

## 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:

Article 5. Physical Development Standards Applicable in All Zones | Div. 5.3. Scenic Standards  
5.3.1. Exterior Lighting Standards (D2 effective date)

## 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.

- 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 bollard 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

- 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. **CostEstimates.** 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.

5.5.3. Required Plant Units (D2 effective date)

**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.

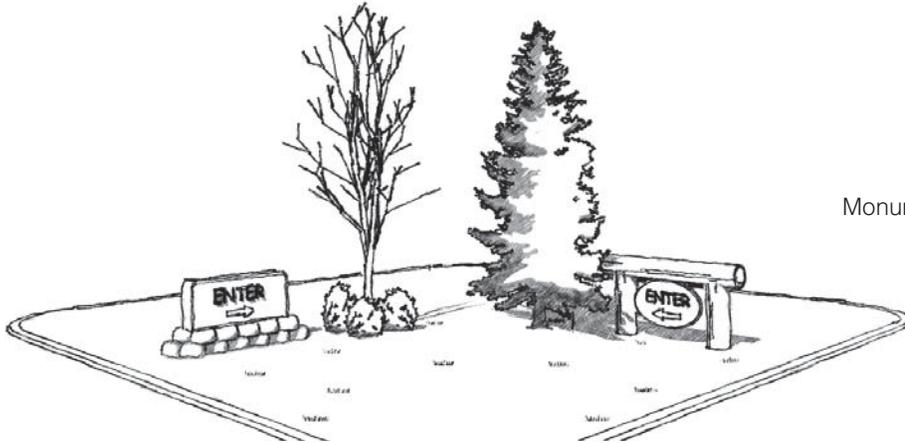
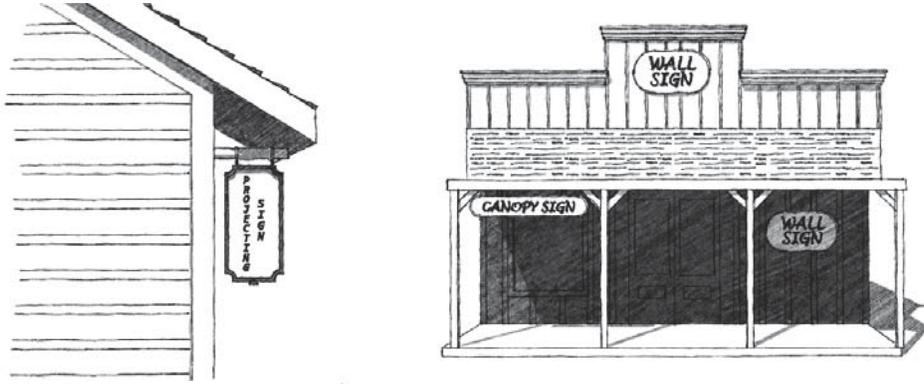
3. **Window Signs.** Signs displayed on the inside or outside of windows in buildings are permitted, provided that they comply with the following standards. For the purposes of this Section, window displays, such as clothing, merchandise and real estate photographs, shall be exempt, provided that they 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.

## Article 5. Physical Development Standards Applicable in All Zones | Div. 5.6. Sign Standards

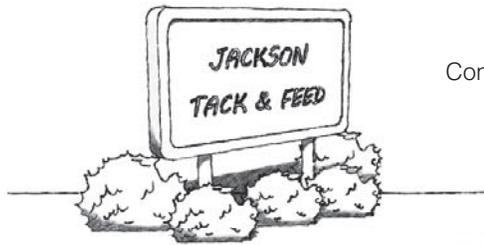
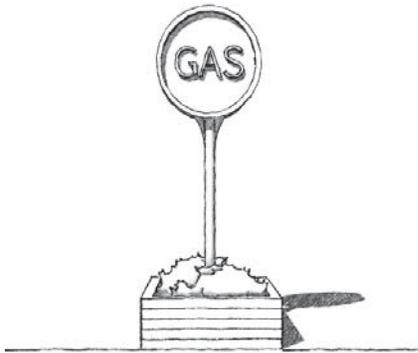
## 5.6.1. Town Sign Standards (D2 effective date)

## 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.

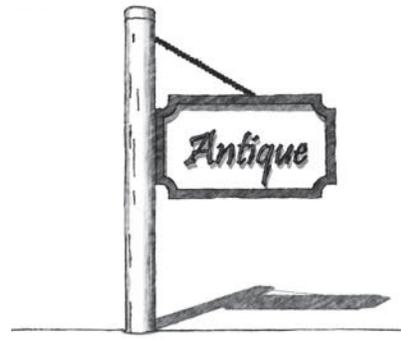


Monument and Entry Signs



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

**Town of Jackson** Land Development Regulations

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

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.

- 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.

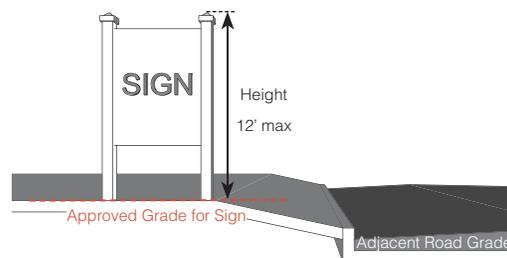
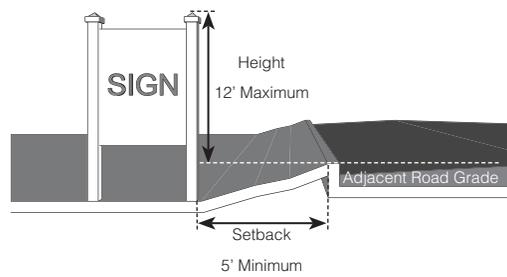
**Backlit Signs.** Backlit signs may be permitted, provided that the following criteria are satisfied:

- c.
  - 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.



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, is 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:

Article 5. Physical Development Standards Applicable in All Zones | Div. 5.8. Design Guidelines  
5.8.1. Applicability (D2 effective date)

### 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](http://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 17th DAY OF OCTOBER, 2016.

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

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

TOWN OF JACKSON

BY: \_\_\_\_\_  
Sara Flitner, Mayor

ATTEST:

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

ATTESTATION OF TOWN CLERK

STATE OF WYOMING     )  
  ) ss.  
COUNTY OF TETON     )

I hereby certify that the foregoing Ordinance No. \_\_\_ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the \_\_\_ day of November, 2016.

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

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