Material imparts a Characterizing Flavor, shall constitute presumptive evidence that such Vapor Material is a Flavored Vapor Material.
- G. **Manufacturer** means a person that manufactures or produces a tobacco product.
- H. **Vapor Material** shall have the meaning set forth in Wyo. Stat. § 14-3-301, as amended.

8.35.040 Sale of Flavored Electronic Cigarettes or Flavored Vapor Material Products Prohibited
It shall be unlawful for any person to sell or offer for sale or provide free manufacturer-provided samples of any Flavored Electronic Cigarettes or Flavored Vapor Material to a person.

8.35.050 Reverse Preemption
This Chapter shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this Chapter, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the Town of Jackson.

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

SECTION III
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 IV
This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE _____ DAY OF _____, 2020.
PASSED 2ND READING THE _____ DAY OF _____, 2020.
PASSED AND APPROVED THE _____ DAY OF _____ 2020.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandra P. Birdyshaw, 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 _____, 2020.
I further certify that the foregoing Ordinance was duly recorded on page ____ of Book ____ of Ordinances of the Town of Jackson, Wyoming.

Sandra P. Birdyshaw, Town Clerk

ORDINANCE Q

AN ORDINANCE ADDING CHAPTER 8.35 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON PROHIBITING THE SALE OF FLAVORED ELECTRONIC CIGARETTES OR FLAVORED VAPOR MATERIAL ~~TOBACCO PRODUCTS~~ 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

SECTION I.

There is hereby added Chapter 8.35 of Title 8 Sale of Flavored Electronic Cigarettes or Flavored Vapor Material ~~Tobacco Products~~ Prohibited of the Municipal Code of the Town of Jackson as follows:

CHAPTER 8.35
SALE OF FLAVORED ELECTRONIC CIGARETTES OR FLAVORED VAPOR MATERIAL
PROHIBITED

Sections:

8.35.010	Legislative Findings
8.35.020	Purpose
8.35.030	Definitions
8.35.040	Sale of Flavored Tobacco Products Prohibited
<u>8.35.050</u>	<u>Reverse Preemption</u>

8.35.010 Legislative Findings

WHEREAS, the Town of Jackson, Wyoming (“Town”) is a municipal corporation existing pursuant to the laws of the Wyoming Constitution, the Wyoming Statutes, and the Town Charter; and

WHEREAS, the Town has a responsibility to protect the health of its youth, citizens and guests; and

WHEREAS, the use of tobacco products by the children is a pediatric disease of considerable proportions that results in new generations of tobacco-dependent children and adults; and

WHEREAS, a consensus exists within the scientific and medical communities that tobacco products are inherently dangerous and cause cancer, heart disease, and other serious adverse health effects; and

WHEREAS, nicotine is an addictive drug; and

WHEREAS, the Town Council finds and determines that prohibiting the sale of flavored electronic cigarettes or flavored vapor material would help address the health problems associated with such use by youth in the community, and would be in the best interest of the public health, safety, and welfare of the Town.

8.35.020 Purpose

This chapter is enacted to prohibit the sale of flavored tobacco products within the Town of Jackson.

8.35.030 Definitions

As used in this Chapter the following definitions apply:

~~A. Cigarette means any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and consists of or contains: (1) any roll of tobacco wrapped in paper or in any substance not containing tobacco; (2) tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette; or (3) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to or purchased by, consumers as a cigarette described in clause (1) of this definition.~~

~~B.A.~~ Characterizing Flavor means any distinguishable taste or aroma, other than the taste or aroma of tobacco ~~or menthol~~, imparted either prior to or, during consumption of a tobacco product or Component Part thereof, including, but not limited to, tastes or aromas relating to any fruit, mint, menthol, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb or spice and concepts such as spicy, arctic, ice, cool, warm, hot, mellow, fresh, and breeze or any “concept flavor” that imparts a taste or aroma that is distinguishable from tobacco flavor but may not relate to any particular known flavor; provided, however, that no tobacco product shall be determined to have a

Characterizing Flavor solely because of the use of additives or flavorings or the provision of ingredient information.

B. **Distinguishable** means perceivable by the sense of smell or taste.

C. **Electronic Cigarette** shall have the meaning set forth in Wyo. Stat. § 14-3-301, as amended.

D. **Flavor Enhancer** means any product designed, manufactured, produced, marketed or sold to produce a Characterizing Flavor when added to any unflavored Electronic Cigarette.

E. **Flavored Electronic Cigarette** means any Electronic Cigarette that imparts a Characterizing Flavor. A public statement or claim made or disseminated by the manufacturer of an Electronic Cigarette, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such Electronic Cigarette, that such Electronic Cigarette has or produces a Characterizing Flavor and/or usage of text or images, or both, on the Electronic Cigarette labeling or packaging to explicitly or implicitly indicate that the Electronic Cigarette imparts a Characterizing Flavor, shall constitute presumptive evidence that such Electronic Cigarette is a Flavored Electronic Cigarette.

F. **Flavored Vapor Material** means any Vapor Material that imparts a Characterizing Flavor. A public statement or claim made or disseminated by the manufacturer of a Vapor Material, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such Vapor Material, that such Vapor Material has or produces a Characterizing Flavor and/or usage of text or images, or both, on the Vapor Material labeling or packaging to explicitly or implicitly indicate that the Vapor Material imparts a Characterizing Flavor, shall constitute presumptive evidence that such Vapor Material is a Flavored Vapor Material.

G. **Flavored Tobacco Product** means any Tobacco Product, or any Component Part thereof, that contains a Constituent that imparts a Characterizing Flavor. A public statement or claim made or disseminated by the manufacturer of a Tobacco Product or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such Tobacco Product, that such Tobacco Product has or produces a Characterizing Flavor shall constitute presumptive evidence that the Tobacco Product is a Flavored Tobacco Product.

D. **Tobacco Product** means any product containing tobacco or nicotine, be it natural, synthetic or derived from plant based inputs and regardless of the method of derivation, including but not limited to cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, dissolvable tobacco products, and electronic cigarette; provided, however, that such term shall not include: (1) cigarettes, including those cigarettes subject to the Special Rule for Cigarettes relating to characterizing flavors of the federal Family Smoking and Tobacco Prevention Act and (2) any product that has been approved by the U.S. Food and Drug Administration pursuant to its authority over drugs.

G. **Manufacturer** means a person that manufactures or produces a tobacco product.

E.H. **Vapor Material** shall have the meaning set forth in Wyo. Stat. § 14-3-301, as amended.

8.35.040 Sale of Flavored Electronic Cigarettes or Flavored Vapor Material ~~Tobacco Products~~ Prohibited

It shall be unlawful for any person to sell or offer for sale or provide free manufacturer-provided samples of any Flavored Electronic Cigarettes or Flavored Vapor Material ~~Tobacco Product~~ to a person.

8.35.050 Reverse Preemption

This Chapter shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this Chapter, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the Town of Jackson.

SECTION II

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

SECTION III

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 IV

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE _____ DAY OF _____, 2020.
PASSED 2ND READING THE _____ DAY OF _____, 2020.
PASSED AND APPROVED THE _____ DAY OF _____ 2020.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandra P. Birdyshaw, 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 _____, 2020.
I further certify that the foregoing Ordinance was duly recorded on page ____ of Book ____ of Ordinances of the Town of Jackson, Wyoming.

Sandra P. Birdyshaw, Town Clerk



TOWN OF JACKSON

AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT:

PRESENTER: Roxanne Robinson

MEETING DATE: February 4, 2019

SUBJECT: Town Buildings COVID-19 Policy

STATEMENT/PURPOSE

Mayor Muldoon requested this item be listed under Matters from Mayor and Council in order to discuss a potential policy requiring that masks be worn by members of the public in Town controlled buildings that are open to the public.

BACKGROUND/ALTERNATIVES

Mayor Muldoon will discuss the potential policy requiring masks. In order for such a policy to be enforceable by the Police it must be adopted by the governing body. Should the Town Council choose to move forward with establishing such a policy, it would be adopted by resolution. A draft resolution is attached to this staff report in the event the Town Council wishes to move forward immediately. The Council can also direct staff to place the resolution on the agenda for consideration at a future meeting. Teton County adopted a similar policy for the Public Health building and for the Courthouse, but not for other County buildings open to the public. Other County buildings still fall under the public health guidelines that recommend masks be worn.

Town controlled buildings that receive visits from members of the public seeking services have retrofitted the front desk reception areas to install sneeze shields and UV lighting has also been installed in air handling units. Hand sanitizer along with free cloth and disposable masks are also provided in the reception areas. Signage has been installed recommending masks be worn. Additional cleaning protocols have been established and implemented in all departments. Additional inexpensive retrofit options are also being discussed for buildings and specific areas within buildings to establish single points of entry and protections for staff and members of the public. Staff believes these steps are appropriate and adequate for providing service to the public under the current public health orders and recommendations.

The Town Council has several options including:

1. Discuss a potential mask requirement policy and ask that the item be placed on the agenda for June 15 for further discussion and/or possible action.
2. Adopt the mask requirement resolution as presented.
3. Take no action wherein staff will continue to serve the public with current protocols and retrofits in place.
4. Other.

COMPREHENSIVE PLAN ALIGNMENT

The Town provides quality community services and appropriate and adequate protocols should be established that provide protections to Town staff and community members so that services can continue in a healthy and safe manner.

STAKEHOLDER ANALYSIS

Stakeholders include Town employees, members of the community needing services, guests to the community, and anyone that may come in contact with staff or community members receiving services from the Town of Jackson.

FISCAL IMPACT

There is a cost involved with the provision of free disposable masks to the public if they come in without a mask. A pack of 50 masks purchased locally is currently \$80. Homemade fabric masks for health workers and community members at large are no longer being collected by the point of contact previously established. However, homemade cloth masks are still being donated by Town employees for Town staff and members of the public at Town facilities at this time. There may be unforeseen fiscal impacts associated with legal costs if a member of the public chooses not to voluntarily comply and it escalates into an incident.

STAFF IMPACT

There is minimal staff impact should all customers voluntarily comply. Should there be a lack of voluntary compliance, front desk staffers may be placed in confrontational and controversial positions in an attempt to gain compliance prior to providing the requested public services. Law enforcement may also be asked to intervene.

LEGAL REVIEW

Ongoing. Statutes state: "No person within or upon the facilities of a governing body shall refuse to desist from a course of conduct or to remove himself from the facilities upon request by an authorized representative of the governing body, after having been notified that the conduct or the presence of the person is contrary to or in violation of established policies, rules or regulations of the governing body which are reasonably related to the furtherance of the lawful purposes of the governing body and incident to the maintenance or orderly and efficient use of its facilities for the purposes for which acquired or designated." Wyo. Stat. § 6-6-303.

ATTACHMENTS

Draft Policy Resolution Requiring Masks.

RECOMMENDATION

Staff makes no recommendation.

SUGGESTED MOTION

No motion suggested. Options are listed in the background section.

Resolution No. _____

**A RESOLUTION REGARDING FACE COVERINGS AT TOWN OF JACKSON BUILDINGS OPEN TO THE PUBLIC
DURING COVID-19 PANDEMIC**

WHEREAS, the World Health Organization declared the Coronavirus as a worldwide pandemic as of March 11, 2020; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency concerning the novel coronavirus disease (COVID-19) stating that in “December 2019 a novel (new) coronavirus known as SARS-CoV-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease (COVID-19) that has now spread globally. . . . The spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems Additional measures . . . are needed to successfully contain and combat the virus in the United States.” The National Emergency Declaration went on to declare that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, on March 13, 2020, Mark Gordon, the Governor of the State of Wyoming, declared a State of Emergency for the State of Wyoming, stating that on March 11, 2020, an individual within the State of Wyoming tested presumptive positive for COVID-19, and the State of Wyoming is experiencing a public health emergency in response to the evolving outbreak of the novel coronavirus as of March 11, 2020. The Declaration of a State of Emergency directs the Director of the Wyoming Department of Health to take all appropriate and necessary actions and in the Director’s judgment any actions necessary to provide aid to those locations where there is a threat or danger to public health, safety and welfare; and

WHEREAS, on March 16, 2020, at 9:00 a.m., the Board of County Commissioners of Teton County, Wyoming, met in regularly scheduled and public meeting of the Board of County Commissioners at the Teton County Administration Building, located at 200 S. Willow Street, in Jackson, Wyoming, and declared a state of emergency for Teton County, Wyoming; and

WHEREAS, on March 16, 2020, the Town of Jackson Town Manager restricted public access to all Town buildings. All Town buildings nonetheless continued to serve the public needs through alternative methods, including providing services by phone, internet, and in-person by appointment; and

WHEREAS, after considering recommendations from the Teton County Public Health Department, the Teton District Health Officer, the state of Wyoming, and the United States government, the Town of Jackson Town Manager ended public access restrictions at Town buildings on Tuesday May 26, 2020; and

WHEREAS, the Town of Jackson Town Council met in a public meeting and discussed a Face Covering policy for members of the public entering Town buildings open to the public to take effect June 1, 2020.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING THAT, having duly met on June 1, 2020, at a regularly scheduled meeting, which was properly noticed and open to the public, and having fully considered the matter at hand, the Town of Jackson Town Council hereby establishes the following policy at all Town buildings open to the public to be:

1. All Town facilities, as of June 1, 2020, are open to public access with the requirement that all members of the public entering Town buildings must wear a Face Covering in all public areas of the Town facilities and maintain at least six feet of separation from all other persons, unless they are family members.
2. The requirement to wear a face covering in Town buildings shall expire on July 2, 2020, unless sooner ended by Resolution.
3. "Face Covering," as used in this Resolution, means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face.
4. The requirement to wear a Face Covering in Town buildings does not apply to children that are 3 years old or younger or to individuals that have trouble breathing, incapacitated, or otherwise are unable to remove the face covering without assistance.

PASSED, APPROVED, AND ADOPTED this 1st day of June 2020.

TOWN OF JACKSON

By: _____
Pete Muldoon, Mayor

ATTEST:

By: _____
Sandra P. Birdyshaw, Town Clerk

MEMORANDUM

TO: Mayor and Town Council

FR: Larry Pardee, Town Manager

DT: June 1, 2020

RE: Town Manager's Report

June 15 Workshop

Staff is requesting the June 15 workshop start at 1pm instead of 3pm to allow for additional time for budget discussions prior to adoption at the evening meeting. There are other items on the agenda besides the budget. If changes are discussed at 1pm and need to be incorporated into the resolution adopting the budget, a 1pm start would allow more time for staff to incorporate any changes prior to adoption at the evening meeting. With Council's acceptance of the Town Manager's report into the record, staff will schedule the June 15 workshop to begin at 1pm with the FY21 budget as the first item.

Access and Utility Easement on Broadway

Staff is currently considering a process to purchase an access and utility easement across a strip of private property located on the western portion of 105 East Broadway. The strip of land is 10' wide x 100' long (1,000 sf) and constitutes the eastern half of the existing 20'-wide alley between E. Broadway and Deloney Avenue. Obtaining the easement is a high priority for staff because it would provide the Town with full control over the entire 20'-wide alley just off the Town Square (even though the Town has already been maintaining this 10'-wide strip for years as if it were public property). The easement would be for access (vehicular/pedestrian) and for the location and maintenance of utilities (water, sewer, etc.). This item is time sensitive because the owner of 105 E. Broadway is currently planning to redevelop the property and needs resolution of this issue to move forward. Staff is asking Council to provide direction on whether we should proceed with negotiations to make an offer to the owner of 105 East Broadway to purchase this access and utility easement. Should the Council be in favor of proceeding, a separate motion is requested: I move to direct staff to proceed with negotiations for an offer to purchase an access and utility easement at 105 East Broadway.