



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: OCTOBER 12, 2016
MEETING DATE: OCTOBER 17, 2016

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: TYLER SINCLAIR
PRESENTER: TYLER SINCLAIR

SUBJECT: **FIRST READING OF ORDINANCES K, L, M, N, O, P, Q, R, & S:** REGARDING ADOPTION OF ZONING TO IMPLEMENT CHARACTER DISTRICT 2 – TOWN COMMERCIAL CORE AS SET FORTH IN THE JACKSON/TETON COUNTY COMPREHENSIVE PLAN.

REQUESTED ACTION

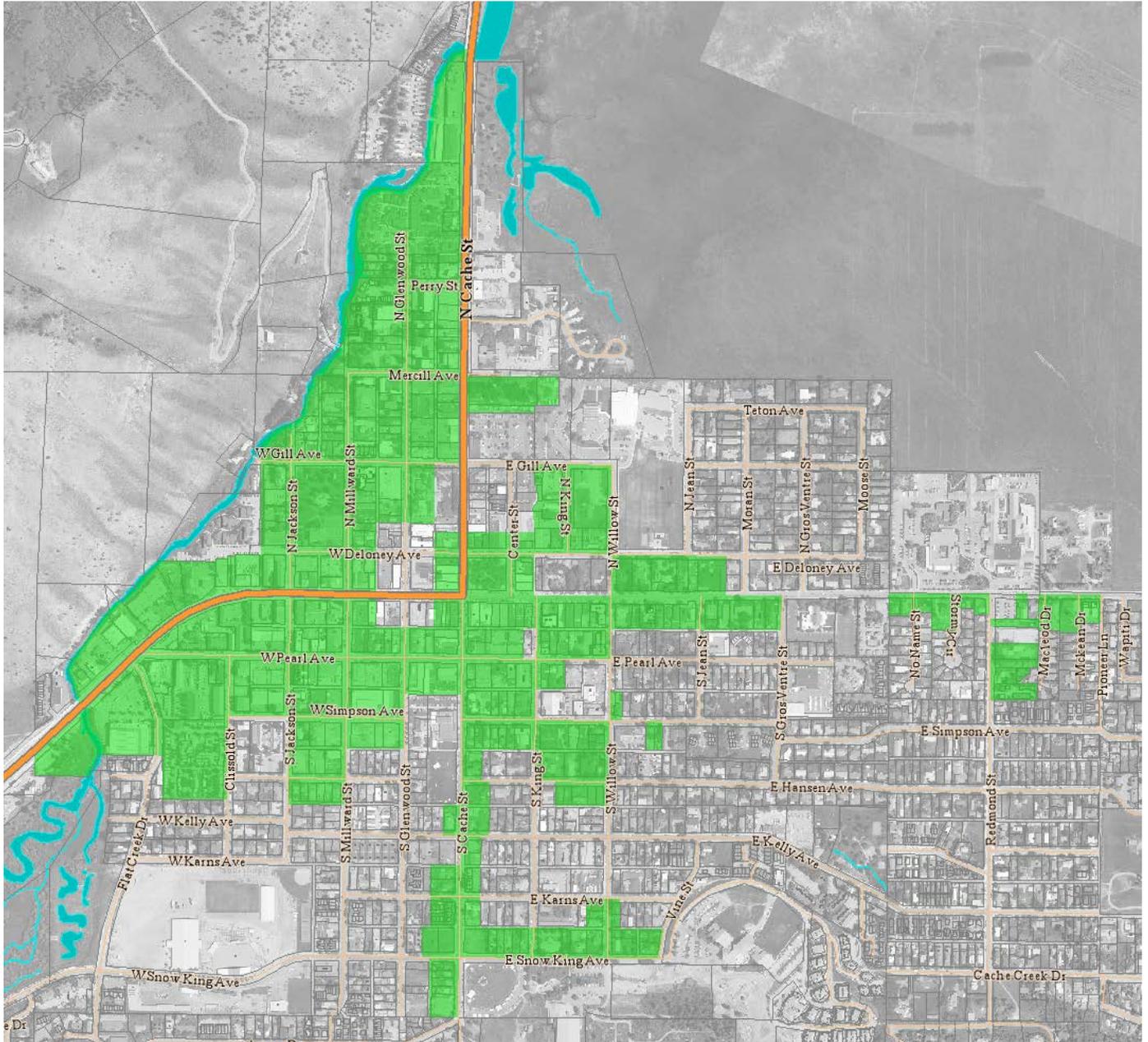
First reading of Ordinances K, L, M, N, O, P, Q, R, & S: Regarding adoption of zoning to implement Character District 2 – Town Commercial Core as set forth in the Jackson/Teton County Comprehensive Plan without the provision to allow up to 100,000 square feet of short term rentals in the Downtown Core (DC) zoning district as a provision of the Workforce Housing Floor Area Bonus.

PRIOR TOWN COUNCIL ACTION

At their October 3, 2016 regular meeting, Council directed staff to prepare the District 2 Ordinances for consideration without the provision to allow up to 100,000 square feet of short term rentals in the Downtown Core (DC) zoning district as a provision of the Workforce Housing Floor Area Bonus.

LOCATION

The District 2 Ordinances affect the area shown in green below.



STAFF ANALYSIS

Council's direction to consider adoption of the District 2 zoning without the provision to allow up to 100,000 square feet of short term rentals in the Downtown Core (DC) zoning district as a provision of the Workforce Housing Floor Area Bonus only affects one of the 9 District 2 Ordinances. A strikethrough, which shows the difference between the repealed Ordinance 1126 and the proposed Ordinance P, is attached to this report and the Workshop staff report regarding District 2 Next Steps.

Discussion of whether to consider adoption District 2 Ordinances with only this minor modification is the purpose of the District 2 Next Steps Item on the Workshop agenda. Public comment received since the

referendum vote on September 20, 2016 is attached to that report. If Council directs staff to take another path, this Staff Report and the attached ordinances are moot.

FINDINGS

Council made the Findings for this Amendment when they approved the District 2 LDR Text Amendment (P15-004) and District 2 Zoning Map Amendment (P15-005) on April 19, 2016. Those findings are detailed in the April 19 Staff Report (attached).

ATTACHMENTS

Ordinance K
Ordinance L
Ordinance M
Ordinance N
Ordinance O
Ordinance P
Ordinance Q
Ordinance R
Ordinance S
Redline Comparison of Repealed Ordinance 1126 and Proposed Ordinance P
April 19 Staff Report

FISCAL IMPACT

Not applicable.

STAFF IMPACT

None.

LEGAL REVIEW

Complete.

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

Staff recommends approval of Ordinances K-S.

SUGGESTED MOTIONS

I move to approve Ordinances K-S on first reading.

ORDINANCE K

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1115 AND 1074 (PART) AND SECTION 1.9.2.B.3 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING EXCEPTIONS TO EXPANSION OF NONCONFORMING PHYSICAL DEVELOPMENT 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 Nos. 1115 and 1074 (part) and Section 1.9.2.B.3 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

B. Maintenance, Alteration, Expansion, and Replacement

Maintenance, alteration, replacement, or expansion of a nonconforming physical development shall only be permitted if all 6 of the following standards are met.

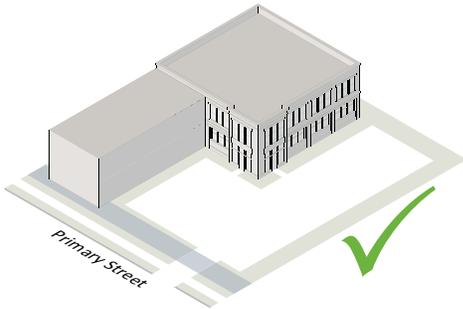
1. **No Increase in Nonconformity.** Maintenance, alteration, replacement, or expansion shall not increase the nonconformity and shall otherwise comply with all applicable standards of these LDRs.

EXAMPLE: An addition must meet all setbacks, floor area limits, and other standards even if a portion of the structure being added to does not meet a setback.

2. **Maintenance and Alteration.** A nonconforming physical development may be maintained or altered.
3. **Expansion.** A nonconforming physical development shall be brought into compliance with all applicable standards of these LDRs upon cumulative expansion of greater than 20% of its floor area or site area. Cumulative expansion is the sum of all expansions from the date the physical development became nonconforming, including all expansions under prior LDRs if the physical development became nonconforming under prior LDRs and remains nonconforming. The following exceptions shall apply to this limit on expansion.
 - a. **Historic Buildings.** This standard shall not limit expansion of a building included on the Teton County Historical Preservation Board (TCHPB) list of historically significant properties, or that is otherwise deemed in writing by the TCHPB to be historically significant.
 - b. **Workforce Housing Incentive.** Floor area added using the Deed Restricted Housing Exemption (Sec. 7.8.3.) or Workforce Housing Floor Area Bonus (Sec. 7.8.4.) shall not be included in the calculation of expansion.
 - c. **Nonconforming Bulk and Form Standards.** This standards shall not limit expansion of a building that is nonconforming with one or more of the following standards.
 - i. Minimum stories in a street setback
 - ii. Building setback
 - iii. Pedestrian frontage
 - iv. Building frontage

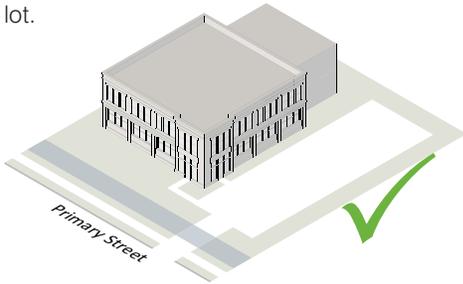
d. Nonconforming Building Facade Width

i. **Additions.** Expansion of an existing building that is unable to meet the building facade width requirement must comply with the following provisions.



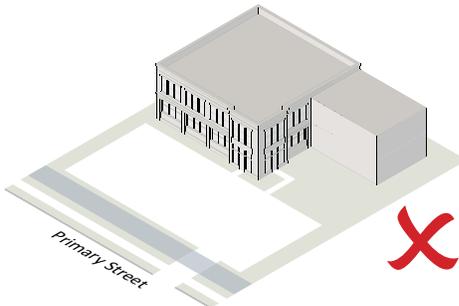
Front: Addition

Any addition to the front must be placed in the street setback range. The addition does not have to meet the required building facade width for the lot.



Rear: Addition

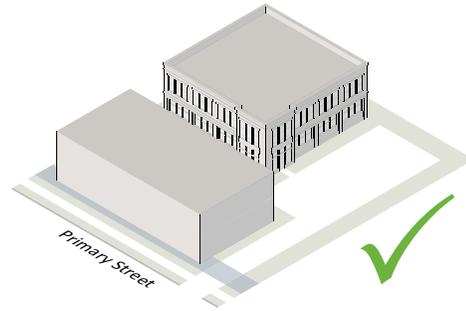
Rear additions are allowed because the extension does not increase the degree of the nonconformity.



Side: Addition

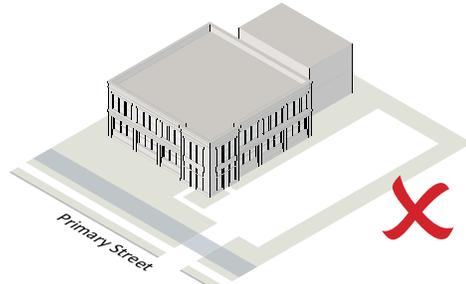
Side additions are not allowed because the extension increases the width of the building not located in the street setback range.

ii. **New Buildings.** Where a new building is being constructed on a lot with an existing building that doesn't meet the building facade width requirement, the following provisions apply.



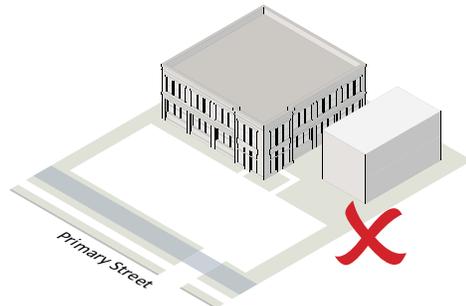
Front: New Building

All new buildings must be placed in the street setback range until the required building facade width for the lot has been met.



Rear: New Building

New buildings located outside of the street setback range are not allowed until the required building facade width for the lot has been met.



Side: New Building

New buildings located outside of the street setback range are not allowed until the required building facade width for the lot has been met.

Town Clerk

ORDINANCE L

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1111 AND 1074 (PART) AND DIVISIONS 2.1 AND 2.2 AND SECTIONS 2.3.1, 2.3.2, 2.3.3, 2.3.7, AND 2.3.8 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING COMPLETE NEIGHBORHOOD ZONES 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 Division 2.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Div. 2.1. All Complete Neighborhood Zones

Complete neighborhood zones are intended to enhance the locations in the community that are most appropriate for use and development into the most desirable places to live, work, and play. There are 2 types of complete neighborhood zones.

2.1.1. Character Zones (D2 effective date)

Character zones, established in [Div. 2.2.](#), are character-based and established to implement the Comprehensive Plan. The character zones include:

- A. Downtown Core (DC)
- B. Commercial Residential-1 (CR-1)
- C. Commercial Residential-2 (CR-2)
- D. Office Residential (OR)

2.1.2. Legacy Zones (D2 effective date)

Legacy zones, established in [Div. 2.3.](#), are carried forward from the previous LDRs, and it is the intent that they will be phased out over time as character zones are adopted and applied. The legacy zones include:

- A. Town Square (TS)
- B. Urban Commercial (UC)
- C. Urban Residential (UR)
- D. Auto Urban Commercial-Town (AC-ToJ)
- E. Auto Urban Residential-Town (AR-ToJ)
- F. Business Park-Restricted Uses (BP-R)
- G. Business Park-Town (BP-ToJ)
- H. Business Conservation-Town (BC-ToJ)
- I. Residential Business (RB)
- J. Mobile Home Park-Town (MHP-ToJ)
- K. Neighborhood Conservation-Town (NC-ToJ)
- L. Neighborhood Conservation-Two-Family (NC-2)
- M. Suburban-Town (S-ToJ)

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Division 2.2 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to add Section 2.2.1 regarding Rules Applicable to All Complete Neighborhood Character Zones, add Section 2.2.2 regarding the Downtown Core (DC) zone, add Section 2.2.3 regarding the Commercial Residential – 1 (CR-1) zone, add Section 2.2.4 regarding the Commercial Residential – 2 (CR-2) zone, and add Section 2.2.5 regarding the Office Residential (OR) zone, to read as follows:

Div. 2.2. Complete Neighborhood Character Zones

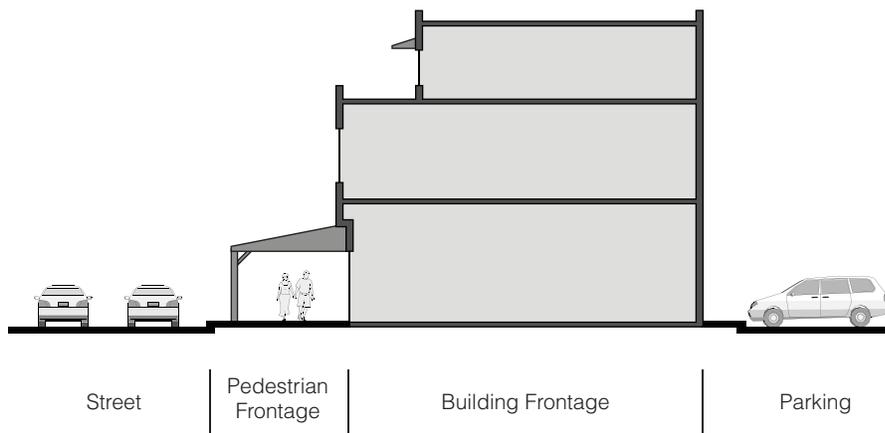
This division provides the development standards that apply to all Complete Neighborhood Character Zones. The standards are organized into three categories: 1) lot standards; 2) bulk standards; and 3) form standards. Each character zone contains specific standards related to these three categories.

2.2.1. Rules Applicable to All Complete Neighborhood Character Zones (D2 effective date)

A. Form Standards

The form rules for character zones are set out in the following categories (as illustrated below):

1. Streets;
2. Pedestrian Frontages;
3. Building Frontages; and
4. Parking.



B. Streets

See the Town of Jackson 2015 Community Streets Plan for street cross-sections intended for locations throughout the Town.

C. Pedestrian Frontages

Pedestrian frontages are the spaces that occur on public or private property between the curb and the building, and are required along all primary and secondary streets. Good pedestrian frontages are essential for fostering mixed-use, walkable, and pedestrian-oriented development. Specific rules for each pedestrian frontage are listed below.

A pedestrian frontage is composed of three parts:

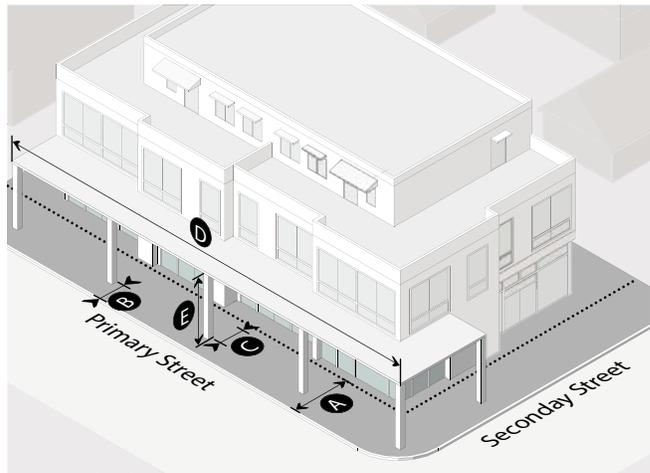
- **Furnishing/Planting Area.** The furnishing/planting area is the area between the back of curb and the clear sidewalk. This area provides for columns, required plantings, accessible ramps, signs, fire hydrants, snow storage, parked vehicle overhang or door swing, etc.
- **Clear Sidewalk.** The clear sidewalk is the primary pedestrian travelway and shall be clear of any obstacles or protruding objects.
- **Building Transition Area.** The remaining space between the clear sidewalk and building facade is a semi-public/private, building transition area that provides room for front door swings, planter boxes, window shopping, outdoor cafe seating, street furniture, public art, etc.

Where private property is used for a furnishing/planting area or a clear sidewalk, an easement may be permanently dedicated to the Town.

See Sec. 2.2.2. through Sec. 2.2.6. to determine which pedestrian frontages may be allowed in each zone. The Planning Director will determine the appropriate pedestrian frontage from the options for a zone based on the established pedestrian frontage and desired pedestrian frontage described in the Community Streets Plan.

The Planning Director may establish lesser standards in any pedestrian frontage pursuant to the procedure of Sec. 8.8.1. in order to achieve consistency between the established pedestrian frontage and the desired pedestrian frontage described in the Community Streets Plan.

1. Covered Walkway



Description

A covered walkway provides visual interest along the street edge, reduces the perceived mass of the building facade, and provides shelter from the rain, snow, and sun throughout the year. A covered walkway also reduces winter maintenance and improves pedestrian safety. A covered walkway is supported by posts or columns, or cantilevered from the building facade.

Pedestrian Frontage Dimensions

Total width from back of curb (min)	13'	A
Furnishing/planting area (min-max)	18" - 3'	B
Clear sidewalk width (min)	8'	C

Additional Specifications

Gallery must be contiguous and extend for at least 75% of the street facade width	D	
Clear height above sidewalk (min)	9'	E

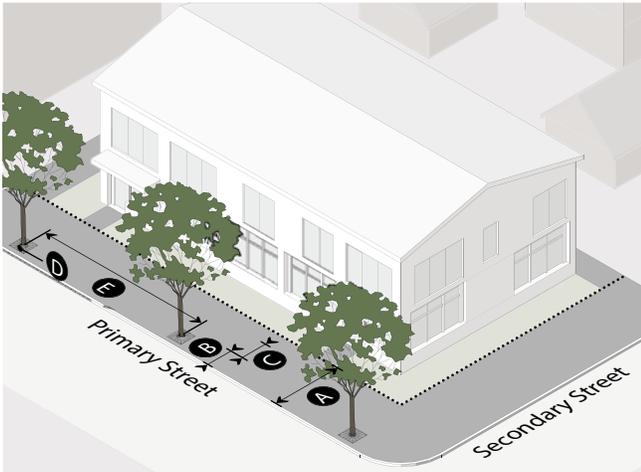
The furnishing/planting area shall be hardscape other than slab concrete (e.g. pavers, bricks)

The building transition area shall be hardscape



Covered Walkway

2. Trees in Grates



Description

Trees in grates provide a moderate amount of landscaping to screen buildings and provide shade, while remaining easy to maintain.

Pedestrian Frontage Dimensions

Total width from back of curb (min)	13.5'	A
Furnishing/planting area (min)	5'	B
Clear sidewalk width (min)	6'	C

Additional Specifications

Planting type	Tree grate	D
Tree spacing (on center)	30' to 40'	E

The furnishing/planting area that is not tree grates shall be hardscape other than slab concrete (e.g. pavers, bricks)



Trees in Grates

3. Trees in Lawn



Description

Trees in lawn provide a continuous landscape buffer that separates pedestrians from traffic with planted trees that also screen buildings and provide shade.

Pedestrian Frontage Dimensions

Total width from back of curb (min)	13.5'	A
Furnishing/planting area (min)	5'	B
Clear sidewalk width (min)	6'	C

Additional Specifications

Planting type	Tree lawn	D
Tree spacing (on center)	30' to 40'	E



Trees in Lawn

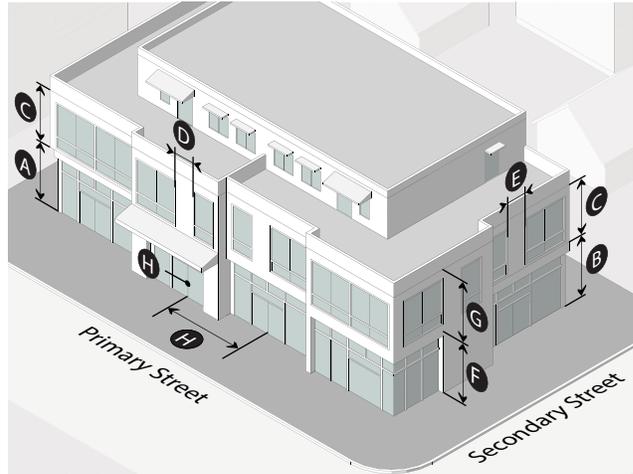
D. Building Frontages

Building frontages set standards for building facades that face streets, and are required along all primary and secondary streets. Building frontages help to ensure that buildings address each street appropriately. They play an important role in shaping the built environment and enhancing the pedestrian experience. Specific rules for each building frontage are listed below. See Sec. 2.2.2 through Sec. 2.2.6 to determine which options are allowed in each zone. The rules of measurement for a building frontage are in Sec. 9.4.

Any use allowed in the applicable zoning district is allowed in any building frontage type, provided the use meets all other zoning and building code requirements. The applicant may use multiple building frontages along the same street frontage, provided that each frontage type is allowed in the applicable zoning district.

Institutional and transportation/Infrastructure uses may be allowed to comply with the building frontages on an ‘as practicable’ basis with Planning Director approval.

1. Shopfront

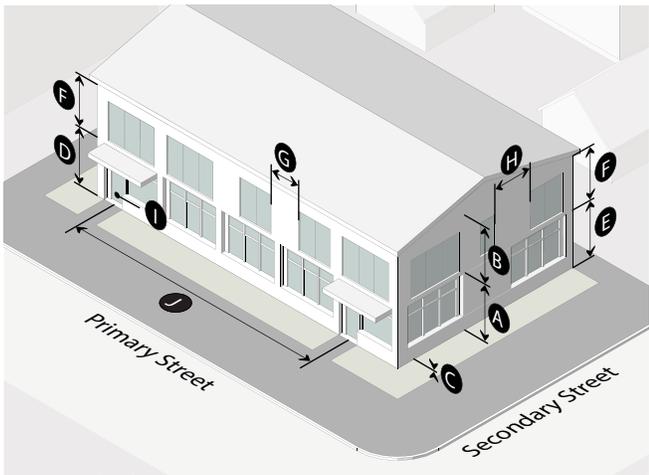


Description

In the Shopfront Frontage, the main facade of the building is located at or near the public sidewalk, often with at-grade entrances spaced at regular intervals. The Shopfront Frontage is intended primarily for retail uses, and has substantial glazing (windows and doors) at the sidewalk level.

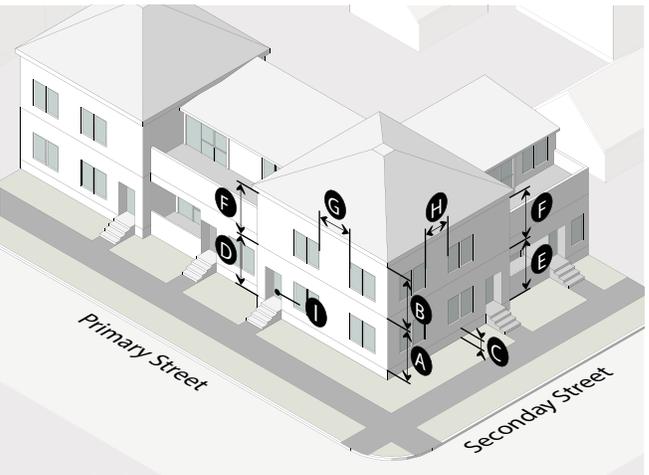
Story Height		Sec. 9.4.13
Ground story height (min)	12'	A
Upper story height (min)	9'	B
Ground floor elevation (min-max)	0' - 2'	C
Transparency		Sec. 9.4.14
Ground story, primary street (min)	60%	D
Ground story, secondary street (min)	30%	E
Upper story, primary/secondary street (min)	20%	F
Blank Wall Area		Sec. 9.4.15
Blank wall area, primary street (max)	15'	G
Blank wall area, secondary street (max)	30'	H
Pedestrian Access		Sec. 9.4.16
Entrance facing primary street (max)	Required	I
Entrance spacing along primary street (max)	50'	J

2. Office



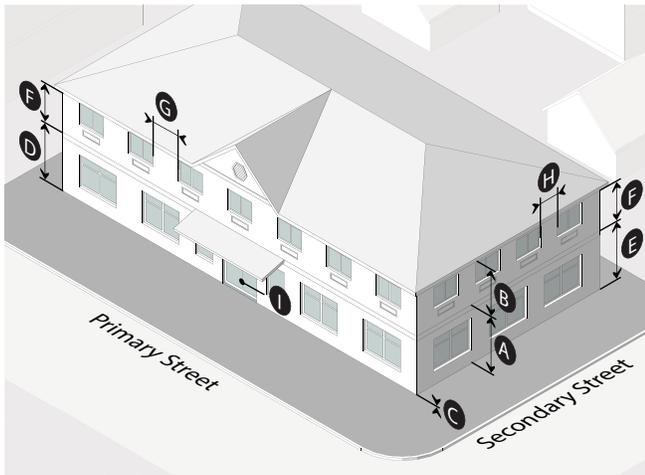
Description		
In the Office Frontage, the main facade of the building is set back from the sidewalk with a street-facing entrance. The Office Frontage is intended primarily for employment, and secondary residential uses, and has moderate glazing (windows and doors) at the sidewalk level.		
Story Height		Sec. 9.4.13
Ground story height (min)	10'	A
Upper story height (min)	9'	B
Ground floor elevation (min-max)	0' - 2'	C
Transparency		Sec. 9.4.14
Ground story, primary street (min)	40%	D
Ground story, secondary street (min)	20%	E
Upper story, primary/secondary street (min)	20%	F
Blank Wall Area		Sec. 9.4.15
Blank wall area, primary street (max)	25'	G
Blank wall area, secondary street (max)	40'	H
Pedestrian Access		Sec. 9.4.16
Entrance facing primary street	Required	I
Entrance spacing along primary street (max)	100'	J

3. Residential



Description		
In the Residential Frontage, the main facade of the building is set back from the sidewalk to protect privacy, with a street-facing entrance or series of entrances. The Residential Frontage is intended primarily for residential uses, and has limited glazing (windows and doors) at the sidewalk level.		
Story Height		Sec. 9.4.13
Ground story height (min)	9'	A
Upper story height (min)	9'	B
Ground floor elevation (min-max)	0' - 5'	C
Transparency		Sec. 9.4.14
Ground story, primary street (min)	20%	D
Ground story, secondary street (min)	20%	E
Upper story, primary/secondary street (min)	20%	F
Blank Wall Area		Sec. 9.4.15
Blank wall area, primary street (max)	35'	G
Blank wall area, secondary street (max)	50'	H
Pedestrian Access		Sec. 9.4.16
Entrance facing primary street	Required for each ground floor unit	I
Entrance spacing along primary street (max)	n/a	

4. Lodging



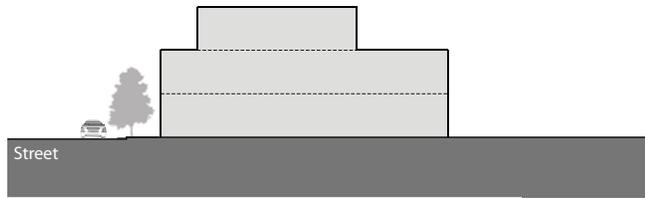
Description

In the Lodging Frontage, the main facade of the building is either set back or pulled up to the sidewalk with a street-facing entrance or series of entrances. The Lodging Frontage is intended primarily for lodging uses, and has a variety of glazing (windows and doors) at the sidewalk level.

Story Height		Sec. 9.4.13
Ground story height (min)	12'	A
Upper story height (min)	7' 6"	B
Ground floor elevation (min-max)	0' - 5'	C
Transparency		Sec. 9.4.14
Ground story, primary street (min)	40%	D
Ground story, secondary street (min)	20%	E
Upper story, primary/secondary street (min)	20%	F
Blank Wall Area		Sec. 9.4.15
Blank wall area, primary street (max)	35'	G
Blank wall area, secondary street (max)	50'	H
Pedestrian Access		Sec. 9.4.16
Entrance facing primary street	Required	I
Entrance spacing along primary street (max)	n/a	

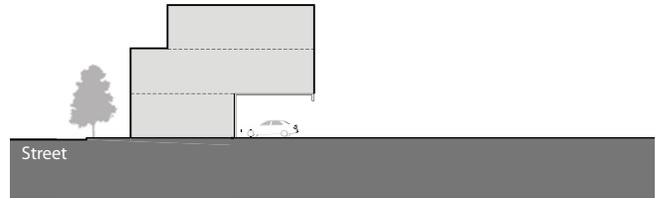
E. Parking Types

The location of parking is very important. Improper treatment can have a negative effect on walkability. A variety of parking type options are illustrated below. See Sec. 2.2.2 through Sec. 2.2.6 to determine which options are allowed in each zone.



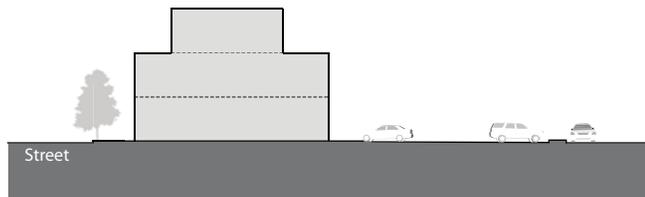
1. On-Street Parking

On-street parking provides off-site, at grade parking in the public right-of-way.



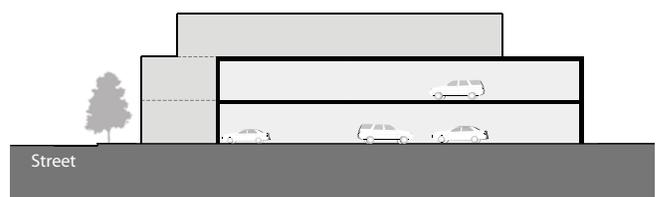
4. Tuck-Under Parking

Tuck-under parking provides at grade parking located beneath the upper-stories of a building. Tuck-under parking must be located to the rear of the building.



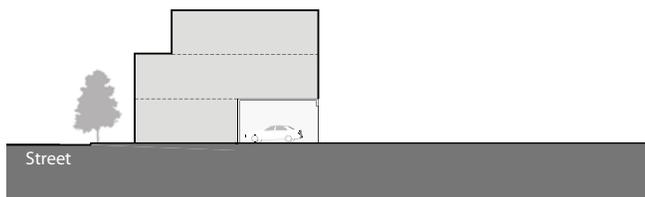
2. Surface Parking

Surface parking provides uncovered, at-grade parking. Surface parking must be located behind or to the side of buildings and must be screened from view from any street (except an alley).



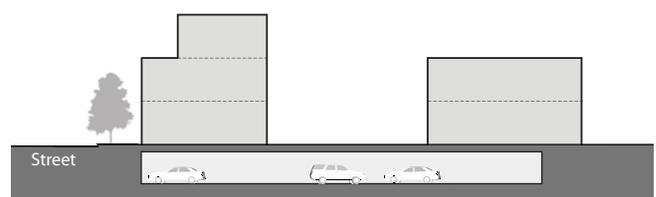
5. Structured Parking

Structured parking provides parking fully integrated within a building. Active street fronts must be provided to the extent practical.



3. Enclosed Parking

Enclosed parking provides at grade parking located beneath the upper-stories of a building. Parking must be fully enclosed and be screened by a building facade.



6. Underground Parking

Underground parking provides below grade parking.

2.2.2. DC: Downtown Core (D2 effective date)

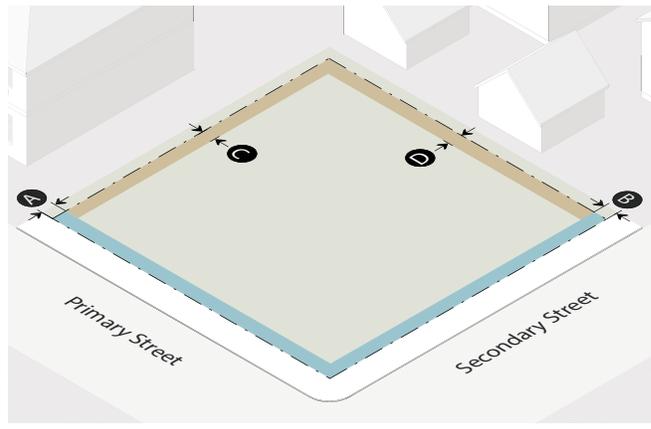
A. Intent

1. **General Intent.** The intent of the Downtown Core (DC) zone is to provide for a vibrant mixed-use area with a variety of uses and amenities, consisting of wide sidewalks and retail shopfronts pulled up to the street.
2. **Buildings.** Buildings can be up to 3 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Buildings are located close to the sidewalk, creating an attractive street edge. Large storefront windows invite and encourage pedestrian activity.
3. **Parking.** Parking is primarily provided off-site on public lots and on-street. Parking provided on-site is underground or screened from view by buildings.
4. **Land Use.** Active and engaging uses are encouraged on ground floors but not required, with offices, apartments, single-family attached, and lodging primarily located on upper stories.
5. **Comprehensive Plan.** Based primarily on sub area 2.3 of the Comprehensive Plan.

B. Physical Development

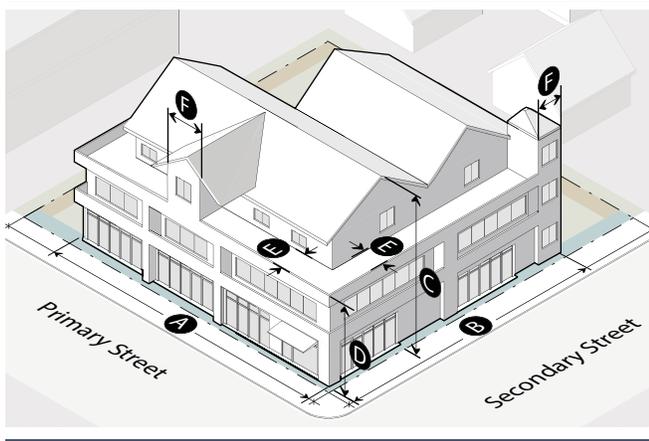
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Building Setbacks		Sec. 9.4.8
Primary street setback range (min-max)	0' - 5'	A
Secondary street setback range (min-max)	0' - 5'	B
Side interior (min)	0' or 5'	C
Rear (min)	0' or 5'	D
Abutting protected zone (min)	10'	
Landscaping		Div. 5.5
Landscape surface ratio (min)	n/a	
Plant units (min)	n/a	
Fencing		
Height in any street or side yard (max)	4'	
Height in rear yard (max)	6'	
Setback from pedestrian frontage (min)	1'	
Setback from side or rear lot line (min)	0'	
Parking Setbacks		Sec. 9.4.8
Primary street, above ground (min)	30'	
Secondary street, surface parking (min)	30'	
Secondary street, tuck-under, enclosed, or structured parking screened by bldg. (min)	0'	
Access		
Curb cut width (max)	24'	

2. Bulk Standards



Street Facade	Sec. 9.4.11	
Width of ground and 2nd story in primary street setback range		A
% of lot width (min)	80%	
Length from street corner (min)	30'	
Width of ground and 2nd story in secondary street setback range		B
% of lot width (min)	80%	
Length from street corner (min)	30'	
Building Height	Sec. 9.4.9	
Height (max) if roof pitch \geq 5/12	46'	C
Height (max) if roof pitch $<$ 5/12	42'	C
Stories (max)	3	C
Stories or Height (min) in any street setback range	2 or 24'	D
Building Stepback	Sec. 9.4.12	
Stepback for any 3rd story street facade or street facade over 30' (min)	10'	E
Encroachment in stepback (max % of overall facade width)	60%	F
A building with only residential use that has at least 4 units is exempt from the stepback requirement		
Scale of Development		
Floor area ratio (FAR) (max) (E.3)	1.3	
Deed restricted housing exemption	Sec. 7.8.3	
Workforce housing floor area bonus	Sec. 7.8.4	

3. Form Standards



Design Guidelines	Sec. 5.8
These requirements apply to all development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.	
Pedestrian Frontage	
Planning Director will establish one of the following as the pedestrian frontage	
Covered walkway	see Sec. 2.2.1.C.1
Trees in grates	see Sec. 2.2.1.C.2
Building Frontage Options	
Shopfront	see Sec. 2.2.1.D.1
Residential	see Sec. 2.2.1.D.3
Lodging	see Sec. 2.2.1.D.4
Parking Type Options	
On-street parking	see Sec. 2.2.1.E.1
Surface parking	see Sec. 2.2.1.E.2
Tuck-Under Parking	see Sec. 2.2.1.E.4
Enclosed parking	see Sec. 2.2.1.E.3
Structured parking	see Sec. 2.2.1.E.5
Underground parking	see Sec. 2.2.1.E.6

4. Environmental Standards	
Natural Resource Setback (min)	Sec 5.1.1
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	Sec. 7.7.4.D
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	Sec. 5.2.1
5. Scenic Standards	
Exterior Lighting	Sec. 5.3.1
Total cuff off angle (max)	90°
Illumination in footcandles	1.50
Height (max)	18'
Scenic Resource Overlay (SRO)	Sec. 5.3.2
6. Natural Hazards to Avoid	
Steep Slopes	Sec. 5.4.1
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	Sec. 5.4.2
Fault Area	Sec. 5.4.3
Floodplains	Sec. 5.4.4
Wildland Urban Interface	Sec. 5.4.5

7. Signs (nonresidential)		Div. 5.6
Number of signs (max)	3 per business per	
Background color	No white or yellow	
Sign Area		
Total sign area (max)	3 sf per linear ft of street facade width up to 150 sf	
Penalty	10% per projecting and freestanding sign	
Sign Type Standards		
Canopy sign		
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Freestanding sign		
Height (max)	6'	
Setback (min)	5'	
Projecting sign		
Height (max)	24' above grade	
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Window sign		
Window surface coverage (max)	25% up to 16 sf	
Temporary signs	Sec. 5.6.1	
8. Grading, Erosion Control, Stormwater		
Grading	Sec. 5.7.2	
Erosion Control	Sec. 5.7.3	
Erosion shall be controlled at all times		
Stormwater Management	Sec. 5.7.4	
No increase in peak flow rate or velocity across property lines		

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.1)	Development Plan (Sec. 8.3.2)	Building Permit (Sec. 8.3.3)	DRC Review (Sec. 8.2.6)	Sign Permit (Sec. 8.3.5)	Grading Permit (Sec. 8.3.4)	Floodplain Permit
Floor Area							
< 19,500 sf			X	X		Sec. 5.7.1	Sec. 5.4.4
19-500 - 39,000 sf		X	X	X		Sec. 5.7.1	Sec. 5.4.4
> 39,000 sf	X	X	X	X		Sec. 5.7.1	Sec. 5.4.4
> 39,000 sf for only residential use	optional	X	X	X		Sec. 5.7.1	Sec. 5.4.4
Sign					X	Sec. 5.7.1	Sec. 5.4.4

C. Allowed Uses and Use Standards

Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to Sec. 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div 6.2) (E.1)	Employee Housing (min) (Div 6.3)
Residential Uses					
Attached Single-Family Unit (6.1.4.B)	B	8,000 sf habitable excluding basement	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	n/a
Apartment (6.1.4.D)	B				
Dormitory (6.1.4.F)	C	n/a	n/a	0.251/bed	n/a
Group Home (6.1.4.G)	C	n/a	n/a	0.5/bed	n/a
Lodging					
Conventional Lodging (6.1.5.B)	B (LO)	n/a	n/a	0.75/room	47 sf/1,000 sf
Short-term Rental Unit (6.1.5.C)	B (LO)	n/a	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	n/a
Commercial Uses					
Office (6.1.6.B)	B	n/a	n/a	1.65/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C)	B	12,500 sf excluding basement	n/a	2.25/1,000 sf	156 sf/1,000 sf
Service (6.1.6.D)	B			1.5/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (6.1.6.E)	B			1/110 sf dining area + 1/60 sf bar area	378 sf/1,000 sf
Amusement/Recreation					
Amusement (6.1.7.B)	B	n/a	n/a	1/60 sf seating area or independent calculation	independent calculation
Developed Recreation (6.1.7.D)	B	n/a	n/a	2.25/1,000 s	independent calculation
Outfitter/Tour Operator (6.1.7.E)	C	n/a	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B)	C	n/a	n/a	independent calculation	exempt
Day Care/Education (6.1.8.C)	B	n/a	n/a	independent calculation	exempt

Y = Use allowed, no permit required B = Basic Use Permit (Sec. 8.4.1) C = Conditional Use Permit (Sec. 8.4.2) (LO) = Lodging Overlay Only

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div 6.2) (E.1)	Employee Housing (min) (Div 6.3)
Transportation/Infrastructure					
Parking (6.1.10.B)	C	n/a	n/a	n/a	independent calculation
Utility Facility (6.1.10.C)	C	n/a	n/a	0.5/employee + 0.5/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D)					
Minor	B	n/a	n/a	0.5/employee + 0.5/stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B)	B	n/a	n/a	1/DU	n/a
Home Occupation (6.1.11.D)	B	n/a	n/a	n/a	n/a
Family Home Daycare (6.1.11.F)	B	n/a	n/a	0.5/employee + 0.5 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B)	Y	n/a	n/a	0.5/1,000 sf outdoor display area + 0.5/employee	exempt
Farm Stand (6.1.12. E)	B	n/a	n/a	2.5/1,000 sf display area	exempt

Y = Use allowed, no permit required B = Basic Use Permit (Sec. 8.4.1) C = Conditional Use Permit (Sec. 8.4.2) (LO) = Lodging Overlay Only

3. Operational Standards	
Outdoor Storage	Sec. 6.4.1
Outdoor Storage	Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc.) not made a permanent part of a structure	Prohibited
Refuse and Recycling	Sec. 6.4.2
Trash & recycling enclosure	Required
Noise	Sec. 6.4.3
Sound level at property line (max)	65 DBA
Vibration	Sec. 6.4.4
Electrical Disturbances	Sec. 6.4.5
Fire and Explosive Hazards	Sec. 6.4.6

D. Development Options and Subdivision

Standards applicable to development options and subdivision are provided below. Where a cross-reference is provided see the referenced division or section for additional standards. All standards in Article 7 are applicable unless stated otherwise.

1. Allowed Subdivision and Development Options						
Option	GSA (min)	Lot Size (min)	Density (max)	LSR (min)	FAR (max)	Option Standards
Allowed Subdivision Options						
Land Division	n/a	5,000 sf	n/a	determined by physical development		Sec. 7.2.3
Townhouse Condominium Subdivision	n/a	n/a	n/a	n/a	n/a	Sec. 7.2.4
2. Residential Subdivision Requirements						
Affordable Housing						
Required Affordable Housing				1 affordable unit per 4 market units		
Schools and Parks Exaction						
Schools exaction				.020 acres per 1- or 2-family unit .015 acres per multi-family unit		
Parks exaction				9 acres per 1,000 resident		
3. Infrastructure						
Transportation Facilities						(Div. 7.6.)
Access						required
Right-of-way for Minor Local Road (min)						60'
Paved travel way for Minor Local Road (min)						20'
Required Utilities						(Div. 7.7.)
Water						public
Sewer						public
4. Required Subdivision and Development Option Permits						
Option	Planned Unit Development (Sec. 8.7.3)	Sketch Plan (Sec. 8.3.1)	Development Plan (Sec. 8.3.2)	Development Option Plan (Sec. 8.5.2)	Subdivision Plat (Sec. 8.5.3)	
Land Division						
≤ 10 Lots			X		X	
> 10 Lots		X	X		X	
Condominium/Townhouse						X

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

- a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:
 - i. Residential Uses (Sec. 6.1.4.);
 - ii. Lodging Uses (Sec. 6.1.5.); and
 - iii. Accessory Residential Unit (6.1.11.B).
- b. **Existing Parking Credits.** For properties with established parking credits per the Town Parking Credit Table (on reference with the Planning Department), the landowner may use such credits toward required parking. Credits are based on the amount of parking provided in 1988, as determined in 2005. Parking credits run with the land and are not transferable.
- c. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.
 - i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

- ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.
 - iii. The on-street parking shall follow the established configuration of existing on-street parking.
 - iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.
- d. **Fee-In-Lieu.** Required parking may be provided off-site through the Town's in-lieu fee program pursuant to the following standards.
 - i. **Fee.** The fee shall be a one-time fee commensurate with the cost of providing off-street parking and shall be used exclusively for such purpose. The Town Clerk shall accept fees in accordance with the parking fee schedule set forth by Resolution.
 - ii. **Assignment of Credits.** Parking credits purchased by fee-in-lieu run with the land and are not transferable.
 - iii. **Banking of Fee-in-Lieu Spaces.** Fee-in-lieu spaces may be purchased in advance and "banked" for future use.

2. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of Sec. 6.2.2.E are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.
3. **Existing Floor Area Allowed.** Where the existing floor area on a site exceeds the allowed floor area ratio (FAR), the maximum allowed floor area shall be the lawfully existing floor area. The burden of establishing the amount of lawfully existing floor area shall be the responsibility of the landowner.

2.2.3. CR-1: Commercial Residential-1

(D2 effective date)

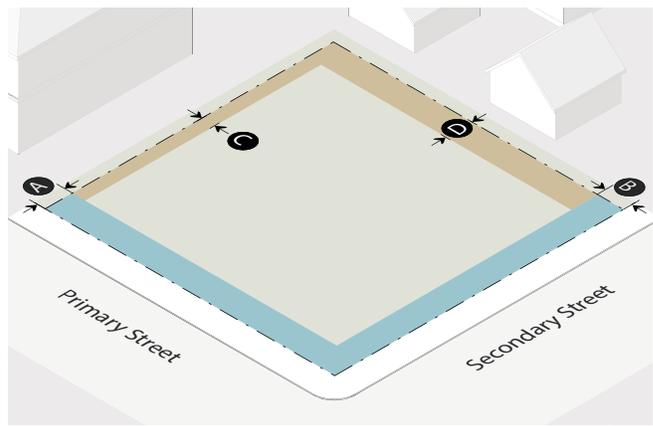
A. Intent

1. **General Intent.** The intent of the Commercial Residential-1 (CR-1) zone is to provide for mixed-use development consisting primarily of offices, retail and residential development. Lodging uses are allowed within the Lodging Overlay. This zone will often be located on secondary corridors and may serve as a transition zone between higher intensity commercial areas and residential neighborhoods.
2. **Buildings.** Buildings can be up to 3 stories in height. Buildings are pulled up to the street, awnings, galleries, porches, stoops, and windows and doors work in concert to provide an attractive pedestrian environment that complements and serves the surrounding neighborhood.
3. **Parking.** Parking is primarily provided on-site, to the rear or side of buildings and screened from view.
4. **Land Use.** Ground-level uses add vitality and street life at a scale consistent with neighboring residential structures and uses. Upper floors primarily accommodate residential, office and lodging uses, but these uses are allowed on the ground floor as well.
5. **Comprehensive Plan.** Based primarily on sub area 2.2 of the Comprehensive Plan.

B. Physical Development

Standards applicable to physical development are provided on the following pages. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Building Setbacks

Sec. 9.4.8

Primary street setback range (min-max)	0' - 5'	A
Secondary street setback range (min-max)	0' - 5'	B
Side interior (min)	0' or 5'	C
Rear (min)	10'	D
Abutting protected zone (min)	10'	

Landscaping

Div. 5.5

Landscape surface ratio (min)	10%
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Plant Units

All uses	1/1,000 sf of landscape areas
Parking lot (all uses)	1/12 parking spaces

Fencing

Height in any street or side yard (max)	4'
Height in rear yard (max)	6'
Setback from pedestrian frontage (min)	1'
Setback from side or rear lot line (min)	0'

Parking Setbacks

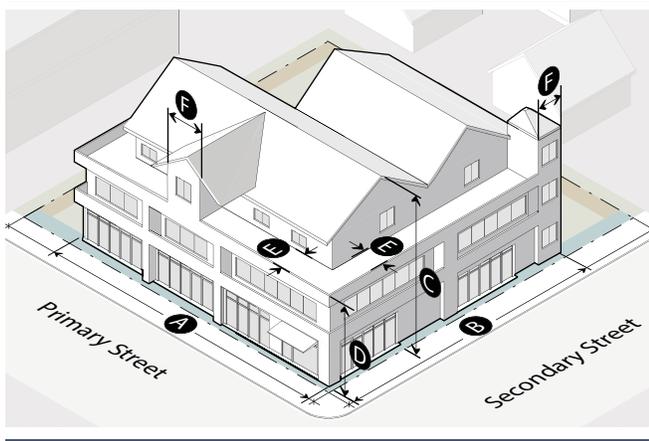
Sec. 9.4.8

Primary street, above ground (min)	30'
Secondary street, surface parking (min)	30'
Secondary street, tuck-under, enclosed, or structured parking (min)	0'

Access

Curb cut width (max)	24'
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2. Bulk Standards



Street Facade	Sec. 9.4.11	
Width of ground and 2nd story in primary street setback range		A
% of lot width (min)	80%	
Length from street corner (min)	30'	
Width of ground and 2nd story in secondary street setback range		B
% of lot width (min)	40%	
Length from street corner (min)	30'	
Building Height	Sec. 9.4.9	
Height (max) if roof pitch $\geq 5/12$	46'	C
Height (max) if roof pitch $< 5/12$	42'	C
Stories (max)	3	C
Stories or Height (min) in any street setback range	2 or 24'	D
Building Stepback	Sec. 9.4.12	
Stepback for any 3rd story street facade or street facade over 30' (min)	10'	E
Encroachment in stepback (max % of overall facade width)	60%	F
A building with only residential use that has at least 4 units is exempt from the stepback requirement		
Scale of Development		
Floor area ratio (FAR max) (E.3)	0.65	
Additional FAR for lodging use	0.15	
Deed restricted housing exemption	Sec. 7.8.3	
Workforce housing floor area bonus	Sec. 7.8.4	

3. Form Standards



Design Guidelines	Sec. 5.8
These requirements apply to all development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.	
Pedestrian Frontage	
Trees in grates	see Sec. 2.2.1.C.2
Building Frontage Options	
Shopfront	See Sec. 2.2.1.D.1
Office	see Sec. 2.2.1.D.2
Residential	see Sec. 2.2.1.D.3
Lodging	see Sec. 2.2.1.D.4
Parking Type Options	
On-street parking	see Sec. 2.2.1.E.1
Surface parking	see Sec. 2.2.1.E.2
Enclosed parking	see Sec. 2.2.1.E.3
Tuck-Under Parking	see Sec. 2.2.1.E.4
Structured parking	see Sec. 2.2.1.E.5
Underground parking	see Sec. 2.2.1.E.6

4. Environmental Standards	
Natural Resource Setback (min)	Sec 5.1.1
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	Sec. 7.7.4.D
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	Sec. 5.2.1
5. Scenic Standards	
Exterior Lighting	Sec. 5.3.1
Total cuff off angle (max)	90°
Illumination in footcandles	1.50
Height (max)	18'
Scenic Resource Overlay (SRO)	Sec. 5.3.2
6. Natural Hazards to Avoid	
Steep Slopes	Sec. 5.4.1
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	Sec. 5.4.2
Fault Area	Sec. 5.4.3
Floodplains	Sec. 5.4.4
Wildland Urban Interface	Sec. 5.4.5

7. Signs (nonresidential)		Div. 5.6	
Number of signs (max)	3 per business per frontage		
Background color	No white or yellow		
Sign Area			
Total sign area (max)	3 sf per ft of street facade width up to 150 sf		
Penalty	10% per projecting and freestanding sign		
Sign Type Standards			
Canopy sign			
Clearance (min)	7'6" from average grade		
Setback (min)	18" from back of curb		
Freestanding sign			
Height (max)	6'		
Setback (min)	5'		
Projecting sign			
Height (max)	24' above grade		
Clearance (min)	7'6" from average grade		
Setback (min)	18" from back of curb		
Window sign			
Window surface coverage (max)	25% up to 16 sf		
Temporary signs	Sec. 5.6.1		
8. Grading, Erosion Control, Stormwater			
Grading	Sec. 5.7.2		
Erosion Control	Sec. 5.7.3		
Erosion shall be controlled at all times			
Stormwater Management			Sec. 5.7.4
No increase in peak flow rate or velocity across property lines			

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.1)	Development Plan (Sec. 8.3.2)	Building Permit (Sec. 8.3.3)	DRC Review (Sec. 8.2.6)	Sign Permit (Sec. 8.3.5)	Grading Permit (Sec. 8.3.4)	Floodplain Permit
Floor Area							
< 9,750 sf			X	X		Sec. 5.7.1	Sec. 5.4.4
9,750 - 19,500 sf		X	X	X		Sec. 5.7.1	Sec. 5.4.4
> 19,500 sf	X	X	X	X		Sec. 5.7.1	Sec. 5.4.4
> 19,500 sf for only residential use	optional	X	X	X		Sec. 5.7.1	Sec. 5.4.4
Sign					X	Sec. 5.7.1	Sec. 5.4.4

C. Allowed Uses and Use Standards

Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to Sec. 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div 6.2) (E.1)	Employee Housing (min) (Div 6.3)
Residential Uses					
Attached Single-Family Unit (6.1.4.B)	B	8,000 sf habitable excluding basement	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	n/a
Apartment (6.1.4.D)	B				
Dormitory (6.1.4.F)	C	n/a	n/a	0.25/bed	n/a
Group Home (6.1.4.G)	C	n/a	n/a	0.5/bed	n/a
Lodging					
Conventional Lodging (6.1.5.B)	B (LO)	n/a	n/a	0.75/room	47 sf/1,000 sf
Short-term Rental Unit (6.1.5.C)	B (LO)	n/a	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	n/a
Commercial Uses					
Office (6.1.6.B)	B	n/a	n/a	2.47/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C)	B	6,000 sf excluding basement storage	n/a	3.37/1,000 sf	156 sf/1,000 sf
Service (6.1.6.D)	B				
Restaurant/Bar (6.1.6.E)	B	n/a	n/a	1/73 sf dining area + 1/40 sf bar area	378 sf/1,000 sf
Amusement/Recreation					
Amusement (6.1.7.B)	B	n/a	n/a	1/40 sf seating area or independent calculation	independent calculation
Developed Recreation (6.1.7.D)	B	n/a	n/a	3.37/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E)	B	n/a	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B)	C	n/a	n/a	independent calculation	exempt
Day Care/Education (6.1.8.C)	B	n/a	n/a	independent calculation	exempt

Y = Use allowed, no permit required B = Basic Use Permit (Sec. 8.4.1) C = Conditional Use Permit (Sec. 8.4.2)
 (LO) = Lodging Overlay Only

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div 6.2) (E.1)	Employee Housing (min) (Div 6.3)
Transportation/Infrastructure					
Parking (6.1.10.B)	C	n/a	n/a	n/a	independent calculation
Utility Facility (6.1.10.C)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D)					
Minor	B	n/a	n/a	0.75/employee + 0.75/stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B)	B	n/a	n/a	1/DU	n/a
Home Occupation (6.1.11.D)	B	n/a	n/a	n/a	exempt
Family Home Daycare (6.1.11.F)	B	n/a	n/a	0.75/employee + 0.75 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B)	Y	n/a	n/a	0.75/1,000 sf outdoor display area + 0.75/employee	exempt
Farm Stand (6.1.12. E)	B	n/a	n/a	3.75/1,000 sf display area	exempt

Y = Use allowed, no permit required B = Basic Use Permit (Sec. 8.4.1) C = Conditional Use Permit (Sec. 8.4.2) (LO) = Lodging Overlay Only

3. Operational Standards	
Outdoor Storage	Sec. 6.4.1
Outdoor Storage	Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc.) not made a permanent part of a structure	Prohibited
Refuse and Recycling	Sec. 6.4.2
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	Sec. 6.4.3
Sound level at property line (max)	65 DBA
Vibration	Sec. 6.4.4
Electrical Disturbances	Sec. 6.4.5
Fire and Explosive Hazards	Sec. 6.4.6

D. Development Options and Subdivision

Standards applicable to development options and subdivision are provided below. Where a cross-reference is provided see the referenced division or section for additional standards. All standards in Article 7 are applicable unless stated otherwise.

1. Allowed Subdivision and Development Options						
Option	GSA (min)	Lot Size (min)	Density (max)	LSR (min)	FAR (max)	Option Standards
Allowed Subdivision Options						
Land Division	n/a	7,500 sf	n/a	determined by physical development		Sec. 7.2.3
Townhouse Condominium Subdivision	n/a	n/a	n/a	n/a	n/a	Sec. 7.2.4
2. Residential Subdivision Requirements						
Affordable Housing						
Required Affordable Housing				1 affordable unit per 4 market units		
Schools and Parks Exaction						
Schools exaction				.020 acres per 1- or 2-family unit .015 acres per multi-family unit		
Parks exaction				9 acres per 1,000 resident		
3. Infrastructure						
Transportation Facilities						(Div. 7.6.)
Access						required
Right-of-way for Minor Local Road (min)						60'
Paved travel way for Minor Local Road (min)						20'
Required Utilities						(Div. 7.7.)
Water						public
Sewer						public
4. Required Subdivision and Development Option Permits						
Option	Planned Unit Development (Sec. 8.7.3)	Sketch Plan (Sec. 8.3.1)	Development Plan (Sec. 8.3.2)	Development Option Plan (Sec. 8.5.2)	Subdivision Plat (Sec. 8.5.3)	
Land Division						
≤ 10 Lots			X		X	
> 10 Lots		X	X		X	
Condominium/Townhouse						X

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

- a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:
 - i. Residential Uses (Sec. 6.1.4.);
 - ii. Lodging Uses (Sec. 6.1.5.); and
 - iii. Accessory Residential Unit (6.1.11.B).
- b. **Existing Parking Credits.** For properties with established parking credits per the Town Parking Credit Table (on reference with the Planning Department), the landowner may use such credits toward required parking. Credits are based on the amount of parking provided in 1988, as determined in 2005. Parking credits run with the land and are not transferable.
- c. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.
 - i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

- ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.
 - iii. The on-street parking shall follow the established configuration of existing on-street parking.
 - iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.
- d. **Fee-In-Lieu.** Required parking may be provided off-site through the Town's in-lieu fee program pursuant to the following standards.
 - i. **Fee.** The fee shall be a one-time fee commensurate with the cost of providing off-street parking and shall be used exclusively for such purpose. The Town Clerk shall accept fees in accordance with the parking fee schedule set forth by Resolution.
 - ii. **Assignment of Credits.** Parking credits purchased by fee-in-lieu run with the land and are not transferable.
 - iii. **Banking of Fee-in-Lieu Spaces.** Fee-in-lieu spaces may be purchased in advance and "banked" for future use.

2. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of Sec. 6.2.2.E are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.

3. **Existing Floor Area Allowed.** Where the existing floor area on a site exceeds the allowed floor area ratio (FAR), the maximum allowed floor area shall be the lawfully existing floor area. The burden of establishing the amount of lawfully existing floor area shall be the responsibility of the landowner.

2.2.4. CR-2: Commercial Residential-2

(D2 effective date)

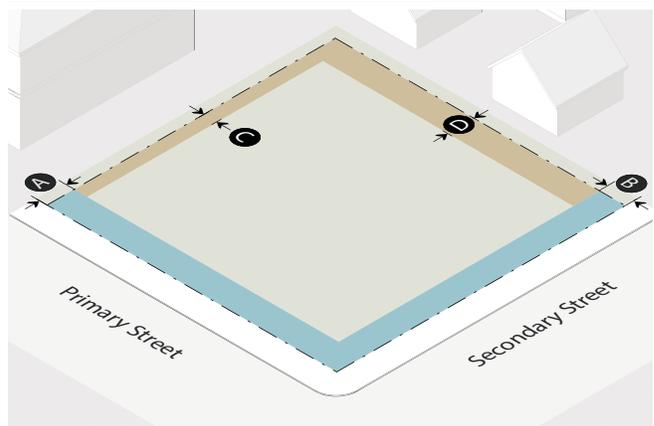
A. Intent

1. General Intent. The intent of the Commercial Residential-2 (CR-2) zone is to provide for a vibrant mixed-use zone consisting primarily of retail, office, lodging and residential uses. This zone will often be located on the periphery of the core of Downtown and helps to serve as a transition to lower density residential areas.
2. Buildings. Buildings can be up to 3 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Front setbacks are varied, with some buildings pulled up to the street and others set back with landscaping in front, creating an attractive and green street edge.
3. Parking. Parking is primarily provided on-site, to the rear or side of buildings and screened from view.
4. Land Use. Active uses, such as retail and service, are encouraged on the ground level, often with lodging, residential, or office on the upper floors. Buildings of all residential uses are encouraged.
5. Comprehensive Plan. Based primarily on sub areas 2.3 and 2.5 of the Comprehensive Plan.

B. Physical Development

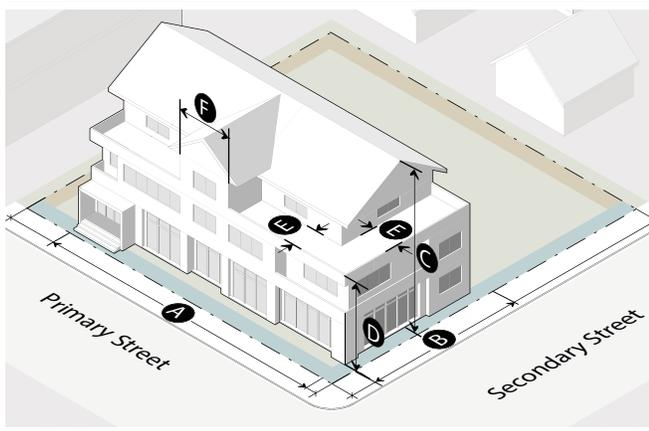
Standards applicable to physical development are provided on the following pages. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Building Setbacks		Sec. 9.4.8
Primary street setback range (min-max)	0' - 10'	A
Secondary street setback range (min-max)	0' - 10'	B
Side interior (min)	5'	C
Rear (min)	10'	D
Abutting protected zone (min)	10'	
Landscaping		Div. 5.5
Landscape surface ratio (min)	10%	
Plant Units		
All uses	1/1,000 sf of landscape area	
Parking lot (all uses)	1/12 parking spaces	
Fencing		
Height in any street or side yard (max)	4'	
Height in rear yard (max)	6'	
Setback from pedestrian frontage (min)	1'	
Setback from side or rear lot line (min)	0'	
Parking Setbacks		Sec. 9.4.8
Primary street, above ground (min)	30'	
Secondary street, surface parking (min)	30'	
Secondary street, tuck-under, enclosed, or structured parking (min)	0'	
Access		
Curb cut width (max)	24'	

2. Bulk Standards



Street Facade	Sec. 9.4.11	
Width of ground and 2nd story in primary street setback range		A
% of lot width (min)	70%	
Length from street corner (min)	30'	
Width of ground and 2nd story in secondary street setback range		B
% of lot width (min)	35%	
Length from street corner (min)	30'	
Building Height	Sec. 9.4.9	
Height (max) if roof pitch \geq 5/12	46'	C
Height (max) if roof pitch $<$ 5/12	42'	C
Stories (max)	3	C
Stories or Height (min) in any street setback range	2 or 24'	D
Building Stepback	Sec. 9.4.12	
Stepback for any 3rd story street facade or street facade over 30' (min)	10'	E
Encroachment in stepback (max % of overall facade width)	60%	F
A building with only residential use that has at least 4 units is exempt from the stepback requirement		
Scale of Development		
Floor area ratio (FAR max) (E.3)	0.46	
Additional FAR for lodging use	0.34	
Deed restricted housing exemption	Sec. 7.8.3	
Workforce housing floor area bonus	Sec. 7.8.4	

3. Form Standards



Design Guidelines	Sec. 5.8
These requirements apply to all development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.	
Pedestrian Frontage	
Trees in grates	see Sec. 2.2.1.C.2
Building Frontage Options	
Shopfront	see Sec. 2.2.1.D.1
Office	see Sec. 2.2.1.D.2
Residential	see Sec. 2.2.1.D.3
Lodging	see Sec. 2.2.1.D.4
Parking Type Options	
On-street parking	see Sec. 2.2.1.E.1
Surface parking	see Sec. 2.2.1.E.2
Enclosed parking	see Sec. 2.2.1.E.3
Tuck-Under Parking	see Sec. 2.2.1.E.4
Structured parking	see Sec. 2.2.1.E.5
Underground parking	see Sec. 2.2.1.E.6

4. Environmental Standards	
Natural Resource Setback (min)	Sec 5.1.1
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	Sec. 7.7.4.D
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	Sec. 5.2.1
5. Scenic Standards	
Exterior Lighting	Sec. 5.3.1
Total cuff off angle (max)	90°
Illumination in footcandles	1.50
Height (max)	18'
Scenic Resource Overlay (SRO)	Sec. 5.3.2
6. Natural Hazards to Avoid	
Steep Slopes	Sec. 5.4.1
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	Sec. 5.4.2
Fault Area	Sec. 5.4.3
Floodplains	Sec. 5.4.4
Wildland Urban Interface	Sec. 5.4.5

7. Signs (nonresidential)		Div. 5.6
Number of signs (max)	3 per business per frontage	
Background color	No white or yellow	
Sign Area		
Total sign area (max)	3 sf per ft of street facade width up to 150 sf	
Penalty	10% per projecting and freestanding sign	
Sign Type Standards		
Canopy sign		
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Freestanding sign		
Height (max)	6'	
Setback (min)	5'	
Projecting sign		
Height (max)	24' above grade	
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Window sign		
Window surface coverage (max)	25% up to 16 sf	
Temporary signs	Sec. 5.6.1	
8. Grading, Erosion Control, Stormwater		
Grading	Sec. 5.7.2	
Erosion Control	Sec. 5.7.3	
Erosion shall be controlled at all times		
Stormwater Management	Sec. 5.7.4	
No increase in peak flow rate or velocity across property lines		

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.1)	Development Plan (Sec. 8.3.2)	Building Permit (Sec. 8.3.3)	DRC Review (Sec. 8.2.6)	Sign Permit (Sec. 8.3.5)	Grading Permit (Sec. 8.3.4)	Floodplain Permit
Floor Area							
< 6,900 sf			X	X		Sec. 5.7.1	Sec. 5.4.4
6,900 - 13,800 sf		X	X	X		Sec. 5.7.1	Sec. 5.4.4
> 13,800 sf	X	X	X	X		Sec. 5.7.1	Sec. 5.4.4
> 13,800 sf for only residential use	X	X	X	X		Sec. 5.7.1	Sec. 5.4.4
Sign					X	Sec. 5.7.1	Sec. 5.4.4

C. Allowed Uses and Use Standards

Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to Sec. 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div 6.2) (E.1)	Employee Housing (min) (Div 6.3)
Residential Uses					
Attached Single-Family Unit (6.1.4.B)	B	8,000 sf habitable excluding basement	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	n/a
Apartment (6.1.4.D)	B				
Dormitory (6.1.4.F)	C	n/a	n/a	0.25/bed	n/a
Group Home (6.1.4.G)	C	n/a	n/a	0.5/bed	n/a
Live-Work Unit (6.1.4.H)	B	750 sf min, 2,000 sf max habitable	n/a	1.5 /DU or 1.5/1,000 sf	n/a
Lodging					
Conventional Lodging (6.1.5.B)	B (LO)	n/a	n/a	0.75/room	47 sf/1,000 sf
Short-term Rental Unit (6.1.5.C)	B (LO)	n/a	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	n/a
Commercial Uses					
Office (6.1.6.B)	B	n/a	n/a	2.47/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C)	B	6,000 sf excluding basement	n/a	3.37/1,000 sf	156 sf/1,000 sf
Service (6.1.6.D)	B			2.25/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (6.1.6.E)	B			1/73 sf dining area + 1/40 sf bar area	378 sf/1,000 sf
Amusement/Recreation					
Amusement (6.1.7.B)	B	n/a	n/a	1/40 sf seating area or independent calculation	independent calculation
Developed Recreation (6.1.7.D)	B	n/a	n/a	3.37/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E)	B	n/a	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B)	C	n/a	n/a	independent calculation	exempt
Day Care/Education (6.1.8.C)	B	n/a	n/a	independent calculation	exempt

Y = Use allowed, no permit required B = Basic Use Permit (Sec. 8.4.1) C = Conditional Use Permit (Sec. 8.4.2)
 (LO) = Lodging Overlay Only

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div 6.2) (E.1)	Employee Housing (min) (Div 6.3)
Transportation/Infrastructure					
Parking (6.1.10.B)	C	n/a	n/a	n/a	independent calculation
Utility Facility (6.1.10.C)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D)					
Minor	B	n/a	n/a	0.75/employee + 0.75/stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B)	B	n/a	n/a	1/DU	n/a
Home Occupation (6.1.11.D)	B	n/a	n/a	n/a	exempt
Family Home Daycare (6.1.11.F)	B	n/a	n/a	0.75/employee + 0.75 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B)	Y	n/a	n/a	0.75/1,000 sf outdoor display area + 0.75/employee	exempt
Farm Stand (6.1.12. E)	B	n/a	n/a	3.75/1,000 sf display area	exempt

Y = Use allowed, no permit required B = Basic Use Permit (Sec. 8.4.1) C = Conditional Use Permit (Sec. 8.4.2) (LO) = Lodging Overlay Only

3. Operational Standards	
Outdoor Storage	Sec. 6.4.1
Outdoor Storage	Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc.) not made a permanent part of a structure	Prohibited
Refuse and Recycling	Sec. 6.4.2
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	Sec. 6.4.3
Sound level at property line (max)	65 DBA
Vibration	Sec. 6.4.4
Electrical Disturbances	Sec. 6.4.5
Fire and Explosive Hazards	Sec. 6.4.6

D. Development Options and Subdivision

Standards applicable to development options and subdivision are provided below. Where a cross-reference is provided see the referenced division or section for additional standards. All standards in Article 7 are applicable unless stated otherwise.

1. Allowed Subdivision and Development Options						
Option	GSA (min)	Lot Size (min)	Density (max)	LSR (min)	FAR (max)	Option Standards
Allowed Subdivision Options						
Land Division	n/a	7,500 sf	n/a	determined by physical development		Sec. 7.2.3
Townhouse Condominium Subdivision	n/a	n/a	n/a	n/a	n/a	Sec. 7.2.4
2. Residential Subdivision Requirements						
Affordable Housing						
Required Affordable Housing				1 affordable unit per 4 market units		
Schools and Parks Exaction						
Schools exaction				.020 acres per 1- or 2-family unit .015 acres per multi-family unit		
Parks exaction				9 acres per 1,000 resident		
3. Infrastructure						
Transportation Facilities						(Div. 7.6.)
Access						required
Right-of-way for Minor Local Road (min)						60'
Paved travel way for Minor Local Road (min)						20'
Required Utilities						(Div. 7.7.)
Water						public
Sewer						public
4. Required Subdivision and Development Option Permits						
Option	Planned Unit Development (Sec. 8.7.3)	Sketch Plan (Sec. 8.3.1)	Development Plan (Sec. 8.3.2)	Development Option Plan (Sec. 8.5.2)	Subdivision Plat (Sec. 8.5.3)	
Land Division						
≤ 10 Lots			X		X	
> 10 Lots		X	X		X	
Condominium/Townhouse						X

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

- a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:
 - i. Residential Uses (Sec. 6.1.4.);
 - ii. Lodging Uses (Sec. 6.1.5.); and
 - iii. Accessory Residential Unit (6.1.11.B).
- b. **Existing Parking Credits.** For properties with established parking credits per the Town Parking Credit Table (on reference with the Planning Department), the landowner may use such credits toward required parking. Credits are based on the amount of parking provided in 1988, as determined in 2005. Parking credits run with the land and are not transferable.
- c. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.
 - i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

- ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.
 - iii. The on-street parking shall follow the established configuration of existing on-street parking.
 - iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.
- d. **Fee-In-Lieu.** Required parking may be provided off-site through the Town's in-lieu fee program pursuant to the following standards.
 - i. **Fee.** The fee shall be a one-time fee commensurate with the cost of providing off-street parking and shall be used exclusively for such purpose. The Town Clerk shall accept fees in accordance with the parking fee schedule set forth by Resolution.
 - ii. **Assignment of Credits.** Parking credits purchased by fee-in-lieu run with the land and are not transferable.
 - iii. **Banking of Fee-in-Lieu Spaces.** Fee-in-lieu spaces may be purchased in advance and "banked" for future use.

2. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of Sec. 6.2.2.E are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.

3. **Existing Floor Area Allowed.** Where the existing floor area on a site exceeds the allowed floor area ratio (FAR), the maximum allowed floor area shall be the lawfully existing floor area. The burden of establishing the amount of lawfully existing floor area shall be the responsibility of the landowner.

2.2.5. OR: Office Residential (D2 effective date)

A. Intent

1. General Intent. The intent of the Office Residential (OR) zone is to provide for employment with a mix of higher intensity housing options. Limited neighborhood-serving retail at key nodes is allowed to serve surrounding residential neighborhoods.
2. Buildings. Buildings can be up to 2 stories in height. Massing and articulation is used to enhance residential character and reduce bulk and mass. Buildings are set back with landscaping in front, creating an attractive and green street edge.
3. Parking. Parking is primarily provided on-site, to the rear or side of buildings, and screened from view.
4. Land Use. Office, residential, and neighborhood serving retail are located at ground level with office or residential above and behind. Institutional uses serve as anchors to the local economy that provide jobs and services to the community.
5. Comprehensive Plan. Based primarily on sub area 2.6 of the Comprehensive Plan.

B. Physical Development

Standards applicable to physical development are provided on the following pages. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards		
Building Setbacks		Sec. 9.4.8
Primary street setback range (min-max)	5' - 15'	A
Secondary street setback range (min-max)	5' - 15'	B
Side interior (min)	5'	C
Rear (min)	10'	D
Abutting protected zone (min)	10'	
Landscaping		Div. 5.5
Landscape surface ratio (min)	20%	
Plant Units		
All uses	1/1,000 sf of landscape area	
Parking lot (all uses)	1/12 parking spaces	
Fencing		
Height in any street or side yard (max)	4'	
Height in rear yard (max)	6'	
Setback from pedestrian frontage (min)	1'	
Setback from side or rear lot line (min)	0'	
Parking Setbacks		Sec. 9.4.8
Primary street, above ground (min)	30'	
Secondary street, surface parking (min)	10'	
Secondary street, tuck-under, enclosed, or structured parking (min)	5'	
Access		
Curb cut width (max)	24'	

2. Bulk Standards



Street Facade	Sec. 9.4.11
Width of ground and 2nd story in primary street setback range	A
% of lot width (min)	70%
Length from street corner (min)	30'
Width of ground and 2nd story in secondary street setback range	B
% of lot width (min)	35%
Length from street corner (min)	30'
Building Height	Sec. 9.4.9
Height (max)	30' C
Stories (max)	2 C
Building Stepback	Sec. 9.4.12
n/a	
Scale of Development	
Floor area ratio (FAR max) (E.4)	0.46
Deed restricted housing exemption	Sec. 7.8.3
Workforce housing floor area bonus	Sec. 7.8.4

3. Form Standards



Design Guidelines	Sec. 5.8
These requirements apply to all development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.	
Pedestrian Frontage	
Trees in grates	see Sec. 2.2.1.C.2
Building Frontage Options	
Office	see Sec. 2.2.1.D.2
Residential	see Sec. 2.2.1.D.3
Parking Type Options	
On-street parking	see Sec. 2.2.1.E.1
Surface parking	see Sec. 2.2.1.E.2
Enclosed parking	see Sec. 2.2.1.E.3
Tuck-Under Parking	see Sec. 2.2.1.E.4
Structured parking	see Sec. 2.2.1.E.5
Underground parking	see Sec. 2.2.1.E.6

4. Environmental Standards	
Natural Resource Setback (min)	Sec 5.1.1
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	Sec. 7.7.4.D
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	Sec. 5.2.1
5. Scenic Standards	
Exterior Lighting	Sec. 5.3.1
Total cuff off angle (max)	90°
Illumination in footcandles	1.50
Height (max)	18'
Scenic Resource Overlay (SRO)	Sec. 5.3.2
6. Natural Hazards to Avoid	
Steep Slopes	Sec. 5.4.1
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	Sec. 5.4.2
Fault Area	Sec. 5.4.3
Floodplains	Sec. 5.4.4
Wildland Urban Interface	Sec. 5.4.5

7. Signs (nonresidential)		Div. 5.6
Number of signs (max)	3 per business per frontage	
Background color	No white or yellow	
Sign Area		
Total sign area (max)	3 sf per ft of street facade width up to 150 sf	
Penalty	10% per projecting and freestanding sign	
Sign Type Standards		
Canopy sign		
Clearance (min)	7'6" average grade	
Setback (min)	18" from back of curb	
Freestanding sign		
Height (max)	6'	
Setback (min)	5'	
Projecting sign		
Height (max)	24' above grade	
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Window sign		
Window surface coverage (max)	25% up to 16 sf	
Temporary signs	Sec. 5.6.1	
8. Grading, Erosion Control, Stormwater		
Grading	Sec. 5.7.2	
Erosion Control	Sec. 5.7.3	
Erosion shall be controlled at all times		
Stormwater Management	Sec. 5.7.4	
No increase in peak flow rate or velocity across property lines		

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.1)	Development Plan (Sec. 8.3.2)	Building Permit (Sec. 8.3.3)	DRC Review (Sec. 8.2.6)	Sign Permit (Sec. 8.3.5)	Grading Permit (Sec. 8.3.4)	Floodplain Permit
Floor Area							
< 6,900 sf			X	X		Sec. 5.7.1	Sec. 5.4.4
6,900 - 13,800 sf		X	X	X		Sec. 5.7.1	Sec. 5.4.4
> 13,800 sf	X	X	X	X		Sec. 5.7.1	Sec. 5.4.4
> 13,800 sf for only residential use	X	X	X	X		Sec. 5.7.1	Sec. 5.4.4
Sign					X	Sec. 5.7.1	Sec. 5.4.4

C. Allowed Uses and Use Standards

Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to Sec. 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div 6.2)	Employee Housing (min) (Div 6.3)
Residential Uses					
Attached Single-Family Unit (6.1.4.B)	B	8,000 sf habitable excluding basement	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	n/a
Apartment (6.1.4.D)	B				
Dormitory (6.1.4.F)	C	n/a	n/a	0.25/bed	n/a
Group Home (6.1.4.G)	C	n/a	n/a	0.5/bed	n/a
Live-Work Unit (6.1.4.H)	B	750 sf min, 2,000 sf max habitable	n/a	1.5 /DU or 1.5/1,000 sf	n/a
Commercial Uses					
Office (6.1.6.B)	B	n/a	n/a	2.47/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C) (E.3)	B	2,000 sf excluding basement storage	E.5	exempt	156 sf/1,000 sf
Service (6.1.6.D) (E.3)	B		E.5	exempt	56 sf/1,000 sf
Institutional Uses					
Assembly (6.1.8.B)	C	n/a	n/a	independent calculation	exempt
Day Care/Education (6.1.8.C)	B	n/a	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D)					
Minor	B	n/a	n/a	0.75/employee + 0.75/stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B)	B	n/a	n/a	1/DU	n/a
Home Occupation (6.1.11.D)	B	n/a	n/a	n/a	exempt
Family Home Daycare (6.1.11.F)	B	n/a	n/a	0.75/employee + 0.75 off-street pick-up/drop-off	exempt

Y = Use allowed, no permit required B = Basic Use Permit (Sec. 8.4.1) C = Conditional Use Permit (Sec. 8.4.2)

3. Operational Standards	
Outdoor Storage	Sec. 6.4.1
Outdoor Storage	Prohibited
Refuse and Recycling	Sec. 6.4.2
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	Sec. 6.4.3
Sound level at property line (max)	65 DBA
Vibration	Sec. 6.4.4
Electrical Disturbances	Sec. 6.4.5
Fire and Explosive Hazards	Sec. 6.4.6

D. Development Options and Subdivision

Standards applicable to development options and subdivision are provided below. Where a cross-reference is provided see the referenced division or section for additional standards. All standards in Article 7 are applicable unless stated otherwise.

1. Allowed Subdivision and Development Options						
Option	BSA (min)	Lot Size (min)	Density (max)	LSR (min)	FAR (max)	Option Standards
Allowed Subdivision Options						
Land Division	n/a	7,500 sf	n/a	determined by physical development		Sec. 7.2.3
Townhouse Condominium Subdivision	n/a	n/a	n/a	n/a	n/a	Sec. 7.2.4
2. Residential Subdivision Requirements						
Affordable Housing						
Required Affordable Housing						1 affordable unit per 4 market units
Schools and Parks Exaction						
Schools exaction						.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction						9 acres per 1,000 resident
3. Infrastructure						
Transportation Facilities						(Div. 7.6.)
Access						required
Right-of-way for Minor Local Road (min)						60'
Paved travel way for Minor Local Road (min)						20'
Required Utilities						(Div. 7.7.)
Water						public
Sewer						public

4. Required Subdivision and Development Option Permits					
Option	Planned Unit Development (Sec. 8.7.3)	Sketch Plan (Sec. 8.3.1)	Development Plan (Sec. 8.3.2)	Development Option Plan (Sec. 8.5.2)	Subdivision Plat (Sec. 8.5.3)
Land Division					
≤ 10 Lots			X		X
> 10 Lots		X	X		X
Condominium/Townhouse					
					X

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

- a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:
 - i. Residential Uses (Sec. 6.1.4.);
 - ii. Lodging Uses (Sec. 6.1.5.); and
 - iii. Accessory Residential Unit (6.1.11.B).
- b. **Existing Parking Credits.** For properties with established parking credits per the Town Parking Credit Table (on reference with the Planning Department), the landowner may use such credits toward required parking. Credits are based on the amount of parking provided in 1988, as determined in 2005. Parking credits run with the land and are not transferable.
- c. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.
 - i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

- ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.
- iii. The on-street parking shall follow the established configuration of existing on-street parking.
- iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.

2. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of Sec. 6.2.2.E are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.
3. **Local Convenience Commercial.** The intent of allowing retail and service use in the OR zone is that the goods sold and services provided are primarily of convenience nature to provide for the needs of residents and employees in the surrounding area.
 - a. Goods and services sold shall not be of a specialty nature that rely on and attract customer and vehicle traffic from the community as a whole.
 - b. Only one retail or service use may exist on a lot of record.
4. **Existing Floor Area Allowed.** Where the existing floor area on a site exceeds the allowed floor area ratio (FAR), the maximum allowed floor area shall be the lawfully existing floor area. The burden of establishing the amount of lawfully existing floor area shall be the responsibility of the landowner.

SECTION III.

Section 1 of Town of Jackson Ordinance Nos. 1111 and 1074 (part) and Sections 2.3.1, 2.3.2, 2.3.3, 2.3.7, and 2.3.8 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Div. 2.3. Complete Neighborhood Legacy Zones

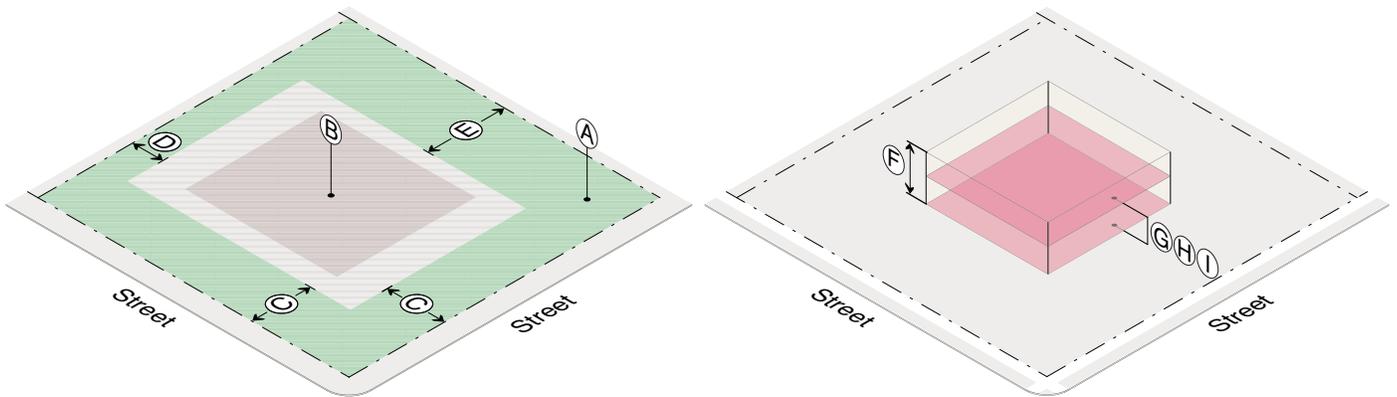
2.3.1. Town Square (TS) (D2 effective date)

A. Intent

The purpose of the Town Square (TS) Zone is to provide development standards that preserve and enhance the unique character, qualities, and pedestrian-oriented environment of the Jackson Town Square and its immediate vicinity. An essential component of the tourism environment for Teton County and the Town of Jackson is the Town Square and the commercial environment that has developed in the immediate vicinity of the Square. This area is important to both the County and the Town because the character of the area is the cornerstone of tourism commercial activity in the community.

B. Physical Development

Standards applicable to physical development in the TS zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the TS zone. This Subsection is intended to indicate all of the physical development standards applicable in the TS zone, however, all standards in [Article 5](#) are applicable in the TS zone, unless stated otherwise.



1. Structure Location and Mass									
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)
	LSR (min)	Lot Coverage (max)	Street Setback (min) (E.1.)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	Stories (LO) (max)	FAR (max)
Allowed use	.0	n/a	0'	0'	0'	35'	2	3	1.83
Detached accessory structure	n/a	n/a	30'	5'	5'	28'	2	n/a	n/a
Exceptions									
FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.									
Side/Rear yard residential projections. Fire escapes may extend into a side or rear yard by not more than 4 feet. Patios which are at grade may extend to any portion of a side or rear yard									
Rear yard setback for nonresidential uses. Minimum rear setback of 22 feet on the ground level with the exception of structural elements supporting the upper floor.									
Detached Accessory Structure Separation. 10'									

2.3.1. Town Square (TS) (D2 effective date)

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	15,000 sf
Single building in LO with CUP	35,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines (Div. 5.8.)	
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal lot frontage
5. Landscaping (Div. 5.5.)	
Plant Units (min)	
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards (Sec. 5.2.1.)	
8. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Total cut off angle (max)	90°
Illumination in footcandles	
Residential use	1.00
Nonresidential use	1.50
Height (max)	
Residential use	15'
Nonresidential use	18'
Scenic Resource Overlay (SRO) Standards (Sec. 5.3.2.)	
9. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	
10. Signs (Div. 5.6.)	
Number of Signs (max)	2 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	2.5 sf per linear ft of building frontage up to 125 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

11. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

12. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Nonresidential Floor Area						
≤ 5,000 sf			X	X		(Sec. 5.7.1.)
5,001 - 15,000 sf		X	X	X		(Sec. 5.7.1.)
> 15,000 sf	X	X	X	X		(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the TS zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the TS zone. This Subsection is intended to indicate all of the use standards applicable in the TS zone, however, all standards in Article 6. are applicable in the TS zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.2)	Employee Housing Area (min) (Div. 6.3.)
Lodging					
Conventional Lodging (6.1.5.B.)	C(LO)	0 sf	n/a	0.75/LU + 1 per 150 sf assembly area	47 sf/1,000 sf
Short-term Rental Unit (6.1.5.C.)	C(LO)	0 sf	n/a	1.5/1,000 sf, max 2	n/a
Commercial Uses					
Office (6.1.6.B.)	B	0 sf	n/a	1.65/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C.)	B	0 sf	n/a	2.25/1,000 sf	156 sf/1,000 sf
Service (6.1.6.D.)	B	0 sf	n/a	1.5/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (6.1.6.E.)	B	0 sf	n/a	1/110 sf dining area + 1/60 sf bar area	378 sf/1,000 sf
Amusement/Recreation					
Amusement (6.1.7.B.)	C	0 sf	n/a	1/60 sf seating area or independent calculation	independent calculation
Transportation/Infrastructure					
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	0.5/employee + 0.5/stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	n/a

Y = Use allowed, no permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.), (LO)= Lodging Overlay Only

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Individual retail use excluding basement	12,500 sf habitable
Lodging operation with multiple buildings	90,000 sf habitable

4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the TS zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the TS zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the TS zone, however, all standards in [Article 7.](#) are applicable in the TS zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	5,000 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
2. Residential Subdivision Requirements								
Affordable Housing								(Div. 7.4.)
Required Affordable Housing					1 affordable unit per 4 market units			
Schools and Parks Exaction								(Div. 7.5.)
Schools exaction					.020 acres per 1- or 2-family unit .015 acres per multi-family unit			
Parks exaction					9 acres per 1,000 resident			
3. Infrastructure								
Transportation Facilities								(Div. 7.6.)
Access								required
Right-of-way for Minor Local Road (min)								60'
Paved travel way for Minor Local Road (min)								20'
Required Utilities								(Div. 7.7.)
Water								public
Sewer								public

4. Required Subdivision and Development Option Permits					
Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Any Subdivision					
≤ 10 Units			X		X
> 10 Units		X	X		X

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the TS zone.

1. **Pedestrian Facilities.** All new development, redevelopment and infill development in the TS zone and Lodging Overlay zones shall provide a minimum setback of 10 feet from the back of curb to the closest point on the building. Such space shall be clear space unencumbered by doors, windows, bay windows or any other building projections except for required canopies. New development shall provide amenities in this space. Those amenities may include sidewalks, boardwalks, canopies, benches, bike racks, snow storage, landscaping, bus stops or any other reasonable and appropriate amenity as determined by the Town Council upon recommendation from the Design Review Committee. Minor deviations from this standard may be approved by the Planning Director in the event of mapping errors, irregular surveys, atypical layout of rights of way, or other good cause shown by the applicant.
2. **Provision of Nonresidential, Nonlodging Parking**
 - a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:
 - i. Residential Uses (Sec. 6.1.4.);
 - ii. Lodging Uses (Sec. 6.1.5.); and
 - iii. Accessory Residential Unit (6.1.11.B).
 - b. **Existing Parking Credits.** For properties with established parking credits per the Town Parking Credit Table (on reference with the Planning Department), the landowner may use such credits toward required parking. Credits are based on the amount of parking provided in 1988, as determined in 2005. Parking credits run with the land and are not transferable.
 - c. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.
 - i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

- ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.
 - iii. The on-street parking shall follow the established configuration of existing on-street parking.
 - iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.
- d. **Fee-In-Lieu.** Required parking may be provided off-site through the Town's in-lieu fee program pursuant to the following standards.
- i. **Fee.** The fee shall be a one-time fee commensurate with the cost of providing off-street parking and shall be used exclusively for such purpose. The Town Clerk shall accept fees in accordance with the parking fee schedule set forth by Resolution.
 - ii. **Assignment of Credits.** Parking credits purchased by fee-in-lieu run with the land and are not transferable.
 - iii. **Banking of Fee-in-Lieu Spaces.** Fee-in-lieu spaces may be purchased in advance and "banked" for future use.
3. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of Sec. 6.2.2.E are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.

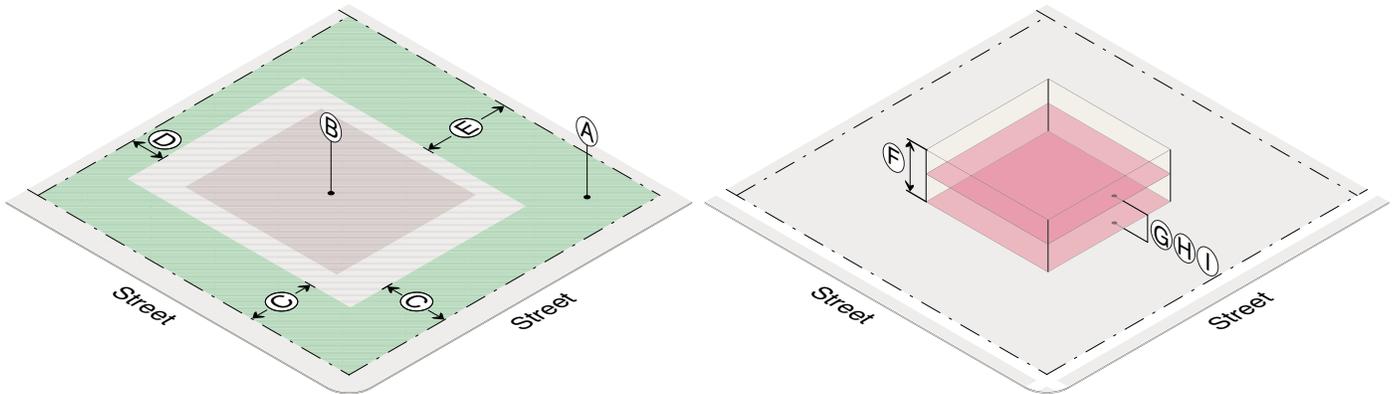
2.3.2. Urban Commercial (UC) (D2 effective date)

A. Intent

The purpose of the Urban Commercial (UC) Zone is to provide for relatively intense mixed-use development of lodging, restaurants, financial, retail, and visitor-oriented services, and the full range of residential uses. The UC Zone is intended to be applied to central, pedestrian-oriented commercial areas and dense residential areas associated with these commercial areas.

B. Physical Development

Standards applicable to physical development in the UC zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the UC zone. This Subsection is intended to indicate all of the physical development standards applicable in the UC, however, all standards in Article 5. are applicable in the UC zone, unless stated otherwise.



1. Structure Location and Mass									
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)
	LSR (min) (E.1.)	Lot Coverage (max)	Street Setback (min) (E.4.)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	Stories (LO) (max)	FAR (max)
Detached single-family unit	.30	.40	12'	5'	20'	28'	2	3	.45
Other principal use	.10	n/a	0'	0'	0'	35'	2	3	1.3
Accessory use	See standards for primary use with which associated								
Detached accessory structure	n/a	n/a	30'	5'	5'	28'	2	n/a	n/a
Exceptions									
FAR. A 25% increase in FAR is allowed, provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.									
Side/Rear Yard Residential Projections. Fire escapes may extend into a side or rear yard by not more than 4 feet. Patios which are at grade may extend to any portion of a side or rear yard.									
Rear yard for nonresidential uses. Minimum rear setback of 22 feet on the ground level with the exception of structural elements supporting the upper floor.									
Detached Accessory Structure Separation. 10'									

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	15,000 sf
Single building in LO with CUP	35,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines (Div. 5.8.)	
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard if next to residential	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal lot frontage
5. Landscaping (Div. 5.5.)	
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards (Sec. 5.2.1.)	
8. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Total cut off angle (max)	90°
Illumination in footcandles	
Residential use	1.00
Nonresidential use	1.50
Height (max)	
Residential use	15'
Nonresidential use	18'
Scenic Resource Overlay (SRO) Standards (Sec. 5.3.2.)	
9. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	
10. Signs (Div. 5.6.)	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	3 sf per linear ft of building frontage up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

11. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

12. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Nonresidential Floor Area						
≤ 5,000 sf			X	X		(Sec. 5.7.1.)
5,001 - 15,000 sf		X	X	X		(Sec. 5.7.1.)
> 15,000 sf	X	X	X	X		(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the UC zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the UC zone. This Subsection is intended to indicate all of the use standards applicable in the UC zone, however, all standards in Article 6 are applicable in the UC zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.5)	Employee Housing Floor Area (min) (Div. 6.3.)
Residential Uses					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	n/a	1.5/1,000 sf, max 2	n/a
Attached Single-Family Unit (6.1.4.C.) (E.2.)	B	0 sf	n/a	1.5/1,000 sf, max 2	n/a
Apartment (6.1.4.D.) (E.2.)	B	0 sf	n/a	1.5/1,000 sf, max 2	n/a
Dormitory (6.1.4.F.)	C	0 sf	35 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	35 rooms per acre	0.5/bed	n/a
Lodging					
Conventional Lodging (6.1.5.B.)	B(LO)	0 sf	n/a	0.75/LU + 1 per 150 sf assembly area	47 sf/1,000 sf
Short-term Rental Unit (6.1.5.C.)	B(LO)	0 sf	n/a	1.5/1,000 sf, max 2	n/a
Commercial Uses					
Office (6.1.6.B.)	B	0 sf	n/a	1.65/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C.)	B	0 sf	n/a	2.25/1,000 sf	156 sf/1,000 sf
Service (6.1.6.D.)	B	0 sf	n/a	1.5/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (6.1.6.E.)	B	0 sf	n/a	1/110 sf dining area + 1/60 sf bar area	378 sf/1,000 sf
Amusement/Recreation					
Amusement (6.1.7.B.)	C	0 sf	n/a	1/60 sf seating area or independent calculation	independent calculation
Developed Recreation (6.1.7.D.)	B	0 sf	n/a	2.25/1,000 s	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Day Care/Education (6.1.8.C.)	B	0 sf	n/a	independent calculation	exempt

Y = Use allowed, no permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.), (LO)= Lodging Overlay Only

2.3.2. Urban Commercial (UC) (D2 effective date)

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.5)	Employee Housing Floor Area (min) (Div. 6.3.)
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	0.5/employee + 0.5/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	0.5/employee + 0.5/stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	n/a
Bed and Breakfast (6.1.11.C.)	B(LO)	0 sf	n/a	0.75/LU	47 sf/1,000 sf
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	B	0 sf	n/a	0.5 per employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	0.5/employee + 0.5 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	B	0 sf	n/a	0.5/employee + 1 off-street pick-up/drop-off	exempt
Drive-in Facility (6.1.11.H.)	B	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	0.5/1,000 sf outdoor display area + 0.5/employee	exempt
Temporary Shelter (6.1.12.D.)	Y		1 unit per lot	1.5/1,000 sf, max 2	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	2.5/1,000 sf display area	exempt
Temporary Gravel Extraction & Processing (6.1.12.F.)	B	0 sf	n/a	0.5/employee	exempt

Y = Use allowed, no permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.), (LO)= Lodging Overlay Only

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single-family unit (detached, attached, or apartment)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf
Individual retail use excluding basement	12,500 sf habitable
Lodging operation with multiple buildings	90,000 sf habitable

4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.) (E.3.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the UC zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the UC zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the UC zone, however, all standards in [Article 7.](#) are applicable in the UC zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	5,000 sf	n/a	n/a		determined by physical development		(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a		determined by physical development		(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	15,000 sf	n/a	23.5 du/ac	.20	n/a	.65	n/a	(Sec. 7.1.3.)
Planned Unit Development (PUD-ToJ)	15,000 sf	n/a	n/a	n/a	.30	.65	.5	(Sec. 4.4.2.)
2. Residential Subdivision Requirements								
Affordable Housing								(Div. 7.4.)
Required Affordable Housing						1 affordable unit per 4 market units		
Schools and Parks Exaction								(Div. 7.5.)
Schools exaction						.020 acres per 1- or 2-family unit .015 acres per multi-family unit		
Parks exaction						9 acres per 1,000 resident		

3. Infrastructure	
Transportation Facilities (Div. 7.6.)	
Access	required
Right-of-way for Minor Local Road (min)	60'
Paved travel way for Minor Local Road (min)	20'
Required Utilities (Div. 7.7.)	
Water	public
Sewer	public

4. Required Subdivision and Development Option Permits					
Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Any Subdivision					
≤ 10 Units	X (PUD)		X		X
> 10 Units	X (PUD)	X	X		X
Non-subdivision development option (UCD or PUD-ToJ)					
0 - 4 Units	X (PUD)			X	
5 -10 Units	X (PUD)		X		
> 10 Units	X (PUD)	X	X		

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the UC zone.

1. **LSR Surfaces.** The Town Council may substitute on-site hardscape improvements to satisfy the LSR requirement in the UC zone if the application for development can incorporate one or more of the following design elements: pervious or decorative pavers, sidewalks, boardwalks or similar amenity.
2. **Attached Single-Family and Apartment Units.** Attached single-family and apartment units shall be located on the second or third floor.
3. **Open Storage**
 - a. The open storage of vehicles and equipment is prohibited.
 - b. No use shall be permitted to include any freestanding storage units of any kind, including but not limited to trailers, sheds, “Bully Barns,” tarpaulin structures, or any other contrivance not made a permanent part of the principal structure as that term is defined in these LDRs.

4. **Pedestrian Facilities.** All new development, redevelopment and infill development in the Lodging Overlay and UC zone shall provide a minimum setback of 10 feet from the back of curb to the closest point on the building. Such space shall be clear space unencumbered by doors, windows, bay windows or any other building projections except for required canopies. New development shall provide amenities in this space. Those amenities may include sidewalks, boardwalks, canopies, benches, bike racks, snow storage, landscaping, bus stops or any other reasonable and appropriate amenity as determined by the Town Council upon recommendation from the Design Review Committee. Minor deviations from this standard may be approved by the Planning Director in the event of mapping errors, irregular surveys, atypical layout of rights of way, or other good cause shown by the applicant.

5. **Provision of Nonresidential, Nonlodging Parking**

a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:

- i. Residential Uses (Sec. 6.1.4.);
- ii. Lodging Uses (Sec. 6.1.5.); and
- iii. Accessory Residential Unit (6.1.11.B).

b. **Existing Parking Credits.** For properties with established parking credits per the Town Parking Credit Table (on reference with the Planning Department), the landowner may use such credits toward required parking. Credits are based on the amount of parking provided in 1988, as determined in 2005. Parking credits run with the land and are not transferable.

c. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.

i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

- ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.
- iii. The on-street parking shall follow the established configuration of existing on-street parking.
- iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.

2.3.3. [deleted] (D2 effective date)

- d. **Fee-In-Lieu.** Required parking may be provided off-site through the Town's in-lieu fee program pursuant to the following standards.
 - i. **Fee.** The fee shall be a one-time fee commensurate with the cost of providing off-street parking and shall be used exclusively for such purpose. The Town Clerk shall accept fees in accordance with the parking fee schedule set forth by Resolution.
 - ii. **Assignment of Credits.** Parking credits purchased by fee-in-lieu run with the land and are not transferable.
 - iii. **Banking of Fee-in-Lieu Spaces.** Fee-in-lieu spaces may be purchased in advance and "banked" for future use.
- 6. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of Sec. 6.2.2.E are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.

2.3.3. [deleted] (D2 effective date)

[Section number reserved, original Section deleted]

4. Required Subdivision and Development Option Permits					
Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Any Subdivision					
≤ 10 Units	X (PUD)		X		X
> 10 Units	X (PUD)	X	X		X
Non-subdivision development option (UCD or PUD-ToJ)					
0 - 4 Units	X (PUD)			X	
5 -10 Units	X (PUD)		X		
> 10 Units	X (PUD)	X	X		

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the AR-ToJ zone.

1. Accessory Residential Units (ARUs)

- a. Accessory residential units are only permitted in conjunction with a detached single-family unit.
- b. No more than 2 accessory units per lot are allowed.
- c. If only one accessory unit per lot is constructed, it may be attached to or detached from the principal structure.
- d. If 2 accessory units are constructed on one lot, one shall be attached to the principal structure, the other shall be detached. The minimum separation between detached units shall be 10 feet.

2.3.7. [deleted] (D2 effective date)

[Section number reserved, original Section deleted]

2.3.8. [deleted] (D2 effective date)

[Section number reserved, original Section deleted]

SECTION IV.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION V.

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 VI.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2016.
PASSED 2ND READING THE ____ DAY OF _____, 2016.
PASSED AND APPROVED THE ____ DAY OF _____, 2016.

TOWN OF JACKSON

BY: _____
Sara Flitner, Mayor

ATTEST:

BY: _____
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 _____, 2016.

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

Town Clerk

ORDINANCE M

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTION 4.4.1.G OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING THE PLANNED UNIT DEVELOPMENT (PUD) OPTION SCHEDULE IN ALL ZONES 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 4.4.1.G of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

E. Establishment of a New PUD

Establishment of PUD zoning shall be achieved through an application for approval of a PUD development option established in this Division. PUD applications shall be reviewed pursuant to Sec. 8.7.3.

F. Amendment of an Existing PUD or Other Special Project

An amendment to an existing PUD or other special project listed in 1.8.2.C. shall be reviewed and approved pursuant to 8.2.13.D.

G. PUD Option Schedule

The below table establishes the PUD options allowed in each zoning district and references the standards for each option. Any PUD option not specifically established in this Division is prohibited.

PUD Option Schedule: Character Zones					
	Complete Neighborhood Zones				Rural Area Zones
	DC	CR-1	CR-2	OR	n/a
PUD-TOJ (Sec. 4.4.2.)	--	--	--	--	n/a

Key: P = PUD option allowed with permit
 -- = PUD option prohibited

PUD Option Schedule: Legacy Zones																
	Complete Neighborhood Zones													Rural Area Zones	Civic Zones	
	TS	UC	UR	AC-ToJ	AR-ToJ	BP-R	BP-ToJ	BC-ToJ	RB	MHP-ToJ	NC-ToJ	NC-2	S-ToJ	R-ToJ	P/SP-ToJ	P-ToJ
PUD-TOJ (Sec. 4.4.2.)	--	P	P	P	P	--	--	--	--	--	--	--	P	--	--	--

Key: P = PUD option allowed with permit -- = PUD option prohibited

4.4.2. Planned Unit Development - Town (PUD-ToJ) (PUD P16-017 effective date)

A. Purpose and Intent

The Planned Unit Development - Town (PUD-ToJ) option is intended to provide a mechanism for land development through an overall, unified approach rather than the traditional lot by lot approach. The PUD-ToJ allows for a variety of types of residential development and encourages appropriate mixes of residential product types. The purpose of the PUD-ToJ option is:

1. To encourage flexibility, innovation of design and variety of development types in order to promote the most suitable use of a site.
2. To facilitate efficient provision of streets, utilities and municipal services.

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 _____, 2016.
PASSED 2ND READING THE ____ DAY OF _____, 2016.
PASSED AND APPROVED THE ____ DAY OF _____, 2016.

TOWN OF JACKSON

BY: _____
Sara Flitner, Mayor

ATTEST:

BY: _____
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 _____, 2016.

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

Town Clerk

ORDINANCE N

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 5.3.1.A.1, 5.5.3, 5.5.4, 5.6.1 AND 5.8.1.A OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING PHYSICAL DEVELOPMENT STANDARDS 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 5.3.1.A.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Div. 5.3. Scenic Standards

The purpose of this Division is to maintain the scenic resources of the community. Scenic resources, natural landforms, and dark skies are vital to the community’s natural character. Mountains moraines, meadows, and other natural viewsheds provide residents and guests with a constant reminder of their location within the Greater Yellowstone Ecosystem. Interruption of these natural forms by the built environment detracts from Teton County’s scenic character and should be avoided.

5.3.1. Exterior Lighting Standards (D2 effective date)

The purpose of this Section is to allow necessary and reasonable lighting of public and private property for the safety, security, and convenience of occupants and the general public, while eliminating or reducing the nuisance and hazards of excessive light and glare.

A. Standards

Exterior lighting shall meet the below standards.

- 1. Total Cut-off Luminaires and Fixtures.** Luminaires and other light fixtures shall have a total cut-off of light at an angle less than 90 degrees and shall be located so that the bare light bulb, lamp, or light source is completely shielded from direct view from a vantage point 5 feet above the ground at the perimeter of the lighted area. The light, furthermore, shall be contained entirely on-site. The maximum permitted illumination and mounting height of the luminaire or fixture shall be as set forth below. The standards of this Section are not meant to prohibit the use of decorative antique, or “period” light fixtures, ground lighting, or bollord lighting, provided that the light source is diffused by a frosted lens or globe, or is otherwise filtered, shielded, or screened.

Maximum Luminaire Illumination and Height (Cut-Off Less Than 90°)		
Use and Zone	Max. Illumination (in footcandles)	Max. Height
Any use in the DC, CR-1, CR-2, and OR	1.5	18 ft
Residential uses in the S, AR-ToJ, AC-ToJ, UC and UR zones	1.0	15 ft
Residential use in all other zones and in NRO	0.5	15 ft
Nonresidential uses in R, S, and RB zones, and NRO	1.0	18 ft
Nonresidential uses BP-ToJ	2.0	18 ft
Nonresidential uses in all other zones	1.5	18 ft

- 2. Flag Poles.** Flagpole lighting is permitted for United States and State of Wyoming flags only, provided the flagpole is ground mounted and does not exceed the maximum height for a structure in the zone in which the flagpole is located, and

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Sections 5.5.3 and 5.5.4 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

4. **Planting Plan.** The planting plan shall indicate the location of all proposed landscaping and existing landscaping that is proposed for credit.
5. **Irrigation Statement.** An irrigation statement describing how plant material will be irrigated for a minimum 2 year period or until plant establishment.
6. **Erosion Control.** A description of how erosion is to be controlled on-site, both permanently and during construction.
7. **Cost Estimates.** Cost estimates to implement the landscape plan.

5.5.3. Required Plant Units (D2 effective date)

A. General

1. **Sum of All Requirements.** The plant units required shall be the sum of all of the plant units prescribed by the standards of this Section.

EXAMPLE: A nonresidential development with a parking lot shall provide the plant units required for the nonresidential development and the plant units required for the parking lot.

2. **Measurement.** One plant unit shall be the minimum amount provided by any development; fractional plant units of one-half or more shall be treated as a requirement of one plant unit.
3. **Credit for Existing Vegetation.** Retention of existing vegetation is encouraged. Any retained existing plant material which satisfies, or with 5 years of growth would satisfy, the required plant units shall be counted towards satisfying the required plant units.

B. Requirements

Except as specified below, plant units shall be provided at a rate of one plant unit per 1,000 square feet of required landscaped surface area.

1. **Nonresidential in the R-ToJ.** Nonresidential development in the R-ToJ zone shall be provided at a rate of one plant unit per 1,000 square feet of gross floor area.
2. **Residential in Legacy Zones.** All new residential development in a Legacy Zone (Div. 2.3 & Div. 3.3) shall provide one plant unit per dwelling unit.
3. **Location of Plant Units in Single-Family Subdivisions.** For residential development within single-family subdivisions, the landscaping required per dwelling unit shall be located on each lot of record.

C. Parking Lot Requirements

1. **General.** All parking lots shall comply with the plant unit requirements below.

Required Plant Units per Parking Space by Use and Zone				
Zone	Use			
	Agriculture	Residential	Institutional	All Other Uses
R	0	--	--	1 per 8 spaces
S	--	1 per 12 spaces	--	1 per 8 spaces
MHP-ToJ	--	--	--	1 per 8 spaces
AR-ToJ	--	1 per 12 spaces	1 per 12 spaces	1 per 8 spaces
AC-ToJ	--	--	1 per 12 spaces	1 per 8 spaces
BP-ToJ	--	--	--	1 per 16 spaces
UC	--	--	--	1 per 12 spaces
UR	--	--	--	1 per 12 spaces
TS	--	--	--	0
BC-ToJ	--	--	--	1 per 12 spaces
NC-ToJ	--	--	--	1 per 8 spaces
RB	--	--	--	1 per 8 spaces
DC	--	--	--	0
CR-1	--	--	--	1 per 12 spaces
CR-2	--	--	--	1 per 12 spaces
OR	--	--	--	1 per 12 spaces
P/SP-ToJ	--	--	--	1 per 8 spaces

2. **Existing Trees Can Be Counted.** Existing trees that can be preserved by leaving the area under their canopy substantially undisturbed shall count towards the plant unit requirement for parking lots.
3. **Landscape Objectives.** The primary objectives of parking lot plant units shall be:
 - a. To avoid large, unbroken expanses of asphalt;
 - b. To screen or soften parked vehicles as viewed from off site;
 - c. To provide attractive, pleasing streetscapes; and
 - d. To better define and organize vehicular and pedestrian spaces.

D. Loading Area Requirement

Except in the UC, DC, CR-1, CR-2, and OR zones, two plant units per loading bay shall be provided.

E. Standard Plant Unit

This Section describes a standard landscaping element called a “plant unit.” It serves as a basic measure of plant material.

1. **Standard Plant Units.** Three standard plant unit alternatives are identified in the table below. Any one or a combination of the alternatives may be used. Some of the alternatives, however, may be required upon review of the proposed landscape plan.

EXAMPLE: Where year-round screening is needed, Alternative C may be required. Plant sizes given are minimums. All plant units shall be in scale with the development proposed, and shall be of adequate installed size to clearly achieve the purpose of the required plant units (e.g. screening, buffering, softening of structural mass, community character enhancement).

Standard Plant Unit Alternatives	
Alternative	Quantity, Size & Type of Plants Required
A	1 3" caliper canopy tree
	6 6' – 8' large shrubs or multi-stem trees
	4 #5 container shrubs
B	2 3" caliper canopy trees
	2 6' – 8' large shrubs or multi-stem trees
	3 8' high evergreen trees
C (preferred for year-round screening)	3 6' – 8' large shrub or multi-stem trees
	3 8' high evergreen trees
	2 #5 container shrubs

2. **Plant Guidelines.** The following plant types are provided as guidelines:
 - a. 3-Inch Caliper Canopy Tree - Cottonwood or Aspen.
 - b. 6 to 8-Foot Large Shrub or Multi-Stem Trees - Chokecherry or Amur Maple.
 - c. #5 Container Shrub - Dogwood or Willow.
 - d. 8-Foot Evergreen - Spruce.
3. **Alternative to Standard Plant Units.** The Planning Director may relieve an applicant from the standard plant units pursuant to Sec. 8.8.1, if it can be demonstrated that:
 - a. The design intent of the proposed project is compromised by the use of the standard plant units; and
 - b. The alternative proposed meets the objectives of softening and integrating the project into the existing landscape.

5.5.4. General Landscaping Standards (D2 effective date)

4. **Substitutions for Standard Plant Units.** The following substitutions in plant units may be made where it is demonstrated that the substitution achieves the objectives of the standard plant unit for which it is being substituted; or the objectives of the requirement are achieved but additional plant units are required.
 - a. **Movable Planters.** Ten square feet of permanent or movable planters containing flowers, flowering shrubs or similar vegetation may be substituted for 4 – #5 container shrubs. Notwithstanding, moveable planters shall not be substituted for required landscaping in parking lots.
 - b. **Bench.** One bench seating at least 2 people, or a similar seating arrangement, may be substituted for 1 canopy tree.
 - c. **Bike Rack.** One bike rack designed to accommodate at least 6 bikes may be substituted for one canopy tree.
 - d. **Public Art.** Public Art integrated as a functional architectural feature or as a stand-alone installation may be substituted as an alternative to plant units. Public art shall be accessible to the public.

5.5.4. General Landscaping Standards (D2 effective date)

A. Vegetation Required

All landscaped areas proposed for vegetation shall be planted with lawn, pasture, or native groundcover unless such vegetation is already fully established. Once landscaped, landscape areas shall be maintained to support plant life.

B. Plant Materials

1. **Approved Plant Material.** Plant material shall not be invasive as designated by the noxious weeds and pests list maintained by the Teton County Weed and Pest Control District and shall not be a noxious weed that appears on the designated list under the Wyoming Weed and Pest Control Act of 1973.
2. **Native Vegetation.** All plant material should be native vegetation, which duplicates adjacent plant communities both in species composition and spatial distribution patterns.

EXAMPLE: Landscaping placed on a hillside or slope should consist of plant material that is typically found on a similar hillside or slope. Similarly, landscaping plant material placed in a floodplain or drainageway should be native vegetation that is generally found in a similar floodplain or drainageway. Further, the use of native vegetation should acknowledge the relative attractiveness of certain plant species to wildlife. Responsive planting designs should therefore position plants, which are palatable to wildlife in areas where browsing damage will not affect the screening or ornamental qualities of the planting plan.

C. Removal of Existing Vegetation Prohibited

Removal of specimen trees of 3 inch caliper or greater, and removal of shrub stands and rows with an average height of 3 feet or greater is prohibited in the DC, CR-1, CR-2, OR, UC, AC-ToJ, PRD, MHP-ToJ, RB, and BP-ToJ zones except in accordance with an approved landscape plan. Removal of dead, diseased, or damaged trees and shrubs which are a potential hazard to life and property may be approved by the Planning Director. In addition, vegetation may be removed to meet fuel reduction mitigation measures required by the Fire Marshal.

D. Use of Landscaped Areas

No portion of a site required to be landscaped shall be used for the parking of vehicles or for open storage of any kind.

E. Open Space Standards

All areas of required open space that are presently covered with natural vegetation and are to remain undisturbed shall not be required to be landscaped. Areas of open space that have been disturbed, except those to be used as sports fields and other areas that are to be paved, must be restored to prior conditions, as much as feasible. In addition, adequate ground cover shall be provided so that no landscaped ground areas are exposed to erosion. Noxious weeds appearing on the designated list under the Wyoming Weed and Pest Control Act of 1973 shall be controlled.

F. Landscaping in Public Rights-of-Way

In addition to required landscaping on private property, the property owner shall be responsible for the provision and maintenance of landscaping in accordance with the requirements of this Section for that area between the property line and the back of curb or the edge of the traveled way of any public street, alley or other public way, in a manner which provides consistency of landscaping and maintenance between the public properties to be landscaped and maintained and the adjacent private property. When such property lies within the right-of-way of a street or highway maintained by the Wyoming Department of Transportation (WYDOT), a landscape permit from WYDOT must be obtained.

5.5.5. Installation and Maintenance (1/1/15, Ord. 1074)

A. Irrigation

Landscape surface areas and plant units that cannot naturally be provided with adequate moisture for the types of plants installed shall be equipped with an irrigation system.

B. Phasing

Landscape plans and the installation of required plant materials may be phased consistent with the development phasing approved for a project.

SECTION III.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 5.6.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Div. 5.6. Sign Standards

5.6.1. Town Sign Standards (D2 effective date)

A. Purpose

The purpose of this Division is to afford the business and residential community equal and fair opportunity to advertise and promote its products and services without discrimination; to protect and enhance the community character and visual environment; to preserve the right of the citizens to enjoy our Town's scenic beauty; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations.

B. Applicability

1. **Permit Required.** The provisions of this Section shall apply to all signs located within the Town boundaries, except as specified in these LDRs. No sign shall be erected, altered, or relocated without prior authorization pursuant to this Section.
2. **Administrative Adjustment.** The administrative adjustment procedure is intended to allow for flexibility in the regulations when a standard is inapplicable or inappropriate to a specific use or design. The Planning Director shall have the authority to approve or deny administrative adjustment requests for the standards within this Section pursuant to the procedures of Sec. 8.8.1.
3. **Maintenance and Repainting Exempt.** The repainting, changing of parts, and maintenance of legally conforming signs shall not require a permit, provided that the changes do not enlarge or change the sign significantly.
4. **Exempt Signs.** The following signs shall be exempt from the provisions of this Section, provided that they satisfy the requirements set forth below.
 - a. **Traffic Signs.** All signs erected in a public right-of-way by a public agency or on a private road right-of-way for controlling or directing traffic.
 - b. **Political Signs.** Political signs pertaining to a specific election, which are displayed not earlier than 30 days prior to the primary election and are then removed by the candidate or property owner who placed the sign within 5 days after the general election; if there is no primary election, the sign shall be erected not earlier than 30 days prior to the general election, and the sign shall be removed 5 days after the general election. All signs shall be located on private property and shall not impede the public right-of-way.
 - c. **Flags.** Official, State, and Nation flags shall be permitted. Corporate flags are permitted and shall be limited to one flag 15 square feet in size, which shall not be deducted from the total signage permitted. Flagpoles are permitted provided that a building permit is obtained and that the height of the pole does not exceed the maximum height for structures within the zone that the property is located.

5.6.1. Town Sign Standards (D2 effective date)

- d. **Property Notification Signs.** Private warning signs and for sale or for rent signs are permitted, provided that they do not exceed 4 square feet per side, for a total of 8 square feet.
- e. **Street Numbers.** Numbers placed on a structure for purposes of identifying the address or the location.
- f. **Vehicular Signs.** All signs placed in or upon a vehicle or trailer, including mass transit vehicles.
- g. **Construction Signs.** Construction signs for buildings or projects, naming owners, contractors, subcontractors and architects shall be permitted, provided that they do not exceed one sign of 35 square feet for each street frontage of the building or project.
- h. **Town, State, or National Historical Signs.** Those buildings designated by the Town Council, the State of Wyoming, or the United States as having historical significance to the community are permitted one historical plaque per street frontage.
- i. **Informational Signs.** An on-premise sign designed to provide courtesy information or direction to the public by using such words as “entrance”, “exit”, “parking”, “drive-up”, “restrooms”, “parking”, or similar directional instruction, but not including any advertising of the business. The directional signs shall not exceed 6 square feet in area. The maximum height should be 4 feet unless attached to an existing freestanding sign.

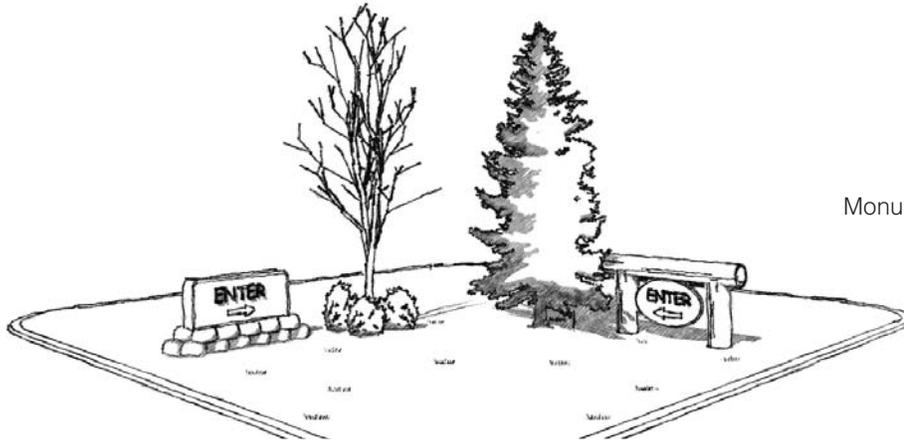
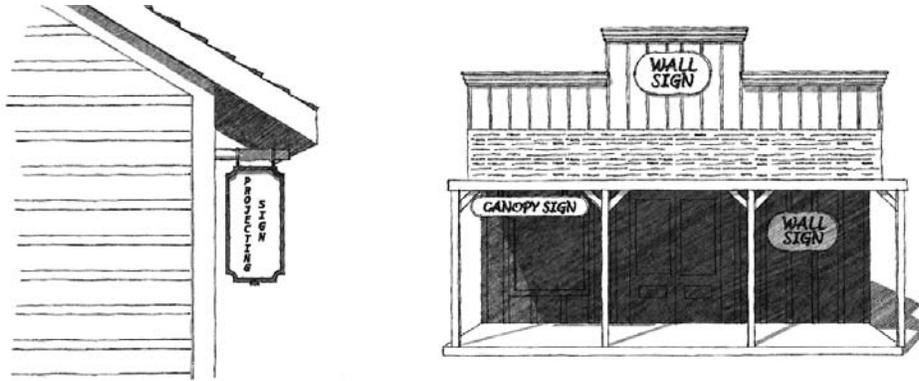
C. Allowable Signage

- 1. **Allowable Signage by Sign District.** For the purpose of determining allowable sizes, numbers, materials, placement, and other requirements for restrictions on signs as set forth in this Section, the Town sign districts are described below.
 - a. **Town Square Sign District**
 - i. **Town Square Sign District Boundary.** The Town Square Sign District is coincident with the Town Square zone.
 - ii. **Permitted Amount of Signage**
 - a). Two and one-half square feet of sign area for each lineal foot of street facade width up to a maximum of 125 square feet of total sign area is permitted, unless adjusted as hereinafter provided.
 - b). Two signs are permitted for each business per each street frontage.
 - iii. **Permitted Sign Types.** Canopy, projecting, and wall signs. Freestanding signs that are used as directories for more than 3 businesses within a structure that do not have a street frontage are permitted.

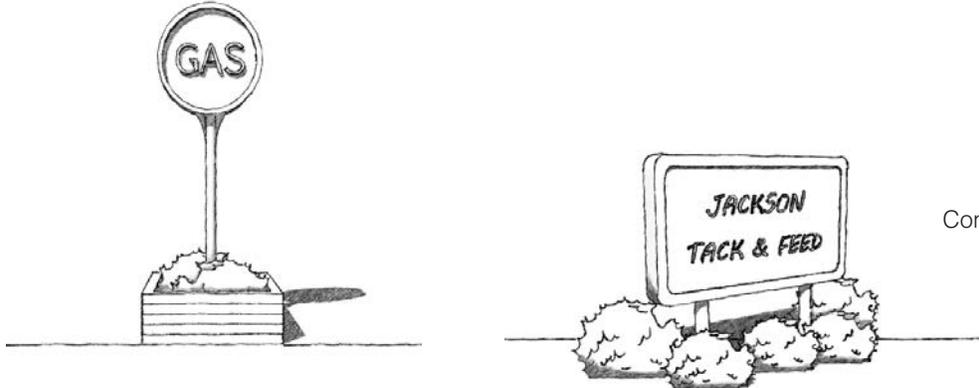
- iv. **Prohibited Signs.** In addition to the prohibited signs list in 5.6.1.D. single-tenant freestanding signs are prohibited in the Town Square Sign District.
- b. **General Sign District**
 - i. **General Sign District Boundary.** The general sign district is comprised of all property within the Town that is not in the Town Square Sign District.
 - ii. **Permitted Amount of Signage**
 - a). 3 square feet of sign area for each lineal foot of street facade width up to a maximum of 150 square feet of total sign area is permitted, unless adjusted as hereinafter provided.
 - b). 3 signs are permitted for each business per each street frontage.
 - c). For each projecting or freestanding sign approved a 10% penalty per sign shall accrue.
 - iii. **Permitted Sign Types.** Canopy, wall, freestanding, and projecting signs.
- 2. **Multiple Tenant Sign Area Adjustments.** To allow and encourage certain types of signs, as well as to provide adequate advertising for multiple tenant and mixed use structures.
 - a. For buildings containing 3 or more tenants, the maximum total square footage allowable for all signs may be increased by 25% for each additional tenant or business up to an increase of 150% of total sign area.
 - b. Preliminary Master Sign Plans depicting the size and proposed location(s) of all signs for any structure with 3 or more tenants are encouraged to be submitted with development plan applications.
 - 3. **Window Signs.** Signs displayed on the inside or outside of windows in buildings are permitted, provided that they comply with the following standards. For the purposes of this Section, window displays, such as clothing, merchandise and real estate photographs, shall be exempt, provided that they are displayed inside the window.
 - a. Window signs shall not count toward the total allowable signage for a structure, provided that the signage does not advertise the business name or logo. Window signs that advertise the business name shall be counted toward the total signage for the business.
 - b. Window signage may occupy no more than 25% of the area of the entire window surface in which it is displayed. In no event shall window signage exceed 16 square feet in any window surface.
 - c. Prohibited features of window signs shall include profanity, flashing lights, rotating beacons, scrolling pictures, and electronic or mechanical features. Sexually explicit nudity is expressly prohibited within windows.

4. Temporary Signs - Permitted Uses

- a. Temporary banners advertising grand openings on a one-time basis, provided that a sign permit is obtained. The banner may be placed on the structure for no more than 2 weeks and shall be wholly contained on private property.
- b. Temporary banners, sandwich boards, and A-frame signs for privately sponsored outdoor expositions, provided that an outdoor exposition license and a sign permit are obtained. A maximum of 2 banners shall be permitted, and the banner(s) shall be displayed on the starting day of the event and shall be removed on the last day of the event. All approved banners shall be contained on private property and shall not impede the public right-of-way. Party type balloons shall be permitted in order to attract attention to the outdoor exposition, provided that they are maintained on the subject property and are removed immediately following the close of the event.
- c. Temporary banners, sandwich boards, and A-frame signs sponsored by profit and nonprofit groups, organizations and associations, provided that a special event license and a sign permit are obtained. A maximum of 4 temporary signs are permitted, and the signage shall be displayed on the starting day of the event and shall be removed on the last day of the event. For events that are sponsored by non-profit groups, proof of Tax Exempt status must be provided or a copy of the Business License submitted with the sign permit application. Off-site banners are permitted with written consent from the property owner(s). Banners shall not impede the public right-of-way. Party type balloons shall be permitted in order to attract attention to the special event, provided that they are maintained on the subject property and are removed immediately following the close of the event.
- d. Town Council approval shall be required for temporary signs used for events not requiring a Special Event License or Exposition License.
- e. Temporary uses shall be permitted one 16 square foot sign, provided that it is maintained on private property and is removed immediately following the close of the temporary use.
- f. For special events for non-profit groups, organizations, and associations, a sign permit may be obtained to utilize the light pole banners located along West Broadway Avenue and North Cache Drive. These banners shall not contain any commercial advertisements or sponsors. The Jackson Hole Chamber of Commerce shall review and approve all light pole banners prior to installation.
- g. Community signboards for the display of special events signage shall be approved by the Town Council. Display standards and locations for said signs shall be provided for review and approval by the Town Council.

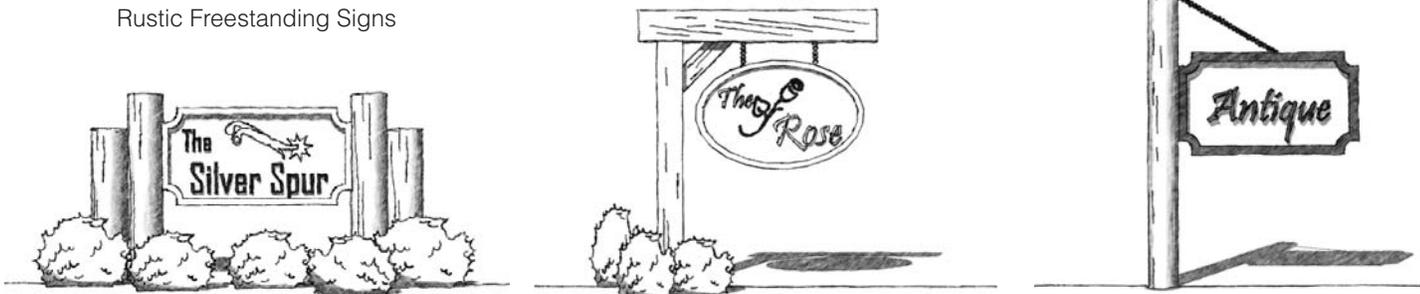


Monument and Entry Signs



Conventional Freestanding Signs

Rustic Freestanding Signs



5. Exceptions to Prohibited Signs

- a. **Electrical and Changing Signs.** Signs denoting the correct time and temperature for the convenience of the public shall be permitted and shall not include more information than that stated above and the name of the business in ownership of the sign. Said sign shall not exceed 12 square feet for a single-sided sign and 24 square feet for a double-sided sign. The size of the sign shall be deducted from the allotted signage permitted for the business.
- b. **Neon Signs.** Vacancy and No Vacancy signs and Open and Closed signs shall be permitted, provided that the proposed sign does not exceed 10 square feet in size.
- c. **Readerboard Signs**
 - i. Readerboards for movie theaters, playhouses, theaters, and restaurants and bars with changing entertainment shall be permitted, provided that they are manually changed only. These signs shall conform to the design, material and freestanding sign standards set forth in this Division and shall not be internally lighted. A signage area increase of 50% shall be permitted for entertainment businesses requiring a readerboard.
 - ii. Readerboards for churches indicating the times of services, the clergy, quotes of scripture and special events are permitted, provided that they are manually changed only. These signs shall conform to the design, material and freestanding sign standards set forth in this Division and shall not be internally lighted.
 - iii. Gasoline service stations are permitted a maximum of 2 readerboard signs for the purposes of displaying fuel prices, provided that they are manually changed only. These signs shall conform to the design and material standards set forth in this Division and shall not be internally lighted. Fuel prices shall not be changed more than 1 time per day.
- d. **Barbershop Poles.** Barbershop poles with rotating stripes and internal lighting shall be permitted for traditional barbershops only (those businesses offering haircutting services without salons or spas), provided that the pole does not exceed 4 feet in height and 1 foot in width. The pole shall only be lighted and rotating during business hours and shall be attached to the structure in which the business is located.
- e. **Directional Signs.** An off-premise sign identifying and containing directional information to public places owned or operated by federal, state, or local governments or one of their agencies; or an off-premises sign identifying and containing directional information to sites, which the Town Council has determined to have a historic, cultural, educational, scientific, and religious significance to the community and visitors, and which are difficult to locate without such a sign. Information on directional signs shall be limited to the

name of the site, directional arrow, and mileage to the site. Signs shall not exceed 6 square feet in area. The maximum height of the sign shall be the same as freestanding signs in the zone in which the sign is located.

D. Prohibited Signs

The following shall be prohibited in all sign districts unless explicitly allowed above.

1. **Rotating Beacon Lights.** Rotating lights attached to any sign structure, sign, or building.
2. **Moving Signs.** Flashing, blinking, fluttering, undulating, swinging (non canopy signs), rotating, or otherwise moving signs, pennants, balloons, holograms, light beams, or other free flowing decorations.
3. **Temporary Signs.** Banners, banner signs, portable signs or any device which can be classified as a portable sign, including, but not limited to: Signs with wheels that can be rolled onto the sidewalk or street right-of-way, signs supported by an A-frame apparatus, signs supported by a heavy weight at the base, that can be rolled into place, or any other device in the form of a sign that is of a temporary nature and not permanently affixed to a building or sign structure. Refer to Section 4670.I. Temporary Signs-Permitted Uses for exceptions.
4. **Off-Premises Signs.** Signs for advertising or identification of a business not located on the same premises as the sign. For the purposes of this definition, this shall include the outdoor display of items, which are not for sale within the business.
5. **Neon Signs or Valances.** Any neon sign located on the outside of a building or attached to a sign structure.
6. **Readerboard or Changeable-Copy Signs.**
7. **Roof Signs.** Any sign placed or painted upon or above the roof or parapet wall of a structure.
8. Profane Language on Signs.
9. Sexually Explicit Nudity on Signs.

E. Sign Materials and Design

1. **Materials.** Signs may be constructed of, but not limited to painted, stained or carved wood; brick or stone; glass; high density urethane foam; gold leaf and silver leaf; metal, which is painted, rusted, or anodized, rust resistant, or otherwise treated to prevent reflective glare. Prohibited materials include: plexiglass, polymers, plastics, acrylic, lexan, and flex face, with the exception of those used for letters, as defined in E.6.
 - a. Background colors may include any color, with the exception of white or yellow, fluorescents, and certain tints of said colors. A complete color palette is available in the Town Planning Department, and paint samples

5.6.1. Town Sign Standards (D2 effective date)

are required with the application submittal for all tints of white and yellow for proposed backgrounds of signs. For the purposes of this Section, a background shall include any part of a building altered or painted for the purposes of displaying a sign.

- b. White and yellow letters and/or graphics are permitted on a sign, provided that they do not exceed 50% of the entire face of the sign.
- c. Readerboard signs shall be permitted to have a white background for the copy portion of the sign only.

2. Measurement Standards for Signs

- a. All signs shall be measured by the outer portion of the sign and shall include any designs, logos, and pictures.
- b. The square footage of each side of projecting, canopy, and freestanding signs shall be counted toward the total square footage of signage permitted for the business.
- c. For signs that consist of letters or pictures placed directly upon a building, a box shall be drawn around all letters, designs, logos, and pictures for measurement purposes. No more than 4 boxes may define a sign area. All letters contained within each word on a sign shall be measured by 1 box drawn around the entire word.

3. Support Structures. Exposed metal support structures for signs shall be faced or covered with wood or stone or shall consist of wrought iron or other decorative or artistic metal, which shall be reviewed and approved by the Planning Director. Metal connecting devices, such as straps, chains, bolts, eyebolts, sleeves or collars used for connecting the sign to the sign structure or building are permitted and shall not be considered a support structure.

4. Display Standards. The display of all signs regulated by this Division shall conform to the standards set forth in this Section.

- a. Signs shall not resemble, imitate, or approximate the shape, size, form, or color of traffic signs, signals, or other devices for traffic control. Signs shall not obstruct or interfere with the effectiveness of traffic signs, signals or devices, nor shall they be lighted in a way, as to cause glare or impair driver visibility upon roads.
- b. Signs shall not be erected, relocated, or maintained in such a way that prevents free ingress or egress from any door, window, or fire escape.
- c. Signs shall not be mounted on permanent natural feature on the site, with the exception of imported rocks and stone. No natural feature shall be defaced for the purpose of displaying a sign. Rocks and stones imported to the site may be engraved with signage.

- d. Signs shall not be located in such a way as to impede clear sight distance or located in such a way as to obstruct devices and signs that control traffic. Signs that impede the clear sight distance or obstruct traffic control devices will be removed by the Town of Jackson and/or the Wyoming Department of Transportation.
- e. Signs shall not be permitted within the public right-of-way, and will be removed by the Town of Jackson and/or the Wyoming Department of Transportation.

5. Height and Clearance

- a. Projecting signs are permitted no higher than 24 feet above grade on any structure.
- b. The clearance of a projecting, canopy, or roof sign shall be a minimum of 7.5 feet from the average grade. Canopy and projecting sign clearance shall be measured from the top of the sidewalk to the bottom of the sign.
- c. No projecting sign or canopy sign shall extend from a building to a point beyond 18 inches from the back of the adjacent curb.

6. Sign Lighting. The following section describes the types of lighting and the criteria for lighting signs within the Town.

- a. **Exterior Lighting.** Exterior lighting may be permitted, provided that the following criteria is satisfied:
 - i. Lights shall be designed, located, shielded and directed in such a manner that the light source is fixed and is not directly visible from, and does not cast glare or direct light upon any adjacent public right-of-way, surrounding property, residential property or motorist's vision.
 - ii. At the Planning Director's discretion, any proposed external lighting application may be required to submit professional Engineering and/or Architect plans and photometric maps depicting the types of lighting to be used.
 - iii. All signs containing electrical wiring shall be subject to the provisions of the Electrical Code in place at that time and the electrical components shall bear the label of an approved testing agency. Said wiring components shall be submitted to the Electrical Inspector for review and approval.
- b. **Internally Lighted.** Internal lighting may be permitted, provided that the following criteria are satisfied:
 - i. The total surface area of the sign that emits lighting shall not exceed 15% of the overall surface of the sign. A two-sided freestanding sign shall be permitted 30% of total surface area of both sides of the sign.

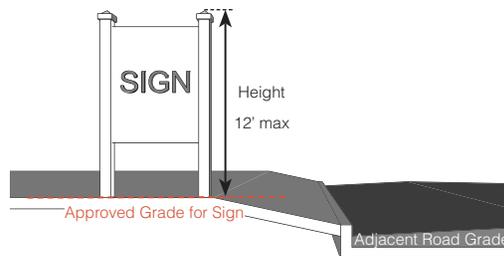
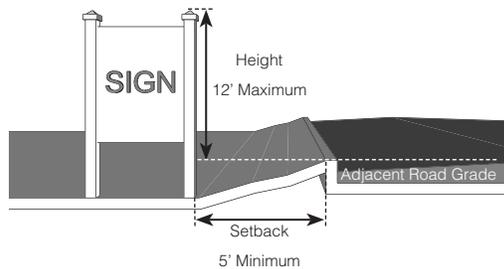
5.6.1. Town Sign Standards (D2 effective date)

- ii. Plastics, polymers, acrylics, and like materials may be used for letters, with the exception of white plastics, provided that the plastic exceeds no more than 15% of the total surface area of the sign or 30% of a 2 sided sign.
 - iii. The proposed light source shall not be visible from the exterior of the sign, which shall include the back, edges, and sides.
 - iv. Florescent and/or neon lighting is not permitted as a source of internal lighting.
 - v. Any proposed internally lighted sign application shall submit professional Engineering and/or Architect plans and photometric maps depicting the types of lighting to be used. The percentage of lighting, not to exceed 15%, shall be depicted on the plans.
 - vi. All signs containing electrical wiring shall be subject to the provisions of the Electrical Code in place at that time and the electrical components shall bear the label of an approved testing agency. Said wiring components shall be submitted to the Electrical Inspector for review and approval.
- c. **Backlit Signs.** Backlit signs may be permitted, provided that the following criteria are satisfied:
- i. Signs shall be lighted from a source mounted on the wall behind the proposed sign and shall not be visible through the sign. Lighting shall be visible only along the edges of the sign and light shall not extend more than 3 inches beyond the sign edges.
 - ii. Florescent and/or neon lighting is not permitted as a source for backlighting.
 - iii. Plastics, polymers, acrylics, and like materials may be used for letters, with the exception of white plastics, provided that the plastic exceeds no more than 15% of the total surface area of the sign or 30% of a 2 sided sign.
 - iv. Any proposed backlit sign application shall submit professional Engineering and/or Architect plans and photometric maps depicting the types of lighting to be used.
 - v. All signs containing electrical wiring shall be subject to the provisions of the Electrical Code in place at that time and the electrical components shall bear the label of an approved testing agency. Said wiring components shall be submitted to the Electrical Inspector for review and approval.

7. Freestanding Signs

a. Height

- i. Permitted freestanding signs and support structures within the Town Square Sign District and DC, CR-1, CR-2, OR, UC, AC-ToJ/LO, BC-ToJ, RB, UR, AR-ToJ, S-ToJ, and NC-ToJ zones in the General Sign District and shall not exceed 6 feet in height.
- ii. Permitted freestanding signs and support structures within the AC-ToJ, BP-ToJ, and R-ToJ zones in the General Sign District shall not exceed 12 feet in height.
- iii. Sign heights for freestanding signs including support structures and any decorative extensions above the sign shall be measured from the adjacent road grade to the top of the sign including support structures. If the adjacent road grade is lower than the proposed freestanding sign, the sign shall be measured from the approved grade at the base of the proposed sign to the top of the sign including support structures.



5.6.1. Town Sign Standards (D2 effective date)

b. Setbacks

- i. Permitted freestanding signs within the Town Square Sign District shall meet the minimum structure setbacks required for the zone or established in an approved development plan.
 - ii. Freestanding signs in the General Sign District shall be set back a minimum of 5 feet from the property line, provided that no utilities exist under the proposed sign location.
- c. Incorporated with Landscaping.** Where applicable, signs shall be incorporated into proposed landscape plans for approved developments and shall be reviewed in conjunction with the development plan.
- d. Architecturally Integrated.** Signs shall be architecturally integrated with the structure by including materials, shapes, and/or colors utilized in the building design.

F. Sign Construction Standards

Signs and sign structures shall be designed and constructed to resist wind and seismic force, as specified in the Building Division in place at that time. All freestanding signs shall be reviewed by the Planning and Building Department and the Public Works Department and may require a Building Permit. If there is any indication that the proposed sign or sign structure does not comply with the wind, seismic loads, or stresses, a Wyoming registered engineer's certification on the sign's structural plans shall be required.

G. Maintenance and Repair

- 1. Every sign, including, but not limited to, those signs for which permits are required or for which no permits or permit fees are required, shall be maintained in a safe, presentable and good structural condition at all times. This shall include the repair or replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of the sign.
- 2. The Planning Department shall require compliance with all standards of this Division. If the sign is not made to comply with adequate safety and maintenance standards, the Planning Director shall require its removal in accordance with this Division.

H. Removal and Disposition of Signs

- 1. **Abandoned Signs.** Any sign that is located on property that becomes vacant and unoccupied for a period of three months or more, or any sign that pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. The owner of the premises on which the sign is located shall remove abandoned signs.
- 2. **Dangerous or Defective Signs.** No persons shall maintain or be permitted to maintain a sign that is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the premises or the owner of the sign.

Upon failure of the owners to remove or repair a dangerous or defective sign, the Planning Department, in conjunction with the Police Department, shall issue a citation and/or applicable fines for the removal of said sign.

3. **Removal of Signs.** The Planning Director shall have the authority to remove any sign that endangers the public safety and welfare of the community, in ill repair, or that has not been issued a sign permit.
4. **Cost of Removal.** Any sign removed by the Planning Director pursuant to the provisions of this Section shall become the property of the Town and may be disposed of in any manner deemed appropriate. The owner shall pay any and all costs associated with the removal. If the cost is not paid within a reasonable time, the unpaid balance shall be considered a lien against the property. The cost of removal shall include any and all incidental expenses incurred in connection with the removal of the sign.

5.6.2. County Sign Standards (1/1/15, Ord. 1074)

[Section number reserved, standards only apply in County]

SECTION IV.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 5.8.1.A of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Div. 5.8. Design Guidelines

5.8.1. Applicability (D2 effective date)

A. General

The following applications shall be required to complete design review based upon criteria established in the Town's Design Guidelines prior to the issuance of a building permit or development plan, as established in [Div. 8.3](#).

1. All applications for nonresidential development and redevelopment within the Town.
2. All applications within the DC, CR-1, CR-2, and OR zones.

B. Zone-Specific Applicability

In certain zones only portions of the Town's Design Guidelines apply. The zone-specific applicability of the design guidelines is established in [Article 2.-Article 4](#).

C. Planning Director Exemption

The Planning Director may exempt certain building additions and exterior modifications to existing buildings that require only a building permit approval, provided that the modifications do not expand the floor area of the building by more than 20% and such additions and modifications are consistent with the materials and architecture of the existing structure.

5.8.2. Design Guidelines (1/1/15, Ord. 1074)

The Town's Design Guidelines are established and adopted pursuant to Resolution No. 04-02 and are available in the office of the Planning Department or on the Town's website: www.townofjackson.com.

5.8.3. Design Review Committee (1/1/15, Ord. 1074)

Procedures and requirements for conduct of the Town's Design Review Committee are established in [Article 8](#).

SECTION V.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 VII.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2016.
PASSED 2ND READING THE ____ DAY OF _____, 2016.
PASSED AND APPROVED THE ____ DAY OF _____, 2016.

TOWN OF JACKSON

BY: _____
Sara Flitner, Mayor

ATTEST:

BY: _____
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 _____, 2016.

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

Town Clerk

ORDINANCE O

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 6.1.1, 6.1.4.H, 6.1.5.C, 6.1.6.E, 6.2.2.A, 6.2.6, 6.3.1.D AND 6.4.3.A OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING USE STANDARDS APPLICABLE IN ALL ZONES 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 Sections 6.1.1, 6.1.4.H, 6.1.5.C and 6.1.6.E of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Div. 6.1. Allowed Uses

6.1.1. Use Schedule (D2 effective date)

The Use Schedule establishes the principal, accessory, and temporary uses allowed in each zone. The definitions and standards for each use are established in Sec. 6.1.2.-Sec. 6.1.12. and referenced in the table. Additional uses may be allowed in a zone as part of an allowed development option as specified in Div. 7.1. The permit required for each allowed use is designated using the following symbols.

- A. “Y” denotes an allowed use that does not require a use permit. Physical development permits are still required as applicable.
- B. “B” denotes an allowed use that requires a Basic Use Permit to be obtained pursuant to Sec. 8.4.1.
- C. “C” denotes an allowed use that requires a Conditional Use Permit to be obtained pursuant to Sec. 8.4.2. A conditional use is generally compatible with the character of a zone but requires individual review of its configuration, density, and intensity in order to mitigate effects that may be adverse to the desired character of the zone.
- D. “S” denotes an allowed use that requires a Special Use Permit to be obtained pursuant to Sec. 8.4.3. Special uses are inherently incompatible with the character of the zone, but essential to the community; and therefore some provision must be made for their existence and operation. Special uses require specified locations due to common neighborhood opposition. These locations shall be determined by a comprehensive community-wide selection process designed to identify locations that best serve the special use while minimizing the negative impacts and obtrusiveness. Special uses also require individual review of their configuration, density, and intensity in order to mitigate effects that are adverse to the desired character of the zone.

Town Character Zones						
USE CATEGORY	Complete Neighborhood Zones				Rural Area Zones	Def/ Stds
Specific Use	DC	CR-1	CR-2	OR	n/a	
Open Space						<u>6.1.2.</u>
Agriculture	--	--	--	--	--	<u>6.1.3.B.</u>
Downhill Ski Area	--	--	--	--	--	<u>6.1.3.C.</u>
Residential						<u>6.1.4.</u>
Detached Single-Family Unit	--	--	--	--	--	<u>6.1.4.B.</u>
Attached Single-Family Unit	B	B	B	B	--	<u>6.1.4.C.</u>
Apartment	B	B	B	B	--	<u>6.1.4.D.</u>
Mobile Home	--	--	--	--	--	<u>6.1.4.E.</u>
Dormitory	C	C	C	C	--	<u>6.1.4.F.</u>
Group Home	C	C	C	C	--	<u>6.1.4.G.</u>
Live/Work Unit	--	--	B	B	--	<u>6.1.4.H.</u>
Lodging						<u>6.1.5.</u>
Conventional Lodging	B(LO)	B(LO)	B(LO)	--	--	<u>6.1.5.B.</u>
Short-Term Rental Unit	B(LO)	B(LO)	B(LO)	--	--	<u>6.1.5.C.</u>
Commercial						<u>6.1.6.</u>
Office	B	B	B	B	--	<u>6.1.6.B.</u>
Retail	B	B	B	B	--	<u>6.1.6.C.</u>
Service	B	B	B	B	--	<u>6.1.6.D.</u>
Restaurant/Bar	B	B	B	--	--	<u>6.1.6.E.</u>
Heavy Retail/Service	--	--	--	--	--	<u>6.1.6.F.</u>
Mini-Storage Warehouse	--	--	--	--	--	<u>6.1.6.G.</u>
Nursery	--	--	--	--	--	<u>6.1.6.H.</u>
Amusement/Recreation						<u>6.1.7.</u>
Amusement	B	B	B	--	--	<u>6.1.7.B.</u>
Outdoor Recreation	--	--	--	--	--	<u>6.1.7.C.</u>
Developed Recreation	B	B	B	--	--	<u>6.1.7.D.</u>
Outfitter/Tour Operator	C	B	B	--	--	<u>6.1.7.E.</u>
Institutional						<u>6.1.8.</u>
Assembly	C	C	C	C	--	<u>6.1.8.B.</u>
Daycare/Education	B	B	B	B	--	<u>6.1.8.C.</u>

Y = Use allowed, no use permit required (LO) = Only allowed in Lodging Overlay -- = Use not allowed

B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required

6.1.1. Use Schedule (D2 effective date)

Town Character Zones						
USE CATEGORY	Complete Neighborhood Zones				Rural Area Zones	Def/ Stds
Specific Use	DC	CR-1	CR-2	OR	n/a	
Industrial						<u>6.1.9.</u>
Light Industry	--	--	--	--	--	<u>6.1.9.B.</u>
Heavy Industry	--	--	--	--	--	<u>6.1.9.C.</u>
Disposal	--	--	--	--	--	<u>6.1.9.D.</u>
Transportation/Infrastructure						<u>6.1.10.</u>
Parking	C	C	C	--	--	<u>6.1.10.B.</u>
Utility Facility	C	C	C	C	--	<u>6.1.10.C.</u>
Wireless Communication Facilities						<u>6.1.10.D.</u>
Minor	B	B	B	B	--	
Major	--	--	--	--	--	
Heliport	--	--	--	--	--	<u>6.1.10.E.</u>
Accessory Uses						<u>6.1.11.</u>
Accessory Residential Unit	B	B	B	B	--	<u>6.1.11.B.</u>
Bed and Breakfast	--	--	--	--	--	<u>6.1.11.C.</u>
Home Occupation	B	B	B	B	--	<u>6.1.11.D.</u>
Home Business	--	--	--	--	--	<u>6.1.11.E.</u>
Family Home Daycare	B	B	B	B	--	<u>6.1.11.F.</u>
Home Daycare Center	--	--	--	--	--	<u>6.1.11.G.</u>
Drive-In Facility	--	--	--	--	--	<u>6.1.11.H.</u>
Temporary Uses						<u>6.1.12.</u>
Christmas Tree Sales	Y	Y	Y	--	--	<u>6.1.12.B.</u>
Real Estate Sales Office	--	--	--	--	--	<u>6.1.12.C.</u>
Temporary Shelter	--	--	--	--	--	<u>6.1.12.D.</u>
Farm Stand	B	B	B	--	--	<u>6.1.12.E.</u>
Temp. Gravel Extraction and Processing	--	--	--	--	--	<u>6.1.12.F.</u>

Y = Use allowed, no use permit required (LO) = Only allowed in Lodging Overlay -- = Use not allowed

B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required

Town Legacy Zones																
USE CATEGORY	Complete Neighborhood Zones										Rural Area Zones	Civic Zones	Def/ Stds			
	TS	UC	UR	AC- ToJ	AR- ToJ	BP- ToJ	BP-R ToJ	BC- ToJ	RB ToJ	MHP- ToJ				NC- ToJ	NC-2 ToJ	S- ToJ
Specific Use																
Open Space																6.1.2.
Agriculture	--	--	--	--	B	--	--	C	--	--	B	B	B	B	Y	Y
Downhill Ski Area	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.3.B. 6.1.3.C.
Residential																6.1.4.
Detached Single-Family Unit	--	Y	Y	Y	Y	--	--	Y	Y	--	Y	Y	Y	Y	--	6.1.4.B.
Attached Single-Family Unit	--	B	B	B	--	B	--	--	B	--	--	B	--	--	--	6.1.4.C.
Apartment	--	B	B	B	B	--	B	--	B	--	B	--	B	--	--	6.1.4.D.
Mobile Home	--	--	--	--	--	--	--	--	--	B	--	--	--	--	--	6.1.4.E.
Dormitory	--	C	C	C	C	--	--	C	C	--	C	C	C	C	--	6.1.4.F.
Group Home	--	C	C	C	C	--	--	C	C	--	C	C	C	C	--	6.1.4.G.
Live/Work Unit	--	--	--	B	--	C	C	--	--	--	--	--	--	--	--	6.1.4.H.
Lodging																6.1.5.
Conventional Lodging																6.1.5.B.
Short-Term Rental Unit																6.1.5.C.
Commercial																6.1.6.
Office	B	B	--	B	B(OF)	C	--	C	B	--	--	--	--	--	C	6.1.6.B.
Retail	B	B	--	B	--	C	--	C	--	--	--	--	--	--	--	6.1.6.C.
Service	B	B	--	B	--	C	--	C	C	--	--	--	--	--	C	6.1.6.D.
Restaurant/Bar	B	B	--	B	--	C	--	C	--	--	--	--	--	--	--	6.1.6.E.
Heavy Retail/Service	--	--	--	C	--	B	B	C	C	--	--	--	--	--	C	6.1.6.F.
Mini-Storage Warehouse	--	--	--	C	--	B	B	C	C	--	--	--	--	--	C	6.1.6.G.
Nursery	--	--	--	B	--	C	C	C	--	--	--	--	--	C	--	6.1.6.H.

Key: Y = Use allowed without a permit B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required
 LO = Only allowed in Lodging Overlay Only OF = Only allowed in Office Overlay -- = Use not allowed

Town Legacy Zones																
USE CATEGORY	Complete Neighborhood Zones										Rural Area Zones	Civic Zones	Def/ Stds			
	TS	UC	UR	AC- ToJ	AR- ToJ	BP-R ToJ	BP- ToJ	BC- ToJ	RB ToJ	MHP- ToJ	NC- ToJ	NC-2 ToJ		S- ToJ	R- ToJ	P/SP- ToJ
Amusement/Recreation																
Amusement	C	C	--	B	--	--	--	--	--	--	--	--	--	--	--	6.1.7.
Outdoor Recreation	--	--	--	C	C	C	C	C	--	--	--	C	C	C	C	6.1.7.B.
Developed Recreation	--	B	--	B	--	C	C	C	--	--	--	--	--	--	C	6.1.7.C.
Outfitter/Tour Operator	--	C	--	C	--	C	C	C	--	--	--	--	--	--	--	6.1.7.D.
Institutional																
Assembly	--	C	C	C	C	C	C	C	C	--	--	C	C	C	--	6.1.8.
Daycare/Education	--	B	--	B	--	C	C	--	--	--	--	--	--	--	C	6.1.8.B.
Industrial																
Light Industry	--	--	--	C	--	B	B	C	C	--	--	--	--	--	C	6.1.8.C.
Heavy Industry	--	--	--	--	--	C	C	--	--	--	--	--	--	--	C	6.1.9.
Disposal	--	--	--	--	--	C	C	--	--	--	--	--	--	--	C	6.1.9.D.
Transportation/Infrastructure																
Parking	--	--	--	C	--	--	--	--	--	--	--	--	--	--	C	6.1.10.
Utility Facility	--	C	C	C	C	C	C	C	C	C	C	C	C	C	C	6.1.10.B.
Wireless Communication Facilities																
Minor	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	6.1.10.C.
Major	--	--	--	--	--	C	--	--	--	--	--	--	--	--	C	6.1.10.D.
Heliport	--	--	--	C	--	C	C	C	--	--	--	--	--	--	C	6.1.10.E.

Key: Y = Use allowed without a permit B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required
 LO = Only allowed in Lodging Overlay Only OF = Only allowed in Office Overlay -- = Use not allowed

Town Legacy Zones																	
USE CATEGORY	Complete Neighborhood Zones										Rural Area Zones	Civic Zones	Def/ Stds				
	TS	UC	UR	AC- ToJ	AR- ToJ	BP-R ToJ	BP- ToJ	BC- ToJ	RB ToJ	MHP- ToJ	NC- ToJ	NC-2 ToJ		S- ToJ	R- ToJ	P/SP- ToJ	P- ToJ
Accessory Uses																	
Accessory Residential Unit	B	B	--	B	B	C	C	B	B	--	--	--	--	--	B	--	<u>6.1.11.</u>
Bed and Breakfast	--	B(LO)	--	B(LO)	--	--	C(LO)	--	--	--	--	--	--	--	--	--	<u>6.1.11.B.</u>
Home Occupation	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	--	<u>6.1.11.C.</u>
Home Business	--	B	C	C	C	--	C	B	--	C	C	C	C	C	--	--	<u>6.1.11.D.</u>
Family Home Daycare	--	B	B	B	B	B	B	B	--	B	B	B	B	B	--	--	<u>6.1.11.E.</u>
Home Daycare Center	--	B	C	C	C	C	--	--	--	--	--	C	C	--	B	--	<u>6.1.11.F.</u>
Drive-In Facility	--	B	--	B	--	C	--	C	--	--	--	--	--	--	--	--	<u>6.1.11.G.</u>
Temporary Uses																	
Christmas Tree Sales	--	Y	Y	Y	Y	Y	Y	Y	Y	--	--	--	--	Y	Y	Y	<u>6.1.12.</u>
Real Estate Sales Office	--	--	B	--	B	B	B	--	--	--	--	B	B	B	--	--	<u>6.1.12.B.</u>
Temporary Shelter	--	B	B	B	B	--	--	B	B	B	B	B	B	B	--	--	<u>6.1.12.C.</u>
Farm Stand	--	B	--	B	--	--	--	B	--	--	--	--	--	B	B	--	<u>6.1.12.D.</u>
Temp. Gravel Extraction and Processing	--	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	<u>6.1.12.E.</u>

Key: Y = Use allowed without a permit B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required
 LO = Only allowed in Lodging Overlay Only OF = Only allowed in Office Overlay -- = Use not allowed

H. Live/Work Unit

1. **Definition.** A live/work unit is a single-family unit used jointly for residential and nonresidential purposes where the nonresidential use of the unit is incidental to the primary use of the unit as a residence.
2. **Purpose**
 - a. To provide for the appropriate development of units which incorporate both living and working space.
 - b. To provide locations for new businesses to start up.
 - c. To provide opportunities for people to live in mixed-use industrial and commercial areas where compatible with existing uses.
3. **Standards**
 - a. Only the following nonresidential uses may be incorporated into live/work units, and only if the use is allowed in the zone:
 1. Office ([6.1.6.B.](#))
 2. Retail ([6.1.6.C.](#))
 3. Services ([6.1.6.D.](#))
 4. Heavy retail/service ([6.1.6.E.](#))
 - b. The resident of the live/work unit shall work in the nonresidential component of the unit. At least one resident in each Live/Work Unit shall maintain at all times a valid Business License for a business on the premises.
 - c. A minimum of 25% and no more than 50% of the floor area of each live/work unit shall be devoted to nonresidential use;
 - d. Prior to the Certificate of Occupancy or Final Plat, whichever occurs first, a deed restriction or note on the Final Plat shall be recorded indicating requirements of this Subsection.
 - e. Change of Use to or from Live/Work Units.
 1. Live/Work Units may not be changed to residential use, nor may the portion of the Live/Work Unit devoted to residential space be increased above the percentage of residential space when the unit was established.
 2. Live/Work Units may be changed to exclusively nonresidential use. The increase in nonresidential square footage will be subject to the provisions of [Div. 6.3.](#)

C. Short-term Rental Unit

1. **Definition.** Short-term rental means the rental of all or a portion of a residential unit such that occupancy is limited to less than 31 days.
2. **Standards**
 - a. No residential unit or portion of a residential unit may be rented so as to limit occupancy to less than 31 days unless permitted for short-term rental.
 - b. Developments that have been approved for short-term rentals of less than 31 days prior to November 9, 1994 will be allowed to continue such rentals in accordance with Div. 1.9. or in accordance with the PUD approval, whichever is applicable.
 - c. A short-term rental unit shall be subject to the stricter of the two standards when residential and nonresidential standards would apply.

EXAMPLE: A short-term rental unit is subject to residential affordable housing requirements rather than nonresidential employee housing requirements.

6.1.6. Commercial Uses (D2 effective date)

A. All Commercial Uses

1. **Definition.** A commercial use is the sale of goods or services.

B. Office

1. **Definition.** Office use is a professional service or other activity customarily provided in an office environment where appointments are scheduled.
 - a. **Includes:**
 1. legal, accounting, investment, and financial services
 2. medical, dental, and other health services
 3. engineering, architectural, and other design services
 4. counseling and social services
 5. insurance and real estate
 6. broadcast studios for television and radio
 7. administrative and sales offices for business, industry, and government, provided that only administrative, bookkeeping, and clerical types of activities are conducted on site.

E. Restaurant/Bar

1. **Definition.** A restaurant or bar is an establishment oriented to the serving of food and/or beverages.
 - a. Includes:
 1. Micro-brewery, micro-distillery or micro-winery.
2. **Standards.**
 - a. Breweries, distilleries and wineries are generally considered light industrial uses. In order to be considered a restaurant/bar, a micro-brewery, micro-distillery or micro-winery must include a tasting room in which guests or customers may sample the product, and the facility must produce no more than the following beverage volumes on-site each year:
 1. 15,000 barrels of fermented malt beverages;
 2. 15,000 barrels of spirituous beverages; or
 3. 100,000 gallons of vinous beverages.

F. Heavy Retail/Service

1. **Definition.** Heavy retail/service uses are retail or service uses that are of a greater intensity and impact than other retail or service uses.
 - a. Includes:
 1. retail sales of lumber and building supplies and materials
 2. retail sales of fuels, including gasoline service stations
 3. feed and seed outlets
 4. rental and servicing of light motorized and non-motorized tools and equipment
 5. motorized vehicle rental, sales, service, and repair
 6. farm implement supplies, sales and repair
 7. outdoor storage
 8. veterinary and other pet and livestock services
 9. landscaping services
 10. the boarding of horses

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Sections 6.2.2.A and 6.2.6 of the Town of Jackson Land Development Regulations are hereby amended and reenacted as follows:

Div. 6.2. Parking and Loading Standards

6.2.1. Purpose (1/1/15, Ord. 1074)

This Division establishes parking and loading standards for various uses. The standards are intended to lessen congestion on streets and to ensure an adequate supply of parking and loading spaces within a reasonable distance of development.

6.2.2. Required Parking and Loading (D2 effective date)

A. Required Parking

The table below establishes the minimum required parking spaces that shall be provided for each use in these LDRs, unless otherwise specified in Subsection C.2 of a specific zone. Where a minimum requirement is not listed in the table it shall be determined by the Planning Director upon finding the proposed use has need for parking. Calculations that reference floor area shall be based on the gross floor area. Calculations that reference employees shall be based on the maximum number of employees normally on duty at any one time.

Use	Required Parking	
	Parking Spaces	Queuing Spaces
Open Space Uses		
Agriculture	n/a	
Downhill ski area	1 per 7 carrying capacity + 1 per 2 employees	
Residential Uses		
Detached single-family unit	2 per DU	
Attached single-family unit	2 per DU + 0.5 per DU if ≥ 3 units served by lot	
Apartment	2 per DU + 0.5 per DU if ≥ 3 units served by lot	
Mobile home	2 per DU	
Dormitory	1 per bed	
Group home	0.5 per bed	
Live/Work unit	1.5 per DU or 1.5 per 1,000 sf	
Lodging Uses		
Conventional lodging	0.75 per LU + 1 per 150 sf assembly area	
Short-term rental	2 per LU	
Campground	1 per campsite + 1 per 7.5 campsites	
Commercial Uses		
Office	3.3 per 1,000 sf	
Retail	4.5 per 1,000 sf	
Service	3 per 1,000 sf	
Restaurant/Bar	1 per 55 sf dining area + 1 per 30 sf bar area	
Heavy retail/Service	2 per 1,000 sf + 3 per repair bay + 1 per wash bay	2 per wash bay
Mini-storage warehouse	1 per 10 storage units + 1 per employee	
Nursery	2 per 1,000 sf + 1 per 4,000 sf outdoor display area + 1 per employee	

6.2.2. Required Parking and Loading (D2 effective date)

Required Parking		
Use	Parking Spaces	Queuing Spaces
Amusement/Recreation Uses		
Amusement	1 per 30 sf seating area or independent calculation	
Outdoor recreation	independent calculation	
Developed recreation	4.5 per 1,000 sf	
Outfitter/Tour operator	independent calculation	
Institutional Uses		
Assembly	independent calculation	
Daycare/Education	independent calculation	
Industrial Uses		
Light industry	1 per 1,000 sf + 1 per company vehicle	
Heavy industry	2 per 1,000 sf + 1 per company vehicle	
Disposal	1 per employee	
Infrastructure Uses		
Parking	n/a	
Utility facility	1 per employee + 1 per stored vehicle	
Wireless communication facility	1 per employee + 1 per stored vehicle	
Heliport	7 per daily aircraft movement	
Accessory Uses		
Accessory residential unit	1.25 per DU	
Bed and breakfast	0.75 per LU	
Home occupation	n/a	
Home business	1 per employee	
Family home daycare	1 per employee	1 off-street for pick-up
Home daycare center	1 per employee	2 off-street for pick-up
Drive-in facility	n/a	3 per service lane
Temporary Uses		
Christmas tree sales	1 per 1,000 sf outdoor display area + 1 per employee	
Real estate sales office	3.3 per 1,000 sf	
Temporary shelter	2 per DU	
Farm stand	5 per 1,000 sf display area	
Temporary gravel extraction	1 per employee	

1. **Administrative Adjustment.** The Planning Director may establish a lesser parking requirement pursuant to the procedure of Sec. 8.8.1, based on information from reliable sources that demonstrates a lesser standard is workable due to anticipated parking demand and alternative transportation services available.
2. **Change of Use.** An applicant for a change of use shall only be required to additionally provide the difference between the parking requirement of the existing use and proposed use, regardless of the actual parking that exists.

B. Shared Parking

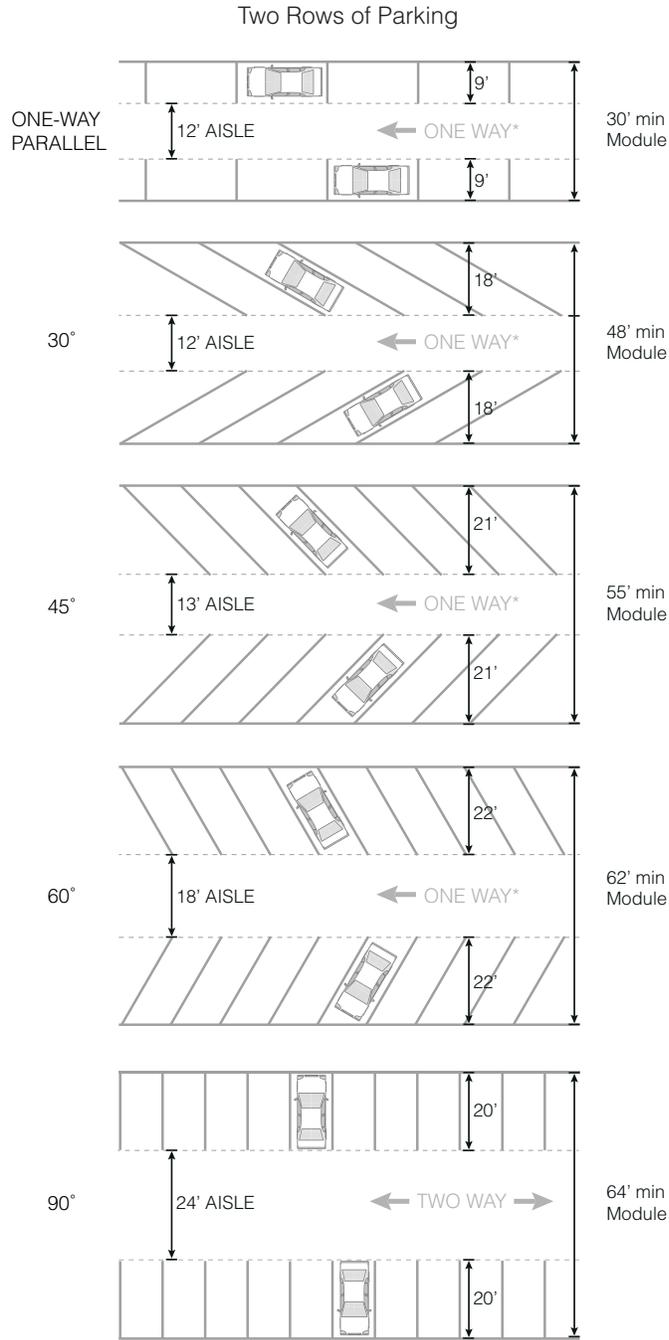
If two or more uses occupy a site or structure, the required parking, queuing and loading shall be the additive total for each individual use unless the Planning Director determines uses are compatible for sharing parking based on the following standards.

1. **Residential and Nonresidential Uses.** A percentage of the parking spaces required for nonresidential uses may be considered shared with on-site residential uses in accordance with the table below, and the extent to which:
 - a. The residential use provides on-site employee housing; and
 - b. The location and design of the development enhances the shared parking function.

Percentage of Nonresidential Parking Spaces that May Be Shared		
Nonresidential Use	Affordable/Employee Housing or ARU	Other Residential Use
Retail	100%	25%
Office	100%	75%
Restaurant/Bar	100%	20%
Service	100%	25%
All Industrial Uses	100%	75%
Other nonresidential uses	100%	20%

2. **Other Compatible Uses.** Notwithstanding the standard percentages established in the table above, reductions in total parking requirements between and among any uses may be granted in one or more of the following circumstances:
 - a. When it is intended that patrons frequent more than one use in a single trip (example: lodging and restaurant)
 - b. When operating hours are substantially different (example: movie theater and office)
 - c. When peak trip generation characteristics are substantially different (example: lodging and retail)

6.2.6. [deleted] (D2 effective date)



*Increase to 24' if two-way.

6.2.6. [deleted] (D2 effective date)

SECTION III.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 6.3.1.D of the Town of Jackson Land Development Regulations are hereby amended and reenacted as follows:

D. Calculation of Employee Housing Requirement

The standards in the table below are the result of calculating the number of summer (peak) season employees who are in need of housing, accounting for those who may already live in the community and accounting for average wages paid by various land uses (see Seasonal Employee Housing Needs Assessment, Appendix D, Jackson/Teton County Comprehensive Plan.) The conversion from number of employees to square footage is based upon minimum dwelling unit size as established in Teton County Housing Authority Guidelines. The employee housing standards for all nonresidential development not exempted shall be as follows.

Employee Housing Requirement	
Use	Floor Area to be Designated for Employee Housing (per 1,000 sf)
Conventional Lodging	47 sf
Office	14 sf
Retail	156 sf
Service	56 sf
Restaurant/Bar	378 sf
Heavy retail/service	16 sf
All Industrial uses	8 sf
Other Uses Not Listed	Determined by independent calculation (<u>6.3.1.H.</u>)

E. Method for Providing Employee Housing

One or a combination of the following methods may meet employee housing standards.

1. **On-Site Housing.** Where permitted by these LDRs, the applicant may provide employee housing on-site through mixed-use development subject to all applicable dimensional standards. This is the primary and preferred method for providing employee housing, and should be used whenever possible and wherever practicable. Accessory residential units may comprise the residential component of a mixed-use development, in whole or in part. When on-site housing is provided, any square footage requirement that would create a unit smaller than the minimum unit size is waived.
2. **Alternative Compliance Methods.** The applicant shall be required to provide employee housing using an alternative compliance method should the applicant demonstrate that on-site development of employee housing is not practical. Alternative compliance to these employee housing requirements may be achieved through any of the following methods listed by order of preference:
 - a. **Off-Site Housing.** The applicant may provide or cause to be provided, off-site conventional residential housing, either single family or multiple family, or dormitories. Applicants with obligations to provide employee housing may pool their required units with employee or affordable units from other

SECTION IV.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 6.4.3.A of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Div. 6.4. Operational Standards

6.4.1. Outside Storage (1/1/15, Ord. 1074)

A. Use of Front Yards

The use of the front yard (street yard) of a residential use for the storage of boats, snowmobiles, trailers, RVs, and similar motor vehicles and equipment is prohibited.

B. Storage of Structures

The storing of structures of any kind is not permitted in any residential zone.

C. Vehicle and Equipment Storage - Vacant Property

The storage of any vehicle on vacant property in a residential zone for more than 3 consecutive days is prohibited. This includes boats, rafts, trailers, snowmobiles, campers, RVs and similar vehicles, and equipment. This also includes heavy equipment, construction equipment, and construction materials. Nothing herein shall be construed to prohibit the storage of vehicles and equipment for temporary construction, provided the storage area is fenced, well marked, and posted. For purposes of this provision, lots which are normally kept and maintained as yard area for an adjacent residence shall not be considered vacant property, provided the vehicles, equipment, and materials stored thereon are owned, supervised, and controlled by an occupant of the adjacent residence.

D. Outdoor Display

The organized outdoor display of goods for sale in association with a nonresidential use is allowed, provided it is contained on private property.

6.4.2. Refuse and Recycling (1/1/15, Ord. 1074)

A. Town Trash and Recycling Enclosures

Trash and recycling enclosures shall be provided for all nonresidential uses and multi-family developments of 4 or more units. Enclosures shall be of similar material and color to the building. Enclosures shall be entirely enclosed with the side facing the street or alley to be a gate whenever feasible. Enclosures shall provide adequate space for recycling as determined by the Planning Director. Enclosures shall be consolidated wherever possible.

6.4.3. Noise (D2 effective date)

All uses shall conform with the following standards.

A. Maximum Noise

Noises shall not exceed the maximum sound levels prescribed in the table below, beyond the site boundary lines, except that when a nonresidential activity in contiguous to a residential zone, the residential zone standard shall govern.

Noise Level Restrictions	
Zone	Maximum Permitted Sound Level
R, S, NC-ToJ, AR-ToJ, MHP-ToJ	55 DBA
All other zones	65 DBA

B. Exceptions

1. **General.** Noises of vehicles, home appliances, and chain saws in private use, occasionally used safety signals, warning signals, emergency pressure relief valves, and temporary construction operations shall be exempt from the requirements of this Section.
2. **Limited Exception/Limited Interval of Time/One Day.** The maximum permitted sound level may be exceeded by 10 DBA for a single period, not to exceed 15 minutes, in any one day.
3. **Impact Noises.** For the purposes of this Section, impact noises are those noises whose peak values are more than 6 DBA higher than the values indicated on the sound level meter, and are of short duration, such as the noise of a forging hammer or punch press. For impact noises, the maximum permitted sound level may be exceeded by 10 DBA.

C. Measurement

Noise shall be measured with a sound level meter meeting the standards of the American National Standards Institute (ANSI S1.4-1961) "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale and the meter to the slow response. Measurements shall be conducted in accord with ANSI S1.2-1962 "American Standard Method for the Physical Measurement of Sound" (or most current standards). Measurements may be made at any point along a zone boundary or site boundary line.

SECTION V.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 VII.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2016.
PASSED 2ND READING THE ____ DAY OF _____, 2016.
PASSED AND APPROVED THE ____ DAY OF _____, 2016.

TOWN OF JACKSON

BY: _____
Sara Flitner, Mayor

ATTEST:

BY: _____
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 _____, 2016.

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

Town Clerk

ORDINANCE P

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 7.1.1, 7.2.1 AND 7.4.2.D OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING DEVELOPMENT OPTION AND SUBDIVISION STANDARDS APPLICABLE IN ALL ZONES IN CONNECTION WITH IMPLEMENTING CHARACTER DISTRICT 2 - TOWN COMMERCIAL CORE AS SET FORTH IN THE JACKSON/TETON COUNTY COMPREHENSIVE PLAN, AND TO ADD DIVISION 7.8 (WORKFORCE HOUSING INCENTIVE PROGRAM) TO THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS, 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 7.1.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Div. 7.1. Development Option Standards

7.1.1. Development Options Schedule (D2 effective date)

The table below establishes the development options allowed in each zone. The standards for each development option are established in this Division. The density and intensity requirements for each development option are located in the standards for the zone, found in [Article 2.-Article 4.](#) The thresholds for permitting allowed development options are also established by zone.

Town Character Zones - Development Options						
Option	Complete Neighborhood Zones				Rural Area Zones	Stds
	DC	CR-1	CR-2	OR	n/a	
UCD	--	--	--	--	--	7.1.3.
MHP	--	--	--	--	--	7.1.4.

Key: P = Development option allowed with appropriate permit -- = Development option prohibited

Town Legacy Zones - Development Options																	
Option	Complete Neighborhood Zones												Rural Area Zones	Civic Zones		Stds	
	TS	UC	UR	AC-ToJ	AR-ToJ	BP-R ToJ	BC-ToJ	RB	MHP-ToJ	NC-ToJ	NC-2	S-ToJ	R-ToJ	P/SP-ToJ	P-ToJ		
UCD	--	P	P	P	P	P	--	--	--	--	--	P	P	--	--	--	7.1.3.
MHP	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	7.1.4.

Key: P = Development option allowed with appropriate permit -- = Development option prohibited

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 7.2.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted as follows:

7.2.1. Subdivision Types Schedule (D2 effective date)

Div. 7.2. Subdivision Standards

This Division contains the development standards required for subdivision, such as requirements for new roads, water and sewer infrastructure, utilities, parks, and other physical improvements necessary to safely serve newly subdivided property and minimize impacts on existing community services and infrastructure. See [Sec. 8.5.3](#) for the procedure to subdivide property.

7.2.1. Subdivision Types Schedule (D2 effective date)

The table below establishes the subdivision types allowed in each zone. The standards for all subdivisions and each subdivision type are established in this Division. The density and intensity requirements for each subdivision type are located in the standards for the zone, found in [Article 2.-Article 4](#). The thresholds for permitting allowed subdivision are also established by zone.

Town Character Zones - Subdivision Types						
	Complete Neighborhood Zones				Rural Area Zones	Stds
	DC	CR-1	CR-2	OR	n/a	
Land Division	P	P	P	P	--	7.2.3.
Condominium/Townhouse	P	P	P	P	--	7.2.4.

Key: P = Development option allowed with appropriate permit
 -- = Development option prohibited

Town Legacy Zones - Subdivision Types																	
	Complete Neighborhood Zones												Rural Area Zones	Civic Zones	Stds		
	TS	UC	UR	AC- ToJ	AR- ToJ	BP- R	BP- ToJ	BC- ToJ	MHP- RB	NC- ToJ	NC- 2	S- ToJ	R- ToJ	P/SP- ToJ		P- ToJ	
Land Division	P	P	P	P	P	P	P	P	P	--	P	P	P	P	P	P	7.2.3.
Condominium/Townhouse	P	P	P	P	P	P	P	--	P	--	--	P	P	--	P	P	7.2.4.

Key: P = Development option allowed with appropriate permit -- = Development option prohibited

SECTION III.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 7.4.2.D of the Town of Jackson Land Development Regulations are hereby amended and reenacted as follows:

townhouse subdivisions. Where the provision of such housing is determined to be impractical, this Division will set forth standards for the conveyance of land or an in-lieu fee.

C. Applicability

1. **General.** The standards of this Division apply to residential development options and uses unless exempted below.
2. **General Obligation.** It is the objective of the Town of Jackson to make measurable progress toward reducing the existing deficit of affordable housing that existed on the date of adoption (12/18/95) of this Division.

D. Exemptions

The following residential development options and uses are exempted from the standards of this Division.

1. **Redevelopment of Preexisting Uses.** Redevelopment or remodeling of a use existing prior to December 18, 1995 is exempt from the requirements of this Division, provided no additional residential units are created by the redevelopment or remodeling activity. In the event new residential units are created, only the number of units that existed prior to the redevelopment or remodeling shall be exempt from the standards of this Division. For the purposes of this Subsection, conversion of an existing dwelling unit to a condominium or townhouse is a change in use, creates a new use that did not exist prior to the effective date of this Division and is not exempt from this Division.
2. **Mobile Home Park.** Development of a mobile home park is exempt from the standards of this Division, provided that during its review, the Jackson Town Council makes a finding that the units to be located within the development meet the purposes of this Division and, therefore, provision of added affordable housing as a consequence of the development is not required.
3. **Development of Conventional Single-Family Unit on Previously Created Lot.** The development of one conventional single-family unit on a legal lot of record created prior to December 18, 1995 is exempt from the requirements of this Division.
4. **Development on Lot of record for Which Affordable Housing Standard Has Already Been Met.** Development on any lot of record for which the affordable housing standard, pursuant to this Division, has already been met via provision of affordable housing, conveyance of land, or payment of fees-in-lieu, is exempt from the standards of this Division.
5. **Employee Housing.** Development of employee housing pursuant to Div. 6.3. of these LDRs is exempt from the standards of this Division.
6. **Accessory Residential Unit.** Development of an accessory residential unit is exempt from the standards of this Division.
7. **Group Residential.** Development of a dormitory or group home is exempt from the standards of this Division.

- 8. **Temporary Uses.** Development of a temporary use is exempt from the standards of this Division.
- 9. **Affordable Housing Development.** Residential developments that are designed and administered to meet the objectives of this Division, as determined by the Jackson Town Council. This may include projects developed or sponsored by non-profit organizations that are charged to promote affordable housing and projects for which agreements have been executed that provided affordable housing or land for said purpose.
- 10. **Subdivision.** The subdivision of a previously platted residential lot into no greater than two lots shall be exempt from the standards of this Division. Further, this exemption shall only be applied on a one-time basis.
- 11. **Live/Work Units.** Development of a live/work unit is exempt from the standards of this Division.
- 12. **Workforce Housing Floor Area Bonus.** A unit developed pursuant to Sec. 7.8.4. of these LDRs is exempt from the standards of this Division.

E. Calculation of Affordable Housing Standards for Residential Development

The affordable housing standards for all residential development including condominium and townhouse subdivisions shall be as follows.

- 1. **Required Affordable Housing Percentage.** Residential development and condominium or townhouse subdivisions shall consist of at least a 1:4 ratio of affordable housing to free market housing, as determined by the following formula:

The total number of proposed free market residential units (including units on noncontiguous lots of record), or the total number of rental units converted to condominiums or townhouses in a condominium or townhouse subdivision, whichever is applicable, multiplied by the applicable occupancy contained in the table below, shall equal the number of free market occupants of the development. The number of occupants of the required affordable housing units, shall be at least 25% of the number of free market occupants of the development. In instances where residential subdivisions are proposed without dwelling units, the applicant shall project the type of dwelling units. The Jackson Town Council shall approve the projected mix of dwelling units based on comparable developments in Teton County and the Town of Jackson as part of its review of a Housing Mitigation Plan.

SECTION IV.

Section 1 of Town of Jackson Ordinance No. 1074 (part) is hereby amended and reenacted to add Division 7.8 – Workforce Housing Incentive Program to the Town of Jackson Land Development Regulations, to read as follows:

Div. 7.8. Workforce Housing Incentive Program

7.8.1. Intent (D2 effective date)

This Division establishes incentives for the development of workforce housing. Because not every landowner will use the incentives, this Division manages growth by limiting the actual (rather than a projected) use of the incentives. Section 7.8.2. establishes the limit on the cumulative use of the incentives over time, and the following Sections establish specific incentives.

7.8.2. Cumulative Limit on Incentives (D2 effective date)

Use of an incentive in this Division is prohibited if the application would increase the amount of residential development allowed in the Town and County above the amount allowed and planned for since 1994.

- A. The amount of residential development allowed in the Town and County is reported annually as Indicator 1 of the Jackson/Teton County Comprehensive Plan Indicator Report. Past Indicator Reports can be found at www.jacksonstetontetonplan.com.
- B. A residential unit shall be added to the amount of residential development allowed in the Town and County upon its initial approval using an incentive in this Division.
- C. A residential unit approved using an incentive in this Division shall be subtracted from the amount of residential development allowed in the Town and County upon expiration, revocation, or extinguishment of the approval.

EXAMPLE: A project proposing 4 residential units through use of the Workforce Housing Floor Area Bonus (Sec. 7.8.4.) receives Sketch Plan approval in 2016. The 2017 Indicator Report would report an increase of 4 residential units as a result of the project. If by 2018 the units are not built and the Sketch Plan approval has expired, the 2019 Indicator Report would report a decrease of 4 residential units as a result of the project expiration. The cumulative effect of the increase reported in the 2017 and decrease reported in the 2019 would reflect that no incentive units have been built on the site.

7.8.3. Deed Restricted Housing Exemption (D2 effective date)

A. Intent

Deed restricted housing is required by Div. 6.3, Div. 7.4. and other standards of these LDRs. A landowner may also voluntarily deed restrict housing. In order to encourage incorporation of required and voluntary deed restricted housing into development, deed restricted housing is exempt from certain LDRs.

B. Applicability

The exemptions of this section shall apply to the following floor area.

1. **Required Restricted Housing.** Floor area in a residential unit that is required to be restricted in order to comply with Div. 6.3., Div. 7.4., or another standard of these LDRs.
2. **Voluntary Restricted Housing.** Floor area in a residential unit that is subject to an affordable, employee, employment-based, or rental workforce deed restriction, acceptable to the Jackson/Teton County Housing Authority, which is recorded with the County Clerk, that is not required by Div. 6.3., Div. 7.4., or another standard of these LDRs.

C. Exemptions

Floor area meeting the applicability standards of this Section is exempt from calculation of the following standards, but is still subject to all other applicable standards of these LDRs.

1. Maximum Floor Area Ratio (FAR)
2. Thresholds for physical development permits
3. Affordable housing required by Div. 7.4
4. Limit on 20% expansion of a nonconforming physical development

7.8.4. Workforce Housing Floor Area Bonus (D2 effective date)

A. Intent

In most cases, the volume of building allowed by the minimum setbacks and maximum height exceeds the volume of building allowed by the FAR of a property. The purpose of the workforce housing floor area bonus is to encourage development, especially by the private sector, of additional deed restricted housing in that excess volume by allowing additional unrestricted floor area.

B. Applicability

The exemptions of this Section shall apply to both the deed restricted and unrestricted floor area approved pursuant to this Section.

1. **Maximum Amount of Unrestricted Housing.** The maximum amount of unrestricted floor area that can be approved pursuant to this Section is limited by the amount of restricted floor area provided pursuant to this Section, as tabulated below.

Maximum Exempt Unrestricted Floor Area per Voluntarily Restricted Floor Area	
Zone	Unrestricted Floor Area : Restricted Floor Area
DC	2:1
CR-1	2:1
CR-2	2:1
OR	2:1

2. **Restricted Housing.** The restricted floor area provided pursuant to this Section shall be subject to an affordable, employee, employment-based, or rental workforce deed restriction, acceptable to the Jackson/Teton County Housing Authority, which is recorded with the County Clerk.
3. **Required Restrictions Do Not Apply.** Floor area that is required to be restricted in order to comply with Div. 6.3, Div. 7.4, or another standard of these LDRs shall not be included in the calculation of the maximum amount of unrestricted floor area allowed by this Section.
4. **Allowed Use.** Floor area approved pursuant to this Section shall only be used for one of the following uses:
 - a. Attached Single Family Dwelling (6.1.4.C); or
 - b. Apartment (6.1.4.D); or
 - c. Dormitory (6.1.4.F); or
 - d. Group Home (6.1.4.G)

C. Exemptions

Floor area meeting the applicability standards of this Section is exempt from calculation of the following standards, but is still subject to all other applicable standards of these LDRs.

1. Maximum Floor Area Ratio (FAR)
2. Thresholds for physical development permits
3. Affordable housing required by Div. 7.4
4. Limit on 20% expansion of a nonconforming physical development

SECTION V.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 VII.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2016.
PASSED 2ND READING THE ____ DAY OF _____, 2016.
PASSED AND APPROVED THE ____ DAY OF _____, 2016.

TOWN OF JACKSON

BY: _____
Sara Flitner, Mayor

ATTEST:

BY: _____
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 _____, 2016.

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

Town Clerk

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:

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.

Town Clerk

ORDINANCE R

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 9.4.6, 9.4.8, 9.4.9.C, 9.5.B, 9.5.F, 9.5.L, AND 9.5.P OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING RULES OF MEASUREMENT AND DEFINED TERMS, AND TO ADD SECTIONS 9.4.10 THROUGH 9.4.16 TO THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING RULES OF MEASUREMENT, ALL 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 Sections 9.4.6, 9.4.8, and 9.4.9.C of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

C. Adjusted Site Area

Adjusted site area is used to calculate maximum site development and lot coverage.

Adjusted site area is gross site area minus the following:

1. All land within existing vehicular access easements;
2. All land between levees or banks of rivers and streams; and
3. All land within lakes or ponds, when the sum of the surface area of the ponds and/or lakes exceeds one acre.

D. Minimum Site Area

Minimum site area is the minimum gross site area or minimum base site area, as specified, required to permit a use or development option. On sites in more than one zone, the entire site may be used to meet minimum site area requirements in either zone. On sites with multiple uses or development options, the entire site may be used to meet minimum site area requirements for each use or development option.

9.4.5. Floor Area (1/1/15, Ord. 1074)

Floor area is the area of all floors interior to an enclosed building that have at least 5 feet of clearance between floor and ceiling. Floor area shall be measured to the exterior face of the structural members of the wall. Roofed architectural recesses and open covered porches are not considered interior to the building. A building with at least 50% of its perimeter open to the outside shall not be considered enclosed.

9.4.6. Density/Intensity (D2 effective date)

The following standards shall apply to the calculation of maximum density, maximum floor area, minimum landscape surface area, and required open space.

A. General

1. **Split Zoning.** On sites in multiple zones, calculations shall be based on the base site area, or gross site area in Character Zones (Div. 2.2. & Div. 3.2.), in each zone.
2. **Mixed Use.** On sites with multiple uses, the base site area, or gross site area in Character Zones (Div. 2.2. & Div. 3.2.), shall be prorated to determine the allowed density/intensity each use.

EXAMPLE: On a base site area of 30,000 square feet with an FAR of 0.3 for a single family unit, a 3,000 square foot single family unit would occupy 10,000 square feet of the base site area ($3,000/0.3 = 10,000$), leaving 20,000 square feet of base site area left to calculate the remaining maximum floor area for other uses on the property.

B. Maximum Density

Unless stated otherwise for a specific provision of these LDRs, density is calculated by dividing the number of units by the base site area, or gross site area in Character Zones (Div. 2.2. & Div. 3.2.).

EXAMPLE: 3 units on 35 acres of base site area is a density of 0.086 units/acre ($3/35 = .086$).

C. Floor Area Ratio (FAR)/Maximum Floor Area

The floor area ratio (FAR) is calculated by dividing the habitable floor area above grade by the base site area, or gross site area in Character Zones (Div. 2.2. & Div. 3.2.).

EXAMPLE: On a base site area of 24,000 square feet a building with 8,000 square feet of habitable floor area where 2,000 square feet was in the basement would have an FAR of .25 ($(8,000-2,000)/24,000 = .25$). Alternatively, unless otherwise defined in these LDRs, the maximum allowed floor area is calculated by multiplying the allowed FAR by the base site area (see [Sec. 9.5.F.](#) for definition of Floor Area).

D. Open Space Ratio (OSR)/Minimum Required Open Space

The open space ratio (OSR) is calculated by dividing the area of the open space by the base site area, or gross site area in Character Zones (Div. 2.2. & Div. 3.2.).

EXAMPLE: A property that has 28 acres of open space with a base site area of 35 acres has an OSR of .8 ($28/35 = .8$). Unless otherwise defined in these LDRs, the minimum required amount of open space is calculated by multiplying the required OSR by the base site area (see [Sec. 9.5.O.](#) for definition of Open Space, Required).

E. Landscape Surface Ratio (LSR)/Minimum Landscape Surface Area

The landscape surface ratio (LSR) is calculated by dividing the landscape surface area by the base site area, or gross site area in Character Zones (Div. 2.2. & Div. 3.2.).

EXAMPLE: A property that has 6,000 square feet of landscape surface area and a base site area of 24,000 square feet has an LSR of .25 ($6,000/24,000 = .25$). Unless otherwise defined in these LDRs, the minimum required amount of landscape surface area is calculated by multiplying the required LSR by the base site area (see [Sec. 9.5.L.](#) for definition of Landscape Surface Area).

F. Lot Coverage

Lot coverage is calculated by dividing the building footprint by the adjusted site area, or gross site area in Character Zones (Div. 2.2. & Div. 3.2.).

EXAMPLE: A single-family unit with a building footprint of 1,500 square feet on an adjusted site area of 7,500 sf would have a lot coverage of .2 ($1,500/7,500 = .2$). Unless otherwise defined in these LDRs, the maximum building footprint is calculated by multiplying the maximum lot coverage by the adjusted site area (see [Sec. 9.5.F.](#) for definition of Footprint, Building). Sites with residential and nonresidential use shall be exempt from any lot coverage requirement.

9.4.7. Maximum Scale of Development (1/1/15, Ord. 1074)

A. Use

Calculation of the maximum scale of an individual instance of a use shall include basement floor area unless otherwise stated for a specific provision of these LDRs.

B. Building

Calculation of the maximum scale of an individual building shall exclude basement floor area unless otherwise stated for a specific provision of these LDRs.

9.4.8. Setback (D2 effective date)

A setback is a measure of the shortest horizontal distance between a physical development or use and the feature from which it is being set back.

A. Setback Runs Parallel to Feature

A required setback shall be applied parallel to the length of the feature from which the setback is required.

B. Minimum Setback

Unless otherwise defined in these LDRs, a setback shall be the minimum distance between a physical development or use and a certain feature.

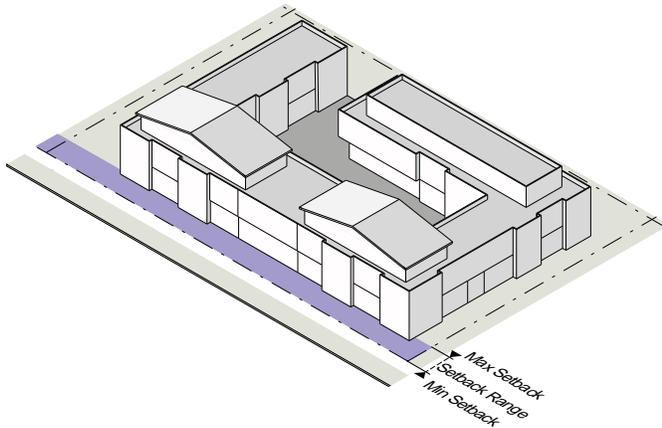
C. Zero-Or Setback

When a required setback is 0 **OR** another distance, the physical development or use shall be located either adjacent to the feature or set back the minimum distance.

EXAMPLE: In the DC zone the minimum side interior setback is 0' or 5'. A structure could be located on the side lot line or 5' from the side lot line, but could not be located 3' from the side lot line.

D. Setback Range

A setback range is the area between a minimum and maximum setback.



E. Street Setback

1. Point of Measurement

- a. **Character Zones.** In a Character Zone (Div. 2.2 & Div. 3.2) a street setback shall be measured to the back of the pedestrian frontage.
- b. **Legacy Zones.** In a Legacy Zone (Div. 2.3 & Div. 3.3) a street setback shall be measured to any road right-of-way, roadway, vehicular access easement, additional width required for right-of-way purpose as established in the Master Plan for Street Improvements, or property line from which access is taken.

2. **Driveway Setback.** The minimum setback from a structure to a driveway easement shall be the street setback or 25 feet, whichever is less.

F. Side Setback

A side setback shall be measured to any side lot line.

G. Rear Setback

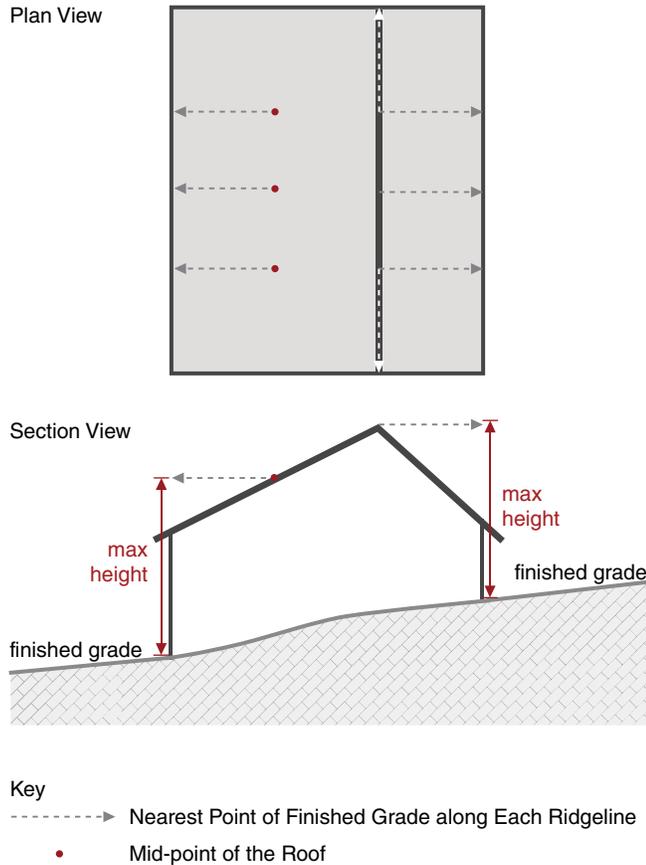
A rear setback shall be measured to any rear lot line.

9.4.9. Building Height (D2 effective date)

A. Height of Any Point

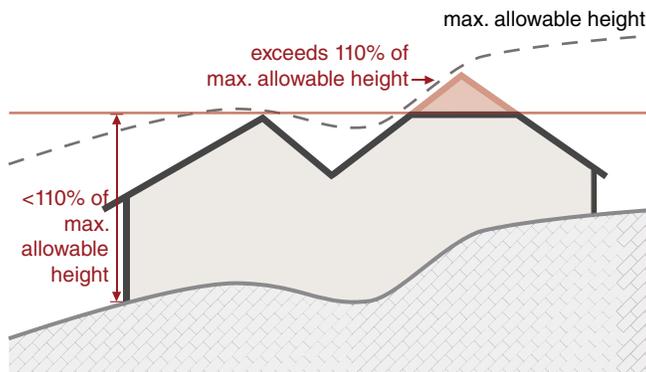
The height of a building or structure is the vertical dimension measured from any point on the exterior of the building or structure to the nearest point of finished grade.

EXAMPLE: In the diagram below the nearest point of finished grade is indicated by the white or gray arrows. Note the examples of points that are equidistant to finished grade on 2 sides of the house; height of such a point will be determined by the lower finished grade.



B. Overall Height of a Stepped Structure

In addition, on a sloped site where the height of the structure is stepped up the slope, the vertical dimension measured from the overall highest point of the building or structure to the overall lowest point of finished grade adjacent to the structure shall not exceed 110% of the maximum allowable height.



C. Exceptions

No part of any building or structure may exceed the maximum allowable height except for the following:

1. Structures used exclusively for elevator or stairway access to a roof, provided they do not exceed the maximum height by more than 10 feet, do not occupy more than 20% of the roof area, and are not visible from ground level view from a contiguous street.
2. Chimneys, vents, and roof-top mechanical equipment such HVAC systems, provided that the maximum height is not exceeded by more than 4 feet;
3. Antenna used for the reception of television broadcast signals; or
4. Clock towers, church steeples, belfries, cupolas and domes not intended for human occupancy.

9.4.10. Street Lot Line Designation (D2 effective date)

A. Planning Director Determination

On sites with multiple frontages, the Planning Director will designate street lot lines based on the criteria below:

1. The street or streets with the highest classification;
2. The established orientation of the block;
3. The street or streets abutting the longest face of the block;
4. The street or streets parallel to an alley within the block;
5. The street that the lot takes its access from; and
6. The pedestrian orientation of adjacent or contiguous development, existing or proposed.

B. Character Zones

In a Character Zone (Div. 2.2 & 3.2), a site with multiple frontages shall have at least one primary street lot line. A site may have more than one primary street. Remaining frontages shall be designated as secondary street lot lines. Remaining lot lines shall be side lot lines; a lot with multiple frontages shall not have a rear lot line.

C. Legacy Zones

In a Legacy Zone (Div. 2.2 & 3.2) the Planning Director shall determine one street lot line. After the street lot line is determined, the landowner shall choose the rear lot line and the remaining lot lines shall be side lot lines.

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Division 9.4 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to add Section 9.4.10 regarding Rules for Street Lot Line Designation, add Section 9.4.11 regarding Rules for Measurement of Street Façade, add Section 9.4.12 Rules for Measurement of Stepback, add Section 9.4.13 Rules for Measurement of Story Height, add Section 9.4.14 Rules for Measurement of Transparency, add Section 9.4.15 Rules for Measurement of Blank Wall Area, and add Section 9.4.16 Pedestrian Access, to read as follows:

C. Exceptions

No part of any building or structure may exceed the maximum allowable height except for the following:

1. Structures used exclusively for elevator or stairway access to a roof, provided they do not exceed the maximum height by more than 10 feet, do not occupy more than 20% of the roof area, and are not visible from ground level view from a contiguous street.
2. Chimneys, vents, and roof-top mechanical equipment such HVAC systems, provided that the maximum height is not exceeded by more than 4 feet;
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In a Character Zone (Div. 2.2 & 3.2), a site with multiple frontages shall have at least one primary street lot line. A site may have more than one primary street. Remaining frontages shall be designated as secondary street lot lines. Remaining lot lines shall be side lot lines; a lot with multiple frontages shall not have a rear lot line.

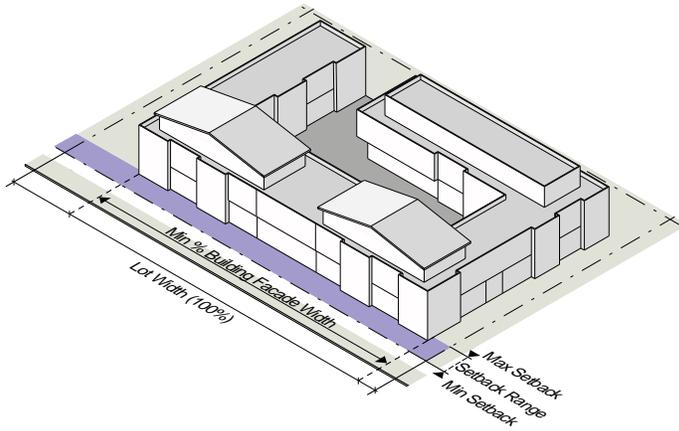
C. Legacy Zones

In a Legacy Zone (Div. 2.2 & 3.2) the Planning Director shall determine one street lot line. After the street lot line is determined, the landowner shall choose the rear lot line and the remaining lot lines shall be side lot lines.

9.4.11. Street Facade (D2 effective date)

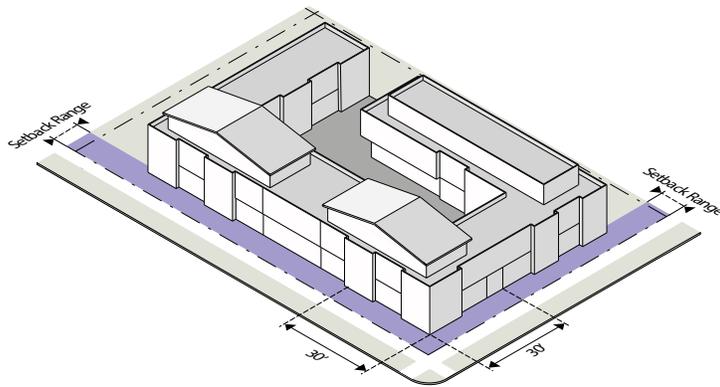
A. Percentage of Lot Width

The required percentage is calculated by dividing the facade width located in the specified setback range by the width of the lot.



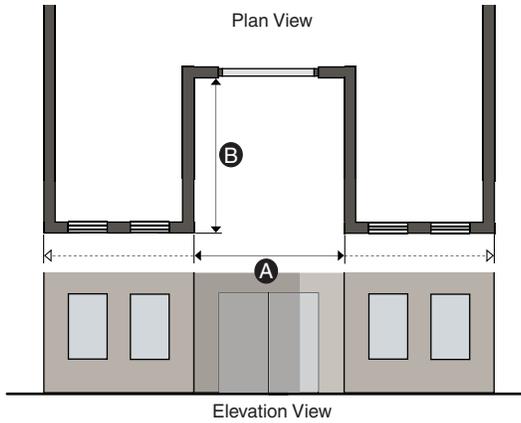
B. Corner Width

The width of a street facade on a street corner that must be within the street setback range shall be measured from the street corner edge of the facade, parallel to the street lot line.



C. Forecourt

A forecourt that serves as an open space, plaza or outdoor dining area, and meets the standards below is considered part of the building facade for the purpose of meeting the required facade width in the street setback range.



Width (max)	1/3 of facade width	A
Depth (min)	35'	B
Height	within 30" of grade	
Transparency of fore-court-facing facades	40%	

9.4.12. Stepback (D2 effective date)

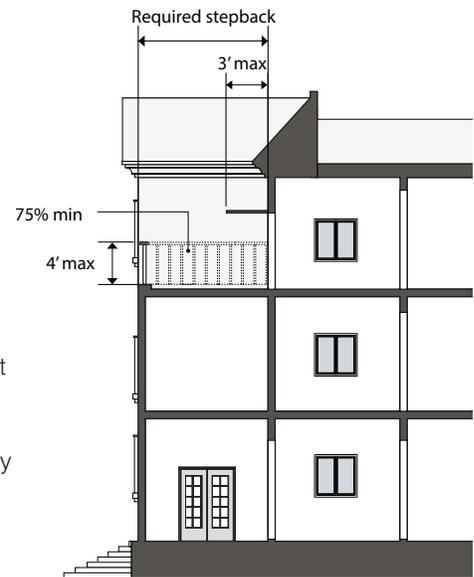
A. Stepback

1. A stepback is measured from the ground story outer wall plane to the facade of the story required to be stepped back.

B. Encroachments

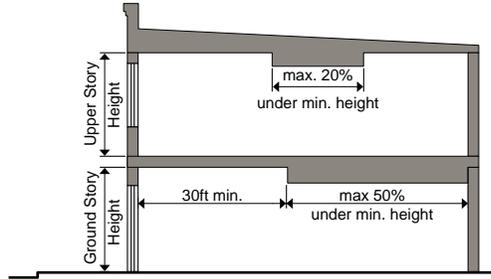
No part of a building may project into the stepback, except as listed below:

1. Balcony railings provided they are a maximum height of 4 feet and are at least 75% open.
2. Building eaves, roof overhangs, awnings, and light shelves provided they don't extend more than 3 feet into the stepback.

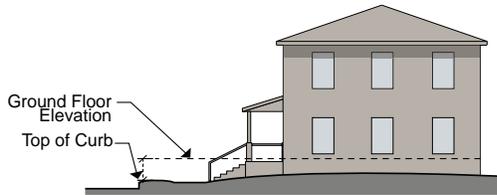


9.4.13. Story Height (D2 effective date)

- A. Story height is measured from the top of the finished floor to the ceiling above.
- B. The minimum ground story height applies to the first 30 feet of the building measured inward from a street-facing facade. At least 50% of the ground story must meet the minimum height provisions.
- C. At least 80% of each upper story must meet the minimum upper story height provisions.



- D. Ground floor elevation is measured from top of the adjacent curb to the top of the finished ground floor.
- E. Ground floor elevation applies to the first 30 feet of the lot measured from the back of the pedestrian frontage.

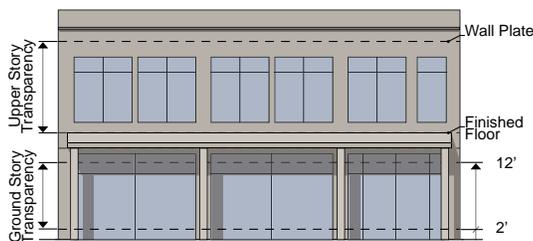


9.4.14. Transparency (D2 effective date)

Transparency is the percentage of a story's facade that is glass windows or doors. Glass is considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%.

A. Calculation

Transparency is calculated by dividing the total area of transparent glass on the story by the total area of the story's facade. The story facade is the area between the top of the finished floor to the top of the finished floor above. When there is no floor above, it is measured to the top of the wall plate.

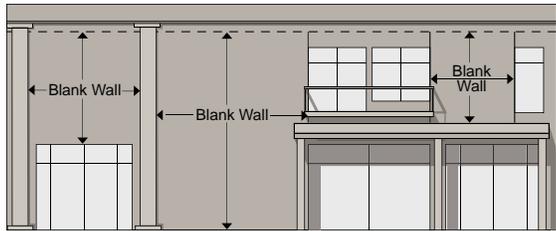


B. Shopfront Frontage

1. In the Shopfront Frontage, at least 70% of street-facing, ground story windows must allow views into the building for a depth of at least 8 feet. Windows cannot be made opaque by window treatments (except operable sunscreen devices).
2. In the Shopfront Frontage, ground story transparency is measured between 2 and 12 feet above the adjacent sidewalk.

9.4.15. Blank Wall Area (D2 effective date)

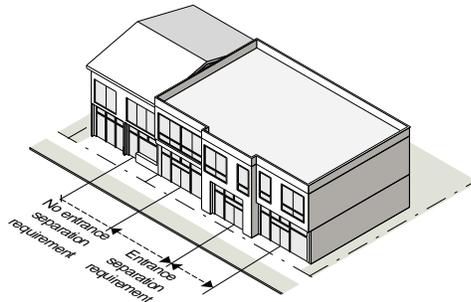
- A. Blank wall area is the portion of a facade that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth; or a substantial material change (paint color is not considered a substantial change). The same material used in a different pattern does not constitute a substantial material change.



- B. A blank wall area is permitted unless it exceeds the maximum in both a vertical and horizontal direction.

9.4.16. Pedestrian Access (D2 effective date)

- A. An entrance providing both ingress and egress, operable to residents or customers at all times during operating hours, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are permitted.
- B. The entrance spacing requirements must be met for each building, but are not applicable to adjacent buildings.



- C. An angled entrance may be provided at either corner of a building along the street to meet the street-facing entrance requirements.

SECTION III.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Sections 9.5.B, 9.5.F, 9.5.L, and 9.5.P of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

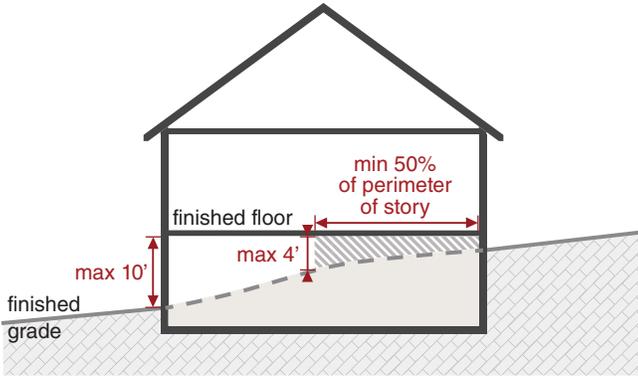
B (D2 effective date)

Background Area. The entire area of a sign on which lettering and/or graphics can be placed.

Bank (Stream/River/Ditch). Bank means the natural or man-made slope immediately bordering the channel of a river, stream, or creek containing and/or confining the normal water flow. See also "Top of Bank"

Bar. See 6.1.6.E.

Basement. A basement is any story for which the finish floor of the story above is less than 4 feet above finished grade for at least 50% of the perimeter of the story and at no point greater than 10 feet above finished grade.



Base Station. A structure or equipment at a fixed location that enables or is designed to enable FCC-licensed or authorized wireless communications between user equipment and a communications network in connection with the provision of personal wireless services as defined in 47 U.S.C. Section 332(c)(7). The term does not encompass a Tower as defined in this subpart or any equipment associated with a Tower.

- a. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- b. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).
- c. The term does not include a supporting structure, including by way of example a rooftop, tower, light standard or pole to which the base station, or an element of the base station, may be attached, but does include any structure that houses equipment described in paragraphs (a)-(b) of this section definition.

Bed and Breakfast. See 6.1.11.C.

Bedroom. Bedroom means a room, including a den or unfinished room, in a dwelling unit that is marketed and designed for sleeping, or otherwise has potential to function primarily for sleeping.

Berm. Berm means a man-made landform, typically built as an earth mound, located so as to screen a structure or property from view and/or to provide sound relief from a nearby road.

Buffer (Natural Resource). The area between a natural resource and the minimum natural resource setback extending the full length of the natural resource.

Building Envelope. A building envelope means the area of a lot of record within which all physical development shall occur.

Building Footprint. The building footprint is the area of the foundation; eaves, overhangs, decks, cantilevers and other projections are not included.

Building. Building means any structure having a roof supported by columns or walls; any enclosed structure, including tarpaulin structures, designed or used for the housing or enclosure of persons, animals, chattels, or property of any kind; or any attached appurtenance thereto, but not including an advertising sign board, fence, tepee, tent, or similar type of temporary structure. See also "Historic Building"

Bulk. Bulk is a spatial dimension of magnitude and refers to the scale, height, floor area, and footprint of a building.

C

(10/7/15, Ord. 1097)

Caliper. The diameter of a tree trunk measured 4.5 feet above the natural grade at the base of the tree.

Canopy Tree. Canopy tree means a deciduous shade or specimen tree, such as aspen, cottonwood, golden willow, or ash.

Canopy. Canopy means the uppermost spreading branchy layer of trees. Canopy also means an ornamental roof-like structure, cantilevered or supported by posts or pillars and having open sides.

Carrier on Wheels or Cell on Wheels (COW). A portable self-contained wireless communications facility that can be moved to a location and set up to provide wireless communications services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.

Changeable Copy Sign (Manual). See "Sign, Changeable Copy."

Christmas Tree Sales. See 6.1.12.B.

Collector Road. See, "Road, Collector."

Commercial Air Tour. A commercial air tour is any flight conducted for compensation or hire in a powered aircraft where the purpose of the flight is sightseeing.

Excavation. Excavation means any act by which organic matter, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed, as well as the resulting conditions.

Existing Use or Development. Existing use or development means any use or development of a site, which is located on the site at a given point in time, whether or not the use or development conforms with the provisions of these LDRs.

F (D2 effective date)

Facade. A facade is a building's elevation, as viewed in a single plane parallel to a referenced lot line.

Facade Width. Facade width is the linear width of the building elevation, measured in a single plane parallel to the referenced lot line.

Fair Market Value. The price that land will bring in a competitive and open market under all conditions of fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undue stimulus.

Family. Family means one or more individuals related by blood, marriage, adoption, or guardianship, or not more than 3 individuals not so related, occupying a dwelling unit and living as a single housekeeping unit.

Fall Zone. The area in which a Wireless Facility may be expected to fall in the event of a structural failure, as measured by engineering standards.

Family Home Daycare. See [6.1.11.F](#).

Farm Stand. See [6.1.12.E](#).

Fascia. Fascia means a band located at the top edge of a building, but below the actual roofline and above the building wall. Fascia material is typically of a different type than either the actual roof or the building wall.

Fault Line. Fault line means all geologic faults indicated on the Geological Quadrangle Maps covering Teton County, published by the U.S. Geological Survey.

Fence. Fence means a barrier of posts, wire, rails, boards, or other material which is a barrier and used as a boundary or means of protection or confinement. A fence shall not be a freestanding wall; and shall not include barbed wire, security wire, sharpened top spikes, electrified wires, or other similar elements or materials.

Fill Slope. Fill slope means the surface of the outward margins or sides of a fill.

Fill. Fill means rock, soil, sand, gravel, or other earth material deposited by man, whether submerged or not, which is commonly used for leveling, back-filling, or otherwise preparing a site for development or construction.

Finished Grade. See, "Grade, Finished."

Flag. Flag means a device generally made of flexible materials, such as cloth, paper, or plastic, displayed individually on poles or as groups on poles, strings, or wires.

Flashing Sign. See “Sign, Flashing.”

Flood. See Chapter 15.30, Flood Damage Prevention, Municipal Code of the Town of Jackson.

Floodplain. See Chapter 15.30, Flood Damage Prevention, Municipal Code of the Town of Jackson.

Floor Area. See Sec. 9.4.5.

Floor Area, Gross. See, “Gross Floor Area.”

Floor Area, Habitable. See, “Habitable Floor Area.”

Footcandle. Footcandle means a unit of illumination produced on a surface, all points of which are 1 foot from a uniform point source of 1 candle.

Frontage. Frontage means a lot line contiguous with a road right-of-way or roadway regardless of the designation of the lot line pursuant to Sec. 9.4.10.

Front Lot Line. See, “Lot Line, Front.”

Front Yard. See, “Yard, Street.”

G (1/1/15, Ord. 1074)

Garage. Garage means a building or floor area within a building intended to be used for the parking or storage of motor vehicles.

Glare. Glare means the effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

Grade, Finished. Finished grade means the final elevation of the ground surface after physical development that has been permitted pursuant to these LDRs. The term “finished grade” may also mean natural grade when no terrain alteration is proposed, or where otherwise applicable. Fill which is not necessary to achieve positive drainage or slope stabilization, or which is otherwise proposed clearly to manipulate the measurement of another standard of these LDRs, shall not be considered finished grade.

Grade, Natural. Natural grade means the elevation of the ground surface in its natural state before physical development.

Gradient. Gradient means the steepness, in terms of angle from the horizontal or in terms of percent, of a slope measured in a prescribed direction up or down the slope. For a road, the gradient is measured as the steepness along the centerline.

Gravel Extraction and Processing, Temporary. See Section 6.1.12.F.

Incidental Use. See [6.1.2.B.2.](#)

Infrastructure. Infrastructure means public facilities necessary to serve development, including, but not limited to roads, potable water supply facilities, sewage disposal facilities, drainage facilities, electric facilities, natural gas facilities, telephone facilities and cable television facilities.

Institutional Use. See [Sec. 6.1.8.](#)

Irrigation Ditch. An irrigation ditch is a man-made ditch constructed for the purpose of land irrigation. Irrigation ditches shall not include naturally formed drainageways.

K (1/1/15, Ord. 1074)

Kitchen. A kitchen is a room or portion of a room devoted to the preparation or cooking of food for a person or a family living independently of any other family, which contains a sink and a stove or oven powered by either natural gas, propane or 220-V electric hook-up. A wet bar, consisting of no more than a refrigerator, sink, and microwave, or similar facility that is a homeowner convenience and is not intended to function as the cooking facility for a separate dwelling unit shall not be considered a kitchen facility.

L (D2 effective date)

Land Disturbing Activity. A land disturbing activity is any manmade change to the land surface, including removing vegetative cover, excavating, filling, and grading. The tending of gardens and agricultural activities are not land disturbing activity.

Land. Land means all land or water surfaces, whether public or private, including lots of record, or other ownership categories and all rights – surface, subsurface, or air – that may be attached or detached from the land.

Landscape Surface Area. Landscape surface area is the area of a site that is covered by natural vegetation, trees, or landscaped areas such as turf grass, planted trees and shrubs, mulch, or xeriscape. Any area of a site meeting the definition of site development is not landscape surface area.

Landscaping, Required. Required landscaping includes required landscape surface area and required plant units.

Light Industry. See [6.1.9.B.](#)

Live/Work Unit. See [6.1.4.H.](#)

Loading Area or Space. The portion of a site developed for the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and related landscaped areas.

Local Road. See, “Road, Local.”

Lodging. See Sec. 6.1.5.

Lot Area. Lot area means the gross site area of a lot of record.

Lot Line, Front. Front lot line means the street lot line unless no street lot line exists in which case it means the lot line across which access is taken.

Lot Line, Rear. Rear lot line means a lot line opposite a street or front lot line. A non-rectangular lot of record or lot of record with multiple street lot lines may not have a rear lot line or may have multiple rear lot lines. See also Sec. 9.4.10 regarding designation of street and rear lot lines.

Lot Line, Side. Side lot line means any lot line other than a street, front, or rear lot line.

Lot Line, Street. Street lot line means a lot line contiguous with a road right-of-way or roadway. See Sec. 9.4.10. for rules for determining street lot line designation.

Lot Line. A line bounding a lot of record which divides one lot of record from another lot of record or from a street.

Lot of Record. Any validly recorded platted lot, parcel, or tract of land for which the deed is on record with the Teton County Clerk, and which complied with all applicable laws, ordinances, and regulations on the date of its creation.

Lot Size, Minimum. Minimum lot size means the required minimum gross site area of a newly created lot of record, including remnant parcels.

Lot. An area of land that is shown on a duly approved and recorded subdivision map.

Luminaire. Luminaire means a complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

M (10/7/15, Ord. 1097)

Maintenance (Sign). Sign maintenance means the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not change or alter the basic copy design, or structure of the sign.

Manmade Slope. See "Slope, Manmade"

Maximum Extent Practicable. Maximum extent practicable means no feasible or practical alternative exists, as determined by Staff, and all possible efforts to comply with the LDRs and minimize potential harmful or adverse impacts have been undertaken by the applicant. Economic considerations may be taken into account but shall not be the overriding factor determining "maximum extent practicable."

Maximum Permitted Illumination. Maximum permitted illumination means the maximum illumination measured in footcandles at the street, side, and rear setbacks at ground level.

Outdoor Recreation. See [6.1.7.C.](#)

Outfitter. See [6.1.7.E.](#)

P (D2 effective date)

Parcel. Parcel means unplatted property that is described by metes and bounds, or any public land surveys, or aliquot parts, or lot or tract designations not recognized as lawfully platted.

Parking (Use). See [6.1.10.B.](#)

Parking Lot. Parking lot means 4 or more adjacent parking spaces.

Pathway. Pathway means a facility designed for non-motorized travel intended for the use of bicyclists, pedestrians, equestrians, and cross-country skiers.

Pedestrian Facility. Pedestrian facility means a sidewalk or other walkway intended primarily for the use of pedestrians.

Performance Bond. Performance bond means a financial guarantee to ensure that all improvements, facilities, or work required by these LDRs will be completed in compliance with these LDRs, and the approved plans and specifications of a development.

Person. Person means an individual or group of individuals, corporation, partnership, association, municipality, or state agency.

Personal wireless service facilities. Personal wireless service facilities means facilities for the provision of personal wireless services. Personal wireless services means commercial wireless telecommunication services, unlicensed wire-less services, and common carrier wireless exchange access services.

Physical Development. Physical development means any of the following activities that alter the natural character of the land and for which a permit may be required pursuant to the LDRs: the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings, structures, or accessory structures; any grading, clearing, excavation, dredging, filling or other movement of land; any mining, paving, or drilling operations; or the storage, deposition, or excavation of materials. Physical development does not include the use of land that does not involve any of the above listed activities.

Planned Residential Development. See [Sec. 7.1.2.](#)

Plat. Plat means the legally recorded drawing depicting the subdivision of land into 2 or more lots.

Primary Use. See [6.1.2.B.4.](#)

Principal Use. See [6.1.2.B.1.](#)

Profane Language on Signs. Any signs that can be viewed by the public that involves the use of profane or vulgar language, words, epithets, or expressions.

Protected Zone. The following zones are protected zones: Neighborhood Conservation - Single-Town (NC-ToJ) and Auto-Urban Residential-Town (AR-ToJ).

Public Sanitary Sewer. See “Wastewater Treatment System, Public.”

Public Water Supply. See “Water Supply, Public.”

R (1/1/15, Ord. 1074)

Ranch Compound. Ranch compound means a cluster of structures built in traditional ranch forms commonly found on ranches in Teton County.

Real Estate Sales Office. See [6.1.12.C.](#)

Rear Lot Line. See, “Lot Line, Rear.”

Rear Yard. See, “Yard, Rear.”

Recorded. Recorded means formally indexed and abstracted in the official records of the Teton County Clerk. Recorded does not include documents that are merely filed.

Recreational Park Trailers (RPT). An RPT or park model, is a trailer type that is primarily designed to provide temporary living quarters for recreational, camping, travel or seasonal use that meets the following criteria: (1) built on a single chassis; (2) mounted on wheels having a gross trailer area not exceeding 400 square feet in the set-up mode; and (3) certified by the manufacturer as complying with current ANSI A119.5, which specifies standards for operating systems and construction requirements. RPTs do not include Mobile and Manufactured homes or Conventional Camping Units. Gross Trailer Area is the gross square footage of a Recreational Park Trailer measured to the maximum horizontal projections of exterior walls including all siding, corner trims, moldings, storage areas enclosed by windows, but not the roof overhangs. Unenclosed porches are not included in the gross trailer area.

Required Open Space. See, “Open Space, Required.”

Required Landscaping. See, “Landscaping, Required.”

Residential Street. Residential street means a local road serving residential uses.

Residential. See [Sec. 6.1.4.](#)

Restaurant. See [6.1.6.E.](#)

Retail (Use). See [6.1.6.C.](#)

River. See [Sec. 5.1.1.](#)

Road, Arterial. Arterial road means a road, which is intended to provide for high-speed travel between or within communities or to and from collector roads. Access is controlled so that only significant land uses may take direct access to these streets. For the purposes of these LDRs, arterial roads are identified as arterials on the Official Town County Highway Map.

SECTION IV.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION V.

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 VI.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2016.
PASSED 2ND READING THE ____ DAY OF _____, 2016.
PASSED AND APPROVED THE ____ DAY OF _____, 2016.

TOWN OF JACKSON

BY: _____
Sara Flitner, Mayor

ATTEST:

BY: _____
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 _____, 2016.

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

Town Clerk

ORDINANCE S

AN ORDINANCE AMENDING AND REENACTING SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND AMENDING THE TOWN OF JACKSON OFFICIAL ZONING DISTRICT MAP TO CHANGE THE ZONING DESIGNATION OF 126 ACRES OF LAND CURRENTLY ZONED URBAN COMMERCIAL (UC), URBAN COMMERCIAL – 2 (UC-2), URBAN RESIDENTIAL (UR), AUTO-URBAN COMMERCIAL – TOWN (AC-TOJ), AUTO-URBAN RESIDENTIAL – TOWN (AR-TOJ), OFFICE PROFESSIONAL – TOWN (OP-TOJ), OFFICE PROFESSIONAL – 2 (OP-2), BUSINESS CONSERVATION – TOWN (BC-TOJ), RESIDENTIAL BUSINESS (RB), OR NEIGHBORHOOD CONSERVATION – TOWN (NC-TOJ) TO DOWNTOWN CORE (DC), COMMERCIAL RESIDENTIAL – 1 (CR-1), COMMERCIAL RESIDENTIAL – 2 (CR-2), OFFICE RESIDENTIAL (OR), OR PUBLIC/SEMI-PUBLIC – TOWN (P/SP-TOJ) IN CONNECTION WITH IMPLEMENTING CHARACTER DISTRICT 2 - TOWN COMMERCIAL CORE AS SET FORTH IN THE JACKSON/TETON COUNTY COMPREHENSIVE PLAN; AND ESTABLISHING 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 1074 (part) and the Official Zoning District Map of the Town of Jackson are hereby amended to change the zoning designation of following depicted land currently zoned Urban Commercial (UC), Urban Commercial – 2 (UC-2), Urban Residential (UR), Auto-Urban Commercial – Town (AC-ToJ), Auto-Urban Residential – Town (AR-ToJ), Office Professional – Town (OP-ToJ), Office Professional – 2 (OP-2), Business Conservation – Town (BC-ToJ), Residential Business (RB), or Neighborhood Conservation – Town (NC-ToJ) to Downtown Core (DC), Commercial Residential – 1 (CR-1), Commercial Residential – 2 (CR-2), Office Residential (OR), or Public/Semi-Public – Town (P/SP-ToJ), as follows:

District 2 Zoning

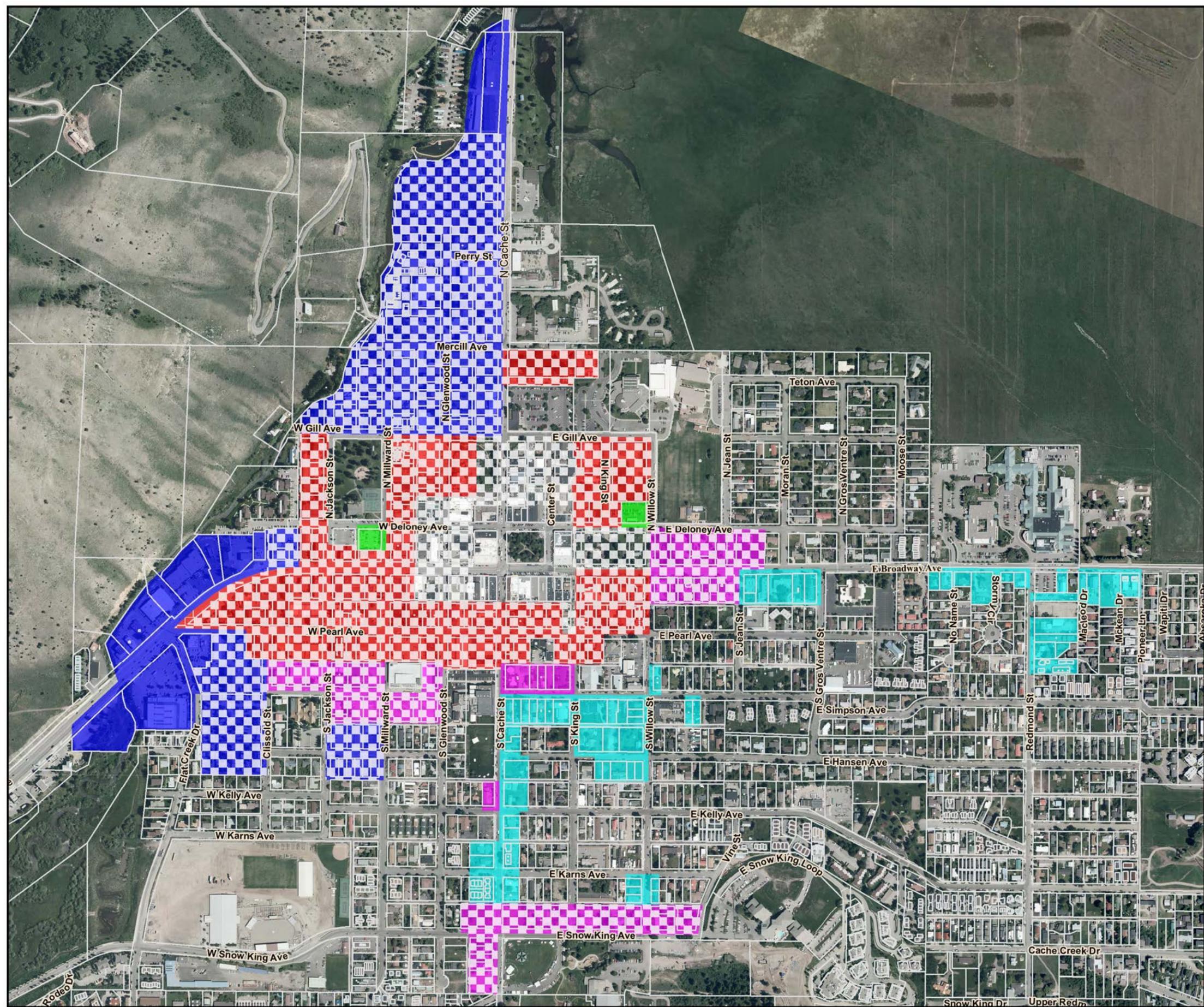
June 15, 2016

Lodging Overlay

LO

Zoning

- DC
- CR1
- CR2
- OR
- PSP



6/15/16 AN



(Ord. ___§ 1, 2016; Ord. 1074, § 2, 2014.)

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 ____, 2016.

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

PASSED AND APPROVED THE ___ DAY OF ____, 2016.

TOWN OF JACKSON

BY:

Sara Flitner, Mayor

BY: _____
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 _____, 2016.

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

Town Clerk

Redline Comparison of Repealed Ordinance 1126 and Proposed Ordinance P

ORDINANCE ~~P1126~~

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 7.1.1, 7.2.1 AND 7.4.2.D OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING DEVELOPMENT OPTION AND SUBDIVISION STANDARDS APPLICABLE IN ALL ZONES IN CONNECTION WITH IMPLEMENTING CHARACTER DISTRICT 2 - TOWN COMMERCIAL CORE AS SET FORTH IN THE JACKSON/TETON COUNTY COMPREHENSIVE PLAN, AND TO ADD DIVISION 7.8 (WORKFORCE HOUSING INCENTIVE PROGRAM) TO THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS, 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 7.1.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Div. 7.1. Development Option Standards

7.1.1. Development Options Schedule (D2 effective date)

The table below establishes the development options allowed in each zone. The standards for each development option are established in this Division. The density and intensity requirements for each development option are located in the standards for the zone, found in [Article 2.-Article 4.](#) The thresholds for permitting allowed development options are also established by zone.

Town Character Zones - Development Options						
Option	Complete Neighborhood Zones				Rural Area Zones	Stds
	DC	CR-1	CR-2	OR	n/a	
UCD	--	--	--	--	--	7.1.3.
MHP	--	--	--	--	--	7.1.4.

Key: P = Development option allowed with appropriate permit -- = Development option prohibited

Town Legacy Zones - Development Options																	
Option	Complete Neighborhood Zones												Rural Area Zones	Civic Zones		Stds	
	TS	UC	UR	AC-ToJ	AR-ToJ	BP-R ToJ	BC-ToJ	RB	MHP-ToJ	NC-ToJ	NC-2	S-ToJ	R-ToJ	P/SP-ToJ	P-ToJ		
UCD	--	P	P	P	P	P	--	--	--	--	--	P	P	--	--	--	7.1.3.
MHP	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	7.1.4.

Key: P = Development option allowed with appropriate permit -- = Development option prohibited

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 7.2.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted as follows:

7.2.1. Subdivision Types Schedule (D2 effective date)

Div. 7.2. Subdivision Standards

This Division contains the development standards required for subdivision, such as requirements for new roads, water and sewer infrastructure, utilities, parks, and other physical improvements necessary to safely serve newly subdivided property and minimize impacts on existing community services and infrastructure. See [Sec. 8.5.3](#) for the procedure to subdivide property.

7.2.1. Subdivision Types Schedule (D2 effective date)

The table below establishes the subdivision types allowed in each zone. The standards for all subdivisions and each subdivision type are established in this Division. The density and intensity requirements for each subdivision type are located in the standards for the zone, found in [Article 2.-Article 4](#). The thresholds for permitting allowed subdivision are also established by zone.

Town Character Zones - Subdivision Types						
	Complete Neighborhood Zones				Rural Area Zones	Stds
	DC	CR-1	CR-2	OR	n/a	
Land Division	P	P	P	P	--	7.2.3.
Condominium/Townhouse	P	P	P	P	--	7.2.4.

Key: P = Development option allowed with appropriate permit
 -- = Development option prohibited

Town Legacy Zones - Subdivision Types																	
	Complete Neighborhood Zones												Rural Area Zones	Civic Zones	Stds		
	TS	UC	UR	AC- ToJ	AR- ToJ	BP- R	BP- ToJ	BC- ToJ	MHP- RB	NC- ToJ	NC- 2	S- ToJ	R- ToJ	P/SP- ToJ		P- ToJ	
Land Division	P	P	P	P	P	P	P	P	P	--	P	P	P	P	P	P	7.2.3.
Condominium/Townhouse	P	P	P	P	P	P	P	--	P	--	--	P	P	--	P	P	7.2.4.

Key: P = Development option allowed with appropriate permit -- = Development option prohibited

SECTION III.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 7.4.2.D of the Town of Jackson Land Development Regulations are hereby amended and reenacted as follows:

townhouse subdivisions. Where the provision of such housing is determined to be impractical, this Division will set forth standards for the conveyance of land or an in-lieu fee.

C. Applicability

1. **General.** The standards of this Division apply to residential development options and uses unless exempted below.
2. **General Obligation.** It is the objective of the Town of Jackson to make measurable progress toward reducing the existing deficit of affordable housing that existed on the date of adoption (12/18/95) of this Division.

D. Exemptions

The following residential development options and uses are exempted from the standards of this Division.

1. **Redevelopment of Preexisting Uses.** Redevelopment or remodeling of a use existing prior to December 18, 1995 is exempt from the requirements of this Division, provided no additional residential units are created by the redevelopment or remodeling activity. In the event new residential units are created, only the number of units that existed prior to the redevelopment or remodeling shall be exempt from the standards of this Division. For the purposes of this Subsection, conversion of an existing dwelling unit to a condominium or townhouse is a change in use, creates a new use that did not exist prior to the effective date of this Division and is not exempt from this Division.
2. **Mobile Home Park.** Development of a mobile home park is exempt from the standards of this Division, provided that during its review, the Jackson Town Council makes a finding that the units to be located within the development meet the purposes of this Division and, therefore, provision of added affordable housing as a consequence of the development is not required.
3. **Development of Conventional Single-Family Unit on Previously Created Lot.** The development of one conventional single-family unit on a legal lot of record created prior to December 18, 1995 is exempt from the requirements of this Division.
4. **Development on Lot of record for Which Affordable Housing Standard Has Already Been Met.** Development on any lot of record for which the affordable housing standard, pursuant to this Division, has already been met via provision of affordable housing, conveyance of land, or payment of fees-in-lieu, is exempt from the standards of this Division.
5. **Employee Housing.** Development of employee housing pursuant to Div. 6.3. of these LDRs is exempt from the standards of this Division.
6. **Accessory Residential Unit.** Development of an accessory residential unit is exempt from the standards of this Division.
7. **Group Residential.** Development of a dormitory or group home is exempt from the standards of this Division.

8. **Temporary Uses.** Development of a temporary use is exempt from the standards of this Division.
9. **Affordable Housing Development.** Residential developments that are designed and administered to meet the objectives of this Division, as determined by the Jackson Town Council. This may include projects developed or sponsored by non-profit organizations that are charged to promote affordable housing and projects for which agreements have been executed that provided affordable housing or land for said purpose.
10. **Subdivision.** The subdivision of a previously platted residential lot into no greater than two lots shall be exempt from the standards of this Division. Further, this exemption shall only be applied on a one-time basis.
11. **Live/Work Units.** Development of a live/work unit is exempt from the standards of this Division.
12. **Workforce Housing Floor Area Bonus.** A unit developed pursuant to Sec. 7.8.4. of these LDRs is exempt from the standards of this Division.

E. Calculation of Affordable Housing Standards for Residential Development

The affordable housing standards for all residential development including condominium and townhouse subdivisions shall be as follows.

1. **Required Affordable Housing Percentage.** Residential development and condominium or townhouse subdivisions shall consist of at least a 1:4 ratio of affordable housing to free market housing, as determined by the following formula:

The total number of proposed free market residential units (including units on noncontiguous lots of record), or the total number of rental units converted to condominiums or townhouses in a condominium or townhouse subdivision, whichever is applicable, multiplied by the applicable occupancy contained in the table below, shall equal the number of free market occupants of the development. The number of occupants of the required affordable housing units, shall be at least 25% of the number of free market occupants of the development. In instances where residential subdivisions are proposed without dwelling units, the applicant shall project the type of dwelling units. The Jackson Town Council shall approve the projected mix of dwelling units based on comparable developments in Teton County and the Town of Jackson as part of its review of a Housing Mitigation Plan.

SECTION IV.

Section 1 of Town of Jackson Ordinance No. 1074 (part) is hereby amended and reenacted to add Division 7.8 – Workforce Housing Incentive Program to the Town of Jackson Land Development Regulations, to read as follows:

Div. 7.8. Workforce Housing Incentive Program

7.8.1. Intent (D2 effective date)

This Division establishes incentives for the development of workforce housing. Because not every landowner will use the incentives, this Division manages growth by limiting the actual (rather than a projected) use of the incentives. Section 7.8.2. establishes the limit on the cumulative use of the incentives over time, and the following Sections establish specific incentives.

7.8.2. Cumulative Limit on Incentives (D2 effective date)

Use of an incentive in this Division is prohibited if the application would increase the amount of residential development allowed in the Town and County above the amount allowed and planned for since 1994.

- A. The amount of residential development allowed in the Town and County is reported annually as Indicator 1 of the Jackson/Teton County Comprehensive Plan Indicator Report. Past Indicator Reports can be found at www.jacksonstetontetonplan.com.
- B. A residential unit shall be added to the amount of residential development allowed in the Town and County upon its initial approval using an incentive in this Division.
- C. A residential unit approved using an incentive in this Division shall be subtracted from the amount of residential development allowed in the Town and County upon expiration, revocation, or extinguishment of the approval.

EXAMPLE: A project proposing 4 residential units through use of the Workforce Housing Floor Area Bonus (Sec. 7.8.4.) receives Sketch Plan approval in 2016. The 2017 Indicator Report would report an increase of 4 residential units as a result of the project. If by 2018 the units are not built and the Sketch Plan approval has expired, the 2019 Indicator Report would report a decrease of 4 residential units as a result of the project expiration. The cumulative effect of the increase reported in the 2017 and decrease reported in the 2019 would reflect that no incentive units have been built on the site.

- ~~D. A short term rental unit approved pursuant to Sec. 7.8.4 shall not be counted toward the residential development allowed in the Town and County.~~

7.8.3. Deed Restricted Housing Exemption (D2 effective date)

A. Intent

Deed restricted housing is required by Div. 6.3, Div. 7.4. and other standards of these LDRs. A landowner may also voluntarily deed restrict housing. In order to encourage incorporation of required and voluntary deed restricted housing into development, deed restricted housing is exempt from certain LDRs.

B. Applicability

The exemptions of this section shall apply to the following floor area.

1. **Required Restricted Housing.** Floor area in a residential unit that is required to be restricted in order to comply with Div. 6.3., Div. 7.4., or another standard of these LDRs.
2. **Voluntary Restricted Housing.** Floor area in a residential unit that is subject to an affordable, employee, employment-based, or rental workforce deed restriction, acceptable to the Jackson/Teton County Housing Authority, which is recorded with the County Clerk, that is not required by Div. 6.3., Div. 7.4., or another standard of these LDRs.

C. Exemptions

Floor area meeting the applicability standards of this Section is exempt from calculation of the following standards, but is still subject to all other applicable standards of these LDRs.

1. Maximum Floor Area Ratio (FAR)
2. Thresholds for physical development permits
3. Affordable housing required by Div. 7.4
4. Limit on 20% expansion of a nonconforming physical development

7.8.4. Workforce Housing Floor Area Bonus (D2 effective date)

A. Intent

In most cases, the volume of building allowed by the minimum setbacks and maximum height exceeds the volume of building allowed by the FAR of a property. The purpose of the workforce housing floor area bonus is to encourage development, especially by the private sector, of additional deed restricted housing in that excess volume by allowing additional unrestricted floor area.

B. Applicability

The exemptions of this Section shall apply to both the deed restricted and unrestricted floor area approved pursuant to this Section.

1. **Maximum Amount of Unrestricted Housing.** The maximum amount of unrestricted floor area that can be approved pursuant to this Section is limited by the amount of restricted floor area provided pursuant to this Section, as tabulated below.

Maximum Exempt Unrestricted Floor Area per Voluntarily Restricted Floor Area	
Zone	Unrestricted Floor Area : Restricted Floor Area
DC	2:1
CR-1	2:1
CR-2	2:1
OR	2:1

2. **Restricted Housing.** The restricted floor area provided pursuant to this Section shall be subject to an affordable, employee, employment-based, or rental workforce deed restriction, acceptable to the Jackson/Teton County Housing Authority, which is recorded with the County Clerk.
3. **Required Restrictions Do Not Apply.** Floor area that is required to be restricted in order to comply with Div. 6.3, Div. 7.4, or another standard of these LDRs shall not be included in the calculation of the maximum amount of unrestricted floor area allowed by this Section.
4. **Allowed Use.** Floor area approved pursuant to this Section shall only be used for one of the following uses:
 - a. Attached Single Family Dwelling (6.1.4.C); or
 - b. Apartment (6.1.4.D); or
 - c. Dormitory (6.1.4.F); or
 - d. Group Home (6.1.4.G); or
 - e. Short term Rental Unit (6.1.5.C).
5. ~~Short term Rental Limit. Floor area approved pursuant to this Section shall only be approved for short term rental use if the following standards are met.~~
 - a. ~~The floor area shall be unrestricted and located in the DC zone and Lodging Overlay.~~
 - b. ~~A maximum of 100,000 sf of habitable floor area may be approved pursuant to this Section for short term rental use.~~
 - i. ~~The amount of short term rental approved pursuant this Section is reported annually in the Jackson/Teton County Comprehensive Plan Indicator Report. The Indicator Report can be found at www.jacksontetonplan.com.~~
 - ii. ~~Short term rental floor area shall be counted upon its initial approval pursuant to this Section.~~

- ~~iii. Floor area shall be subtracted from the total amount of short term rental approved pursuant to this Section upon expiration, revocation, or extinguishment of the approval.~~

C. Exemptions

Floor area meeting the applicability standards of this Section is exempt from calculation of the following standards, but is still subject to all other applicable standards of these LDRs.

1. Maximum Floor Area Ratio (FAR)
2. Thresholds for physical development permits
3. Affordable housing required by Div. 7.4
4. Limit on 20% expansion of a nonconforming physical development

SECTION V.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 VII.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2016.
PASSED 2ND READING THE ____ DAY OF _____, 2016.
PASSED AND APPROVED THE ____ DAY OF _____, 2016.

TOWN OF JACKSON

BY: _____
Sara Flitner, Mayor

ATTEST:

BY: _____
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 _____, 2016.

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

Town Clerk



TOWN COUNCIL HEARING AGENDA DOCUMENTATION

PREPARATION DATE: April 11, 2016
MEETING DATE: April 19, 2016

SUBMITTING DEPARTMENT: Town & County Planning
DEPARTMENT DIRECTOR: Tyler Sinclair
PRESENTER: Tyler Sinclair and Paul Anthony

SUBJECT: P15-004 District 2: Commercial Core LDRs text amendment; P15-005 District 2: Commercial Core LDRs Official Zoning Map amendment

STATEMENT/PURPOSE

The purpose of the hearing is for the Town Council to consider adoption of the proposed District 2: Commercial Core LDR (District 2) text and zoning map amendments originally released on November 10, 2014.

To help organize the Council's review, staff offers the following four key topics for the Council to consider in its review of the proposed District 2 LDRs:

- Nonresidential potential: Is staff's general approach for keeping nonresidential potential at "zero" reasonable (i.e., replacing each existing zone with a "matching" new zone with similar FAR and location)? Council may want to refer to the colored tables below for a more detailed discussion of individual properties.
- Lodging Overlay: Is staff's proposal to return the LO to its current boundary sound? Should certain properties be added or taken out of the LO?
- Workforce housing incentives: Does the proposed residential incentive tool(s) make sense? Is there a way to make it more easily understood or effective? Does it target the type of workforce housing the Council wants to create?
- Other: Are there other changes that should be made to the draft District 2 LDRs that would help to better implement the Council's most recent direction or otherwise encourage redevelopment consistent with the Comprehensive Plan.

Upon final action by Council on the proposed text and zoning map amendments, either tonight or at a future meeting, staff will revise the draft regulations and zoning map for final consideration by Council

during the three (3) required ordinance readings. Staff anticipates the revision will take approximately 30 days to complete.

BACKGROUND

This item is a continuation of the Council’s review of the District 2 LDRs. Most recently, on January 12, 2016, the Town Council (and County Commissioners) provided additional direction on District 2 that required significant changes to the draft District 2 LDRs. The Council provided this direction to clarify confusion and disagreement over whether the Comprehensive Plan includes a buildout cap for nonresidential development. While the Council and County Commissioners did not answer the question of a nonresidential buildout cap directly, they did decide as a policy matter that the new LDRs (both Town and County) should focus more on addressing the community’s workforce housing problems than on adding more nonresidential potential which would likely increase the need for ~~more~~-employee housing. The question of whether to add more nonresidential development potential to the Town in the future may be addressed again by a future Council. Specifically, the Council instructed staff to revise the draft District 2 LDRs to be consistent with the following two changes:

1. **Nonresidential potential:** No additional nonresidential potential, except for institutional uses, shall be added to the community compared to existing zoning. Some flexibility was provided for minor increases in potential to fix existing broken zones and standards (e.g., simplifying the existing AC zone from seven different FARs to two FARs);
2. **Workforce housing incentives:** Incentives to encourage the development of workforce housing to help meet our goal of housing 65% of our workforce locally shall be included in District 2 (as well as to other parts of town in future LDRs updates) . These incentives can be designed to allow residential development beyond the “base” Floor Area Ratio (FAR) of each zone provided development still did not exceed the existing height and other development limits (setbacks, parking, LSR, etc.) already proposed in District 2.

Staff has revised the draft District 2 LDRs to be consistent with the Council’s direction. The redline text in the draft represents changes proposed to the original draft District 2 LDRs release in November, 2014. Also, please note that staff has reorganized and changed the names of the five District 2 zones to be more accurate and hierarchical (see table below for reference).

PREVIOUS D2 ZONE NAME		PROPOSED D2 ZONE NAME
TN-1 Downtown Core	→	Downtown Core
TN-2 Office Mixed Use	→	Office-Residential
TN-3 South Cache	→	Commercial-Residential 1
TN-4 Downtown Mixed Use	→	Commercial-Residential 2
TN-5 Urban Residential	→	Residential Core

For additional context on the review process, a summary of the major milestones in the District 2 LDR review process is provided below:

- **May 8, 2013:** Revised Lodging Overlay Map direction provided (not adopted)
- **September 12, 2013:** District 2: Public Studio Summary and Recommendations Report released
- **June 2, 2014:** Forest Service Site included in District 2 LDR process
- **November 10, 2014:** Downtown District 2 LDRs released (public review begins)

- **Dec. 16, 2014:** Joint Planning Commission/Town Council Workshop on draft District Downtown LDRs
- **Jan. 14, 21, 27, and Feb. 4, 2015:** Planning Commission hearings on District 2 LDRs
- **Mar. 12, 19, 26; April 30; June 2, 16, & 30, 2015:** Town Council hearings on District 2 LDRs
- **Jan. 12, 2016:** Town Council and Board of County Commissioners (JIM) provide direction on nonresidential potential and residential incentives for workforce housing.

STAFF ANALYSIS

To assist the Council in its review of the revised draft Downtown LDRs, the key relevant changes to the draft Districts 2 LDRs are provided below.

KEY CHANGES TO DRAFT DISTRICT 2 LDRs

- **Floor Area Ratios (FAR):** The Floor Area Ratios (FAR) of the five proposed District 2 zones were modified and/or reduced to keep nonresidential potential at “zero” in District 2;
- **District 2 zoning map:** The locations of the five new District 2 zones were revised to keep nonresidential potential at “zero.” The result is that the boundary of each proposed District 2 zone closely matches the boundary of an existing “corresponding” zone (e.g., the new Downtown Core zone replaces the existing UC zone with same FAR and location);
- **Lodging Overlay:** The boundary of the Lodging Overlay was returned to its existing extent to keep nonresidential potential at “zero”;
- **Names of District 2 zones:** The names of the five District 2 zones were changed and reorganized to more accurately reflect their level of intensity;

To provide more analysis on the above key changes, some of the content from the release memo (March, 4, 2015) is repeated and expanded upon below for the Council’s convenience.

Nonresidential Potential: Nonresidential development potential (floor area) in the draft District 2 LDRs has been kept to “zero” – i.e., the proposed LDRs add approximately 55,000 sf of additional nonresidential floor area in District 2, which is a 0.65% increase in nonresidential development potential in the Town as a whole.

As stated above, at the January 12, 2016 JIM, the Town Council and County Commissioners directed staff that no additional nonresidential potential, except for institutional uses, should be added to the community at this time compared to existing zoning. The joint boards did allow some flexibility for minor increases to fix existing broken zones and standards (e.g., simplifying the existing AC zone from seven different FARs to two FARs) Also, from staff’s perspective, “zero” additional nonresidential potential represents not a single number but a range of +/- zero because the buildout estimate of “zero” is itself based on numerous complex assumptions that contain significant margins of error.

On a practical level, revising the draft District 2 LDRs to “zero” was accomplished by modifying the FARs of the five proposed District 2 zones and then revising the boundaries of the zoning map and Lodging Overlay. In addition, consistent with Council direction, staff ensured that no properties lost development potential (i.e., were downzoned) in the process. This had the secondary effect of

precluding the option of shifting nonresidential potential from one property to another because any shift would involve the need to take development potential from one property to give it to another and, thus creating a downzone to some degree.

The end result of staff’s modifications are that the now proposed District 2 zones and FARs closely match the location and FARs of existing zones. In simple terms, this means that every existing Downtown zone will be replaced with a very similar proposed District 2 zone. See the table below for how existing Town zones would be replaced by the proposed new District 2 zones.

DISTRICT 2 ZONE/FAR CONVERSION TABLE		
Current Zone		Proposed D2 Zone
UC (1.3 FAR)	→	Downtown Core (1.3 FAR)
UC-2 / OP-2 (.65, .80 (LO) FAR)	→	Commercial-Residential 1 (.65 .80 (LO) FAR)
AC (.25, .40, .46, .80(LO) FAR)	→	Commercial-Residential 2 (.46 .80 (LO) FAR)
OP/RB/BC (.32, .40, .46 FAR)	→	Office-Residential (.46 FAR)
UR-PUD (.65 FAR)	→	Residential Core (.65 FAR)

Key properties impacted by the direction to get to “zero”: To better understand the zoning map changes/trade-offs staff made to create the latest District 2 zoning map that adds “zero” (i.e., 55,271 sf) additional nonresidential potential, please see the below table. It shows how adding or subtracting certain key properties would impact nonresidential potential. The properties included in the table are key properties that staff had to rezone in order to get to “zero” additional nonresidential potential – so the point of the table is to show the impact on nonresidential potential of reversing any of these staff decisions. A map is attached to this staff report that shows where each property or area is located.

To best use this table, staff recommends that you start by looking at the Council’s June direction for each property (red column) and then compare that to the proposed March 4 zoning (orange column). This will tell you how staff changed the Council’s June direction in order to get to “zero.” In most cases, it is a reduction in nonresidential development potential. The far right column provides how much floor area was subtracted (or added for #7 and #16) for each of the 16 zone changes proposed by staff (e.g., for the Marriott/Westerner properties, staff’s decision to change these properties from DC/LO to CR-1/LO reduced nonresidential potential by 29,989 sf – thus a Council decision to reverse this decision and go back to DC/LO would add 29,989 sf to the 55,000 sf above “zero” already proposed by staff). If the Council feels strongly that any of these properties should be changed back to the red column zoning, then it should make a recommendation to that effect.

Properties Rezoned by Staff to Achieve No Added Nonresidential Potential	Current Zone	March 4 Zone	June TC Direction	
			Zone	Added Nonres. Potential (sf)
1. Marriot/Westerner	UC2/LO	CR1/LO	DC/LO	29,989
2. AC/LO North of Gill	AC/LO	CR2/LO	DC/LO	212,946
3. 345-375 W. Broadway	AC/LO	CR2/LO	DC/LO	17,734
4. Elk Country Inn	AC/LO	CR2/LO	DC/LO	59,567
5. Cowboy Village	AR	AR	CR2/LO	150,139
6. Bubbas	AC	CR1	DC	27,906
7. E. Broadway UC2/LO	UC2/LO	CR1/LO	CR2	-23,101
8. E. Broadway NC	NC	NC	OR	32,074
9. 465 E. Broadway	AR	AR	OR	18,654

Properties Rezoned by Staff to Achieve No Added Nonresidential Potential	Current Zone	March 4 Zone	June TC Direction	
			Zone	Added Nonres. Potential (sf)
10. Hitching Post	AR	AR	OR	10,318
11. OP2 not on S. Cache	OP2	CR1	OR	-7,125
12. S. Cache AR	AR	AR	CR1	80,591
13. S. Cache OP	OP	OR	CR1	2,851
14. S. Cache BC	BC	BC	CR1	5,256
15. Meadowbrook	AR	AR	CR2	72,686
16. Brew Pub area	AC/LO	CR2/LO	CR2	-27,025
TOTAL				663,460 sf

The Planning Commission addressed each of the 16 changes in the table and provided its recommendations, largely reversing staff’s decisions to reduce these properties’ additional development potential (see section below in staff report for more details on Planning Commission recommendation).

Lodging Overlay: The boundary of the Lodging Overlay (LO) was changed back to match the existing LO boundary (with the one exception that the LO was removed from the Town Square Zone as previously decided by the Council).

To ensure that no additional lodging potential was added (or lost) in the revised District 2 LDRs, the easiest and most accurate strategy was to return the LO to its existing boundary. The Council may consider additions or deletions to the LO from this starting point.

Workforce Housing Incentives: Staff developed a workforce housing incentive with the help of housing consultant, Navigate, LLC, which can be used in each District 2 zone, as well as other zones in the Town. A memo is attached that details staff’s analysis and includes Navigate, LLC’s final report.

At the January 12 JIM, the Town Council and the Board of County Commissioners directed staff to create incentives for workforce housing that:

- Help meet our goal of housing 65% of the workforce locally;
- Make financial sense so the market is encouraged to provide deed-restricted housing; and
- Remove LDR barriers that prevent housing from getting built by the market.

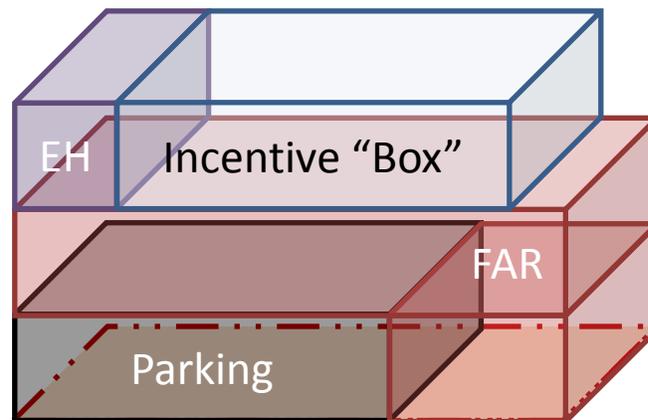
To achieve Council’s direction in District 2, staff is proposing a workforce housing incentive that allows for the construction of bonus floor area at a ratio of:

- **2** square feet of **market** residential : **1** square foot of **employment restricted** residential

A memo is attached that offers a detailed explanation of staff’s proposal. To summarize, Staff is recommending this approach because:

- The proposed incentive helps the community meet its goal of housing 65% of the workforce locally by providing up to twice the amount of restricted units that would be needed to keep-up with growth.
- The proposed employment restriction offers a 43% return on construction cost to a developer that elects to use the incentive as part of a project that is already being built.
- The proposal removes the barrier created by a maximum floor area limit and is proposed to be as simple as possible to encourage as much use as possible.

The proposed incentive allows a property owner to fill the unused “box” (created by the setback and height standards for a property) to provide housing. For example, in the proposed DC zone there are no setbacks, a 3rd story stepback, and a 3 story limit, but the proposed FAR for the DC zone is 1.3, which is less than the floor area allowed by the “box”. The illustration to the right depicts the space available for workforce housing built using the incentive. Any use allowed in the DC zone can occupy that FAR space shown as red in the illustration. The uses that fill the FAR require parking and employee housing; space for parking is shown as black and space for the required employee housing is shown as purple. The remaining “box” is the clear space that can be used for the workforce housing incentive.



While Council directed staff to focus on creating effective incentives that get units built, they also directed staff to cap the total units that could be built using the incentives so as not to increase overall development potential. To accomplish these two directions, Council approved a monitoring approach to limiting the units built through incentives. Reductions in development potential in the County, primarily through the rural LDR updates, have created a “pool” of units that can be allocated through incentives without increasing communitywide development potential. The monitoring approach allows for the total number of units that could theoretically be built using incentives to exceed the “pool” of units available; but tracks the actual number of units built through incentives so that when all of the units in the “pool” are built, the incentives are discontinued.

KEY CHANGES IN DISTRICT 2 INTENDED TO ENCOURAGE REDEVELOPMENT IN DOWNTOWN

Encouraging revitalization of properties within District 2, consistent with the Comprehensive Plan, has been a priority throughout the LDR drafting process. This is consistent with the goals in the Comprehensive Plan. Thus, without the incentive of additional nonresidential floor area as an option, the primary strategy is to find ways to reduce barriers to redevelopment posed by existing development standards and review procedures. Below is a summary of the major proposed changes in the District 2 LDRs that are intended to encourage redevelopment:

1. **Streamlining of review process:** The thresholds for development review have been increased in all zones so that more and larger projects will be reviewed and approved at the staff level, leaving only truly large and/or complex projects for the lengthier public review process with the Planning Commission and Town Council. This change will reduce the amount of time and money spent on many projects, which is a common complaint.
2. **Reduced parking for residential uses:** The parking requirement for all residential uses has been reduced to 1 space/dwelling unit where the current LDRs generally require 2 spaces/dwelling unit.
3. **Reduced Landscape Ratio (LSR):** The LSR was reduced in a few new zones (e.g., reduced from 20% to 10% in Commercial-Residential 2 zone (compared to current AC)). Many property owners cite the LSR requirement a significant barrier to redevelopment or density.

4. Increased height to 42' and 46': The height has been increased from essentially 35' to 42'/46' in four of the five new Downtown zones. This will significantly increase options to design buildings and floor plans that can reach the maximum FAR of each lot.
5. Three stories allowed in more locations: Three stories are allowed in more areas in Downtown than under current standards, which allows three stories only in the Lodging Overlay or with a PUD. This change will increase the likelihood that landowners can reach the maximum FAR on each lot.
6. Increased predictability of standards: The proposed "form" standards provide greater clarity to landowners of the expectations for new development. The reduced need for interpretation of the LDRs and negotiation of standards should streamline the review process and help landowners avoid costly plan surprises.
7. Administrative Adjustment: Nearly all the major "form" standards of the pedestrian frontages and building frontages may be adjusted by up to 20% of the requirement. This will help to alleviate some of the possible unintended consequences of the new LDRs.

Nonconformities: In addition, the recent approval (but still in the ordinance reading process) by Council of amendments to the Town's nonconforming standards will generally make it easier for properties with nonconforming buildings to redevelop. This will prove to be a significant benefit for properties that may be made nonconforming by adoption of the District 2 LDRs. However, because many of the new "form" standards are quite different than current standards, smooth implementation of the new District 2 standards will require additional flexibility related to the "form" standards, as made evident to staff working recently with landowners on future redevelopment plans for properties in District 2. Thus, staff is proposing that properties be exempt from the requirement to remedy "form" standards (pedestrian frontages, transparency, third story stepback, etc.) upon 20% expansion of an existing building. Properties will only have to comply with "form" standards when a building is replaced. Staff will need to add language to this effect but staff welcomes Council's thoughts on this matter.

While the above summary of advantages demonstrates that the proposed District 2 LDRs should encourage redevelopment in multiple ways, it should be acknowledged too that some of the proposed "form" standards may increase the cost of redevelopment and/or impose new design obligations on development. The intent behind the "form" standards is to increase the predictability and quality of building design and the pedestrian experience along our streetscapes. Elevating design standards can increase the up-front costs of development. For example, the requirement for a 15'-wide pedestrian frontage (12' with an Administrative Adjustment) may prove limiting and/or more expensive for some properties than current standards. It may even require some small part of private property being used for a sidewalk. Similarly, the requirement for a 10' third-story stepback could create expensive design challenges and loss of floor area, especially for lodging facilities that often need double-loaded hallways for optimal return. However, higher quality development also tends to increase property values over the long-term and create more enduring and economically viable projects, so there should be a long-term benefit that compensates for some of the greater up-front costs of the proposed "form" standards. In the end, staff concludes that the intended benefits of the proposed District 2 LDRs will significantly outweigh the potential disadvantages in terms of encouraging redevelopment.

PLANNING COMMISSION

The Planning Commission reviewed this item on March 23. For that review, staff clarified that the Planning Commission's review was limited to addressing only the changes made by staff to implement the Council's

recent direction to keep nonresidential potential in the Town to “zero” and to create an incentive program for workforce housing. In addition, the Planning Commission was informed that it could recommend changes to other parts of the draft District 2 LDRs if they were necessary to better implement the Council’s direction or to reduce barriers to redevelopment consistent with the new direction and Comprehensive Plan.

In its discussion of the proposed District 2 LDRs, a number of general points were made.

- Commissioner Holt provided a number of proposed changes to the Residential Core Zone intended to encourage workforce housing, including: 1) limiting single family detached units to no more than 10% of the site; 2) reducing the LSR from 20% to 10%; and 3) allowing 4 stories if 65% of units are deed-restricted. Commissioner Holt also suggested that there be no 3rd-story stepback for multi-family buildings. The other commissioners agreed with these changes as shown in the motions below.
- A number of Commissioners, primarily Mr. Janak and Mr. Stennis, stated that they did not agree with the goal of “zero” additional nonresidential potential because it would stifle redevelopment and seemed contrary to the goals for District 2 in the Comprehensive Plan. The current commercial LDRs are broken and the proposed LDRs do not fix the known problems, one of which is a lack of FAR in the commercial core of the Downtown area. Mr. Janak noted that affordable housing is not the goal of District 2. Mr. Stennis expressed concern that we are not looking at the Town zoning holistically because we are doing the LDR update process in increments for different areas of Town, making it difficult to see how the whole picture fits together. Mr. Stennis also stated that there is a shortage of Class-A office space that will unfortunately not be addressed by the District 2 LDRs. Commissioner Vandenberg also expressed general concern about the new direction of “zero” and that it was not how he interpreted the future vision of District 2 in the Comprehensive Plan.
- Commissioner Falcey stated that she generally supported the proposed District 2 LDRs but also supported some of the suggested improvements proposed by Commissioner Holt. Commissioner Holt stated that while she was disappointed by the decision to go to “zero” nonresidential potential, she accepted the Council’s direction at this point and saw her role as trying to make the best possible version of the LDRs consistent with that direction, not second-guessing the decision.

The Commission also discussed the table of zoning changes provided in the staff report that summarized the specific properties that were rezoned by staff to get to “zero” nonresidential potential. Below is a table that includes both the list of properties and the action taken by the Planning Commission. Again, reference to the map attached to this staff report may be helpful in reviewing this table.

The PC recommendation is contained in the purple section. There you will find the Commission’s recommended zoning for each key property, the amount of floor area added to “zero” for each property, and the reason for the change. In total, the Commissioner’s recommendations add approximately 575,056 sf of additional nonresidential potential in District 2 above the staff’s proposal of about 55,000 sf, represented by the orange column for March 4.

Properties Rezoned by Staff to Achieve No Added Nonresidential Potential	Current Zone	March 4 Zone	PC Recommendation		
			Zone	Added Nonres. Potential (sf)	Rationale
1. Marriot/Western	UC2/LO	CR1/LO	DC/LO	29,989	Reflects PMD approval
2. AC/LO North of Gill	AC/LO	CR2/LO	DC/LO	212,946	Gateway into Downtown

Properties Rezoned by Staff to Achieve No Added Nonresidential Potential	Current Zone	March 4 Zone	PC Recommendation		
			Zone	Added Nonres. Potential (sf)	Rationale
3. 345-375 W. Broadway	AC/LO	CR2/LO	DC/LO	17,734	Gateway into Downtown
4. Elk Country Inn	AC/LO	CR2/LO	DC/LO	59,567	Gateway into Downtown
5. Cowboy Village	AR	AR	CR1/LO	150,139	Reflects existing use
6. Bubbas	AC	CR1	DC/LO	27,906	Gateway into Downtown
7. E. Broadway UC2/LO	UC2/LO	CR1/LO	CR1/LO	0	Reflects existing use
8. E. Broadway NC	NC	NC	NC	0	Reflects existing use
9. 465 E. Broadway	AR	AR	AR	0	Reflects existing use
10. Hitching Post	AR	AR	P/SP	0	Provides more flexibility
11. OP2 not on S. Cache	OP2	CR1	CR1	0	Reflects existing zoning
12. S. Cache AR	AR	AR	CR1	80,591	Comp Plan vision
13. S. Cache OP	OP	OR	CR1	2,851	Comp Plan vision
14. S. Cache BC	BC	BC	CR1	5,256	Comp Plan vision
15. Meadowbrook	AR	AR	AR	0	Reflects existing use
16. Brew Pub area	AC/LO	CR2/LO	CR1	-11,923	No lodging, but more base
TOTAL				575,056 sf	

Please see the section on Planning Commission recommendations for succinct summary of the final recommendation of the Planning Commission.

PUBLIC COMMENT

Staff has received three written public comments, all which are attached to this staff report.

Public comment was also provided verbally at the Planning Commission hearing on March 23. A summary of the public comment is provided below:

- **Scott Pierson:** Stated that proposed version of District 2 LDRs is a disappointment and that he disagreed with the breaking up of the corridors (South Cache Street and East Broadway). He feels that this version does not reflect the intent of the eight years of planning that went into new Comprehensive Plan and District 2. Mr. Pierson also spoke as a representative of Clarene Law and stated that the Cowboy Village should be put entirely in the Lodging Overlay. Also, if we are going to go in this direction, we should at least bring back the Planned Mixed-Use Development (PMD) tool to encourage redevelopment.
- **Ken Mahood:** Stated that the proposed District 2 LDRs are a step in the right direction but noted that parking is a key barrier to affordable housing. We need to address this barrier and possibly use South Cache corridor as a place to get more affordable housing.
- **Mary Gibson (Jackson Hole Conservation Alliance):** Stated that the proposed District 2 LDRs are a significant improvement over previous versions because nonresidential development has been significantly reduced. They would like to have details in the workforce housing incentive tool to better comment on how it might/might not help meet our 65% local workforce goal. The JHCA would also like to see a conservation link to allow the workforce housing incentives.

- **Micheal Lutz:** As a young attorney in Town, he stated that the lack of affordable housing for young professionals is very serious and leads to significant stress and uncertainty about whether he and others like him can afford to stay in the valley. He wants to encourage the Town to think of housing solutions for young professionals and not just the lowest ends of the income scale.
- **Emily Mokey:** She a physical therapist who was homeless for 4 months even though she was employed with a good job. She agrees with what Mr. Lutz said about young professionals not being able to make it in Jackson because of the housing shortage.
- **Allie Nolan:** As a small business owner, she is keenly aware of the difficulty her employees have finding housing and how it impacts her business's ability to retain high quality staff. She supports the proposed District 2 LDRs.
- **Jay Varley:** Stated that institutional development is the biggest problem creating demand for employee housing, not commercial. The lodging market has changes, we need more short-term rental condos in Town. Current LDRs have not encouraged redevelopment and neither will the proposed District 2 LDRs. Would like to build more housing as part of mixed-used projects but zoning is not helpful. Also, Teton Village should house more of its employees.
- **Jeff Golightly (Jackson Hole Chamber of Commerce):** Stated that while housing is definitely a major issue that District 2 is not the likely or appropriate place to try to solve this problem. Limiting commercial redevelopment to try to provide greater affordable housing opportunities is misguided and will only hurt the commercial future of Downtown. Also, commercial development is not the driver of growth, so let's not punish it for the sake of affordable housing.
- **Mark Barron:** Stated that he has a long history of supporting affordable housing, both as a public official and business owner, even owns some units for his employees. The new Comprehensive Plan was intended to address the weaknesses of the 1994 Plan and LDRs. However, current version of District does little more than perpetuate the same failed policies and direction of the past. We need more FAR to get things built, including affordable housing. Institutional uses are a major driver of growth and demand for employee housing but such uses, including non-profits, have no housing requirements like regular businesses. That's not fair. Also, there was limited notice of the JIM meeting where the JIM decided to add "zero" nonresidential growth.
- **Ryan Dunfee:** Works for Teton Gravity Research doing videos and is really committed to this valley despite living here only for a couple of years. It is very difficult to live here because of the high price of housing and he's hoping the Town can try to address this problem with the new LDRs.
- **Taylor Phillips:** He is a small business owner who runs a wildlife tour operation with eight employees. His employee often can't find housing. Also, the great traffic congestion in Town and around the valley hurts his business and he hears complaints from customers.
- **Tim Rochford:** He owns properties immediately to the East of the Golden Eagle and would like them to be rezoned to the same zoning as the Golden Eagle [CR-1] and other properties all the way to Willow Street. He says it makes not sense to keep his properties at NC-SF when he's right next to the old motel.

- **Jorge Moreno:** He works at the Latino Resource Center and is concerned that over a 100 motel rooms currently being used for temporary worker housing will be lost in the summer when the rooms are rented to tourists. This is a major problem and so we really need to focus on affordable housing opportunities whenever we can.
- **Kristen Walker:** She grew up in Jackson but operating a small business here is really hard. There may be fewer opportunities now than when her parents were her age. The proposed District 2 LDRs go too far in not helping small businesses and will stifle other entrepreneurs.

LEGAL REVIEW

The draft District 2 LDRs have not been submitted to the Town Attorney for legal review. Staff intends to do so after the Town Council has provided its final direction and planning staff has drafted the final LDRs and associated ordinances.

FISCAL IMPACT

n/a

STAFF IMPACT

n/a

ATTACHMENTS

1. Revised draft of the District 2 LDRs
2. Revised zoning map of District 2 w/ revised Lodging Overlay map
3. Public comment
4. Workforce housing incentive memo (April 11, 2016)
5. Map of key properties rezoned to get to “zero” additional nonresidential potential

FINDINGS

According to Sec. 8.7.1.C Findings, amendments to the text of the Town Land Development Regulations shall be approved for reasons including but not limited to the following:

1. Is consistent with the purposes and organization of the LDRs.

Yes. The proposed text amendment is the first major rezoning update to the LDRs and are consistent with the LDRs’ primary purpose which is to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. In addition, the proposed new District 2 zoning districts and associated amendments to the LDRs are consistent with the LDRs’ goals to improve predictability in LDR implementation and to focus on desired future character as the organizing principle for development in the Town.

2. Improves the consistency of the LDRs with other provisions of the LDRs

Yes. The proposed text amendment will improve consistency of the LDRs by eliminating three legacy zones (OP - Office Professional, OP-2 - Office Professional 2, and UC-2 – Urban Commercial-2) that will no longer exist if the proposed District 2 LDRs and five new District 2 zones are adopted.

3. Provides flexibility for landowners within standards that clearly define desired character

Yes. The proposed text amendment will provide adequate flexibility to landowners to encourage creative solutions to meet development goals while adhering to clear and predictable regulations that prescribe the type, size, aesthetic, and location of development.

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation

Yes. The adoption of a Jackson/Teton County Comprehensive Plan adopted in May 2012 is a new condition that requires the Town to update the LDR text and zones to be consistent with the new Comprehensive Plan. The proposed text amendments, which provide updated zoning regulations for Character District 2: Town Commercial Core, are the first targeted rezoning update by the Town to implement the new Comprehensive Plan.

5. Improves implementation of the Comprehensive Plan

Yes. The proposed text amendment is intended as the first step in updating the LDRs to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. The proposed District 2 LDRs will improve predictability in LDR implementation and focus on desired future character of Character District 2: Town Commercial Core consistent with the new policy direction of the 2012 Comprehensive Plan. More specifically, the Policy Objectives for District 2 are addressed below:

Common Value 1: Ecosystem Stewardship

N/A

Common Value 2: Growth Management

4.1.b: Emphasize a variety of housing types, including deed-restricted housing.

The proposed District 2 text amendments, unlike the current LDRs, allows a much broader variety of housing types in all District 2 zones. In addition, the proposed workforce housing incentive will encourage the development of deed-restricted housing above current levels.

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

The proposed District 2 text amendments are intended to help revitalize Downtown Jackson so that it can remain the commercial and lodging hub of the valley. By adding height, reducing some parking standards, and reducing setbacks, LSR, and other key development standards, the proposed District 2 LDRs should encourage redevelopment in the heart of the Town.

4.2.c: Create vibrant walkable mixed use areas.

The proposed District 2 text amendments include aggressive new requirements for expanded and better designed sidewalks and pedestrian frontages which should significantly improve the pedestrian experience for residents and visitors.

4.2.d: Create a Downtown Retail Shopping District.

N/A.

4.2.f: Maintain lodging as a key component in the downtown.

The proposed District 2 text amendments maintain the same boundary for the Lodging Overlay.

4.4.b: Enhance Jackson gateways.

While the proposed District 2 text amendments do not provide enhanced standards for gateway properties in District 2 (e.g., on the North end of Town and near the Flat Creek Bridge on West Broadway), the proposed “form” standards will require higher quality development in our District 2 gateway locations.

4.4.d: Enhance natural features in the built environment.

The proposed District 2 text amendments do not focus heavily on natural resource protection largely because the only major natural feature is Flat Creek and we hope to address possible protections for Flat Creek on a more comprehensive basis in subsequent LDR efforts, possibly in conjunction with future County natural resource amendments.

Common Value 3: Quality of Life

5.2.d: Encourage deed-restricted rental units.

The proposed District 2 text amendments, especially, the workforce housing incentives, will provide additional opportunities for landowners to incorporate deed-restricted rental units into their projects.

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

N/A

6.2.c: Encourage local entrepreneurial opportunities.

The proposed District 2 text amendments are intended to streamline the development review process, increase predictability, and generally clarify the application of the LDRs in the District 2 area. These improvements should reduce barriers to redevelopment and help new businesses get started in the community.

6.3.a: Ensure year-round economic viability.

The proposed District 2 text amendments are intended to streamline the development review process, increase predictability, and generally clarify the application of the LDRs in the District 2 area. These improvements should increase the attractiveness for businesses operate throughout the year.

7.1.c: Increase the capacity for use of alternative transportation modes.

The proposed District 2 text amendments encourage and hopefully increase the number of trip taken by walking, biking, and transit by creating better and safer sidewalks and maintaining the Downtown area as the economic center of the community.

6. Is consistent with other adopted Town Ordinances

Yes. The proposed text amendments for the District 2 LDRs are consistent with other adopted Town Ordinances.

According to Sec. 8.7.2.C Findings for Approval, amendments to the Official Zoning Map of the Town of Jackson shall be approved for reasons including but not limited to the following:

1. Is consistent with the purposes and organization of the LDRs

Yes. The proposed District 2 amendments to the Official Zoning Map are the first targeted mapping update to the LDRs and are consistent with the LDRs’ primary purpose which is to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. In addition, the proposed new District 2 zoning districts are consistent with the LDRs’ goals to improve predictability in LDR implementation and to focus on desired future character as the organizing principle for development in the Town.

2. Improves implementation of the desired future character defined in the Illustration of Our Vision chapter of the Comprehensive Plan

Yes. The proposed District 2 amendments to the Official Zoning Map are intended as the first step in updating the Official Zoning Map to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. The proposed zoning map changes will implement the desired future character of Character District 2: Town Commercial Core, which is for a vibrant, walkable, and “lights on” downtown area, consistent with the new policy direction of the 2012 Comprehensive Plan. In addition, because the zoning mapping amendments are essentially the locational representation of the text amendments for the new District 2 zones, please see the above responses for Finding #5 for text amendments as a response for this finding.

3. Is necessary to address changing conditions or public necessity

Yes. The adoption of a Jackson/Teton County Comprehensive Plan adopted in May 2012 is a new condition that requires the Town to update its LDRs and Official Zoning Map to be consistent with the new Comprehensive Plan. The proposed District 2 zoning map amendments, which provide updated zoning regulations for Character District 2: Town Commercial Core, is the first targeted mapping update by the Town to implement the new Comprehensive Plan

4. Is consistent with other adopted Town Ordinances

Yes. The proposed District 2 amendments to the Official Zoning Map are consistent with other adopted Town Ordinances.

RECOMMENDATION

Planning Director Recommendation

Item A: The Planning Director recommends that Town Council **approve** the proposed amendments (District 2 LDRs) to the text of the Town Land Development Regulations, finding that the proposed District

2 LDRs meet the standards for an amendment to the text of the Land Development Regulations as detailed above, subject to the following modifications:

1. The workforce housing incentive shall be modified as presented by staff.
2. Structures that are nonconformities with newly introduced “form” standards (e.g. pedestrian frontages, transparency, third story stepback) shall be exempt from the requirement that the “form” standards be met upon 20% expansion.
3. Organizational and editing changes shall be made, to ensure clarity and consistency throughout the District 2 LDRs and between the District 2 LDRs and the rest of the Town LDRs.
4. Additional modifications identified by Council through its review.

Item B: The Planning Director recommends that Town Council **approve** the proposed amendments (District 2 LDRs) to the Official Zoning Map, finding that the new zone districts meet the standards for an amendment to the Official Zoning Map as detailed above, subject to the following modification:

1. Modifications identified by Council through its review.

Planning Commission Recommendation

Item A: Planning Commission recommends **denial** to the Town Council of the proposed amendments to the text of the Town Land Development Regulations (District 2 LDRs), finding that the proposed District 2 LDRS do not meet the standards for an amendment to the text of the Land Development Regulations as detailed above.

Should the Town Council consider approval of the District 2 LDRs, the Planning Commission recommends **approval** by the Town Council of the following modifications to the District 2 LDRs:

1. *Residential Core Zone:* Make the following changes: 1) limit SF detached units to no more than 10% of the site, 2) reduce the LSR from 20% to 10%, and 3) allow 4 stories if 65% of units are deed-restricted.
2. *Parking for dormitory:* reduce the current requirement from 1 parking space/bedroom;
3. *Exterior lighting height:* Clarify that 18’ height limit on lighting applies only to parking lot lights;
4. *3rd-story stepback:* 1) exempt multi-family buildings from 3rd-story stepback, 2) allow 60%-80% encroachment into the 3rd-story stepback instead on 40%, and 3) delete the 12 foot maximum for the width of an individual encroachment into the 3rd-story stepback.

Item B: Planning Commission recommends **approval** to the Town Council of the proposed amendments to the Official Zoning Map (District 2), finding that the proposed District 2 zoning meets the standards for an amendment to the Official Zoning Map as detailed above, subject to the list of modifications provided below.

1. The list of map changes agreed to by the Planning Commission and summarized below in the purple section of the table:

Properties Rezoned by Staff to Achieve No Added Nonresidential Potential	Current Zone	March 4 Zone	PC Recommendation		
			Zone	Added Nonres. Potential (sf)	Rationale
1. Marriot/Western	UC2/LO	CR1/LO	DC/LO	29,989	Reflects PMD approval
2. AC/LO North of Gill	AC/LO	CR2/LO	DC/LO	212,946	Gateway into Downtown
3. 345-375 W. Broadway	AC/LO	CR2/LO	DC/LO	17,734	Gateway into Downtown
4. Elk Country Inn	AC/LO	CR2/LO	DC/LO	59,567	Gateway into Downtown
5. Cowboy Village	AR	AR	CR1/LO	150,139	Reflects existing use
6. Bubbas	AC	CR1	DC/LO	27,906	Gateway into Downtown
7. E. Broadway UC2/LO	UC2/LO	CR1/LO	CR1/LO	0	Reflects existing use
8. E. Broadway NC	NC	NC	NC	0	Reflects existing use
9. 465 E. Broadway	AR	AR	AR	0	Reflects existing use
10. Hitching Post	AR	AR	P/SP	0	Provides more flexibility
11. OP2 not on S. Cache	OP2	CR1	CR1	0	Reflects existing zoning
12. S. Cache AR	AR	AR	CR1	80,591	Comp Plan vision
13. S. Cache OP	OP	OR	CR1	2,851	Comp Plan vision
14. S. Cache BC	BC	BC	CR1	5,256	Comp Plan vision
15. Meadowbrook	AR	AR	AR	0	Reflects existing use
16. Brew Pub area	AC/LO	CR2/LO	CR1	-11,923	No lodging, but more base
TOTAL				575,056 sf	

SUGGESTED MOTIONS

Item A: Text Amendment

I move to **APPROVE** P15-004, the District 2: Commercial Core amendments to the text of Town of Jackson Land Development Regulations, dated March 4, 2016, and as presented by Staff, finding pursuant to Section 8.7.1.C, Findings, that P15-004 is 1) Consistent with purposes of LDRs, 2) Improves consistency with other LDRs, 3) Provides flexibility with standards that clearly define desired character, 4) Necessary to meet changes or public necessity, 5) Improves implementation of Comprehensive Plan, and 6) Consistent with other Town Ordinances; and direct staff to prepare an ordinance or ordinances for first reading subject to the following modifications:

1. The workforce housing incentive shall be modified as presented by staff.
2. Structures that are nonconformities with newly introduced “form” standards (e.g. pedestrian frontages, transparency, third story stepback) shall be exempt from the requirement that the “form” standards be met upon 20% expansion.
3. Organizational and editing changes shall be made, to ensure clarity and consistency throughout the District 2 LDRs and between the District 2 LDRs and the rest of the Town LDRs.
4. Additional modifications identified by Council through its review.

Item B: Zoning Map Amendment

I move to **APPROVE** P15-005, the District 2: Commercial Core amendments to Official Zoning Map, dated March 4, 2016, and as presented by Staff, finding pursuant to Section 8.7.2.C, Findings for

Approval, that P15-005 is 1) Consistent with purposes of LDRs, 2) Improves implementation of desired future character, 3) Necessary to meet changes or public necessity, and 4) Consistent with other Town Ordinances; and direct staff to prepare an ordinance or ordinances for first reading subject to the following modification:

1. Modifications identified by Council through its review.