

## ORDINANCE Q

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTION 8.8.1.B OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING APPLICABILITY OF ADMINISTRATIVE ADJUSTMENT IN CONNECTION WITH IMPLEMENTING CHARACTER DISTRICT 2 - TOWN COMMERCIAL CORE AS SET FORTH IN THE JACKSON/TETON COUNTY COMPREHENSIVE PLAN, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF JACKSON, WYOMING IN REGULAR SESSION DULY ASSEMBLED THAT:

### SECTION I.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 8.8.1.B of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 8. Administrative Procedures | Div. 8.8. Relief from the LDRs  
8.8.1. Administrative Adjustment (D2 effective date)

#### 8.8.1. Administrative Adjustment (D2 effective date)

##### A. Purpose

The purpose of an administrative adjustment is to allow minor adjustments to certain requirements and numerical standards in these LDRs based on specific review standards. The intent is to provide relief when application of a standard creates practical difficulties in advancement of Comprehensive Plan goals or zoning district purposes.

##### B. Applicability

An application may be made for administrative adjustment of the following standards of the LDRs.

1. Landscape Surface Ratio may be adjusted up to 20%.
2. Structure setbacks, not including setbacks from natural resources, may be adjusted up to 20%.
3. Site development setbacks, not including setbacks from natural resources, may be adjusted up to 20%.
4. Fencing height and setbacks may be adjusted up to 20%.
5. Grade of developable slopes may be adjusted up to 20%.
6. Any dimensional standard of a building frontage may be adjusted up to 20%.
7. Building facade width may be adjusted up to 20%.
8. Wildlife friendly fencing may be adjusted as allowed by 5.1.2.E.
9. Standard plant units may be adjusted as allowed by 5.5.3.F.3.
10. Sign standards may be adjusted as allowed by 5.6.1.B.2.
11. Parking requirement may be adjusted as allowed by 6.2.2.A.1.
12. Pedestrian frontage standards may be adjusted as allowed by 2.2.1.C.

##### C. Findings

An administrative adjustment shall be approved upon finding the application:

1. Complies with the applicability standards of this Section;
2. Either:
  - a. Compensates for some unusual constraint of the site or proposal that is not shared by landowners generally, or
  - b. Better protects natural and scenic resources, or
  - c. Better supports the purpose of the zone;
3. Is consistent with the purpose of the zone and the desired future character for the area described in the Comprehensive Plan;
4. Will not pose a danger to the public health or safety; and
5. The site is not subject to a series of incremental administrative adjustments that circumvent the purpose of this Section.

##### D. Effect

Issuance of an administrative adjustment shall not ensure the approval of any other application. The decision on an administrative adjustment cannot be reversed by the Town Council through review of an associated permit application. The decision on an administrative adjustment can only be reversed through an appeal pursuant to Sec. 8.8.3.

##### E. Expiration

An administrative adjustment shall expire one year after the date of approval except under one of the following circumstances:

1. The physical development, use, development option, or subdivision enabled by the administrative adjustment is in review or implementation; or
2. An alternate expiration is set through the approval of the administrative adjustment.

##### F. Review Process

All steps and deadlines in the following chart are required unless noted otherwise. An applicant must complete the each step before moving to the step below.

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 17th DAY OF OCTOBER, 2016.

PASSED 2ND READING THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

PASSED AND APPROVED THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

TOWN OF JACKSON

BY: \_\_\_\_\_  
Sara Flitner, 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 November, 2016.

I further certify that the foregoing Ordinance was duly recorded on page \_\_\_ of Book 7 of Ordinances of the Town of Jackson, Wyoming.

\_\_\_\_\_  
Sandra P. Birdyshaw, Town Clerk