



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: NOVEMBER 9, 2016
MEETING DATE: NOVEMBER 14, 2016

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: TYLER SINCLAIR
PRESENTER: TYLER SINCLAIR/ REGAN KOHLHARDT

SUBJECT: **THIRD 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

Third 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.

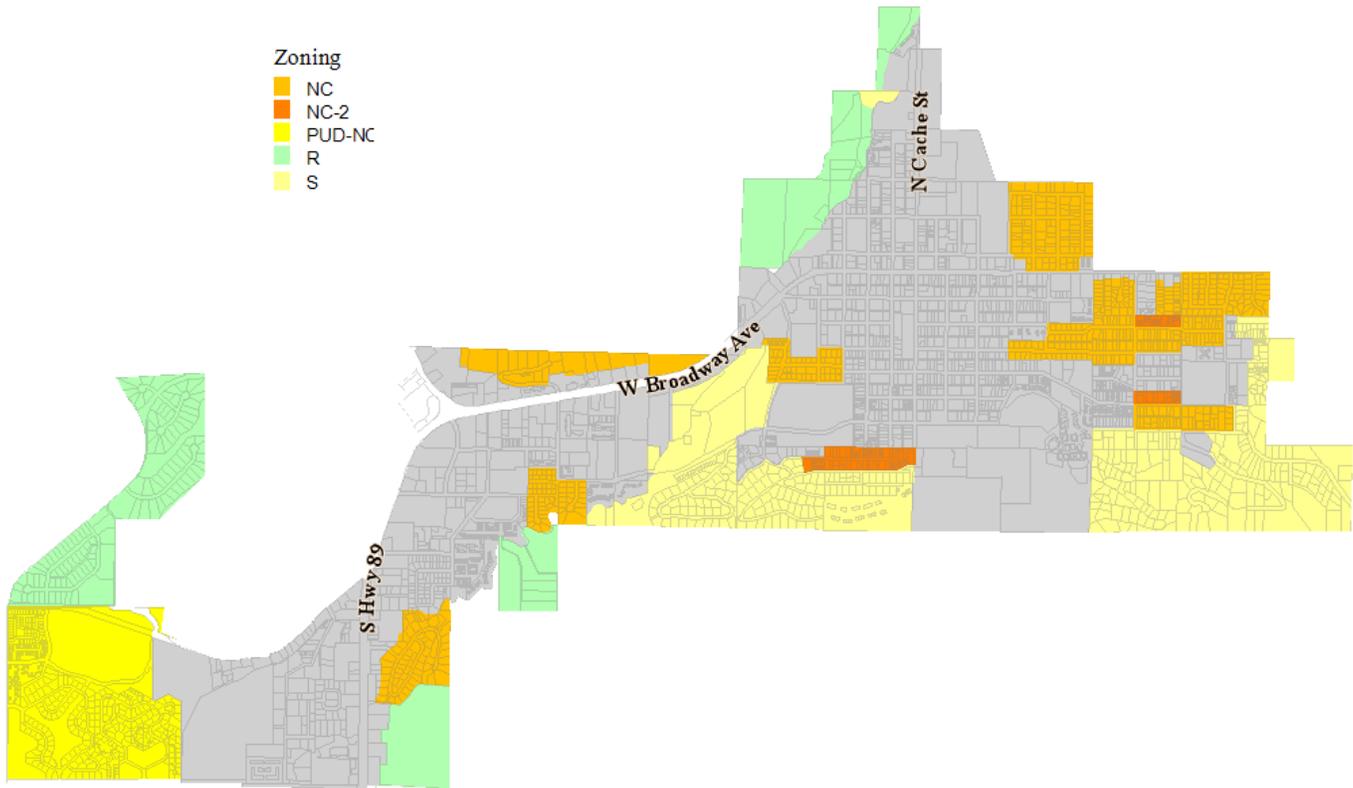
PRIOR TOWN COUNCIL ACTION

Prior to approving Ordinance W at Second Reading, Council chose to amend the Ordinance to prohibit Home Businesses in Accessory Residential Units. The intent behind prohibiting Home Businesses in these units is to limit the impact of the ARU on neighboring properties. Home Occupation, the less intense version of Home Business, is already prohibited in ARUs.

The attached Ordinance W reflects this change.

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

The intent behind prohibiting Home Businesses in these units is to limit the impact of the ARU on neighboring properties. Home Occupation, the less intense version of Home Business, is already prohibited in ARUs.

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 17

FISCAL IMPACT

Not applicable.

STAFF IMPACT

None.

LEGAL REVIEW

Complete.

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

Staff recommends approval of Ordinance W on third reading.

SUGGESTED MOTIONS

I move to approve Ordinance W on third 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.

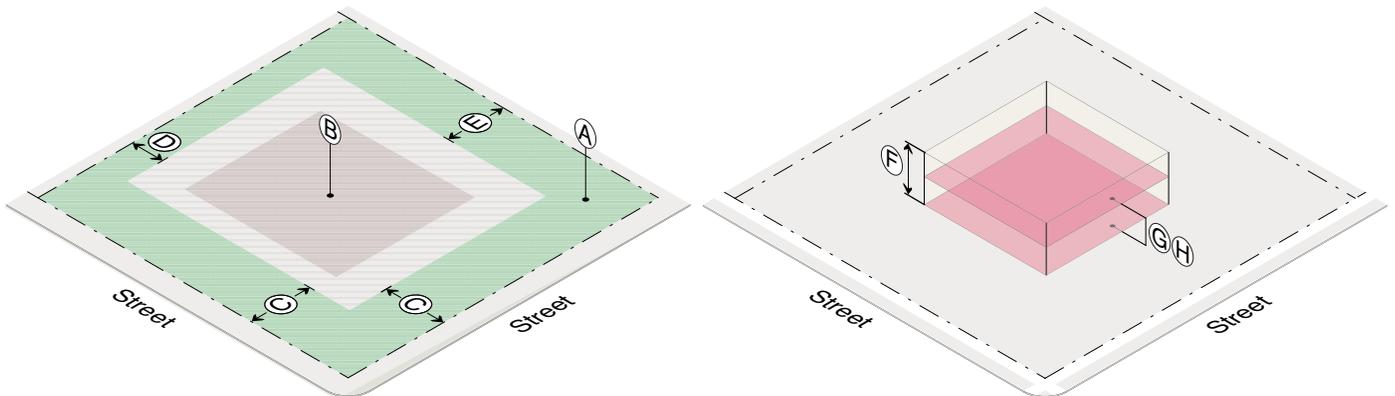
Section 1 of Town of Jackson Ordinance No. 1074 (part) and Sections 2.3.14.B.1, 2.3.14.C, 2.3.14.E, 2.3.15.B.1, 2.3.15.C, 2.3.15.E, 2.3.16.B.1, 2.3.16.C, and 2.3.16.E of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

Article 2. Complete Neighborhood Zones | Div. 2.3. Complete Neighborhood Legacy Zones

2.3.14. Neighborhood Conservation-Town (NC-ToJ) (11/16/16, 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.) |

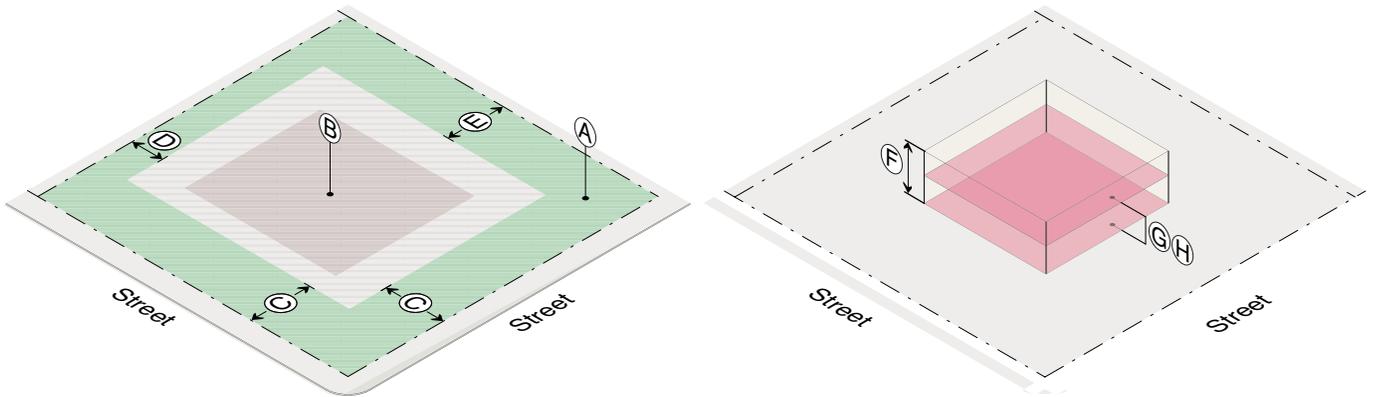
E. Additional Zone-specific Standards

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 and Home Businesses 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.)

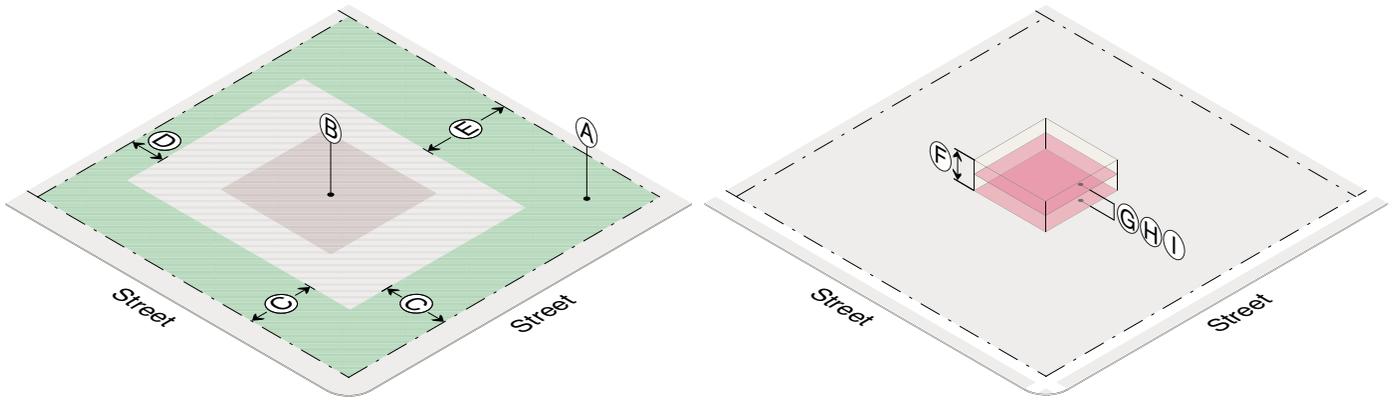
E. Additional Zone-specific Standards

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 and Home Businesses 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 (<u>6.1.3.B.</u>) | B | 0 sf | n/a | n/a | exempt |
| Residential | | | | | |
| Detached Single-Family Unit (<u>6.1.4.B.</u>) | Y | 0 sf | 1 unit per lot | 2/DU | n/a |
| Dormitory (<u>6.1.4.F.</u>) | C | 0 sf | 15 rooms per acre | 1/bed | n/a |
| Group Home (<u>6.1.4.G.</u>) (<u>E.1.</u>) | C | 0 sf | 15 rooms per acre | 0.5/bed | n/a |
| Amusement/Recreation | | | | | |
| Outdoor Recreation (<u>6.1.7.C.</u>) | C | 0 sf | n/a | independent calculation | independent calculation |
| Institutional | | | | | |
| Assembly (<u>6.1.8.B.</u>) | C | 0 sf | n/a | independent calculation | exempt |
| Transportation/Infrastructure | | | | | |
| Utility Facility (<u>6.1.10.C.</u>) | C | 0 sf | n/a | 1/employee + 1/stored vehicle | independent calculation |
| Wireless Communications Facilities (<u>6.1.10.D.</u>) | | | | | |
| Minor | B | 0 sf | n/a | 1/employee + 1 per stored vehicle | independent calculation |
| Accessory Uses | | | | | |
| Accessory Residential Unit (<u>6.1.11.B.</u> , <u>E.2.</u>) | B | 0 sf | 1 unit per lot | 1/bedroom | exempt |
| Home Occupation (<u>6.1.11.D.</u>) | B | 0 sf | n/a | n/a | exempt |
| Home Business (<u>6.1.11.E.</u>) | C | 0 sf | n/a | 1/employee | exempt |
| Family Home Daycare (<u>6.1.11.F.</u>) | B | 0 sf | n/a | 1/employee + 1 off-street pick-up/drop-off | exempt |
| Home Daycare Center (<u>6.1.11.G.</u>) | 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) (11/16/16, 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 and Home Businesses 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.

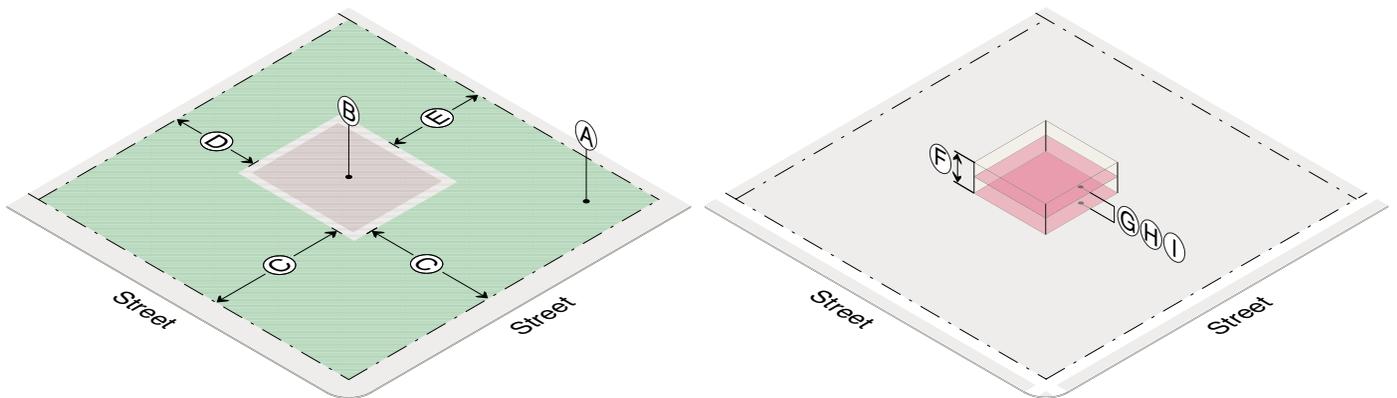
SECTION II.

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) (11/16/16, 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 |

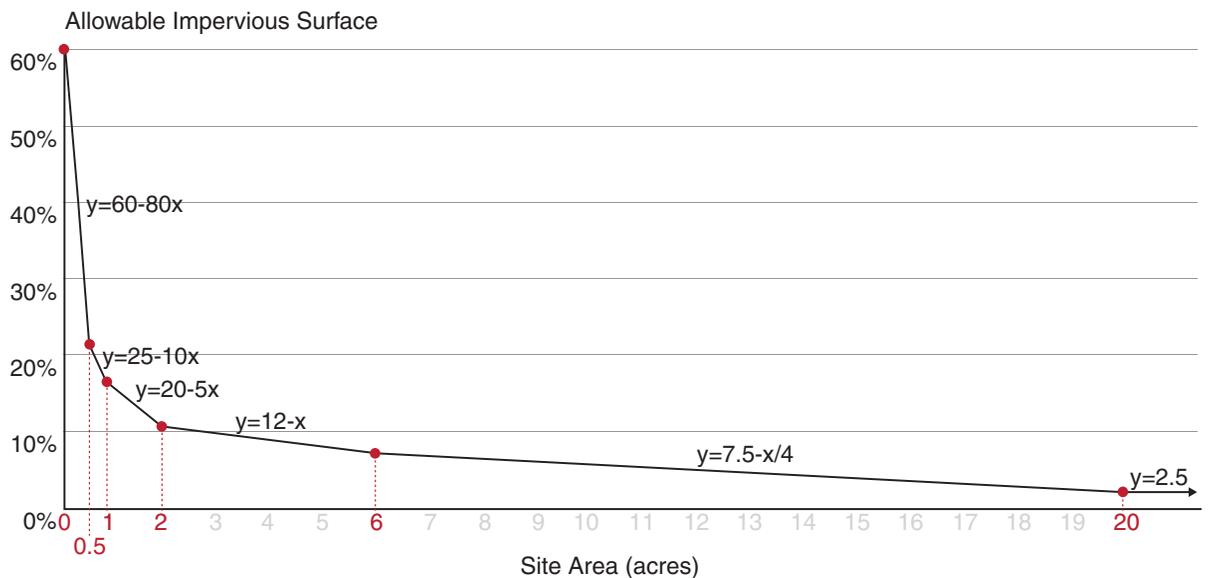
Y=Use allowed, no permit required B=Basic Use Permit ([Sec. 8.4.1.](#)) C=Conditional Use Permit ([Sec. 8.4.2.](#))

| 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 and Home Businesses 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 (11/16/16, Ord. xxxx)

Div. 6.1. Allowed Uses

6.1.1. Use Schedule (11/16/16, 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 | P/SP- ToJ | P- 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 | Y | -- | -- | 6.1.4.B. |
| Attached Single-Family Unit | -- | B | B | | -- | - | C | C | B | -- | -- | B | - | -- | B | -- | -- | -- | -- | 6.1.4.C. |
| Apartment | -- | B | B | | -- | - | C | C | B | -- | -- | B | - | -- | B | -- | -- | -- | -- | 6.1.4.D. |
| Mobile Home | -- | -- | -- | | -- | -- | -- | -- | -- | -- | -- | B | -- | -- | -- | -- | -- | -- | -- | 6.1.4.E. |
| Dormitory | -- | C | C | | -- | -- | -- | -- | -- | C | C | -- | -- | C | C | C | C | C | -- | 6.1.4.F. |
| Group Home | -- | 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) | -- | -- | -- | -- | C(LO) | -- | -- | -- | -- | -- | -- | -- | -- | -- | 6.1.5.B. |
| Short-Term Rental Unit | C(LO) | B(LO) | B(LO) | | B(LO) | -- | -- | -- | -- | C(LO) | -- | -- | -- | -- | -- | -- | -- | -- | -- | 6.1.5.C. |
| Commercial | | | | | | | | | | | | | | | | | | | | 6.1.6. |
| Office | B | B | B | | B | B(OF) | B | B | C | -- | C | B | -- | -- | -- | -- | -- | C | -- | 6.1.6.B. |
| Retail | B | B | B | | B | -- | C | C | C | -- | C | -- | -- | -- | -- | -- | -- | -- | -- | 6.1.6.C. |
| Service | B | B | B | | B | -- | -- | C | C | -- | C | C | -- | -- | -- | -- | -- | C | -- | 6.1.6.D. |
| Restaurant/Bar | B | B | B | | B | -- | -- | 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 | -- | -- | -- | -- | -- | -- | -- | -- | 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 | -- | -- | -- | -- | -- | -- | -- | -- | -- | 6.1.8.B. |
| | | | | | | | | | | | | | | | | | | | | 6.1.8.C. |
| Industrial | | | | | | | | | | | | | | | | | | | | |
| Light Industry | -- | -- | -- | -- | C | -- | -- | B | B | C | C | -- | -- | -- | -- | -- | -- | C | -- | 6.1.9. |
| Heavy Industry | -- | -- | -- | -- | -- | -- | -- | C | C | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | 6.1.9.B. |
| Disposal | -- | -- | -- | -- | -- | -- | -- | 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. |

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 | BP- ToJ | BC- ToJ | RB ToJ | MHP- ToJ | NC- ToJ | NC-2 ToJ | | S- ToJ | R- ToJ | P/SP- ToJ |
| 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 | -- | -- | 6.1.11.D. |
| Family Home Daycare | -- | B | B | | | | | | | - | B | B | B | B | -- | -- | 6.1.11.E. |
| Home Daycare Center | -- | B | B | C | B | C | C | -- | -- | -- | -- | -- | C | -- | B | -- | 6.1.11.F. |
| Drive-In Facility | -- | B | B | B | -- | B | -- | C | -- | -- | -- | -- | -- | -- | -- | -- | 6.1.11.G. |
| | -- | B | B | B | -- | B | -- | C | -- | -- | -- | -- | -- | -- | -- | -- | 6.1.11.H. |
| Temporary Uses | | | | | | | | | | | | | | | | | |
| Christmas Tree Sales | -- | 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 | B | B | -- | 6.1.12.C. |
| Farm Stand | -- | B | B | B | -- | B | -- | -- | -- | B | -- | -- | -- | B | B | -- | 6.1.12.D. |
| Temp. Gravel Extraction and Processing | -- | B | B | B | | | | | | | | | B | B | B | B | 6.1.12.E. |

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

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: Franz Camenzind
Sent: Monday, October 24, 2016 4:05 PM
To: Town Council
Subject: ARUs
Attachments: ARU-ToJ.Lt.docx

Dear Mayor Flitner and Council Members,
Pasted and attached below are some comments I would like you to consider in regards to the upcoming Third Reading of Ordinance W- Accessory Residential Units.

Thank you for your time and consideration-

Franz Camenzind
733 6806

October 24, 2016

Re: Ordinance W, Accessory Residential Units

Dear Mayor Flitner and Council Members,

This is a request that the Town Council reconsider Ordinance W which would allow Accessory Residential Units (ARUs) on lots retaining sufficient undeveloped space in NC-ToJ, NC-2, S-ToJ, and R-ToJ zones, and that the Town of Jackson follow the Comprehensive Plan's guidance, particularly pursuant to Character District 6 "Town Periphery".

Allow me to explain: our new Comp Plan identifies 15 Character Districts (each with subareas) that are to guide future development in both the County and Town. It so happens that Character District 6 "Town Periphery", overlaps most of the NC and S Zones in town. As the name implies, the Town Periphery Character District lies along the boundaries of the town and adjacent to the Elk Refuge and National Forest (Gill Addition and Nelson Drive area), and along Snow King from Upper Cache Creek and westward through the Karnes Hillside Addition, and also the Hidden Ranch area). (I will add here that all NC-ToJ, NC-2, S-ToJ and R-ToJ Zoning districts that border National Forest or undeveloped rural lands should be managed as Town Periphery Districts.)

Page IV-12 of the Comp Plan states: *"Each Character District contributes to the overall implementation of the Comprehensive Plan and will ensure that preservation and development occur in desired amount, location and*

type throughout the community.” The following comes from the Comp Plan’s general descriptions of Character District 6: **“In the future, the desired character will remain the same, with low density single family development remaining the principal land use.”** “New buildings should match existing character in size and scale, even when lot combination resulting in a single larger lot would permit construction of a larger home or building.” (P. IV-50) (Emphasis added.)

It goes on: **“All future development, including improvements to existing properties, should be designed to improve wildlife permeability by providing wildlife friendly fencing,... and implementing other solutions known to increase permeability.”** “Residents in these areas do not wish to add any significant amenities to become more Complete Neighborhoods.” (P. IV-50). (Emphasis added.)

Specifically for Character District 6, Subarea 6.1 (Low to Medium Density Neighborhoods – including portions of the Nelson Drive area, the Gill Addition, the Pine Drive area, Karns Hillside, and Hidden Ranch area): **“This residential, STABLE Subarea is defined by low to medium density platted single family homes with some pockets of multifamily development which should be maintained in the future.”** (P.IV-51). (Emphasis added.)

Specific to the Upper Cache Creek area (Character District 6, Subarea 6.2): **“This residential, STABLE Subarea is defined as low density single family with prevalence of landscape over the built environment. Future subdivision will be in keeping with the traditional development pattern with no increase in density beyond what exists on the ground today. On each lot, only a single family home will be allowed.”** (P. IV-51). (Emphasis added.)

STABLE being defined as: **“Subarea in which no change to the existing character is necessary. Development will be infill that maintains the existing identity or vitality.”** (P. IV-6). (Emphasis added.)

As written, the new ARU ordinance will allow accessory units of up to 800 square feet to be built on lots retaining sufficient undeveloped space. The ARUs need have only a five-foot side and rear yard set back, which will greatly diminish wildlife permeability, particularly when firewood piles, recreational toys and yard items are stored along side the structures.

The property owner will have to supply only one parking space per bedroom. But because the ARUs will likely be occupied by at least two adults, I would wager that there will be two (or more) vehicles per unit. Where will the extra vehicle(s) be parked? How will emergency responders navigate around these dense developments, particularly in winter when snow piles up? How will the added density impact neighborhood utilities and traffic patterns? How does this maintain neighborhood character?

As you consider the third reading of this Ordinance, I must ask: will we abide by the newly defined Character District 6 which emphasizes maintaining existing character and permeability, and in the case of Subarea 6.2, clearly prohibits anything like ARUs, or will we enact a blanket ordinance that ignores everything referenced above?

A number of us have been arguing against allowing ARUs in these specific neighborhoods while offering that ARUs may be welcomed and appropriate in some neighborhoods. Can we not implement this ordinance in areas not within Character District 6?

Our community spent a fortune and countless citizen’s hours on developing a new Comprehensive Plan. It seems disingenuous to now ignore the guidance put forth by the document and supported by the majority of citizens. If Ordinance W goes forward as written, I have to ask- why should citizens get involved in community decisions if our most significant document, the Comp Plan can be over ridden by an Ordinance? This is a document that was lauded to give the community predictability, something lacking in the previous Comp Plan. Where is the predictability if the new Comp Plan can so blatantly be ignored? Or is that the new predictability?

I ask, how many times can the Comp Plan, labeled as being a “living document” be thrown under the bus and still be pronounced “alive and well?”

Respectfully,

Franz J. Camenzind, Ph.D.
480 Stacy Lane
Jackson
733-6806

Jeanne Carruth

From: lorna miller <lornamiller@live.com>
Sent: Monday, October 31, 2016 4:55 PM
To: Jim Stanford
Subject: ARU meeting tonight

Dear Jim,

I have read with great interest your responses to election related questions about your support for the vision and intent of the Comp Plan, especially as it relates to wildlife, the ecosystem, stewardship etc.

In last week's paper, Franz Camenzind wrote a letter about the upcoming vote on the ARU's and including fact that the ARU setbacks of 5 ft side and rear will "*greatly diminish wildlife permeability*" I totally agree with this observation and would add that the situation is made much worse when you overlay the existing total lack of fencing regulation on top of these minimal setbacks.

I work in East Jackson and for the past several years, have been watching the construction of **impermeable fences** in various locations in town but especially in East Jackson. Each year the opportunity for wildlife to filter through Jackson is being severely reduced. I think of it as a jigsaw puzzle where the pieces are slowing being put in place without restriction and without regard for wildlife. When the jigsaw puzzle is complete it will all but eliminate wildlife permeability. **The proposed ARU ordinance with the setbacks in their present form will only hasten this process of wildlife exclusion.** Without ongoing access to those these rear and side yards, wildlife is forced out onto the roadways and loses what is effectively important habitat and access trails. This is an issue where the wildlife is losing ground in a big way, it is happening right in front of us and no-one seems to be willing to take any action.

You have already recognized that "*we have a responsibility to protect the ecosystem because of the legacy of conservation we've inherited, and the fact that Greater Yellowstone is one of the last and largest intact wild ecosystems on Earth*".

Wildlife permeability is an invisible yet crucial part of the ecosystem function : As Mayor Sara has said "*some of the **most significant migration corridors in the country thread through Jackson from the North and the South.***" However, simply making such statements is not enough: it requires supportive action. Almost invariably, when consideration of wildlife should be a part of the review, somehow it ends up being completely ignored or sent to the bottom of the list of priorities, despite what has been said about upholding the vision of the Comp Plan. **It is a fact that Jackson is becoming increasingly impermeable to wildlife.**

I realize that this is a complicated issue because it is about housing. However, I am asking you to please ensure that wildlife is not, once again, in receipt of the shaft as this process is considered.

Will you please include the issue of wildlife permeability in your consideration of the ARU ordinance, take measures to ensure that genuine wildlife permeability will be included and that your support for wildlife through the Comp Plan is genuinely meaningful.

Thank you for your consideration.

And thank you for (almost!) always being a voice for the environment and stewardship. It is *greatly* appreciated

Lorna

PS I would appreciate a response to this. I am working tonight and cannot attend the Town Council meeting.