

ORDINANCE Y

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) AND SECTIONS 2.2.2.B.5, 2.2.3.B.5, 2.2.4.B.5, 2.2.5.B.5, 2.3.1.B.8, 2.3.2.B.8, 2.3.4.B.8, 2.3.5.B.8, 2.3.6.B.8, 2.3.9.B.8, 2.3.10.B.8, 2.3.11.B.8, 2.3.12.B.8, 2.3.13.B.8, 2.3.14.B.8, 2.3.15.B.8, 2.3.16.B.8, 3.3.1.B.8, 4.2.1.B.8, 4.2.2.B.8, 5.3.1, 9.5.C, 9.5.F, 9.5.G, AND 9.5.L OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO AMEND THE EXTERIOR LIGHTING STANDARDS FOR THE TOWN, 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 as amended (part) and Sections 2.2.2.B.5, 2.2.3.B.5, 2.2.4.B.5, 2.2.5.B.5, 2.3.1.B.8, 2.3.2.B.8, 2.3.4.B.8, 2.3.5.B.8, 2.3.6.B.8, 2.3.9.B.8, 2.3.10.B.8, 2.3.11.B.8, 2.3.12.B.8, 2.3.13.B.8, 2.3.14.B.8, 2.3.15.B.8, 2.3.16.B.8, 3.3.1.B.8, 4.2.1.B.8, and 4.2.2.B.8 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 2. Complete Neighborhood Zones | Div. 2.2. Complete Neighborhood Character Zones
2.2.2. DC: Downtown Core (9/21/16, Ord. xxxx)

B. Physical Development

5. Scenic Standards	
Exterior Lighting	Sec. 5.3.1
Light trespass is prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per site (max)	3
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	Sec. 5.3.2

Article 2. Complete Neighborhood Zones | Div. 2.2. Complete Neighborhood Character Zones
2.2.3. CR-1: Commercial Residential-1 (9/21/16, Ord. xxxx)

B. Physical Development

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B. Physical Development

8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500'
Light Color	≤3000 Kelvin'
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)

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Scenic Resource Overlay (SRO) Standards	<u>(Sec. 5.3.2.)</u>

B. Physical Development

8. Scenic Standards	
Exterior Lighting	<u>(Sec. 5.3.1.)</u>
Light trespass is prohibited.	90°
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin'

B. Physical Development

8. Scenic Standards	
Exterior Lighting	<u>(Sec. 5.3.1.)</u>
Light trespass is prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
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Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)

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

3.3.1. Rural Residential-Town (R-ToJ) (9/21/16, Ord. XXXX)

B. Physical Development

8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)

Article 4. Special Purpose Zones | Div. 4.2. Civic Zones

4.2.1. Public/Semi-Public - Town (P/SP-ToJ) (9/21/16, Ord. xxxx)

B. Physical Development

8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)

Article 4. Special Purpose Zones | Div. 4.2. Civic Zones

4.2.2. Park and Open Space - Town (P-ToJ) (9/21/16, Ord. xxx)

B. Physical Development

8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1074 as amended (part) and Sections 5.3.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 5. Physical Development Standards Applicable in All Zones | Div. 5.3. Scenic Standards
5.3.1. Exterior Lighting Standards (8/XX/16)

5.3.1. Exterior Lighting Standards (8/XX/16)

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 light pollution, including, but not limited to: glare, light trespass, sky glow, energy waste, and negative impacts on the nocturnal environment.

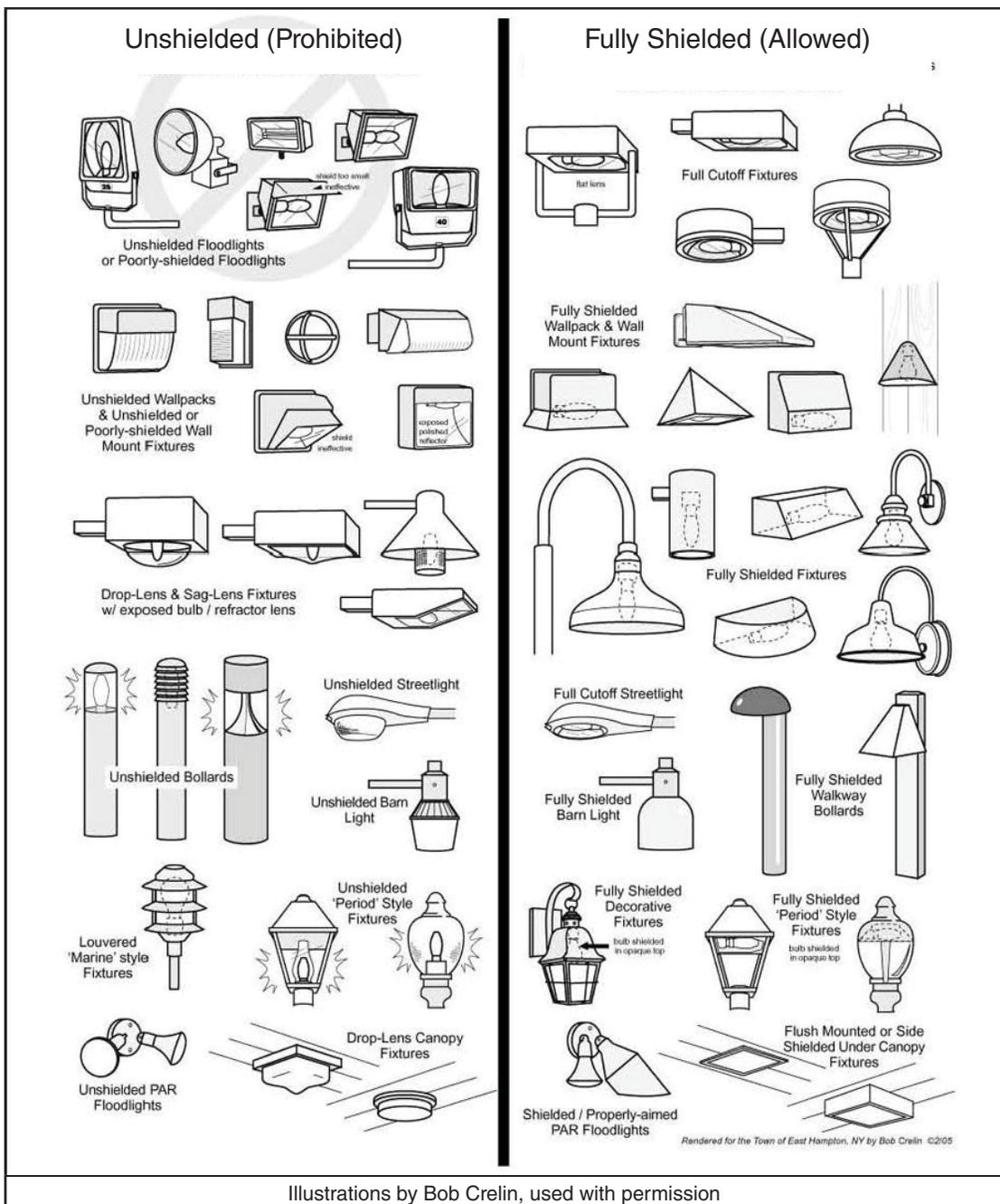
A. Applicability. All exterior lighting, unless exempted below, shall comply with the regulations set forth in this Section. This includes, but is not limited to: lighting attached to structures, poles, the earth, or any other location.

1. Exempt Lighting

- a. Lighting in the public right of way.
- b. Open flame gas lamps.
- c. Flagpole lighting that is shielded and directed downward from the top of the flagpole.
- d. Underwater lighting in swimming pools and other water features
- e. Lighting that is only used by emergency response personnel
- f. Lighting solely for signs (lighting for signs is regulated by Div. 5.6)
- g. Lighting used solely for agricultural purposes.

B. Standards

1. **Fully Shielded Light Fixtures.** Any light source whose initial output exceeds 600 lumens shall be fully shielded. Any structural part of the luminaire providing full shielding shall be attached. Fixtures shall be mounted such that no light is emitted above the horizontal plane of the fixture. Light fixtures that project light above the horizontal plane of the fixture may be used where the architecture of the building restricts light above the horizontal plane. Examples of Unshielded (Prohibited) and Fully Shielded (Allowed) lights and luminaires limiting light to the horizontal plane are shown below.



Illustrations by Bob Crelin, used with permission

2. **Total Exterior Light Output.** Total exterior light output for light fixtures on a site shall not exceed the limits shown in the table below.

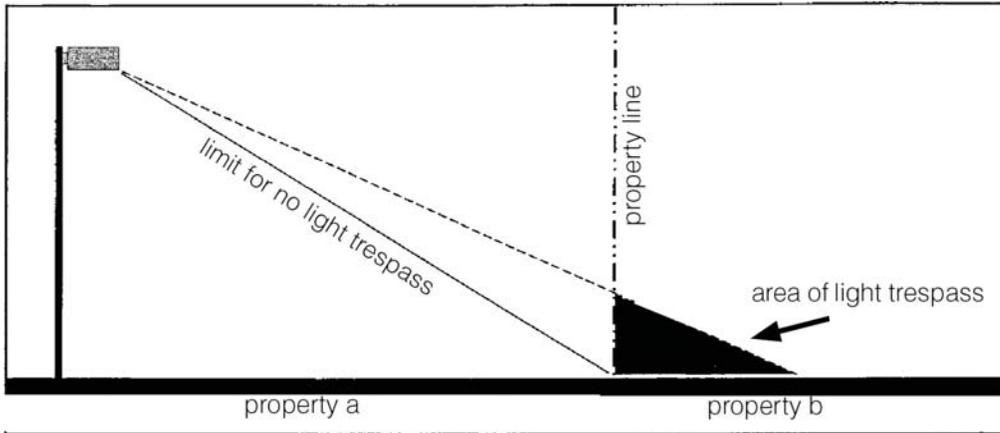
How much light is permitted?	All Fixtures	Unshielded Fixtures (for lights emitting fewer than 600 lumens)
Maximum lumens per sq ft of site development		
DC, CR-1, CR-2, OR, TS, UC, UR, AC-ToJ, AR-ToJ, BP-R, BP-ToJ, BC-ToJ, MHP-ToJ, P/SP, P-ToJ, NC-2	3	Not applicable
R-ToJ, S-ToJ, NC-ToJ, RB	1.5	Not applicable
Maximum lumens per site		
DC, CR-1, CR-2, OR, TS, UC, UR, AC-ToJ, AR-ToJ, BP-R, BP-ToJ, BC-ToJ, MHP-ToJ, P/SP, P-ToJ, NC-2	100,000	5,500
R-ToJ, S-ToJ, NC-ToJ, RB	60,000	4,000

- These lumen limits are upper limits and not a design goal; the design goal should be the lowest levels of lighting possible.
- Individuals with visual impairments and organizations that primarily serve individuals with visual impairments (e.g. retirement communities, hospices, and hospitals) may use up to 4 times the illumination allowed by this section.

3. **Light Color.** Correlated color temperature of any exterior light source shall not exceed 3000 Kelvin.

EXAMPLE: Many light bulb manufacturers include correlated color temperature on packaging. Where packaging does not indicate light color in Kelvins, it is often indicated in descriptive terms. Lights with a “cool” quality typically exceed 3000 Kelvin in color temperature. Light bulbs that create a more “warm” tone are typically under 3000 K..

4. **Light Trespass.** All lighting fixtures shall limit horizontal light levels such that no light falls onto the adjacent property as shown in the diagram below.



5. **Maximum Pole Height of Light Fixture.**

Zone	Maximum Pole Height of Light Fixtures
DC, CR-1, CR-2, OR, TS, UC, UR, AC-ToJ, AR-ToJ, BP-R, BP-ToJ, BC-ToJ, MHP-ToJ, P/SP, P-ToJ, NC-2	18 feet
R-ToJ, S-ToJ, NC-ToJ, RB	15 feet

6. **Controls.** All nonresidential lighting fixtures shall employ automatic lighting controls that extinguish exterior lighting when sufficient daylight is available. Such controls include, but are not limited to: timers, wireless remote monitoring with turn on/off capabilities, photo sensitive light controls, photoelectric switches, astronomic time switches or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.

a. **Exceptions:**

- i. Lighting required by Building Code
- ii. Lighting necessary for public safety
- iii. Lighting under canopies
- iv. Lighting for tunnels, parking garages, garage entrances, and similar conditions.

7. **Lighting Reduction.** After 12:00 AM nonresidential sites shall extinguish or reduce their total exterior lighting by at least 30%.

a. **Exceptions:**

- i. Motion activated lighting
- ii. Lighting required by Building Code
- iii. Lighting necessary for public safety
- iv. Lighting governed by a conditional use permit in which times of operation are specifically identified
- v. When the exterior lighting consists of only one luminaire

C. Prohibited Lighting

The following lighting systems are prohibited from being installed or used.

1. **Flickering or Flashing Lights.** No flickering or flashing lights shall be permitted.
2. **Searchlights.** No searchlights, laser lights, aerial lasers, or holograms are permitted.
3. **Strings of Lights.** Strings or strands of lights used to highlight a sign, perimeter of a sign, or any portion of a building are not permitted, except for holiday-type decorative lighting displayed between November 1 and April 15. Lighting in which any single luminaire exceeds 20,000 initial lumens.

D. Complex Uses

1. Complex uses such as stadiums, ball diamonds, playing fields, outdoor rinks, ski areas, rodeo grounds, special events, tennis courts, construction sites, parking structures, urban parks, theme and amusement parks, ornamental and architectural lighting of bridges, public monuments, statuary and public buildings, correctional facilities, and industrial sites all have unique requirements for nighttime visibility and often have limited hours of operation. They shall be exempted from the above standards of this Section, if the below standards are met or if their lighting has been approved via issuance of a Conditional Use Permit or Special Event Permit.
2. **Maximum height.** Exterior luminaires shall not exceed a maximum post height of 60 feet.
3. **Fully Shielded.** Each luminaire shall be fully shielded in either its orientation or by landscaping to prohibit glare and light trespass to adjacent residential property and must be installed and maintained with minimum aiming angles of 25 degrees downward from the horizontal.
4. **Lights Extinguished.** Lights shall be extinguished by 10:00 PM or at the conclusion of the event, whichever is later. Lighting is not allowed to remain on overnight.
5. **Maximum lumens.** Overall site illumination for a complex use shall not exceed a total of 550,000 lumens.

SECTION III.

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

C (9/21/16, Ord. XXX)

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.

Commercial Wireless Telecommunication Services. Commercial wireless telecommunication services means licensed commercial wireless telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

Commercial. See Sec. 6.1.6.

Common Open Area. Common open area means land within or related to a development which is designed or intended for the common active or passive use and enjoyment of the residents of the development. Common open area shall include: (a) land which is not individually owned and is not dedicated for public use for streets and other similar common facilities, or (b) land which is individually owned, provided it is located outside of an identified building envelope and has been located adjacent to and made a part of other common open area areas, to the maximum extent possible, to form a continuous area of open space. Common open area may include such complimentary structures and improvements as are necessary and appropriate for its intended use, provided that fences shall not be installed so as to divide individual and common open area areas from one another.

Concealment Element. A feature or technique that disguises, camouflages, or hides a Wireless Facility to blend in with its surrounding environment or architecture so that, to the extent possible the presence, purpose or nature of the Wireless Facility is less apparent to a reasonable observer.

Conditional Use. See 6.1.1.C.

Condominium. Condominium means an estate in real property consisting of an undivided interest in common in a portion of a lot of record together with a separate interest in space in a building on such real property.

Conservation Easement. A conservation easement is an agreement between a landowner and a land trust or government that invests in the land trust or government the power to constrain the landowner's rights to use and develop the land in order to achieve identified conservation purposes such as preservation of habitat, scenery, or agriculture. A conservation easement is a permanent interest in real property that runs with the land.

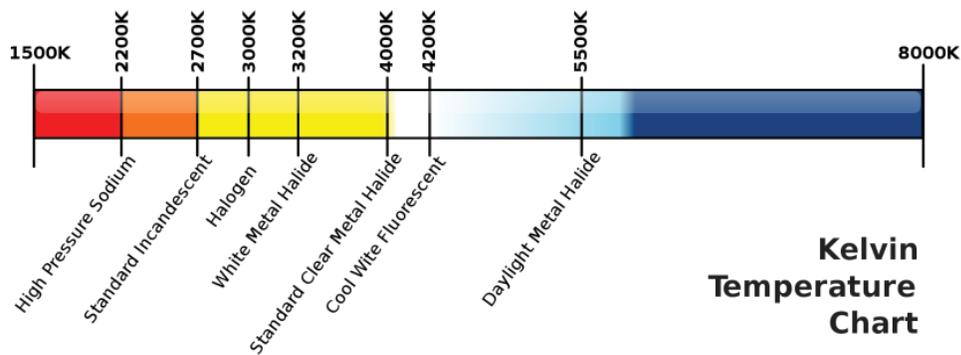
Construction Sign. See, "Sign, Construction."

Contiguous. Contiguous means having a common border with.

Conventional Camping Unit. Conventional Camping Units include recreational vehicles, campers, trailers, motorhomes or other vehicles which are: built on a single chassis; 400 square feet or less when measured at the largest horizontal projections; self-propelled or permanently towable by a light duty truck; and designed primarily not to be used as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. Conventional Camping Unit does not include Mobile/Manufactured homes or Recreational Park Trailers.

Conventional Lodging. See [6.1.5.B.](#)

Correlated color temperature. Correlated color temperature indicates the 'warmth' or the 'coolness' of a light's appearance (see image below). Color temperature is generally indicated on light bulb packaging. Specifically, correlated color temperature is defined as the absolute temperature of a blackbody radiator whose chromaticity most nearly resembles that of the light source.



Cut Slope. Cut slope means any slope surface in soil or bedrock material created by man by the removal of soil or bedrock materials below the natural land surface.

F (9/21/16, Ord. XXX)

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."

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

(9/21/16, Ord. XXX)

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 lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced 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.

Gross Floor Area. Gross floor area is the total of all habitable and non-habitable floor area in a structure on all levels. Gross floor area includes basements, and partial levels such as lofts, mezzanines, and interior balconies. It also includes foyers, hallways, restrooms, storage, and other common areas within a building.

Groundwater. Groundwater means any water, including hot water and geothermal steam, under the surface of the land.

Group Home. See Section 6.1.4.G.

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.

Lumen. Lumen is a measure of light emission. Lumen measurements are commonly indicated on light bulb packaging. Specifically, a lumen is the amount of light emitted per second in a unit solid angle of one steradian from a uniform source of one candela.

Luminaire. Luminaire means a complete lighting fixture, consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light from the fixture (i.e., reflector, lens, diffuser), to position and protect the fixture, and to connect the fixture to the power supply.

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