



TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

TRANSMITTAL MEMO

Town of Jackson

- ☒ Public Works/Engineering
- ☒ Building
- ☐ Title Company
- ☒ Town Attorney
- ☒ Police

Joint Town/County

- ☐ Parks and Recreation
- ☒ Pathways
- ☒ Joint Housing Dept

Teton County

- ☐ Planning Division

- ☐ Engineer
- ☐ Surveyor- *Nelson*
- ☐ Assessor
- ☐ Clerk and Recorder
- ☐ Road and Levee

State of Wyoming

- ☐ Teton Conservation
- ☐ WYDOT
- ☐ TC School District #1
- ☐ Game and Fish
- ☐ DEQ

Federal Agencies

- ☐ Army Corp of Engineers

Utility Providers

- ☐ Qwest
- ☐ Lower Valley Energy
- ☐ Bresnan Communications

Special Districts

- ☒ START
- ☒ Jackson Hole Fire/EMS
- ☐ Irrigation Company

<p>Date: February 11, 2021</p> <p>Item #: P21-029</p> <hr/> <p>Planner: Katelyn Page</p> <p>Phone: 733-0440 ext. 1302</p> <p>Email: kpage@jacksonwy.gov</p> <hr/> <p>Owner Marilyn R. Hartman 1700 Bassett St. Unit 1009 Denver, CO 80202</p> <hr/> <p>Applicant: Frank Paniszczyn 19030 Kimber Creek Ln. Cypress, TX 77429</p>	<p style="text-align: center;">REQUESTS:</p> <p>The applicant is submitting a request for a Basic Use Permit to add the use short term rental to the property located at 245 N. Glenwood St. legally known as LOT 7, BLK. 1, ORIGINAL TOWNSITE OF JACKSON.</p> <p>For questions, please call Katelyn Page at 733-0440, x1302 or email to the address shown below. Thank you.</p>
<p>Please respond by: February 24, 2021 (Sufficiency) March 3, 2021 (with Comments)</p>	

RESPONSE: For Departments not using Trak-it, please send responses via email to:
kpage@jacksonwy.gov



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: Change of Use from Long Term Rental to Short Term Rental
Physical Address: 245 N. Glenwood St., Jackson WY
Lot, Subdivision: Lot 7, Block 1, Original Tractsite of Jackson PIDN: 22-41-16-28-4-00-016

PROPERTY OWNER.

Name: Marilyn R. Hartman Phone: 307-690-1814
Mailing Address: 1700 Bassett St. Unit 1009, Denver Co ZIP: 80202
E-mail: ~~307-690-1814~~
marilynjacksonhole@yahoo.com

APPLICANT/AGENT.

Name: Frank Paniszczyn Phone: 817 323 9656
Mailing Address: 19030 Kimber Creek Ln Cypress, TX ZIP: 77429
E-mail: paniszczynfrank@comcast.net

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

☒ Basic Use
____ Conditional Use
____ Special Use

Relief from the LDRs

____ Administrative Adjustment
____ Variance
____ Beneficial Use Determination
____ Appeal of an Admin. Decision

Physical Development

____ Sketch Plan
____ Development Plan
____ Design Review

Subdivision/Development Option

____ Subdivision Plat
____ Boundary Adjustment (replat)
____ Boundary Adjustment (no plat)
____ Development Option Plan

Interpretations

____ Formal Interpretation
____ Zoning Compliance Verification

Amendments to the LDRs

____ LDR Text Amendment
____ Map Amendment

Miscellaneous

____ Other: _____
____ 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 #: NA Environmental Analysis #: NA
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.
- ☒ *Will pay on phone*
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.

Frank Paniszczyn
Signature of Property Owner or Authorized Applicant/Agent

Frank Paniszczyn
Name Printed

2.1.21
Date
Contracted Buyer
Title

LETTER OF AUTHORIZATION

MARILYN R. HARTMAN

,"Owner" whose address is:

1700 Bennett St Unit 10

Denver, Co 80202

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

, as the owner of property

more specifically legally described as: LOT 7, BLOCK 1, ORIGINAL TOWNSHIP OF JACKSON WY 83001 (AKA: 245 N. GLENWOOD ST JACKSON WY)

(If too lengthy, attach description)

HEREBY AUTHORIZES FRANCIS AND DE RHOND PANISZLYN OR THEIR LLC

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:

Marilyn R. Hartman

(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: Owner

(If signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner)

STATE OF Colorado

COUNTY OF Denver

The foregoing instrument was acknowledged before me by Marilyn R. Hartman this 6th day of January, 2021.

WITNESS my hand and official seal.

(Notary Public)

My commission expires: July 23, 2021

(Seal)

COLLIN FLYNN HOPKINS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194028793
MY COMMISSION EXPIRES JULY 31, 2023

8.4.1, BASIC USE PERMIT NARRATIVE REQUEST
245 Glenwood Street, Jackson Wyoming, 83001

February 10, 2021

Property Location: 245 N. Glenwood Street, Jackson Wyoming, 83001

Legal Description: Lot 7, Block 1, Original Townsite of Jackson Wyoming 83001

Property Owner: Marilyn R. Hartman

Buyers: Frank and Rhonda Paniszczyn, Also Known as Jackson Hole Realty Partners, LLC

Lot Description: 50' wide by 140' long

Lot Improvements (as built): 4800 square foot building, three stories as follows

- **Top Floor (Apartment 1):** 1600 square feet: 1 unit apartment with 2 Bedrooms and 2 Baths
- **Middle Floor (Apartment 2):** 800 square feet, with 2 Bedrooms and 1 Bath
- **Middle Floor (Apartment 3):** 800 square feet, with 2 Bedrooms and 1 Bath
- **Ground Floor:** 1600 square feet: retail space
- **Construction date and type:** 1992; wood frame construction

Neighborhood Zone: CR-2

Included in the Jackson Lodging Overlay see Fig. 1.

Narrative description of the use:

Frank and Rhonda Paniszczyn and Jackson Hole Realty Partners are under contract to purchase the commercial building located at 245 N. Glenwood St., Jackson Wyoming, legally known as Lot 7, Block 1 in the Original townsite of Jackson. The building has a total of three floors. Each floor is 1600 sq ft in size. The top floor is a single apartment with 2 bedrooms and 2 baths and is being used as a long-term rental. The second story includes two apartments. Each one of these apartments include two bedrooms and one bath and are used as long-term rentals. The bottom floor is a retail space currently under lease. We are requesting that the Town of Jackson issue a Basic Use Permit (BUP) pursuant to Article 2.2.12 of the LDR to allow the short-term rentals the building's top two floors that are now long-term rental apartments. This property lies within the lodging overlay (Fig. 1).

The bottom floor will remain a retail space.

- Proposed location of use: Top and Middle Floor of building located at 245 N. Glenwood Street; Apartment 1, Apartment 2, and Apartment 3.
- There will be no new physical development as part of this BUP request.
- The ground floor will continue to exist as a retail space with no change of use at this time.

- This property is zoned CR-2 as shown on the provided map from Fig. 2. Table 2.2.4C Allowed Uses shows both apartments and Short-Term Rental Units as permitted uses with a Basic Use Permit with short-term rentals allowed in the lodging overlay.
- This property is located in the Lodging Overlay as shown on the provided map Fig. 1.
- Property does not fall in the Natural Resource Overlay and complies with all setback and buffer standards per LDR 8.2.2as shown in Fig. 3.
- This request for change of use conforms to the definition of "Change of Use" provided in Article 6.1.2.F
- The change of use to short-term rental for this property conforms to the allowed use stated in Article 6.1.5.C for Lodging Uses. The two subject floors for short-term rentals will allow rental reservations limited to less than 31 days.
- In order to comply with the parking of a short-term rental, said property will follow the Use Table for CR-2 provides that parking requirements for short term rentals will be 1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU. Each of the three apartment units are greater than 500 sf, so the calculated parking of $1.5 \times 3 = 4.5$ parking spaces is needed for the apartment parking. There are 7 spaces in the back of the building designated for this parking. The retail, since it is not changing use, remains at 5 spaces on 245 N. Glenwood Street.
- In order to comply with Article 6.3.5.C.1 where short term rentals are subject to lodging workforce housing requirements, we have attached the mitigations spreadsheet showing what we need to pay in lieu for housing mitigation to change the use of the apartments from long term to short term. See Worksheet Attachment 1.
- The housing mitigation spreadsheet shows that the current apartment (unrestricted) use earns a .121 unit credit (Attachment 1).
- The housing mitigation spreadsheet shows that the short-term rentals for those same 3 units creates a cost of .613 units.
- The sum of the credits is .492 units or \$133,680.43 in lieu of payment.
- Point of Clarification for Parking—Prior conversations with a Jackson Town Planning Department official suggested that a change in use at the building would require the building's owner to remove the 5 parking spaces that are in the front of the building (on Glenwood St.). If this is the case, Jackson Hole Realty Partners, humbly request that the removal of these 5 spaces in front of the building would be delayed until or in the event of changing the use of the bottom floor retail space. Their lease ends in 2023. The removal of these 5 parking spots at this time would be a parking burden on the food pantry and their patrons that currently services Jackson area residents. This is due to the primary street setback of 10'. The non-conforming physical development is not being altered and pursuant to LDR 1.9.2B.2 nonconforming physical development may be maintained or altered.

Proposed Development Program

There is no proposed development program for this request to change of use.

Site Plan:

Since there is no development change with this request. The only site information associated with the property is the property outline shown in Fig. 4. The attached list of minimum standards for a site plan, established in the Administrative Manual is as follows:

Top Floor (Apartment 1) need for parking Short Term Rentals: 1.5 parking spaces for 2 Bedroom unit \geq 500 sq. ft.

Middle Floor (Apartment 2) need for parking Short Term Rental: 1.5 parking spaces for 2 Bedroom unit \geq 500 sq. ft.

Middle Floor (Apartment 3) need for parking Short Term Rental: 1.5 parking spaces for 2 Bedroom unit \geq 500 sq. ft.

Ground Floor (Retail) Need for parking: 5 existing parking spaces are in the front of building

Floor Plans:

See Figures 5 through 7 for references to the floorplans for the three apartments in question. There will be no changes made to these floor plans once the change of use from apartment to short term rental commences.



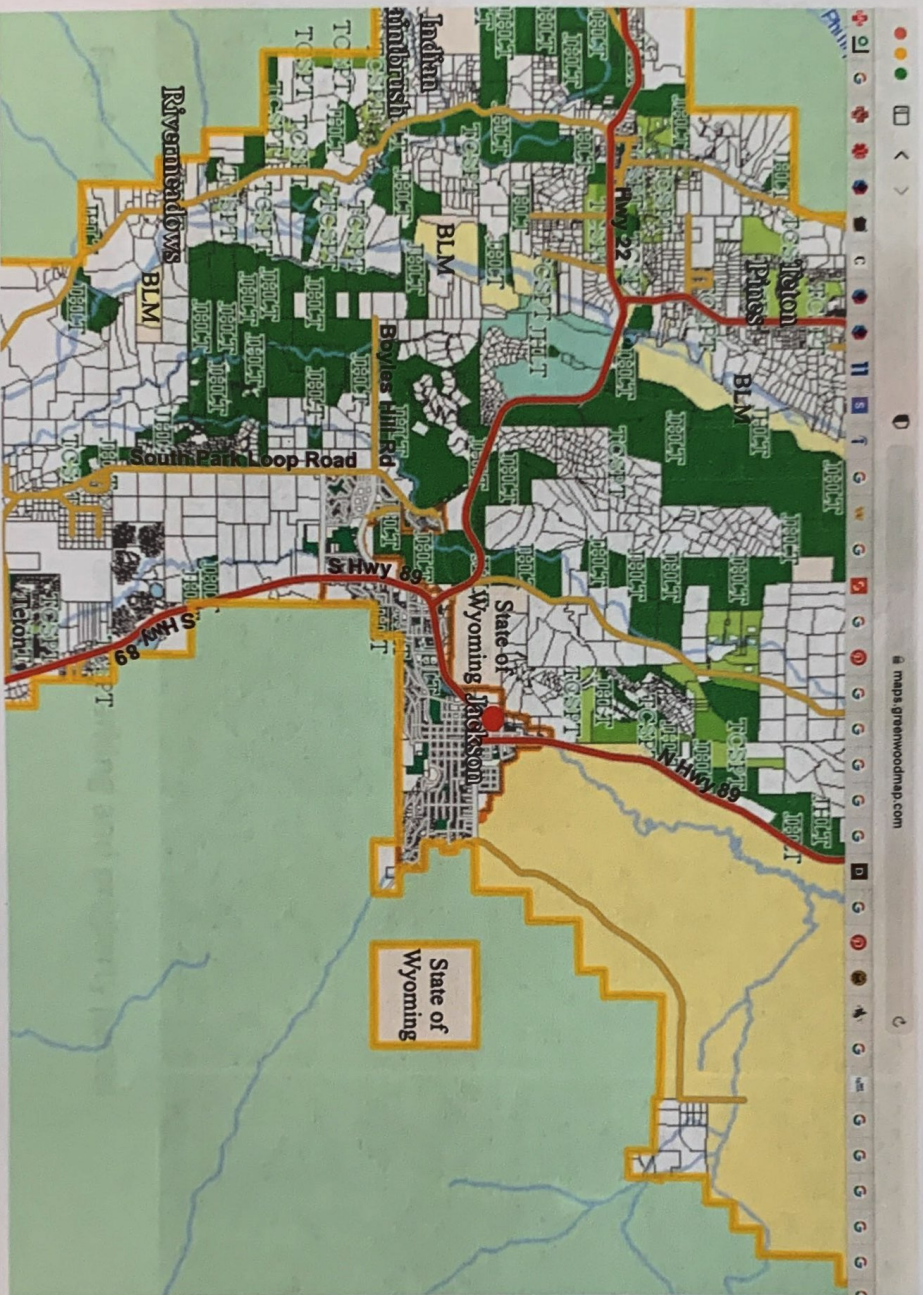


Fig. 3- Natural Resource Overlay and Property location within overlay



- Layer Info
- Copy to Clipboard Different map view Zoom to parcel(s)
- 1 Parcel(s)
- Parcel 23-41-16-28-4-06-016
 - Clerks records
 - Acctid R0004276 Property Detail
 - Tax Information for 01-005384
 - Map Number 00100
 - Lot 7 HARTMAN, MARLYN R. LIVING
 - REVOCABLE TRUST
 - Marlador PO BOX 2642
 - Marlador JACKSON, WY 83001-2642
 - Stadid 245 N GLENWOOD STREET
 - Section 000000
 - Location LOT 7, BLK. 1, ORIGINAL TOWNSITE OF JACKSON
 - TaxClass Commercial
 - Acreage 0.16

Fig. 4—Property Outline showing existing parking and property parcel

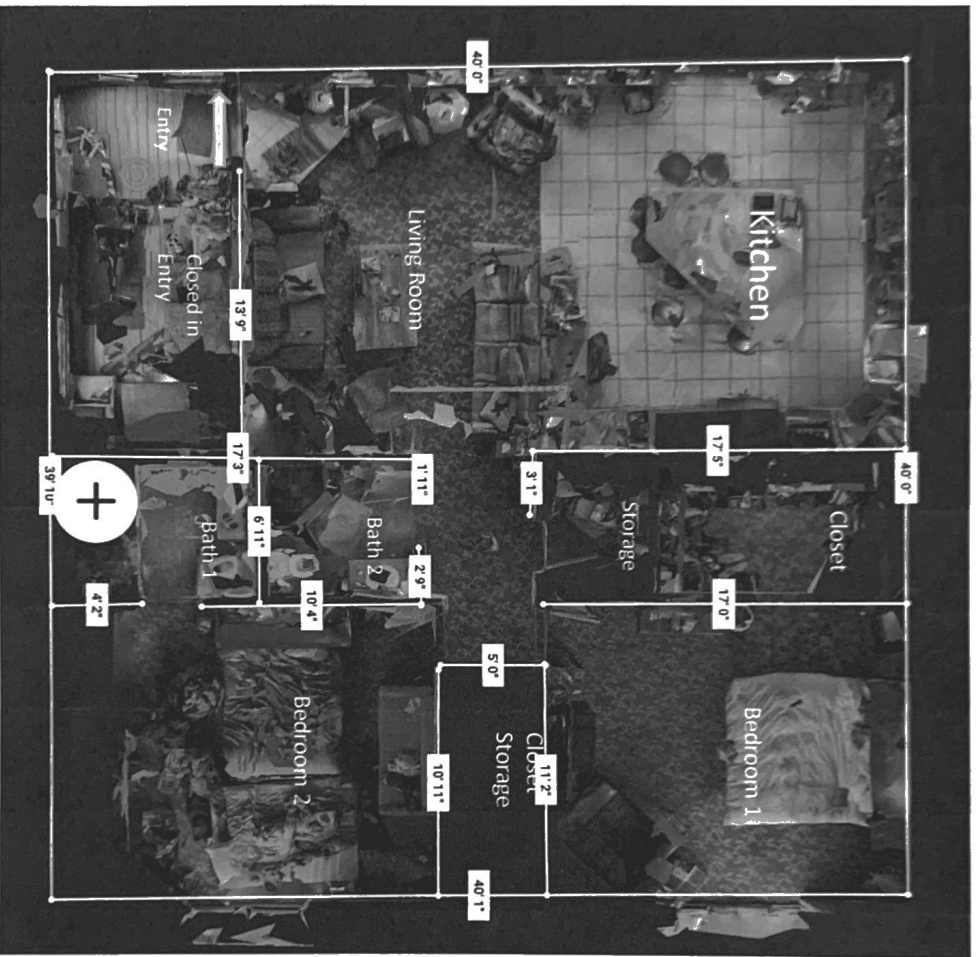


Fig. 5

Top Floor Apartment 1
 2 Beds, 2 Bath Apartment, 1600 sq ft, 40x40
 Measurements of drawing are not exact, photo is
 provided as an estimate based on photos taken
 with a special camera since the current owner has
 not provided true floorplans to contracted buyer.

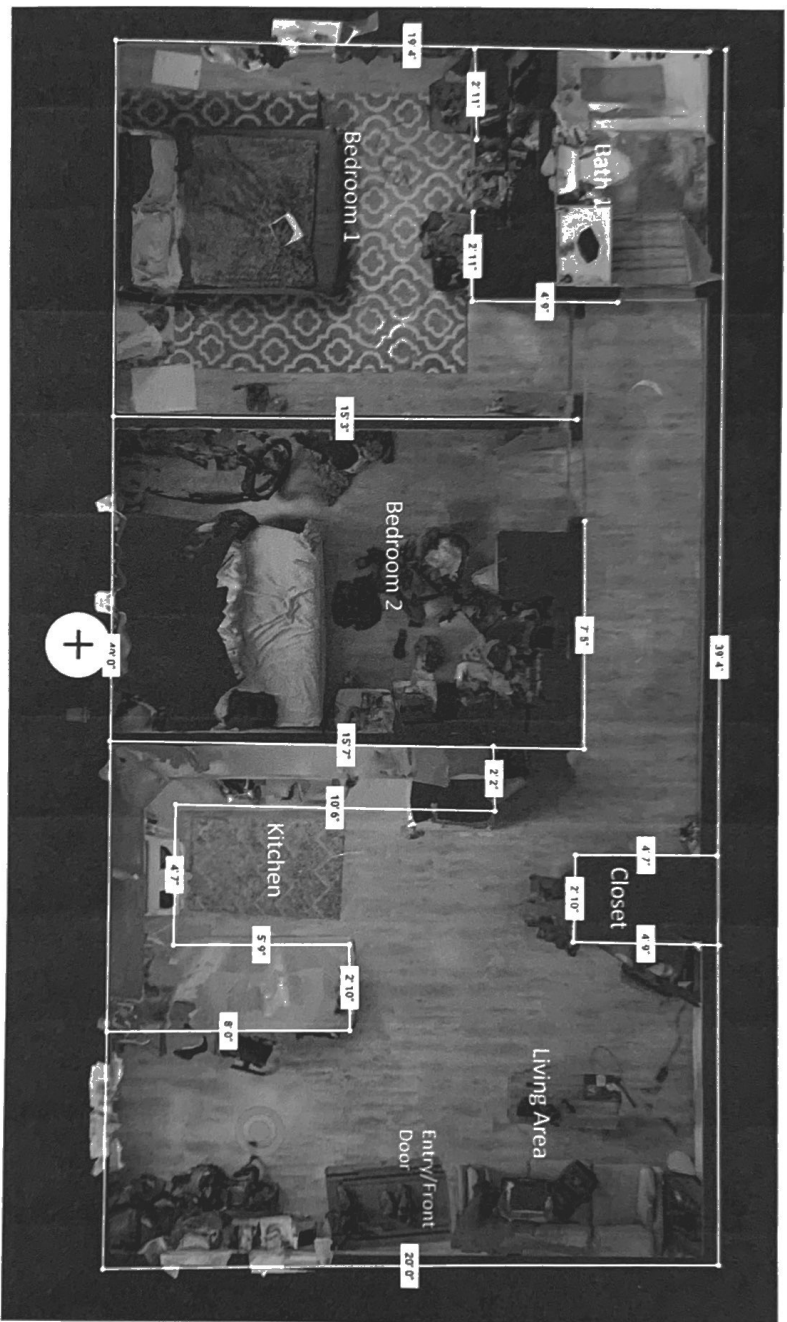


Fig. 6

Apartment 2 on the 2nd Floor
 2 Beds, 1 Bath Apartment,
 800 sq ft, 40 x 20
 Measurements of drawing are not exact,
 photo is provided as an estimate based
 on photos taken with a special camera
 since the current owner has not provided
 true floorplans to contracted buyer.

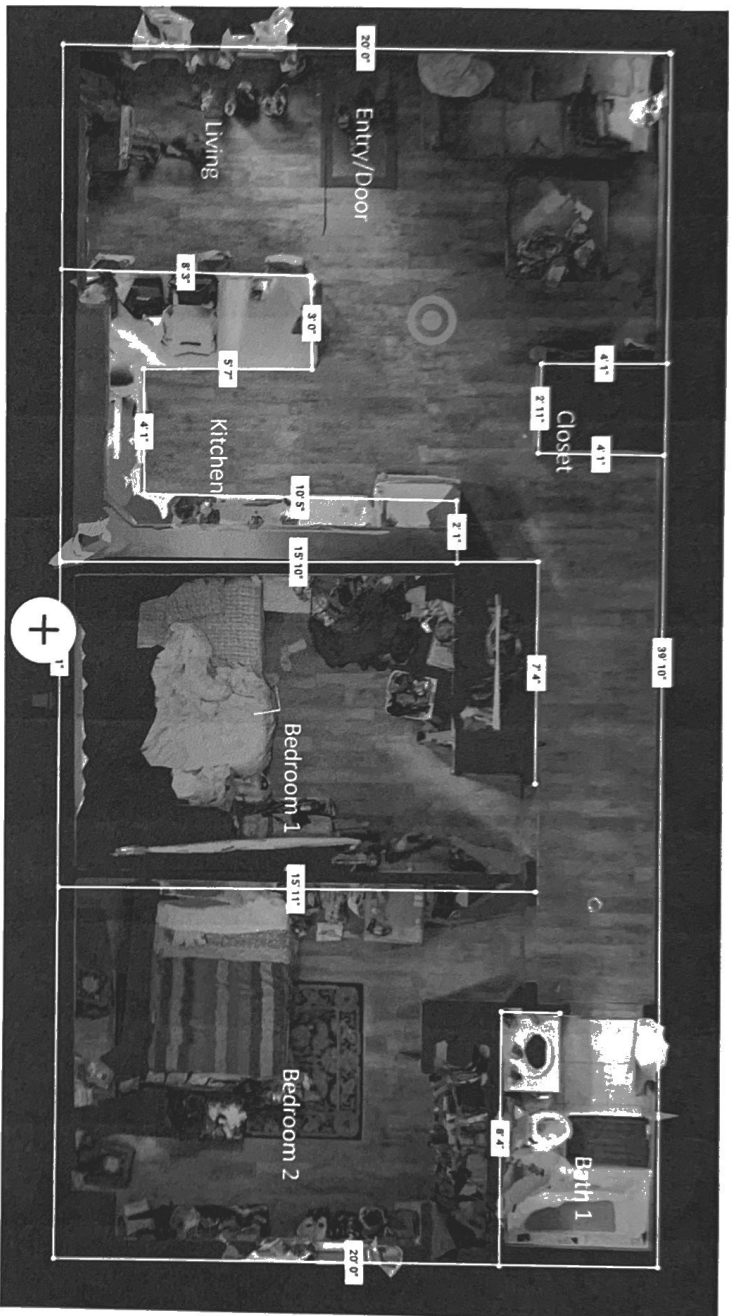


Fig. 7

Apartment 3 on the 2nd Floor
 2 Beds, 1 Bath Apartment,
 800 sq ft, 40 x 20
 Measurements of drawing are not
 exact, photo is provided as an
 estimate based on photos taken
 with a special camera since the
 current owner has not provided true
 floorplans to contracted buyer.

Attachment 1

As Built:245 N. Glenwood Street Jackson, WY

Short Term Rental: Housing Unit Deficits

updated 1/8/21

Development of a new *worksite*, or commercial space requires the need for employees. The construction of a new *worksite*, or residential service *worksite*, in the space, and first responders are needed to protect the space. Only about 27% of the employees generated by development can afford housing in the community, but the community's "community first" character goal is that 65% of employees live locally. To bridge this affordability gap, these housing mitigation requirements are established in Division 3.2 of the Land Development Regulations. This worksheet is intended to assist in meeting the requirements for a project. However, an error in the worksheet does not amend the actual standard; if you find an error please notify the Planning Department. All in the highlighted cells, all the other cells will auto-populate.

Step 1: Location Town of Jackson

The applicable regulations vary by jurisdiction please identify the location of your project using the above dropdown options.

The required housing is based on the existing and proposed use of the site. Step 1 is to enter the proposed use. Section 6.3.2 of the LDC establishes the applicability of the affordable workforce housing standards and Section 6.3.3 establishes the specifics on calculation of the requirement. Enter each in its own row, add rows if needed. A building has multiple units with the same use, describe each unit in its own row. For example, if a duplex is composed of 2,300 sq ft attached unit and a 1,700 sq ft detached unit, put each unit in its own row not put in 4,000 sq ft attached detached. If a unit type (apartment, floor plan, or commercial tenant) space is replicated exactly multiple times, you may use the "Use Quantity" column to avoid adding multiple rows.

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402
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[illegible]

	1st Elev.	2nd Elev.	House
Please describe the proposed development. (For example, in the case of an addition, enter the square footage of the addition.)			

Proposed Use	Housing Requirement (Sec. 6.3.3.A)	Use Site: bedrooms	Use Site: Inhabitable sf	Use Quantity	Housing Required
Apartment (Unrestricted)	0.000017*4*(Eqg:14.17+1.59*Unr(f))	2	1600	1	0.007
Apartment (Unrestricted)	0.000017*4*(Eqg:14.17+1.59*Unr(f))	2	1600	1	0.007
Apartment (Unrestricted)	0.000017*4*(Eqg:14.17+1.59*Unr(f))	2	800	1	0.007
Apartment (Unrestricted)	0.000017*4*(Eqg:14.17+1.59*Unr(f))	2	800	1	0.007

Affordable Workforce Housing Required: 0.121 units

Fee-in-Lieu Amount: \$ 32,994.20

if the amount of required affordable workforce housing is less than one unit, you may pay the above fee in-lieu of providing the required housing. If you elect to pay the fee, your Housing Mitigation Plan is complete. If the requirement is greater than one unit, or you would like to provide a unit to meet the requirement, please proceed to the Unit Type Sheet.

613 short term rental units required (\$166,674.63) - .121 units long term units credited (\$32,994.20) = .492 units (\$133,680.43) Fee-in-Lieu Amount Owed

[illegible]

Step 1: Location Town of Jackson

The required layout of the existing and proposed use of the site, Step 2 is to enter the existing use, Step 3 is to enter the proposed use, Section 6.3.2 of the LDR establishes the applicability of the affordable workforce housing standards and Section 6.3.3 establishes the specifics on calculation of the requirement. Enter each use in its own row, add rows if needed, if a building has multiple units with the same use, describe each unit in its own row. (For example, if duplex is composed of 2,100 sq ft attached unit and 1,700 sq ft attached unit, you may row do not put in 4,000 sq ft of attached single-family, if a unit type (e.g. compacted floor plan, or commercial tenant's space) is replicated exactly multiple times, in its own row use the "Use Quantity" column to avoid adding multiple rows.

Housing is only required if new development. Please describe the existing use of the site so that it can be credited from the housing requirement. The definition of existing uses in Section 6.3.2.1 of the LDs. Generally, the existing use to enter is the use with the highest housing requirement that either existed in 1995, or has been permitted since 1995. Please attach proof of existence.

[illegible]

Please describe the proposed use of the site to determine if affordable workforce housing is required as part of the development. Describe the end result of the proposed development. (For example, in the case of an addition do not enter the square footage of the addition, enter the size of the unit upon completion of the addition.)

Proposed Use	Housing Requirement (Sec. 6.3.5.A)	Use Size: bedrooms	Use Size: habitable sf	Use Quantity	Housing Required
Short-Term Rental Unit	0.102*bedrooms	2	1600	1	0.204
Short-Term Rental Unit	0.102*bedrooms	2	800	1	0.204
Short-Term Rental Unit	0.102*bedrooms	2	800	1	0.204

Affordable Workforce Housing Required: 0.613 units

Fee-In-Lieu Amount:	\$ 166,674.63
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If the amount of required affordable workforce housing is less than one unit, you may pay the above fee in-lieu of providing the required housing. If you elect to pay the fee, your Housing Mitigation Plan is complete. If the requirement is greater than one unit, or you would like to provide a unit to meet the requirement, please proceed to the **JUNIT** type sheet.