



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/ REGAN KOHLHARDT

SUBJECT: **SECOND READING OF ORDINANCE W:** AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 2.3.14.B.1, 2.3.14.C, 2.3.14.E, 2.3.15.B.1, 2.3.15.C, 2.3.15.E, 2.3.16.B.1, 2.3.16.C, 3.3.1.B.1, 3.3.1.C, 3.3.1.E, AND 6.1.1 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO ALLOW ACCESSORY RESIDENTIAL UNITS IN THE NC-TOJ, NC-2, S-TOJ, AND R-TOJ ZONES, AND PROVIDING FOR AN EFFECTIVE DATE.

REQUESTED ACTION

Second Reading of Ordinance W, an ordinance amending and reenacting Section 1 of Town of Jackson Ordinance No. 1074 (part) and Sections 2.3.14.B.1, 2.3.14.C, 2.3.14.E, 2.3.15.B.1, 2.3.15.C, 2.3.15.E, 2.3.16.B.1, 2.3.16.C, 3.3.1.B.1, 3.3.1.C, 3.3.1.E and 6.1.1 of the Town of Jackson Land Development Regulations to allow Accessory Residential Units in the NC-TOJ, NC-2, S-TOJ, AND R-TOJ zones, and providing for an effective date.

PRIOR TOWN COUNCIL ACTION

Prior to approving Ordinance W at First Reading, Council made two minor revisions to Ordinance W. The first dealt with the permissible size of detached ARUs. Ordinance W previously required that lots be twice as large as the zone's legal minimum lot size in order to have a detached ARU with 800 habitable sf. Council decided to change this requirement so that lots that are one-and-half times as large as the legal minimum lot size may have a detached ARU with 800 habitable sf.

The second revision Council chose to make was to extend the ability to have detached ARUs to properties in the Rural-ToJ zone. Previously, R-ToJ properties were only permitted attached ARUs. Council's chose to allow detached ARUs in the R-ToJ properties to maintain simplicity and consistency in the LDRs and because they did not see any significant downsides to the allowance.

The attached Ordinance W reflects these changes.

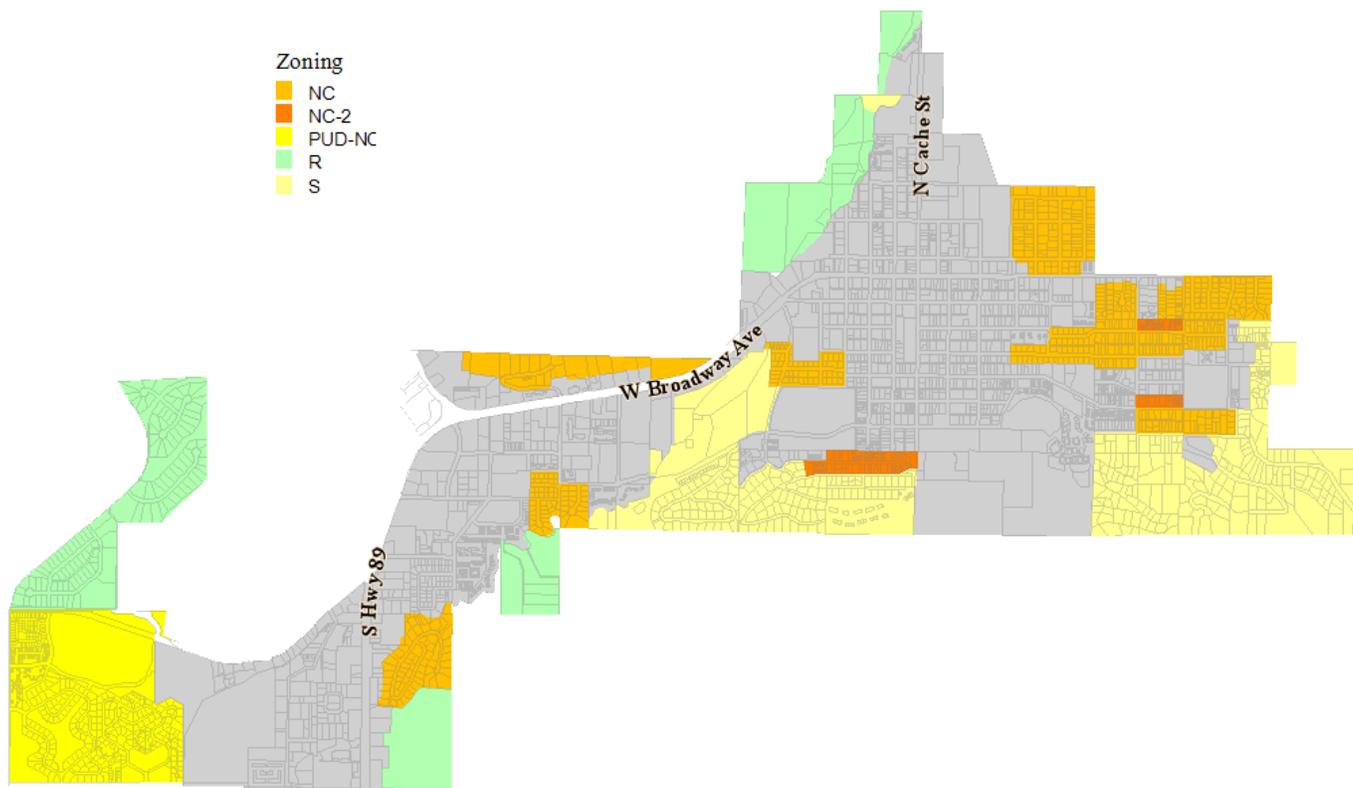
The entire Public Process for the Amendment is summarized below.

- *April 18:* Town Council Workshop. Staff directed to pursue amendment to allow ARUs in Town residential zones.
- *May 31 – June 9:* Four Public Workshops organized by Staff
- *July 6:* Planning Commission Approval with the condition that detached ARUs should be permitted in all zones. This condition was not adopted by Town Council.
- *July 18:* Town Council Approval, with the following condition:

- That parking requirements for ARUs be changed to read: 1/ARU if < 2 bedrooms and < 500 sf; otherwise, 2/ARU.
- *August 1*: First Reading of Ordinance W, passed with the following condition:
 - Lots in the NC-ToJ zone that do not meet minimum lot size shall only be allowed a single, attached ARU.
- *August 8*: Neighborhood Meeting where Town Officials met with residents of East Jackson to discuss the Amendment.
- *August 15*: Second Reading. Ordinance W continued to September 19th meeting. Council directed Staff to form and meet with an ARU Working Group
- *Week of August 29*: Two ARU Working Group Meetings
- *September 19*: Town Council Meeting and discussion of Working Group recommendations
- *October 3*: Town Council approves Ordinance W at First Reading with the minor revisions discussed above.

[LOCATION](#)

The Amendment would allow ARUs in the NC-ToJ-, NC-2, R-ToJ, and S-ToJ zones as shown in the map below.



[STAFF ANALYSIS](#)

Council’s modifications to Ordinance W make it more likely to be used by property owners. Allowing detached ARUs to have 800 habitable square feet on lots that are one-and-a-half times as large as the minimum lot size gives property owners on these lots greater incentive to build an ARU. In turn, this may result in more ARUs in the community and thus more workforce housing. In the R-ToJ zone, allowing detached ARUs provides more flexibility for property owners while also being more consistent with

neighboring Teton County zones, which also allow detached ARUs, and with the other zones considered in this Ordinance.

FINDINGS

Council made the Findings for this Amendment when they approved the Amendment on July 18th. These findings are detailed in the July 18th Staff Report, which is available upon request.

ATTACHMENTS

Ordinance W
Public Comment since October 3

FISCAL IMPACT

Not applicable.

STAFF IMPACT

None.

LEGAL REVIEW

Complete.

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

Staff recommends approval of Ordinance W on second reading.

SUGGESTED MOTIONS

I move to approve Ordinance W on second reading.

ORDINANCE W

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 2.3.14.B.1, 2.3.14.C, 2.3.14.E, 2.3.15.B.1, 2.3.15.C, 2.3.15.E, 2.3.16.B.1, 2.3.16.C, 2.3.16.E 3.3.1.C, 3.3.1.B.1, 3.3.1.E, AND 6.1.1 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO ALLOW ACCESSORY RESIDENTIAL UNITS IN THE NC-TOJ, NC-2, S-TOJ, AND R-TOJ ZONES, 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:

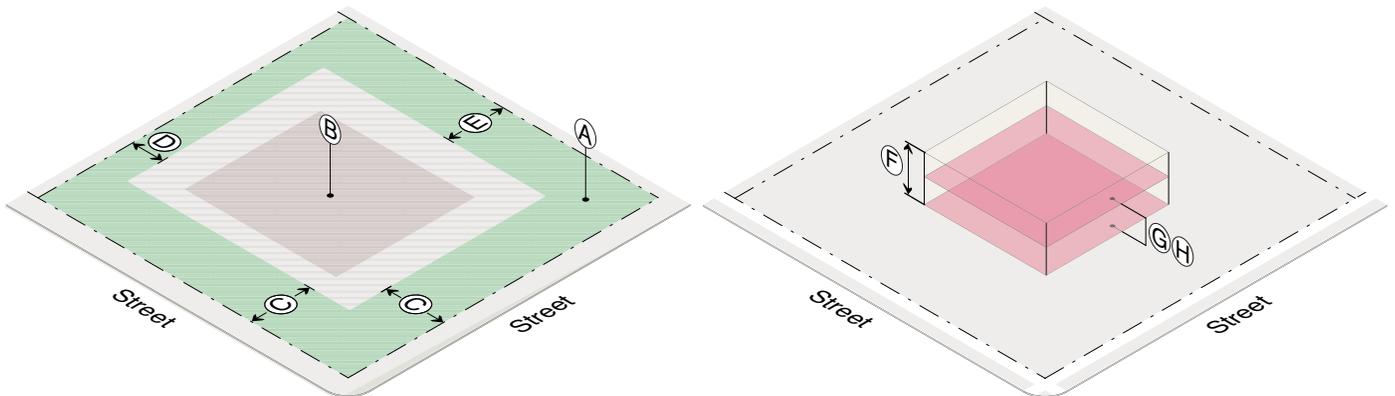
SECTION I.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Sections 2.3.14.B.1, 2.3.14.C, 2.3.14.E, 2.3.15.B.1, 2.3.15.C, 2.3.15.E, 2.3.16.B.1, 2.3.16.C, and 2.3.16.E of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 2. Complete Neighborhood Zones | Div. 2.3. Complete Neighborhood Legacy Zones
2.3.14. Neighborhood Conservation-Town (NC-ToJ) (11/09/16, Ord. xxxx)

B. Physical Development

Standards applicable to physical development in the NC-ToJ 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 NC-ToJ zone. This Subsection is intended to indicate all of the physical development standards applicable in the NC-ToJ zone, however, all standards in Article 5 are applicable in the NC-ToJ zone, unless stated otherwise.



1. Structure Location and Mass								
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	LSR (min)	Lot Coverage (max)	Street Setback (min)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	FAR (max)
Allowed use	.45	n/a	25'	10'	25'	30'	2	.40
Accessory use	See standard for principal use with which associated.							
Detached accessory structure	n/a	n/a	30'	5' (E.3)	5' (E.3)	28'	2	n/a

Exceptions

Street/Side Yard- U.S. Highway 26-89-189-191. No structure shall be located within 20 feet of the highway right-of-way of U.S. Highway 26-89-189-191. The design, development and operation of the proposed building or structure shall minimize or mitigate adverse effect, including visual impact of the proposed building or structure on adjacent properties.

Residential Projections. Covered and uncovered decks, porches, and balconies may encroach into a front yard by not more than 6 feet. Cornices, canopies, eaves, decks, porches, bay windows, chimneys, patios and similar architectural features may encroach into a side or rear yard not more than 4 feet. Fire escapes may extend into a side or rear yard by not more than 4 feet. Patios that are at grade may extend to any portion of a side or rear yard.

Detached Accessory Structure Separation. 10'

C. Allowed Uses and Use Standards

Standards applicable to uses in the NC-ToJ 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 NC-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the NC-ToJ zone, however, all standards in Article 6. are applicable in the NC-ToJ zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	0 sf	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B, E.3.)	B	0 sf	see E.3	1/bedroom	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

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

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single-Family unit (detached)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf
Accessory Residential Unit	
Detached ARU on Lot < 11,250 sf	500 sf habitable
All other ARUs	800 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.)

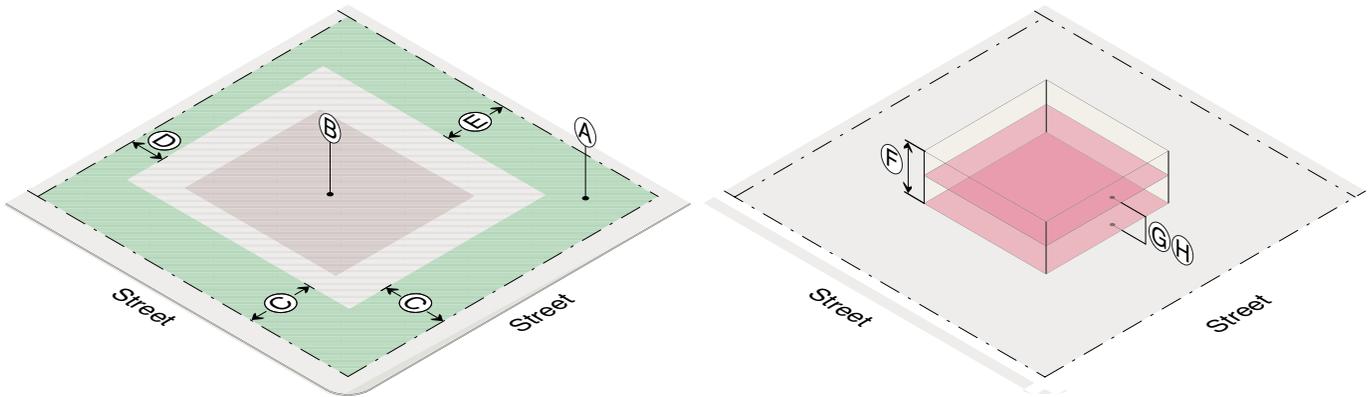
E. Additional Zone-specific Standards

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

1. **Subdivision.** All new divisions of land within the NC-ToJ zone shall comply with Sec. 8.3.2., Sec. 8.5.3., and this Section. The maximum number of lots into which any given lot of record may be subdivided in the NC-ToJ zone shall be determined as follows:
 - a. **Maximum Number of Lots According to Prior Regulations.** The maximum number of lots into which a lot of record in the NC-ToJ zone can be subdivided shall not exceed the maximum number of lots that would have been permitted on the lot of record in the zones mapped on the Zoning Map, Town of Jackson, Wyoming, adopted on April 5, 1967, as amended from time to time with a final revision date of December 31, 1993, and as follows:
 - i. **LR-1.** The minimum lot area shall be 12,000 square feet per dwelling or building.
 - ii. **S-ToJ, MR-2 and All Others.** The minimum lot area shall be 7,500 square feet.
2. **Resubdivision.** Lots of record may not be combined with other lots of record for the purpose of resubdividing to increase density. However, resubdivision for other purposes where overall existing densities are retained or reduced shall be permitted.
3. **Accessory Residential Units (ARUs)**
 - a. Accessory residential units are prohibited north of West Broadway accessed via Budge Drive and West Broadway Avenue.
 - b. A maximum of 1 ARU shall be permitted per lot; except that, 2 units may be permitted on lots that meet minimum lot size and have alley access or reverse street frontage.
 - c. Home Occupations in ARUs are prohibited.
 - d. Detached
 - i. Detached ARUs shall only be permitted on lots that meet minimum lot size.
 - ii. Detached ARUs less than 14' in height shall have at least 5' side and rear setbacks, otherwise they shall have at least 10' side and rear setbacks. Second floor decks shall also have at least 10' side and rear setbacks. The exception to this standard is that detached ARUs located on an alley or lot with reverse street frontage are permitted at least 5' rear setbacks regardless of height.

B. Physical Development

Standards applicable to physical development in the NC-2 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 NC-2 zone. This Subsection is intended to indicate all of the physical development standards applicable in the NC-2 zone, however, all standards in Article 5, are applicable in the NC-2 zone, unless stated otherwise.



1. Structure Location and Mass								
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	LSR (min)	Lot Coverage (max)	Street Setback (min)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	FAR (max)
Detached single-family unit								
2 units on lot	.45	.34	20'	10'	15'	28'	2	.42
1 unit on lot	.45	.32	25'	10'	25'	30'	2	.40
Attached single-family unit	n/a	n/a	20'	10'	15'	28'	2	.30
Other principal use	.45	.34	20'	10'	15'	28'	2	.42
Accessory use	See standards for primary use with which associated							
Detached accessory structure	n/a	n/a	30'	5' (E.5)	5' (E.5)	28'	2	n/a

Exceptions

Street/Side Yard- U.S. Highway 26-89-189-191. No structure shall be located within 20 feet of the highway right-of-way of U.S. Highway 26-89-189-191. The design, development and operation of the proposed building or structure shall minimize or mitigate adverse effect, including visual impact of the proposed building or structure on adjacent properties.

Residential Projections. Covered and uncovered decks, porches, and balconies may encroach into a front yard by not more than 6 feet. Cornices, canopies, eaves, decks, porches, bay windows, chimneys, patios and similar architectural features may encroach into a side or rear yard not more than 4 feet. Fire escapes may extend into a side or rear yard by not more than 4 feet. Patios that are at grade may extend to any portion of a side or rear yard.

Detached Accessory Structure Separation. 10'

C. Allowed Uses and Use Standards

Standards applicable to uses in the NC-2 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 NC-2 zone. This Subsection is intended to indicate all of the use standards applicable in the NC-2 zone, however, all standards in Article 6. are applicable in the NC-2 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	0 sf	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	2 units per lot	2/DU	n/a
Attached Single-family Unit (6.1.4.C.)	B	0 sf	2 units per lot	2/DU +0.5 per DU if ≥ 3 units served by lot	n/a
Apartment	B	0 sf	2 units per lot		
Dormitory (6.1.4.F.)	C	0 sf	7 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	7 rooms per acre	0.5/bed	n/a
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B, E.5.)	B	0 sf	2 units per lot	1/bedroom	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt
Y=Use allowed, no permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.)					

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

Accessory Residential Unit

Detached ARU on Lot < 11,250 sf	500 sf habitable
All other ARUs	800 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.)

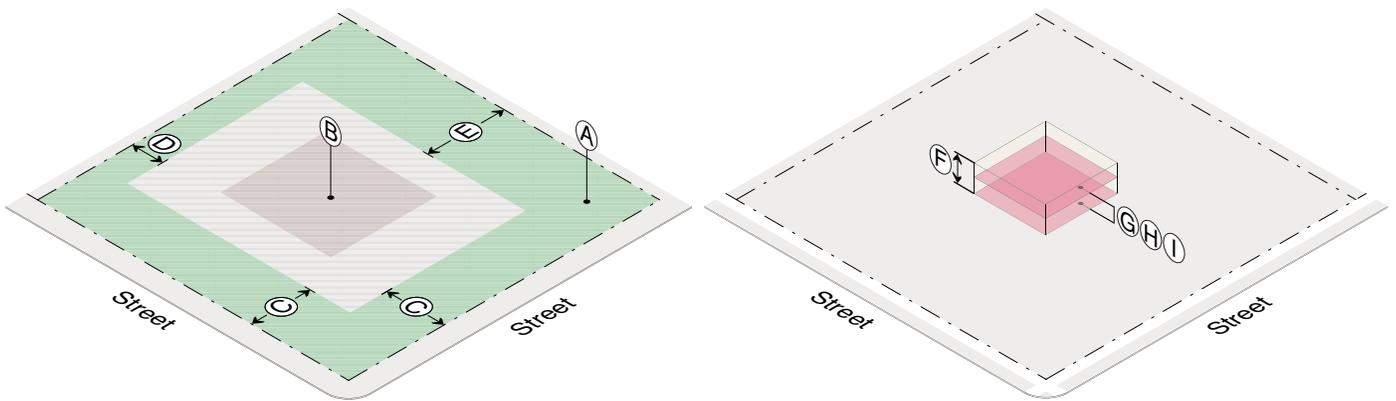
E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NC-2 zone.

1. Development is allowed according to the standards for single-family development and Urban Cluster Development in the AR/AC-ToJ zones.
2. There shall be 25 feet minimum separation between principal structures.
3. Subdivision. All new divisions of land within the NC-2 zone shall comply with Sec. 8.3.2., Sec. 8.5.3., and this Section. The maximum number of lots into which any given lot of record may be subdivided in the NC-2 zone shall be determined as follows:
 - a. **Maximum Number of Lots According to Prior Regulations.** The maximum number of lots into which a lot of record in the NC-2 zone can be subdivided shall not exceed the maximum number of lots that would have been permitted on the lot of record in the zone mapped on the Zoning Map, Town of Jackson, Wyoming, adopted on April 5, 1967, as amended from time to time with a final revision date of December 31, 1993, and as follows:
 - i. **LR-1.** The minimum lot area shall be 12,000 square feet per dwelling or building.
 - ii. **S-ToJ, MR-2 and All Others.** The minimum lot area shall be 7,500 square feet.
4. Resubdivision. Lots of record may not be combined with other lots of record for the purpose of resubdividing to increase density. However, resubdivision for other purposes where overall existing densities are retained or reduced shall be permitted.
5. **Accessory Residential Units (ARUs).**
 - a. Where there are two primary dwelling units per site, there may only be a single ARU per primary dwelling unit.
 - b. Home Occupations in ARUs are prohibited.
 - c. Detached
 - i. Detached ARUs shall only be permitted on lots that meet minimum lot size.
 - ii. Detached ARUs less than 14' in height shall have at least 5' side and rear setbacks, otherwise they shall have at least 10' side and rear setbacks. Second floor decks shall also have at least 10' side and rear setbacks. The exception to this standard is that detached ARUs located on an alley or lot with reverse street frontage are permitted at least 5' rear setbacks regardless of height.

B. Physical Development

Standards applicable to physical development in the S-ToJ 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 S-ToJ zone. This Subsection is intended to indicate all of the physical development standards applicable in the S-ToJ zone, however, all standards in [Article 5](#), are applicable in the S-ToJ 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)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	Stories (LO) (max)	FAR (max)
Allowed use	.60	.26	25'	15'	40'	28'	2	3	.30
Accessory Use	See standard for primary use with which associated.								
Detached accessory structure	n/a	n/a	30'	5' (E.2)	5' (E.2)	28'	2	3	n/a
Exceptions									
Residential Projections. Covered and uncovered decks, porches, and balconies may encroach into a front yard by not more than 6 feet. Cornices, canopies, eaves, decks, porches, bay windows, chimneys, patios and similar architectural features may encroach into a side or rear yard not more than 4 feet. Fire escapes may extend into a side or rear yard by not more than 4 feet. Patios that are at grade may extend to any portion of a side or rear yard.									
Detached Accessory Structure Separation. 10'									

C. Allowed Uses and Use Standards

Standards applicable to uses in the S-ToJ 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 S-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the S-ToJ zone, however, all standards in [Article 6](#) are applicable in the S-ToJ zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	0 sf	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Dormitory (6.1.4.F.)	C	0 sf	15 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.) (E.1.)	C	0 sf	15 rooms per acre	0.5/bed	n/a
Amusement/Recreation					
Outdoor Recreation (6.1.7.C.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B. , E.2.)	B	0 sf	1 unit per lot	1/bedroom	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Real Estate Sales Office (6.1.12.C.)	B	0 sf	n/a	3.3/1,000 sf	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

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

3. Maximum Scale of Use	
Individual Use (floor area)	
Single-family unit (detached)	
Habitable floor area excluding basement (max)	8,000 sf
Gross floor area excluding basement (max)	10,000 sf
Habitable floor area (min)	1,000 sf
Accessory Residential Unit	
Detached ARU on Lot < 18,000 sf	500 sf habitable
All other ARUs	800 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.)

Article 2. Complete Neighborhood Zones | Div. 2.3. Complete Neighborhood Legacy Zones
2.3.16. Suburban-Town (S-ToJ) (11/09/16, Ord. xxxx)

E. Additional Zone-specific Standards

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

1. Group Home Use Standards

Group Home uses shall be located at least 300 feet from an existing dwelling unit, unless the group home use was proposed as part of a development that included both the group home use and the dwelling units.

2. Accessory Residential Units (ARUs)

- a. Home Occupations in ARUs are prohibited.
- b. Detached
 - i. Detached ARUs shall only be permitted on lots that meet minimum lot size.
 - ii. Detached ARUs less than 14' in height shall have at least 5' side and rear setbacks, otherwise they shall have at least 10' side and rear setbacks. Second floor decks shall also have at least 10' side and rear setbacks. The exception to this standard is that detached ARUs located on an alley or lot with reverse street frontage are permitted at least 5' rear setbacks regardless of height.

SECTION II.

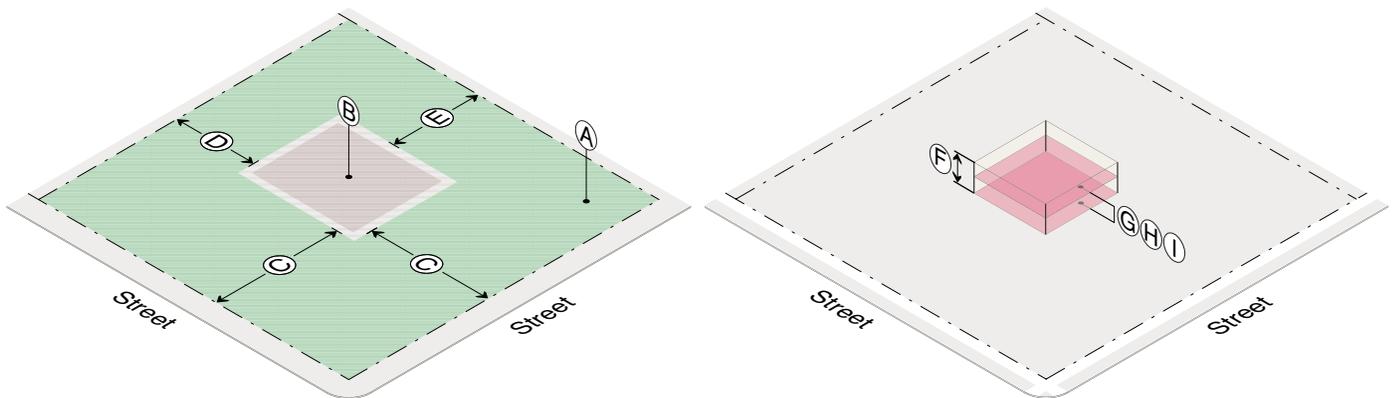
Section 1 of Town of Jackson Ordinance No. 1074 (part) and Sections 3.3.1.B.1, 3.3.1.C and 3.3.1.E of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 3. Rural Area Zones | Div. 3.3. Rural Area Legacy Zones

3.3.1. Rural Residential-Town (R-ToJ) (11/09/16, Ord. xxxx)

B. Physical Development

Standards applicable to physical development in the R-ToJ 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 R-ToJ zone. This Subsection is intended to indicate all of the physical development standards applicable in the R-ToJ zone, however, all standards in Article 5, are applicable in the R-ToJ 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)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	Stories (LO) (max)	FAR (max)
Detached Single-family unit	n/a	<u>E.1, E.2</u>		30'	40'	30'	2	3	n/a
Other principal uses	n/a	n/a	50'	30'	40'	35'	2	3	n/a
Accessory uses	See standards for primary use with which associated (E.5.)								

Exceptions

Residential Projections. Covered and uncovered decks, porches and balconies may encroach into a front yard by not more than 6 feet. Cornices, canopies, eaves, decks, porches, bay windows, chimneys and similar architectural features may encroach into a side or rear yard by not more than 4 feet. 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.

Detached Accessory Structure Separation. 10'

C. Allowed Uses and Use Standards

Standards applicable to uses in the R-ToJ 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 R-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the R-ToJ zone, however, all standards in [Article 6](#) are applicable in the R-ToJ zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	0 ac	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 ac	1 unit per lot	2/DU	n/a
Dormitory (6.1.4.F.)	C	0 ac	7 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.) (E.2.)	C	0 ac	7 rooms per acre	0.5/bed	n/a
Commercial					
Nursery (6.1.6.H.)	C	0 ac.	n/a	2 per 1,000 sf + 1 per 4,000 sf outdoor display area + 1 per employee	independent calculation
Amusement/Recreation					
Outdoor Recreation (6.1.7.C.)	C	0 ac	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 ac	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 ac	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B. , E.5.)	B	0 sf	1 unit per lot	1/bedroom	exempt
Home Occupation (6.1.11.D.)	B	0 ac	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 ac	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	--	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 ac	n/a	1 per 1,000 sf outdoor display area + 1 per employee	exempt
Farm Stand (6.1.12.E.)	B	0 ac	n/a	5 per 1,000 sf display area	exempt
Real Estate Sales Office (6.1.12.C.)	B	0 ac	n/a	3.3/1,000 sf	exempt
Temporary Shelter (6.1.12.D.)	B	0 ac	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 ac	n/a	1/employee	exempt

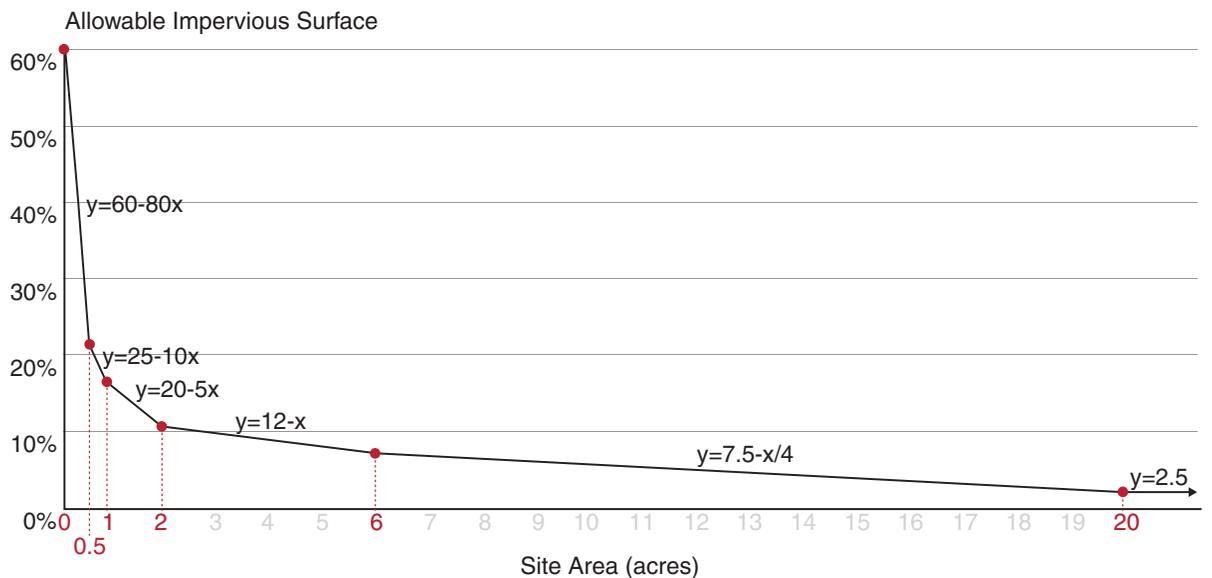
Y=Use allowed, no permit required B=Basic Use Permit ([Sec. 8.4.1.](#)) C=Conditional Use Permit ([Sec. 8.4.2.](#))

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single family unit (detached)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf
Accessory Residential Unit	
Detached ARU on Lot < 18,000 sf	500 sf habitable
All other ARUs	800 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.)

E. Additional Zone-specific Standards

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

1. For lots in developments with required open space, the lot coverage shall be calculated for the entire project area and allocated to each lot at the time a Development Plan is approved.
2. Impervious Surface Coverage for Residential Lots
 - a. Impervious surface coverage for R-ToJ zone lots of 20 acres or less in size shall be determined by the table below:



- b. Impervious surface coverage for R-ToJ zone lots that are greater than 20 acres is 2.5 percent.
3. **Group Home Use Standards.** Group Home uses shall be located at least three hundred (300) feet from an existing dwelling unit unless the group home use was proposed as part of a development that included both the group home use and the dwelling units.

4. **Building Envelopes.** The building envelope for lots can be up to 2 acres in size, and the balance of the lot can count toward the open space requirement established in D.1.
5. **Accessory Residential Units (ARUs).**
 - a. Home Occupations in ARUs are prohibited.
 - b. Detached
 - i. Detached ARUs shall only be permitted on lots that meet minimum lot size.
 - ii. Detached ARUs shall have a street setback of at least 30'.
 - iii. Detached ARUs less than 14' in height shall have at least 5' side and rear setbacks, otherwise they shall have at least 10' side and rear setbacks. Second floor decks shall also have at least 10' side and rear setbacks. The exception to this standard is that detached ARUs located on an alley or lot with reverse street frontage are permitted at least 5' rear setbacks regardless of height.

SECTION III.

Section 1 of Town of Jackson Ordinance No. 1074 (part) and Section 6.1.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 6. Use Standards Applicable in All Zones | Div. 6.1. Allowed Uses
6.1.1. Use Schedule (11/09/16, Ord. xxxx)

Div. 6.1. Allowed Uses

6.1.1. Use Schedule (11/09/16, Ord. xxxx)

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 Legacy Zones																				
USE CATEGORY	Complete Neighborhood Zones										Rural Area Zones	Civic Zones	Def/ Stds							
	TS	UC	UC-2	UR	AC- ToJ	AR- ToJ	OP- ToJ	OP-2 ToJ	BP-R ToJ	BP- ToJ				BC- ToJ	RB ToJ	MHP- ToJ	NC- ToJ	NC-2 ToJ	S- ToJ	R- ToJ
Open Space																				6.1.2.
Agriculture	--	--	--	--	--	B	--	--	--	C	--	--	B	B	B	B	B	Y	Y	6.1.3.B.
Downhill Ski Area	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	6.1.3.C.
Residential																				6.1.4.
Detached Single-Family Unit	--	Y	Y				--	--	Y	Y	Y	Y	Y	Y	Y	Y	Y	--	--	6.1.4.B.
Attached Single-Family Unit	--	B	B	B	C	C	B	B	--	--	B	--	B	--	B	--	--	--	--	6.1.4.C.
Apartment	--	B	B	B	C	C	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	C	C	--	6.1.4.F.
Group Home	--	C	C	C			--	--	C	C	C	--	C	C	C	C	C	C	--	6.1.4.G.
Live/Work Unit	--	--	--	--	B	--	C	--	C	C	--	--	--	--	--	--	--	--	--	6.1.4.H.
Lodging																				6.1.5.
Conventional Lodging	C(LO)	B(LO)	B(LO)	B(LO)	--	B(LO)	--	--	--	C(LO)	--	--	--	--	--	--	--	--	--	6.1.5.B.
Short-Term Rental Unit	C(LO)	B(LO)	B(LO)	B(LO)	--	B(LO)	--	--	--	C(LO)	--	--	--	--	--	--	--	--	--	6.1.5.C.
Commercial																				6.1.6.
Office	B	B	B	B	B	B(OF)	B	B	C	--	C	B	--	--	--	--	--	C	--	6.1.6.B.
Retail	B	B	B	B	B	--	C	C	C	--	C	--	--	--	--	--	--	--	--	6.1.6.C.
Service	B	B	B	B	B	--	C	C	C	--	C	C	--	--	--	--	--	C	--	6.1.6.D.
Restaurant/Bar	B	B	B	B	B	--	C	C	C	--	C	--	--	--	--	--	--	--	--	6.1.6.E.
Heavy Retail/Service	--	--	C	--	C	--	--	--	B	B	C	C	--	--	--	--	--	C	--	6.1.6.F.
Mini-Storage Warehouse	--	--	C	--	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	UC-2	UR	AC- ToJ	AR- ToJ	OP- ToJ	OP-2 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
Amusement/Recreation																				
Amusement	C	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	--	B	--	--	--	C	C	C	--	--	--	--	--	--	C	--	6.1.7.C.
Outfitter/Tour Operator	--	C	C	--	C	--	--	--	C	C	C	--	--	--	--	--	--	--	--	6.1.7.D.
																				6.1.7.E.
Institutional																				
Assembly	--	C	C										--	--	C	C	C	C	--	6.1.8.
Daycare/Education	--	B	B	--	B	--	C	--	C	C	--	--	--	--	--	--	--	C	--	6.1.8.B.
																				6.1.8.C.
Industrial																				
Light Industry	--	--	--	--	C	--	--	B	B	C	C	--	--	--	--	--	--	C	--	6.1.9.
Heavy Industry	--	--	--	--	--	--	--	C	C	--	--	--	--	--	--	--	--	C	--	6.1.9.B.
Disposal	--	--	--	--	--	--	--	C	C	C	--	--	--	--	--	--	--	C	--	6.1.9.C.
																				6.1.9.D.
Transportation/Infrastructure																				
Parking	--	--	--	--	C	--	--	--	--	--	--	--	--	--	--	--	--	C	--	6.1.10.
Utility Facility	--	C	C												C	C	C	C	C	6.1.10.B.
Wireless Communication Facilities																				
Minor	B	B													B	B	B	B	B	6.1.10.C.
Major	--	--	--	--	--	--	--	--	C	--	--	--	--	--	--	--	--	C	--	6.1.10.D.
Helipoint	--	--	--	--	C	--	--	--	C	C	C	--	--	--	--	--	--	C	--	6.1.10.E.

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Accessory Uses																		
Accessory Residential Unit	B	B	-	B	B	C	C	B	B	B	-	B	B	B	B	B	--	6.1.11.
Bed and Breakfast	--	B(LO)	B(LO)	--	B(LO)	--	--	C(LO)	--	--	--	--	--	--	--	--	--	6.1.11.B.
Home Occupation	B	B											B	B	B	B	--	6.1.11.C.
Home Business	--	B	C	C	--	--	C	B	--	C	C	C	C	C	C	--	--	6.1.11.D.
Family Home Daycare	--	B	B										B	B	B	--	--	6.1.11.E.
Home Daycare Center	--	B	B	C	B	C	C	--	--	--	--	--	C	C	--	B	--	6.1.11.F.
Drive-In Facility	--	B	B	B	--	B	--	C	--	C	--	--	--	--	--	--	--	6.1.11.G.
	--	B	B	B	--	B	--	C	--	C	--	--	--	--	--	--	--	6.1.11.H.
Temporary Uses																		
Christmas Tree Sales	--	Y	Y	Y	Y	--	--	Y	Y	--	--	--	--	--	Y	Y	Y	6.1.12.
Real Estate Sales Office	--	--	--	B	--	B	--	B	B	--	--	--	B	B	B	--	--	6.1.12.B.
Temporary Shelter	--	B	B	B									B	B	B	--	--	6.1.12.C.
Farm Stand	--	B	B	B	--	B	--	--	B	--	--	--	B	B	B	B	--	6.1.12.D.
Temp. Gravel Extraction and Processing	--	B	B	B									B	B	B	B	B	6.1.12.E.

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 LO = Only allowed in Lodging Overlay Only OF = Only allowed in Office Overlay -- = Use not allowed

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

Jeanne Carruth

From: james musclow <musclow@me.com>
Sent: Wednesday, October 05, 2016 8:04 AM
To: Don Frank
Subject: ARU's

Don,
I have to admit the news and guide article has me even further confused regarding new ARU's. While I have so many questions and concerns I can start by boiling it down to one for starters.

Why is this topic not happening within the proposed district revisions? Seems like a ridiculous distraction to the council's limited resources to address this as a parallel issue. I guess I'll have to try and come on the 17th.

Best,
James