SPECIAL TOWN COUNCIL MEETING
Monday, June 25, 2018
5:30 PM
Town Council Chambers

NOTICE: The video and audio for this meeting are streamed to the public via the internet and mobile devices with views that may encompass all areas, participants, and audience members. *Please silence all electronic devices during the meeting.*

I. OPENING / ROLL CALL

II. EXECUTIVE SESSION

5:30 PM to 6:00 PM

Recess to executive session to consider matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party in accordance with Wyoming Statute 16-4-405(a)(iii) and to consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price in accordance with Wyoming Statute 16-4-405 (a)(vii).

III. PUBLIC HEARINGS, DISCUSSION AND/OR ACTION ITEMS

III.A. Character Districts 3-6 and Town Parking Standards LDR Update (P17-077)

This item is scheduled to begin at 6:00 PM.

Documents:

D3-6 StaffReport OrdsI-J-K.pdf

IV. ORDINANCES

Documents:

Ordinances I-J-K.pdf

IV.A. Ordinance I

An Ordinance Amending and Reenacting Section 1 of Town of Jackson Ordinance No. 1074 as Amended (Part) of the Town of Jackson Land Development Regulations to Establish Eight (8) New Zones and Remove Ten (10) Existing Zones to Implement Character Districts 3 through 6 of The Jackson/Teton County Comprehensive Plan (Presented for 1st Reading)

IV.B. Ordinance J

An Ordinance Amending and Reenacting Section 1 of Town of Jackson Ordinance No. 1074 as Amended (Part) of the Town of Jackson Land Development Regulations to Remove the Planned Unit Development - Town (PUD-ToJ), Mobile Home Park (MHP), and Urban Cluster Development (UCD) Development Options (Presented for 1st Reading)

IV.C. Ordinance K

An Ordinance Amending and Reenacting Section 1 of Town pf Jackson Ordinance No. 1074 as Amended (Part) and Section 1.9.2.B.3 of Town of Jackson Land Development Regulations to Allow Greater than 20% Expansion of a

Nonconforming Single-Family Home (Presented for 1st Reading)

IV.D. Ordinance G

An Ordinance Adding a New Title 16 to the Town of Jackson Municipal Code regarding Housing, with a new Chapter 16.10 Enacting the Town of Jackson Housing Rules and Regulations.
Presented for 2nd reading again, as the documentation presented on June 4 for 2nd reading was not revised to reflect Electeds' direction given at 1st reading on May 21st.

Documents:

OrdG_HousingRules062218.pdf
OrdG_CLEAN_HousingRules.pdf

V. UPCOMING COUNCIL MEETINGS (FOR DISTRICTS 3-6)

A. July 2, Regular Mtg 6:00PM Districts 3-6 Zoning/Parking (Ordinance 2nd reading)
B. July 16, Regular Mtg 6:00PM Districts 3-6 Zoning/Parking (Ordinance 3rd reading)

VI. ADJOURN

Please note that at any point during the meeting, the Mayor and Council may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

TOWN OF JACKSON
TOWN COUNCIL
AGENDA DOCUMENTATION

PREPARATION DATE: JUNE 22, 2018
MEETING DATE: JUNE 25, 2018

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

SUBJECT: **FIRST READING OF ORDINANCES I, J, & K:** REGARDING ADOPTION OF AMENDED ZONING TEXT AND ZONING MAP TO IMPLEMENT CHARACTER DISTRICTS 3 – 6 AND TOWN PARKING AS SET FORTH IN THE JACKSON/TETON COUNTY COMPREHENSIVE PLAN.

REQUESTED ACTION

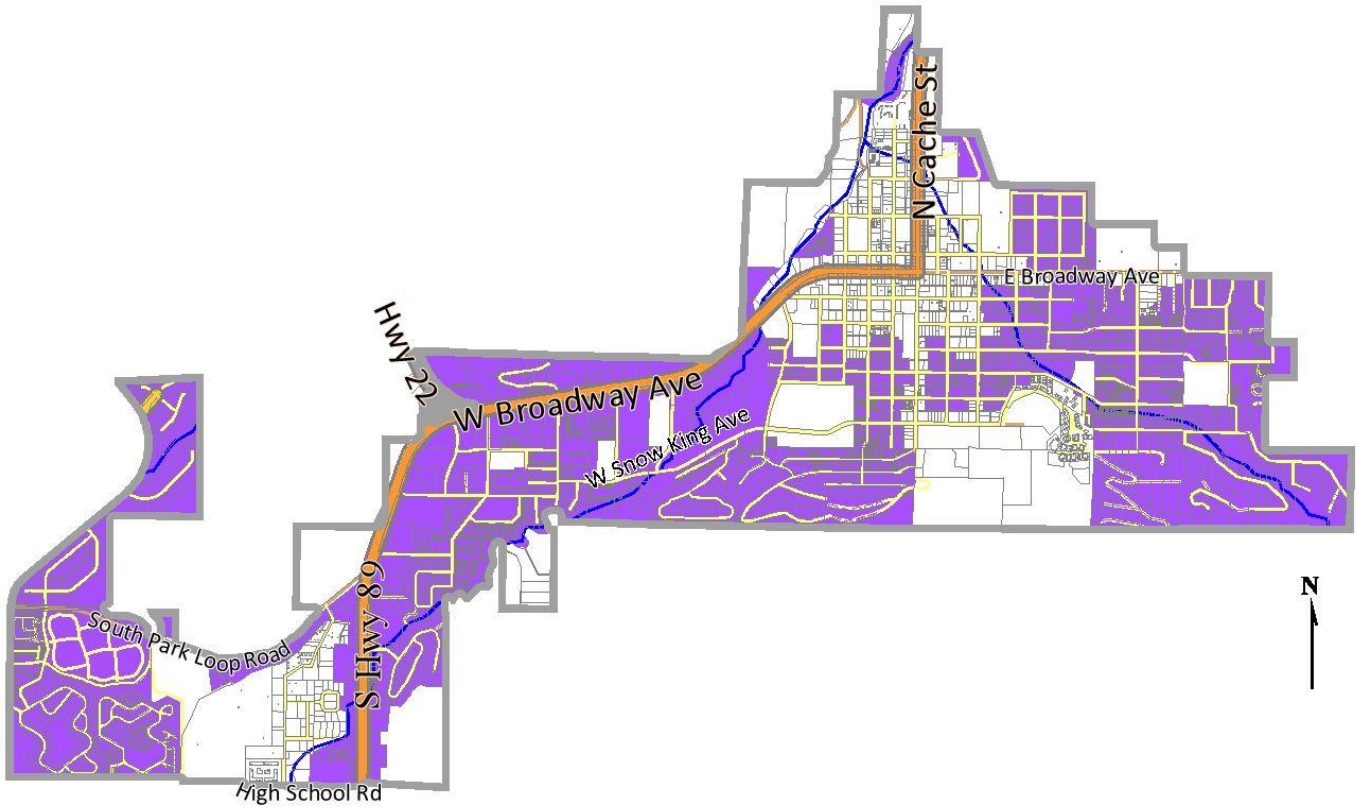
First Reading of Ordinances I, J, and K, regarding adoption of amended text to the Town of Jackson Land Development Regulations (LDRs) and Official Zoning Map to implement Town Character District 3: Town Residential Core; Character District 4: Midtown; Character District 5: West Jackson *(excluding Business Park (BP) zone)*; Character District 6: Town Periphery, and the recommendations from the Town Parking Study, as set forth in the Jackson/Teton County Comprehensive Plan.

PRIOR TOWN COUNCIL ACTION

At their May 30, 2018 special meeting, Council directed staff to prepare the Districts 3 – 6 and Town Parking Ordinances for consideration. The May 30 direction was the culmination of a process that began in February 2017, built on Council direction given in June 2017 then in December 2017, and has engaged nearly 800 participants. For a full detail of the process see the attached staff report for the May 30 meeting.

LOCATION

The Districts 3 - 6 Ordinances and Town Parking generally affect the area shown in purple below.



STAFF ANALYSIS

The Council approved its final direction on the List of Modifications for the Districts 3 – 6 and Town Parking update on May 30. Staff has integrated that direction into the attached Ordinances provided by the Town Attorney. The LDR text being amended is presented in redline form for first reading to illustrate changes to the current LDRs.

Staff recommends that the Council build on the direction approved May 30. At the meeting, staff will present a summary of the changes made to implement the Council's direction and answer any questions about the changes prior to public comment. Following public comment staff recommends Council spend its time on the short list of additional discussion items staff has identified below and any new items identified by Council or the public. No Council member was in the majority of every straw poll taken on May 29 and 30, but the overall direction represents the work of the Council as a whole on a variety of issues. Staff recommends only revisiting items where a councilmember has changed her/his opinion.

In making the Council's approved changes, staff has done its best to capture the direction and intent of the Council. On some items, however, staff wants to confirm that the Council agrees with staff's revisions. In a few other cases, staff discovered that the proposed changes generated follow-up questions caused by possible conflicts or inconsistencies with other provisions in the LDRs.

Thus, below is a short list of items from the List of Modifications that staff would like to discuss further with the Council at the hearing:

A. **Upper Cache Zoning (Item #3)**: As directed by Council, staff created two zones for the Upper cache subarea: 1) A .5-acre zone that applies to properties on the south side of Cache Creek Drive and Snow King Estates (NL-2), and 2) a 1-acre zone that applies to everything else (NL-1). Staff wants to confirm these boundaries;
B. **Nonconforming Single-Family homes (Item #5)**: Is Council comfortable with the how we are exempting Single-Family homes from certain limits for nonconforming structures and nonconforming uses in Ordinance K? These exemptions would apply to all nonconforming Single-Family homes, not just those in Districts 3-6;
C. **Alley access requirements (Items #37 & #44)**: The direction is to require alley access in the NL-3 (new NL-4) and NL-4 (new NL-5) zones for one or two units but allow access from primary street also if there are three units. While there are good reasons for doing this (e.g., fewer curb cuts, better streetscape, better sidewalks), the practical enforcement of this requirement could be difficult. In particular, if a landowner chooses to build the primary house off the street first, then they will be forced to have access and their garage off the back of the house which could make it more difficult to build the one or two additional ARUs/residential units later. Also, a reduction in LSR is likely necessary to allow this site layout and we have not discussed yet if we should reduce (and by how much) the LSR in the NL-3 (New NL-4) (current NC) zone in particular.
D. **10' side setback for NL-4 (new NL-5) (Item #45)**: The direction is to require a 10' setback for all residential units in the NL-4 (new NL-5). The issue is that the NL-3 allows smaller residential structures (ARUs that are 800 sf or less and not more than 14' in height) to be 5' from a side property line, with the result that the NL-4 (new NL-5) has stricter setbacks for a zone that is supposed to be slightly more intense. Is this the Council's intent?
E. **Updated changes to CR-3 Zone (Item #65):** As indicated previously by staff, we continued to work with Code Studio to finalize the standards in the CR-3 zone. In particular, we modified the standards to better reflect the realities and goals of redevelopment along our highway corridor. For example, new standards are proposed that require a landscape buffer and screening walls for parking near the highway, and that allow some buildings to be located farther back from the highway in certain circumstances (residential buildings).
F. **Other changes identified by staff:** Staff may raise for discussion other smaller changes to the text or zoning map during the hearing.

IMPORTANT NOTE: *Due to the addition of the .5-acre zone, the names of the NL zones have shifted. In the attached ordinances NL-1 is still the 1-acre zone, NL-2 is the new .5-acre zone, NL-3 is the zone formerly named NL-2, NL-4 is the zone formerly named NL-3, and NL-5 is the zone formerly named NL-4. To avoid confusion (hopefully) in the List of Modifications, we updated all of the zone names to reference the zone names used in the ordinances. Keep in mind however that public comment specific to an NL zone will be using the old zone names.*

FINDINGS

Council made the Findings for this Amendment when they approved the District 3 - 6 and Town Parking LDR Text Amendment (P17-077) and Districts 3 - 6 Zoning Map Amendment (P18-173) on May 30, 2018. Those findings are detailed in the May 29 Staff Report (attached).

ATTACHMENTS

Proposed Zoning Map for Districts 3 – 6
List of Modifications
Ordinance I
Ordinance J
Ordinance K
May 29, 2018, Staff Report
Public Comment

FISCAL IMPACT

Not applicable.

STAFF IMPACT

None.

LEGAL REVIEW

Complete.

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

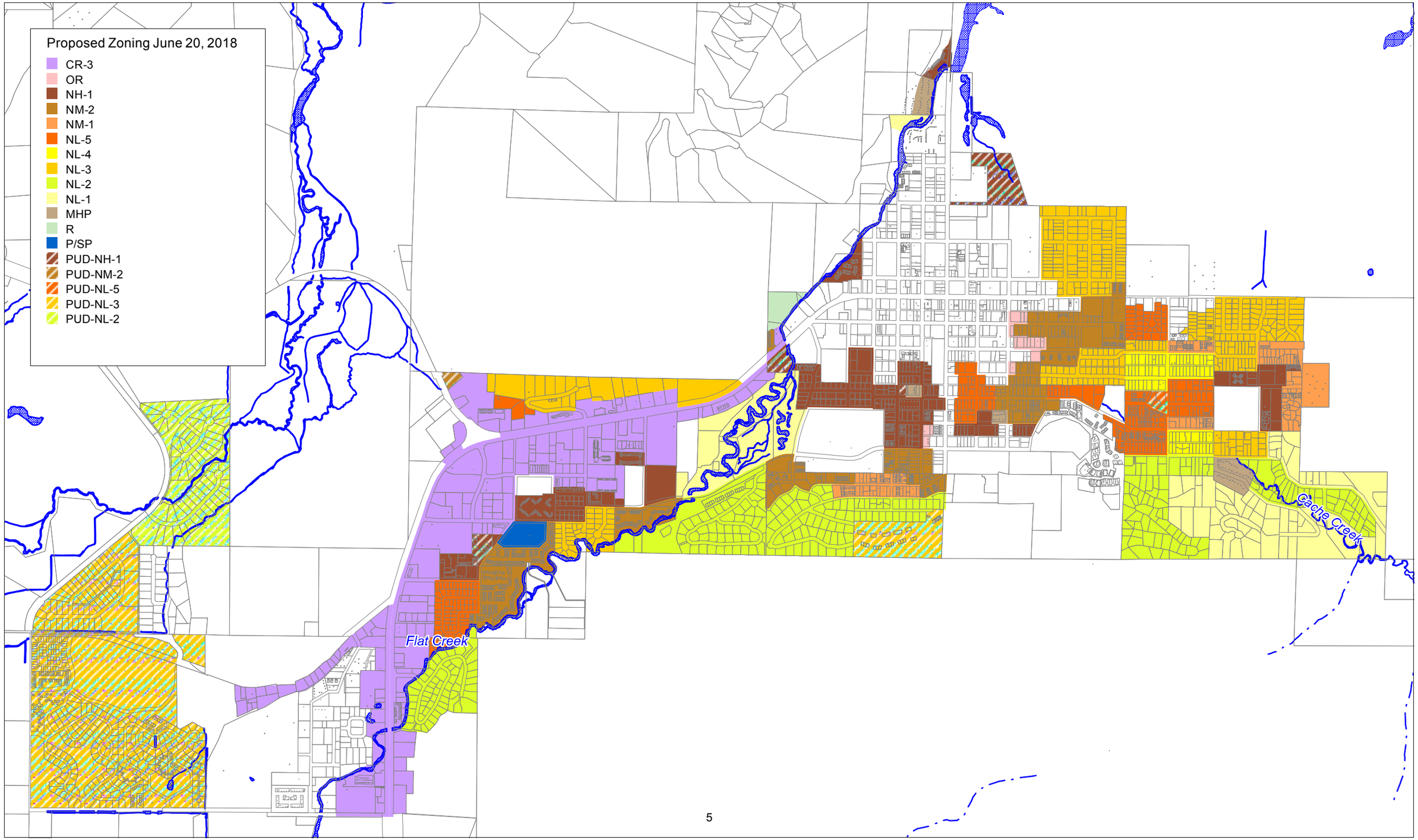
Staff recommends approval of Ordinances I, J and K, subject to any changes identified by Council or staff during the hearing.

SUGGESTED MOTIONS

Item 1: I move to approve **Ordinance I** on first reading to second reading, including any changes identified by Council or staff during the hearing.

Item 2: I move to approve **Ordinance J** on first reading to second reading, including any changes identified by Council or staff during the hearing.

Item 3: I move to approve **Ordinance K** on first reading to second reading, including any changes identified by Council or staff during the hearing.


Proposed Zoning June 20, 2018
CR-3
OR
NH-1
NM-2
NM-1
NL-5
NL-4
NL-3
NL-2
NL-1
MHP
R
P/SP
PUD-NH-1
PUD-NM-2
PUD-NL-5
PUD-NL-3
PUD-NL-2
Flat Creek
Gache Creek

Council Direction on Proposed Modifications (1st Reading)

Districts 3 - 6 and Town Parking LDRs Update 6/21/18

This is a table of proposed modifications to the March 16 draft Districts 3-6 and Town Parking LDRs. Each modification was proposed by the public in the April 12 Open House or by the public, Planning Commission, and Council at the April 23 Brainstorming session. Staff added a few proposed modifications as well. Discussion of each modification from the Planning Commission hearings May 14-15, 2018 and Council hearings May 29-30, 2018 is included along with Council's Direction. ***NOTE:*** *This list has been updated from the list reviewed in May to reflect the new NL zone names that resulted from the direction on Item 3.*

KEY ISSUES

1. Deed restrictions for additional workforce units (The "fill the box" workforce bonus)

- A number of people have asked "what percentage of the 1,800 additional units will be deed-restricted for the workforce?". The answer is that approximately 33% - 50% of all the additional units will be deed-restricted for the workforce. This is because these additional units can only be created through the "fill the box" workforce bonus in the NM-2, NH-1, and CR-3 zones. This bonus allows the developer to use the entire unused "box" — which is the additional floor area allowed on a site above the base FAR that is limited only by the height, setbacks, parking, etc. of the zone — with the deal that once they use up all their base FAR they can get 2 sf of additional market residential floor area for every 1 sf of additional deed-restricted floor area they provide (i.e., the 2:1 bonus). This is the same 2:1 workforce bonus tool that is currently allowed in the Downtown Commercial Core area (District 2).
- A few people have also commented that the "Fill the box" workforce bonus has not been used much yet in the downtown area and so they question whether it will be an effective incentive to create additional workforce housing in the rest of town. Staff's response is that the tool has only been around for about 1.5 years and that is has taken the development community a while to discover and understand how it works. Staff is having more frequent conversations with developers who are considering using the tool and so staff is hopeful that we will see increased use of the incentive in the near future. Also, staff knew that the 2:1 bonus would be less applicable in the downtown commercial core than in the Districts 3 - 6 residential areas and existing AC commercial corridor because it will not be competing with the Lodging Overlay and much higher base FARs of the downtown area. For these reasons, staff recommends that we begin with the 2:1 workforce incentive tool in Districts 3 – 6 and then monitor annually how well it is working. If it does not produce workforce housing as desired, then we can consider future changes to the incentive (e.g., a 3:1 option) or create a new incentive(s).

Council Recommendation: Keep the proposed "fill the box" (2:1) workforce incentive tool in Districts 3 – 6 and then monitor annually how well it works. If it does not produce workforce housing as desired, then we can consider future changes to the incentive (e.g., making it a 3:1 option) or create a new incentive(s).

2. Parking

- Some public comment has questioned why the proposed parking standards in Districts 3 - 6 are not more aggressive and whether we are following the recommendations from the Parking Study. As a reminder, the parking study was merged with the Districts 3 – 6 update. In doing so, we asked the Council to provide its parking recommendation on a subarea-by-subarea basis. This direction was provided by the Council in the December, 2017, final policy direction document.

    - Residential Parking: The Council's general direction on parking in residential areas was to make sure that parking was provided on-site, paid for by the developer, and did not spill out into adjacent properties or neighborhoods. The Council did not support allowing winter overnight on-street parking at this time. The result is that the proposed residential parking standards in Districts 3 - 6 are largely the same as the current standards because there are no immediate feasible options for additional off-site parking supply for residential areas. This means that on-site parking continues to be the primary option. The primary change staff did make was to update the residential parking standards to create a single parking standard for apartments and ARUs to avoid confusion about two very similar uses. Staff is willing to discuss additional parking changes as this process continues.

        Council Recommendation: Keep residential parking requirements essentially the same as current LDRs. These requirements can be reconsidered after the Downtown Parking and Regional Parking phases of the overall parking study are complete.

    - Commercial Parking: In the commercial highway corridor (proposed CR-3 Zone) , the Council's direction was to explore how to better use the large, existing commercial parking lots as shared parking for surrounding residential areas, as regional park 'n rides for the valley's transit system, and as opportunities for public-private partnerships to develop shared parking facilities and possibly parking structures. Staff has not proposed these changes in this draft because these topics go beyond the scope of the current Districts 3 – 6 update and will be addressed in more detail as part of the final phase of the Parking Study (part of the 2019 Work Plan) that will focus on regional parking and transit strategies, including the role that the commercial properties along the Hwy 89 corridor may play.

        Council Recommendation: Keep commercial parking requirements essentially the same as current LDRs. These requirements can be reconsidered after the Downtown Parking and Regional Parking phases of the overall parking study are complete.

3. Minimum Lot Size – Upper Cache (NL-1)

- The proposed NL-1 zone increases the minimum lot size from 12,000 sf (approx. ¼ acre) to a 1-acre (the average lots size is .7 acres in the Upper Cache area). The rationale for this change comes from the Comprehensive Plan in Subarea 6.2: Upper Cache that states "[f]uture subdivision will be in keeping with the traditional development pattern *with no increase in density beyond what exists on the ground today* (emphasis added)." Part of this reasoning is to protect wildlife habitat, wildlife movement, and steep slopes that characterize the Upper Cache subarea. Staff's interpretation of this policy is that new subdivision standards should minimize the number of additional lot splits (i.e., density) in this area, and that is why we proposed the 1-acre minimum lot size for the NL-1 Zone which would allow about 10 properties to still subdivide.

Alternative to Staff recommendation: Due to public concern about the impact the increased minimum lot size would have on the ability of some property owners to subdivide, especially long-time residents who have been relying on a lot split(s) for financial security, staff offers the two alternatives below for consideration.

Alternative 1: Adopt a single zone with .5-acre minimum lot size for the entire NL-1 area. This would result in approximately 30 properties being able to subdivide, a few with up to 15 additional lots.

Alternative 2: Create two zones:

- A) One zone that has a .5-acre minimum lot size and applies generally to the smaller properties on the south side of Cache Creek Drive and all the lots in Snow King Estates.
- B) A second zone with a 1-acre minimum lot size that applies to everything else.

(This 2-zone approach would result in approximately 10 properties being able to subdivide, with no property allowed more than 5 lots)

Council Recommendation: Agrees with the "Alternative 2" recommendation above that creates two zones: 1) one zone with a .5-acre minimum lot size and applies to the smaller properties on the south side of Cache Creek Drive and all the lots in Snow King Estates, and 2) a second zone with a 1-acre minimum lot size that applies to all other properties in Upper Cache subarea.

4. Changes in Height Limits

- The proposed LDRs include two primary modifications to height limits in the residential zones. First, similar to the existing Downtown commercial zones, staff included a height range that provides a base height for flat roof structures and then provides an additional 4' for steeper pitch roofs. This was done in response to significant public comment that wanted to see greater variety in house design, especially from the "metal box" design that has become more common in recent years. The second major change is that we reduced the height limit in certain zones (S, NC, NC-2) for flat roofed structures because the new upper limit of the height range (for pitched roofs) is often the same height as the existing height limit, which means that existing flat-roofed homes built to the current limit will be 4' taller than allowed under the proposed LDRs. This would make these existing homes nonconforming as to height (see Item #59 on nonconformities above). For example, the existing NC height limit is 30' for any type of roof, but under the proposed NL-3 or NL-4 zones only steep-pitched homes can be 30' while flat-roofed homes can only be 26,' meaning that existing 30' flat roofed homes do not meet the new standard. Staff believes that the proposed height range is a reasonable attempt to encourage variety in house designs without excessive burden on landowners or designers, especially given our recommendation (again, above) to partially exempt nonconforming single-family homes from certain nonconforming structure limitations, such as the 20% expansion limit.

Council Recommendation: Keep existing proposed 4' height range that distinguishes between flat and pitched roofs.

5. Nonconformities

- Any time major changes are made to existing zoning rules, some existing development will likely be made nonconforming because it will not meet the new standards. This is not surprising, especially when new development standards are intended to improve upon existing standards or fix things that currently do not work well.

    - **Nonconforming Use:** The primary newly created nonconforming use will be single-family detached homes in the proposed NH-1 zone. This is because the NH-1 proposed a minimum density requirement (see Item #45 above) that does not allow a single-family home for properties over

about 5,200 sf in size. The practical result under the LDRs is that these existing single-family homes will be limited to a 20% expansion on floor area. If the existing home is removed it can be rebuilt but the new home is still limited to the existing floor area plus 20%. While staff understands that these nonconforming limitations are a concern for some, staff remains committed to the goal of creating a true workforce housing zone with a minimum density requirement. Otherwise many of these lots will continue to develop with low-density, expensive, single-family homes in an area where workforce housing is appropriate and few other options exist.

Council Recommendation: Exempt nonconforming single-family homes from the 20% expansion limit and allow them to expand to full FAR. However, if a single-family home is torn down, it cannot be rebuilt and must comply with all new requirements (e.g., minimum density).

- **Nonconforming Structures:** The proposed new height limits (which includes some small reductions over current limits), access standards, and possibly other standards will make some existing structures, especially single-family homes, nonconforming. The practical result under the LDRs is that these existing single-family homes will be limited to a 20% expansion on floor area. If the existing home is removed or has any of its structural support removed it cannot be rebuilt to the same dimensions but must comply with all new standards.

  Council Recommendation: Exempt single-family homes from the 20% expansion limit for nonconforming structures (i.e., can build to full FAR) but not from the limitation that torn down homes must be replaced with fully compliant homes. In addition, should also allow additions to structures that are nonconforming to height to be the same height as the existing nonconforming structure.

6. Landscape Surface Ratio (LSR)

- There has been considerable public comment that current LSR rates (i.e., the amount of a property that must be 'greenspace') is too high, making it difficult to achieve important housing goals such as building ARUs or higher-density workforce housing projects. In particular, high LSRs can make parking and drive areas hard or impossible to achieve. On the other hand, we also got considerable comment stating that Town should keep it's "open space' and green areas. So the question is "in what zones are we willing to lower LSRs significantly to encourage workforce housing?" Staff's response is that we should leave the LSR the same in the current S and NC zones to maintain existing Stable character. The NC-2 LSR needs an adjustment to better recognize the proposed much smaller 3,750 sf lot. The AR zone, even in Stable areas, is a zone that has been in need of an LSR reduction for a while in order to accommodate 3 units and parking and so staff has proposed a modest LSR reduction in the new NL-5 zone. The greatest LSR reduction are proposed by staff in the NM-2 and NH-1 zones because these are specifically intended to provide the denser forms of workforce housing and where the "fill the box" incentive is allowed. The LSR for single-family homes (where allowed) will be kept relatively high to encourage other forms of higher density.

  However, if we are going to propose significant reductions in LSR in our workforce housing zones, then we should at least make sure that we get most of the desired greenspace in the front portion of the property where it will be visible to the public from the sidewalk/street (i.e., with less concern about what happens in the back portion of the lot where parking can be concentrated). Using this approach, staff proposes to create a new LSR standard based on the amount of greenspace created by existing the typical front (20') and side (10') setbacks applied to the front 1/3 of the property (again caring less about the backyard or alley area). On a standard 50' x 150' lot this produces an LSR of .21. For comparison, the existing UR-PUD (our most dense current option) has a .30 LSR but has no requirement on where the greenspace should be located so we frequently get disconnected small strips of greenspace

that often get neglected or converted to gravel or hardscape over time. To ensure that this does not happen, we would also propose that at least 70% of the required .21 LSR be located in the front 1/3 of the property (e.g., the front 50' of a 150' deep town lot). This is calibrated to allow for drive areas, parking, foot paths, etc. in the front setback where allowed or necessary. We would apply this .21 LSR and 70% rule to the NM-2 and NH-1. The CR-2 already has a .10 LSR.

Council Recommendation: Adopt a .21 LSR for the NM-2 and NH-1 zones with the further requirement that at least 70% of the required greenspace be located in the front 1/3 of the property. In addition, the LSR for the NL-5 zone should be decreased to .30 for 3 units. The LSR for the NM-1 zone will need to be further refined to accommodate the 3,750 sf lot. Otherwise, the LSRs for existing S and NC properties will stay the same as proposed to protect their Stable character.

7. Planned Unit Development (PUD)

- PUDs have been deleted from all District 3 – 6 zones and from the LDRs as a whole (except in the UC zone which is a holdover zone until it is replaced as part of the Town Square LDR update). The plan is to delete the PUD tool and then reconsider in the near future whether some type of more targeted PUD, such as a 'Workforce Housing PUD,' would be beneficial and necessary. Some people have expressed concern that the PUD is proposed for deletion because it has been a useful tool for creating apartment buildings and other forms of workforce housing, primarily because of its higher FAR, taller buildings (35'), allowance for 3 stories, and greater flexibility in setbacks. Staff acknowledges these advantages and that is the reason the proposed LDRs include all of these advantages (except the flexible setbacks) into the base standards of the proposed Neighborhood Medium Density - 2 (NM-2) and Neighborhood High Density -1 (NH-1) zones that are specifically designed to encourage workforce housing. This way the applicant does not have go through a special PUD approval process with site-specific standards and special review in order to get essentially the same advantages as the PUD. This approach also provides greater transparency and predictability to neighbors who can now better know what types of development is allowed in the neighborhood. Furthermore, this approach is much less confusing for staff to administer over time because the each project follows clearly defined zone standards rather than project-specific master plans that are largely 'frozen in time' and must be looked up every time there is a question or a need to amend the master plan.

  Council Recommendation: Delete the PUD from all District 3 – 6 zones and from the LDRs as a whole. The essential advantages of the PUD (extra height, FAR, stories, etc.) have been incorporated into the base standards of the NM-2 and NH-1 zones. The direction is to delete the PUD tool and then likely reconsider in the near future whether some type of a more targeted PUD, such as a 'Workforce Housing PUD,' would be beneficial or necessary.

- Urban Residential-PUD (UR-PUD)
  - One wrinkle with the proposed deletion of the PUD tool (and UR zone) is that this would also delete the recently adopted UR-PUD option. This option allows buildings to be 48' in height and 4 stories if the site is at least 2 acres and if the floor area allowed by the 4th floor is deed restricted as workforce housing. This tool has been used twice, Hidden Hollow and Sagebrush Apartments. While staff believes that allowing this 4th story can be an effective incentive tool for workforce housing, there is no simple way to incorporate the basic criteria of the UR-PUD into the Districts 3 – 6 update. The only two zones that could reasonably allow a 4th story are the HN-1 and CR-3. The NH-1 only has 3 properties over 2 acres and only 1 of those is likely to be developed (i.e., The Virginian campground). The CR-3 has the opposite problem because it has 16 properties over 2 acres and many could be redeveloped, raising potential public concern that there could be too many properties with four stories allowed.

Mitigating this concern is the fact that the CR-3 zone already allows buildings to be 42' – 46' tall with 3 stories so the 4th story would not add any height, just another story. With all this in mind, staff is not yet ready to propose integrating the UR-PUD tool into one of these two zones without further discussion to see what, if any, additional modifications should be made to improve this workforce tool. If the Council is interested in discussing this issue further, we can either try to develop this tool as part of the Districts 3 – 6 update, which is not staff's preference, or we can postpone this discussion until after the update to better understand where and what we would like this tool to do.

Council Recommendation: Convert the existing UR-PUD option for a 4th floor (including all of its criteria) into a development option in the CR-3 zone (and possibly other zones).

8. Sidewalks/Pedestrian Facilities

- A number of public comments have advocated for sidewalks being provided or expanded in locations where new residential density is proposed. This is sound advice. We also know from public comment that some people oppose sidewalks in their neighborhoods either due to perceived lack of need or due to concerns about creating an unwanted 'urban' character. In considering these two views, staff notes that the Town does not currently have a clear policy on what types of projects (i.e., how big) should trigger a sidewalk requirement and where sidewalks should be required in the first place. While we have a Community Streets Plan that includes suggested sidewalk dimensions and provides general recommendations on where sidewalks should be located, there is still much interpretation required to determine exactly where sidewalks should be located. While sidewalks are a major and welcome investment, new sidewalks and curbs that do not connect to other sidewalk sections are wasteful, potentially hazardous, and reduce support for sidewalks that are truly needed. Furthermore, even though the new zones in Downtown all require generous sidewalks, this was a relatively simple matter because this is our commercial core area that receives heavy pedestrian traffic that must be served by safe sidewalks. In contrast, many of the residential areas in Districts 3 – 6 do not fit this description and so we have to be careful about where and when sidewalks are required. To address these uncertainties, staff recommends that a 'Sidewalks Master Plan' be considered for adoption by the Town. This is a complex topic and beyond the scope of the Districts 3 – 6 update. Nonetheless, factors that should be considered would include public safety, future development patterns, financial responsibilities of developers and the Town, and prioritizing connections to major population areas or community amenities (parks, transit stops, etc.). Without this guidance staff is left with our current ad-hoc system in residential areas based on project size and local circumstances that can create confusion for staff and landowners alike.

Council Recommendation: Keep existing policy for requiring (or not) sidewalks in residential neighborhoods and consider adding to future Work Plan the task of developing a 'Sidewalks Master Plan' to guide future sidewalk construction and financing, including determining thresholds to trigger sidewalk construction and/or consideration of a fee in lieu program.

9. Tiny Homes

- So-called "tiny homes" have been a trendy topic in public comment because they offer a potential method to increase workforce housing. One difficulty with "tiny homes" is that there is no single definition for them so different people mean different things by them. For LDR purposes, tiny homes are small (approx. 300 – 500 sf or so), detached housing units that meet the same International Residential Code requirements as regular stick-built or modular units. This definition excludes units that are built to recreational vehicle standards (e.g., the HGTV version of tiny homes) or manufactured/mobile home standards (HUD). Essentially, LDR tiny homes are just like regular homes, only smaller. According to this definition, tiny homes are allowed in two primary new zones, the Neighborhood Medium Density - 2 (NM-2) and the Neighborhood High Density -1 (NH-1). These two

zones allow multiple tiny homes to be located on one lot provided they meet all other development standards. No special standards apply to this use as proposed, although the Town may want to consider whether certain standards for site design, landscaping, circulation, private open space, etc., should be applied to tiny home developments, not unlike 'cottage court' standards or the standards that currently apply to our Mobile Home Park zone. The Council may also want to consider whether the LDRs should allow in some way the cheaper version of a tiny home (the HGTV version of tiny homes) that is built to recreational vehicle standards on wheels and can often be self-built for about $30,000 or bought fully constructed for $50,000 or more. In some cases they can be significantly more expensive and elaborately designed. The Council may also wish to discuss whether there is support to allow these tiny homes on a temporary basis on vacant or underutilized land to provide seasonal housing or ease short-term housing shortages. If so, staff suggests that this discussion be conducted separately after the Districts 3 – 6 update is completed to ensure it is properly and fully vetted, especially with assistance from the Building Official.

Council Recommendation: Allow stick-built/modular tiny homes that comply with the building code in certain zones, but not RV or mobile home-versions of tiny homes. Further discussion of using RV tiny homes or mobile homes on vacant or underutilized land to provide seasonal housing or ease short-term housing shortages should be conducted separately after the Districts 3 – 6 update.

10. Mobile Home Park Zone/Mobile Homes

- The proposed LDRs delete the Mobile Home Park (MHP) Zone from the LDRs. This affects four existing properties with MHP zoning in the Town. The intent is to provide new base zoning that will govern new development if the mobile home parks are redeveloped. In each case, the proposed new zone fits with the Comprehensive Plan direction and surrounding density. The effect of deleting the MHP zone is that all mobile homes in the parks would become nonconforming uses. The practical effect is we would allow all existing mobile homes to be fully maintained and/or replaced with new mobiles at the will of the owner and in compliance with the Building Code. Thus, existing mobile home parks could continue to operate much as they do now with little effect. The main requirement would be that the owners would need to continuously operate the mobile home use without a lapse of over one year or the use would be considered 'discontinued' and the mobile home would not be able to be reestablished or replaced. The Council has not had an in-depth discussion yet about the future of mobile home parks and mobile homes in general in the Town. The general policy direction up to this point has been that we can keep the mobile homes we have but should not add more in Town. Given the role that mobile homes can play in providing workforce housing for the lowest income levels, some members of the public have advocated having a direct conversation about the appropriate role of mobile homes (and tiny homes too) in the Town.

Council Recommendation: Retain existing Mobile Home Park zone (MHP) for all existing mobile home parks in Districts 3 – 6. This will keep clearer rules for mobile homes moving forward until the Town has more time to fully discuss what it wants to do about allowing (or not) mobile homes.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
GENERAL ISSUES				
11	General Issue	Parking • Permit on-street winter parking.	***COUNCIL: See recommendation for Item #2 (i.e., no winter on-street parking allowed).***	The Technical Committee for the Town Parking study did not recommend winter on-street parking anywhere in Town at this time, primarily due to concerns about damaging vehicles with plows, driver safety, and increased costs. Note: The PC favors using winter on-street parking to help promote workforce housing by using the existing ROW for parking.
12	General Issue	Parking • Make parking standards more flexible. • Consider alternative parking strategies. • Parking requirements too high to promote workforce housing. What happened to Parking Study recommendations?	***COUNCIL: See recommendation for Item #2 (i.e., no overnight winter parking in town surface lots).***	
13	General Issue	Parking • Parking requirements for ARUs and similar-sized apartments should be changed to be the same.	***COUNCIL: See recommendation for Item #2 (i.e., "Apartment' and 'ARU' should both have a parking requirement of 1/unit if < 2 bedroom and < 500 sf; otherwise, 1.5/unit.).***	The current 'Apartment' parking requirement is 1/unit if < 2 bedroom and < 500 sf; otherwise, 1.5/unit. This is more than the requirement for an 'ARU' which is 1/unit in some zones while other zones require 1/bedroom for ARUs. To clear up these inconsistencies, staff recommends we use the first standard as adopted by Council.
14	General Issue	Nonconformities • Eliminate 20% expansion limit on nonconforming structures. • Preserve 20% expansion • Consider changes to nonconformity standards to exempt single-family homes from nonconforming limits.	***COUNCIL: See recommendation for Item #5.***	**Staff wants to confirm Council direction on nonconformities and Single-family homes.**
15	General Issue	Planned Unit Development (PUD)	***COUNCIL: See recommendation for Item #7 (I.e., PUD tool deleted from LDRs for now***	See Discussion above in Item 7.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
		• Keep the PUD tool for housing, especially workforce housing.	***with possibility of being readopted later in modified form).***	
16	General Issue	UR-PUD • Keep the UR-PUD tool that allows 48'/4 stories on properties with at least 2 acres?	***COUNCIL: See recommendation for Item #7 (i.e., keep current option for 4th story in the CR-3 zone with possible consideration in other zones).***	See Discussion above in Item 7.
17	General Issue	"Fill the Box" Workforce Bonus • The (2:1) workforce housing bonus is largely untested in District 2 so how do we know if it's going to work in D3-6?	***COUNCIL: See recommendation for Item #1 (i.e., apply the "fill the Box" incentive in the NM-2, NH-1, and CR-3 zones).***	See Discussion above in Item 1.
18	General Issue	Number of zones • Reduce the number of zones	***COUNCIL: Change the number of proposed new zones to 9, for a net change of 0 zones overall.***	The proposed draft would delete 9 existing zones and replace them with 9 new zones, for a reduction of 0 zones. Originally, staff proposed to delete 10 zones and replace with 8 zones for a reduction of 2 zones but with the retention of the Mobile Home Park zone and the addition of the new .5-acre zone in Upper Cache, there is no net change in the number of zones.
19	General Issue	Tiny homes • Include more flexibility to allow tiny homes. • Explore other options for foundations (e.g., shallow frost free insulated foundations)	***COUNCIL: See recommendation for Item #9 (i.e., no change in current rules that limit approval of tiny homes but discuss role of tiny homes in more depth in the future).***	See Discussion above in Item 9.
20	General Issue	Pedestrian facilities • Add sidewalks to serve new residents in areas where density is proposed to increase.	***COUNCIL: See recommendation for Item #8 (i.e., keep current rules for requiring sidewalks but consider future analysis of more sidewalk thresholds and fee in lieu program).***	See Discussion above in Item 8.
21	General Issue	Buildout • Reduce density overall • Increase FAR • Be flexible on allocation of "added" units in Town.	***COUNCIL: Keep density as proposed in draft LDRs with no significant increases or reductions in buildout potential.***	The Comprehensive Plan has a policy that residential and commercial buildout will be limited to what current ("1994") zoning allows. Thus, increasing base FARs would likely violate this policy. Similarly, reductions in overall density are also not supported by the Plan due to need for workforce housing and concerns about property rights. In terms of counting new units against buildout, the 1,800 units will be counted as they are built.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	Topic	Modification	Council Direction	Comments
22	General Issue	ARUs • Eliminate ARUs from Town periphery and East Jackson	***COUNCIL: Continue to allow ARUs in East Jackson and periphery.***	ARUs were added to the Suburban (S) and Neighborhood Conservation (NC) zones in 2016. The goal was to create more opportunities for small rental workforce housing in residential neighborhoods and assist homeowners with additional income. These goals remain valid. As more ARUs are built in the S and NC zones, we can reevaluate whether changes to the LDRs need to be made.
23	General Issue	ARUs • Allow 750-800 sf for all ARUs (regardless of lot size) • Allow up to 900 sf for any lot size	***COUNCIL: Keep proposed ARU size limits the same as current standards in the S, NC, and NC-2 zones.***	ARUs are generally limited to either 500 sf or 800 sf depending on zone, min. lot size, and whether they are attached or detached. Because the proposed LDRs replace ARUs with unrestricted size apartments in the current AR zone, the only residential zones with restricted ARUs would be NC, NC-2, and S. Due to neighbor concerns about compatibility of the existing ARU size limits, staff does not recommend increasing the size of ARUs in the replacement zones for the S, NC, and NC-2 zones.
24	General Issue	Number of stories • Permit 4 or 5 stories	***COUNCIL: See recommendation for Item #7 (i.e., allow current option for 4th story in CR-3 Zone).***	The current and proposed LDRs limit buildings in all zones to 3 stories, with the one exception that the current UR-PUD option has been relocated into the proposed CR-3 zone. Aside from this limited option in the CR-3, staff supports keeping 3 stories as the general maximum because it's consistent with the Comp Plan and general public opinion, and we prefer to reserve the 4th story as a targeted incentive for workforce housing where it is appropriate.
25	General Issue	Mobile Home Parks • Need clear approach to mobile homes in the future	***COUNCIL: See recommendation for Item #10 (i.e., keep existing Mobile Home Park Zone for now but discuss role of mobile housing in more depth in the future).***	See Discussion above in Item 10.
26	General Issue	Threshold for Design Review (DRC) • What is the appropriate threshold for review by the Design Review Committee (i.e., what size projects should undergo DRC review)?	***COUNCIL: Require review by the Design Review Committee (DRC) for all residential projects of a tri-plex or larger.***	Traditionally, design review has applied only to commercial projects. With the adoption of District 2, all multi-family (3 units or more) in District 2 zones became subject to DRC review. In addition, many recent large residential PUD projects have undergone DRC review. Based on this, staff has recommended that all residential projects of three units or more (attached unit – triplex) are required to do to the DRC. Staff acknowledges, however, that the Town Design Guidelines need to be updated to include more guidance on residential development since the existing guidelines are intended for commercial development.
27	General Issue	Live-Work Units • Delete 'Live-Work' units from the LDRS as an allowed use.	***COUNCIL: Delete 'Live-Work' units from the Town LDRs in all zones.***	Live-Work units have a mixed record in providing workforce housing with on-site business space. Experience has shown that residents of some Live-Work units do not work the commercial space or occupy the unit much at all. And because Live-Work units are exempt from

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
				affordable housing mitigation requirements, staff is concerned that this use is being misused. Also, enforcement is difficult.
28	General Issue	Miscellaneous • Make changes to other sections of the LDRs necessary for consistency and/or clarity to implement primary approved modifications.	***COUNCIL: Make all the necessary miscellaneous LDRs changes to implement the primary modifications by the Council.***	Any time there is a major LDR update, staff will need to make numerous smaller changes throughout the LDRs in order to fully implement the primary changes (e.g., if the NC zone is replaced with the new NL-4 zone then we will need to make this replacement in every existing table where the NC zone is listed).
ZONE MODIFICATIONS				
29	NL-1	Height: • Retain flat roof height at 30'. • Increase height • Decrease height	***COUNCIL: See recommendation for Item #4 (i.e., keep height range of 4' to distinguish between flat and pitched roofs).***	
30	NL-1	FAR: • Change FAR from .30 to .40 or .45. • Reduce FAR and setbacks for nonconforming properties	***COUNCIL: Change proposed FAR from .30 to .40.***	Because the NL-1 is applied to some existing NC properties, which have a .40 FAR, staff supports a .40 for the NL-1 zone. The increased floor area for existing S properties is modest and consistent with future intended character.
31	NL-1	Minimum Lot Size: • Retain 12,000 sf minimum lot size in NL-1. • Consider two zones, one with .5 acre min. Lot size and the other with 1 acre min lot size. • Consider hardship on existing landowners of increasing min. lot size	***COUNCIL: See recommendation for Item #3 (i.e., create a .5-acre zone and a 1-acre zone in Upper Cache subarea).***	**Staff would like to confirm Council direction on this item.**
32	NL-3	Density • Increase density • Reduce density around/above Budge Drive.	***COUNCIL: Keep proposed density in NL-3 the same.***	The proposed LDRs maintain the same density of 1 single-family home and 1 ARU per lot. This is appropriate given that the NL-3 applies to 'Stable' neighborhoods where additional density is not supported by the Comprehensive Plan. On Budge hillside, staff prefers to be conservative and keep density low (i.e., no ARUs) at least until the Town updates its hillside LDRs with more modern and clear standards for building on steep and potentially unstable slopes.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	Topic	Modification	Council Direction	Comments
		• Consider expanding density on Budge Drive if geotech is completed		
33	NL-3	Height • Retain flat roof height at 30'.	***COUNCIL: See recommendation for Item #4 (i.e., keep height range of 4' to distinguish between flat and pitched roofs).***	
34	NL-3	Setbacks • Require asymmetrical side setbacks to protect solar for properties to the north, i.e., don't allow 5' setbacks on side for accessories on the north side of properties.	***COUNCIL: Keep proposed 10' side setbacks in NL-3.***	The proposed LDRs keep existing setbacks without any special provision for solar access, such as flexible setbacks. We are not opposed to the idea but many of our lots are already oriented north/south and so have larger rear setbacks (at least 20') that essentially accomplish this goal. This may not apply as well to properties not in the Jackson grid.
35	NL-3	Mobile Home Park (MHP) Zone • Zone the mobile home park NM-2 or NH-1.	***COUNCIL: See recommendation for Item #10 (i.e., Keep existing MHP zone in place).***	Staff had recommended that the MHP zone be deleted from the LDRs and that these properties be rezoned to a new zone that best reflected the future desired character of the neighborhood. However, keeping the existing MHP zone has the advantage of keeping clear rules in place for a use that would otherwise be considered nonconforming and thus subject to a variety of rules.
36	NL-4	ARUs • Align ARU sf maximums with scale of home office (750 sf) • Allow 3 ARUs. • Allow an ARU sf allotment that can be distributed between ARUs (e.g., total of 1000 sf. Land owner can choose to have 1 600 sf ARU and 1 400 sf ARU)	***COUNCIL: Keep existing proposed ARU size limits but also limit all habitable detached spaces (e.g., office, art studios, etc.) to the same size limits as ARUs.***	These public modifications are generally concerned that current limits on ARUs should be more flexible or they will create a situation for bait and switch between uses (i.e., a 750 sf detached office space is built but it's then converted to an illegal ARU because it's over 500 sf). Given the recent LDR amendment to allow 2 ARUs in NC zone with alleys, staff does not support increasing the size of ARUs but supports limiting the size of detached habitable spaces to be the same as ARUs.
37	NL-4	Access • Allow car access from streets and alleys.	***COUNCIL: Alley access required for one or two units but curb cut ok if 3 units.***	The purpose of limiting curb cuts is to minimize driveways that cross sidewalks, reduce garage doors that face the street, and create a more green and attractive streetscape. One practical issue is how to enforce the proposed direction if a landowner chooses to build the 3 allowed units in phases (e.g., person builds main home first off primary street with plan to build 2 ARUs later – if we require the driveway from the alley on main unit we may make it much more difficult to build the two

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
				ARUs later). Also, we need to acknowledge that this requirement for alley access may require a reduction in LSR to accommodate the need for more drive/parking areas. This reduction has not been discussed yet by Council.
38	NL-4	Height • Retain flat roof height at 30'.	***COUNCIL: See recommendation for Item #4 (i.e., keep existing proposed height range of 26' – 30', which includes reduction of height for flat-roofed houses from 30' to 26').***	As explained in the Key Issues discussion, staff feels that the community will benefit from having different height limits for flat and pitched roofs. And if the flat roof height remains at 30' then the pitched roof height must be increased to 34', which staff feels is too high for this zone. Therefore, the better option is to reduce the height (and perceived mass) of flat-roofed structures from 30' to 26'.
39	NL-4	Setbacks • Increase setbacks for accessory structures.	***COUNCIL: Keep existing proposed 5' – 10' side setback for accessory structures.***	The proposed LDRs require a 5' side setback for accessory structure ≤ 14' in height and 10' if > 14'. This approach provides additional protection for neighbors while still allowing reasonably-sized ARUs on 2nd story.
40	NL-5	Subdivision • Allow subdivision and condominiumization.	***COUNCIL: Continue to not allow ownership and/or condomiumization of the dwelling units in the NL-5 (AR) zone.***	The town has discussed before the possibility of allowing individual ownership or condominiumization of units on AR lots. The reason we have not allowed this is because we have prioritized rental units over additional ownership units because this is the greater need. Staff continues to agree with this approach.
41	NL-5	Zoning Map • Area near Crabtree and Powderhorn should be zoned NH-1.	***COUNCIL: Keep existing NL-5 for Crabtree Lane.***	The Crabtree Lane properties are mostly small and nonconforming in size. They have been zoned AR for a while but have not produced many ARUs due largely to their small size and lack of alleys. Staff feels that adding more density here is not very practical.
42	NL-5	Height • Increase height	***COUNCIL: See recommendation for Item #4 (i.e., keep existing proposed height range of 26' to 30').***	The proposed LDRs have increased the height from 26' to 30' for steep pitched roofs with a maximum of 2 stories. Given that the NL-5 is located in 'Stable" neighborhoods, staff feels this 4' increase is enough to encourage design variety but still be consistent with existing character. Additional height beyond this increase would not be appropriate.
43	NL-5	FAR • Increase FAR	***COUNCIL: Keep existing proposed FARs for NL-5.***	The proposed LDRs have increased the FAR slightly for three units from .35 to .40 (additional 375 sf) for a total of 3,000 sf. Additional FAR would further encourage construction of ARUs which has been modest in the AR zone to date. Also, the NL-4 zone has a .40 FAR so an equal or higher

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
				FAR for NL-5 would be appropriate if it is intended to be more intense than the NL-4, which seems logical.
44	NL-5	Access • Eliminate car access from street for 3 units (unless already existing).	***COUNCIL**: **Alley access required for one or two units but curb cut ok if 3 units. Also, add requirement that curb cut limited to 40% of lot frontage or 20' in width, whichever is less.***	The NL-5 zone is intended to be slightly more intense than the NL-4 to allow three full units instead of just ARUs. Having the flexibility to have street access to serve 3 units is important in encouraging rental workforce housing. Staff raises the same concern here as we did above in the NL-4 (Item #37) regarding how to apply this requirement for phased development (e.g., main house first and then separate apartments later). A curb cut would be allowed for properties without alleys.
45	NL-5	Setbacks • Reduce side interior setback from 10' to 5' for smaller residential units (same as for ARUs currently).	***COUNCIL: Side setbacks should be 10' for all primary structures, regardless of size.***	This public comment appears to request a 5' side setback for smaller or perhaps 'tiny homes.' In essence, this would treat small primary homes like ARUs that are ≤ 14' in height. This idea would treat structures based on their size/impact rather than if they are primary or accessory. Consistent with this thinking, Staff had recommended that any residential structure that is less 800 sf and ≤ 14' in height would have a side setback of 5 feet. Council, however, opted for a more simple rule that applies a 10' side setback to all dwelling units, regardless of size. Staff notes that this creates a perhaps odd result in that the ARUs in the NL-4 can be 5' from a side boundary but the same sized unit in the NL-5 must be 10' away – meaning that the standard is more restrictive in the NL-5 which is supposed to be slightly more intense than the NL-4. **Further confirmation on this issue is desired by staff.**
46	NL-5	Rezone Hawtin property to NM-2 on Kelly Avenue	***COUNCIL: Change the proposed zoning for 265 E. Kelly from NL-5 to NM-2.***	The landowner of two lots addressed at 265 E. Kelly has requested (see letter from Bruce Hawtin) that the property be rezoned NM-2 instead of NL-5. The primary reasons are that the property has alley access like the adjacent NM-2 properties and that it is already developed with a large building and extensive hardscape in a way that is more consistent with the higher intensity of the NM-2 zone. Staff generally agrees with this assessment and so supports the requested zone change.
47	NM-1	Height • Retain flat roof height at 30'.	***COUNCIL: See recommendation for Item #4 (i.e., keep existing proposed height range of 26' – 30', which includes reduction of height for flat-roofed houses from 30' to 26').***	As explained in the Key Issues discussion, staff feels that the community will benefit from having different height limits for flat and pitched roofs. And if the flat roof height remains at 30' then the pitched roof height must be increased to 34', which staff feels is too high for this zone. Therefore, the better option is to reduce the height (and perceived mass) of flat-roofed structures from 30' to 26'.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
48	NM-1	Density • Do not allow split lots to have 4 new units.	***COUNCIL: Keep existing proposed rules that allow only 2 units on a 3,750 sf lot.***	This comment appears to be concerned that allowing each primary unit to have an ARU is too much density when a 7,500 sf lot is split into two 3,750 sf lots. While this could lead to a crowded site, past experience has shown that most landowners do not include ARUs when they subdivide a 7,500 sf lot, thus staff is not too concerned about this outcome.
49	NM-1	Ownership • Units resulting from upzone (specifically affordable units) should be owner-occupied	***COUNCIL: Keep proposed "fill the box" workforce incentive for upzoned properties but do not require that units created by incentive be occupied by the owner.***	The intent of this comment is not clear. Assuming it is advocating that where existing NC-2 properties are being upzoned to MN-2 that all resulting additional units should be owner-occupied. The only units that are currently required to be owner-occupied are from deed-restrictions from required mitigation. Staff's approach to any residential upzoning has been to use market incentives to construct the additional unit using the "fill the box" workforce incentive where 33% to 50% of additional units will be deed-restricted to local workers. An owner-occupancy restriction would severely limit development of the additional units, especially much-needed rental units.
50	NM-1	Setbacks (alley) • Allow buildings on alleys to be 5' from the alley	***COUNCIL*: Establish a 10' setback from alleys for all structures. This rule should apply in all zones where alleys exist.**	Staff feels that buildings should be no less than 10' from the alley. This is to avoid overcrowding our 20' alleys that are often congested and where car turning movements can be difficult, especially in the winter with snow buildup.
51	NM-2	Height • Reduce the 35' height limit in the NM-2 zone	***COUNCIL: See recommendation for Item #4 (i.e., keep the existing proposed height range of 35' – 39' (3 stories) for the NM-2).***	The proposed LDRs show a height limit of 35' – 39' and 3 stories in the NM-2. This height is based on the current PUD height limit of 35' and 3 stories allowed in the AR/UR zones. The intent is to incorporate the PUD height into the base standards of the NM-2 so it could be used without any special approvals. Then, as with the other zones, we added 4' for pitched roofs. In order to encourage workforce housing, staff feels this height increase is both necessary and appropriate.
52	NM-2	LSR • Consider reducing LSR further to promote workforce housing	***COUNCIL: See recommendation for Item #6.***	See discussion above for Item #6.
53	NM-2	Occupancy • Occupancy of new units should be restricted to owners.	***COUNCIL: Keep proposed "fill the box" workforce incentive for upzoned properties but do not require that units created by incentive be occupied by the owner.***	See discussion above for Item #49.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
54	NM-2	Setback • Consider reducing side setback from 10' to something smaller (e.g., 7') to facilitate development.	***COUNCIL: Keep existing proposed 10' side setback in NM-2.***	This comment is asking whether a lesser side setback from 10' would better facilitate density given that the NM-2 is one of 2 new zones intended to generate additional workforce housing. While staff agrees with the premise of this question, we maintain that keeping the 10' side setback is critical to reducing impacts on adjacent properties because the NM-2 allows 39' tall buildings and that would be too close for a 7' setback.
55	NM-2	Review Threshold • At what threshold (i.e., how many units) should residential projects be required to have public review (Sketch Plan and/or Development Plan review) by the Council instead of staff review only?	***COUNCIL: Set the threshold for public review (i.e., Development Plan) at development of more than 2 lots. Still no Sketch Plan required for all-residential projects.***	One goal of the LDR update is to streamline the development review process to reduce unnecessary red tape and to encourage development such as workforce housing. We did this in District 2 by making the threshold for a Development Plan the development of more than 2 lots and a Sketch Plan more than 4 lots. The Council has chosen the same approach with the Districts 3 - 6 zones, (Note that staff was a little more aggressive and recommended that projects on sites up to the size of three 7,500 sf lots (i.e., 22,500 sf) would require a building permit (i.e., staff review only), while project sites larger than 22,500 sf would require a Development Plan (Council approval)).
55.B	NM-2	Zoning Map • 125 and 145 Aspen Dr. should be included in NM-1. • Zone Aspen Dr. and Pine Dr. NM-1 (not NM-2).	***COUNCIL: Keep NM-2 for properties at eastern end of Aspen Drive.***	These comments are directed at the proposed zoning for the properties on Aspen Drive between Millward and So. Cache that are proposed as NM-2 but which the comments suggest should remain as NC-2/NM-1. Staff and PC recommended an upzone to NM-2 because these properties are closer to the Snow King base where larger buildings allowed and because some of the properties already have densities above NC-2 levels.
56	NH-1	Density • Allow 3 units, but don't require 3 unit minimum for every property.	***COUNCIL: Replace the proposed 3-unit minimum standard for all properties with a minimum density requirement of 17.4 DUs/acre that would still require 3 units per 7,500 sf lot but which would require only 2 units for lots less than 7,500 sf (or 1 unit if lot less than approx. 5,200 sf)***	The proposed LDRs require a minimum of three units (attached or detached) in the NH-1 for a regular 7,500 sf lot. This is a new type of standard and its purpose is to ensure that properties in this zone do not 'underdevelop,' especially with low-density SF homes. However, staff also acknowledges that trying to fit 3 units on some properties, such as those smaller than 7,500 sf and without alleys for access, would be difficult and often lead to undesirable design results. To address this issue staff offered an alternative that would replace the proposed 3-unit minimum standard with a minimum density requirement of 17.4 DUs/acre. This density still requires 3 units per 7,500 sf lot but which would only require 2 units for lots less than 7,500 sf (and only 1 unit is less than 5,200 sf). This would provide some relief, for example, to the

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	Topic	Modification	Council Direction	Comments
				smaller lots north of the Rodeo grounds. Results from this calculation would need to be rounded down.
57	NH-1	Zoning Map – Rodeo Grounds area • Area near Rodeo Grounds should be less dense than NH-1.	***COUNCIL: Keep all properties near the rodeo grounds zoned NH-1 with the understanding that the minimum density requirement will be reduced as recommended immediately above in Item #56 under 'Density.'***	Staff finds that this area is ideal for redevelopment and is close to all major town service and jobs. As such, it is appropriate for additional density, which would be two units as directed by Council for most lots under 7,500 sf.
58	NH-1	Zoning Map - Daisy Bush area • Remove Daisy Bush/May Park area in East Jackson from NH-1 zoning and instead zone NL-3, NL-5, or NM-1. • Move the NH-1 boundary south to exclude the 1.33-acre parcel on north end. • The Forest Service property should be lower density to protect trailhead area and wildlife	***COUNCIL: Keep all existing multi-family properties in May Park subarea NH-1 but rezone all existing SF and duplex properties NM-1 as described in the adjacent comments.***	The Comprehensive Plan states that the May Park subarea should be planned to "maintain the existing medium to high density development pattern, with a mix of small lot single-family, duplex, tri-plex, and multi-family structures." This direction supports a potential increase in density over current zoning but does not specify exactly where or by how much. In addition, staff acknowledges that this area currently has limited pedestrian facilities and street connections that could make certain higher-density development types unfeasible. In this light, and in response to public comment in opposition to the proposed NH-1 zone in certain parts of this subarea, staff recommends an alternative where all the existing multi-family properties remain zoned NH-1 and all existing SF and duplex properties are zoned NM-1 (current NC-2). This would mean, for example, that the Daisy Bush PUD, the 1.3 acre property immediately north of Daisy Bush, the 6-plex north of Daisy Bush, the 5-acre US Forest Service site, and four single-family properties on the corner of Hansen/Nelson would all be rezoned NM-1. The rest of the subarea would be rezoned NH-1.
59	NH-1	Review Threshold • At what threshold (i.e., how many units) should residential projects be required to have public review (Sketch Plan and/or Development Plan review) by the Council instead of staff review only?	***COUNCIL: Set the threshold for public review (i.e., Development Plan) at development of more than 2 lots. Still no Sketch Plan required for all-residential projects.***	One goal of the LDR update is to streamline the development review process to reduce unnecessary red tape and to encourage development such as workforce housing. We did this in District 2 by making the threshold for a Development Plan the development of more than 2 lots and a Sketch Plan more than 4 lots. The Council has chosen the same approach with the Districts 3 - 6 zones, (Note that staff was a little more aggressive and recommended that projects on sites up to the size of three 7,500 sf lots (i.e., 22,500 sf) would require a building permit (i.e., staff review only), while project sites larger than 22,500 sf would require a Development Plan (Council approval)).
60	NH-1	LSR • Reduce LSR requirements.	***COUNCIL: See recommendation for Item #6.***	
61	NH-1	Nonconformities	***COUNCIL: See recommendation for Item #5.***	

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
		• Revisit 20% nonconformity regulations with upzone.		
62	CR-3	Height • Increase height	***COUNCIL: See recommendation for Item #4 (i.e., height should be 42' – 46' but we should use only two height categories (like currently used in District 2 zones) instead of the three categories used in the residential zones.***	The proposed LDRs increase the height from 35' (or less) to 42' – 46' and 3 or 4 stories. Staff feels this increase is sufficient to balance the needs of landowners and creating workforce housing with maintaining the intended character of the commercial corridor.
63	CR-3	FAR • Increase FAR	***COUNCIL: Keep existing proposed .40 FAR and "fill the box" workforce bonus.***	The proposed FAR in the CR-3 is .40, which is a slight increase over the current range of .25 - .46 FAR but a slight decrease compared to the .46 FAR of the CR-2 zone. Due to buildout constraints from the Comp Plan, which prevent an increase of commercial development potential, additional FAR in commercial zones is not an option. However, with the "fill the box" workforce bonus, significantly more residential floor area can be located on most CR-3 properties and should encourage residential development and workforce housing.
64	CR-3	Setbacks • Increase setbacks with higher heights.	***COUNCIL: Keep existing proposed 10' side setback.***	The proposed LDRs require a 10' side setback for 42' – 46' tall buildings. This will provide a minimum of 20' of separation between buildings on adjacent properties. While this is close, staff and PC do not feel additional setback is needed to buffer the taller buildings, especially given the highway corridor context.
65	CR-3	Form Standards • The "form standards" (build-to lines, minimum façade widths, etc.) should be reconsidered to better reflect the realities and goals of highway corridor development.	***COUNCIL: Council approved the previous draft of the CR-3 zone but staff informed the Council that we would continue to work with our consultant Code Studio to modify and finalize the CR-3 standards (build-to lines, parking location, landscaping, etc.) to better address the needs of the highway corridor context.***	The proposed CR-3 zone has been updated with the assistance of Code Studio to incorporate similar 'form standards' as the CR-2 but with targeted changes to better reflect the larger lots and highway context of the highway corridor. For example, a landscaping buffer requirement was added and strengthened for properties fronting the highway, parking location and screening standards were added, and other changes were made to create standards that are both reasonable but will improve the visual quality and function of new development in this more auto-dependent context. **Staff is looking for confirmation of the changes in the updated CR-3 zone.**
66	CR-3	Storage Units • Allow storage units as use	***COUNCIL: Do not allow the 'Mini-storage Warehouse' use in CR-3. Council generally agreed with PC concerns that this use is unsightly and might outcompete other more desirable uses that will have much higher housing mitigation requirements under the proposed new affordable housing mitigation***	The 'Mini-storage Warehouse' (i.e., storage units) use is currently allowed in the AC, BP-R, and RB zones. Thus, deleting this use from the CR-3 zone would make existing mini-storage businesses nonconforming.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	Topic	Modification	Council Direction	Comments
			requirements. The result would be more mini storage projects than appropriate for our gateway corridor.	

ORDINANCE I

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART), THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS, AND OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF JACKSON TO RE-NUMBER SECTIONS 2.2.2, 2.2.3, 2.2.4 and 2.2.5, TO ADD SECTIONS 2.2.2 THROUGH 2.2.9 AND 2.2.13, TO DELETE SECTIONS 2.3.4, 2.3.5, 2.3.6, 2.3.9, 2.3.11, 2.3.12, 2.3.14, 2.3.15, AND 2.3.16, TO AMEND SECTIONS 2.1.1, 2.1.2, 2.2.1.D.5, 4.4.1.G, 5.2.1.D, 5.3.1.B.2, 5.3.1.B.5, 5.3.2.D.3, 5.4.1.B, 5.5.3.C.1, 5.5.3.D, 5.5.4.C, 5.6.1.E.7.a, 5.8.1.A, 6.1.1.F, 6.4.3.A, 7.1.1, 7.2.1, 7.8.4.B.1, 8.2.2.B.1.b, 9.4.6.D, 9.4.8.J AND 9.5.P, TO REMOVE THE URBAN RESIDENTIAL (UR), AUTO-URBAN COMMERCIAL-TOWN (AC-TOJ), AUTO-URBAN RESIDENTIAL-TOWN (AR-TOJ), BUSINESS PARK RESTRICTED USES (BP-R), BUSINESS CONSERVATION-TOWN (BC-TOJ), RESIDENTIAL BUSINESS (RB), NEIGHBORHOOD CONSERVATION-TOWN (NC-TOJ), NEIGHBORHOOD CONSERVATION-2-FAMILY (NC-2), AND SUBURBAN-TOWN (S-TOJ) LEGACY ZONES, AND TO ADD THE NL-1: NEIGHBORHOOD LOW DENSITY 1, NL-2: NEIGHBORHOOD LOW DENSITY 2, NL-3: NEIGHBORHOOD LOW DENSITY 3, NL-4: NEIGHBORHOOD LOW DENSITY 4, NL-5: NEIGHBORHOOD LOW DENSITY 5, NM-1: NEIGHBORHOOD MEDIUM DENSITY 1, NM-2: NEIGHBORHOOD MEDIUM DENSITY 2, NH-1: NEIGHBORHOOD HIGH DENSITY 1, AND CR-3: COMMERCIAL RESIDENTIAL 3 CHARACTER ZONES, TO IMPLEMENT CHARACTER DISTRICTS 3 THROUGH 6 OF 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 II of Town of Jackson Ordinance No. 1074 as amended (part) is hereby amended and reenacted to renumber Section 2.2.2 as 2.2.10, 2.2.3 as 2.2.11, 2.2.4 as 2.2.12, and 2.2.5 as 2.2.14; add Sections 2.2.2 through 2.2.9 and 2.2.13; delete Sections 2.3.4, 2.3.5, 2.3.6, 2.3.9, 2.3.11, 2.3.12, 2.3.14, 2.3.15, and 2.3.16; and amend Sections 2.1.1, 2.1.2, 2.2.1.D.5, 4.4.1.G, 5.2.1.D, 5.3.1.B.2, 5.3.1.B.5, 5.3.2.D.3, 5.4.1.B, 5.5.3.C.1, 5.5.3.D, 5.5.4.C, 5.6.1.E.7.a, 5.8.1.A, 6.1.1.F, 6.4.3.A, 7.1.1, 7.2.1, 7.8.4.B.1, 8.2.2.B.1.b, 9.4.6.D, 9.4.8.J, and 9.5.P of the Town of Jackson Land Development Regulations to read as follows:

Div. 2.1. All Complete Neighborhood Zones

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

2.1.1. Character Zones (~~11/23/16, Ord. 1149~~ P17-077)

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

A. NL-1: Neighborhood Low Density -1

B. NL-2: Neighborhood Low Density-2

C. NL-3: Neighborhood Low Density-3

D. NL-4: Neighborhood Low Density-4

E. NL-5: Neighborhood Low Density -5

F. NM-1: Neighborhood Medium Density-1

G. NM-2: Neighborhood Medium Density-2

H. NH-1: Neighborhood High Density-1

I. DC: Downtown Core ~~(DC)~~

J. CR-1: Commercial Residential-1 ~~(CR-1)~~

K. CR-2: Commercial Residential-2 ~~(CR-2)~~

L. CR-3: Commercial Residential-3

M. Office Residential (OR)

2.1.2. Legacy Zones (~~11/23/16, Ord. 1149~~ P17-077)

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

A. Town Square (TS)

B. Urban Commercial (UC)

C. ~~Urban Residential (UR)~~

D. ~~Auto Urban Commercial-Town (AC-ToJ)~~

E. ~~Auto Urban Residential-Town (AR-ToJ)~~

F. ~~Business Park-Restricted Uses (BP-R)~~

G. Business Park-Town (BP-ToJ)

H. ~~Business Conservation-Town (BC-ToJ)~~

I. ~~Residential Business (RB)~~

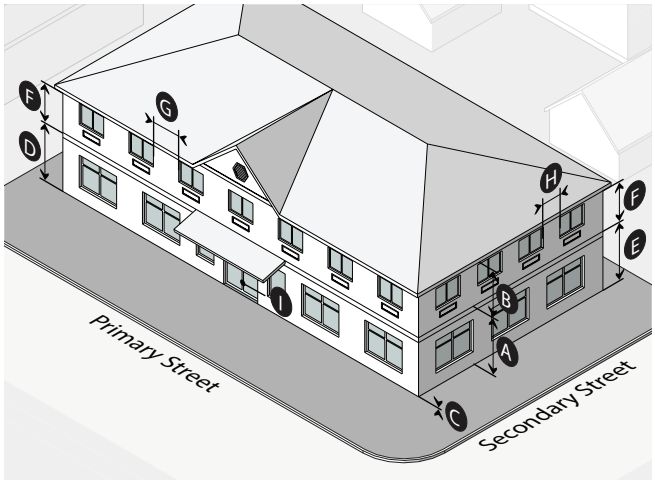
J. Mobile Home Park-Town (MHP-ToJ)

K. ~~Neighborhood Conservation-Town (NC-ToJ)~~

L. ~~Neighborhood Conservation-Two-Family (NC-2)~~

M. ~~Suburban-Town (S-ToJ)~~

4. Lodging

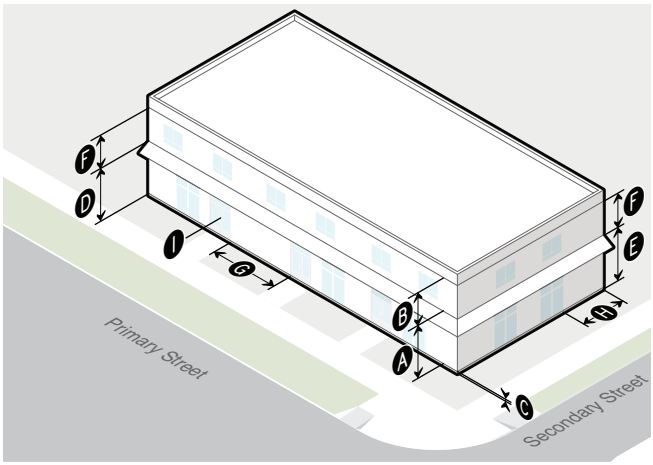


Description

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

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

5. Highway



Description

The Highway Frontage is intended for a variety of uses that front Highway 89/191. Buildings must address the Highway by providing an operable building entrance that faces the Highway 89/191 and provide glazing (windows and doors) on both ground and upper story street-facing building facades.

Story Height	Sec. 9.4.13.
Ground story height (min)	12’
Upper story height (min)	9’
Ground floor elevation (min-max)	0’ - 5’
Transparency	**Sec. 9.4.14.**
Ground story, primary street (min)	40%
Ground story, secondary street (min)	40%
Upper story, primary/secondary street (min)	20%
Blank Wall Area	**Sec. 9.4.15.**
Blank wall area, primary street (max)	50’
Blank wall area, secondary street (max)	50’
Pedestrian Access	**Sec. 9.4.16.**
Entrance facing primary street	Required
Entrance spacing along primary street (max)	n/a

2.2.2. NL-1: Neighborhood Low Density-1 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Low Density-1 (NL-1) zone is to provide for places with enough open space and sufficient lot size to provide a predominance of landscape and yards over buildings. Buildings and development should be oriented to respect steep slopes, preserve open space, and provide for wildlife movement through the property. This zone is intended for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street, often including longer driveways.

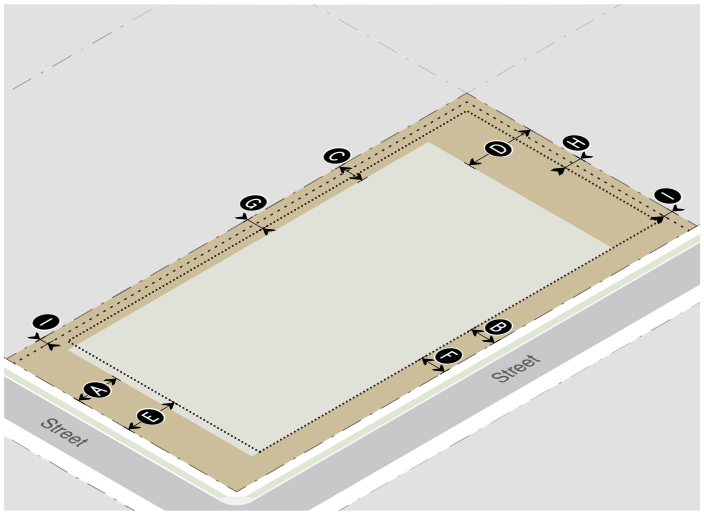
4. Land Use: Single-family detached homes, accessory structures, and ARUs are the primary land uses.

5. Comprehensive Plan: Based primarily on Subarea 6.2 in the Comprehensive Plan.

B. Physical Development

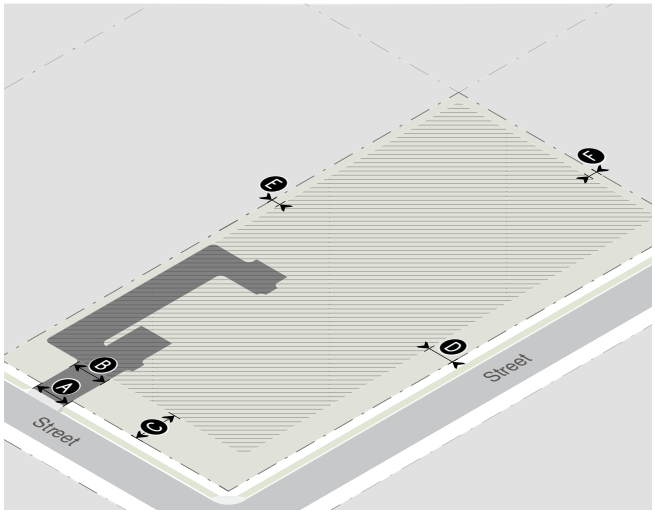
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	25'	A
Secondary street (min)	15'	B
Side interior (min)	15'	C
Rear (min)	40'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	15'	F
Side interior/rear (min)	10'	G
Rear (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	.60	
Plant units (min)		
Residential	1 per lot	
Nonresidential	1 per 1,000 sf of landscape area	
Parking lot (all uses)	1 per 12 parking spaces	

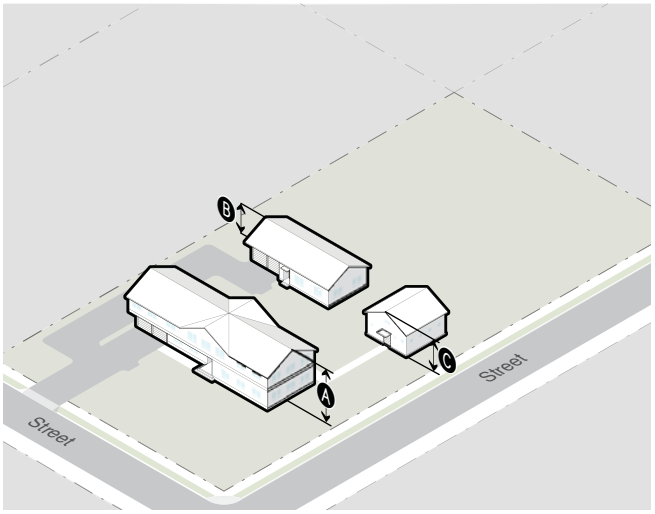
2. Vehicle Access Standards



Access		
Primary street	Allowed	
Secondary street	Allowed	
Alley	Allowed	
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less	A
Driveway width in primary/secondary street setback (max)	20'	B
Parking Setbacks		
Primary street* (min)	25'	C
Secondary street* (min)	15'	D
Side interior (min)	5'	E
Rear (min)	5'	F

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	Sec. 9.4.9	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	Sec. 9.4.9	
Accessory residential unit (max)	2 stories, not to exceed 26'	B
All other accessory structures (max)	14'	C
Scale of Development	Sec. 9.4.13	
Floor area ratio (FAR max)	.40	
Individual building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear year	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-1 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 NL-1 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-1 zone, however, all standards in Article 6. are applicable in the NL-1 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending ~~Housing Mitigation~~ LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					to be amended pending Housing Mitigation LDR Update
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable excluding basement (max)	2/DU	
Group Home (6.1.4.G.) (E.1.)	C	15 rooms per acre		0.5/bed	
Institutional					to be amended pending ~~Housing Mitigation~~ LDR Update
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			

Y=Use allowed, no use 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	Density (max)	Individual Use	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.2.)	B	1 unit per lot	Detached ARU on Lot < 18,000 sf (max): 500 sf habitable. All other ARUs (max): 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	
Home Occupation (6.1.11.D.)	B	n/a		n/a	to be amended pending Housing Mitigation LDR Update
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-1 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 NL-1 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-1 zone, however, all standards in Article 7. are applicable in the NL-1 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	**Lot Size (min)**	**Standards**
Allowed Subdivision Options		
Land Division	43,560 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing		to be amended pending Housing Mitigation LDR Update
Required Affordable Housing		
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

4. Required Subdivision and Development Option Permits				
Option	**Sketch Plan (Sec. 8.3.1.)**	**Development Plan (Sec. 8.3.2.)**	**Development Option Plan (Sec. 8.5.2.)**	**Subdivision Plat (Sec. 8.5.3.)**
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-1 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.

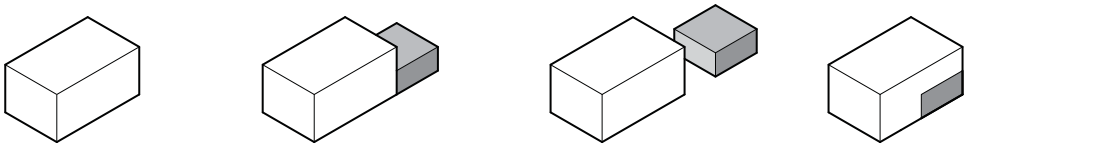
2. Accessory Residential Units (ARUs)

   a. Home Occupations and Home Businesses in ARUs are prohibited.

   b. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

Configuration options in the NL-1 zone include, but are not limited to, the following:



One Unit

One Unit
+ One attached ARU

One Unit
+ One detached ARU

One Unit
+ One internal/basement ARU

2.2.3. NL-2: Neighborhood Low Density-2 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Low Density-2 (NL-2) zone is to provide for places with enough open space and sufficient lot size to provide a predominance of landscape and yards over buildings. Buildings and development should be oriented to respect steep slopes, preserve open space, and provide for wildlife movement through the property. This zone is intended for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street, often including longer driveways.

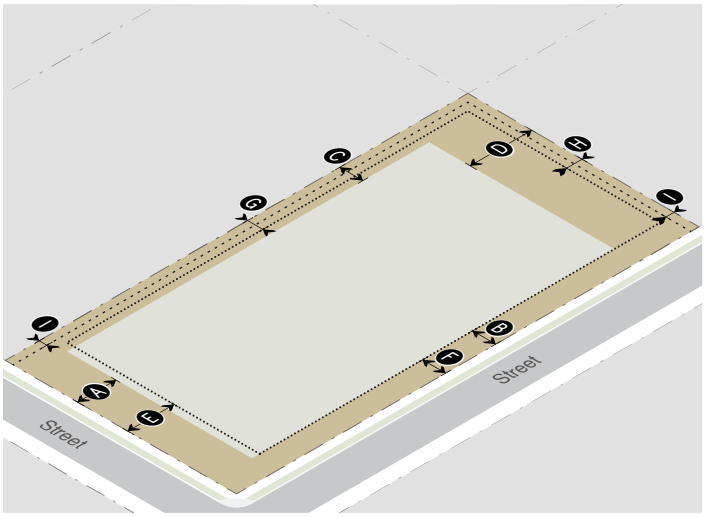
4. Land Use: Single-family detached homes, accessory structures, and ARUs are the primary land uses.

5. Comprehensive Plan: Based primarily on Subarea 6.2 in the Comprehensive Plan.

B. Physical Development

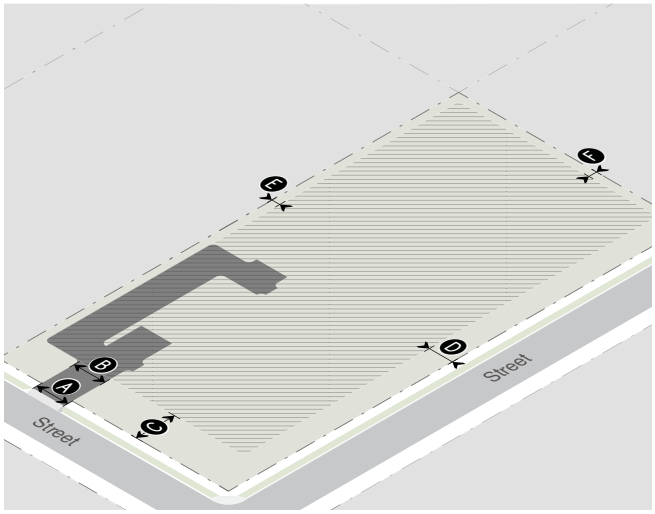
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	25'	A
Secondary street (min)	15'	B
Side interior (min)	15'	C
Rear (min)	25'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	15'	F
Side interior/rear (min)	10'	G
Rear (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	.60	
Plant units (min)		
Residential	1 per lot	
Nonresidential	1 per 1,000 sf of landscape area	
Parking lot (all uses)	1 per 12 parking spaces	

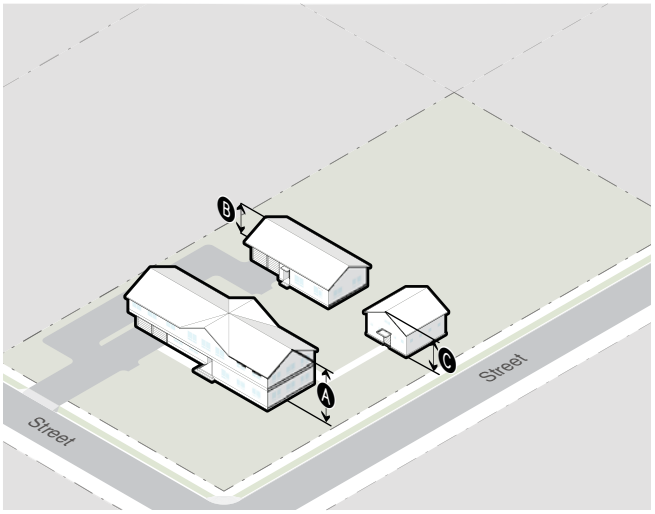
2. Vehicle Access Standards



Access		
Primary street	Allowed	
Secondary street	Allowed	
Alley	Allowed	
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less	A
Driveway width in primary/secondary street setback (max)	20'	B
Parking Setbacks		
Primary street* (min)	25'	C
Secondary street* (min)	15'	D
Side interior (min)	5'	E
Rear (min)	5'	F

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	Sec. 9.4.9	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	Sec. 9.4.9	
Accessory residential unit (max)	2 stories, not to exceed 26'	B
All other accessory structures (max)	14'	C
Scale of Development	Sec. 9.4.13	
Floor area ratio (FAR max)	.40	
Individual Building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear year	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

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

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					to be amended pending Housing Mitigation LDR Update
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable excluding basement	2/DU	
Group Home (6.1.4.G.) (E.1.)	C	15 rooms per acre		0.5/bed	
Institutional					to be amended pending Housing Mitigation LDR Update
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.2.)	B	1 unit per lot	Detached ARU on Lot < 18,000 sf (max): 500 sf habitable All other ARUs: 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-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 NL-2 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-2 zone, however, all standards in Article 7. are applicable in the NL-2 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	**Lot Size (min)**	**Standards**
Allowed Subdivision Options		
Land Division	21,780 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

4. Required Subdivision and Development Option Permits				
Option	**Sketch Plan (Sec. 8.3.1.)**	**Development Plan (Sec. 8.3.2.)**	**Development Option Plan (Sec. 8.5.2.)**	**Subdivision Plat (Sec. 8.5.3.)**
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

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

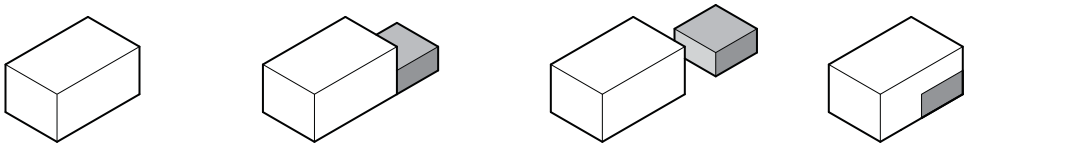
2. Accessory Residential Units (ARUs)

a. Home Occupations and Home Businesses in ARUs are prohibited.

b. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

Configuration options in the NL-2 zone include, but are not limited to, the following:



1 Unit

1 Unit
+ 1 attached ARU

1 Unit
+ 1 detached ARU

1 Unit
+ 1 internal/basement ARU

2.2.4. NL-3: Neighborhood Low Density-3 (P17-077)

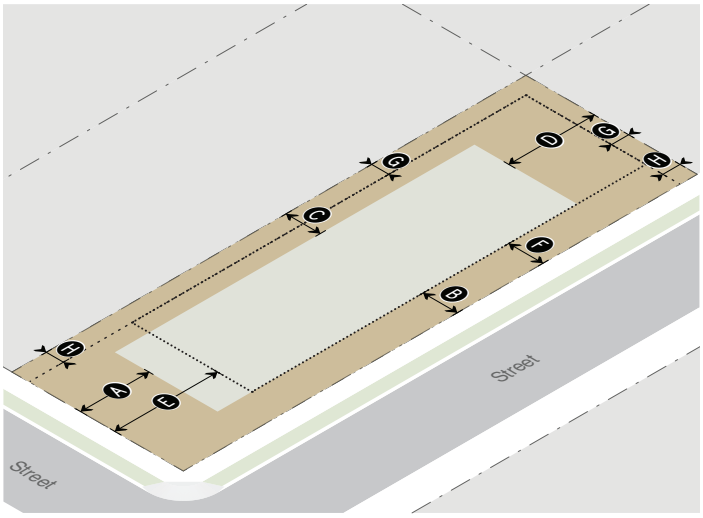
A. Intent

1. General Intent: The intent of the Neighborhood Low Density-3 (NL-3) zone is to recognize existing residential neighborhoods and subdivisions and allow development of Single-Family detached homes with up to one Accessory Residential Unit (ARU) in a way that is consistent with the existing neighborhood character. This zone is intended for Stable neighborhoods where increased residential density is not intended.
2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.
3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street.
4. Land Use: Single-family detached homes, accessory structures, and ARUs are the primary land uses.
5. Comprehensive Plan: Based primarily on Subareas 3.1, 5.5, and 6.1 in the Comprehensive Plan.

B. Physical Development

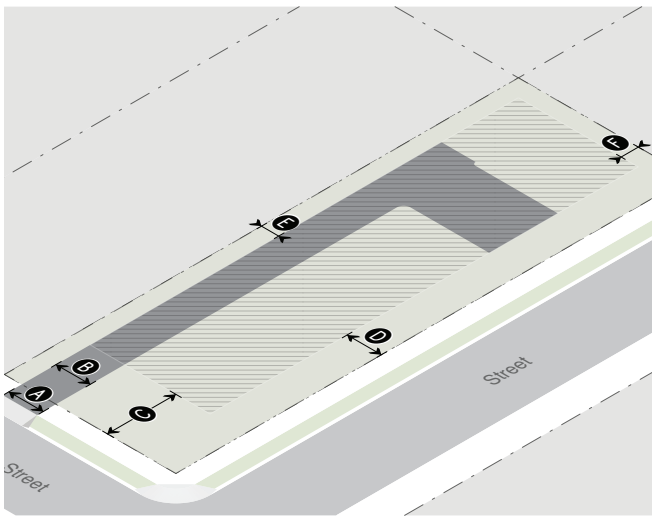
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20’	A
Secondary street (min)	10’	B
Side interior (min)	10’	C
Rear (min)	25’	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30’	E
Secondary street (min)	10’	F
Side interior/rear (min)		G
>14 feet in height	10’	
≤14 feet in height	5’	
Second floor deck	10’	
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5’	H
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	.45	
Plant units (min)	1 per lot	

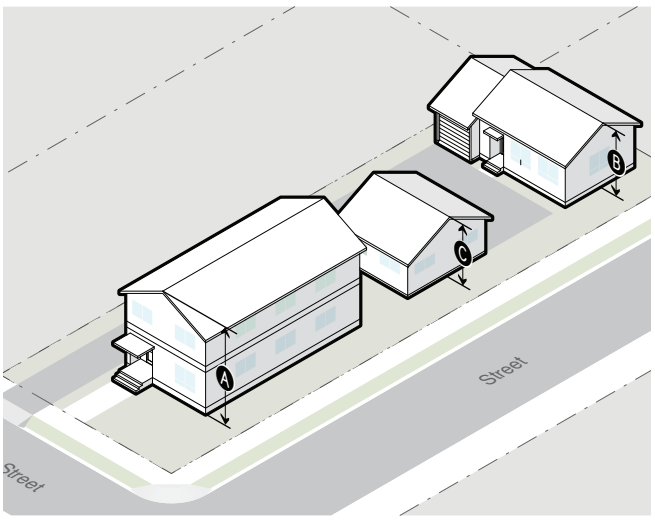
2. Vehicle Access Standards



Access		
Primary street	Allowed	
Secondary street	Allowed	
Alley	Allowed	
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less	A
Driveway width in primary/secondary street setback (max)	20'	B
Parking Setbacks		
Primary street* (min)	20'	C
Secondary street* (min)	10'	D
Side interior (min)	5'	E
Rear (min)	5'	F

*Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	(Sec. 9.4.9)	
Accessory residential unit (max)	2 stories, not to exceed 26'	B
All other accessory structures (max)	14'	C
Scale of Development	(Sec. 9.4.13)	
Floor area ratio (FAR max)	.40	
Individual Building (max gross floor area)	n/a	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.1)
Home occupation/business	1 unlit wall sign
Area (max)	2 sf
Background color	No white or yellow
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-3 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 NL-3 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-3 zone, however, all standards in Article 6. are applicable in the NL-3 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable excluding basement	2/DU	to be amended pending Housing Mitigation LDR Update
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			
Accessory Uses					
Accessory Residential Unit (Sec. 6.1.11.) (E.1)	B	1 unit per lot	Detached ARU on Lot < 11,250 sf: 500 sf habitable All ofther ARUs: 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	to be amended pending Housing Mitigation LDR Update
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

3. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure not required	
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-3 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 NL-3 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-3 zone, however, all standards in Article 7. are applicable in the NL-3 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Option Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident

3. Infrastructure
Transportation Facilities
Access
Right-of-way for Minor Local Road (min)
Paved travel way for Minor Local Road (min)
Required Utilities
Water
Sewer

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

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-3 zone.

1. Accessory Residential Units (ARUs)

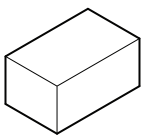
   a. Accessory residential units are prohibited north of West Broadway accessed via Budge Drive and West Broadway Avenue.

   b. Home Occupations and Home Businesses in ARUs are prohibited.

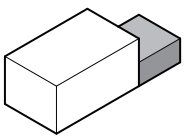
   c. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

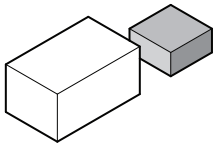
Configuration options in the NL-3 zone include, but are not limited to, the following:



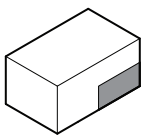
1unit



1 unit
+ 1 attached ARU



1 unit
+ 1 detached ARU



1 unit
+ 1 internal/basement ARU

2.2.5. NL-4: Neighborhood Low Density-4 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Low Density-4 (NL-4) zone is to recognize existing residential neighborhoods and subdivisions and allow development of Single-Family detached homes with up to two Accessory Residential Units (ARUs) in a way that is consistent with the existing neighborhood character. This zone is intended for properties with alley access and for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking for new development will typically be accessed from an alley while existing development is often accessed from a primary street.

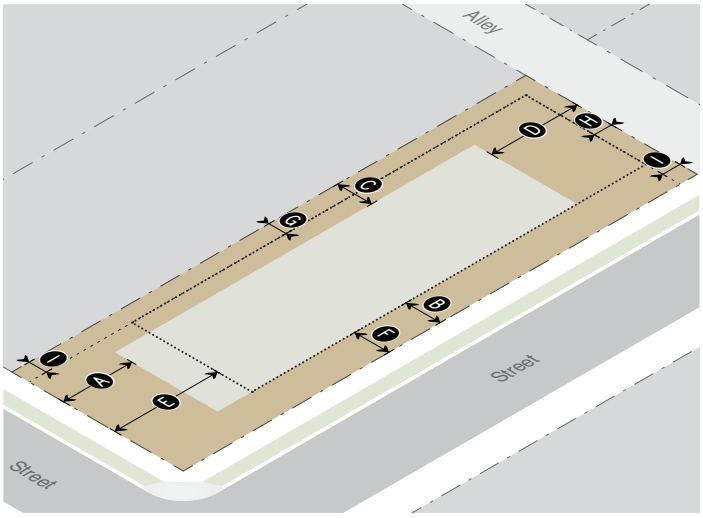
4. Land Use: Single-family detached homes, accessory structures, and ARUs are the primary land uses.

5. Comprehensive Plan: Based primarily on Subarea 3.1 in the Comprehensive Plan.

B. Physical Development

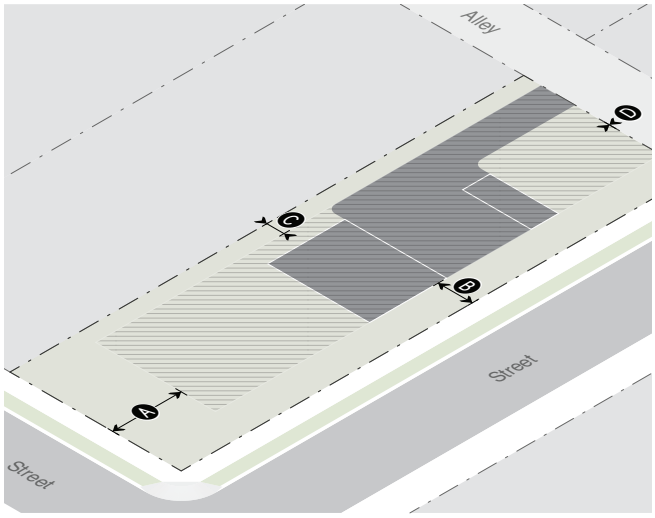
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



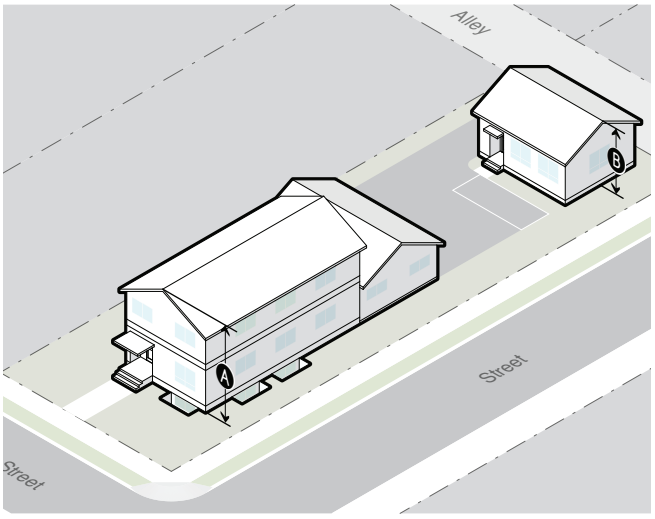
Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20’	A
Secondary street (min)	10’	B
Side interior (min)	10’	C
Rear (min)	25’	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30’	E
Secondary street (min)	10’	F
Side interior/rear* (min)		G
>14 feet in height	10’	
≤14 feet in height	5’	
Second floor deck	10’	
Rear alley (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5’	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	.45	
Plant units (min)	1 per lot	

2. Vehicle Access Standards



	1 or 2 units	3 units/ nonresidential	
Access			
Primary street	Not allowed	Allowed	
Secondary street	Not allowed	Allowed	
Alley	Required	Allowed	
Curb-cut width (max)	Not allowed	20' or 40% of lot frontage, whichever is less	
Driveway width in primary/secondary street setback (max)	Not allowed	20'	
Parking Setbacks			
Primary street (min)		20'	A
Secondary street (min)		10'	B
Side interior (min)		5'	C
Rear (min)		5'	
Rear alley (min)		0'	D

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	(Sec. 9.4.9)	
Accessory residential unit (max)	2 stories, not to exceed 26'	B
All other accessory structures (max)	14'	
Scale of Development	(Sec. 9.4.13)	
Floor area ratio (FAR max)	.40	
Individual Building (max gross floor area)	n/a	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	

5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)

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

7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

8. Signs	(Div. 5.6.1)
Home occupation/business	1 unlit wall sign
Area (max)	2 sf
Background color	No white or yellow
Temporary Signs	(Sec. 5.6.1.)

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

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-4 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 NL-4 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-4 zone, however, all standards in Article 6. are applicable in the NL-4 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					to be amended pending Housing Mitigation LDR Update
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable-excluding basemen	2/DU	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			
Accessory Uses					to be amended pending Housing Mitigation LDR Update
Accessory Residential Unit (Sec. 6.1.11.) (E.1)	B	2 units per lot	Detached ARU on Lot < 11,250 sf: 500 sf habitable All other ARUs: 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	to be amended pending Housing Mitigation LDR Update
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

3. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure not required	
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-4 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 NL-4 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-4 zone, however, all standards in Article 7. are applicable in the NL-4 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Option Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing		to be amended pending Housing Mitigation LDR Update
Required Affordable Housing		
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident

3. Infrastructure
Transportation Facilities
Access
Right-of-way for Minor Local Road (min)
Paved travel way for Minor Local Road (min)
Required Utilities
Water
Sewer

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

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-4 zone.

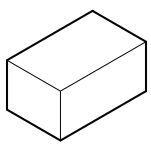
1. Accessory Residential Units (ARUs)

   a. Home Occupations and Home Businesses in ARUs are prohibited.

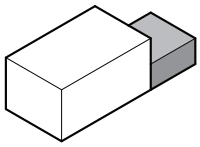
   b. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

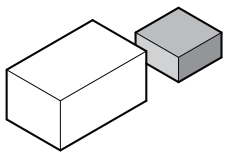
Configuration options in the NL-4 zone include, but are not limited to, the following:



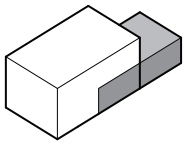
1 unit



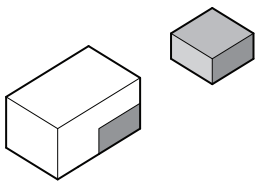
1 unit
+ 1 attached ARU



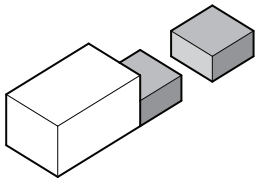
1 unit
+ 1 detached ARU



1 unit
+ 1 Internal/basement ARU
+ 1 attached ARU



1 unit
+ 1 internal/basement ARU
+ 1 detached ARU



1 unit
+ 1 attached ARU
+ 1 detached ARU

2.2.6. NL-5: Neighborhood Low Density-5 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Low Density-5 (NL-5) zone is to enhance the character and cohesiveness of residential neighborhoods while allowing for a flexible range of residential types, including single-family detached units, duplex units, and triplex units. A maximum of three detached or attached units per lot is permitted. This flexibility is intended to create opportunities for workforce housing because all apartment units are required to be rented to members of the local workforce. This zone is intended for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple detached buildings or multiple attached units on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from an alley where present or a primary street where no alley exists.

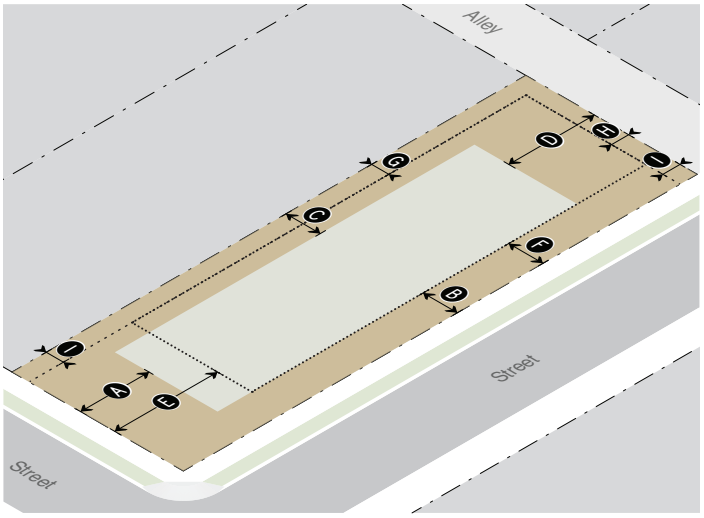
4. Land Use: Single-family detached homes, duplex, and triplex units, with additional apartments as allowed to not exceed three units per lot maximum density.

5. Comprehensive Plan: Based primarily on Subarea 3.1 in the Comprehensive Plan.

B. Physical Development

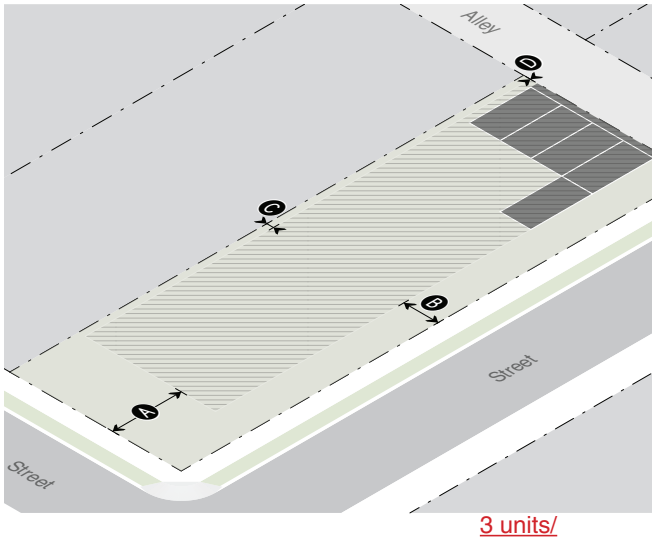
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	B
Rear (min)	10'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior (min)	5'	G
Rear (min)	5'	
Rear alley (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)		
1 unit	.45	
2 units	.35	
3 units	.30	
All other allowed uses	.45	
Plant units (min)		
Residential	1 per lot	
Nonresidential	1 per 1,000 sf of landscape area	
Parking Lot (all uses)	1 per 12 parking spaces	

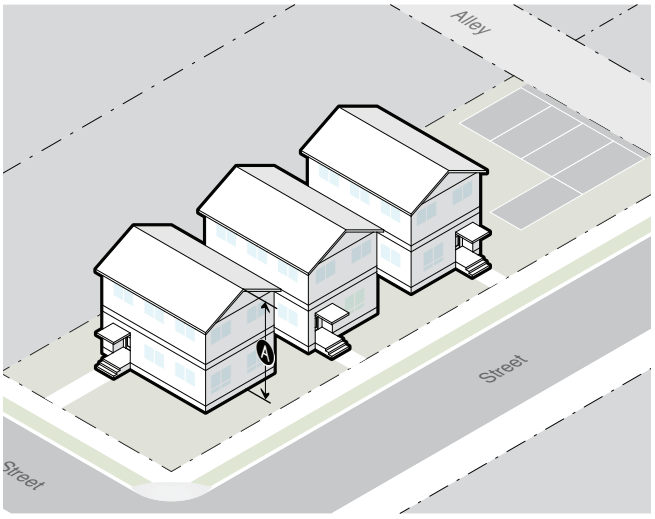
2. Vehicle Access Standards



	1 or 2 units	3 units/ nonresidential	
Access			
Primary street	Not allowed	Allowed	
Secondary street	Not allowed	Allowed	
Alley	Required	Allowed	
Curb-cut width (max)	Not allowed	20' or 40% of lot frontage, whichever is less	
Driveway width in primary/secondary street setback (max)	Not allowed	20'	
Parking Setbacks			
Primary street (min)	20'	20'*	A
Secondary street (min)	10'	10'*	B
Side interior (min)	5'	1'	C
Rear (min)	2'	2'	
Rear alley (min)	0'	0'	D

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	(Sec. 9.4.9)	
All other accessory structures (max)	14'	
Scale of Development	(Sec. 9.4.13)	
Floor area ratio (FAR max)		
1 unit	.30	
2 units	.35	
3 units	.40	
All other allowed uses	.40	
Individual Building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/ R.O.W./sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-5 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 Section 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-5 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-5 zone, however, all standards in Article 6. are applicable in the NL-5 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					
Detached Single-Family Unit (6.1.4.B.) (E.1)	Y	E.1	8,000 sf habitable- excluding basemen	2/DU	
Apartment (6.1.4.D.) (E.2)	B	E.1		1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	to be amended pending Housing Mitigation LDR Update
Dormitory (6.1.4.F.)	C	n/a		1/bed	
Group Home (6.1.4.G.)	C	n/a		0.5/bed	
Institutional					to be amended pending Housing Mitigation LDR Update
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	to be amended pending Housing Mitigation LDR Update
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Accessory Uses					
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	to be amended pending Housing Mitigation LDR Update
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-5 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 NL-5 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-5 zone, however, all standards in Article 7. are applicable in the NL-5 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	**Lot Size (min)**	**Option Standards**
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		(Div. 7.5.)
Schools exaction		
Parks exaction		
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

4. Required Subdivision and Development Option Permits				
Option	**Sketch Plan (Sec. 8.3.1.)**	**Development Plan (Sec. 8.3.2.)**	**Development Option Plan (Sec. 8.5.2.)**	**Subdivision Plat (Sec. 8.5.3.)**
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-5 zone.

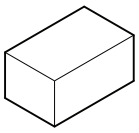
1. Single-Family Detached or Apartment. No more than 3 units of any combination are permitted on the lot.

2. Apartment

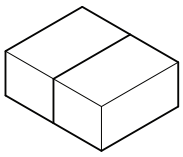
   a. Occupancy of an apartment shall be restricted to persons employed within Teton County, in accordance with the Jackson/Teton County Housing Rules and Regulations or the occupants shall be members of the same family occupying the prncipal dwelling unit, such as parents or adult children, or intermittent, nonpaying guests

F. Configuration Options

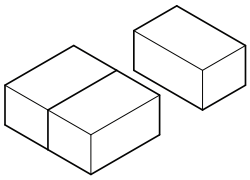
Configuration options in the NL-5 zone include, but are not limited to, the following:



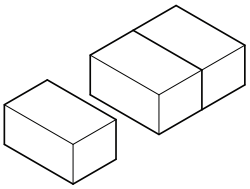
1 unit



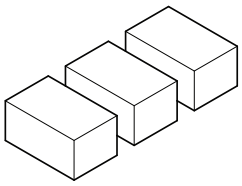
2 attached units (side by side)



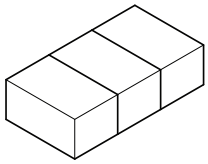
2 attached units (side by side)
+ 1 detached Unit



1 detached unit
+ 2 attached Units



3 detached units



3 attached units

2.2.7. NM-1: Neighborhood Medium Density-1 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Medium Density 1 (NM-1) zone is to recognize existing residential neighborhood character while allowing flexibility in design and ownership for single-family detached, duplex homes, and Accessory Residential Units (ARUs) on smaller lots when feasible. This zone is intended for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street or alley when present.

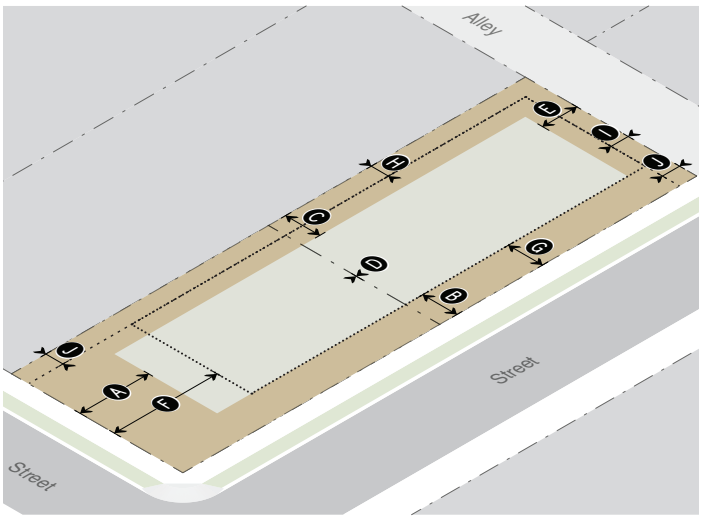
4. Land Use: Single-family detached and attached homes, accessory structures, and ARUs are the primary land uses. Lots are typically either 7,500 or 3,750 square feet but may also be any size within this range.

5. Comprehensive Plan: Based primarily on Subarea 3.2 in the Comprehensive Plan.

B. Physical Development

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

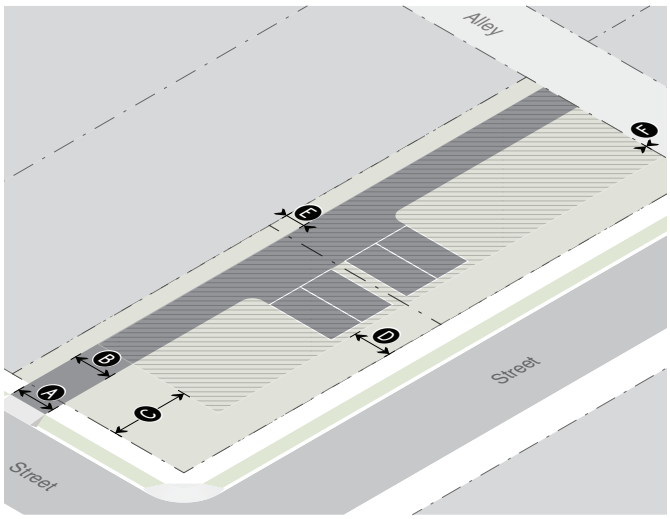
1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Duplex interior (min)	0'	D
Rear (min)	10'	
Rear alley (min)	10'	E
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	F
Secondary street (min)	10'	G
Side interior/rear* (min)		H
>14 feet in height	10'	
≤14 feet in height	5'	
Second floor deck	10'	
Rear alley (min)	10'	I
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	J

Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	<7,500 sf	≥7,500 sf
Single-family detached	.50	.45
Single-family attached	.50	n/a
Apartment	n/a	.40
LSR decrease for each ARU	.10	.10
All other uses	.50	.45
Plant units (min)	1 per lot	

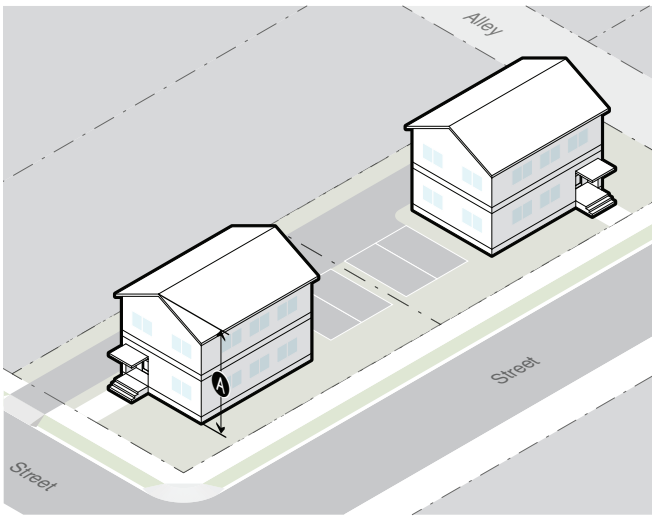
2. Vehicle Access Standards



	SFD/SFA Lot width ≤25'	SFD/SFA Lot width >25'	All Other Uses	
Access				
Primary street	Not allowed	Allowed	Allowed	
Secondary street	Not allowed	Allowed	Allowed	
Alley	Required	Allowed	Allowed	
Curb-cut width (max)	Not allowed	20' or 40% of lot frontage, whichever is less	20' or 40% of lot frontage, whichever is less	A
Driveway width in primary/secondary street setback (max)	Not allowed	20'	20'	B
Parking Setbacks				
Primary street (min)	Not allowed	20'*	20'*	C
Secondary street (min)	10'	10'*	10'*	D
Side interior (min)	5'	5'	5'	E
Rear (min)	5'	5'	5'	
Rear alley (min)	2'	2'	2'	F

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8		
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.			
Primary Building Height	(Sec. 9.4.9)		
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'		A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'		A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'		A
Accessory Structure Height	(Sec. 9.4.9)		
Accessory residential unit (max)	2 stories, not to exceed 26'		
All other accessory structures (max)	14'		
Scale of Development	(Sec. 9.4.13)		
Floor area ratio (FAR max)	<7,500 sf	≥7,500 sf	
Single-family detached	.40	.40	
Single-family attached	.40	n/a	
Apartment	n/a	.40	
FAR increase for each ARU	.10	.05	
All other uses	n/a	.40	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek (South of Cache Creek Drive)	20’
Flat Creek north of Hansen Ave.	25’
Flat Creek south of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000’
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Home occupation/business	1 unlit wall sign
Area (max)	2 sf
Background color	No white or yellow
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NM-1 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 NM-1 zone. This Subsection is intended to indicate all of the use standards applicable in the NM-1 zone, however, all standards in Article 6. are applicable in the NM-1 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					to be amended pending Housing Mitigation LDR Update
Detached Single-Family Unit (6.1.4.B.)	Y	2 units per lot	8,000 sf habitable-excluding basement	2/DU	
Attached Single-Family Unit (6.1.4.C.)	B	1 unit per lot		1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	
Apartment (6.1.4.D.) (E.1)	B	2 units per lot			
Dormitory (6.1.4.F.)	C	n/a		1/bed	
Group Home (6.1.4.G.)	C	n/a		0.5/bed	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.2)	B	1 per unit	Detached ARU on lot <11,250 sf: 500 sf habitable All other ARUs: 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/ DU	to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	to be amended pending Housing Mitigation LDR Update
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NM-1 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 NM-1 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NM-1 zone, however, all standards in Article 7. are applicable in the NM-1 zone, unless stated otherwise.

1. Development Options and Subdivision		
Option	**Lot Size (min)**	**Option Standards**
Allowed Subdivision Options		
Land Division	3,750 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		(Div. 7.5.)
Schools exaction		
Parks exaction		
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

4. Required Subdivision and Development Option Permits				
Option	**Sketch Plan (Sec. 8.3.1.)**	**Development Plan (Sec. 8.3.2.)**	**Development Option Plan (Sec. 8.5.2.)**	**Subdivision Plat (Sec. 8.5.3.)**
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NM-1 zone.

1. Maximum Allowed Density

   a. The maximum allowed density on an individual lot of 7,500 sf or greater in size is four units (two primary units and two ARUs). The two primary units may either be detached (i.e., two Detached Single-Family homes) or attached (i.e., Apartments attached in the form of a duplex);

   b. The maximum allowed density on an individual lot smaller than 7,500 sf in size is two units (one Detached Single-Family home and one ARU

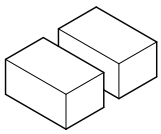
2. Accessory Residential Units (ARUs)

   a. Home Occupations and Home Businesses in ARUs are prohibited.

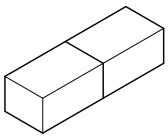
   b. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

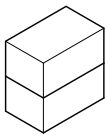
Configuration options in the NM-1 zone include, but are not limited to, the following:



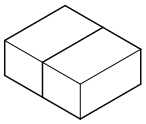
2 detached units



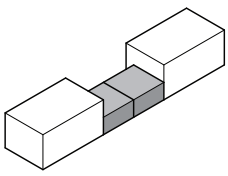
2 attached units (back to back)



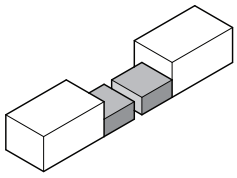
2 attached units (up and down)



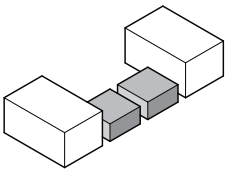
2 attached units (Side by side)



2 detached units
+ 2 attached ARUs



2 detached units
+ 2 detached attached ARUs



2 detached units
+ 2 detached ARUs

2.2.8. NM-2: Neighborhood Medium Density-2 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Medium Density-2 (NM-2) zone is to provide for medium to higher density residential development and to promote workforce housing types using a broad range of detached and attached residential types in a pedestrian-oriented environment. The size of individual buildings will be limited in order to respect and enhance the character and cohesiveness of existing residential neighborhoods. This zone is intended for Transitional neighborhoods where increased residential density and workforce housing are intended.

2. Buildings: Buildings can be up to 3 stories in height. Multiple detached buildings or multiple attached units on a site is common. No more than 8 units will be permitted within an individual building. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street or alley if present.

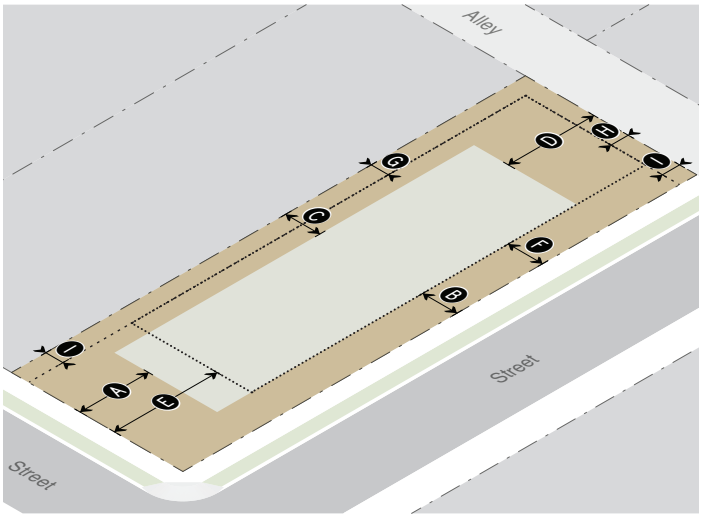
4. Land Use: The full spectrum from a single-family detached home to an 8-unit apartment/condo building is allowed.

5. Comprehensive Plan: Based primarily on Subarea 3.2 in the Comprehensive Plan

B. Physical Development

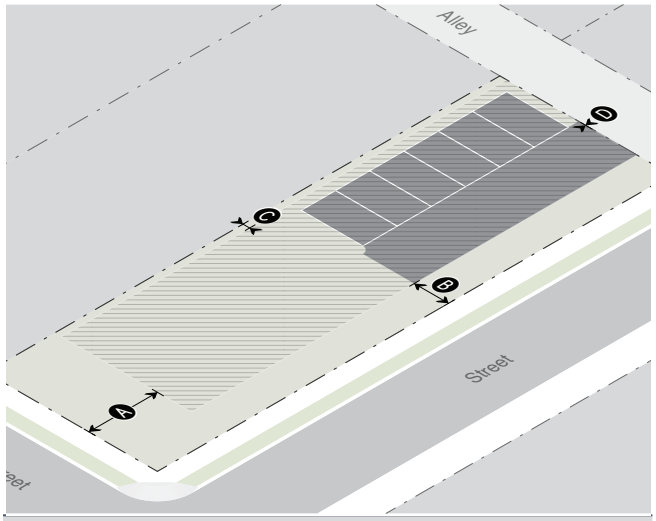
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Rear (min)	20'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior (min)	5'	G
Rear (min)	5'	
Rear alley (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	(9.4.6.E.2)	
Single-Family Detached	.45	
Apartments	.21 & 70% in front 1/3 of lot	
All other allowed uses	.35	
Plant units (min)		
Single-Family and Duplex	1 per unit	
All other uses	1/1,000 sf of landscape area	
Parking Lot (all uses)	1 per 12 parking spaces	

2. Vehicle Access Standards

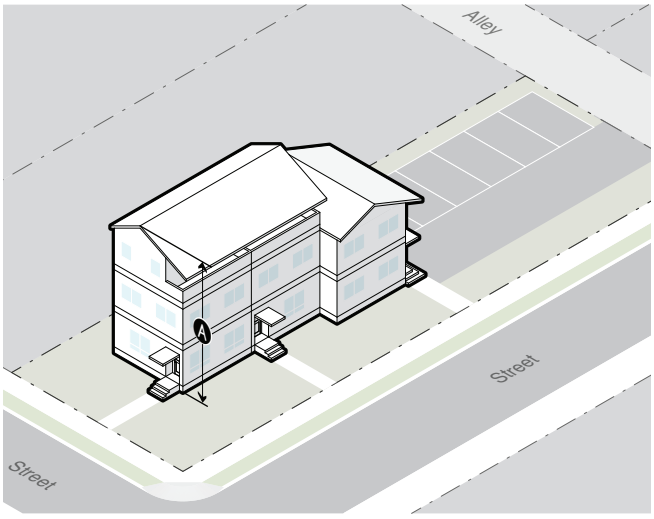


Access	
Primary street	Allowed
Secondary street	Allowed
Alley	Allowed
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less
Driveway width in primary/secondary street setback (max)	20'

Parking Setbacks		
Primary street* (min)	20'	A
Secondary street* (min)	20'	B
Side interior (min)	1'	C
Rear (min)	5'	
Rear alley (min)	0'	D

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	3 stories, not to exceed 35'	A
Height: roof pitch 4/12, 5/12 (max)	3 stories, not to exceed 37'	A
Height: roof pitch ≥ 6/12 (max)	3 stories, not to exceed 39'	A
Accessory Structure Height	Sec. 9.4.9	
All accessory structures (max)	14'	
Scale of Development	Sec. 9.4.13	
Floor area ratio (FAR max)		
Single-Family Detached	.30	
All other allowed uses	.40	
Deed restricted housing exemption	Sec. 7.8.3.	
Workforce housing floor area bonus	Sec. 7.8.4.	
Individual building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Site area						
≤ 15,000 sf			X			(Sec. 5.7.1.)
15,001 - 30,000 sf		X	X			(Sec. 5.7.1.)
> 30,000 sf	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable-excluding basement	2/DU	to be amended pending Housing Mitigation LDR Update
Attached Single-Family unit (6.1.4.C.) (E.1)	B	E.1		1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	
Apartment (6.1.4.D.) (E.1)	B	E.1			
Dormitory (6.1.4.F.)	C	n/a		1/bed	
Group Home (6.1.4.G.)	C	n/a		0.5/bed	
Institutional					to be amended pending Housing Mitigation LDR Update
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			
Accessory Uses					to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	
Temporary Uses					to be amended pending Housing Mitigation LDR Update
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options

Standards applicable to development options and subdivision in the NM-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 NM-2 zone. This subsection is intended to indicate all of the development option and subdivision standards applicable in the NM-2 zone, however, all standards in Article 7. are applicable in the NM-2 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Option Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
Condominium/Townhouse	n/a	(Sec. 7.2.4.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		(Div. 7.5.)
Schools exaction		
Parks exaction		
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

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

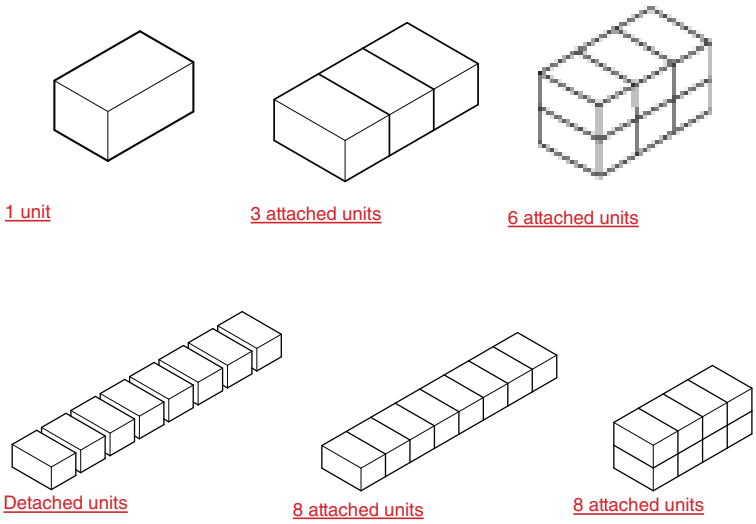
E. Additional Zone-specific Standards

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

1. **Attached Single-Family Unit/Apartment.** No more than 8 units are allowed per building.

F. Configuration Options

Configuration options in the NM-2 zone include, but are not limited to, the following:



2.2.9. NH-1: Neighborhood High Density 1 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood High Density 1 (NH-1) zone is to provide for high density residential development and to promote workforce housing types using a broad range of attached residential types in a pedestrian-oriented environment. The size of individual buildings will be limited by the application of required dimensional standards, such as FAR, setbacks, and parking, and not by a prescribed standard. Care will be given to ensure that new development respects and enhances the character and cohesiveness of existing residential neighborhoods. This zone is intended for Transitional neighborhoods where increased residential density and workforce housing are intended.

2. Buildings: Buildings can be up to 3 stories in height. Single or multiple detached buildings, each building with multiple units, on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in surface or underground garages or with surface parking. Parking is typically accessed from a primary street or alley if present.

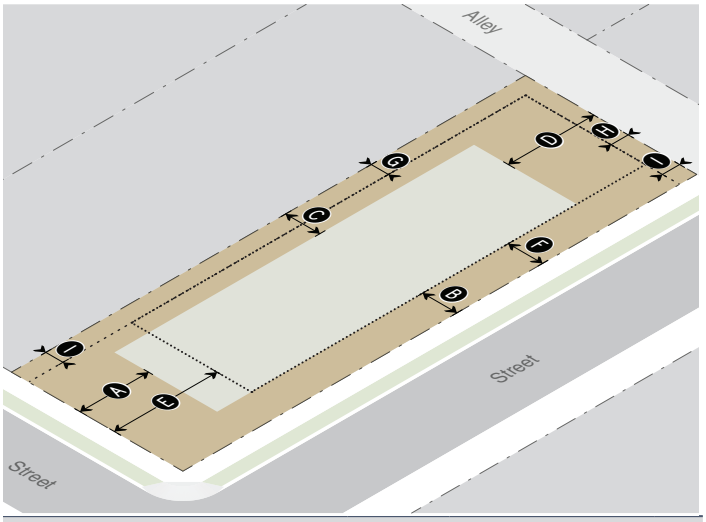
4. Land Use: The full spectrum from a Single-family home to whatever size building can fit the site based on the minimum required density (17.4 units/acre) and the dimensional limitations, such as FAR, setbacks, and parking. Apartments take the place of ARUs because they provide greater flexibility.

5. Comprehensive Plan: Based primarily on Subarea 3.2 in the Comprehensive Plan.

B. Physical Development

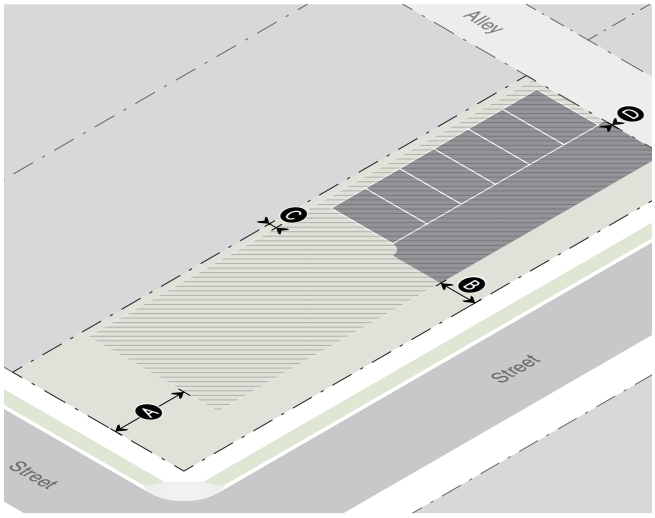
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Rear (min)	20'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior/rear (min)	5'	G
Rear alley (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	(9.4.6.E.2)	
Apartments	.21 & 70% in front 1/3 of lot	
All other allowed uses	.30	
Plant units (min)		
Single-Family and Duplex	1 per unit	
All other uses	1/1,000 sf of landscape area	
Parking Lot (all uses)	1 per 12 parking spaces	

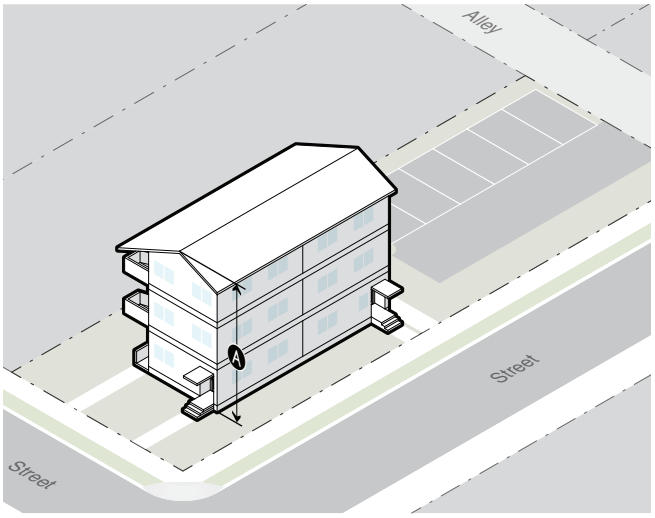
2. Vehicle Access Standards



Access		
Primary street	Allowed	
Secondary street	Allowed	
Alley	Allowed	
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less	
Driveway width in primary/secondary street setback (max)	20'	
Driveway Setbacks		
Primary street* (min)	20'	A
Secondary street* (min)	10'	B
Side interior (min)	1'	C
Rear (min)	5'	
Rear alley (min)	0'	D

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	3 stories, not to exceed 35'	A
Height: roof pitch 4/12, 5/12 (max)	3 stories, not to exceed 37'	A
Height: roof pitch ≥ 6/12 (max)	3 stories, not to exceed 39'	A
Accessory Structure Height	(Sec. 9.4.9)	
All accessory structures (max)	14'	
Scale of Development	(Sec. 9.4.13)	
Floor area ratio (FAR max)	.40	
Deed restricted housing exemption	Sec. 7.8.3.	
Workforce housing floor area bonus	Sec. 7.8.4.	
Individual Building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	

5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)

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

7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Site area						
≤ 15,000 sf			X			(Sec. 5.7.1.)
15,001 - 30,000 sf		X	X			(Sec. 5.7.1.)
> 30,000 sf	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Use Standards

Standards applicable to uses in the NH-1 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 NH-1 zone. This subsection is intended to indicate all of the use standards applicable in the NH-1 zone, however, all standards in Article 6. are applicable in the NH-1 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Residential					
Detached Single-Family unit	B	E.1	8,000 sf habitable-excluding basement	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	to be amended pending Housing Mitigation LDR Update
Attached Single-Family unit (6.1.4.C.) (E.1)	B	E.1			
Apartment (6.1.4.D.) (E.2)	B	E.1			
Dormitory (6.1.4.F.)	C	n/a		1/bed	
Group Home (6.1.4.G.)	C	n/a		0.5/bed	to be amended pending Housing Mitigation LDR Update
Institutional					
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	to be amended pending Housing Mitigation LDR Update
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			
Accessory Uses					
Home Occupation (6.1.11.D.)	B	n/a		n/a	to be amended pending Housing Mitigation LDR Update
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	

Y=Use allowed, no use 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	Density	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot (max)		2/DU	to be amended pending Housing Mitigation LDR Update
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options

Standards applicable to development options and subdivision in the NH-1 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 NH-1 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NH-1 zone, however, all standards in Article 7. are applicable in the NH-1 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Option Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
Condominium/Townhouse	n/a	(Sec. 7.2.4.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		(Div. 7.5.)
Schools exaction		
Parks exaction		

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

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

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NH-1 zone.

1. **Minimum Density.** The minimum density for lots in the NH-1 is based on requiring a minimum density of 17.4 units per acre and are as follows:

   a. Lots 5,125 sf or less: One Detached Single-Family Unit;

   b. Lots 5,126 - 7,499 sf: Two units (either detached or attached)

   c. Lots 7,500 or larger: Three units (either detached or attached)

2.2.13. CR-3: Commercial Residential-3

A. Intent

1. General Intent. The intent of the Commercial Residential-3 (CR-3) zone is to provide for a vibrant mixed-use zone consisting primarily of retail, office and residential uses. This zone is located on both sides of Highway 89/191 from High School Road to Flat Creek bridge at the entrance to downtown Jackson.

2. Buildings. Buildings can be up to 3 or 4 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Front setbacks are varied, with some buildings pulled up to the street and others set back with landscaping in front, creating an attractive and green street edge.

3. Parking. Parking is primarily provided on-site, to the rear or side of buildings and screened from view with a screen-wall.

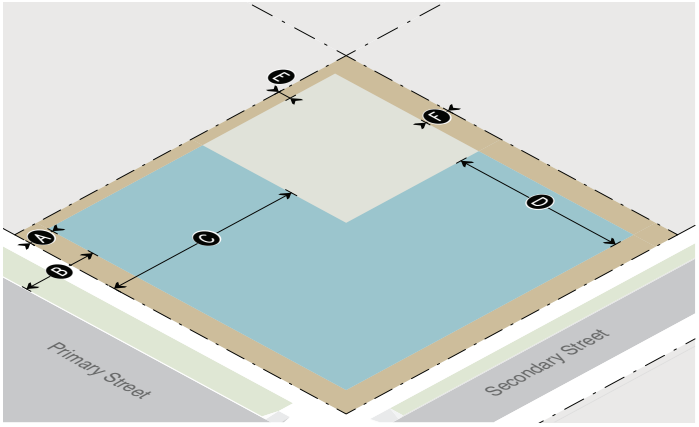
4. Land Use. Active uses, such as retail and service, are encouraged on the ground level, often with residential or office on the upper floors. Buildings of all residential uses are encouraged.

5. Comprehensive Plan. Based primarily on sub areas 4.1, 4.2, 4.3, 5.1 and 5.3 of the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards



Building Setbacks	Sec. 9.4.11	
Highway 89/191		
Primary street setback range		
Property line (min)	20’	A
Back of curb (min)	30’	B
Property line (max)	85’*	C
Secondary street range (min-max)	10’ - 85’*	D
All Other Streets		
Primary street setback range (min-max)	10’ - 65’*	
Secondary street setback range (min-max)	10’ - 65’*	
Side interior (min)	5’	E
Rear (min)	10’	F
Abutting protected zone (min)	10’	
*Residential projects are exempt from the max setback requirement		

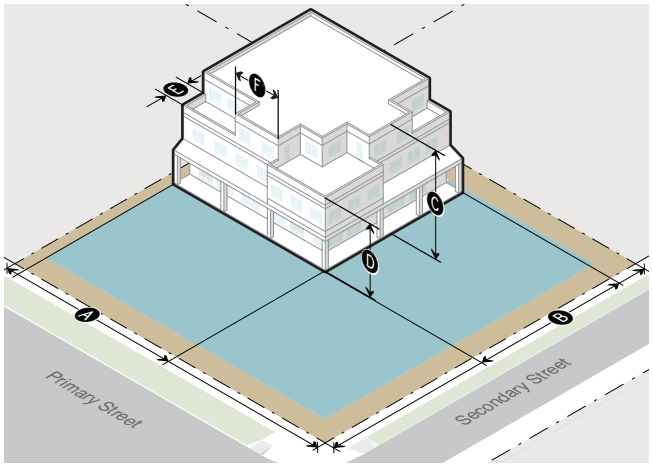
Landscaping	Div. 5.5
Landscape surface ratio (min)	10%
Highway 89 streetscape standards	see E.5

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

Parking Setbacks	Sec. 9.4.8.
Highway: primary street (min)	20’
All Other Streets: primary street (min)	10’
Secondary street (min)	10’

Access	
Curb cut width (max)	24’

2. Bulk Standards



Street Facade	Sec. 9.4.11.	
Width of ground and 2nd story in primary street setback range		A
% of lot width (min)	50%*	
Length from street corner (min)	n/a	
Width of ground and 2nd story in secondary street setback range		B
% of lot width (min)	50%*	
Length from street corner	n/a	

*Residential projects are exempt from the % of lot width requirement

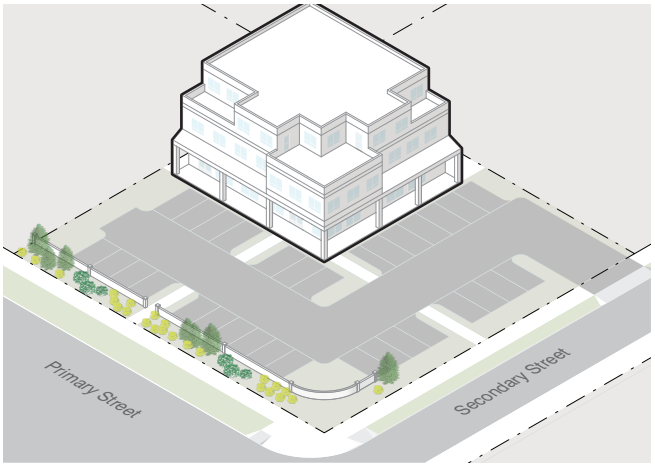
Building Height	Sec. 9.4.9.	
Height (max) roof pitch ≥ 5/12	46'	C
Height (max) roof pitch < 5/12	42'	C
Stories (max) - see E.4 for additional height provisions	3	C
Height (min) - applies fronting Highway 89/191 only - see E.6	24'	D

Building Stepback	Sec. 9.4.12.	
Stepback for any 3rd story street facade or street facade over 30' (min)	10'	E
Encroachment in stepback (max % of overall facade width)	60%	F

A building with only residential use that has at least 4 units is exempt from the stepback requirement

Scale of Development	
Floor area ratio (FAR max)	0.40
Deed restricted housing exemption	Sec. 7.8.3.
Workforce housing floor area bonus	Sec. 7.8.4.

3. Form Standards



Design Guidelines	Sec. 5.8

These requirements apply to all residential and nonresidential development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.

Pedestrian Frontage Options	
Trees in grates	see Sec. 2.2.1.C.2
Trees in lawn	see Sec. 2.2.1.C.3

Building Frontage Options	
Shopfront	see Sec. 2.2.1.D.1
Office	see Sec. 2.2.1.D.2
Residential	see Sec. 2.2.1.D.3
Highway	see Sec. 2.2.1.D.5

Parking Type Options	
On-street parking	see Sec. 2.2.1.E.1
Surface parking	see Sec. 2.2.1.E.2
Enclosed parking	see Sec. 2.2.1.E.3
Tuck-Under Parking	see Sec. 2.2.1.E.4
Structured parking	see Sec. 2.2.1.E.5
Underground parking	see Sec. 2.2.1.E.6
Remote parking	see Sec. 2.2.1.E.7

4. Fencing	
Height (max)	
In street yard	4’
In side yard	6’
Setback (min)	
Primary or side street lot line/R.O.W/ sidewalk	1’
Side or rear lot line	0’
5. Environmental Standards	
Natural Resource Setback (min)	Sec. 5.1.1.
Cache Creek south of Cache Creek Dr.	20’
Flat Creek north of Hansen Ave.	25’
Flat Creek south of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	Sec. 7.7.4.D.
Irrigation Ditch	15’
Natural Resource Overlay (NRO)	Sec. 5.2.1.
6. Scenic Standards	
Exterior Lighting	Sec. 5.3.1.
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Lumens per site (max)	3
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	Sec. 5.3.2.
7. Natural Hazards to Avoid	

Steep Slopes	Sec. 5.4.1.
Development prohibited	Slopes > 30%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	Sec. 5.4.2.
Fault Area	Sec. 5.4.3.
Floodplains	Sec. 5.4.4.
Wildland Urban Interface	Sec. 5.4.5.

8. Physical Development Permits Required

Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)	Floodplain Permit
Site Area							
< 15,000 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
15,000 - 30,000 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 30,000 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 30,000 sf for only residential use	optional	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Employee Housing (min) (Div. 6.3.)
Residential Uses					to be amended pending Housing Mitigation LDR Update
Attached Single-Family Unit (6.1.4.B.)	B	8,000 sf habitable excluding basement	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	
Apartment (6.1.4.D.)	B				
Dormitory (6.1.4.F.)	B	n/a	n/a	0.25/bed	
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	
Commercial Uses					to be amended pending Housing Mitigation LDR Update
Office (6.1.6.B.)	B	n/a	n/a	2.47/1,000 sf	
Retail (6.1.6.C.)	B	50,000 sf excluding basement storage	n/a	3.37/1,000 sf	
Service (6.1.6.D.)	B		n/a	2.25/1,000 sf	
Restaurant/Bar (6.1.6.E.)	B		n/a	1/73 sf dining area + 1/40 sf bar area	
Heavy Retail/Service (6.1.6.F) (E.3)	C	n/a	n/a	1.5/1,000 sf + 2.25 per repair bay + 0.75/wash bay	
Amusement/Recreation					to be amended pending Housing Mitigation LDR Update
Amusement (6.1.7.B.)	B	n/a	n/a	1/40 sf seating area or independent calculation	
Developed Recreation (6.1.7.D.)	B	n/a	n/a	3.37/1,000 sf	
Outfitter/Tour Operator (6.1.7.E.)	B	n/a	n/a	independent calculation	
Institutional Uses					to be amended pending Housing Mitigation LDR Update
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	
Industrial Uses					to be amended pending Housing Mitigation LDR Update
Light Industry (6.1.9.B)(E.3)	C	n/a	n/a	0.75/1,000sf + 0.75/company vehicle	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Parking (6.1.10.B.)	C	n/a	n/a	n/a	
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				0.75/employee + 0.75/stored vehicle	
Minor	B	n/a	n/a		

Y = Use allowed, no use 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	Individual Use (max)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Employee Housing (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	n/a	n/a	1/DU	to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	
Family Home Daycare (6.1.11.F.)	B	n/a	n/a	0.75/employee + 0.75 off-street pick-up/drop-off	
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	n/a	n/a	0.75/1,000 sf outdoor display area + 0.75/ employee	to be amended pending Housing Mitigation LDR Update
Farm Stand (6.1.12.E.)	B	n/a	n/a	3.75/1,000 sf display area	

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

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

D. Development Options and Subdivision

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

1. Allowed Subdivision and Development Options		
Option	**Lot Size (min)**	**Option Standards**
Allowed Subdivision Options		
Land Division	7,500 sf	Sec. 7.2.3.
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.
2. Residential Subdivision Requirements		
Affordable Housing		
Required Affordable Housing		To be amended, pending Housing Mitigation LDR update
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60'
Paved travel way for Minor Local Road (min)		20'
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

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

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

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

      i. Residential Uses (Sec. 6.1.4.);

      ii. Lodging Uses (Sec. 6.1.5.); and

      iii. Accessory Residential Unit (6.1.11.B.).

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

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

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

      ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.

      iii. The on-street parking shall follow the established configuration of existing on-street parking.

      iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.

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

3. **South Highway 191/89 or South Park Loop Frontage.** Heavy Service/Retail and Light Industry uses are only allowed on sites with Highway 191/89 frontage south of South Park Loop Road and sites with South Park Loop frontage.

4. Workforce Housing Incentive for Additional Height. A structure may be 48' in height and four stories provided the following criteria are met.

   a. The following standards apply to the amount of additional floor area achieved through the increase in structure height; however, the actual floor area to which the following standards apply may be distributed throughout the structure.

      i. It shall be deed restricted workforce, affordable, or employee housing with an occupancy restriction;

      ii. It may have an employment and/or price restriction.

      iii. It shall be exempt from the calculation of affordable housing required by Division 7.4, but shall not be used to meet the affordable housing requirement for the project.

   b. The project shall provide the affordable housing required by Division 7.4 on site.

   c. The site shall be at least 2 acres to provide opportunity for sufficient setback from, and building height step down to small scale development.

   d. The site shall be served by transit within 1/4 mile.

   e. The site shall be within 1/4 mile walking distance from numerous commercial services routinely needed by residents.

   f. The additional building height shall not increase the floor area allowance or decrease the required open space.

5. Highway 89/191 Streetscape Standards

   The following standards apply to all development abutting Highway 89/191. The goal is to provide for an attractive, high-quality streetscape.

   a. Landscape Strip

      i. The first 20 feet adjacent to the right-of-way must be landscaped along the entire property frontage, except for breaks allowing pedestrian, bicycle and vehicular connections.

      ii. The required landscape strip must include 1.5 plant units per 125 linear feet, as described in Div. 5.5. In order to maximize year-round screening, Alternative C is preferred.

   b. Screening Wall for Parking Lots

      i. A screening wall (or year round vegetative hedge) must be placed within the landscape strip when the landscape strip abuts a parking lot. The screening wall or hedge must range in height from 2.5 feet minimum to 4 feet maximum. Variations in height are encouraged.

      ii. The screening wall cannot be located in the public right-of-way.

iii. The screening wall must be constructed of high-quality materials that are a combination of one or more of the following: stone, cast-stone, split-faced block, stucco over concrete masonry blocks, glass block, or other material approved by the Planning Director.

iv. The maximum allowed length of a continuous, unbroken and uninterrupted wall plane of the screening is 50 feet. Breaks must be provided through the use of columns with an alternative material or through staggering the wall by at least 1 foot.

6. Highway 89/191 Minimum Height and Building Material Standards

The following standards apply to any building located within 85 feet of the ROW of Highway 89/191.

a. Minimum Height

The minimum height requirement applies to all building facades that face Highway 89/19. The minimum height requirement must wrap the corner of the building and extend at least 20 feet down the side of all building facades that do not have an immediately abutting building.

b. Building Materials

Any building materials and treatments applied to building facades that face Highway 89/19 must wrap the corner of the building and extend at least 20 feet down the side of all building facades that do not have an immediately abutting building.

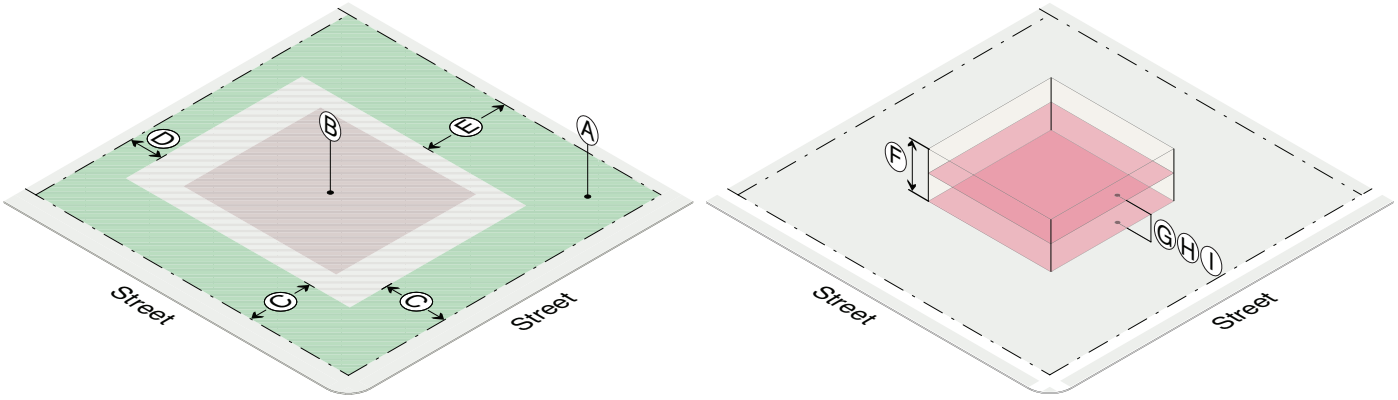
2.3.4. [deleted] (P17-077) ~~Urban Residential (UR)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Urban Residential (UR) Zone is to provide for high density residential areas and promote affordable housing types as part of a full range of residential uses in a pedestrian-oriented environment.~~

B. ~~Physical Development~~

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



1. ~~Structure Location and Mass~~									
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~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~~	~~.30~~	~~.40~~	~~12'~~	~~5'~~	~~20'~~	~~28'~~	~~2~~	~~3~~	~~.45~~
~~Exceptions~~									
~~FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~									
~~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'~~									

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

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

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

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

12. Required Physical Development Permits

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

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Attached single-family unit (6.1.4.C.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Dormitory (6.1.4.F.)	C	0 sf	35 rooms/ acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	35 rooms/ acre	0.5/bed	n/a
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Accessory Uses					
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
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 use 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
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options

Standards applicable to development options and subdivision in the UR 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 UR zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the UR zone, however, all standards in Article 7. are applicable in the UR zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	**BSA (min)**	**Lot Size (min)**	**Density (max)**	**OSR (min)**	**LSR (min)**	**FAR (max)**	**Lot Coverage (max)**	**Option Standards**
Allowed Subdivision Options								
Land Division	n/a	5,000 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	15,000 sf	n/a	23.5 du/ac	.20	n/a	.65	n/a	(Sec. 7.1.3.)
Planned Unit Development (PUD-ToJ)	15,000 sf	n/a	n/a	n/a	.30	.65	.5	(Sec. 4.4.2.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

4. Required Subdivision and Development Option Permits

Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots	X (PUD)		X		X
> 10 Lots	X (PUD)	X	X		X
Condominium/Townhouse					X
Non-subdivision development option (UCD or PUD-ToJ)					
0 - 4 Units	X (PUD)			X	
5 - 10 Units	X (PUD)		X		
> 10 Units	X (PUD)	X	X		

E. Additional Zone-specific Standards

1. **PUD-ToJ Height.** For a PUD-ToJ proposed in the UR zoning district, structure height may be 48 feet provided the following criteria are met.

   a. The following standards apply to the amount of additional floor area achieved through the increase in structure height; however, the actual floor area to which the following standards apply may be distributed throughout the structure.

      i. It shall be deed restricted workforce, affordable, or employee housing with an occupancy restriction;

      ii. It may have an employment and/or price restriction.

      iii. It shall be exempt from the calculation of affordable housing required by Division 7.4, but shall not be used to meet the affordable housing requirement for the project.

   b. The project shall provide the affordable housing required by Division 7.4 on site.

   c. The site shall be at least 2 acres to provide opportunity for sufficient setback from, and building height step down to small scale development.

   d. The site shall be served by transit within 1/4 mile.

   e. The site shall be within 1/4 mile walking distance from numerous commercial services routinely needed by residents.

   f. The additional building height shall not increase the floor area allowance or decrease the required open space.

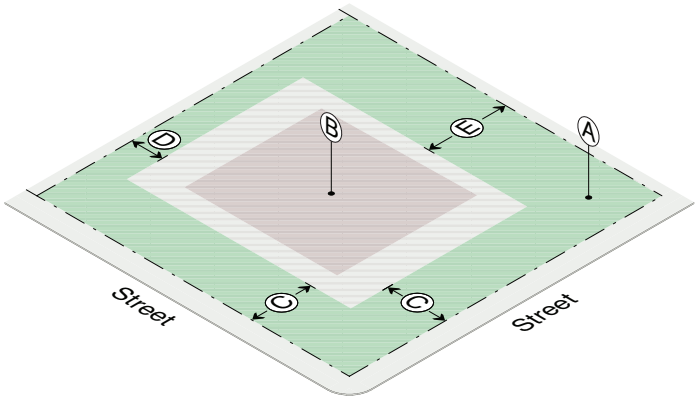
2.3.5. [deleted] (P17-077) ~~Auto Urban Commercial-Town (AC-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

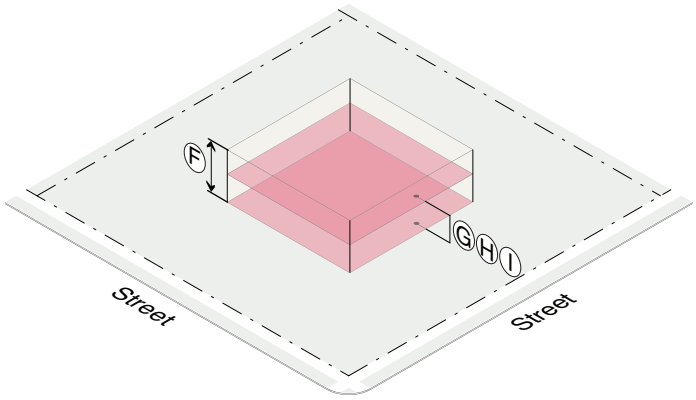
A. ~~Intent~~

~~The purpose of the Auto-Urban Commercial-Town (AC-ToJ) Zone is to provide for commercial development that is oriented to the street and is easily accessed by automobiles with adequate parking and pedestrian connections to adjoining developments in order to promote non-vehicular movement between buildings in commercial areas. Uses in the AC-ToJ zone primarily serve residents' commercial needs, and provide some tourist service uses. The AC-ToJ zone is intended to be applied to community-serving commercial areas.~~

B. ~~Physical Development~~

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





1. Structure Location and Mass

	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (E.3.,E.4.) (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~Stories (LO) (max)~~	~~FAR (max)~~
~~Detached single-family unit~~	~~.50~~	~~.28~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~3~~	~~.30~~
~~with attached accessory unit~~	~~.48~~	~~.30~~	~~20'~~	~~10'~~	~~20'~~	~~26'~~	~~2~~	~~3~~	~~.32~~
~~with detached accessory unit~~	~~.48~~	~~.30~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.32~~
~~with 2 accessory units~~	~~.45~~	~~.32~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.35~~
~~Live/Work unit~~	~~.50~~	~~.28~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~3~~	~~.40~~
~~Office~~	~~.25~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~35'~~	~~2~~	~~3~~	~~.40~~
~~Lodging in the LO~~	~~.20~~	~~n/a~~	~~10'~~	~~0'~~	~~20'~~	~~35'~~	~~n/a~~	~~n/a~~	~~.80~~
~~Other principal use~~	~~.20~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~35'~~	~~2~~	~~3~~	~~.25~~
~~Pre-1994 lot ≤ 15,000 sf~~	~~.20~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~35'~~	~~2~~	~~3~~	~~.46~~
~~Accessory use~~	~~See standards for primary use with which associated~~								
~~Detached accessory structure~~	~~n/a~~	~~n/a~~	~~30'~~	~~5'~~	~~5'~~	~~28'~~	~~2~~	~~n/a~~	~~n/a~~

~~Exceptions~~

~~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.~~

~~FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~

~~Side/Rear Yard Residential Projections. Fire escapes may extend into a side or rear yard by not more than 4 feet. Patios which are at grade may extend to any portion of a side or rear yard.~~

~~Accessory Structure Detached Separation. 10'~~

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	15,000 sf
Single building in LO with CUP	35,000 sf
Single building out of LO with CUP	50,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	12'; LO: 6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the AC-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 AC-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the AC-ToJ zone, however, all standards in Article 6. are applicable in the AC-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					
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential				see also 6.2.6.B	
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Attached Single-Family Unit (6.1.4.C.) (E.1.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D.) (E.1.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Dormitory (6.1.4.F.)	C	0 sf	30 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	30 rooms per acre	0.5/bed	n/a
Live/Work Unit (6.1.4.H.)	B	0 sf	n/a	1.5/DU or 1.5/1,500 sf	n/a
Lodging					
Conventional Lodging (6.1.5.B.)	B(LO)	0 sf	n/a	0.75/LU + 1/150 sf of assembly area	47 sf/1,000 sf
Short-Term Rental Unit (6.1.5.C.)	B(LO)	0 sf	n/a	2/LU (see also 6.2.6.B)	47 sf/1,000 sf
Commercial					
Office (6.1.6.B.)	B	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C.)	B	0 sf	n/a	4.5/1,000 sf	156 sf/1,000 sf
Service (6.1.6.D.)	B	0 sf	n/a	3/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (6.1.6.E.)	B	0 sf	n/a	1/55 sf dining area + 1/30 sf bar area	378 sf/1,000 sf
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Nursery (6.1.6.H.)	B	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	independent calculation

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

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.)
Amusement/Recreation					
Amusement (6.1.7.B.)	B	0 sf	n/a	1/30 sf seating area	independent calculation
Developed Recreation (6.1.7.D.)	B	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	B	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	0 sf	n/a	n/a	independent calculation
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	n/a
Bed and Breakfast (6.1.11.C.)	B	0 sf	n/a	0.75/LU	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	B	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Drive-In Facility (6.1.11.H.)	B	0 sf	n/a	n/a	exempt

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

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.)
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

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

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
Live/work unit	750 sf min/2,000 sf max habitable
Lodging operation with multiple buildings	90,000 sf habitable
Individual retail use excluding basement	
without CUP	12,500 sf habitable
with CUP	50,000 sf habitable
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.) (E.3.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the AC-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 AC-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the AC-ToJ zone, however, all standards in Article 7. are applicable in the AC-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	22,500 sf	n/a	11.7 du/ac	.40	n/a	.40	.35	(Sec. 7.1.3.)
Planned Unit Development (PUD-ToJ)	22,500 sf	n/a	n/a	n/a	.45	.40	.30	(Sec. 4.4.2.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

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

E. Additional Zone-specific Standards

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

1. **Attached Single-Family and Apartment Units.** Attached single-family and apartment units shall be located on the second or third floor.

2. **Open Storage.** The open storage of vehicles and equipment is prohibited.

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

4. **Highway Frontage Setback.** Where the highway frontage setback is 20 feet, the minimum parking area setback shall be 20 feet. This setback shall be landscaped generally in accordance with Div. 5.5, Landscaping Standards. In addition, where a 20 foot structure setback is required from the right-of-way of U.S. Highway 26-89-189-191, the first 20 feet adjacent to the right-of-way (as a minimum) must be landscaped. The objectives for highway setback landscaping shall be to provide for an attractive, high-quality streetscape, and where applicable, entryways to the Town of Jackson. Plant units shall maximize year-round screening. Public sidewalks and pathways may traverse landscaped areas, and monument signage is encouraged.

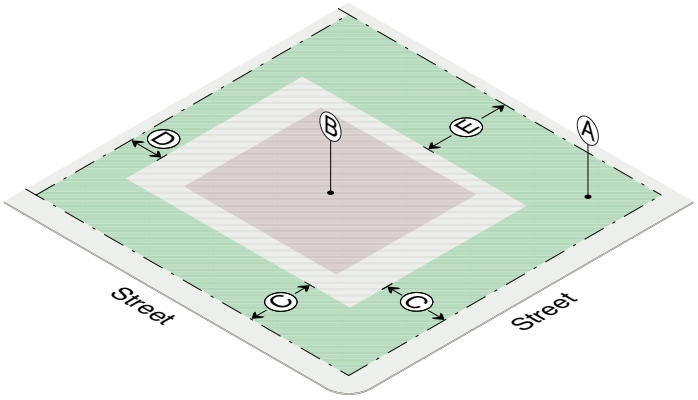
2.3.6. [deleted] (P17-077) ~~Auto Urban Residential-Town (AR-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

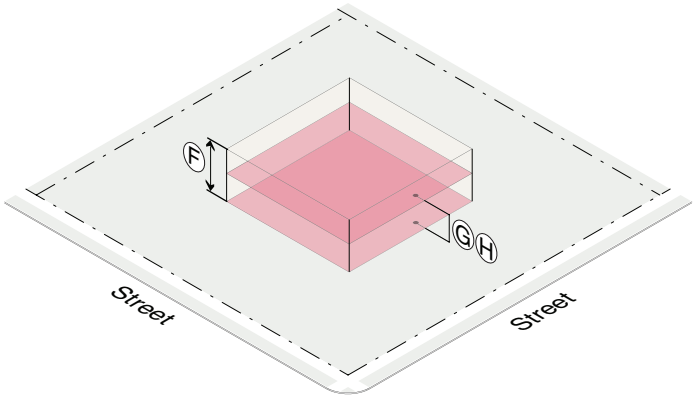
A. ~~Intent~~

~~The purpose of the Auto-Urban Residential-Town (AR-ToJ) Zone is to maintain the character and cohesiveness of residential neighborhoods while allowing for a wide range of residential types, including affordable housing.~~

B. ~~Physical Development~~

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





1. ~~Structure Location and Mass~~								
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~FAR (max)~~
~~Detached single-family unit~~	~~.50~~	~~.28~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~.30~~
~~with attached accessory unit~~	~~.48~~	~~.30~~	~~20'~~	~~10'~~	~~20'~~	~~26'~~	~~2~~	~~.32~~
~~with detached accessory unit~~	~~.48~~	~~.30~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.32~~
~~with 2 accessory units~~	~~.45~~	~~.32~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.35~~
~~Other principal use~~	~~.45~~	~~n/a~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~.35~~
~~Accessory use~~	~~See standards for primary use with which associated~~							
~~Detached accessory structure~~	~~n/a~~	~~n/a~~	~~30'~~	~~5'~~	~~5'~~	~~26'~~	~~2~~	~~n/a~~
~~Exceptions~~								
~~FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~								
~~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.~~								
~~Accessory Structure Detached Separation. 10'~~								

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	10,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear Yard lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

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

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the AR-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 Section 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the AR-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the AR-ToJ zone, however, all standards in Article 6. are applicable in the AR-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
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Dormitory (6.1.4.F.)	C	0 sf	25 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	25 rooms per acre	0.5/bed	n/a
Commercial					
Office (6.1.6.B.)	B(OF)	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.1.)	B	0 sf	2 units per lot	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt

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

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.)
Temporary Uses					
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 use permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.), (LO) = Only allowed in Lodging Overlay, (OF) = Only allowed in Office Overlay

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	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.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the AR-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 AR-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the AR-ToJ zone, however, all standards in Article 7. are applicable in the AR-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	22,500 sf	n/a	11.7 du/ac	.40	n/a	.40	.35	(Sec. 7.1.3.)
Planned Unit Development (PUD-ToJ)	22,500 sf	n/a	n/a	n/a	.45	.40	.30	(Sec. 4.4.2.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

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

E. Additional Zone-specific Standards

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

1. Accessory Residential Units (ARUs)

   a. Accessory residential units are only permitted in conjunction with a detached single-family unit.

   b. No more than 2 accessory units per lot are allowed.

   c. If only one accessory unit per lot is constructed, it may be attached to or detached from the principal structure.

   d. If 2 accessory units are constructed on one lot, one shall be attached to the principal structure, the other shall be detached. The minimum separation between detached units shall be 10 feet.

2.3.7. [deleted] (11/23/16, Ord. 1149)

[Section number reserved, original Section deleted]

2.3.8. [deleted] (11/23/16, Ord. 1149)

[Section number reserved, original Section deleted]

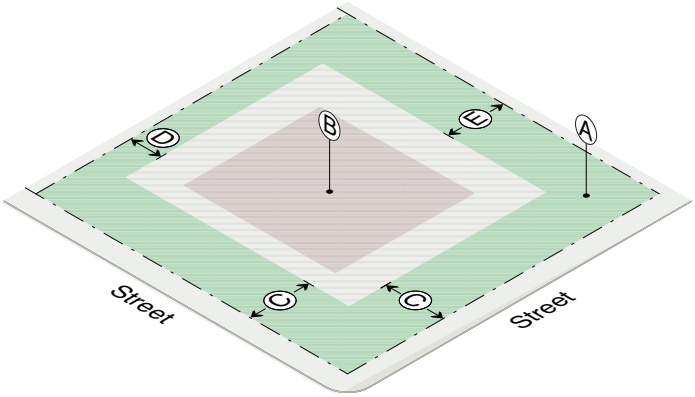
2.3.9. [deleted] (P17-077) Business Park-Restricted Uses (BP-R) (1/4/17, Ord. 1159)

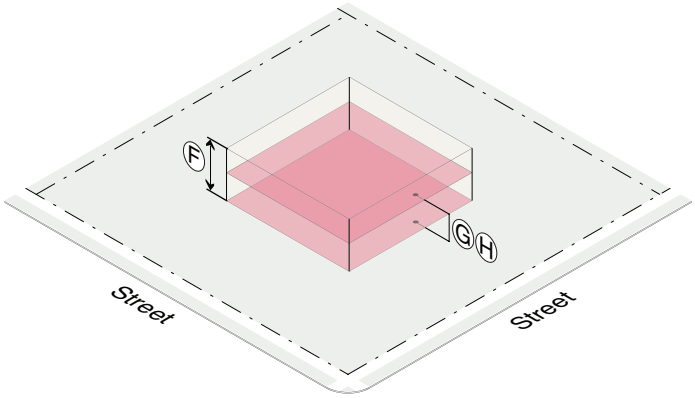
A. Intent

The purpose of the Business Park-Restricted Uses (BP-R) Zone is to provide suitable locations and environs for not only industrial, wholesaling, distribution and service commercial uses typically allowed in the Business Park-Town (BP-ToJ) Zone, but also uses such as office, commercial retail, certain services, restaurant/bar, drive-in facilities, and Urban Cluster Development to meet general community needs.

B. Physical Development

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





1. Structure Location and Mass

	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	LSR (min)	Lot Coverage (max)	Street Setback (min)	Side Setback (min)	Rear Setback (min)	Height (max) (E.3.)	Stories (max)	FAR (max)
Live-work unit	.15	n/a	20'	10'	20'	35'	2	.40
Office	.25	n/a	20'	10'	20'	35'	2	.40
Retail, services (E.2.), restaurant, bar	.20	n/a	20'	10'	20'	35'	2	.25
Other principal use	.15	n/a	20'	10'	20'	35'	2	.41
Accessory use	See standards for primary use with which associated							

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.

FAR. A 25% increase in FAR is allowed in all nonresidential zones, provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.

Detached Accessory Structure Separation. 10'

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single nonresidential building	15,000 sf
Single nonresidential building with CUP	50,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	(E.5.)
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	100,000
All fixtures	
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	12'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.5.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Attached Single-Family Unit (6.1.4.C.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Live/Work Unit (6.1.4.H.)	C	0 sf	n/a	1.5/DU or 1.5/1,500 sf	n/a
Commercial					
Office (E.4.) (6.1.6.B.)	C	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Retail (E.4.) (6.1.6.C.)	C	0 sf	n/a	4.5/1,000 sf	156 sf/1,000 sf
Service (E.2. & E.4.) (6.1.6.D.)	C	0 sf	n/a	3/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (E.4.) (6.1.6.E.)	C	0 sf	n/a	1/55 sf dining area + 1/30 sf bar area	378 sf/1,000 sf
Heavy Retail/Service (6.1.6.F.)	B	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	B	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Nursery (6.1.6.H.)	C	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	independent calculation
Amusement/Recreation					
Developed Recreation (6.1.7.D.)	C	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	exempt

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.5.)	Employee Housing Floor Area (min) (Div. 6.3.)
Industrial					
Light Industry (6.1.9.B.)	B	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	8 sf/1,000 sf
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	C	0 sf	n/a	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Drive-In Facility (6.1.11.H.)	C	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Real Estate Sales Office (6.1.12.C.)	B	0 sf	n/a	3.3/1,000 sf	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

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

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single family unit (attached, or apartment)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf
Individual retail use excluding basement	
without CUP	12,500 sf habitable
with CUP	50,000 sf habitable
Accessory residential unit	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.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the BP-R 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 BP-R zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the BP-R zone, however, all standards in Article 7. are applicable in the BP-R zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	**BSA (min)**	**Lot Size (min)**	**Density (max)**	**OSR (min)**	**LSR (min)**	**FAR (max)**	**Lot Coverage (max)**	**Option Standards**
Allowed Subdivision Options								
Land Division	n/a	5,000 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	22,500 sf	n/a	11.7 du/ac	.40	n/a	.40	.35	(Sec. 7.1.3.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident
3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Access	required
Right-of-way for Minor Local Road (min)	60'
Paved travel way for Minor Local Road (min)	20'
Required Utilities	(Div. 7.7.)
Water	public
Sewer	public

4. Required Subdivision and Development Option Permits

Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots			X		X
> 10 Lots		X	X		X
Condominium/Townhouse					X
Non-subdivision development option (UCD)					
0 - 4 Units				X	
5 -10 Units			X		
> 10 Units		X	X		

E. Additional Zone-specific Standards

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

1. Attached single-family and apartment units shall be located on the second or third floor.

2. Allowed service uses exclude gunsmithing, taxidermy, mortuary/funeral home, kennels and veterinary services), restaurant/bar, and drive-in facility uses.

3. Mixed-use structures with a residential component for which a Conditional Use Permit has been approved may be raised up to 46 feet upon compliance with the following conditions:

a. ~~The top 2 stories of the structure must be used for residential purposes only.~~

b. ~~The roof pitch must be at least 4 feet in 12 feet.~~

c. ~~The setback from U.S. Highway 26, 89, 189, High School Road and South Park Loop County Road and 191 shall be not less than 150 feet.~~

d. ~~The rear setback shall be not less than 50 feet.~~

e. ~~Building height shall not exceed 35 feet as measured from an elevation equal to the elevation of the adjacent Highway 26, 89, 189 and 191 at its highest point adjacent to the project.~~

4. ~~Allowed Retail, Office, Service, and Restaurant/Bar uses are required to take their primary access and be primarily oriented towards Teton County Road No. 22-1 or U.S. Highway 26/89/189/191 or High School Road in order to minimize traffic impacts on internal roads in the adjacent lands zoned BP-ToJ.~~

5. ~~Where the highway frontage setback is 20 feet, the minimum parking area setback shall be 20 feet. This setback shall be landscaped generally in accordance with Div. 5.5., Landscaping Standards. In addition, where a 20 foot structure setback is required from the right-of-way of U.S. Highway 26-89-189-191, the first 20 feet adjacent to the right-of-way (as a minimum) must be landscaped. The objectives for highway setback landscaping shall be to provide for an attractive, high-quality streetscape, and where applicable, entryways to the Town of Jackson. Plant units shall maximize year-round screening. Public sidewalks and pathways may traverse landscaped areas, and monument signage is encouraged.~~

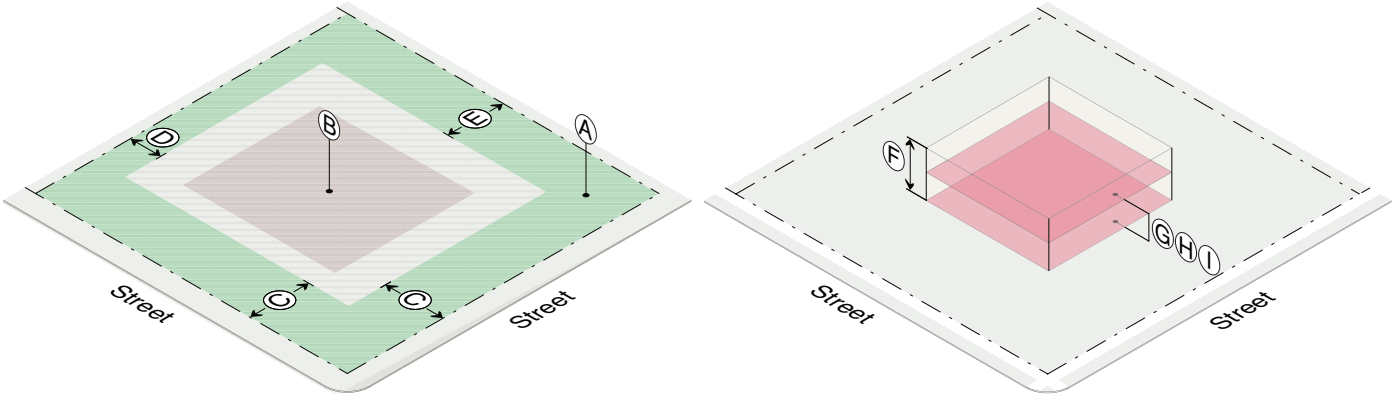
2.3.11. [deleted] (P17-077) ~~Business Conservation-Town (BC-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Business Conservation-Town (BC-ToJ) Zone is to provide for the continuation of existing commercial development where the expansion of the nonresidential use into a commercial node is considered inappropriate. The BC-ToJ zone recognizes existing business uses as conforming, but requires a Conditional Use Permit for any change of use. The BC-ToJ zone shall not be expanded except to allow for a remedy of a nonconformity of an existing business.~~

B. ~~Physical Development~~

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



1. ~~Structure Location and Mass~~	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~Stories (L0) (max)~~	~~FAR (max)~~
~~Detached single-family unit~~	~~.50~~	~~n/a~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~3~~	~~.30~~
~~with attached accessory unit~~	~~.48~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~26'~~	~~2~~	~~3~~	~~.32~~
~~with detached accessory unit~~	~~.48~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.32~~
~~with 2 accessory units~~	~~.45~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.35~~
~~Other principal use~~	~~.30~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~26'~~	~~2~~	~~3~~	~~.30~~
~~Accessory use~~	~~See standards for primary use with which associated~~								
~~Detached accessory structure~~	~~n/a~~	~~n/a~~	~~30'~~	~~5'~~	~~5'~~	~~26'~~	~~2~~	~~n/a~~	~~n/a~~

~~Exceptions~~
~~FAR. A 25% increase in FAR is allowed in all, provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~
~~Side/Rear Yard 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'~~

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building (not lodging)	6,000 sf
Lodging building in the LO	15,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	12'; LO: 6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the BC-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 BC-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the BC-ToJ zone, however, all standards in Article 6. are applicable in the BC-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.)	C	0 sf	n/a	n/a	exempt
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Attached Single-Family Unit (6.1.4.C., E.5.)	C	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D., E.5.)	C	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Dormitory (6.1.4.F.)	C	0 sf	30 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	30 rooms per acre	0.5/bed	n/a
Lodging (E.4.)					
Conventional Lodging (6.1.5.B.)	C (LO)	0 sf	n/a	0.75/LU + 1/150 sf of assembly area	47 sf/1,000 sf
Short-Term Rental Unit (6.1.5.C.)	C (LO)	0 sf	n/a	2/LU	47 sf/1,000 sf
Commercial					
Office (6.1.6.B.)	C	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C.)	C	0 sf	n/a	4.5/1,000 sf	156 sf/1,000 sf
Service (6.1.6.D.)	C	0 sf	n/a	3/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (6.1.6.E.)	C	0 sf	n/a	1/55 sf dining area + 1/30 sf bar area	378 sf/1,000 sf
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Nursery (6.1.6.H.)	C	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	independent calculation

Y=Use allowed, no use 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.)
Amusement/Recreation					
Developed Recreation (6.1.7.D.)	C	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	n/a
Bed and Breakfast (6.1.11.C.)	C (LO)	0 sf	n/a	0.75/LU	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
Drive-In Facility (6.1.11.H.)	C	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	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 use 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
Lodging operation with multiple buildings	90,000 sf habitable
Individual retail use excluding basement	12,500 sf habitable
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the BC-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 BC-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the BC-ToJ zone, however, all standards in Article 7. are applicable in the BC-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

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

E. Additional Zone-specific Standards

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

1. **Expansion Permitted.** The land use existing on the site as of November 9, 1994 shall be allowed an expansion of 20 percent of the size of the structure so long as all the standards of this Section and these LDRs are met. In instances where expansion of 20% permits less expansion than the Floor Area Ratio listed in 2.3.11.B. Structure Location and Mass, expansion to the FAR shall be permitted, pursuant to the conditions of this Section and these LDRs.

   a. **Determining Size.** The 20% expansion permitted shall be determined by the size of the structure in which the use is located on November 9, 1994. For example, the expansion of habitable building square footage shall be based upon the total square footage of all existing habitable building square footage.

   b. **Expansion of Existing Use.** Expansion which exceeds 5,000 square feet shall require a Conditional Use Permit pursuant to Sec. 8.4.2., in addition to required physical development permits.

   c. **ADA Necessitated Expansions Exempt.** Expansions to existing buildings for the primary purpose of meeting requirements of the American With Disabilities Act (ADA) shall be exempt from any limitations on expansions imposed in this Section. Expansions to meet ADA requirements may include, but shall not be limited to, covered wheelchair ramps, lifts, handicap accessible rest rooms, etc.

2. ~~Change Signs or Lighting. Proposals to change signs or lighting shall not increase the discrepancy between the existing sign and the standards of Div. 5.6., Sign Standards, and Sec. 5.3.1., Exterior Lighting Standards.~~

3. ~~Change of Use Permitted. The change shall be limited to uses of equal or lesser intensity only. The following standards shall be used in evaluating the change of use:~~

   a. ~~Uses. All uses permitted in the AC-ToJ zone are eligible uses for change of use applications.~~

   b. ~~Level of Intensity. Determination of the level of intensity shall include consideration of the size of structures, traffic generation (amount and type), impacts on access, parking demand, level of outdoor activity, operational characteristics, and other potential adverse impacts on neighboring uses.~~

   c. ~~Signs and Lighting. If the use is changed pursuant to this Subsection, the sign for the use shall comply with the standards of Div. 5.6., Sign Standards, and Sec. 5.3.1., Exterior Lighting Standards.~~

4. ~~Lodging. Lodging is permitted in the BC-ToJ zone pursuant to the standards of this Section, regardless of the location of the subject property with respect to the Lodging Overlay (LO) zone.~~

5. ~~Residential Use. Change of use to a conditional residential use shall meet the following standards.~~

   a. ~~Nonresidential Use Abandoned. Conditional residential use shall be the only use permitted on the BC site; all nonresidential use shall be abandoned.~~

   b. ~~Density/Intensity. The conditional residential use shall have an intensity less than the intensity of the existing non-residential use. The determination of the level of intensity shall include consideration of traffic generated (amounts and type), impact on access, parking demand, proposed level of activity, operational characteristics, and other potentially adverse impacts on neighboring lands.~~

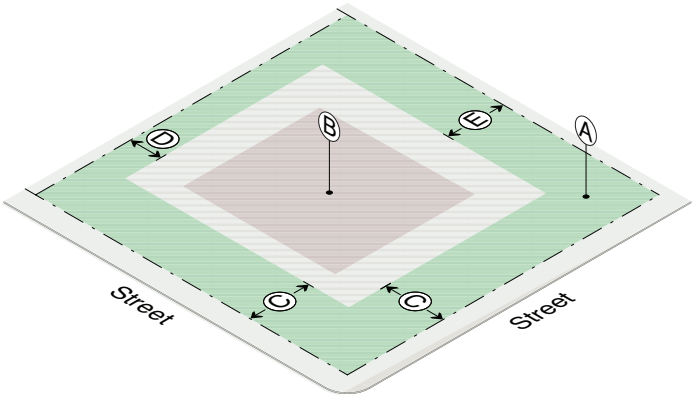
2.3.12. [deleted] (P17-077) ~~Residential Business (RB)~~ ~~(1/4/17, Ord. 1159)~~

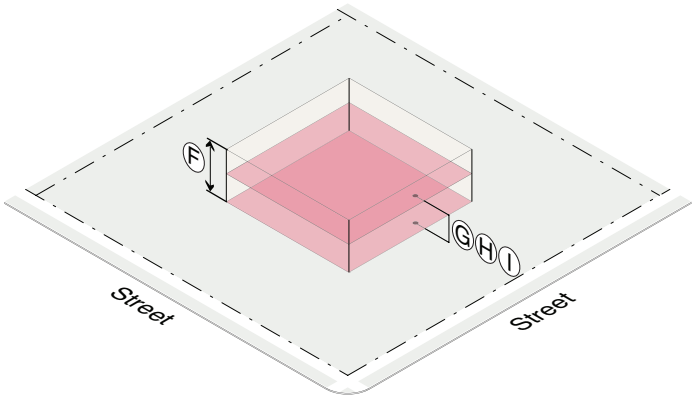
A. ~~Intent~~

~~The purpose of the Residential Business (RB) zone is to provide for the conduct of small scale businesses on a lot where the principal use is residential.~~

B. ~~Physical Development~~

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





1. ~~Structure Location and Mass~~									
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~Stories (L0) (max)~~	~~FAR (max)~~
~~Allowed use~~	~~.30~~	~~n/a~~	~~25'~~	~~10'~~	~~25'~~	~~30'~~	~~2~~	~~3~~	~~.32~~
~~Detached accessory structure~~	~~n/a~~	~~n/a~~	~~30'~~	~~5'~~	~~5'~~	~~30'~~	~~2~~	~~3~~	~~n/a~~
~~Exceptions~~									
~~FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~									
~~Side/Rear Yard Residential Projections. 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'~~									

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	10,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 8 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside Area Standards	(Sec. 5.4.1.)
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	12'; LO: 6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the RB 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 RB zone. This Subsection is intended to indicate all of the use standards applicable in the RB zone, however, all standards in Article 6. are applicable in the RB 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.)
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Attached Single-Family Unit (6.1.4.C.)	B	0 sf	n/a	2/DU +0.5 per DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D.)	B	0 sf	n/a	2/DU +0.5 per DU if ≥ 3 units served by lot	n/a
Dormitory (6.1.4.F.)	C	0 sf	25 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	25 rooms per acre	0.5/bed	n/a
Commercial					
Office (6.1.6.B.)	B	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Service (6.1.6.D.)	C	0 sf	n/a	3/1,000 sf	56 sf/1,000 sf
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		

Y=Use allowed, no use 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.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	B	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					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use 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
Nonresidential use	Less than residential
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the RB 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 RB zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the RB zone, however, all standards in Article 7. are applicable in the RB zone, unless stated otherwise.

1. Allowed Subdivision and Development Options

Option	Site Area (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)

2. Residential Subdivision Requirements

Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

3. Infrastructure

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

4. Required Subdivision and Development Option Permits

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

E. ~~Additional Zone-specific Standards~~

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

1. ~~**Primary Use Residential.** The primary use of any property or development within the RB zone shall be residential.~~

2. ~~**Residential Types and Standards.** In addition to conventional single-family units and accessory residential units as provided in 2.3.12.C., Allowed Uses and Use Standards, 2-family structures are allowed in the RB zone. All residential uses and unit types are subject to the standards in 2.3.12.B., Structure Location and Mass.~~

3. ~~**Nonresidential Use Accessory.** Any nonresidential use of a property or development in the RB zone shall be accessory to the residential use. No nonresidential use may occupy more than 50% of the total allowable floor area on any property. All nonresidential activity and structures shall be located to the rear of the primary residence(s).~~

4. ~~**Open Storage.** Open storage of materials, vehicles, and equipment is allowed provided it is adequately screened from residential areas of adjacent properties~~.

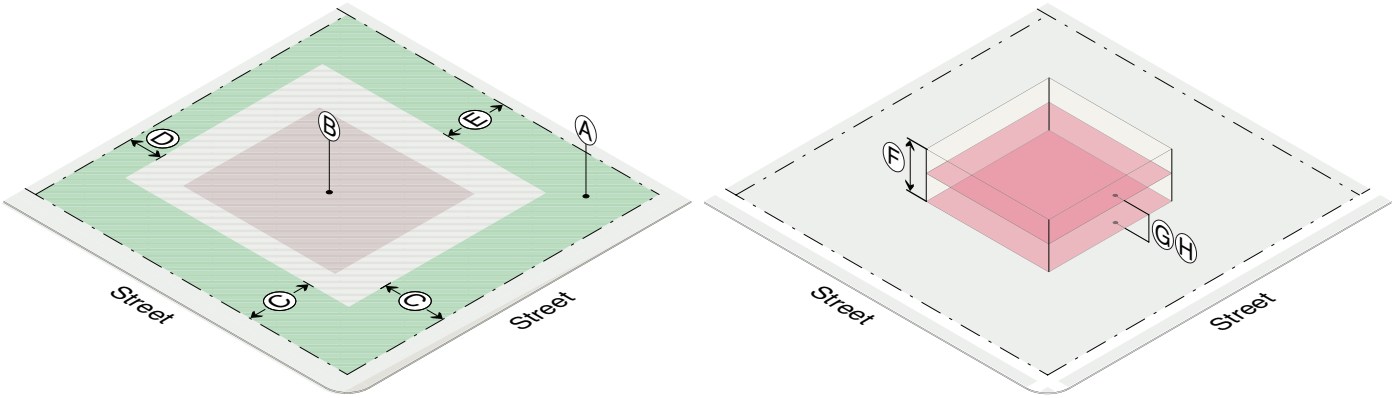
2.3.14. [deleted] (P17-077) ~~Neighborhood Conservation-Town (NC-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Neighborhood Conservation - Town (NC-ToJ) Zone is to recognize existing residential neighborhoods and subdivisions and allow development to continue in a way that is consistent with the existing neighborhood character. The NC-ToJ zone is intended primarily for single-family detached dwellings and accessory uses and structures. The NC-ToJ zone shall not be applied to vacant land, except to allow for in-fill development, and shall not be permitted to expand beyond its original boundaries.~~

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~~								
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~FAR (max)~~
~~Allowed use~~	~~.45~~	~~.32~~	~~25'~~	~~10'~~	~~25'~~	~~30'~~	~~2~~	~~.40~~
~~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'~~								

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
n/a	
3. Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	
7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)

8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign

Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the 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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Accessory Uses					
Accessory Residential Unit (Sec. 6.1.11., 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 use 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.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision 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 development option and subdivision standards applicable in the NC-ToJ zone, however, all standards in Article 7. are applicable in the NC-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	Site Area (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division (E.1 & E.2)	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

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

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.~~

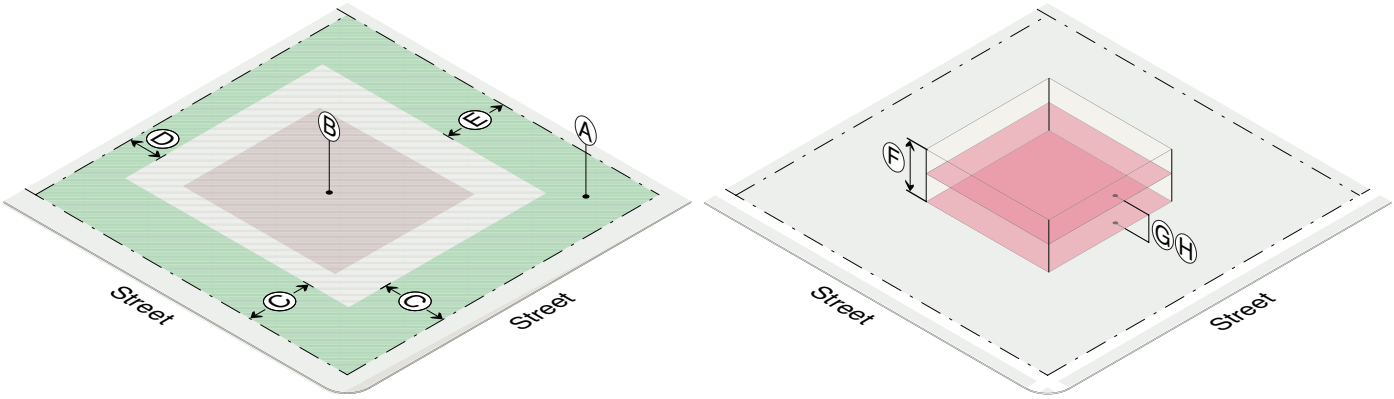
2.3.15. [deleted] (P17-077) ~~Neighborhood Conservation-2-Family (NC-2)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Neighborhood Conservation 2 family (NC-2) zone is to recognize existing residential neighborhoods and subdivisions and allow development to continue in a way that is consistent with the existing neighborhood character. The NC-2 zone is intended primarily for single-family detached and duplex dwellings and accessory uses and structures. The NC-2 zone shall not be applied to vacant land, except to allow for in-fill development, and shall not be permitted to expand beyond its original boundaries.~~

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~~	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	~~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'~~

2. Maximum Scale of Development	
n/a	
3. Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	
7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek (South of Cache Creek Drive)	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)

8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000'
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign

Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the 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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
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 use 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.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision 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 development option and subdivision standards applicable in the NC-2 zone, however, all standards in Article 7. are applicable in the NC-2 zone, unless stated otherwise.

1. Development Options and Subdivision								
Option	Site Area (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options (E.1.,E.4.)								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	22,500 sf	n/a	11.7 du/ac	.40	n/a	.40	.35	(Sec. 7.1.3.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident
3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Access	required
Right-of-way for Minor Local Road (min)	60'
Paved travel way for Minor Local Road (min)	20'
Required Utilities	(Div. 7.7.)
Water	public
Sewer	public

4. Required Subdivision and Development Option Permits					
Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots			X		X
> 10 Lots		X	X		X
Condominium/Townhouse					X
Non-subdivision development option (UCD)					
0 - 4 Units				X	
5 -10 Units			X		
> 10 Units		X	X		

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 be12,000 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.~~

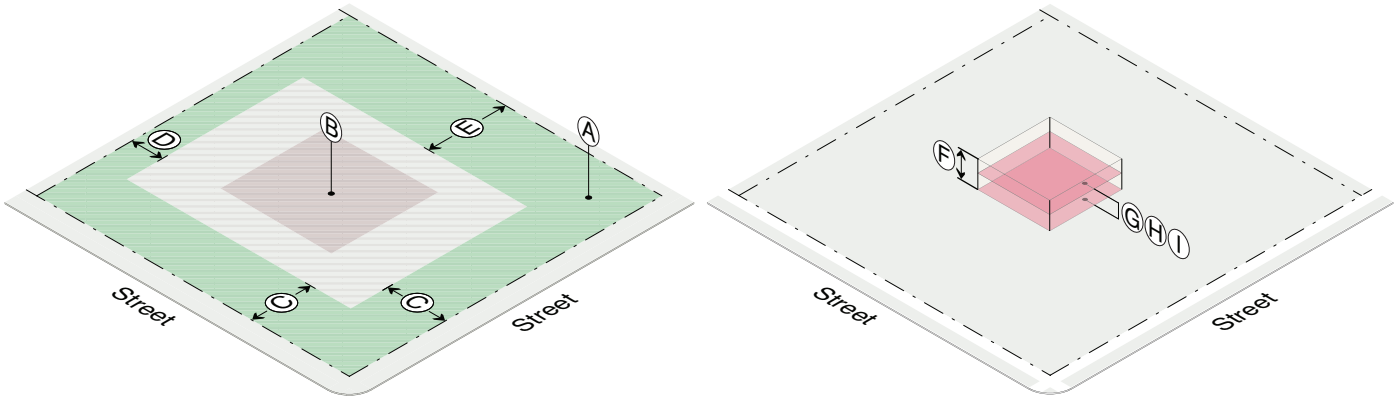
2.3.16. [deleted] (P17-077) ~~Suburban-Town (S-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Suburban-Town (S-ToJ) Zone classification is to provide for places with enough open space and sufficient lot size to provide a predominance of landscape over buildings, where there is less human interaction than in the Urban zones, where a stronger sense of privacy is maintained through building orientation and landscaping, and where shared open space is provided. The S-ToJ Zone is also intended to provide for low to moderate density residential development with a range of primary residential and associated uses.~~

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~~									
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~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~~
~~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'~~									

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	10,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	40,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

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

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	0 sf	n/a	n/a	exempt
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Dormitory (6.1.4.F.)	C	0 sf	15 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.) (E.1.)	C	0 sf	15 rooms per acre	0.5/bed	n/a
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B., E.2.)	B	0 sf	1 unit per lot	1/bedroom	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
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 use 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.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision 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 development option and subdivision standards applicable in the S-ToJ zone, however, all standards in Article 7. are applicable in the S-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	Site Area (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	12,000 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Townhouse Condominium Subdivision	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development								(Sec. 7.1.3.)
25% ratio	80,000 sf	n/a	3.64 du/ac	.25	n/a	.30	.35	
35% ratio	80,000 sf	n/a	4.0 du/ac	.35	n/a	.30	.38	
Planned Unit Development (PUD)	80,000 sf	n/a	n/a	n/a	.70	.20	.25	(Sec. 4.4.2.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

4. Required Subdivision and Development Option Permits

Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots			X		X
> 10 Lots		X	X		X
Condominium/Townhouse					X
Non-subdivision development option (UCD or PUD-ToJ)					
0 - 4 Units	X (PUD)			X	
5 - 10 Units	X (PUD)		X		
> 10 Units	X (PUD)	X	X		

E. Additional Zone-specific Standards

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

E. Establishment of a New PUD

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

F. Amendment of an Existing PUD or Other Special Project

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

G. PUD Option Schedule

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

PUD Option Schedule: Character Zones														
	Complete Neighborhood Zones													Rural Area Zones
	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a
~~PUD-TOJ (Sec. 4.4.2.)~~	No PUD options are allowed in the Town													~~n/a~~

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

PUD Option Schedule: Legacy Zones																
	Complete Neighborhood Zones													Rural Area Zones	Civic Zones	
	TS	UC	~~UR~~	~~AC-ToJ~~	~~AR-ToJ~~	~~BP-R~~	BP-ToJ	~~BC-ToJ~~	~~RB~~	MHP-ToJ	~~NC-ToJ~~	~~NC-2~~	~~S-ToJ~~	R-ToJ	P/SP-ToJ	P-ToJ
No PUD Options are allowed in the Town																
~~PUD-TOJ (Sec. 4.4.2.)~~	~~--~~	~~P~~	~~P~~	~~P~~	~~P~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~P~~	~~--~~	~~--~~	~~--~~

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

H. List of Approved Planned Unit Development Zones - Town (PUD-ToJ)

The following PUD-ToJ Zones have been approved by the Town. The approved physical development, use, development option, and subdivision standards are hereby adopted by reference into the LDRs and are on file for public review with the Town Clerk and Planning Department. A copy of the approved development plan for each PUD-ToJ is also on file for review with the Town Clerk and Planning Department.

1. Planned Unit Development - Urban Residential (P15-029) (PUD-UR (P15-029)) (135 West Kelly Avenue)

2. Planned Unit Development - Urban Residential (P16-017) (PUD-UR (P16-017)) (1255 West Highway 22)

h. **Spring, Summer, and Fall Habitat Occurs in Riparian Areas.** During spring, summer, and fall, bald eagles forage primarily in riparian areas for fish, waterfowl, and other prey items.

i. **Winter Habitat Is Important.** During winter, heavy snow accumulation and freezing water surfaces reduces the availability of spring, summer, and fall habitat. At these times, bald eagles forage on wild ungulate and livestock carrion, supplemented by fish and waterfowl carcasses. Ungulate carrion is readily available but sparsely distributed on ungulate winter ranges, meaning that in addition to its nesting habitat, the crucial ungulate winter ranges also become critical to the bald eagle's survival.

j. **Additional Crucial Winter Habitat Essential to Survival.** It is vital that bald eagle crucial winter habitat be protected to ensure the survival of this species in Teton County.

D. Applicability of NRO Standards

In addition to all other standards required by these LDRs, all physical development, use, development options and subdivision within the NRO shall comply with all standards of this Section, unless exempted below. Demonstration of compliance with the standards of this Section shall come from a qualified professional, even if an EA is exempt.

1. **Alterations and Additions.** Structural alterations and additions to existing structures shall be exempt from the standards of this Section.

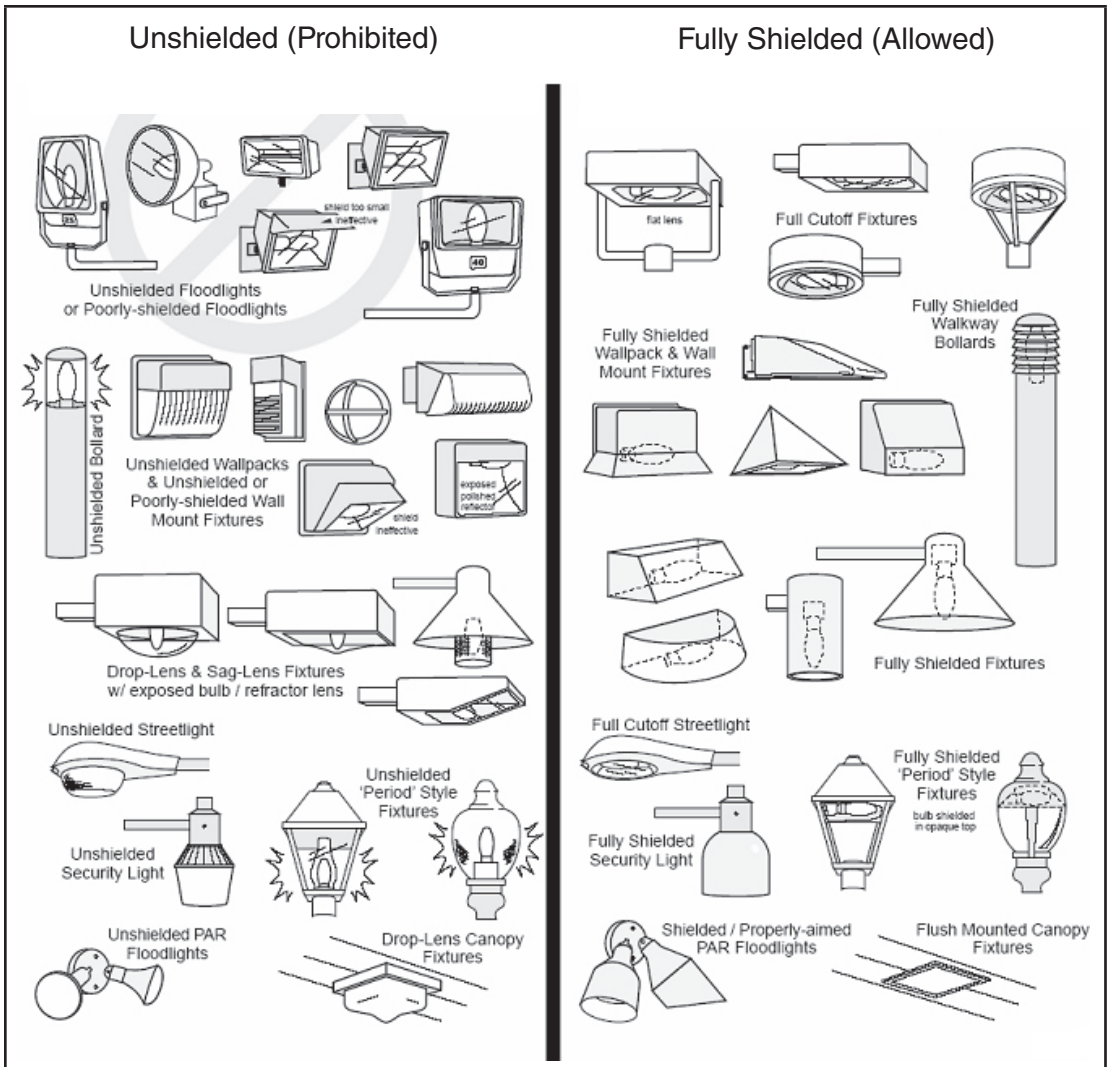
2. ~~**NC-ToJ Zoned Lands.** All physical development, use, and development options, except new subdivisions, within the NC-ToJ zone shall be exempt from the standards of this Section, except that F.4., F.6., and Sec. 5.1.2. shall apply.~~

3. **Land in Conservation Easement.** Land protected by a conservation easement where proposed development density is one house per 70 acres or less and the total acreage subject to the easement is 320 acres or more, shall be exempt from the standards of this Section, except that F.4. and F.6., shall apply.

E. Impacting the NRO

The base site area shall not be reduced because a portion of the lot of record is in the NRO. When conflicts exist between the NRO and SRO, the standards of this Section shall have priority and be achieved to the maximum extent practical. The requirements of Sec. 5.3.2. shall receive second priority. Where densities/intensities permitted cannot be achieved by locating development outside of the NRO, then lands protected by the NRO may be impacted pursuant to the standards of this Subsection.

1. **Minimizes Wildlife Impact.** The location of the proposed development shall minimize impacts on the areas protected (e.g., crucial migration routes, crucial winter range, nesting areas). For the purposes of this standard, "minimize" is defined as locating development to avoid higher quality habitats or vegetative cover types for lesser quality habitats or vegetative cover types. Only when



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

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

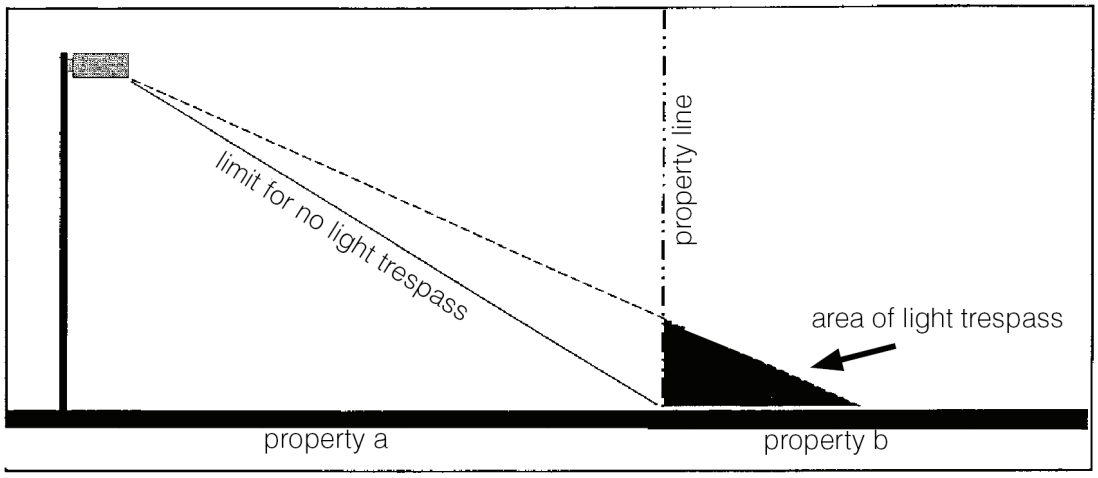
a. These lumen limits are upper limits and not a design goal; the design goal should be the lowest levels of lighting possible.

b. Individuals with visual impairments and organizations that primarily serve individuals with visual impairments (e.g. retirement communities, hospices, and hospitals) may use up to 4 times the illumination allowed by this section.

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

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

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



5. Maximum Pole Height of Light Fixture.

Zone	Maximum Pole Height of Light Fixtures
DC, CR-1, CR-2, CR-3, OR, TS, UC, ~~UR, AC-ToJ, AR-ToJ, BP-R,~~ BP-ToJ, ~~BC-ToJ~~ MHP-ToJ, P/SP, P-ToJ, NL-5, NM-2, NH-1~~NC-2~~	18 feet
R-ToJ, ~~S-ToJ, NC-ToJ, RB,~~ NL-1, NL-2, NL-3, NL-4, NM-1	15 feet

6. Controls. All nonresidential lighting fixtures shall employ automatic lighting controls that extinguish exterior lighting when sufficient daylight is available. Such controls include, but are not limited to: timers, wireless remote monitoring with turn on/off capabilities, photo sensitive light controls, photoelectric switches,

D. Applicability

1. **Foreground Standards.** All physical development, use, development options, and subdivision within the Foreground of the Scenic Areas described above shall comply with the foreground standards of 5.3.2.G.

2. **Development in Skyline.** All physical development, use, development options, and subdivision within the Skyline of the SRO shall comply with the skyline standards of 5.3.2.H.

3. Exemptions

   a. ~~**NC-ToJ Zones.** All physical development, use, and development options, except new subdivisions, within the NC-ToJ Zone shall be exempt from the foreground standards of 5.3.2.G.~~

   b. **Remodeling or Expansion of Existing Structures.** Remodeling or expansion of structures that existed prior to November 9, 1994, shall be exempt from the foreground standards of 5.3.2.G.

   c. **Land in Conservation Easement.** Land protected by a conservation easement where proposed development density is one house per 70 acres or less and the total acreage subject to the easement is 320 acres or more, shall be exempt from the foreground standards of 5.3.2.G.

E. Impact on SRO

1. The base site area shall not be reduced because a portion of a lot of record is located within the SRO.

2. When conflicts exist between the NRO and SRO, the standards of Sec. 5.2.1. shall have priority and be achieved to the maximum extent practical. The requirements of this Section shall receive second priority.

F. Visual Resource Analysis

1. If a proposed physical development, use, development option, or subdivision is in the SRO, the application shall contain a visual analysis narrative, provide a photographic simulation or other comparable visual analysis of the proposed development, depict the boundaries of the SRO, compare the visual impacts of alternative site designs, if any, and include plans identifying how the proposal complies with the standards of this Section.

2. A visual resource analysis shall demonstrate and document for review the visual impact of the proposed development on surrounding designated scenic corridors and viewpoints. The analysis shall show, in accurate perspective format, what portions of the proposed development are visible from various points along the scenic corridor or from critical viewpoints. Multiple perspectives may be required along scenic corridors to accurately reflect the appearance of the development as the viewpoint is moved along the corridor.

Div. 5.4. Natural Hazard Protection Standards

The purpose of this Division is to limit development in naturally hazardous areas. Development in hazardous areas threatens the health, safety and welfare of human inhabitants, steep slopes, poor soils, avalanche chutes, floodplains, dense forest and areas along fault lines offer unique opportunities for interaction with the environment, but when natural events do occur in these areas the results can be disastrous.

5.4.1. Steep Slopes (~~1/4/17, Ord. 1162~~ P17-077)

A. Slopes in Excess of 25%

No physical development shall be permitted on natural slopes in excess of 25%.

B. Exceptions

1. ~~NC-ToJ Zone Zones.~~ ~~In the~~ NC-ToJ Zone, ~~no physical development shall be permitted on natural slopes in excess of 30%.~~

2. Manmade Slopes. Physical development on manmade slopes is permitted, provided that the proposed finish grade complies with all other applicable standards of these LDRs.

3. Small Slopes. Physical development of isolated slopes that cover less than 1,000 square feet and have less than 10 feet of elevation change is permitted.

4. Essential Access. Physical development of steep slopes is permitted to provide essential access for vehicles and/or utilities when no other alternative access exists.

C. Standards in Hillside Areas

The purpose of this Section is to provide requirements, standards, criteria, and review procedures which are supplementary to those found elsewhere in these LDRs, and which apply only to hillside areas of the Town of Jackson.

1. Definition. For purposes of this Section, hillside areas within the Town of Jackson shall be defined as any lot of record which has an average cross-slope (in any direction) of 10% or greater. This definition shall include any lot of record upon which proposed physical development, use, development option, or subdivision may affect any portion of said lot of record having a slope of 10% or greater, even though the average cross-slope of the subject property may be less than 10%.

2. Applicability and Exceptions. The requirements and procedures of this Subsection shall apply when any hillside area is proposed for subdivision, lot split, or development or terrain disturbance of any kind, including a building permit. The only exception shall be in the case of a detached single-family unit on a lot which has been legally platted prior November 9, 1994.

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				
	Use			
Zone	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
NL-1	--	1 per 12 spaces	--	1 per 12 spaces
NL-2	--	1 per 12 spaces	--	1 per 12 spaces
NL-3	--	--	--	--
NL-4	--	--	--	--
NL-5	--	--	1 per 12 spaces	1 per 12 spaces
NM-1	--	--	--	--
NM-2	--	1 per 12 spaces	1 per 12 spaces	1 per 12 spaces
NH-1	--	1 per 12 spaces	1 per 12 spaces	1 per 12 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
CR-3	--	--	--	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, CR-3, 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. **Wyoming Seed Law.** All seed used for site revegetation or restoration must be used in accordance with WS 11-12-101 - 125 certified as weed free and acquired through a dealer licensed by the Wyoming Department of Agriculture.

b. **Wyoming Nursery Stock Law.** All nursery stock used for site revegetation or restoration must be used in accordance with W.S. 11-9-101 through 109 accompanied by a valid health certificate and acquired through a dealer licensed by the Wyoming Department of Agriculture.

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, CR-3, 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.

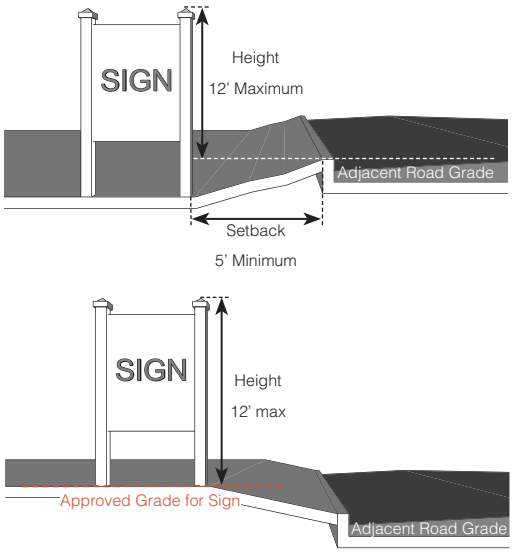
7. Freestanding Signs

a. Height

i. Permitted freestanding signs and support structures within the Town Square Sign District and DC, CR-1, CR-2, CR-3, OR, UC, ~~AC-ToJ/LO, BC-ToJ, RB, UR, AR-ToJ, S-ToJ, and NC-ToJ~~ NL-1, NL-2, NL-3, NL-4, NL-5, NM-1, NM-2, and NH-1 zones in the General Sign District and shall not exceed 6 feet in height.

ii. Permitted freestanding signs and support structures within the CR-2, CR-3, ~~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.



Div. 5.8. Design Guidelines

5.8.1. Applicability (~~11/23/16, Ord. 1151~~P17-077)

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, CR-3, and OR zones.
3. All applications for residential development that includes three or more attached units.

B. Zone-Specific Applicability

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

C. Planning Director Exemption

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

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

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

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

Procedures and requirements for conduct of the Town's Design Review Committee are established in Article 8.

Div. 6.1. Allowed Uses

6.1.1. Use Schedule (~~3/22/17, Ord. 1170~~ P17-077)

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.

E. Permit Exemption for Emergency Response

From time to time, a use may be a necessary part of an emergency response under the Comprehensive Emergency Management Plan, implemented by Teton County Emergency Management. In such instances, the requirement for a use permit shall be waived.

> **EXAMPLE:** A heliport is an aviation use requiring a Conditional Use Permit. Temporary heliports are sometimes established in proximity to a forest fire for purposes of helicopter fire suppression. In the case of an emergency response, the requirement for a CUP is waived.

F. Use Schedule

The use schedule is established in the following tables.

USE CATEGORY	Town Character Zones														
	Complete Neighborhood Zones													Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Open Space															6.1.2.
Agriculture	B	B	B	B	B	B	--		--	--	--	--	--	--	6.1.3.B.
Outdoor Recreation	--	--	--	~~--~~	--	--	--	--	--	--	--	--	--	--	~~6.1.3.C.~~
Residential															6.1.4.
Detached Single-Family Unit	Y	Y	Y	Y	Y	Y	Y	Y	--	--	--	--	--	--	6.1.4.B.
Attached Single-Family Unit	--	--	--	--	--	B	B	B	B	B	B	B	B	--	6.1.4.C.
Apartment	--	--	--	--	B	B	B	B	B	B	B	B	B	--	6.1.4.D.
Mobile Home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.4.E.
Dormitory	--	--	--	--	C	C	B	C	C	C	C	B	C	--	6.1.4.F.
Group Home	C	C	--	--	C	C	B	C	C	C	C	C	C	--	6.1.4.G.
~~Live/Work Unit~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~B~~	~~--~~	~~B~~	~~--~~	~~6.1.4.H.~~
Lodging															6.1.5.
Conventional Lodging	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.B.
Short-Term Rental Unit	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.C.
Commercial															6.1.6.
Office	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.6.B.
Retail	--	--	--	--	--	--	--	--	B	B	B	B	B[Z]	--	6.1.6.C.
Service	--	--	--	--	--	--	--	--	B	B	B	B	B[Z]	--	6.1.6.D.
Restaurant/Bar	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.6.E.
Heavy Retail/Service	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.6.F.
Mini-Storage Warehouse	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.6.G.
Nursery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.6.H.

Y = Use allowed, no use permit required (LO) = Only allowed in Lodging Overlay -- = Use not allowed
B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required [Z] = Use subject to zone specific standards

USE CATEGORY	Town Character Zones														
	Complete Neighborhood Zones													Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Amusement/Recreation															6.1.7.
Amusement	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.7.B.
Developed Recreation	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.7.D.
Outfitter/Tour Operator	--	--	--	--	--	--	--	--	C	B	B	B	--	--	6.1.7.E.
Adult Entertainment Business	--	--	--	--	--	--	--	--	--	--	--		--	--	6.1.7.F.
Institutional															6.1.8.
Assembly	C	C	--	--	C	--	C	C	C	C	C	C	C	--	6.1.8.B.
Daycare/Education	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.8.C.
Industrial															6.1.9.
Light Industry	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.9.B.
Heavy Industry	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.C.
Disposal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.D.
Transportation/Infrastructure															6.1.10.
Parking	--	--	--	--	--	--	--	--	C	C	C	C	--	--	6.1.10.B.
Utility Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	--	6.1.10.C.
Wireless Communication Facilities															6.1.10.D.
Minor	B	B	B	B	B	B	B	B	B	B	B	B	B	--	
Major	---	---	--	--	--	--	--	--	--	--	--	--	--	--	
Heliport	--	--	--	--	--	--	--	--	--	--	--	C	--	--	6.1.10.E.
Accessory Uses															6.1.11.
Accessory Residential Unit	B	B	B	B	--	B	--	--	B	B	B	B	B	--	6.1.11.B.
Bed and Breakfast	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.11.C.
Home Occupation	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.D.

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B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required [Z] = Use subject to zone specific standards

USE CATEGORY	Town Character Zones														
		Complete Neighborhood Zones												Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Home Business	C	C	C	C	C	C	C	C	--	--	--	--	--	--	6.1.11.E.
Family Home Daycare	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.F.
Home Daycare Center	C	C	--	--	C	--	C	C	--	--	--	--	--	--	6.1.11.G.
Drive-In Facility	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.11.H.
Temporary Uses															6.1.12.
Christmas Tree Sales	--	--	--	--	--	--	--	--	Y	Y	Y	Y	--	--	6.1.12.B.
Real Estate Sales Office	--	--	--	--	--	--	--	--	--	--	--		--	--	6.1.12.C
Temporary Shelter	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.D.
Farm Stand	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.12.E.
Temp. Gravel Extraction and Processing	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.F.

Y = Use allowed, no use permit required (LO) = Only allowed in Lodging Overlay -- = Use not allowed
B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required [Z] = Use subject to zone specific standards

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

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

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

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Div. 6.4. Operational Standards

6.4.1. Outside Storage (3/22/17, Ord. 1170)

A. Use of Front Yards

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

B. Storage of Structures

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

C. Vehicle and Equipment Storage - Vacant Property

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

D. Outdoor Display

The organized outdoor display of goods for sale in association with a nonresidential use is allowed, except an Adult Entertainment Business (see 6.1.7.F.), provided it is contained on private property.

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

A. Town Trash and Recycling Enclosures

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

6.4.3. Noise (~~11/23/16, Ord. 1152~~ P17-077)

All uses shall conform with the following standards.

A. Maximum Noise

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

Noise Level Restrictions	
Zone	Maximum Permitted Sound Level
R, ~~S, NC-ToJ, AR-ToJ,~~ MHP-ToJ NL-1, NL-2, NL-3, NL-4, NL-5, NM-1, NM-2, NH-1	55 DBA
All other zones	65 DBA

B. Exceptions

1. **General.** Noises of vehicles, home appliances, and chain saws in private use, occasionally used safety signals, warning signals, emergency pressure relief valves, and temporary construction operations shall be exempt from the requirements of this Section.

2. **Limited Exception/Limited Interval of Time/One Day.** The maximum permitted sound level may be exceeded by 10 DBA for a single period, not to exceed 15 minutes, in any one day.

3. **Impact Noises.** For the purposes of this Section, impact noises are those noises whose peak values are more than 6 DBA higher than the values indicated on the sound level meter, and are of short duration, such as the noise of a forging hammer or punch press. For impact noises, the maximum permitted sound level may be exceeded by 10 DBA.

C. Measurement

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

6.4.4. Vibration (1/4/17, Ord. 1163)

All uses shall conform with the following standards:

A. General

Vibration shall be measured at the site boundary line. Except for temporary construction operations and blasting for avalanche control, no activity shall cause or create a displacement for the frequencies prescribed in the table below.

Maximum Permitted Steady State Vibration Displacement	
Frequency (cycles per second)	Vibration Displacement (inches)
10 and below	0.0008
10-20	0.0005
20-30	0.0003
30-40	0.0002
40 and over	0.0001

Div. 7.1. Development Option Standards

7.1.1. Development Options Schedule (~~11/23/16, Ord. 1153~~ P17-077)

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

Town Character Zones - Development Options															
		Complete Neighborhood Zones												Rural Area Zones	
Option	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	Stds
~~UCD~~		~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~7.1.3.~~
MHP	--	--	--	--	--	--	--	--	--	--	--	--	--	--	7.1.4.

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

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

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

7.1.2. Planned Residential Development (PRD) (1/1/15, Ord. 1074)

[Section number reserved, standards only apply in County]

7.1.3. [deleted] ~~Urban Cluster Development (UCD)~~ (~~1/1/15, Ord. 1074~~ P17-077)

A. ~~Purpose~~

~~The purpose of Urban Cluster Development is to permit development that will result in improved living and working environments, promote more efficient development, encourage a variety of types of residential dwellings, encourage ingenuity and originality in total development and individual site design, allow for denser clustering of development where appropriate, and preserve open space to serve wildlife, scenic, agricultural, and recreational purposes, all within the densities established for the zone. Furthermore, it is the purpose of the Urban Cluster Development option to preserve and enhance the character and qualities of urban and suburban neighborhoods.~~

Div. 7.2. Subdivision Standards

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

7.2.1. Subdivision Types Schedule (~~11/23/16, Ord. 1153~~ P17-077)

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

Town Character Zones - Subdivision Types															
	Complete Neighborhood Zones												Rural Area Zones		
	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	Stds
Land Division	P	P	P	P	P	P	P	P	P	P	P	P	P	--	7.2.3.
Condominium/ Townhouse	--	--	--	--	--	--	P	p	P	P	P	p	P	--	7.2.4.

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

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

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

B. Applicability

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

1. **Required Restricted Housing.** Floor area in a residential unit that is required to be restricted in order to comply with Div. 6.3., Div. 7.4., or another standard of these LDRs.

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

C. Exemptions

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

1. Maximum Floor Area Ratio (FAR)

2. Thresholds for physical development permits

3. Affordable housing required by Div. 7.4.

4. Limit on 20% expansion of a nonconforming physical development

7.8.4. Workforce Housing Floor Area Bonus (~~1/4/17, Ord. 1164~~ P17-077)

A. Intent

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

B. Applicability

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

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

Maximum Exempt Unrestricted Floor Area per Voluntarily Restricted Floor Area	
Zone	Unrestricted Floor Area : Restricted Floor Area
NM-2	2:1
NH-1	2:1
DC	2:1
CR-1	2:1
CR-2	2:1
CR-3	2:1
OR	2:1

2. **Restricted Housing.** The restricted floor area provided pursuant to this Section shall be subject to an affordable, employee, employment-based, or rental workforce deed restriction, acceptable to the Jackson/Teton County Housing Department, which is recorded with the County Clerk.

3. **Required Restrictions Do Not Apply.** Floor area that is required to be restricted in order to comply with Div. 6.3., Div. 7.4., or another standard of these LDRs shall not be included in the calculation of the maximum amount of unrestricted floor area allowed by this Section.

4. **Allowed Use.** Floor area approved pursuant to this Section shall only be used for one of the following uses:

   a. Attached Single Family Dwelling (6.1.4.C.); or

   b. Apartment (6.1.4.D.); or

   c. Dormitory (6.1.4.F.); or

   d. Group Home (6.1.4.G.).

C. Exemptions

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

1. Maximum Floor Area Ratio (FAR)

2. Thresholds for physical development permits

3. Affordable housing required by Div. 7.4.

4. Limit on 20% expansion of a nonconforming physical development

D. Timing

A pre-application conference shall be held prior to the submittal of an application. A potential applicant shall initiate a request for a pre-application conference pursuant to Sec. 8.2.4. The pre-application conference shall be scheduled for a date acceptable to the requester that is within 60 days of receipt of the request.

E. Conference Focus

At the pre-application conference, the applicant and representatives of the Town shall discuss the potential proposal to identify the standards and procedures that would apply to the proposal. Applicable LDR provisions not identified at the pre-application conference or amended following the pre-application conference are still applicable to the proposal. The level of detail of the Town's review will match the level of detail contained in the materials submitted with the request for the pre-application conference. The pre-application conference is intended as a means of facilitating the application review process; discussions at the meeting and the written summary of the meeting are not binding on the Town.

F. Conference Summary

The pre-application conference requester shall be provided a written summary of the pre-application conference within 14 days of its completion.

G. Expiration

A pre-application conference only satisfies a pre-application conference requirement if the application for which it is required is submitted within 12 months of the pre-application conference.

8.2.2. Environmental Analysis (EA) ~~(1/4/17, Ord. 1165~~ P17-077~~)~~

A. Purpose

The purpose of an Environmental Analysis (EA) is to coordinate the application of all natural resource protection standards through identification of the natural resources on a site. An EA review does not result in application approval, it results in recommended natural resource protections for an application.

B. Applicability

Unless exempted below, physical development, use, development options, and subdivision subject to Div. 5.1., Div. 5.2. or Sec. 7.1.2. shall complete an EA in accordance with the requirements of this Section.

1. Exemptions

a. **Previous Approval.** Physical development, use, development options, and subdivision that has received approval in accordance with the LDRs.

b. ~~**NC-ToJ.** All development located in the NC-ToJ zone, except new subdivision.~~

c. **Detached Single-Family Dwelling.** Physical development of a detached single-family dwelling if:

i. The proposed location is not within the NRO;

B. Maximum Density

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

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

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

1. The maximum floor area (see Sec. 9.4.5. for definition of Floor Area) allowed on a site shall be the maximum habitable floor area not including basement floor area, as defined in Sec. 9.5.B.
2. The site area used to calculate maximum floor area shall be:
    a. gross site area in Character Zones (Div. 2.2. & Div. 3.2.), and
    b. base site area in Legacy Zones (Div. 2.3. & Div. 3.3.).
3. Unless otherwise defined in these LDRs, the maximum allowed floor area above grade is calculated by multiplying the allowed FAR by the applicable site area. Inversely, FAR is calculated by dividing the habitable floor area above grade by the applicable site area.

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

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

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

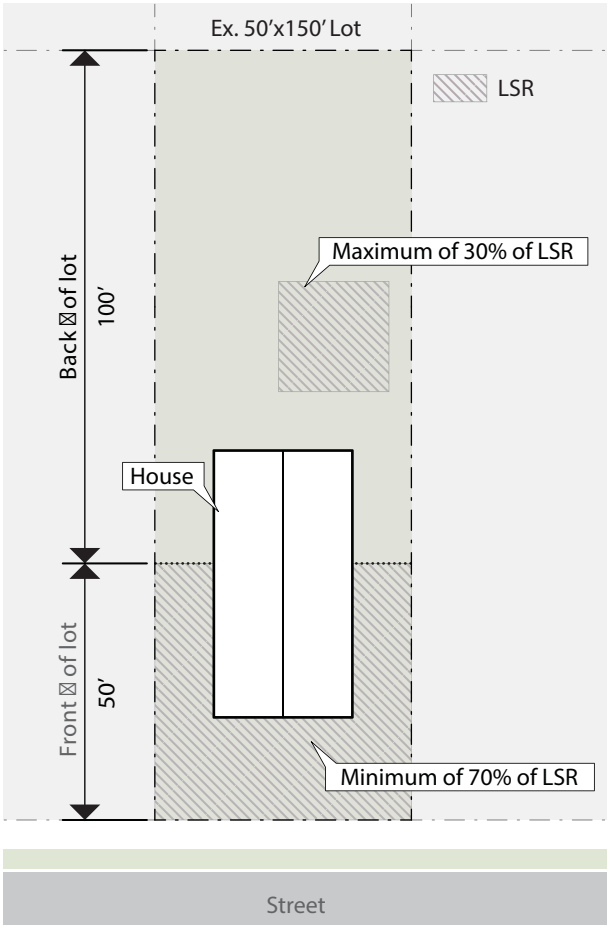
> **EXAMPLE:** A property that has 28 acres of open space with a base site area of 35 acres has an OSR of .8 (28/35 = .8). Unless otherwise defined in these LDRs, the minimum required amount of open space is calculated by multiplying the required OSR by the base site area (see Sec. 9.5.O. for definition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

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

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

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

2. The LSR for Apartments in the NM-2 and NH-1 zones shall be calculated consistent with the graphic below.

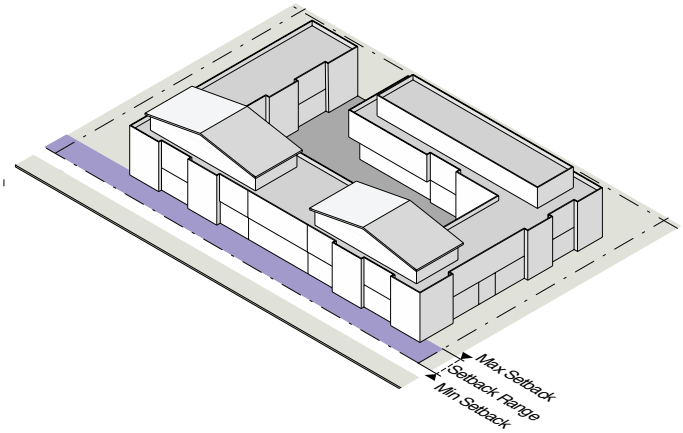


F. Lot Coverage

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

D. Setback Range

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



E. Street Setback

1. Point of Measurement

a. **Character Zones.** In a Character Zone (Div. 2.2. & Div. 3.2.) a street setback shall be measured to the back of the pedestrian frontage.

b. **Legacy Zones.** In a Legacy Zone (Div. 2.3. & Div. 3.3.) a street setback shall be measured to any road right-of-way, roadway, vehicular access easement, additional width required for right-of-way purpose as established in the Master Plan for Street Improvements, or property line from which access is taken, except that a street setback shall not be measured to a driveway easement.

F. Driveway Setback

The minimum setback from a driveway easement shall be 5 feet, but shall not reduce the side or rear yard setback as measured to a lot line.

G. Side Setback

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

H. Rear Setback

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

I. Site Development Setback Exemption

Site development setbacks shall not apply from a lot line to a road or driveway when the lot line is within an easement and properties on both sides of the lot line benefit from the easement.

J. Encroachments into Setbacks

1. Residential Zones (NL-1, NL-2 NL-3, NL-4, NL-5, NM-1, NM-2, NH-1)

2. Front Setback: Cornices, canopies, eaves, decks (covered and uncovered), porches, balconies, bay windows, chimneys and similar architectural features may encroach into a front yard by not more than 6 feet.

    a. Side and Rear Setback: Cornices, canopies, eaves, decks (covered and uncovered), porches, balconies, bay windows, chimneys and similar architectural features may encroach into a side/rear yard by not more than 4 feet. Patios which are at grade may extend to any portion of a side or rear yard but not closer than 1 foot from a property line. The allowances in this subsection b. apply only to primary structures and do not apply to ARUs or accessory structures.

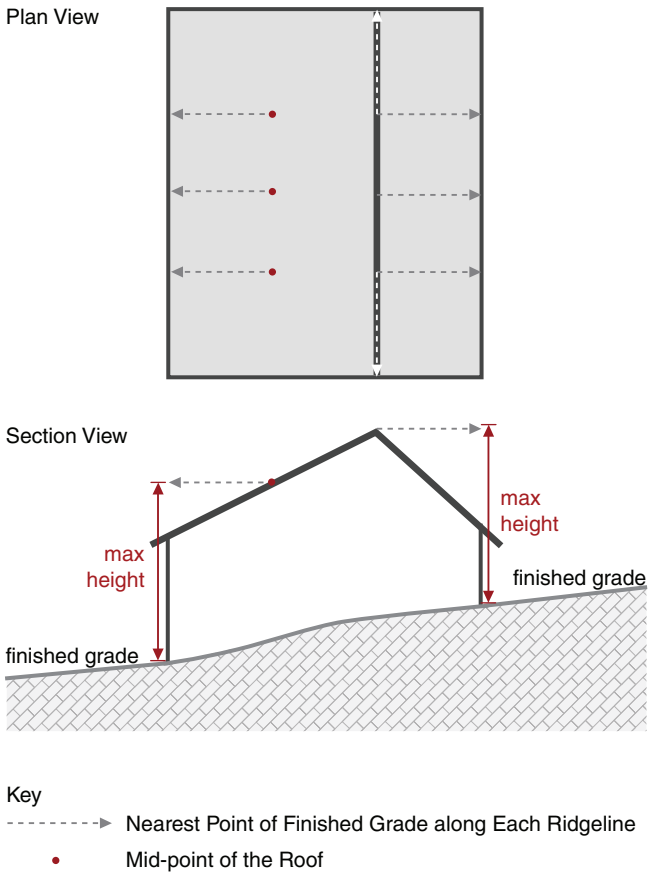
3. Commercial buildings

    a. Architectural encroachments are not permitted in any setback in a commercial zones/buildings.

9.4.9. Building Height (11/23/16, Ord. 1155)

A. Height of Any Point

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



Nonconforming or Nonconformity. See Div. 1.9.

Nursery. See 6.1.6.H.

O (~~1/4/17, Ord. 1166~~ P17-077)

Office. See 6.1.6.B.

Off-Premise Sign. A sign identifying or advertising a business, person, activity, goods, products or services, which is not located on the premises where the business or commercial activity is conducted.

Off-Site. Located neither on the land that is the subject of the application nor on a contiguous portion of a street or other right-of-way.

On-Site. Located on the land that is the subject of the application.

~~**Open Space Ratio.** See 9.4.6.D.~~

Open Space (Use). See Sec. 6.1.2.

~~**Open Space, Required.** Required open space is undeveloped area that is required in order to receive approval of a development or use. Unless otherwise noted for a specific development or use, the standards for required open space are in Div. 7.3.~~

Outdoor Recreation. See 6.1.3.C.

Outfitter. See 6.1.7.E.

P (~~1/4/17, Ord. 1166~~ P17-077)

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

Parking (Use). See 6.1.10.B.

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

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

Pedestrian Access. See Sec. 9.4.16.

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

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

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

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

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

Planned Residential Development. See Sec. 7.1.2.

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

Primary Use. See 6.1.2.B.4.

Principal Use. See 6.1.2.B.1.

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

Protected Zone. The following zones are protected zones: Neighborhood Low Density -1 (NL-1), Neighborhood Low Density -2 (NL-2) Neighborhood Low Density -3 (NL-3), Neighborhood Low Density -4 (NL-4), Neighborhood Low Density -5 (NL-5), and Neighborhood Medium Density -1 (NM-1). ~~Single-Town (NC-ToJ) and Auto-Urban Residential-Town (AR-ToJ).~~

Public Sanitary Sewer. See "Wastewater Treatment System, Public."

Public Water Supply. See "Water Supply, Public."

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

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

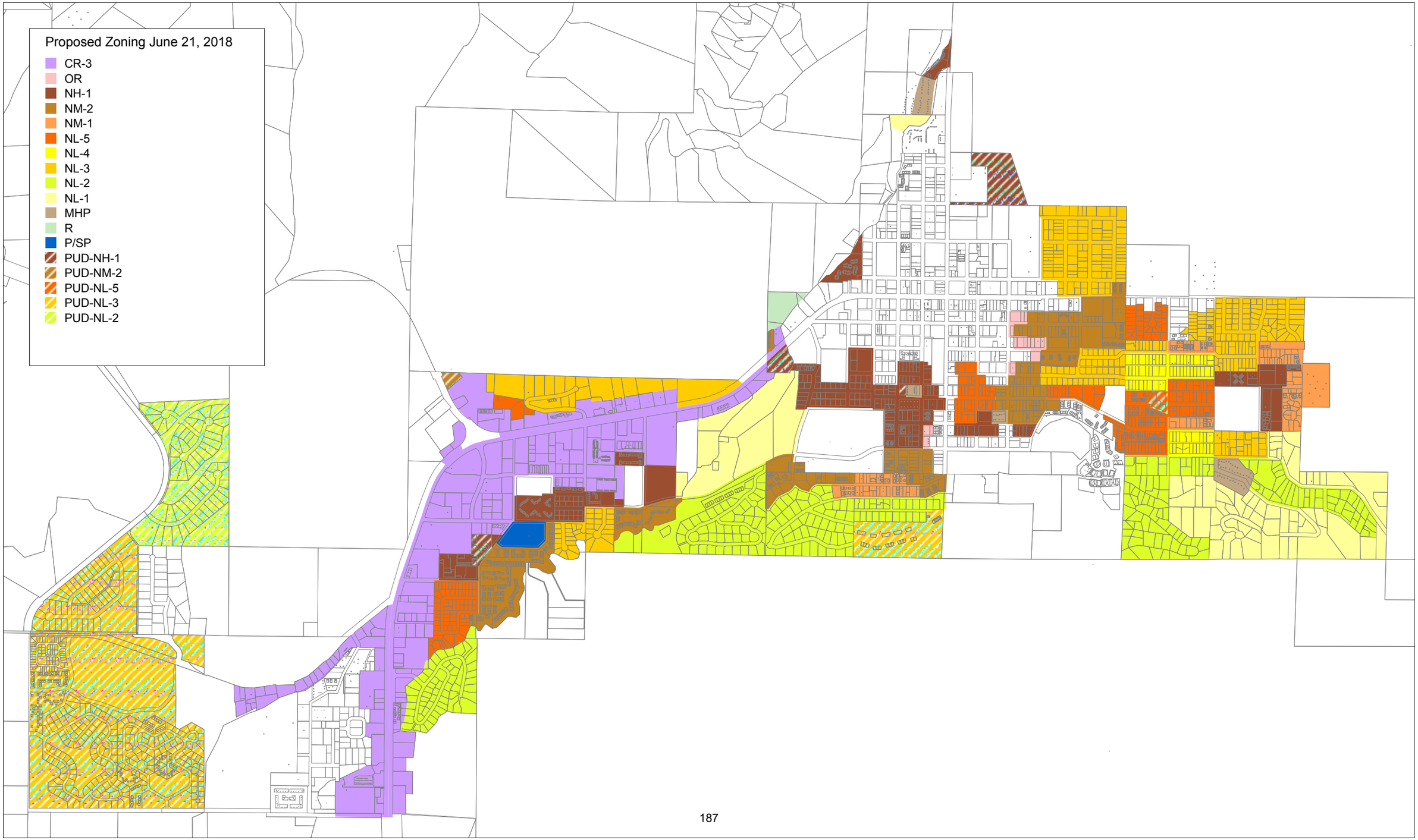
Real Estate Sales Office. See 6.1.12.C.

Rear Lot Line. See, "Lot Line, Rear."

Rear Yard. See, "Yard, Rear."

SECTION II.

Section II of Town of Jackson Ordinance 1074 (part) and the Official Zoning District Map of the Town of Jackson are hereby amended to remove the Urban Residential (UR), Auto-Urban Commercial-Town (AC-ToJ), Auto-Urban Residential-Town (AR-ToJ), Business Park Restricted Uses (BP-R), Business Conservation-Town (BC-ToJ), Residential Business (RB), Neighborhood Conservation-Town (NC-ToJ), Neighborhood Conservation-2-Family (NC-2), and Suburban-Town (S-ToJ) legacy zones, and add the NL-1: Neighborhood Low Density 1, NL-2: Neighborhood Low Density 2, NL-3: Neighborhood Low Density 3, NL-4: Neighborhood Low Density 4, NL-5: Neighborhood Low Density 5, NM-1: Neighborhood Medium Density 1, NM-2: Neighborhood Medium Density 2, NH-1: Neighborhood High Density 1, and CR-3: Commercial Residential 3 character zones, to wit:


Proposed Zoning June 21, 2018
CR-3
OR
NH-1
NM-2
NM-1
NL-5
NL-4
NL-3
NL-2
NL-1
MHP
R
P/SP
PUD-NH-1
PUD-NM-2
PUD-NL-5
PUD-NL-3
PUD-NL-2

SECTION III.

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

SECTION IV.

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 V.

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

PASSED 1ST READING THE _____ DAY OF _____, 2018.
PASSED 2ND READING THE _____DAY OF _____, 2018.
PASSED AND APPROVED THE _____DAY OF _____, 2018.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandy 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 _____, 2018.

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

_____
Sandy Birdyshaw, Town Clerk

ORDINANCE J

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) TO DELETE SECTIONS 4.4.2, 6.1.4.H, AND 7.1.3 AND DIVISION 7.3; TO AMEND SECTIONS 2.2.10.D, 2.2.11.D, 2.2.12.C.1, 2.2.12.D, 2.2.14.C.1, 2.2.14.D, 2.3.1.D, 2.3.2.D, 2.3.10.B.1, 2.3.10.C.1, 2.3.10.C.3, 2.3.10.D, 2.3.13.D, 3.3.1.D, 4.2.1.D, 4.2.2.D, 4.4.1.G, 4.4.1.H, 6.1.1.F, 6.2.2.A, 7.1.1, 9.3.2, 9.4.6, 9.5.L, 9.5.O AND 9.5.U OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO REMOVE THE LIVE/WORK USE AND THE PLANNED UNIT DEVELOPMENT - TOWN (PUD-TOJ) AND URBAN CLUSTER DEVELOPMENT (UCD) DEVELOPMENT OPTIONS, 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 II of Town of Jackson Ordinance No. 1074 as amended (part) is hereby amended and reenacted to delete Sections 4.4.2, 6.1.4.H, and 7.1.3, and Division 7.3; and amend Sections 2.2.10.D, 2.2.11.D, 2.2.12.C.1, 2.2.12.D, 2.2.14.C.1, 2.2.14.D, 2.3.1.D, 2.3.2.D, 2.3.10.B.1, 2.3.10.C.1, 2.3.10.C.3, 2.3.10.D, 2.3.13.D, 3.3.1.D, 4.2.1.D, 4.2.2.D, 4.4.1.G, 4.4.1.H, 6.1.1.F, 6.2.2.A, 7.1.1, 9.3.2, 9.4.6, 9.5.L, 9.5.O, and 9.5.U of the Town of Jackson Land Development Regulations to read as follows:

D. Development Options and Subdivision

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

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

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

D. Development Options and Subdivision

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

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

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

C. Allowed Uses and Use Standards

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

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

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

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

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

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

D. Development Options and Subdivision

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

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

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

C. Allowed Uses and Use Standards

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

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

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

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

D. Development Options and Subdivision

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

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

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

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

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

i. Residential Uses (Sec. 6.1.4.);

ii. Lodging Uses (Sec. 6.1.5.); and

iii. Accessory Residential Unit (6.1.11.B.).

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

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

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

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

ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.

iii. The on-street parking shall follow the established configuration of existing on-street parking.

iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.

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

D. Development Options and Subdivision

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

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

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

E. Additional Zone-specific Standards

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

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

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

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

      i. Residential Uses (Sec. 6.1.4.);

      ii. Lodging Uses (Sec. 6.1.5.); and

      iii. Accessory Residential Unit (6.1.11.B.).

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

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

Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

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

1. Allowed Subdivision and Development Options								
Option	~~BSA (min)~~	Lot Size (min)	~~Density (max)~~	~~OSR (min)~~	~~LSR (min)~~	~~FAR (max)~~	~~Lot Coverage (max)~~	Option Standards
Allowed Subdivision Options								
Land Division	~~n/a~~	5,000 sf	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.3.)
Condominium/Townhouse	~~n/a~~	n/a	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.4.)
Allowed Development Options								
~~Urban Cluster Development (UCD)~~	~~15,000 sf~~	~~n/a~~	~~23.5 du/ac~~	~~.20~~	~~n/a~~	~~.65~~	~~n/a~~	~~(Sec. 7.1.3.)~~
~~Planned Unit Development (PUD-ToJ)~~	~~15,000 sf~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.30~~	~~.65~~	~~.5~~	~~(Sec. 4.4.2.)~~

2. Residential Subdivision Requirements	
Affordable Housing	(~~Div. 7.4.~~)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Access	required
Right-of-way for Minor Local Road (min)	60’

Paved travel way for Minor Local Road (min)	20’
Required Utilities	(Div. 7.7.)
Water	public
Sewer	public

4. Required Subdivision and Development Option Permits

Option	~~Planned Unit Development (Sec. 8.7.3.)~~	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots			X		X
> 10 Lots		X	X		X
Condominium/Townhouse					X
~~Non-subdivision development option (UCD or PUD-ToJ)~~					
~~0 - 4 Units~~	~~X (PUD)~~			~~X~~	
~~5 -10 Units~~	~~X (PUD)~~		~~X~~		
~~> 10 Units~~	~~X (PUD)~~	~~X~~	~~X~~		

E. Additional Zone-specific Standards

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

1. **LSR Surfaces.** The Town Council may substitute on-site hardscape improvements to satisfy the LSR requirement in the UC zone if the application for development can incorporate one or more of the following design elements: pervious or decorative pavers, sidewalks, boardwalks or similar amenity.

2. **Attached Single-Family and Apartment Units.** Attached single-family and apartment units shall be located on the second or third floor.

3. **Open Storage**

   a. The open storage of vehicles and equipment is prohibited.

   b. No use shall be permitted to include any freestanding storage units of any kind, including but not limited to trailers, sheds, “Bully Barns,” tarpaulin structures, or any other contrivance not made a permanent part of the principal structure as that term is defined in these LDRs.

4. **Pedestrian Facilities.** All new development, redevelopment and infill development in the Lodging Overlay and UC zone shall provide a minimum setback of 10 feet from the back of curb to the closest point on the building. Such space shall be clear space unencumbered by doors, windows, bay windows or any

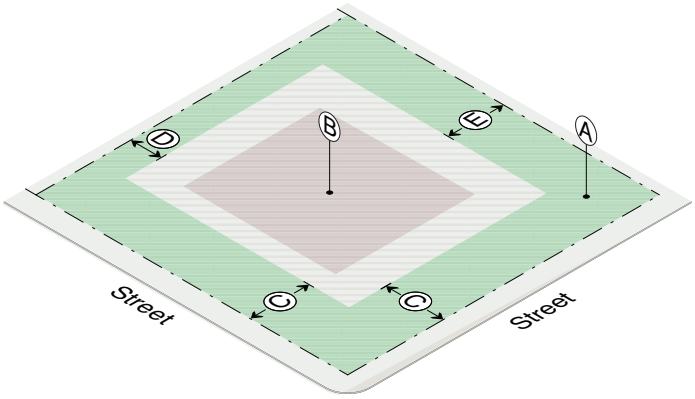
2.3.10. Business Park-Town (BP-ToJ) (P17-077 ~~3/22/17, Ord. 1170~~)

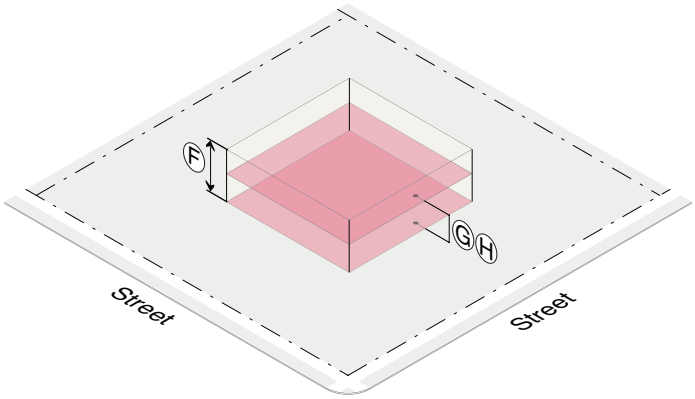
A. Intent

The purpose of the Business Park-Town (BP-ToJ) Zone is to provide suitable locations and environs for a variety of industrial, wholesaling, distribution, and service commercial types of uses to meet general community needs.

B. Physical Development

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





1. Structure Location and Mass								
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	LSR (min)	Lot Coverage (max)	Street Setback (min)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	FAR (max)
~~Live-work unit~~	~~.15~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~35'~~	~~2~~	~~.40~~
Other principal use	.15	n/a	20'	10'	20'	35'	2	.41
Accessory use	See standards for primary use with which associated							

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.
FAR. A 25% increase in FAR is allowed in all nonresidential zones, provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.
Detached Accessory Structure Separation. 10'

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
~~Live/Work Unit (6.1.4.H.)~~	~~C~~	~~0 sf~~	~~n/a~~	~~1.5/DU or 1.5/1,500 sf~~	~~n/a~~
Commercial					
Heavy Retail/Service (6.1.6.F.)	B	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	B	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Nursery (6.1.6.H.)	C	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	independent calculation
Amusement/Recreation					
Developed Recreation (6.1.7.D.)	C	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Adult Entertainment Business (6.1.7.F.)	C	0 sf	n/a	1/30 sf seating area	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	B	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	8 sf/1,000 sf
Transportation/Infrastructure					

Y=Use allowed, no use 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.) (E.1.)	Employee Housing Floor Area (min) (Div. 6.3.)
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Major	C	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	C	0 sf	n/a	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Real Estate Sales Office (6.1.12.C.)	B	0 sf	n/a	3.3/1,000 sf	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use 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)	
~~Live/Work unit~~	~~750 sf min. 2,000 sf max habitable~~
Accessory residential unit	800 sf habitable
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.) (E.3.b.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the BP-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 BP-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the BP-ToJ zone, however, all standards in Article 7. are applicable in the BP-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	~~BSA (min)~~	Lot Size (min)	~~Density (max)~~	~~OSR (min)~~	~~LSR (min)~~	~~FAR (max)~~	~~Lot Coverage (max)~~	Option Standards
Allowed Subdivision Options								
Land Division	~~n/a~~	10,000 sf	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.3.)
Condominium/Townhouse	~~n/a~~	n/a	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.4.)
2. Residential Subdivision Requirements								
Affordable Housing								(Div. 7.4.)
Required Affordable Housing								1 affordable unit per 4 market units
Schools and Parks Exaction								(Div. 7.5.)
Schools exaction								.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction								9 acres per 1,000 resident
3. Infrastructure								
Transportation Facilities								(Div. 7.6.)
Access (E.3.a.)								required
Right-of-way for Minor Local Road (min)								60’
Paved travel way for Minor Local Road (min)								20’
Required Utilities								(Div. 7.7.)
Water								public
Sewer								public

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

3. Maximum Scale of Use	
not applicable	
4. Operational Standards	
Outside Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash and recycling enclosure required	>4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Max sound level at property line	55 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the MHP-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 MHP-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the MHP-ToJ zone, however, all standards in Article 7. are applicable in the MHP-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options							
Option	BSA (min)	Lot Size (min)	Density (max)	~~OSR (min)~~	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options	subdivision prohibited						
Allowed Development Options							
Mobile Home Park	n/a	see Sec. 7.1.4. for standards				18’	(Sec. 7.1.4.)
2. Residential Subdivision Requirements							
Affordable Housing							(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units						
Schools and Parks Exactions							(Div. 7.5.)
School Exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit						
Park Exaction	9 acres per 1,000 resident						
3. Infrastructure							
Transportation Facilities							(Div. 7.6.)
Access	required						
Right-of-way for a Minor Local Road (min)	60’						
Paved travel way for a Minor Local Road (min)	20’						
Required Utilities							(Div. 7.7.)
Water	public						
Sewer	public						

4. Required Subdivision and Development Option Permits					
Option	~~Planned Unit Development (Sec. 8.7.3.)~~	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Mobile Home Park					
0 - 4 units				X	n/a
5 -10 units			X		n/a
> 10 units		X	X		n/a

E. Additional Zone-specific Standards

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

1. **Mobile Homes.** A mobile home shall be located within a mobile home park.

   a. A new mobile home park shall be developed pursuant to the standards of Sec. 7.1.4.

   b. Existing Mobile Home Parks. Existing mobile home parks within the MHP-ToJ zone shall be allowed to continue, expand, and redevelop, provided the standards in this Subsection are met.

      i. **Density.** The number of units in an existing mobile home park in the MHP-ToJ zone shall not be limited.

      ii. **Area.** Each mobile home within an expansion area or redeveloped park shall have a lot or pad land area that equals or exceeds the average size of a mobile home lot or pad in the existing mobile home park, not including open space areas clearly heretofore undeveloped. Land that typically serves as yard area between mobile homes shall be included in the existing land area per individual mobile homes, unless the area between 2 particular mobile homes is clearly in excess of the average, to the extent that another mobile home could be located there.

      iii. **Impervious Surface.** The impervious coverage per mobile home lot or pad in the expansion area or redeveloped park shall be equal to or less than the average amount of impervious coverage per mobile home lot or pad in the existing park.

      iv. **Yards.** Each mobile home within the expansion area or redeveloped park shall have yards that equal or exceed the average yards for the mobile homes in the existing park. Front, side, and rear yards in the expansion area or redeveloped park shall equal or exceed the average front, side, and rear yards respectively.

D. Development Options and Subdivision

Standards applicable to development options and subdivision 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 development option and subdivision standards applicable in the R-ToJ zone, however, all standards in Article 7. are applicable in the R-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options

Option	~~Site Area (min)~~	Lot Size (min)	~~Density (max)~~	~~OSR (min)~~	~~LSR (min)~~	~~FAR (max)~~	~~Lot Coverage (max)~~	Option Standards
Allowed Subdivision Options								
Land Division	~~n/a~~	12,000 sf	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.3.)
Affordable Housing								(Div. 7.6.)
Required Affordable Housing								1 affordable unit per 4 market units
Schools and Parks Exaction								(Div. 7.5.)
Schools exaction								.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction								9 acres per 1,000 resident
Transportation Facilities								(Div. 7.6.)
Access								required
Right-of-way for Minor Local Road (min)								60’
Paved travel way for Minor Local Road (min)								20’
Required Utilities								(Div. 7.7.)
Water								public
Sewer								public

4. Required Subdivision and Development Option Permits

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

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

D. Development Options

Standards applicable to development options and subdivision in the P/SP-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 P/SP-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the P/SP-ToJ zone, however, all standards in Article 7. are applicable in the P/SP-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options							
Option	~~BSA (min)~~	Lot Size (min)	~~Density (max)~~	~~OSR (min)~~	~~FAR (max)~~	~~Height (max)~~	Option Standards
Allowed Subdivision Options							
Land Division	~~n/a~~	n/a	~~n/a~~	~~n/a~~	~~determined by physical development~~		(Sec. 7.2.3.)
Condominium/Townhouse	~~n/a~~	n/a	~~n/a~~	~~n/a~~	~~determined by physical development~~		(Sec. 7.2.4.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exactions	(Div. 7.5.)
Schools exaction	0.02 acres per 1- or 2-family unit 0.015 acres per multi-family unit
Parks exaction	9 acres per 1,000 residents

3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Access	required
Required Utilities	(Div. 7.7.)
Water	Connection to public supply required
Sewer	Connection to public supply required

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

3. Maximum Scale of Use	
not applicable	
4. Nuisance Standards	
Outside Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash and recycling enclosure required	>4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Max sound level at property line	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options

Standards applicable to development options and subdivision in the P-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 P-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the P-ToJ zone, however, all standards in Article 7. are applicable in the P-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options							
Option	BSA (min)	Lot Size (min)	Density (max)	~~OSR (min)~~	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options							
Land Division	n/a	n/a	n/a	~~n/a~~	determined by physical development		(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	~~n/a~~	determined by physical development		Sec. 7.2.4.
2. Residential Subdivision Requirements							
Affordable Housing							(Div. 7.4.)
Required Affordable Housing							1 affordable unit per 4 market units
Schools and Parks Exactions							(Div. 7.5.)
Schools exaction							0.02 acres per 1- or 2-family unit 0.015 acres per multi-family unit
Parks exaction							9 acres per 1,000 residents
3. Infrastructure							
Transportation Facilities							(Div. 7.6.)
Access							required
Required Utilities							(Div. 7.7.)
Water							Connection to public supply required
Sewer							Connection to public supply required

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

E. Establishment of a New PUD

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

F. Amendment of an Existing PUD or Other Special Project

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

G. PUD Option Schedule

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

PUD Option Schedule: Character Zones														
	Complete Neighborhood Zones													Rural Area Zones
	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a
~~PUD-TOJ (Sec. 4.4.2.)~~	No PUD options are allowed in the Town													~~n/a~~

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

PUD Option Schedule: Legacy Zones																
	Complete Neighborhood Zones													Rural Area Zones	Civic Zones	
	TS	UC	~~UR~~	~~AC-ToJ~~	~~AR-ToJ~~	~~BP-R~~	BP-ToJ	~~BC-ToJ~~	~~RB~~	MHP-ToJ	~~NC-ToJ~~	~~NC-2~~	~~S-ToJ~~	R-ToJ	P/SP-ToJ	P-ToJ
No PUD Options are allowed in the Town																
~~PUD-TOJ (Sec. 4.4.2.)~~	~~--~~	~~P~~	~~P~~	~~P~~	~~P~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~P~~	~~--~~	~~--~~	~~--~~

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

H. List of Approved Planned Unit Development Zones - Town (PUD-ToJ)

The following PUD-ToJ Zones have been approved by the Town. The approved physical development, use, development option, and subdivision standards are hereby adopted by reference into the LDRs and are on file for public review with the Town Clerk and Planning Department. A copy of the approved development plan for each PUD-ToJ is also on file for review with the Town Clerk and Planning Department.

1. Planned Unit Development - Urban Residential (P15-029) (PUD-UR (P15-029)) (135 West Kelly Avenue)

2. Planned Unit Development - Urban Residential (P16-017) (PUD-UR (P16-017)) (1255 West Highway 22)

3. Planned Unit Development - Urban Residential (P16-019) (PUD-UR (P16-019)) (655 Powderhorn Lane)

4. Planned Unit Development - Auto-Urban Residential (P16-061) (PUD-AR (P16-061)) (335 Redmond Street)

5. Planned Unit Development – Urban Residential (P16-079) (PUD-UR-(P16-079)) (60 Rosencrans)

6. Planned Unit Development - Urban Residential (P17-021) (PUD-UR-(P17-021)) (550 W. Broadway)

4.4.2. ~~[deleted] (P17-077) Planned Unit Development - Town (PUD-ToJ)~~ ~~(8/9/17, Ord. 1183)~~

A. ~~Purpose and Intent~~

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

1. ~~To encourage flexibility, innovation of design and variety of development types in order to promote the most suitable use of a site.~~
2. ~~To facilitate efficient provision of streets, utilities and municipal services.~~
3. ~~To provide a functional system of pathways, both on and off site.~~
4. ~~To achieve a compatible land use relationship with the surrounding area.~~
5. ~~To preserve the unique, natural, scenic, historical and cultural features of a site.~~
6. ~~To develop and preserve usable open space.~~
7. ~~To encourage a high quality of design.~~
8. ~~To encourage the conservation of energy.~~
9. ~~To promote and encourage affordable housing.~~

B. ~~Unified Control~~

~~The development site of a PUD-ToJ shall be under unified control, and shall be planned as a whole.~~

C. ~~Phasing~~

~~Phasing of development and associated public and private improvements is permitted subject to an approved phasing schedule. All requirements of these LDRs, as well as all standards established by PUD-ToJ approval, shall be met at each development phase.~~

D. ~~Permitted Dwelling Unit Types~~

~~PUD-ToJ zones shall be permitted all principal and accessory residential uses and are encouraged to provide a variety and mix of residential types and sizes. Permitted unit types may include, but shall not be limited to, single-family homes (attached and detached), townhouses, condominiums, apartments, and accessory residential units. Mobile homes, mobile home parks, and mobile home subdivisions are not permitted as PUD-ToJ zones.~~

E. ~~Application and Review Procedures~~

~~All PUD-ToJ zones shall be submitted, processed, and reviewed according to the provisions of Sec. 8.7.3.~~

1. ~~Criteria for Review.~~ ~~All PUD-ToJ zones shall demonstrate substantial compliance with the following criteria as applicable to the specific proposal.~~

    a. ~~Conformance with Comprehensive Plan.~~ ~~Projects proposed pursuant to this Section shall demonstrate substantial compliance with the Jackson/Teton County Comprehensive Plan in terms of furthering or helping achieve and implement the goals, objectives, policies, and recommendations contained therein.~~

    b. ~~Conformance with Other Applicable Regulations.~~ ~~PUD-ToJ zones shall conform with the requirements of these LDRs, all other applicable Resolutions of the Town, County, and Wyoming State Statutes, except as modified by this Section.~~

    c. ~~Density.~~ ~~Proposed density shall be appropriate and compatible both in terms of the surrounding neighborhood and the zoning district in which the PUD-ToJ is located.~~

    d. ~~Variety of Unit Types.~~ ~~As a general standard, PUD-ToJ zones are encouraged to provide a mix of appropriate dwelling unit types and sizes, or, provide a unit(s) which broadens the variety across the community, or, offer a unit for which there is a recognized need. Large-scale projects which offer little or no diversity and variety of dwelling unit offerings may be denied on that basis.~~

    e. ~~Open Space.~~ ~~All PUD-ToJ zones shall provide functional open space and landscape areas as appropriate. Open spaces shall be adequate to provide light, air circulation, and privacy. Open spaces may be used to protect existing vegetation or other environmental features of the site, or they may be used to provide amenities. All units should have access to open space.~~

    f. ~~Historical and Cultural Resources.~~ ~~The PUD-ToJ process encourages the preservation of historic and cultural resources. When encountered in the course of development or redevelopment, such resources should be preserved and incorporated into the project design to the extent possible, and in a manner which preserves the integrity and community value of the resource.~~

g. ~~Arrangement and Design.~~ ~~Structures shall be separated and arranged to provide privacy and to allow opportunities for use of borrowed space. Structures should be oriented to common areas such that open space is shared among units. The configuration of lots or units within the project shall provide each lot, unit, or building with a building site that is suitable when considering topography and other natural features. The development shall be compatible with the surrounding neighborhood in terms of bulk, scale, structural mass, and character. Additionally, PUD-ToJ zones should enhance the sense of order, cohesiveness, and/or distinctive identity of the neighborhood in which they are located.~~

h. ~~Access.~~ ~~Safe and adequate access shall be provided to all areas of the proposed development, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way, or a commonly owned easement. Points of access shall be located and designed to maximize vehicle and pedestrian safety. Access which forces relatively large volumes of traffic through lower density neighborhoods via minor streets shall be avoided. Where a proposed project abuts a collector, arterial road or highway, direct access to such road or highway from individual lots, units, or buildings in the project shall be avoided. Double frontage or reverse frontage lots or buildings shall be prohibited, except where necessary to limit vehicular access to arterial roads and highways; or to provide separation of development from through traffic; or to overcome specific disadvantages of topography or other natural features of the site.~~

i. ~~Circulation.~~ ~~The circulation system shall be designed to provide access to areas of the site which need to be accessible to vehicles (parking areas, garages, etc.). "Automobile free" areas and pedestrian only access to individual units are encouraged.~~

j. ~~Emergency Access.~~ ~~Adequate, approved access to all structures by emergency vehicles shall be provided.~~

k. ~~Streetscapes.~~ ~~All PUD-ToJ zones with frontage on a public street or approved private street shall provide safe, inviting, and attractive streetscapes. Where appropriate, residential units, including outdoor spaces such as porches, decks, and balconies, shall be oriented to the street yard, and where appropriate, streetscapes shall not be dominated by parked vehicles and garage entrances. Trash enclosures and dumpsters shall not be located in street yards or adjacent to any street.~~

l. ~~Pedestrian System.~~ ~~Walkways shall form a logical, safe, and convenient system for pedestrian access to all dwelling units, project facilities and amenities, and principal off-site pedestrian destinations. Provision shall be made for pedestrian and bicycle travel in accordance with Pathways Master Plan - The Town of Jackson & Teton County, Wyoming, March 2007. Linkages to schools, parks, public lands, and pathways existing on adjacent properties shall be provided.~~

2. ~~Findings for Approval.~~ ~~Any PUD-ToJ proposal may be approved only if all of the following findings are made:~~

   a. ~~That the proposed project substantially achieves the stated purposes (as applicable) of this Section, and that it is an appropriate and legitimate application of the PUD-ToJ process; and~~

   b. ~~That the proposed project is in substantial compliance with all applicable standards and criteria of this Section; and~~

   c. ~~That the proposed project substantially meets the character objectives of preservation or enhancement of the zoning district and neighborhood in which it is to be located. Projects which are found to be out of scale and character with their surroundings will not be approved; and~~

   d. ~~That streets and intersections serving the project will not be reduced to unacceptable levels of service, nor will the safety of motorists, pedestrians, and cyclists be jeopardized; and~~

   e. ~~That the density and distribution of population resulting from the project will not overburden schools, parks, utilities, or other public services; and~~

   f. ~~That all adverse impacts associated with the proposed project are effectively mitigated to the extent possible.~~

F. ~~Base Development Standards~~

~~The base development standards for the PUD-ToJ option are established in the zoning districts in which the PUD-ToJ is allowed, which can be found in Article 2.~~

1. ~~FAR Bonuses.~~ ~~The following FAR bonuses apply in addition to the base FAR allowed by the PUD-ToJ.~~

   a. ~~Affordable or Employee Housing.~~ ~~A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~

   b. ~~Apartment Building with Interior Corridors.~~ ~~An additional 10% increase in FAR, calculated following the application of other FAR increases, is allowed pursuant to the following standards.~~

      i. ~~The increase shall be for an apartment building of 10 or more units.~~

      ii. ~~All apartments in the building shall have interior access corridors and none shall not have exterior access corridors.~~

      iii. ~~The increased floor area shall be devoted to deed restricted affordable, employee, or workforce housing.~~

      iv. ~~No apartment in the building shall exceed the maximum habitable floor area established in the Housing Department Rules and Regulations.~~

> **EXAMPLE:** An application to build an apartment building using a UR-PUD would have a maximum FAR of 0.89 (0.65 * 1.25 = 0.81 * 1.1 = 0.89).

G. ~~Flexible Development Standards~~

~~All other development standards of density, height, setbacks, and required parking are open and flexible, and are to be established for each individual PUD-ToJ based upon the criteria provided below.~~

1. ~~Front Setbacks (Street Yards).~~ ~~Front setbacks shall reflect the general standards of the neighborhood, character area, and zoning district in which the PUD-ToJ is located. (For example, front setbacks will tend to be smaller in urban areas, deeper in auto-urban areas, and deeper yet in areas of suburban character.) Front setbacks should be somewhat varied, especially in auto-urban and suburban single-family detached situations, to avoid regimentation and monotony. The primary purposes of front setbacks are:~~

    a. ~~attractive streetscapes which provide a comfortable and pleasing pedestrian environment, including such features as decks, porches, balconies, etc., to enliven the streetscape,~~

    b. ~~functional open space, and~~

    c. ~~light, air, and separation of the structure from the activity of the street.~~

2. ~~Side and Rear Setbacks.~~ ~~Setbacks for side and rear yards are critical factors in terms of neighborhood compatibility. Generally, side and rear setbacks in PUD-ToJ zones should reflect those in the immediate neighborhood and should mirror those of adjacent properties. The primary purposes of side and rear setbacks are:~~

    a. ~~functional open space (primarily in rear yards),~~

    b. ~~to provide light, air circulation, and privacy,~~

    c. ~~to provide separation between buildings which allows for vistas, the use of borrowed space and linkages to common open space as appropriate,~~

    d. ~~to provide private outdoor space (primarily in rear yards); decks, patios, balconies, etc.~~

    ~~While side setbacks may be reduced to zero in appropriate urban applications, no setback shall be reduced to the extent that rain, snow, or snow melt falls on to adjacent property.~~

3. ~~Density.~~ ~~In a PUD-ToJ, density is a function of the base standards, the type and mix of units proposed, and the character of the surrounding neighborhood. The density proposed should be appropriate and compatible with the neighborhood in terms of both total population and bulk, scale, and massing of structures. Project density should not result in traffic or any other external impacts which will adversely impact the surrounding neighborhood or adjacent property.~~

4. ~~Height of Structures.~~ ~~The structural height proposed should be in scale with the surrounding neighborhood. Structural heights should be appropriate to the terrain of the project site and to the type of unit(s) proposed. Generally, perimeter setbacks should increase with structural height, and taller structures should be located toward the interior of the site, or elsewhere if the potential for adverse impacts is lessened. Structures in a PUD-ToJ are not limited as to the number of levels above finished grade. No structure may exceed 35 feet in height, except in response to extraordinary slope or to provide workforce, affordable or employee housing in the UR zone as provided in 2.3.4.E..~~

5. ~~Parking Requirements.~~ ~~Parking standards for PUD-ToJ zones shall be set on an individual, project-by-project basis. The standards set forth in Div. 6.2. shall be a guide in determining appropriate standards. Parking demand is a function of the following factors:~~

   a. ~~project location,~~

   b. ~~unit type,~~

   c. ~~size/value of unit, and~~

   d. ~~target market.~~

6. ~~Cross Aisles.~~ ~~Cross aisles and drive aisles which are not abutted by parking may be reduced to no less than 20 feet in width in the interior of a PUD-ToJ, provided that vehicle, pedestrian, and resident safety, and emergency access are not compromised.~~

7. ~~Tandem Parking.~~ ~~Tandem parking may be permitted in a PUD-ToJ regardless of the number of units, provided that the resulting tandem spaces are assigned to the same unit. No more than 2 vehicles parked in tandem are permitted.~~

8. ~~Backing onto Roads and Public Streets.~~ ~~The backing of vehicles onto roads and public streets in groups of vehicles greater than 3 may be permitted, provided that vehicle, pedestrian, and bicycle safety are not compromised. This provision applies to minor residential streets and cul-de-sacs only. On all other streets, the standard in 6.2.5.B.3. applies.~~

9. ~~Public and Private Streets.~~ ~~Standards for public and private streets may be reduced from those set forth in Div. 7.6. of these LDRs, provided that vehicle, pedestrian, bicycle, and resident safety are not compromised. Street design shall be based upon the type and density of land use served, and total projected vehicle trips. Public streets must be readily maintainable and shall not be a maintenance cost liability to the Town of Jackson.~~

H. ~~List of Approved Planned Unit Development Zones - Town (PUD-ToJ)~~

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Div. 6.1. Allowed Uses

6.1.1. Use Schedule (~~3/22/17, Ord. 1170~~ P17-077)

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.

E. Permit Exemption for Emergency Response

From time to time, a use may be a necessary part of an emergency response under the Comprehensive Emergency Management Plan, implemented by Teton County Emergency Management. In such instances, the requirement for a use permit shall be waived.

> **EXAMPLE:** A heliport is an aviation use requiring a Conditional Use Permit. Temporary heliports are sometimes established in proximity to a forest fire for purposes of helicopter fire suppression. In the case of an emergency response, the requirement for a CUP is waived.

F. Use Schedule

The use schedule is established in the following tables.

USE CATEGORY	Town Character Zones														
	Complete Neighborhood Zones													Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Open Space															6.1.2.
Agriculture	B	B	B	B	B	B	--		--	--	--	--	--	--	6.1.3.B.
Outdoor Recreation	--	--	--	~~--~~	--	--	--	--	--	--	--	--	--	--	~~6.1.3.C.~~
Residential															6.1.4.
Detached Single-Family Unit	Y	Y	Y	Y	Y	Y	Y	Y	--	--	--	--	--	--	6.1.4.B.
Attached Single-Family Unit	--	--	--	--	--	B	B	B	B	B	B	B	B	--	6.1.4.C.
Apartment	--	--	--	--	B	B	B	B	B	B	B	B	B	--	6.1.4.D.
Mobile Home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.4.E.
Dormitory	--	--	--	--	C	C	B	C	C	C	C	B	C	--	6.1.4.F.
Group Home	C	C	--	--	C	C	B	C	C	C	C	C	C	--	6.1.4.G.
~~Live/Work Unit~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~B~~	~~--~~	~~B~~	~~--~~	~~6.1.4.H.~~
Lodging															6.1.5.
Conventional Lodging	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.B.
Short-Term Rental Unit	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.C.
Commercial															6.1.6.
Office	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.6.B.
Retail	--	--	--	--	--	--	--	--	B	B	B	B	B[Z]	--	6.1.6.C.
Service	--	--	--	--	--	--	--	--	B	B	B	B	B[Z]	--	6.1.6.D.
Restaurant/Bar	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.6.E.
Heavy Retail/Service	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.6.F.
Mini-Storage Warehouse	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.6.G.
Nursery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.6.H.

Y = Use allowed, no use permit required (LO) = Only allowed in Lodging Overlay -- = Use not allowed
B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required [Z] = Use subject to zone specific standards

USE CATEGORY	Town Character Zones														
	Complete Neighborhood Zones													Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Amusement/Recreation															6.1.7.
Amusement	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.7.B.
Developed Recreation	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.7.D.
Outfitter/Tour Operator	--	--	--	--	--	--	--	--	C	B	B	B	--	--	6.1.7.E.
Adult Entertainment Business	--	--	--	--	--	--	--	--	--	--	--		--	--	6.1.7.F.
Institutional															6.1.8.
Assembly	C	C	--	--	C	--	C	C	C	C	C	C	C	--	6.1.8.B.
Daycare/Education	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.8.C.
Industrial															6.1.9.
Light Industry	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.9.B.
Heavy Industry	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.C.
Disposal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.D.
Transportation/Infrastructure															6.1.10.
Parking	--	--	--	--	--	--	--	--	C	C	C	C	--	--	6.1.10.B.
Utility Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	--	6.1.10.C.
Wireless Communication Facilities															6.1.10.D.
Minor	B	B	B	B	B	B	B	B	B	B	B	B	B	--	
Major	---	---	--	--	--	--	--	--	--	--	--	--	--	--	
Heliport	--	--	--	--	--	--	--	--	--	--	--	C	--	--	6.1.10.E.
Accessory Uses															6.1.11.
Accessory Residential Unit	B	B	B	B	--	B	--	--	B	B	B	B	B	--	6.1.11.B.
Bed and Breakfast	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.11.C.
Home Occupation	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.D.

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USE CATEGORY	Town Character Zones														
		Complete Neighborhood Zones												Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Home Business	C	C	C	C	C	C	C	C	--	--	--	--	--	--	6.1.11.E.
Family Home Daycare	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.F.
Home Daycare Center	C	C	--	--	C	--	C	C	--	--	--	--	--	--	6.1.11.G.
Drive-In Facility	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.11.H.
Temporary Uses															6.1.12.
Christmas Tree Sales	--	--	--	--	--	--	--	--	Y	Y	Y	Y	--	--	6.1.12.B.
Real Estate Sales Office	--	--	--	--	--	--	--	--	--	--	--		--	--	6.1.12.C
Temporary Shelter	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.D.
Farm Stand	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.12.E.
Temp. Gravel Extraction and Processing	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.F.

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

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

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

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b. The mobile home's roof shall use nonmetallic, nonreflective materials and shall have a minimum pitch of 3 in 12.

c. The mobile home shall be skirted.

F. Dormitory

1. **Definition.** A dormitory is a residential unit occupied by a group of unrelated people not residing as a single family.

   a. Includes:

      i. boarding houses or rooming houses

      ii. residential facilities for students and staff of schools

      iii. residential facilities associated with other types of instruction, education, training, and religious activity

2. Standards

   a. **Maximum density.** For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

G. Group Home

1. **Definition.** A group home is a residential unit occupied by more than 3 unrelated individuals, which typically offers shelter, medical and mental health services, and other care-related services to residents.

   a. Includes:

      i. nursing homes and various assisted living centers

      ii. group living facilities with related sheltered care facilities

      iii. residential facilities for the developmentally disabled including on-site training facilities

2. Standards

   a. **Maximum density.** For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

H. ~~Live/Work Unit~~

1. ~~**Definition.** A live/work unit is a single-family unit used jointly for residential and nonresidential purposes where the nonresidential use of the unit is incidental to the primary use of the unit as a residence.~~

2. ~~Purpose~~

   a. ~~To provide for the appropriate development of units which incorporate both living and working space.~~

   b. ~~To provide locations for new businesses to start up.~~

   c. ~~To provide opportunities for people to live in mixed-use industrial and commercial areas where compatible with existing uses.~~

3. ~~Standards~~

   a. ~~Only the following nonresidential uses may be incorporated into live/work units, and only if the use is allowed in the zone:~~

      i. ~~Office (~~6.1.6.B.~~)~~

      ii. ~~Retail (~~6.1.6.C.~~)~~

      iii. ~~Services (~~6.1.6.D.~~)~~

      iv. ~~Heavy retail/service (~~6.1.6.F.~~)~~

   b. ~~The resident of the live/work unit shall work in the nonresidential component of the unit. At least one resident in each Live/Work Unit shall maintain at all times a valid Business License for a business on the premises.~~

   c. ~~A minimum of 25% and no more than 50% of the floor area of each live/work unit shall be devoted to nonresidential use;~~

   d. ~~Prior to the Certificate of Occupancy or Final Plat, whichever occurs first, a deed restriction or note on the Final Plat shall be recorded indicating requirements of this Subsection.~~

   e. ~~Change of Use to or from Live/Work Units.~~

      i. ~~Live/Work Units may not be changed to residential use, nor may the portion of the Live/Work Unit devoted to residential space be increased above the percentage of residential space when the unit was established.~~

      ii. ~~Live/Work Units may be changed to exclusively nonresidential use. The increase in nonresidential square footage will be subject to the provisions of~~ ~~Div. 6.3.~~

6.1.5. Lodging Uses (11/23/16, Ord. 1152)

A. All Lodging Uses

1. **Definition.** A lodging use is a sleeping unit or residential unit rented such that occupancy is limited to less than 31 days.

Div. 6.2. Parking and Loading Standards

6.2.1. Purpose (P17-077 ~~3/22/15, Ord. 1170~~)

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

6.2.2. Required Parking and Loading (1/4/17, Ord. 1163)

A. Required Parking

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

Required Parking		
Use	Parking Spaces	Queuing Spaces
Open Space Uses		
Agriculture	n/a	
Outdoor recreation	independent calculation	
Residential Uses		
Detached single-family unit	2 per DU	
Attached single-family unit	2 per DU +0.5 per DU if ≥ 3 units served by lot	
Apartment	2 per DU +0.5 per DU if ≥ 3 units served by lot	
Mobile home	2 per DU	
Dormitory	1 per bed	
Group home	0.5 per bed	
~~Live/Work unit~~	~~1.5 per DU or 1.5 per 1,000 sf~~	
Lodging Uses		
Conventional lodging	0.75 per LU + 1 per 150 sf assembly area	
Short-term rental	2 per LU	
Campground	1 per campsite +1 per 7.5 campsites	
Commercial Uses		
Office	3.3 per 1,000 sf	
Retail	4.5 per 1,000 sf	
Service	3 per 1,000 sf	

Required Parking		
Use	Parking Spaces	Queuing Spaces
Restaurant/Bar	1 per 55 sf dining area + 1 per 30 sf bar area	
Heavy retail/Service	2 per 1,000 sf + 3 per repair bay + 1 per wash bay	2 per wash bay
Mini-storage warehouse	1 per 10 storage units + 1 per employee	
Nursery	2 per 1,000 sf + 1 per 4,000 sf outdoor display area + 1 per employee	
Amusement/Recreation Uses		
Amusement	1 per 30 sf seating area or independent calculation	
Developed recreation	4.5 per 1,000 sf	
Outfitter/Tour operator	independent calculation	
Adult Entertainment Business	1 per 30 sf seating area or independent calculation	
Institutional Uses		
Assembly	independent calculation	
Daycare/Education	independent calculation	
Industrial Uses		
Light industry	1 per 1,000 sf + 1 per company vehicle	
Heavy industry	2 per 1,000 sf + 1 per company vehicle	
Disposal	1 per employee	
Infrastructure Uses		
Parking	n/a	
Utility facility	1 per employee + 1 per stored vehicle	
Wireless communication facility	1 per employee + 1 per stored vehicle	
Heliport	7 per daily aircraft movement	
Accessory Uses		
Accessory residential unit	1.25 per DU	
Bed and breakfast	0.75 per LU	
Home occupation	n/a	
Home business	1 per employee	
Family home daycare	1 per employee	1 off-street for pick-up
Home daycare center	1 per employee	2 off-street for pick-up
Drive-in facility	n/a	3 per service lane
Temporary Uses		
Christmas tree sales	1 per 1,000 sf outdoor display area + 1 per employee	
Real estate sales office	3.3 per 1,000 sf	
Temporary shelter	2 per DU	
Farm stand	5 per 1,000 sf display area	
Temporary gravel extraction	1 per employee	

1. Administrative Adjustment. The Planning Director may establish a lesser parking requirement pursuant to the procedure of Sec. 8.8.1. based on information from reliable sources that demonstrates a lesser standard is workable due to anticipated parking demand and alternative transportation services available.

2. Change of Use. An applicant for a change of use shall only be required to additionally provide the difference between the parking requirement of the existing use and proposed use, regardless of the actual parking that exists.

B. Shared Parking

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

1. Residential and Nonresidential Uses. A percentage of the parking spaces required for nonresidential uses may be considered shared with on-site residential uses in accordance with the table below, and the extent to which:

   a. The residential use provides on-site employee housing; and

   b. The location and design of the development enhances the shared parking function.

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

2. Other Compatible Uses. Notwithstanding the standard percentages established in the table above, reductions in total parking requirements between and among any uses may be granted in one or more of the following circumstances:

   a. When it is intended that patrons frequent more than one use in a single trip (example: lodging and restaurant)

   b. When operating hours are substantially different (example: movie theater and office)

   c. When peak trip generation characteristics are substantially different (example: lodging and retail)

Div. 7.1. Development Option Standards

7.1.1. Development Options Schedule (~~11/23/16, Ord. 1153~~ P17-077)

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

Town Character Zones - Development Options															
		Complete Neighborhood Zones												Rural Area Zones	
Option	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	Stds
~~UCD~~		~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~7.1.3.~~
MHP	--	--	--	--	--	--	--	--	--	--	--	--	--	--	7.1.4.

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

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

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

7.1.2. Planned Residential Development (PRD) (1/1/15, Ord. 1074)

[Section number reserved, standards only apply in County]

7.1.3. [deleted] ~~Urban Cluster Development (UCD)~~ (~~1/1/15, Ord. 1074~~ P17-077)

A. ~~Purpose~~

~~The purpose of Urban Cluster Development is to permit development that will result in improved living and working environments, promote more efficient development, encourage a variety of types of residential dwellings, encourage ingenuity and originality in total development and individual site design, allow for denser clustering of development where appropriate, and preserve open space to serve wildlife, scenic, agricultural, and recreational purposes, all within the densities established for the zone. Furthermore, it is the purpose of the Urban Cluster Development option to preserve and enhance the character and qualities of urban and suburban neighborhoods.~~

B. ~~Standards~~

~~The site, lot, and building standards for Urban Cluster Developments are given added flexibility in order to permit and encourage compact development, affordable housing, preservation of open space, innovative site planning and design, and compatibility with existing neighborhoods, in concurrence with the Comprehensive Plan. Urban Cluster Development proposals shall demonstrate substantial compliance with the following standards as applicable to the specific proposal.~~

1. ~~**Conformance with Other Applicable Regulations.** Urban Cluster Developments shall conform with the requirements of these LDRs, all other applicable Resolutions of the Town, County, and Wyoming State Statutes, except as modified by this Section.~~

2. ~~**Interior Yards.** Urban Cluster Developments allow increased density and flexibility over the Single-Family Detached option. However, in the interior of the project, the requirements for front, side, and rear yards may be deviated from.~~

3. ~~**Perimeter Setbacks.** For any Urban Cluster Development, the minimum perimeter setbacks (street yard, side yard, and rear yard) are those set forth for a structure in the zone. Notwithstanding perimeter setbacks may be required to be increased in order to preserve the character and qualities of adjacent properties, provide adequate buffer and transition areas, provide functional open space, preserve existing vegetation, or to meet any other objectives of this Section.~~

4. ~~**Dwelling Unit Types.** All Urban Cluster Developments shall be permitted and are encouraged to provide a variety and mix of dwelling unit types. Permitted unit types may include, but shall not be limited to, single-family homes (attached and detached), townhouses, condominiums, apartments, and accessory residential units. Mobile home parks are permitted provided the provisions of Sec. 7.1.4. are met.~~

5. ~~**Mix of Unit Types/Sizes.** In order to provide a variety of dwelling unit types, all Urban Cluster Developments of more than 4 units must provide 2 or more types or sizes of unit. Units within a single project may vary by type, square footage of living area, or number of bedrooms. For purposes of this Section each unit type listed in B.4., above is to be considered a separate and distinct unit type from the other types listed. Units may vary in size by number of bedrooms, or by a difference in total living area of not less than 20%.~~

   > **EXAMPLE:** A 3-bedroom townhouse varies in size from a 2-bedroom townhouse. A 3-bedroom townhouse with 1,400 square feet of total living area varies from a 3-bedroom townhouse of 1,100 square feet. A 3-bedroom townhouse of 1,400 square feet does not vary from a 3-bedroom townhouse of 1,300 square feet.

   ~~Units shall vary by type or size according to the schedule set forth in the table below.~~

Standards for Residential Unit Mix Urban Cluster Development	
Total Units	Minimum Number of Sizes or Types
4 or less	1
5 - 6	2
7 - 8	3
9 - 12	4
13 - 16	5
17 +	No one size and type may exceed 20% of total units

7. ~~Open Space Required.~~ ~~All Urban Cluster Developments are required to provide a certain amount of open space, as specified by the OSR requirement for the zone. Required open space shall meet the following standards.~~

   a. ~~Natural resources protected pursuant to Div. 5.1. and Div. 5.2. and scenic resources protected pursuant to Sec. 5.3.2., or other lands protected by these LDRs shall constitute required open space.~~

   b. ~~Land which is part of an individually owned lot of record shall be counted as required open space, if it is located outside of an identified building envelope and can be designed as part of the contiguous open space on the development.~~

   c. ~~Required open space, to the greatest extent practicable, shall be configured into large contiguous areas, and not fragmented into small unconnected areas. Additionally, and to the greatest extent practicable, required open space shall connect to or expand on open spaces and rural lands on adjacent properties.~~

   d. ~~Open space may be on a non-contiguous site if the proposed locations of development and the open space are consistent with the Comprehensive Plan.~~

   e. ~~Open space may include pathways that connect with the Teton County/ Town of Jackson Pathways system and wildlife habitat improvements.~~

   f. ~~Roads, structures, corrals and fencing associated with a bona fide agricultural operation shall be permitted in required open space.~~

   g. ~~In the R-ToJ zone, open space may include non-structural recreational facilities that disturb no more than 5% of the open space area. In more urban zones, open space may be used to meet the active recreation needs of the residents of the development.~~

8. ~~Lot Coverage.~~ ~~The lot coverage shall be calculated for the entire project area and allocated to each lot at the time the development plan is approved. For a UCD in the R-ToJ zone, the lot coverage may, based on site design, be~~

~~increased proportionally, based upon the proportional increase from the lowest maximum density (.029 units/acre) to the maximum gross density allowable in the selected UCD type.~~

9. ~~**Arrangement and Design.** The configuration of lots or units within the project shall provide each lot, unit, or building with a building site that is suitable when considering the topography and other natural features of the site. The project shall be compatible with the surrounding neighborhood in terms of bulk, scale, structural mass, and character.~~

10. ~~**Access.** Safe and adequate access shall be provided to all areas of the proposed development, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way, or a commonly owned easement.~~

11. ~~**Streetscapes.** All Urban Cluster Developments with frontage on a public street or approved private street shall provide safe, inviting, and attractive streetscapes. Where appropriate, residential units, including outdoor spaces such as porches, decks, and balconies, shall be oriented to the street yard, and where appropriate, streetscapes shall not be dominated by parked vehicles and garage entrances.~~

12. ~~**Limitation of Access to Arterial Streets and Highways.** Where a proposed project is contiguous to a collector, arterial road or highway, direct access to such road or highway from individual lots, units, or buildings in the project is prohibited.~~

13. ~~**Double or Reverse Frontage.** Double frontage or reverse frontage lots or buildings shall be prohibited, except where necessary to limit vehicular access to arterial roads and highways; or to provide separation of development from through traffic; or to overcome specific disadvantages of topography or other natural features of the site.~~

14. ~~**Circulation.** Circulation for the project shall be designed in accordance with the following:~~

    a. ~~**Principal Access.** Principal vehicular access points shall be designed to provide smooth traffic flow and minimum hazards to vehicular, pedestrian, or bicycle traffic.~~

    b. ~~**Street Connections.** Minor streets shall not be directly connected with streets outside the development in such a way as to encourage use of such minor streets by substantial amounts of through traffic.~~

    c. ~~**Access by Emergency Vehicles.** Access to all structures and uses by emergency vehicles shall be provided.~~

    d. ~~**Efficient Circulation System.** The circulation system shall be designed to provide adequate access to all areas of the development using the minimum linear footage of roadway.~~

e. ~~Pathways.~~ ~~Provision shall be made for pedestrian and bicycle travel in accordance with Pathways Master Plan - The Town of Jackson & Teton County, Wyoming, March 2007. Linkages to schools, parks, public lands, and pathways existing on adjacent properties shall be provided.~~

15. ~~Parking and Drive Areas.~~ ~~All parking, drive, and maneuvering areas shall be designed in accordance with Sec. 6.2.5.~~

16. ~~Pedestrian System.~~ ~~Walkways shall form a logical, safe, and convenient system for pedestrian access to all dwelling units, appropriate project facilities, and principal off-site pedestrian destinations.~~

17. ~~Adequate Facilities.~~ ~~There shall be a demonstration that the development proposed is provided with adequate potable water, sewage treatment, solid waste disposal, electrical, park, school, police, and fire-fighting facilities.~~

C. ~~Review Procedure and Findings for Approval~~

~~Any application for an Urban Cluster Development may be approved only if the following findings are made:~~

1. ~~That the proposed project is in substantial compliance with all applicable standards of this Section;~~

2. ~~That the proposed project substantially meets the character objectives of preservation or enhancement of the zone and neighborhood in which it is to be located. Projects which are out of scale and character with their surroundings will not be approved;~~

3. ~~That streets and intersections serving the project will not be reduced to unacceptable levels of service, nor will the safety of motorists, pedestrians, and cyclists be jeopardized;~~

4. ~~That the density and distribution of population resulting from the project will not overburden schools, parks, utilities, or other public services; and~~

5. ~~That all adverse impacts associated with the proposed project are effectively mitigated to the extent possible.~~

7.1.4. Mobile Home Park (1/1/15, Ord. 1074)

Mobile Home Parks shall meet the following standards. Mobile Home Parks may be proposed in the MHP-ToJ or as an Urban Cluster Development.

A. **Existing Mobile Home Parks in the MHP-ToJ.** Existing mobile home parks within the MHP-ToJ zone shall be allowed to continue, expand, and redevelop, provided the standards in this Subsection are met.

1. **Density.** The number of units in an existing mobile home park in the MHP-ToJ shall not be limited.

Div. 7.3. [deleted] P17-077 ~~Open Space Standards~~

7.3.1. ~~Purpose~~ ~~(1/1/15, Ord. 1074)~~

~~The purpose of this Division is to establish standards for open space that is required for approval of a physical development, use, development option or subdivision. This includes Planned Residential Development options that permit higher density in conjunction with greater amounts of open space. In return for higher density, a landowner must set aside open space that contributes to community goals as set forth in the Jackson/Teton County Comprehensive Plan.~~

7.3.2. ~~Applicability~~ ~~(1/1/15, Ord. 1074)~~

~~This Division applies to all physical development, use, development options and subdivision for which an open space ratio (OSR) is specified or for which open space is otherwise required. All open space provided to satisfy an open space requirement shall comply with the standards of this Division. An Environmental Analysis shall be prepared pursuant to Sec. 8.2.2. to demonstrate compliance with this Division. If the open space proposed as part of an application subject to this Division does not meet the standards of this Division, the application associated with the proposed open space may be denied.~~

7.3.3. ~~Configuration and Location of Required Open Space~~ ~~(1/1/15, Ord. 1074)~~

~~Open space required in return for higher density shall be configured and located to protect, or provide space for, the Areas of Public Benefit on the subject property. The following are the Areas of Public Benefit: 1) wildlife habitat and migration corridors; 2) scenic vistas and natural skylines; 3) natural waterbodies (rivers, streams, lakes, ponds), floodplains, and wetlands; 4) agricultural activities; 5) public pathways as depicted in the Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007; and 6) public parks and accesses to public lands.~~

A. ~~Identifying the Areas of Public Benefit on the Subject Property~~

~~The following shall be used to identify the Areas of Public Benefit on the subject property:~~

1. ~~Character Defining Features Maps;~~
2. ~~Natural Resources Overlay and Scenic Resources Overlay;~~
3. ~~100-year floodplain as depicted on the Federal Emergency Management Agency maps;~~
4. ~~Land Development Regulations:~~
   a. ~~Natural resources as defined in Sec. 5.1.1.;~~
   b. ~~Land used for bona fide agricultural activities;~~
   c. ~~Priority 6 to Priority 10 habitats as described in 5.2.1.F.;~~

5. ~~Environmental Analysis of the subject property;~~

6. ~~Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007; and~~

7. ~~Maps and information on the existing conditions of the subject property.~~

B. ~~Order of Priority for Protecting the Areas of Public Benefit~~

1. ~~Open space set-asides shall be configured and located to protect or provide Areas of Public Benefit in the following order of priority from "1" to "6" with "1" being the highest priority and "6" being the lowest priority.~~

   a. ~~1 - Wildlife habitat and migration corridors~~

   b. ~~2 - Scenic vistas and natural skylines~~

   c. ~~3 - Waterbodies (rivers, streams, lakes, ponds), floodplains, and wetlands~~

   d. ~~4 - Agricultural activities~~

   e. ~~5 - Public pathways as depicted in Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007~~

   f. ~~6 - Public parks and accesses to public lands~~

2. ~~When all Areas of Public Benefit have been protected, or there are no Areas of Public Benefit on the subject property, and an additional amount of open space is required, the additional required open space shall be configured and located to expand the protection of the Areas of Public Benefit, or expand an existing open space area. The Areas of Public Benefit or the existing open space could be on the subject property or on adjacent properties. The purpose of this standard is to maximize the benefit of open space, when there are no Areas of Public Benefit to be protected, by locating the open space in large, unfragmented areas.~~

C. ~~Map of Required Open Space and Areas of Public Benefit~~

~~The applicant shall submit a map that shows how the configuration and location of the required open space protects the Areas of Public Benefit, and shows how the Areas of Public Benefit are protected in priority order.~~

D. ~~Residential Lots of Record~~

~~Open space is permitted to include a portion of a residential lot of record provided it:~~

1. ~~is not fenced apart from, or otherwise visually or functionally separated from, the required open space;~~

2. ~~protects or provides Areas of Public Benefit as identified and prioritized in this Section; and,~~

3. ~~complies with~~ Sec. 7.3.4., ~~Sec. 7.3.5. and~~ Sec. 7.3.6.

E. ~~Noncontiguous Open Space~~

~~Required open space may be provided at a noncontiguous location, pursuant to 9.4.4.A.1., and provided that the open space meets the standards of this Division.~~

F. ~~Acreage in Rivers~~

~~Acreage within rivers shall not be eligible to satisfy required open space acreage.~~

7.3.4. ~~Use of Open Space~~ ~~(1/1/15, Ord. 1074)~~

A. ~~Permitted Uses in Open Space~~

~~Required open space shall be restricted to uses consistent with the protection of the Areas of Public Benefit on the subject property.~~

> **EXAMPLE:** If the open space protects a designated wildlife habitat area, the uses and activities permitted on open space lands shall be consistent with protecting and maintaining the habitat value of the property. Uses of the required open space shall not reduce or diminish the Areas of Public Benefit being preserved by the required open space.

B. ~~Prohibited Uses in Open Space~~

~~Notwithstanding the permitted uses, areas devoted to building envelopes, parking areas, road and driveway easements, cut or fill slopes, or other permanently disturbed areas that are part of a development are prohibited in required open space, except for recreational uses. Also any commercial or industrial use, or physical development activity not related to bona fide agricultural uses, recreational uses, wildlife habitat improvement projects, or other uses permitted pursuant to 7.3.4.A. are prohibited in required open space.~~

C. ~~Separate from Exaction Requirements~~

~~Open space set aside in return for higher density, which provides public pathways or parks pursuant to this Division, shall not be credited toward land exactions required in Div. 7.5.~~

7.3.5. ~~Physical Development Permitted in Open Space~~ ~~(1/1/15, Ord. 1074 P17-077)~~

~~The following physical development may be permitted in open space if deemed consistent with the Areas of Public Benefit on the subject property:~~

A. ~~Nonresidential structures, land disturbances, corrals, fencing, etc., for bona fide agricultural uses.~~

B. ~~Outdoor recreation facilities, such as cross-country ski trails and pathways identified as implementing the Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007.~~

C. ~~In the S-ToJ, AR-ToJ, and AC-ToJ zones, structures and other land disturbing activities for active recreation facilities; however, evening or night facilities which require obtrusive lighting are prohibited.~~

D. ~~Creation of ecologically functioning wetlands for wastewater and stormwater treatment.~~

E. ~~Wildlife habitat improvements that are primarily enhancing existing wildlife habitat or are restoring existing, but degraded, habitat.~~

7.3.6. ~~Record of Restriction~~ ~~(1/1/15, Ord. 1074)~~

~~Required open space shall be duly restricted, in perpetuity, by recorded instrument in a form acceptable to the County Attorney and the Board of County Commissioners. The instrument shall not be amended or varied without first obtaining approval by the Board of County Commissioners. Refer to a sample easement, which may be obtained from the Planning Department, for guidance. At minimum, the instrument shall contain the following:~~

A. ~~A legal description of the property and its location;~~

B. ~~The purpose of the restriction on the property;~~

C. ~~Conveyance of rights to enforce the restrictions to an organization qualified and dedicated to preserving the values intended by the restrictions;~~

D. ~~Specification of the uses and physical development permitted and prohibited on the property under restriction;~~

E. ~~Enforcement procedures;~~

F. ~~Documentation of the existing uses and condition of the property under restriction;~~

G. ~~Specification that notice be given 15 days prior to any transfer of ownership, and that such notice be in a written form to the qualified organization holding the easement; and~~

H. ~~A granting of the restrictions in perpetuity.~~

7.3.7. ~~Ownership of Open Space~~ ~~(1/1/15, Ord. 1074)~~

~~An individual landowner, a homeowners association, or nonprofit organization may retain ownership of the required open space. Ownership does not affect the terms of the easement.~~

Div. 9.3. Abbreviations

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

The purpose of this Division is to provide abbreviations for terms and phrases that are commonly used in these LDRs.

9.3.2. Common Abbreviations (P17-077 ~~1/4/17, Ord. 1166~~)

The abbreviations provided below have the following meanings:

ac	Acre
ARU	Accessory Residential Unit (6.1.11.B.)
ASA	Adjusted Site Area (9.4.4.C.)
BSA	Base Site Area (9.4.4.B.)
BUP	Basic Use Permit (8.4.1.)
CUP	Conditional Use Permit (8.4.2.)
du	Dwelling Unit
EA	Environmental Analysis (8.2.2.)
FA	Floor area (9.4.5.)
FAA	Federal Aviation Administration
FAR	Floor Area Ratio (9.4.6.C.)
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
ft	Feet
GSA	Gross Site Area (9.4.4.A.)
HUD	U.S. Department of Urban Housing and Development
LDRs	Land Development Regulations
LO	Lodging Overlay (6.1.5.A.2.)
lu	Lodging unit
LSR	Landscape Surface Ratio (9.4.6.E.)
max	Maximum
min	Minimum
NRO	Natural Resources Overlay (5.2.1.)
~~OSR~~	~~Open Space Ratio (9.4.6.D.)~~
SRO	Scenic Resources Overlay
sq. ft. or sf	Square Feet
SUP	Special Use Permit (8.4.3.)
~~UCD~~	~~Urban Cluster Development (7.1.3.)~~
WYDEQ	Wyoming Department of Environmental Quality
WYDOT	Wyoming Department of Transportation

C. Adjusted Site Area

Adjusted site area is used to calculate maximum site development and lot coverage. Adjusted site area is gross site area minus the following:

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

D. Minimum Site Area

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

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

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

9.4.6. Density/Intensity (P17-077 ~~1/4/17, Ord. 1166~~)

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

A. General

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

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

B. Maximum Density

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

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

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

1. The maximum floor area (see Sec. 9.4.5. for definition of Floor Area) allowed on a site shall be the maximum habitable floor area not including basement floor area, as defined in Sec. 9.5.B.
2. The site area used to calculate maximum floor area shall be:
    a. gross site area in Character Zones (Div. 2.2. & Div. 3.2.), and
    b. base site area in Legacy Zones (Div. 2.3. & Div. 3.3.).
3. Unless otherwise defined in these LDRs, the maximum allowed floor area above grade is calculated by multiplying the allowed FAR by the applicable site area. Inversely, FAR is calculated by dividing the habitable floor area above grade by the applicable site area.

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

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

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

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

> **EXAMPLE:** Examples of impervious surfaces include, but not are not limited to: buildings (including roofed areas but excluding eaves that over-hang a pervious surface), structures, parking areas, loading areas, driveways, roads, sidewalks, and any areas of concrete, asphalt, or significantly compacted material which prevents water absorption.

Industrial Use. See Sec. 6.1.9.

Industry, Heavy. See 6.1.9.C.

Industry, Light. See 6.1.9.B.

Incidental Use. See 6.1.2.B.2.

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

Institutional Use. See Sec. 6.1.8.

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

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

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

L (~~1/4/17, Ord. 1166~~ P17-077)

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

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

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

Landscape Surface Ratio. See 9.4.6.E.

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

Light Industry. See 6.1.9.B.

~~**Live/Work Unit.** See 6.1.4.H.~~

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

Local Road. See, "Road, Local."

Lodging. See Sec. 6.1.5.

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

Lot Coverage. See 9.4.6.F.

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

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

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

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

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

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

Lot Size, Minimum. See 9.4.6.G.

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

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

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

Nonconforming or Nonconformity. See Div. 1.9.

Nursery. See 6.1.6.H.

O (~~1/4/17, Ord. 1166~~ P17-077)

Office. See 6.1.6.B.

Off-Premise Sign. A sign identifying or advertising a business, person, activity, goods, products or services, which is not located on the premises where the business or commercial activity is conducted.

Off-Site. Located neither on the land that is the subject of the application nor on a contiguous portion of a street or other right-of-way.

On-Site. Located on the land that is the subject of the application.

~~**Open Space Ratio.** See 9.4.6.D.~~

Open Space (Use). See Sec. 6.1.2.

~~**Open Space, Required.** Required open space is undeveloped area that is required in order to receive approval of a development or use. Unless otherwise noted for a specific development or use, the standards for required open space are in Div. 7.3.~~

Outdoor Recreation. See 6.1.3.C.

Outfitter. See 6.1.7.E.

P (~~1/4/17, Ord. 1166~~ P17-077)

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

Parking (Use). See 6.1.10.B.

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

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

Pedestrian Access. See Sec. 9.4.16.

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

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

Time-Share Ownership. Time-share ownership means ownership of a unit in which purchase is for interval ownership with ownership conveyed by deed/license.

Top of Bank. The elevation of the top of bank shall be determined by the observed high water mark, or one foot above the maximum discharge elevation of an outlet control structure that controls the water elevation of a body of water.

Tour Operator. See 6.1.7.E.

Tower. Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

Townhouse. Townhouse means a single-family unit, including the ground beneath the unit, with a single unit going from ground to roof.

Transparency. See Sec. 9.4.14.

U (~~1/1/15, Ord. 1074~~ P17-077)

Unlicensed Wireless Services. Unlicensed wireless service means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services.

Unstable Soil. Unstable soil means soil subject to slippage, creep, landslide, avalanche, bedrock slump, talus, rockfall, colluvium, and lacustrine deposits, either at the surface or overlain by other deposits, or subject to other movements as indicated by the Land Stability Maps of Teton County, site specific geotechnical reconnaissance studies, or any other technically competent source.

~~**Urban Cluster Development.** See Sec. 7.1.3.~~

Use, Accessory. See 6.1.2.B.3.

Use, Conditional. See 6.1.1.C.

Use, Incidental. See 6.1.2.B.2.

Use, Primary. See 6.1.2.B.4.

Use, Principal. See 6.1.2.B.2.

Use, Special. See 6.1.1.D.

Use, Temporary. See 6.1.2.B.5.

Use. See 6.1.2.A.

Utility Facility. See 6.1.10.C.

SECTION II.

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

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

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

PASSED 1ST READING THE _____ DAY OF _____, 2018.
PASSED 2ND READING THE _____DAY OF _____, 2018.
PASSED AND APPROVED THE _____DAY OF _____, 2018.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandy 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 _____, 2018.

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

_____
Sandy Birdyshaw, Town Clerk

ORDINANCE K

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) AND SECTIONS 1.9.2.B.1, 1.9.2.B.3.a, 1.9.3.B.1, 1.9.3.C, AND 1.9.3.D.1 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING A NONCONFORMING DETACHED SINGLE-FAMILY HOME, 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 II of Town of Jackson Ordinance No. 1074 as amended (part) is hereby amended and reenacted to amend Sections 1.9.2.B.1, 1.9.2.B.3.a, 1.9.3.B.1, 1.9.3.C, and 1.9.3.D.1 of the Town of Jackson Land Development Regulations to read as follows:

B. Maintenance, Alteration, Expansion, and Replacement

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

1. **No Increase in Nonconformity.** Maintenance, alteration, replacement, or expansion shall not increase the nonconformity and shall otherwise comply with all applicable standards of these LDRs, except that maintenance, alteration, or expansion of a nonconforming Detached Single-Family Unit shall not be subject this limitation (e.g., an addition to a house that is nonconforming as to height may be the same height as the existing nonconforming house).

   > **EXAMPLE:** An addition must meet all setbacks, floor area limits, and other standards even if a portion of the structure being added to does not meet a setback, except that a Single-Family Unit may be expanded to the same nonconforming setback.

2. **Maintenance and Alteration.** A nonconforming physical development may be maintained or altered.

3. **Expansion.** A nonconforming physical development shall be brought into compliance with all applicable standards of these LDRs upon cumulative expansion of greater than 20% of its floor area or site area. Cumulative expansion is the sum of all expansions from the date the physical development became nonconforming, including all expansions under prior LDRs if the physical development became nonconforming under prior LDRs and remains nonconforming. The following exceptions shall apply to this limit on expansion.

   a. Detached Single-Family Unit: This standard shall not limit the expansion of a Detached Single-Family Unit.

   b. **Historic Buildings.** This standard shall not limit expansion of a building included on the Teton County Historical Preservation Board (TCHPB) list of historically significant properties, or that is otherwise deemed in writing by the TCHPB to be historically significant.

   c. **Workforce Housing Incentive.** Floor area added using the Deed Restricted Housing Exemption (Sec. 7.8.3.) or Workforce Housing Floor Area Bonus (Sec. 7.8.4.) shall not be included in the calculation of expansion.

   d. **Nonconforming Bulk and Form Standards.** This standards shall not limit expansion of a building that is nonconforming with one or more of the following standards.

      i. Minimum stories in a street setback

      ii. Building stepback

      iii. Pedestrian frontage

      iv. Building frontage

C. Use, Development Options, and Subdivision

1. A nonconforming physical development shall be used in compliance with these LDRs. Nonconforming use of a nonconforming physical development shall be subject to Sec. 1.9.3..

2. A nonconforming building shall not be subdivided into condominiums or townhomes, unless the subdivision brings the physical development into compliance with these LDRs.

3. A boundary adjustment pursuant to Sec. 8.5.5. of a site that includes nonconforming physical development shall not increase the nonconformity of the physical development.

4. A subdivision or development option on a site with nonconforming physical development shall require all physical development on the site, except existing buildings, comply with these LDRs.

1.9.3. Nonconforming Uses (P17-077 ~~1/4/17, Ord. 1158~~)

A. Applicability

A nonconforming use is declared generally incompatible with the character of the zone or overlay in which it is located. This Section shall apply to:

1. A lawfully established use that is not allowed in the zone or overlay;

2. A lawfully established conditional or special use that does not have an approved Conditional Use Permit or Special Use Permit; and

3. A lawfully established use that does not comply with the use standards applicable to the zone or overlay. Use standards applicable to all zones are found in Article 6. Use standards applicable to specific zones are found in Subsection C of the zone-specific sections found in Article 2.-Article 4.

B. Expansion

1. A nonconforming use may only be expanded a cumulative total of 20% in the floor area and site area occupied and/or the daily and annual duration of operation, except that a nonconforming Detached Single-Family use shall not be subject to this limitation.

2. An expansion of a nonconforming use shall not create or increase nonconformity with use-based standards such as parking and employee housing.

3. An expansion of a nonconforming use shall comply with all physical development, development option, and subdivision standards of these LDRs.

4. An expansion of a use that is nonconforming because it does not have an approved CUP or SUP requires approval of a CUP or SUP upon 20% cumulative total expansion in the floor area and site area occupied and/or the daily and annual duration of operation.

C. Change in Use

A nonconforming use, except a Detached Single-Family Unit, may be changed to another nonconforming use provided all 3 of the following standards are met.

1. The new use is a materially less intense nonconforming use. The determination of the level of intensity shall include, but is not limited to, consideration of traffic generated (amounts and type), impacts on access, parking demand, proposed level of activity, operational characteristics, and other potentially adverse impacts on neighboring lands.

2. The new use shall not create or increase nonconformities with use-based standards such as parking and employee housing.

3. The new use shall obtain a Conditional Use Permit pursuant to Sec. 8.4.2.

D. Discontinuance

1. If a nonconforming use is operationally discontinued for a period of more than one year, whether or not the equipment or furniture is removed, the use shall not be reestablished or resumed, and any subsequent use of the site shall conform to these LDRs, except that a nonconforming Detached Single-Family use that is torn down (three walls/structural support problem) shall not be rebuilt.

2. When government action other than those described in 1.9.1.I., a natural disaster, or any other action not considered a willful act of the owner or occupant can be documented as the reason for discontinuance, the nonconforming use may be discontinued for longer than one year provided an application to reconstruct or reestablish the use is submitted to the Planning Director within one year from cessation of the use, and reconstruction or reestablishment is completed within the time period established in the permit approved for the reconstruction or reestablishment.

3. Once a nonconforming principal use is discontinued, all associated accessory uses shall discontinue within 31 days or a sufficient application to permit each accessory use in association with another principal use shall be submitted within 31 days.

4. Time spent maintaining, altering, replacing, or expanding a structure or site devoted to the nonconforming use is not considered a discontinuance of the use, provided:

    a. All appropriate permits or approvals are obtained;

    b. The maintenance, alteration, replacement, or expansion is completed within 18 months after commencement; and

    c. The use is reestablished within 31 days after completion of the maintenance, alteration, replacement, or expansion.

SECTION II.

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

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

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

PASSED 1ST READING THE _____ DAY OF _____, 2018.
PASSED 2ND READING THE _____DAY OF _____, 2018.
PASSED AND APPROVED THE _____DAY OF _____, 2018.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandy 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 _____, 2018.

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

_____
Sandy Birdyshaw, Town Clerk

TOWN COUNCIL MEETING
AGENDA DOCUMENTATION

PREPARATION DATE: May 24, 2018
MEETING DATE: May 29, 2018

SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Tyler Sinclair
PRESENTER: Paul Anthony

SUBJECT: P17-077 – Character Districts 3 - 6 and Town Parking Standards LDR Update

STATEMENT/PURPOSE

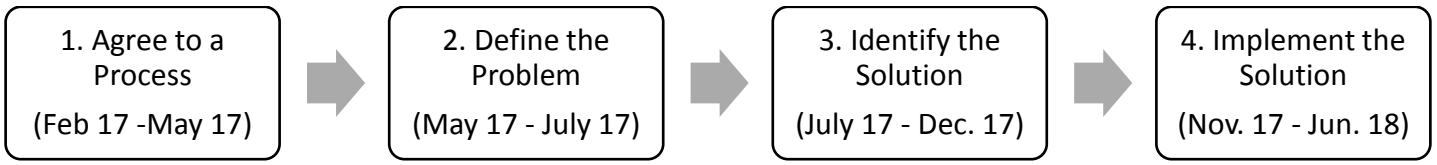
To update and amend the Town of Jackson Land Development Regulations (LDRs) and Official Zoning Map regarding Character Districts 3 – 6 (Districts 3 – 6) and the Town Parking standards. Amendments are proposed primarily to Articles 1, 2, 4, 5, 6, 7, and any associated parts of the LDRs generally applying to the Town's residential zones and the Highway 89 commercial corridor approximately from High School Road north to the Flat Creek Bridge.

BACKGROUND

In 2012 the Town and County adopted the current Comprehensive Plan, which includes the community's updated policies and goals for growth and development of the Town and County. While many policies are a continuation of well-supported, previous policies, the new Comprehensive Plan includes a range of new policies and programs to better manage growth, including a formal Growth Management Program with annual monitoring and reporting on specific growth indicators. In addition, the community committed itself to house 65% of the workforce locally and to direct at least 60% of new growth into Complete Neighborhoods (such as Town) and no more than 40% into Rural areas. These two goals form the heart of the Districts 3 – 6 update.

Important too, the Districts 3 - 6 update is occurring concurrently with the Housing Mitigation updates that is considering significant changes to the affordable/employee housing mitigation requirements for new development. These two LDR updates impact each other in critical ways.

The update to the Districts 3 - 6 LDRs is in the final phase of a 4-phase process, branded as Engage 2017: Housing, Parking, and Natural Resources. The purpose of the 4-phase process was to define the problem and identify the solution prior to considering adoption of regulations so that the review of draft LDRs would be the culmination, rather than the initiation, of months of public dialogue. The draft Districts 3- 6 LDRs were released March 16 and are intended to implement the policy direction provided December 11, 2017, which responded to the policy questions identified June 27, 2017.



- Phase 1
  - Feb. 21, 2017: Approval of project purpose, schedule, roles, and responsibilities
  - May 1, 2017: Approval of contract with Code Studio for technical support

- Phase 2
  - The public identified issues at:
    - Community Discussion in Spanish, May 30 (17 participants)
    - Open House, June 1 (about 75 participants)
    - Community Discussion, June 1 (about 75 participants)
    - Online Survey, May 23 – June 5 (220 participants)
  - June 27, 2017: Approval of 10 policy questions to answer through the updates

- Phase 3
  - The public analyzed policy alternatives at:
    - Spanish Community Discussion "Public Comment Event" November 6 (25 attendees)
    - English Community Discussion "Public Comment Event" November 8 (63 attendees)
    - Online alternatives analysis survey open October 20 – November 12 (146 responses)
    - Comments submitted by email September 13 – October 11 (7 comments)
  - December 11, 2017: Direction on the 10 policy questions

- Phase 4
  - March 16, 2018: Release of public review draft
  - March 19, 2018: Presentation of public review draft
  - April 12, 2018: Public open house/workshop to review draft (90 ± participants)
  - April 23, 2018: Modifications Brainstorming Workshop
  - May 4: Release of list of proposed modifications with staff recommendations
  - May 14/15: Planning Commission provided recommendations on draft modifications in public hearings

Next Steps

- May 29: Council hearing on draft (6:00pm, Town Hall)
  - Vote on updated Districts 3- 6 LDRs subject to list of supported modifications
  - Continue to 2:00pm, May 30, Town Hall if needed
  - Continue to 2:00pm, May 31, Town Hall if needed
- June 20: Release of adoption version of Districts 3 – 6 LDR update
- June 25: Council 1st reading/hearing on adoption version (1:00pm, Town Hall)
- July 2: Council 2nd reading/adoption (6:00pm, Town Hall)
- July 16: Council 3rd reading/adoption (6:00pm, Town Hall)

[NOTE: The schedule has been modified such that 1st Reading has been moved from May 29 to June 25 to allow the necessary time to get all ordinances in final form for Council consideration. This change moves back final adoption by 2 weeks, unless an additional special meeting is scheduled.]

Meeting Format

The Planning Director proposes the following meeting format for the Council hearing. The purpose of the proposed format is to organize the discussion and allow the Mayor to participate. The focus of the meeting will be for the Council to provide its recommendation on each of the proposed modifications on the attached list.

Roles

- Facilitator: Tyler Sinclair, Planning Director
- Content Expert: Paul Anthony, Principal Planner

Agenda

1. Staff presentation/questions
    - Tyler will kick-off meeting with introduction of agenda and the meeting format
    - Staff will answer any questions from Council have about the draft or agenda

2. Public comment
    - The Chair will open the floor to public comment

3. Modifications list review
    - Tyler will facilitate discussion of the list of proposed modifications,
    - Paul will begin the process by explaining each of the Key Issues and then move on to the more specific modifications in the list. Staff will explain both the staff recommendation and the PC recommendation for each modification, which are often the same.
    - For each modification, Tyler will ask if there are any who disagree with the Planning Commission recommendation.
        - If no: the Planning Commission will become the Council recommendation and Tyler will move to next modification without discussion.
        - If yes:
            - Paul will present the modification (or modification options if there are multiple modifications proposed for a single topic)
            - Tyler will facilitate a discussion of the proposed modification
            - A straw poll will be taken on the modification.
    - Once each of the modifications on the attached list has been reviewed there will be an opportunity for Council members to add any additional modifications to the list. Such additional modifications will be discussed using the same method except that there will be no staff recommendation.
    - If the entire modification list cannot be reviewed in a single meeting the hearing will be continued to May 30, 2018 at 2:00pm in the Town Hall, and the list will be picked up where the Council left off.

4. Motion
    - Once the Council has made a recommendation on each modification a motion will be made to recommend approval of the housing mitigation requirements update subject to the list of modifications.

STAFF ANALYSIS

Most of staff's analysis of proposed changes to the draft Districts 3 - 6 and Town Parking LDRs is contained in the attached Modifications List and will not be repeated here. The proposed modifications come primarily from public comment at the April 12 Open House, the April 24 Brainstorming Workshop, internal staff review, and the Planning Commission meetings on May14/15.

It is important to remember that the current draft Districts 3- 6 LDRs are a direct response to implement the policy direction provided by the Council in December, 2017. At that time staff asked the Council 8 policy questions on Districts 3 – 6 and 10 policy questions on Town Parking (attached in one combined document).

The Districts 3- 6 policy questions are listed below for context:

1. What portion of the additional 1,800 dwelling units should be transferred from the Rural areas of the County into Town? [These units would be in addition to what is allowed by current zoning.]
2. What type of residential density is preferred? Where should residential density be located?
3. How should residential buildout potential be calculated and monitored?
4. How much of the additional density should be tied to incentives for workforce and/or deed-restricted housing?
5. Should the amount of commercial development potential in Town be reduced? If so, how?
6. What types of development should be subject to architectural design standards?
7. What type of pedestrian improvements, if any, should be required for new development?
8. Should the Town strive to increase connectivity for all modes of travel by trying to encourage or require that all blocks be more similar in size to those downtown?

The Town Parking Study questions are listed below as well for context:

1. What level of vehicle parking demand are we planning for?
2. What level of bicycle parking demand are we planning for?
3. What is an acceptable distance from a parking space to a destination?
4. Should parking policy vary by season?
5. Who is on-street parking for?
6. What is the public role in providing off-street parking (such as parking garages)?
7. How should Park n' Ride facilities be used?
8. What level of safety are we trying to achieve through parking policies?
9. How should on-street and off-street public parking be funded?
10. How should parking be managed?

As these two LDR updates progressed through the review process, they were combined into one process, resulting in the parking policies being provided on a subarea-by-subarea basis, as provided in the final Policy Direction document from December, 2018.

Below are staff's findings for the proposed LDR text and Zoning Map amendments.

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

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

   Yes. The proposed text amendments continue a major rezoning effort to update to the LDRs and are consistent with the LDRs' primary purpose which is to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. In addition, the proposed new Districts 3 - 6 zoning

districts and associated amendments to the LDRs are consistent with the LDRs' goals to improve predictability in LDR implementation and to focus on desired future character as the organizing principle for development in the Town.

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

Yes. The proposed text amendments will improve consistency of the LDRs by eliminating ten legacy zones that will be deleted if the proposed District 3 - 6 LDRs and eight new District 2 zones are adopted. Furthermore, the new Districts 3- 6 zones will be more consistent in format and content with the recently adopted District 2 zone districts.

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

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

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

Yes. The adoption of a Jackson/Teton County Comprehensive Plan adopted in May 2012 is a new condition that requires the Town to update the LDR text and zones to be consistent with the new Comprehensive Plan. The proposed text amendments, which provide updated zoning regulations for Character Districts 3 - 6, are a continuation of general rezoning update by the Town to implement the new Comprehensive Plan.

5. Improves implementation of the Comprehensive Plan

District 3: Town Residential Core

The Town Residential Core is comprised of a variety of housing types and forms, including single family, duplex, tri-plex and multifamily occupied primarily by the local workforce. Some of the district's key characteristics are its proximity to the Town Commercial Core (District 2) employment opportunities and Complete Neighborhood amenities, an existing gridded transportation network, and a mix of low to high density residential development. The district is envisioned to contain a variety of residential densities, a variety of residential types (such as single family, duplex, tri-plex and multifamily), and a variety of building sizes in order to maintain and meet our community's Growth Management and workforce housing goals. The consolidation of multiple lots to create larger single family homes is inconsistent with the district's existing and desired character. An important goal within the district will be to reestablish a strong sense of ownership by this district's residents. The existing gridded transportation system, including areas with and without alleys, provides great connectivity for all modes and should be maintained and enhanced whenever possible. Complete street amenities, including continued and expanded START service, are appropriate and should be added at every opportunity in keeping with the existing residential character. These amenities should be developed to link residents to key community features found in the district, including parks, schools, and local convenience commercial. It is also important to recognize Snow King Avenue as a primary transportation corridor that will need to be maintained and improved in order to support regional transportation goals. The district is well-served by a majority of Complete Neighborhood amenities that should be maintained and enhanced in the future. Limited local convenience commercial and mixed use office development is currently found in the district and should continue in the future in order to achieve the Complete Neighborhood and economic sustainability goals of the Plan. The district is in need of redevelopment and reinvestment in order to ensure it is a desirable residential neighborhood with a strong sense of community ownership into the future.

Complies. The proposed text amendments in District 3 are consistent with this vision by providing new rules that will both protect the character of Stable subareas and create incentives for Transitional to redevelop with increased opportunities for workforce housing in particular.

Common Value 1: Ecosystem Stewardship

Not applicable.

Common Value 2: Growth Management
Policy 4.1.b Emphasize a variety of housing types, including deed-restricted housing.

Complies. The proposed text amendments in District 3 will not only encourage a wide variety of market housing (single-family up to large apartment buildings) but will encourage development of hundreds of deed restricted units in District 3 through the "fill the box" workforce housing incentive.

Policy 4.3.a Preserve and enhance stable subareas.

Complies. The proposed text amendments in District 3 are designed to not increase density the Stable subareas of 3:1 East Jackson, 3.3 Rodeo Grounds Institutional Area, while the higher density and more diverse subarea 3.4 May park Area will see a slight increase in development potential if redevelopment of existing multi-family projects occurs in the future.

Policy 4.3.b Create and develop transitional subareas.

Complies. The proposed text amendments in District 3 will allow for increased development potential in Transitional subarea 3.2 Core Residential for the primary purpose of creating workforce housing where infrastructure, jobs, public transportation, and other services exist to serve the new residents.

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

Not applicable.

Common Value 3: Quality of Life

Policy 5.2.d Encourage deed-restricted rental units.

Complies. The proposed text amendments in District 3 will encourage development of hundreds of deed restricted units in District 3 through the "fill the box" workforce housing incentive. In addition, developers will likely create voluntary deed-restricted housing due to other incentives available in the proposed LDRs, such a reduced LSRs and a streamlined development review process intended to reduce the time and cost to develop larger residential projects.

Policy 5.3.b Preserve existing workforce housing stock.

Complies. Although the proposed text amendments in District 3 are not specifically targeted to preserve existing workforce housing stock, the Districts 3 – 6 amendments as a whole will contribute to this goal by incentivizing a significant increase in the supply of new workforce housing that it will likely reduce the pressure on existing stock and free up that housing for renters and buyers previously shut out of the market.

Policy 7.1.c Increase the capacity for use of alternative transportation needs.

Complies. The proposed text amendments in District 3 will encourage density in areas that are well-served by transit and within walking and bike distance of jobs and services. This should increase the user-base for these alternative modes of travel.

District 4: Midtown

Midtown is one of the most Complete Neighborhoods in the community. It contains many of the service, office and retail establishments that meet Teton County residents' daily needs. It also contains a significant amount of workforce housing in a variety of housing types, including single family, duplex and multifamily structures. Another important characteristic of the district is the "Y", the intersection of the community's two main highways, U.S. 89 and Wyoming 22. Midtown is a highly visible district that is experienced on a daily basis by most residents. Today, the land use pattern is automobile-oriented and made up of large blocks containing low intensity single-use structures (both residential and non-residential) surrounded by significant surface parking, with little connectivity between blocks and lots. It is also the location of a significant amount of existing lodging uses developed prior to the Lodging Overlay that will be allowed to continue in the future. Flat Creek and the Karns Meadow are significant natural features in this district. The future vision is to create a walkable mixed use district with improved connectivity and increased residential population. Key to achieving this vision will be the creation of a concentrated and connected land use pattern. To support this goal, future land uses will continue to include a variety of non-residential uses serving the needs of the local community and a variety of residential types focusing on workforce housing in multifamily and mixed use structures, specifically including deed-restricted rental units. Mixed use, non-residential and multifamily residential buildings should be two to three stories in height and oriented to the street. Four story structures may be considered when adjacent to a natural land form. In the future, a landscape buffer between buildings and the street with well-designed green space and/or hardscape will be important to create an attractive pedestrian environment becoming of a desirable, walkable, mixed use district. Parking areas should be predominantly located behind buildings or screened from view. The creation of complete streets will be critical to increase connectivity between uses and between blocks and lots by all modes of travel. It is also important to recognize Snow King Avenue as a primary transportation corridor that will need to be maintained and improved in order to support regional transportation goals. Despite the intensity of human activity within the district, Midtown contains or is adjacent to prominent natural resource lands such as the Karns Meadow, Flat Creek, East Gros Ventre Butte, High School Butte and the northwestern foot of Snow King Mountain. A key characteristic of this area is the mule deer movement corridor between East Gros Ventre Butte and Karns Meadow, and consequently, the high rate of wildlife vehicle collisions along West Broadway Avenue. The natural resources found in or adjacent to this district should be considered in the course of future planning, with development being located in a way that protects wildlife habitat and facilitates wildlife movement through the district. Future enhancements and redevelopment should seek to incorporate Flat Creek as a recreational and ecological amenity for the entire community. Whether it is enhancing the gateway to Town at the Y intersection, redeveloping under-utilized properties with mixed use structures, improving alternative transportation infrastructure and connectivity, or enhancements to Flat Creek - change in this district is desirable.

Complies: The proposed text amendments in District 4 will are consistent with the above vision by providing new standards that will increase the vitality of the existing highway corridor while also improving both site design and building design. The amendments will also allow for protect sensitive hillsides and provide for significant new opportunities for workforce housing in the form of larger apartment buildings that are appropriately oriented toward the street and increase multi-odal transportation options.

Common Value 1: Ecosystem Stewardship
1.1.c: Design for wildlife permeability

Complies. The proposed text amendments in District 4 will allow for development that can accommodate wildlife movement between East Gros Ventre Butte and Karns Meadow. Specific measures to do so are often generated through the Environmental Analysis process for properties in the Natural Resources Overlay, which will apply to District 4 properties as required by the LDRs.

Common Value 2: Growth Management
4.1.b: Emphasize a variety of housing types, including deed-restricted housing

Complies. The proposed text amendments in District 4 will not only encourage a wide variety of market housing (single-family up to large apartment buildings) but will encourage development of hundreds of deed restricted units along the highway corridor in District 4 through the "fill the box" workforce housing incentive.

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

Complies. The proposed text amendments in District 4 will provide additional FAR for commercial and residential purposes and help incentive the redevelopment of the highway commercial corridor, thus helping to maintain Jackson as the economic center of the region.

4.2.c: Create vibrant walkable mixed use subareas

Complies. The proposed text amendments in District 4 will encourage mixed-used development, including the provision of new sidewalks, in an area of town that is often not conducive to pedestrian travel. The proposed LDRs also try to encourage the creation of additional street and pedestrian connections where they are currently lacking to reduce traffic congestion and increase safe pedestrian options consistent with Policy 4.2.c.

4.3.a: Preserve and enhance stable subareas

Not applicable.

4.3.b: Create and develop transitional subareas

Complies. The proposed text amendments in District 4 will allow for increased development potential in Transitional subareas 4.1 Midtown Highway Corridor, 4.2 Northern Hillside, and 4.3 Central Midtown, for the primary purpose of creating mixed-use projects and workforce housing where infrastructure, jobs, public transportation, and other services exist to serve patrons and new residents.

4.4.b Enhance Jackson gateways

Complies. The proposed text amendments in District 4 will include new zoning for the properties located on Highway 22 and the "Y" intersection which are considered one of Jackson's three main gateways. The proposed LDRs include site design standards and additional Design Review Committee review that will help improve the visual appearance of buildings in this important gateway consistent with policy 4.4.b.

4.4.d: Enhance natural features in the built environment

Complies. While the proposed text amendments in District 4 do not directly include standards to enhance natural features (this should come from the Natural Resources LDR update currently under consideration), the proposed standards do try to limit additional density on steep slopes (Budge Hillside) consistent with Policy 4.4.d.

Common Value 3: Quality of Life

5.2.d: Encourage deed-restricted rental units

Complies. The proposed text amendments in District 4 will encourage development of hundreds of deed restricted units in District 4 through the "fill the box" workforce housing incentive. In addition, developers will likely create voluntary deed-restricted housing due to other incentives available in the proposed LDRs, such a reduced LSRs and a streamlined development review process intended to reduce the time and cost to develop larger residential projects.

5.3.b: Preserve existing workforce housing stock

Complies. Although the proposed text amendments in District 4 are not specifically targeted to preserve existing workforce housing stock, the Districts 3 – 6 amendments as a whole will contribute to this goal by incentivizing a significant increase in the supply of new workforce housing that will likely reduce the pressure on existing stock and free up that housing for renters and buyers previously shut out of the market.

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

Complies. Although the proposed text amendments in District 4 are not specifically targeted to encourage lifestyle-based businesses, the amendments are intended to create a more vital commercial corridor that should increase opportunities for the these types of businesses to get a start or expand in Jackson consistent with Policy 6.2.b.

6.2.c: Encourage local entrepreneurial opportunities

Complies. The proposed text amendments in District 4 will encourage local entrepreneurial opportunities by helping to create a more vital commercial corridor that should provide new and improved commercial spaces for all types of businesses to get a start or expand in Jackson consistent with Policy 6.2.c.

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

Complies. The proposed text amendments in District 4 will encourage density in areas that are well-served by transit and within walking and bike distance of jobs and services. This should increase the user-base for these alternative modes of travel.

7.2.d: Complete key Transportation Network Projects to improve connectivity

Complies. Although the proposed text amendments in District 4 do not specifically identify new transportation improvements or key connections that will be developed, the amendments do discuss and encourage the new development to provide such connections when feasible and necessary.

7.3.b: Reduce wildlife and natural and scenic resource impacts

Complies. The proposed text amendments in District 4 will reduce impacts on wildlife, natural, and scenic resources by relocating up to 1,800 residential units from the Rural areas of the County into Town which will protect precious wildlife habitat and scenic open space. Increased workforce housing located in Town will also help to reduce wildlife collisions on the highway as the number of commuters is reduced by increased local workforce housing supply.

District 5: West Jackson

West Jackson currently exists as one of the most Complete Neighborhoods within the community, with its most significant characteristic being its wide variety of land uses. This diverse district is highly automobile oriented and contains a variety of non-residential uses, a variety of residential types and sizes, light industrial and the majority of the community's public schools. It also contains a large undeveloped agricultural area south of High School Road, and Flat Creek as a prominent natural feature. The future goal of the district will be to take advantage of the existing variety of land uses and Complete Neighborhood amenities and develop them into a more attractive and well connected district. The continuation of light industrial uses is necessary to support the local economy. The preservation of existing residential areas that provide workforce housing, will be essential in meeting the Growth Management and workforce housing goals of the community. Enhancement of the southern gateway into Town into a mixed use corridor with improved connectivity and visual appearance will also be important. A key challenge of the district will be to address transportation congestion, safety and connectivity issues. Possible solutions may come in many forms, including consideration of an east/west connector south of High School Road and/or the Tribal Trails connector, complete street improvements to collector roads including High School, Middle School, Gregory Lane and South Park Loop and improved alternative mode connectivity throughout the district.

Complies: The proposed text amendments in District 5 will are consistent with the above vision by providing new standards that will increase the vitality of the existing highway corridor while also improving both site design and building design. The amendments will also allow for protect sensitive hillsides and provide for significant new opportunities for workforce housing in the form of larger apartment buildings that are appropriately oriented toward the street and increase multi-odal transportation options.

Common Value 1: Ecosystem Stewardship

Not Applicable.

Common Value 2: Growth Management
Policy 4.1.b: Emphasize a variety of housing types, including deed-restricted housing

Complies. The proposed text amendments in District 5 will not only encourage a wide variety of market housing (single-family up to large apartment buildings) but will encourage development of hundreds of deed restricted units along the highway corridor in District 5 through the "fill the box" workforce housing incentive.

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

Complies. The proposed text amendments in District 5 will provide additional FAR for commercial and residential purposes and help incentive the redevelopment of the highway commercial corridor, thus helping to maintain Jackson as the economic center of the region.

Policy 4.2.c: Create vibrant walkable mixed use subareas

Complies. The proposed text amendments in District 5 will encourage mixed-used development, including the provision of new sidewalks, in an area of town that is often not conducive to pedestrian travel. The proposed LDRs also try to encourage the creation of additional street and pedestrian connections where they are currently lacking to reduce traffic congestion and increase safe pedestrian options consistent with Policy 4.2.c.

Policy 4.3.a: Preserve and enhance stable subareas

Not Applicable.

Policy 4.3.b: Create and develop transitional subareas

Complies.The proposed text amendments in District 5 will allow for increased development potential in Transitional subareas 5.1 West Jackson Highway Corridor, and 5.3 High School Butte for the primary purpose of creating mixed-use projects and workforce housing where infrastructure, jobs, public transportation, and other services exist to serve patrons and new residents.

Policy 4.4.b Enhance Jackson gateways

Complies. The proposed text amendments in District 5 will include new zoning for the properties located on Highway 89 at the south entrance to Town which are considered one of Jackson's three main gateways. The proposed LDRs include site design standards and additional Design Review Committee review that will help improve the visual appearance of buildings in this important gateway consistent with policy 4.4.b.

Common Value 3: Quality of Life

Policy 5.3.b: Preserve existing workforce housing stock

Complies. Although the proposed text amendments in District 5 are not specifically targeted to preserve existing workforce housing stock, the Districts 3 – 6 amendments as a whole will contribute to this goal by incentivizing a significant increase in the supply of new workforce housing that will likely reduce the pressure on existing stock and free up that housing for renters and buyers previously shut out of the market.

Policy 6.2.b: Support businesses located in the community because of our lifestyle

Complies. Although the proposed text amendments in District 5 are not specifically targeted to encourage lifestyle-based businesses, the amendments are intended to create a more vital commercial corridor that should increase opportunities for the these types of businesses to get a start or expand in Jackson consistent with Policy 6.2.b.

Policy 6.2.c: Encourage local entrepreneurial opportunities

Complies. The proposed text amendments in District 5 will encourage local entrepreneurial opportunities by helping to create a more vital commercial corridor that should provide new and improved commercial spaces for all types of businesses to get a start or expand in Jackson consistent with Policy 6.2.c.

Policy 6.2.d: Promote light industry

Complies. The proposed text amendments in District 5 will allow light industrial uses in a broader area along the highway corridor so this will expand opportunities for these types of uses consistent with Policy 6.2.d.

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

Complies. The proposed text amendments in District 5 will encourage density in areas that are well-served by transit and within walking and bike distance of jobs and services. This should increase the user-base for these alternative modes of travel.

Policy 7.2.d: Complete key Transportation Network Projects to improve connectivity

Complies. Although the proposed text amendments in District 5 do not specifically identify new transportation improvements or key connections that will be developed, the amendments do discuss and encourage the new development to provide such connections when feasible and necessary.

District 6: Town Periphery

The Town Periphery District is located at the edges of Town, acting as the interface between the rural land of the unincorporated County and the National Forest. This district is made up of predominantly low density single family residential development. Located at the periphery of the district is a wildlife presence that is part of the defining character of the district. These areas are close to many of the amenities of a Complete Neighborhood located in other Town districts; however, they are often not within the preferred ¼ to ½ mile walking distance. The existing street network primarily consists of low volume residential streets without any pedestrian or other alternative mode accommodations. In the future, the desired character will remain the same, with low density single family development remaining the principal land use. While further subdivision of this Complete Neighborhood may be necessary to further the Growth Management goals of the plan it should be in keeping with existing character. The establishment of both minimum and maximum lot and house sizes should be developed to preserve the existing character. 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. Residents in these areas do not wish to add any significant amenities to become more Complete Neighborhoods. Their close proximity to local convenience commercial, START bus, parks, pathways, and other amenities in adjacent districts is a desirable characteristic and should be maintained. All future development, including improvements to existing properties, should be designed to improve wildlife permeability by providing wildlife friendly fencing, keeping development setback from riparian areas/ wetlands, and implementing other solutions known to increase permeability. The existing street networks will be maintained with limited alternative mode improvements on collector roadways. Pedestrian/bike amenities such as pathways will be added to connect this district to surrounding districts with Complete Neighborhood amenities and to connect our community to adjacent public lands. A challenge in this district will be maintaining its workforce housing demographic in the future. Maintenance of the expansive forested hillsides is also necessary to achieve the goal of preserving its scenic value, which is enjoyed from many areas outside of the district.

Complies. The proposed text amendments in District 6 are consistent with this vision by providing new rules that will protect the character of Stable subareas from increased development that would be incompatible with the wildlife habitat, natural sources, and scenic values in this unique part of Town.

Common Value 1: Ecosystem Stewardship

Policy 1.1.c: Design for wildlife permeability

Complies. The proposed text amendments in District 6 will encourage wildlife permeability by decreasing subdivision potential so that wildlife will have fewer physical obstacles and other deterrents (dogs, people, etc.) to moving through this sensitive area.

Policy 1.3.b: Maintain expansive hillside and foreground vistas

Complies. The proposed text amendments in District 6 will limit development on steep hillsides and so will help preserve the views both from and to the hillside areas in District 6, consistent with Policy 1.3.b.

Common Value 2: Growth Management

Policy 4.3.a: Preserve and enhance stable areas

Complies. The proposed text amendments in District 6 will preserve and enhance stable subareas 6.1 Low to Medium Density Neighborhoods and 6.2 Upper Cache by reducing subdivision potential which will essentially preserve the existing residential density and character of this unique periphery area.

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

Complies. The proposed text amendments in District 6 will preserve and enhance natural features in the built environment by reducing subdivision potential which will help protect the steep slopes, riparian areas, and wildlife habitat in District 6.

Common Value 3: Quality of Life

Policy 5.3.b: Preserve existing workforce housing stock

Complies. Complies. Although the proposed text amendments in District 6 are not specifically targeted to preserve existing workforce housing stock, the Districts 3 – 6 amendments as a whole will contribute to this goal by incentivizing a significant increase in the supply of new workforce housing that will likely reduce the pressure on existing stock and free up that housing for renters and buyers previously shut out of the market.

6. **Is consistent with other adopted Town Ordinances**

   Yes. The proposed text amendments for the Districts 3 - 6 and Town Parking LDRs are consistent with other adopted Town Ordinances.

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

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

   Yes. The proposed amendments to the Official Zoning Map for Districts 3 - 6 are a continuation of the effort to update the zoning map of the LDRs and are consistent with the LDRs' primary purpose which is to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. In addition, the proposed new Districts 3 - 6 zoning districts are consistent with the LDRs' goals to improve predictability in LDR implementation and to focus on desired future character as the organizing principle for development in the Town.

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

   Yes. The proposed amendments to the Official Zoning Map for Districts 3 - 6 are a continuation of the effort to update the Official Zoning Map to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. The proposed zoning map changes will implement the desired future character of Districts 3 - 6 by ensuring that each subarea is carefully considered with new zoning rules to reflect the particular goals of each subarea. In addition, because the zoning map amendments are essentially the locational representation of the text amendments for the new Districts 3 - 6 zones, please see the above responses for Finding #5 for text amendments as a response for this finding.

3. **Is necessary to address changing conditions or public necessity**

Yes. The adoption of a Jackson/Teton County Comprehensive Plan adopted in May 2012 is a new condition that requires the Town to update its LDRs and Official Zoning Map to be consistent with the new Comprehensive Plan. The proposed Districts 3 - 6 zoning map amendments, which provide updated zoning regulations for the Town residential areas and commercial corridor south of Downtown, is part of the continuing effort to update the LDRs by the Town to implement the new Comprehensive Plan.

4. **Is consistent with other adopted Town Ordinances**

Yes. The proposed Districts 3 - 6 amendments to the Official Zoning Map are consistent with other adopted Town Ordinances.

PLANNING COMMISSION

As mentioned above, the Planning Commission held public hearings on this item on May 14 and 15. Their recommendations are contained in the attached List of Modifications.

FISCAL IMPACT

Adoption of the proposed Districts 3 – 6 and Parking Study updated LDRs will not significantly change the current level of staff time or resources needed to administer the LDRs, thus minimal fiscal impact to the Town is anticipated.

LEGAL REVIEW

Ongoing. The Town Attorney will continue to review the updates to the Districts 3 – 6 LDRs prior to the Town Council hearings. In particular, draft ordinances will be reviewed prior to first reading on June 25.

ATTACHMENTS

- Proposed Modifications with Staff Recommendations
- Draft redline version of proposed amendments to LDRs for Districts 3 – 6
- Public comment received since April 19, 2018 (prior public comment has been previously provided, contact staff for additional copies.

RECOMMENDATION

The Planning Director recommends Approval of P17-077, the Districts 3 – 6 and Town Parking LDR update, dated March 16, 2018, subject also to the 'Staff and Planning Commission Recommendations on Proposed Modifications' dated 5/24/18, and based on the findings made above.

SUGGESTED MOTION

Item A: Text Amendment

I move to **APPROVE** Item P17-077, the Districts 3 - 6 and Town Parking amendments to the text of Town of Jackson Land Development Regulations, dated March 16, 2018, and as presented by Staff, finding pursuant to Section 8.7.1.C, Findings, that P17-077 is 1) Consistent with purposes of LDRs, 2) Improves consistency with other LDRs, 3) Provides flexibility with standards that clearly define desired character, 4) Necessary to meet changes or public necessity, 5) Improves implementation of Comprehensive Plan, and 6) Consistent with other Town Ordinances; subject to the following modifications:

1. Additional modifications identified by the Council on May 29, 2018.

Item B: Zoning Map Amendment

I move to **APPROVE** Item P17-077, the District 3 - 6 and Town Parking amendments to Official Zoning Map, dated March 16, 2018, and as presented by Staff, finding pursuant to Section 8.7.2.C, Findings for Approval, that P17-077 is 1) Consistent with purposes of LDRs, 2) Improves implementation of desired future character, 3) Necessary to meet changes or public necessity, and 4) Consistent with other Town Ordinances; subject to the following modification:

1. Additional modifications identified by the Council on May 29, 2018.

From:	susan@susanflemingjewelry.com
To:	Town Council
Subject:	Zoning changes - specifically the parcel to the north of Daisy Bush
Date:	Thursday, May 24, 2018 5:13:03 PM

Hello Council members - I am writing today in regards to the current zoning proposal changes to the May Park area and specifically the parcel to the north of Daisy Bush. While I support creating density and housing in town, I think there are appropriate areas and less appropriate areas for such density to occur. I am writing to urge you to consider NL-2 zoning for the parcel to the north of Daisy Bush as it seems the most appropriate and similar (would be more dense than Daisy Bush) to the surrounding neighborhoods. This section of East Jackson is primarily owner occupied units and there is a real sense of community and neighborliness. Under the current proposal for this area, it seems as though a much larger scale building or set of buildings could potentially be built. This is not an area that can support this type of density as we currently have no sidewalks on Nelson Drive and no plans for sidewalks in the future, Nelson is narrow with a sharp curve where people drive too fast already, there are parking issues in this area already, the area is not in walking distance to grocery stores, post office, restaurants, jobs, etc., and it is adjacent to a wildlife area. I do believe that the current proposed zoning is not in character with the surrounding neighborhood and encourage you to consider NL-2 zoning so that we don't exacerbate existing problems.
Thank you for your time-
Susan Fleming
East Jackson

From:	Tim Grimes
To:	Town Council
Subject:	East Jackson Proposed Zoning
Date:	Thursday, May 24, 2018 11:47:15 AM

Dear Council,
I am writing to recommend that the Daisy Bush and USFS parcels at the end of Nelson Street be considering for a zoning of NL-2.
I have heard that the staff had recommended lowering the proposed zoning from the NH-1 to a less dense zoning. I feel the NL-2 zoning will be best suited for the density of the current Daisy Bush area. Nelson and Rancher neighborhoods have been declared "Stable" by the towns review and I feel that the Daisy Bush current build out is appropriate for the area. I am not calling for "Not in my Backyard" type of stance. I have lived on Nelson Street for close to 10 years and I was all for the Daisy Bush build out and still am. I also have witnessed greater traffic, but primarily more parking on the street. The town has already limited parking to one side of the street due to previous problems of a too narrow a street for overlap parking. Nelson Drive is a huge bicycle access currently to the Cache Creek area and should remain a safe area for that. I think the implications for the USFS property becoming built out to a denser proposed zoning is something else that must be closely looked at. Wildland Urban Interface, Wildlife corridors and greatly increased traffic will be quite problematic if ever instigated.
We have no sidewalks and no grocery stores or restaurants close at hand, this area can stand some density but NL-2 would be the most the neighborhood could bear.
Thanks for listening to my comments and look forward to your thoughtful recommendation,
Tim Grimes
40 Nelson Dr.
1-307-690-6064

From: Paul Anthony
To: Tiffany Stolte
Subject: FW: Districts 3-6 - 115 Nelson Drive Zoning
Date: Tuesday, May 29, 2018 2:25:31 PM

See public comment below…

From: Bruce Hawtin [mailto:bhawtin@hawtinjorgensen.com]
Sent: Tuesday, May 29, 2018 2:10 PM
To: Town Council <electedofficials@jacksonwy.gov>; Pete Muldoon <pmuldoon@jacksonwy.gov>
Cc: Tyler Sinclair <tsinclair@jacksonwy.gov>; Paul Anthony <panthony@jacksonwy.gov>
Subject: Districts 3-6 - 115 Nelson Drive Zoning

Dear Mayor Muldoon and Town Council Members,

We own a 1.3 acre property at 115 Nelson Drive. We recently asked for a reduction in intensity by asking that the proposed zoning be reduced two levels from Neighborhood High 1 (NH-1) to Neighborhood Medium 1 (NM-1), as stated in a May 11, 2018 letter to the Town Council and the Planning Department. Both the Planning Department and the Planning Commission have accepted that feedback and that recommendation has been forwarded to you.

We feel this reduction in intensity is reasonable and appropriate for the neighborhood. The NM-1 zoning speaks to bulk and scale issues and increases density over the current zoning to contribute to the Comprehensive Plan goals of shifting density from the County to the Town. We have spent significant time reaching out, and listening, to immediate nieghbors and very much appreciate the time they have spent with us and Arne Jorgensen. While some of the concerns have been addressed, it is our understanding that some neighbors are going to request further reductions in intensity. While we very much respect the input of the neighbors, we continue to be comfortable that the recommended zoning of NM-1 is appropriate. This based on several factors:

- There are certainly impacts of increased density but we feel that the scale of what could take place on this property is well within a reasonable level. The property is accessed from from Nelson which ties to two significant east/west streets. While not immediately adjacent, a bus stop and sidewalks are within reasonable walking distances.
- The aggregate of density on this property is smaller than what has occurred in the recent past of some increased density along with the redevelopment of older single family units and empty lots throughout East Jackson.
- As we point out above, the overarching positive benefits to the community as presented in our Comprehensive Plan goals and priorities should be part of this discussion.

After listening to our neighbors and the points of concern, we would suggest the following edits to address the issues of total units and building configuration:

- In section 2.1.5.F, remove the first graphic in the second line labeled '2 detached units + Two attached ARUs'. While ARUs are a very positive use in these zones, having them all attached seems to be counter to the duplex focus of this zone.
- Add an Additional Zone-specific Standard under the proposed Neighborhood Medium 1 zone (2.1.5.E.3).

3. Attached Single-Family Unit/Apartment. No more than 2 units are allowed per building. This standard is to be applied to all buildings regardless of ownership or platting configuation.

This suggested language is based on similar language in the proposed Neighborhood Medium 2 (2.1.6.E.1).

In addition to the specific regulatory comments above, we have heard the concerns about on street parking. We agree that this is a real concern but that it is best addressed through community wide efforts to ensure that our on street parking is appropriately managed regardless of an individual property impact.

In closing, one of the best things that happened to our property on Kelly Street is the Affordable Housing Project across the street. Carolynn grew up sitting at the kitchen table looking across the street to a wonderful historic log home, several rentals pushed back to the alley, empty lots and two glorious crab apple trees. Our family was inspired by my 90 year old mother who liked the change and never complained. She loved seeing the young families, older people etc that had a home. Before mom died, one of the owners who was a painter came over and painted her garage door without charge. So great to be in a caring neighborhood. That project added housing and wonderful neighbors that serve this town. If we want economic diversity we have to welcome more density in town.

Thank you for your consideration of this appeal. We look forward to your decision and we are available at any time to discuss this issue.

Best Regards,

Bruce Hawtin 307-690-1125
Carolynn Hawtin 307-690-1124

From:	Paul Anthony
To:	Tiffany Stolte
Subject:	FW: Districts 3-6 - 115 Nelson Drive Zoning
Date:	Thursday, June 21, 2018 9:23:11 AM

From: Arne Jorgensen [mailto:ajorgensen@hawtinjorgensen.com]
Sent: Wednesday, May 30, 2018 5:59 PM
To: Tyler Sinclair <tsinclair@jacksonwy.gov>; Paul Anthony <panthony@jacksonwy.gov>
Cc: Town Council <electedofficials@jacksonwy.gov>
Subject: Districts 3-6 - 115 Nelson Drive Zoning

Tyler and Paul

As always, thank you for your efforts in walking the community through these discussions about our community's future.

I wanted to follow up on the discussion that the three of us had yesterday evening about the suggestions offered by Bruce and Carolynn Hawtin and on which I commented during Public Comment.

Most seem to acknowledge that buildings that contain four units on a parcel such as 115 Nelson are not desired given the parcel size and neighborhood context. While it is likely that given the mix of standards of Landscape Surface Ratio, parking, and setbacks that these larger number of units in a single building are not likely, I feel that we should find language that clearly implements the goal of nothing greater than duplexes on more constrained parcels.

I understand that there is some concern that the proposed language may not take into account other Neighborhood Medium 1 zoned areas that may be able to reasonably accommodate the duplex configuration with possible ARUs. I would strongly suggest that we should look to address the concerns mentioned related to 115 Nelson and offer the following.
Add an Additional Zone-specific Standard under the proposed Neighborhood Medium 1 zone (2.1.5.E.3):
3. On lots containing a Detached Single Family Unit, an ARU is permitted. On lots containing two Attached Single Family Units/Apartment, ARUs are only permitted where access is provided from both a street and an alley prior to a potential lot split.

I believe that this language would be a reasonable response to the Public Comment referencing uncertain density on the 115 Nelson parcel.

Thank you again for all of your efforts.

Arne O. Jorgensen
AIA, NCARB, LEED-AP
Hawtin Jorgensen Architects
P.O. Box 1249
Jackson, Wyoming 83001

307.733.4364
www.hawtinjorgensen.com
ajorgensen@hawtinjorgensen.com
www.facebook.com/hawtinjorgensenarchitects

Begin forwarded message:

From: Bruce Hawtin <bhawtin@hawtinjorgensen.com>
Subject: Districts 3-6 - 115 Nelson Drive Zoning
Date: May 29, 2018 at 2:10:02 PM MDT
To: council@jacksonwy.gov, Pete Muldoon <pmuldoon@jacksonwy.gov>
Cc: Tyler Sinclair <tsinclair@ci.jackson.wy.us>, Paul Anthony <panthony@ci.jackson.wy.us>

Dear Mayor Muldoon and Town Council Members,

We own a 1.3 acre property at 115 Nelson Drive. We recently asked for a reduction in intensity by asking that the proposed zoning be reduced two levels from Neighborhood High 1 (NH-1) to Neighborhood Medium 1 (NM-1), as stated in a May 11, 2018 letter to the Town Council and the Planning Department. Both the Planning Department and the Planning Commission have accepted that feedback and that recommendation has been forwarded to you.

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- There are certainly impacts of increased density but we feel that the scale of what could take place on this property is well within a reasonable level. The property is accessed from from Nelson which ties to two significant east/west streets. While not immediately adjacent, a bus stop and sidewalks are within reasonable walking distances.
- The aggregate of density on this property is smaller than what has occurred in the recent past of some increased density along with the redevelopment of older single family units and empty lots throughout East Jackson.
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Thank you for your consideration of this appeal. We look forward to your decision and we are available at any time to discuss this issue.

Best Regards,

Bruce Hawtin 307-690-1125
Carolynn Hawtin 307-690-1124

From: Paul Walters
To: "feedback@jacksontetonplan.com"
Subject: Possible up zoning of MayPark/East Jackson Area
Date: Tuesday, June 12, 2018 9:02:30 AM

Greetings,

I am a home owner on East Hansen, have been for close to 30 years. I know I'm getting into the 'game' a bit late but I would like to comment on the proposed up zone of my 'neighborhood'.
Yes, it is a 'neighborhood', which currently functions well under the current zoning regime. I've talked to many of my friends and neighbors about this possible zoning change, and to the person all seem to agree that 'reasonableness' is the key concept.
Up zone - yes, reasonably – NL-2, seems doable. Other up zones – unacceptable, for all the reasons you have heard already – Safety, density, traffic, parking, noise, wildlife conflict, walkability, snow removal, etc.
Please don't overbuild our neighborhood – be reasonable, and do the right thing for all the residents of East Jackson.

Very Sincerely,

Paul

The Paul Walters Family
400 Henley Rd.

From:	Paul Anthony
To:	Tiffany Stolte
Subject:	FW: URGENT - NL-1 - No detached ARU on lot less than min size - increase in Min lot size
Date:	Wednesday, June 20, 2018 4:10:35 PM

For the file…thx

From: Destin Peters [mailto:destin@enclosurestudio.com]
Sent: Wednesday, June 20, 2018 2:53 PM
To: Tyler Valentine <tvalentine@jacksonwy.gov>
Cc: Paul Anthony <panthony@jacksonwy.gov>
Subject: URGENT - NL-1 - No detached ARU on lot less than min size - increase in Min lot size

Tyler,

Just caught this today, very concerning. What's the status of this?

How to we ditch the min lot size increase in NL-1?

What is the proposed date to adopt the new LDR's?

..warning, begin rant....

Reducing density in an area that has very quick access to downtown Jackson, and is a 5 min walk from the start bus is shooting ourselves in the foot for housing opportunities.

We'll be creating/maintaining more situations like a a number of the homes on Upper Cache, expensive homes on large lots that are only occupied a few weeks of the year.

Anyhow, pretty frustrating that the working middle class who are hustling to make it in this town don't always have time to fully engage with the process - but the retired or wealthy NIMBY's do - giving the no-growth crowd a disproportional voice.

Thanks,

Destin Peters | EnclosureStudio
www.enclosurestudio.com
Jackson WY | 307.690.0498

TOWN OF JACKSON
TOWN COUNCIL
AGENDA DOCUMENTATION

PREPARATION DATE: JUNE 22, 2018
MEETING DATE: JUNE 25, 2018

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

SUBJECT: **FIRST READING OF ORDINANCES I, J, & K:** REGARDING ADOPTION OF AMENDED ZONING TEXT AND ZONING MAP TO IMPLEMENT CHARACTER DISTRICTS 3 – 6 AND TOWN PARKING AS SET FORTH IN THE JACKSON/TETON COUNTY COMPREHENSIVE PLAN.

REQUESTED ACTION

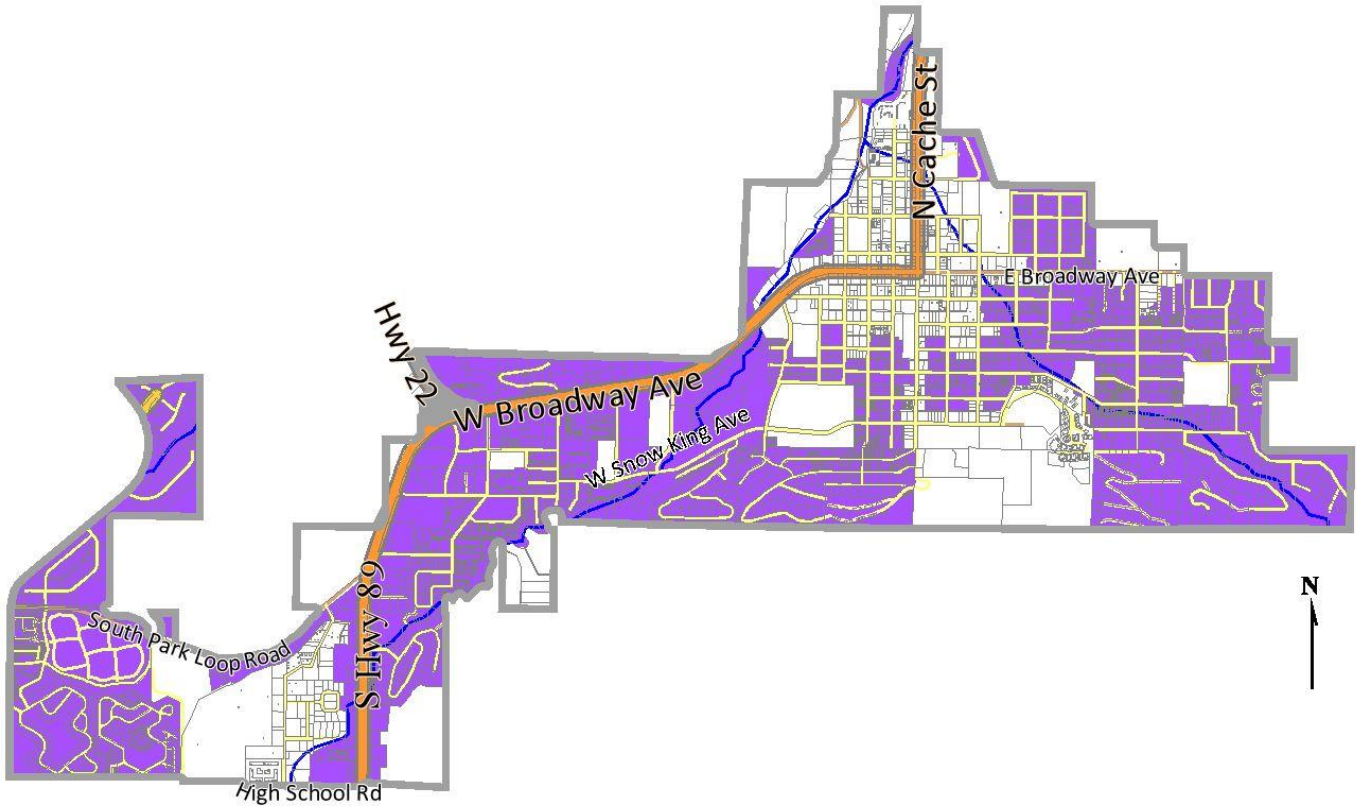
First Reading of Ordinances I, J, and K, regarding adoption of amended text to the Town of Jackson Land Development Regulations (LDRs) and Official Zoning Map to implement Town Character District 3: Town Residential Core; Character District 4: Midtown; Character District 5: West Jackson *(excluding Business Park (BP) zone)*; Character District 6: Town Periphery, and the recommendations from the Town Parking Study, as set forth in the Jackson/Teton County Comprehensive Plan.

PRIOR TOWN COUNCIL ACTION

At their May 30, 2018 special meeting, Council directed staff to prepare the Districts 3 – 6 and Town Parking Ordinances for consideration. The May 30 direction was the culmination of a process that began in February 2017, built on Council direction given in June 2017 then in December 2017, and has engaged nearly 800 participants. For a full detail of the process see the attached staff report for the May 30 meeting.

LOCATION

The Districts 3 - 6 Ordinances and Town Parking generally affect the area shown in purple below.



STAFF ANALYSIS

The Council approved its final direction on the List of Modifications for the Districts 3 – 6 and Town Parking update on May 30. Staff has integrated that direction into the attached Ordinances provided by the Town Attorney. The LDR text being amended is presented in redline form for first reading to illustrate changes to the current LDRs.

Staff recommends that the Council build on the direction approved May 30. At the meeting, staff will present a summary of the changes made to implement the Council's direction and answer any questions about the changes prior to public comment. Following public comment staff recommends Council spend its time on the short list of additional discussion items staff has identified below and any new items identified by Council or the public. No Council member was in the majority of every straw poll taken on May 29 and 30, but the overall direction represents the work of the Council as a whole on a variety of issues. Staff recommends only revisiting items where a councilmember has changed her/his opinion.

In making the Council's approved changes, staff has done its best to capture the direction and intent of the Council. On some items, however, staff wants to confirm that the Council agrees with staff's revisions. In a few other cases, staff discovered that the proposed changes generated follow-up questions caused by possible conflicts or inconsistencies with other provisions in the LDRs.

Thus, below is a short list of items from the List of Modifications that staff would like to discuss further with the Council at the hearing:

A. **Upper Cache Zoning (Item #3)**: As directed by Council, staff created two zones for the Upper cache subarea: 1) A .5-acre zone that applies to properties on the south side of Cache Creek Drive and Snow King Estates (NL-2), and 2) a 1-acre zone that applies to everything else (NL-1). Staff wants to confirm these boundaries;
B. **Nonconforming Single-Family homes (Item #5)**: Is Council comfortable with the how we are exempting Single-Family homes from certain limits for nonconforming structures and nonconforming uses in Ordinance K? These exemptions would apply to all nonconforming Single-Family homes, not just those in Districts 3-6;
C. **Alley access requirements (Items #37 & #44)**: The direction is to require alley access in the NL-3 (new NL-4) and NL-4 (new NL-5) zones for one or two units but allow access from primary street also if there are three units. While there are good reasons for doing this (e.g., fewer curb cuts, better streetscape, better sidewalks), the practical enforcement of this requirement could be difficult. In particular, if a landowner chooses to build the primary house off the street first, then they will be forced to have access and their garage off the back of the house which could make it more difficult to build the one or two additional ARUs/residential units later. Also, a reduction in LSR is likely necessary to allow this site layout and we have not discussed yet if we should reduce (and by how much) the LSR in the NL-3 (New NL-4) (current NC) zone in particular.
D. **10' side setback for NL-4 (new NL-5) (Item #45)**: The direction is to require a 10' setback for all residential units in the NL-4 (new NL-5). The issue is that the NL-3 allows smaller residential structures (ARUs that are 800 sf or less and not more than 14' in height) to be 5' from a side property line, with the result that the NL-4 (new NL-5) has stricter setbacks for a zone that is supposed to be slightly more intense. Is this the Council's intent?
E. **Updated changes to CR-3 Zone (Item #65):** As indicated previously by staff, we continued to work with Code Studio to finalize the standards in the CR-3 zone. In particular, we modified the standards to better reflect the realities and goals of redevelopment along our highway corridor. For example, new standards are proposed that require a landscape buffer and screening walls for parking near the highway, and that allow some buildings to be located farther back from the highway in certain circumstances (residential buildings).
F. **Other changes identified by staff:** Staff may raise for discussion other smaller changes to the text or zoning map during the hearing.

IMPORTANT NOTE: *Due to the addition of the .5-acre zone, the names of the NL zones have shifted. In the attached ordinances NL-1 is still the 1-acre zone, NL-2 is the new .5-acre zone, NL-3 is the zone formerly named NL-2, NL-4 is the zone formerly named NL-3, and NL-5 is the zone formerly named NL-4. To avoid confusion (hopefully) in the List of Modifications, we updated all of the zone names to reference the zone names used in the ordinances. Keep in mind however that public comment specific to an NL zone will be using the old zone names.*

FINDINGS

Council made the Findings for this Amendment when they approved the District 3 - 6 and Town Parking LDR Text Amendment (P17-077) and Districts 3 - 6 Zoning Map Amendment (P18-173) on May 30, 2018. Those findings are detailed in the May 29 Staff Report (attached).

ATTACHMENTS

Proposed Zoning Map for Districts 3 – 6
List of Modifications
Ordinance I
Ordinance J
Ordinance K
May 29, 2018, Staff Report
Public Comment

FISCAL IMPACT

Not applicable.

STAFF IMPACT

None.

LEGAL REVIEW

Complete.

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

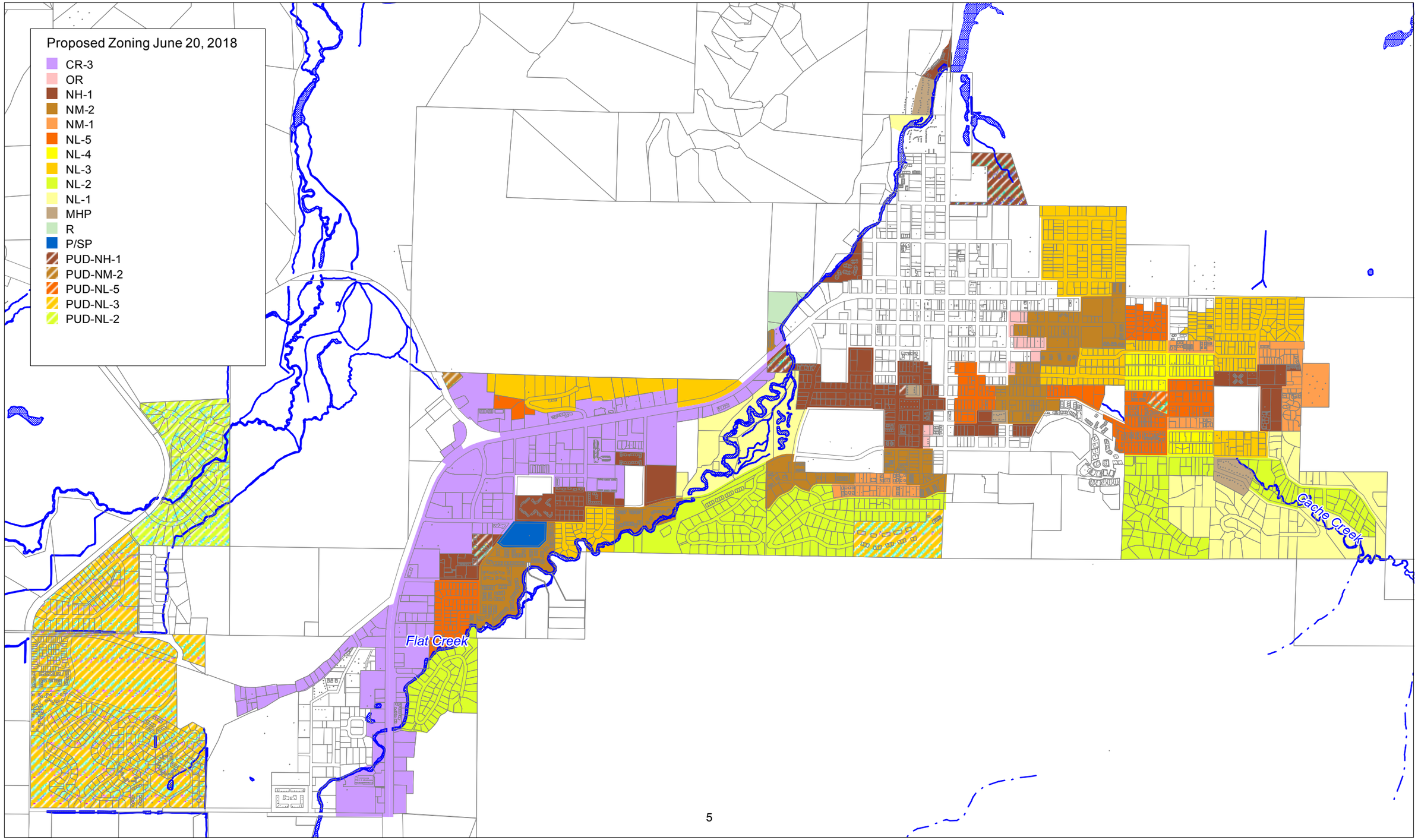
Staff recommends approval of Ordinances I, J and K, subject to any changes identified by Council or staff during the hearing.

SUGGESTED MOTIONS

Item 1: I move to approve **Ordinance I** on first reading to second reading, including any changes identified by Council or staff during the hearing.

Item 2: I move to approve **Ordinance J** on first reading to second reading, including any changes identified by Council or staff during the hearing.

Item 3: I move to approve **Ordinance K** on first reading to second reading, including any changes identified by Council or staff during the hearing.


Proposed Zoning June 20, 2018
CR-3
OR
NH-1
NM-2
NM-1
NL-5
NL-4
NL-3
NL-2
NL-1
MHP
R
P/SP
PUD-NH-1
PUD-NM-2
PUD-NL-5
PUD-NL-3
PUD-NL-2
Flat Creek
Gache Creek

Council Direction on Proposed Modifications (1st Reading)

Districts 3 - 6 and Town Parking LDRs Update 6/21/18

This is a table of proposed modifications to the March 16 draft Districts 3-6 and Town Parking LDRs. Each modification was proposed by the public in the April 12 Open House or by the public, Planning Commission, and Council at the April 23 Brainstorming session. Staff added a few proposed modifications as well. Discussion of each modification from the Planning Commission hearings May 14-15, 2018 and Council hearings May 29-30, 2018 is included along with Council's Direction. ***NOTE:*** *This list has been updated from the list reviewed in May to reflect the new NL zone names that resulted from the direction on Item 3.*

KEY ISSUES

1. Deed restrictions for additional workforce units (The "fill the box" workforce bonus)

- A number of people have asked "what percentage of the 1,800 additional units will be deed-restricted for the workforce?". The answer is that approximately 33% - 50% of all the additional units will be deed-restricted for the workforce. This is because these additional units can only be created through the "fill the box" workforce bonus in the NM-2, NH-1, and CR-3 zones. This bonus allows the developer to use the entire unused "box" — which is the additional floor area allowed on a site above the base FAR that is limited only by the height, setbacks, parking, etc. of the zone — with the deal that once they use up all their base FAR they can get 2 sf of additional market residential floor area for every 1 sf of additional deed-restricted floor area they provide (i.e., the 2:1 bonus). This is the same 2:1 workforce bonus tool that is currently allowed in the Downtown Commercial Core area (District 2).
- A few people have also commented that the "Fill the box" workforce bonus has not been used much yet in the downtown area and so they question whether it will be an effective incentive to create additional workforce housing in the rest of town. Staff's response is that the tool has only been around for about 1.5 years and that is has taken the development community a while to discover and understand how it works. Staff is having more frequent conversations with developers who are considering using the tool and so staff is hopeful that we will see increased use of the incentive in the near future. Also, staff knew that the 2:1 bonus would be less applicable in the downtown commercial core than in the Districts 3 - 6 residential areas and existing AC commercial corridor because it will not be competing with the Lodging Overlay and much higher base FARs of the downtown area. For these reasons, staff recommends that we begin with the 2:1 workforce incentive tool in Districts 3 – 6 and then monitor annually how well it is working. If it does not produce workforce housing as desired, then we can consider future changes to the incentive (e.g., a 3:1 option) or create a new incentive(s).

Council Recommendation: Keep the proposed "fill the box" (2:1) workforce incentive tool in Districts 3 – 6 and then monitor annually how well it works. If it does not produce workforce housing as desired, then we can consider future changes to the incentive (e.g., making it a 3:1 option) or create a new incentive(s).

2. Parking

- Some public comment has questioned why the proposed parking standards in Districts 3 - 6 are not more aggressive and whether we are following the recommendations from the Parking Study. As a reminder, the parking study was merged with the Districts 3 – 6 update. In doing so, we asked the Council to provide its parking recommendation on a subarea-by-subarea basis. This direction was provided by the Council in the December, 2017, final policy direction document.

    - Residential Parking: The Council's general direction on parking in residential areas was to make sure that parking was provided on-site, paid for by the developer, and did not spill out into adjacent properties or neighborhoods. The Council did not support allowing winter overnight on-street parking at this time. The result is that the proposed residential parking standards in Districts 3 - 6 are largely the same as the current standards because there are no immediate feasible options for additional off-site parking supply for residential areas. This means that on-site parking continues to be the primary option. The primary change staff did make was to update the residential parking standards to create a single parking standard for apartments and ARUs to avoid confusion about two very similar uses. Staff is willing to discuss additional parking changes as this process continues.

        Council Recommendation: Keep residential parking requirements essentially the same as current LDRs. These requirements can be reconsidered after the Downtown Parking and Regional Parking phases of the overall parking study are complete.

    - Commercial Parking: In the commercial highway corridor (proposed CR-3 Zone) , the Council's direction was to explore how to better use the large, existing commercial parking lots as shared parking for surrounding residential areas, as regional park 'n rides for the valley's transit system, and as opportunities for public-private partnerships to develop shared parking facilities and possibly parking structures. Staff has not proposed these changes in this draft because these topics go beyond the scope of the current Districts 3 – 6 update and will be addressed in more detail as part of the final phase of the Parking Study (part of the 2019 Work Plan) that will focus on regional parking and transit strategies, including the role that the commercial properties along the Hwy 89 corridor may play.

        Council Recommendation: Keep commercial parking requirements essentially the same as current LDRs. These requirements can be reconsidered after the Downtown Parking and Regional Parking phases of the overall parking study are complete.

3. Minimum Lot Size – Upper Cache (NL-1)

- The proposed NL-1 zone increases the minimum lot size from 12,000 sf (approx. ¼ acre) to a 1-acre (the average lots size is .7 acres in the Upper Cache area). The rationale for this change comes from the Comprehensive Plan in Subarea 6.2: Upper Cache that states "[f]uture subdivision will be in keeping with the traditional development pattern *with no increase in density beyond what exists on the ground today* (emphasis added)." Part of this reasoning is to protect wildlife habitat, wildlife movement, and steep slopes that characterize the Upper Cache subarea. Staff's interpretation of this policy is that new subdivision standards should minimize the number of additional lot splits (i.e., density) in this area, and that is why we proposed the 1-acre minimum lot size for the NL-1 Zone which would allow about 10 properties to still subdivide.

Alternative to Staff recommendation: Due to public concern about the impact the increased minimum lot size would have on the ability of some property owners to subdivide, especially long-time residents who have been relying on a lot split(s) for financial security, staff offers the two alternatives below for consideration.

Alternative 1: Adopt a single zone with .5-acre minimum lot size for the entire NL-1 area. This would result in approximately 30 properties being able to subdivide, a few with up to 15 additional lots.

Alternative 2: Create two zones:

- A) One zone that has a .5-acre minimum lot size and applies generally to the smaller properties on the south side of Cache Creek Drive and all the lots in Snow King Estates.
- B) A second zone with a 1-acre minimum lot size that applies to everything else.

(This 2-zone approach would result in approximately 10 properties being able to subdivide, with no property allowed more than 5 lots)

Council Recommendation: Agrees with the "Alternative 2" recommendation above that creates two zones: 1) one zone with a .5-acre minimum lot size and applies to the smaller properties on the south side of Cache Creek Drive and all the lots in Snow King Estates, and 2) a second zone with a 1-acre minimum lot size that applies to all other properties in Upper Cache subarea.

4. Changes in Height Limits

- The proposed LDRs include two primary modifications to height limits in the residential zones. First, similar to the existing Downtown commercial zones, staff included a height range that provides a base height for flat roof structures and then provides an additional 4' for steeper pitch roofs. This was done in response to significant public comment that wanted to see greater variety in house design, especially from the "metal box" design that has become more common in recent years. The second major change is that we reduced the height limit in certain zones (S, NC, NC-2) for flat roofed structures because the new upper limit of the height range (for pitched roofs) is often the same height as the existing height limit, which means that existing flat-roofed homes built to the current limit will be 4' taller than allowed under the proposed LDRs. This would make these existing homes nonconforming as to height (see Item #59 on nonconformities above). For example, the existing NC height limit is 30' for any type of roof, but under the proposed NL-3 or NL-4 zones only steep-pitched homes can be 30' while flat-roofed homes can only be 26,' meaning that existing 30' flat roofed homes do not meet the new standard. Staff believes that the proposed height range is a reasonable attempt to encourage variety in house designs without excessive burden on landowners or designers, especially given our recommendation (again, above) to partially exempt nonconforming single-family homes from certain nonconforming structure limitations, such as the 20% expansion limit.

Council Recommendation: Keep existing proposed 4' height range that distinguishes between flat and pitched roofs.

5. Nonconformities

- Any time major changes are made to existing zoning rules, some existing development will likely be made nonconforming because it will not meet the new standards. This is not surprising, especially when new development standards are intended to improve upon existing standards or fix things that currently do not work well.

    - **Nonconforming Use:** The primary newly created nonconforming use will be single-family detached homes in the proposed NH-1 zone. This is because the NH-1 proposed a minimum density requirement (see Item #45 above) that does not allow a single-family home for properties over

about 5,200 sf in size. The practical result under the LDRs is that these existing single-family homes will be limited to a 20% expansion on floor area. If the existing home is removed it can be rebuilt but the new home is still limited to the existing floor area plus 20%. While staff understands that these nonconforming limitations are a concern for some, staff remains committed to the goal of creating a true workforce housing zone with a minimum density requirement. Otherwise many of these lots will continue to develop with low-density, expensive, single-family homes in an area where workforce housing is appropriate and few other options exist.

Council Recommendation: Exempt nonconforming single-family homes from the 20% expansion limit and allow them to expand to full FAR. However, if a single-family home is torn down, it cannot be rebuilt and must comply with all new requirements (e.g., minimum density).

- **Nonconforming Structures:** The proposed new height limits (which includes some small reductions over current limits), access standards, and possibly other standards will make some existing structures, especially single-family homes, nonconforming. The practical result under the LDRs is that these existing single-family homes will be limited to a 20% expansion on floor area. If the existing home is removed or has any of its structural support removed it cannot be rebuilt to the same dimensions but must comply with all new standards.

  Council Recommendation: Exempt single-family homes from the 20% expansion limit for nonconforming structures (i.e., can build to full FAR) but not from the limitation that torn down homes must be replaced with fully compliant homes. In addition, should also allow additions to structures that are nonconforming to height to be the same height as the existing nonconforming structure.

6. Landscape Surface Ratio (LSR)

- There has been considerable public comment that current LSR rates (i.e., the amount of a property that must be 'greenspace') is too high, making it difficult to achieve important housing goals such as building ARUs or higher-density workforce housing projects. In particular, high LSRs can make parking and drive areas hard or impossible to achieve. On the other hand, we also got considerable comment stating that Town should keep it's "open space' and green areas. So the question is "in what zones are we willing to lower LSRs significantly to encourage workforce housing?" Staff's response is that we should leave the LSR the same in the current S and NC zones to maintain existing Stable character. The NC-2 LSR needs an adjustment to better recognize the proposed much smaller 3,750 sf lot. The AR zone, even in Stable areas, is a zone that has been in need of an LSR reduction for a while in order to accommodate 3 units and parking and so staff has proposed a modest LSR reduction in the new NL-5 zone. The greatest LSR reduction are proposed by staff in the NM-2 and NH-1 zones because these are specifically intended to provide the denser forms of workforce housing and where the "fill the box" incentive is allowed. The LSR for single-family homes (where allowed) will be kept relatively high to encourage other forms of higher density.

  However, if we are going to propose significant reductions in LSR in our workforce housing zones, then we should at least make sure that we get most of the desired greenspace in the front portion of the property where it will be visible to the public from the sidewalk/street (i.e., with less concern about what happens in the back portion of the lot where parking can be concentrated). Using this approach, staff proposes to create a new LSR standard based on the amount of greenspace created by existing the typical front (20') and side (10') setbacks applied to the front 1/3 of the property (again caring less about the backyard or alley area). On a standard 50' x 150' lot this produces an LSR of .21. For comparison, the existing UR-PUD (our most dense current option) has a .30 LSR but has no requirement on where the greenspace should be located so we frequently get disconnected small strips of greenspace

that often get neglected or converted to gravel or hardscape over time. To ensure that this does not happen, we would also propose that at least 70% of the required .21 LSR be located in the front 1/3 of the property (e.g., the front 50' of a 150' deep town lot). This is calibrated to allow for drive areas, parking, foot paths, etc. in the front setback where allowed or necessary. We would apply this .21 LSR and 70% rule to the NM-2 and NH-1. The CR-2 already has a .10 LSR.

Council Recommendation: Adopt a .21 LSR for the NM-2 and NH-1 zones with the further requirement that at least 70% of the required greenspace be located in the front 1/3 of the property. In addition, the LSR for the NL-5 zone should be decreased to .30 for 3 units. The LSR for the NM-1 zone will need to be further refined to accommodate the 3,750 sf lot. Otherwise, the LSRs for existing S and NC properties will stay the same as proposed to protect their Stable character.

7. Planned Unit Development (PUD)

- PUDs have been deleted from all District 3 – 6 zones and from the LDRs as a whole (except in the UC zone which is a holdover zone until it is replaced as part of the Town Square LDR update). The plan is to delete the PUD tool and then reconsider in the near future whether some type of more targeted PUD, such as a 'Workforce Housing PUD,' would be beneficial and necessary. Some people have expressed concern that the PUD is proposed for deletion because it has been a useful tool for creating apartment buildings and other forms of workforce housing, primarily because of its higher FAR, taller buildings (35'), allowance for 3 stories, and greater flexibility in setbacks. Staff acknowledges these advantages and that is the reason the proposed LDRs include all of these advantages (except the flexible setbacks) into the base standards of the proposed Neighborhood Medium Density - 2 (NM-2) and Neighborhood High Density -1 (NH-1) zones that are specifically designed to encourage workforce housing. This way the applicant does not have go through a special PUD approval process with site-specific standards and special review in order to get essentially the same advantages as the PUD. This approach also provides greater transparency and predictability to neighbors who can now better know what types of development is allowed in the neighborhood. Furthermore, this approach is much less confusing for staff to administer over time because the each project follows clearly defined zone standards rather than project-specific master plans that are largely 'frozen in time' and must be looked up every time there is a question or a need to amend the master plan.

  Council Recommendation: Delete the PUD from all District 3 – 6 zones and from the LDRs as a whole. The essential advantages of the PUD (extra height, FAR, stories, etc.) have been incorporated into the base standards of the NM-2 and NH-1 zones. The direction is to delete the PUD tool and then likely reconsider in the near future whether some type of a more targeted PUD, such as a 'Workforce Housing PUD,' would be beneficial or necessary.

- Urban Residential-PUD (UR-PUD)
  - One wrinkle with the proposed deletion of the PUD tool (and UR zone) is that this would also delete the recently adopted UR-PUD option. This option allows buildings to be 48' in height and 4 stories if the site is at least 2 acres and if the floor area allowed by the 4th floor is deed restricted as workforce housing. This tool has been used twice, Hidden Hollow and Sagebrush Apartments. While staff believes that allowing this 4th story can be an effective incentive tool for workforce housing, there is no simple way to incorporate the basic criteria of the UR-PUD into the Districts 3 – 6 update. The only two zones that could reasonably allow a 4th story are the HN-1 and CR-3. The NH-1 only has 3 properties over 2 acres and only 1 of those is likely to be developed (i.e., The Virginian campground). The CR-3 has the opposite problem because it has 16 properties over 2 acres and many could be redeveloped, raising potential public concern that there could be too many properties with four stories allowed.

Mitigating this concern is the fact that the CR-3 zone already allows buildings to be 42' – 46' tall with 3 stories so the 4th story would not add any height, just another story. With all this in mind, staff is not yet ready to propose integrating the UR-PUD tool into one of these two zones without further discussion to see what, if any, additional modifications should be made to improve this workforce tool. If the Council is interested in discussing this issue further, we can either try to develop this tool as part of the Districts 3 – 6 update, which is not staff's preference, or we can postpone this discussion until after the update to better understand where and what we would like this tool to do.

Council Recommendation: Convert the existing UR-PUD option for a 4th floor (including all of its criteria) into a development option in the CR-3 zone (and possibly other zones).

8. Sidewalks/Pedestrian Facilities

- A number of public comments have advocated for sidewalks being provided or expanded in locations where new residential density is proposed. This is sound advice. We also know from public comment that some people oppose sidewalks in their neighborhoods either due to perceived lack of need or due to concerns about creating an unwanted 'urban' character. In considering these two views, staff notes that the Town does not currently have a clear policy on what types of projects (i.e., how big) should trigger a sidewalk requirement and where sidewalks should be required in the first place. While we have a Community Streets Plan that includes suggested sidewalk dimensions and provides general recommendations on where sidewalks should be located, there is still much interpretation required to determine exactly where sidewalks should be located. While sidewalks are a major and welcome investment, new sidewalks and curbs that do not connect to other sidewalk sections are wasteful, potentially hazardous, and reduce support for sidewalks that are truly needed. Furthermore, even though the new zones in Downtown all require generous sidewalks, this was a relatively simple matter because this is our commercial core area that receives heavy pedestrian traffic that must be served by safe sidewalks. In contrast, many of the residential areas in Districts 3 – 6 do not fit this description and so we have to be careful about where and when sidewalks are required. To address these uncertainties, staff recommends that a 'Sidewalks Master Plan' be considered for adoption by the Town. This is a complex topic and beyond the scope of the Districts 3 – 6 update. Nonetheless, factors that should be considered would include public safety, future development patterns, financial responsibilities of developers and the Town, and prioritizing connections to major population areas or community amenities (parks, transit stops, etc.). Without this guidance staff is left with our current ad-hoc system in residential areas based on project size and local circumstances that can create confusion for staff and landowners alike.

Council Recommendation: Keep existing policy for requiring (or not) sidewalks in residential neighborhoods and consider adding to future Work Plan the task of developing a 'Sidewalks Master Plan' to guide future sidewalk construction and financing, including determining thresholds to trigger sidewalk construction and/or consideration of a fee in lieu program.

9. Tiny Homes

- So-called "tiny homes" have been a trendy topic in public comment because they offer a potential method to increase workforce housing. One difficulty with "tiny homes" is that there is no single definition for them so different people mean different things by them. For LDR purposes, tiny homes are small (approx. 300 – 500 sf or so), detached housing units that meet the same International Residential Code requirements as regular stick-built or modular units. This definition excludes units that are built to recreational vehicle standards (e.g., the HGTV version of tiny homes) or manufactured/mobile home standards (HUD). Essentially, LDR tiny homes are just like regular homes, only smaller. According to this definition, tiny homes are allowed in two primary new zones, the Neighborhood Medium Density - 2 (NM-2) and the Neighborhood High Density -1 (NH-1). These two

zones allow multiple tiny homes to be located on one lot provided they meet all other development standards. No special standards apply to this use as proposed, although the Town may want to consider whether certain standards for site design, landscaping, circulation, private open space, etc., should be applied to tiny home developments, not unlike 'cottage court' standards or the standards that currently apply to our Mobile Home Park zone. The Council may also want to consider whether the LDRs should allow in some way the cheaper version of a tiny home (the HGTV version of tiny homes) that is built to recreational vehicle standards on wheels and can often be self-built for about $30,000 or bought fully constructed for $50,000 or more. In some cases they can be significantly more expensive and elaborately designed. The Council may also wish to discuss whether there is support to allow these tiny homes on a temporary basis on vacant or underutilized land to provide seasonal housing or ease short-term housing shortages. If so, staff suggests that this discussion be conducted separately after the Districts 3 – 6 update is completed to ensure it is properly and fully vetted, especially with assistance from the Building Official.

Council Recommendation: Allow stick-built/modular tiny homes that comply with the building code in certain zones, but not RV or mobile home-versions of tiny homes. Further discussion of using RV tiny homes or mobile homes on vacant or underutilized land to provide seasonal housing or ease short-term housing shortages should be conducted separately after the Districts 3 – 6 update.

10. Mobile Home Park Zone/Mobile Homes

- The proposed LDRs delete the Mobile Home Park (MHP) Zone from the LDRs. This affects four existing properties with MHP zoning in the Town. The intent is to provide new base zoning that will govern new development if the mobile home parks are redeveloped. In each case, the proposed new zone fits with the Comprehensive Plan direction and surrounding density. The effect of deleting the MHP zone is that all mobile homes in the parks would become nonconforming uses. The practical effect is we would allow all existing mobile homes to be fully maintained and/or replaced with new mobiles at the will of the owner and in compliance with the Building Code. Thus, existing mobile home parks could continue to operate much as they do now with little effect. The main requirement would be that the owners would need to continuously operate the mobile home use without a lapse of over one year or the use would be considered 'discontinued' and the mobile home would not be able to be reestablished or replaced. The Council has not had an in-depth discussion yet about the future of mobile home parks and mobile homes in general in the Town. The general policy direction up to this point has been that we can keep the mobile homes we have but should not add more in Town. Given the role that mobile homes can play in providing workforce housing for the lowest income levels, some members of the public have advocated having a direct conversation about the appropriate role of mobile homes (and tiny homes too) in the Town.

Council Recommendation: Retain existing Mobile Home Park zone (MHP) for all existing mobile home parks in Districts 3 – 6. This will keep clearer rules for mobile homes moving forward until the Town has more time to fully discuss what it wants to do about allowing (or not) mobile homes.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
GENERAL ISSUES				
11	General Issue	Parking • Permit on-street winter parking.	***COUNCIL: See recommendation for Item #2 (i.e., no winter on-street parking allowed).***	The Technical Committee for the Town Parking study did not recommend winter on-street parking anywhere in Town at this time, primarily due to concerns about damaging vehicles with plows, driver safety, and increased costs. Note: The PC favors using winter on-street parking to help promote workforce housing by using the existing ROW for parking.
12	General Issue	Parking • Make parking standards more flexible. • Consider alternative parking strategies. • Parking requirements too high to promote workforce housing. What happened to Parking Study recommendations?	***COUNCIL: See recommendation for Item #2 (i.e., no overnight winter parking in town surface lots).***	
13	General Issue	Parking • Parking requirements for ARUs and similar-sized apartments should be changed to be the same.	***COUNCIL: See recommendation for Item #2 (i.e., "Apartment' and 'ARU' should both have a parking requirement of 1/unit if < 2 bedroom and < 500 sf; otherwise, 1.5/unit.).***	The current 'Apartment' parking requirement is 1/unit if < 2 bedroom and < 500 sf; otherwise, 1.5/unit. This is more than the requirement for an 'ARU' which is 1/unit in some zones while other zones require 1/bedroom for ARUs. To clear up these inconsistencies, staff recommends we use the first standard as adopted by Council.
14	General Issue	Nonconformities • Eliminate 20% expansion limit on nonconforming structures. • Preserve 20% expansion • Consider changes to nonconformity standards to exempt single-family homes from nonconforming limits.	***COUNCIL: See recommendation for Item #5.***	**Staff wants to confirm Council direction on nonconformities and Single-family homes.**
15	General Issue	Planned Unit Development (PUD)	***COUNCIL: See recommendation for Item #7 (I.e., PUD tool deleted from LDRs for now***	See Discussion above in Item 7.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
		• Keep the PUD tool for housing, especially workforce housing.	***with possibility of being readopted later in modified form).***	
16	General Issue	UR-PUD • Keep the UR-PUD tool that allows 48'/4 stories on properties with at least 2 acres?	***COUNCIL: See recommendation for Item #7 (i.e., keep current option for 4th story in the CR-3 zone with possible consideration in other zones).***	See Discussion above in Item 7.
17	General Issue	"Fill the Box" Workforce Bonus • The (2:1) workforce housing bonus is largely untested in District 2 so how do we know if it's going to work in D3-6?	***COUNCIL: See recommendation for Item #1 (i.e., apply the "fill the Box" incentive in the NM-2, NH-1, and CR-3 zones).***	See Discussion above in Item 1.
18	General Issue	Number of zones • Reduce the number of zones	***COUNCIL: Change the number of proposed new zones to 9, for a net change of 0 zones overall.***	The proposed draft would delete 9 existing zones and replace them with 9 new zones, for a reduction of 0 zones. Originally, staff proposed to delete 10 zones and replace with 8 zones for a reduction of 2 zones but with the retention of the Mobile Home Park zone and the addition of the new .5-acre zone in Upper Cache, there is no net change in the number of zones.
19	General Issue	Tiny homes • Include more flexibility to allow tiny homes. • Explore other options for foundations (e.g., shallow frost free insulated foundations)	***COUNCIL: See recommendation for Item #9 (i.e., no change in current rules that limit approval of tiny homes but discuss role of tiny homes in more depth in the future).***	See Discussion above in Item 9.
20	General Issue	Pedestrian facilities • Add sidewalks to serve new residents in areas where density is proposed to increase.	***COUNCIL: See recommendation for Item #8 (i.e., keep current rules for requiring sidewalks but consider future analysis of more sidewalk thresholds and fee in lieu program).***	See Discussion above in Item 8.
21	General Issue	Buildout • Reduce density overall • Increase FAR • Be flexible on allocation of "added" units in Town.	***COUNCIL: Keep density as proposed in draft LDRs with no significant increases or reductions in buildout potential.***	The Comprehensive Plan has a policy that residential and commercial buildout will be limited to what current ("1994") zoning allows. Thus, increasing base FARs would likely violate this policy. Similarly, reductions in overall density are also not supported by the Plan due to need for workforce housing and concerns about property rights. In terms of counting new units against buildout, the 1,800 units will be counted as they are built.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	Topic	Modification	Council Direction	Comments
22	General Issue	ARUs • Eliminate ARUs from Town periphery and East Jackson	***COUNCIL: Continue to allow ARUs in East Jackson and periphery.***	ARUs were added to the Suburban (S) and Neighborhood Conservation (NC) zones in 2016. The goal was to create more opportunities for small rental workforce housing in residential neighborhoods and assist homeowners with additional income. These goals remain valid. As more ARUs are built in the S and NC zones, we can reevaluate whether changes to the LDRs need to be made.
23	General Issue	ARUs • Allow 750-800 sf for all ARUs (regardless of lot size) • Allow up to 900 sf for any lot size	***COUNCIL: Keep proposed ARU size limits the same as current standards in the S, NC, and NC-2 zones.***	ARUs are generally limited to either 500 sf or 800 sf depending on zone, min. lot size, and whether they are attached or detached. Because the proposed LDRs replace ARUs with unrestricted size apartments in the current AR zone, the only residential zones with restricted ARUs would be NC, NC-2, and S. Due to neighbor concerns about compatibility of the existing ARU size limits, staff does not recommend increasing the size of ARUs in the replacement zones for the S, NC, and NC-2 zones.
24	General Issue	Number of stories • Permit 4 or 5 stories	***COUNCIL: See recommendation for Item #7 (i.e., allow current option for 4th story in CR-3 Zone).***	The current and proposed LDRs limit buildings in all zones to 3 stories, with the one exception that the current UR-PUD option has been relocated into the proposed CR-3 zone. Aside from this limited option in the CR-3, staff supports keeping 3 stories as the general maximum because it's consistent with the Comp Plan and general public opinion, and we prefer to reserve the 4th story as a targeted incentive for workforce housing where it is appropriate.
25	General Issue	Mobile Home Parks • Need clear approach to mobile homes in the future	***COUNCIL: See recommendation for Item #10 (i.e., keep existing Mobile Home Park Zone for now but discuss role of mobile housing in more depth in the future).***	See Discussion above in Item 10.
26	General Issue	Threshold for Design Review (DRC) • What is the appropriate threshold for review by the Design Review Committee (i.e., what size projects should undergo DRC review)?	***COUNCIL: Require review by the Design Review Committee (DRC) for all residential projects of a tri-plex or larger.***	Traditionally, design review has applied only to commercial projects. With the adoption of District 2, all multi-family (3 units or more) in District 2 zones became subject to DRC review. In addition, many recent large residential PUD projects have undergone DRC review. Based on this, staff has recommended that all residential projects of three units or more (attached unit – triplex) are required to do to the DRC. Staff acknowledges, however, that the Town Design Guidelines need to be updated to include more guidance on residential development since the existing guidelines are intended for commercial development.
27	General Issue	Live-Work Units • Delete 'Live-Work' units from the LDRS as an allowed use.	***COUNCIL: Delete 'Live-Work' units from the Town LDRs in all zones.***	Live-Work units have a mixed record in providing workforce housing with on-site business space. Experience has shown that residents of some Live-Work units do not work the commercial space or occupy the unit much at all. And because Live-Work units are exempt from

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
				affordable housing mitigation requirements, staff is concerned that this use is being misused. Also, enforcement is difficult.
28	General Issue	Miscellaneous • Make changes to other sections of the LDRs necessary for consistency and/or clarity to implement primary approved modifications.	***COUNCIL: Make all the necessary miscellaneous LDRs changes to implement the primary modifications by the Council.***	Any time there is a major LDR update, staff will need to make numerous smaller changes throughout the LDRs in order to fully implement the primary changes (e.g., if the NC zone is replaced with the new NL-4 zone then we will need to make this replacement in every existing table where the NC zone is listed).
ZONE MODIFICATIONS				
29	NL-1	Height: • Retain flat roof height at 30'. • Increase height • Decrease height	***COUNCIL: See recommendation for Item #4 (i.e., keep height range of 4' to distinguish between flat and pitched roofs).***	
30	NL-1	FAR: • Change FAR from .30 to .40 or .45. • Reduce FAR and setbacks for nonconforming properties	***COUNCIL: Change proposed FAR from .30 to .40.***	Because the NL-1 is applied to some existing NC properties, which have a .40 FAR, staff supports a .40 for the NL-1 zone. The increased floor area for existing S properties is modest and consistent with future intended character.
31	NL-1	Minimum Lot Size: • Retain 12,000 sf minimum lot size in NL-1. • Consider two zones, one with .5 acre min. Lot size and the other with 1 acre min lot size. • Consider hardship on existing landowners of increasing min. lot size	***COUNCIL: See recommendation for Item #3 (i.e., create a .5-acre zone and a 1-acre zone in Upper Cache subarea).***	**Staff would like to confirm Council direction on this item.**
32	NL-3	Density • Increase density • Reduce density around/above Budge Drive.	***COUNCIL: Keep proposed density in NL-3 the same.***	The proposed LDRs maintain the same density of 1 single-family home and 1 ARU per lot. This is appropriate given that the NL-3 applies to 'Stable' neighborhoods where additional density is not supported by the Comprehensive Plan. On Budge hillside, staff prefers to be conservative and keep density low (i.e., no ARUs) at least until the Town updates its hillside LDRs with more modern and clear standards for building on steep and potentially unstable slopes.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	Topic	Modification	Council Direction	Comments
		• Consider expanding density on Budge Drive if geotech is completed		
33	NL-3	Height • Retain flat roof height at 30'.	***COUNCIL: See recommendation for Item #4 (i.e., keep height range of 4' to distinguish between flat and pitched roofs).***	
34	NL-3	Setbacks • Require asymmetrical side setbacks to protect solar for properties to the north, i.e., don't allow 5' setbacks on side for accessories on the north side of properties.	***COUNCIL: Keep proposed 10' side setbacks in NL-3.***	The proposed LDRs keep existing setbacks without any special provision for solar access, such as flexible setbacks. We are not opposed to the idea but many of our lots are already oriented north/south and so have larger rear setbacks (at least 20') that essentially accomplish this goal. This may not apply as well to properties not in the Jackson grid.
35	NL-3	Mobile Home Park (MHP) Zone • Zone the mobile home park NM-2 or NH-1.	***COUNCIL: See recommendation for Item #10 (i.e., Keep existing MHP zone in place).***	Staff had recommended that the MHP zone be deleted from the LDRs and that these properties be rezoned to a new zone that best reflected the future desired character of the neighborhood. However, keeping the existing MHP zone has the advantage of keeping clear rules in place for a use that would otherwise be considered nonconforming and thus subject to a variety of rules.
36	NL-4	ARUs • Align ARU sf maximums with scale of home office (750 sf) • Allow 3 ARUs. • Allow an ARU sf allotment that can be distributed between ARUs (e.g., total of 1000 sf. Land owner can choose to have 1 600 sf ARU and 1 400 sf ARU)	***COUNCIL: Keep existing proposed ARU size limits but also limit all habitable detached spaces (e.g., office, art studios, etc.) to the same size limits as ARUs.***	These public modifications are generally concerned that current limits on ARUs should be more flexible or they will create a situation for bait and switch between uses (i.e., a 750 sf detached office space is built but it's then converted to an illegal ARU because it's over 500 sf). Given the recent LDR amendment to allow 2 ARUs in NC zone with alleys, staff does not support increasing the size of ARUs but supports limiting the size of detached habitable spaces to be the same as ARUs.
37	NL-4	Access • Allow car access from streets and alleys.	***COUNCIL: Alley access required for one or two units but curb cut ok if 3 units.***	The purpose of limiting curb cuts is to minimize driveways that cross sidewalks, reduce garage doors that face the street, and create a more green and attractive streetscape. One practical issue is how to enforce the proposed direction if a landowner chooses to build the 3 allowed units in phases (e.g., person builds main home first off primary street with plan to build 2 ARUs later – if we require the driveway from the alley on main unit we may make it much more difficult to build the two

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
				ARUs later). Also, we need to acknowledge that this requirement for alley access may require a reduction in LSR to accommodate the need for more drive/parking areas. This reduction has not been discussed yet by Council.
38	NL-4	Height • Retain flat roof height at 30'.	***COUNCIL: See recommendation for Item #4 (i.e., keep existing proposed height range of 26' – 30', which includes reduction of height for flat-roofed houses from 30' to 26').***	As explained in the Key Issues discussion, staff feels that the community will benefit from having different height limits for flat and pitched roofs. And if the flat roof height remains at 30' then the pitched roof height must be increased to 34', which staff feels is too high for this zone. Therefore, the better option is to reduce the height (and perceived mass) of flat-roofed structures from 30' to 26'.
39	NL-4	Setbacks • Increase setbacks for accessory structures.	***COUNCIL: Keep existing proposed 5' – 10' side setback for accessory structures.***	The proposed LDRs require a 5' side setback for accessory structure ≤ 14' in height and 10' if > 14'. This approach provides additional protection for neighbors while still allowing reasonably-sized ARUs on 2nd story.
40	NL-5	Subdivision • Allow subdivision and condominiumization.	***COUNCIL: Continue to not allow ownership and/or condomiumization of the dwelling units in the NL-5 (AR) zone.***	The town has discussed before the possibility of allowing individual ownership or condominiumization of units on AR lots. The reason we have not allowed this is because we have prioritized rental units over additional ownership units because this is the greater need. Staff continues to agree with this approach.
41	NL-5	Zoning Map • Area near Crabtree and Powderhorn should be zoned NH-1.	***COUNCIL: Keep existing NL-5 for Crabtree Lane.***	The Crabtree Lane properties are mostly small and nonconforming in size. They have been zoned AR for a while but have not produced many ARUs due largely to their small size and lack of alleys. Staff feels that adding more density here is not very practical.
42	NL-5	Height • Increase height	***COUNCIL: See recommendation for Item #4 (i.e., keep existing proposed height range of 26' to 30').***	The proposed LDRs have increased the height from 26' to 30' for steep pitched roofs with a maximum of 2 stories. Given that the NL-5 is located in 'Stable" neighborhoods, staff feels this 4' increase is enough to encourage design variety but still be consistent with existing character. Additional height beyond this increase would not be appropriate.
43	NL-5	FAR • Increase FAR	***COUNCIL: Keep existing proposed FARs for NL-5.***	The proposed LDRs have increased the FAR slightly for three units from .35 to .40 (additional 375 sf) for a total of 3,000 sf. Additional FAR would further encourage construction of ARUs which has been modest in the AR zone to date. Also, the NL-4 zone has a .40 FAR so an equal or higher

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
				FAR for NL-5 would be appropriate if it is intended to be more intense than the NL-4, which seems logical.
44	NL-5	Access • Eliminate car access from street for 3 units (unless already existing).	***COUNCIL**: **Alley access required for one or two units but curb cut ok if 3 units. Also, add requirement that curb cut limited to 40% of lot frontage or 20' in width, whichever is less.***	The NL-5 zone is intended to be slightly more intense than the NL-4 to allow three full units instead of just ARUs. Having the flexibility to have street access to serve 3 units is important in encouraging rental workforce housing. Staff raises the same concern here as we did above in the NL-4 (Item #37) regarding how to apply this requirement for phased development (e.g., main house first and then separate apartments later). A curb cut would be allowed for properties without alleys.
45	NL-5	Setbacks • Reduce side interior setback from 10' to 5' for smaller residential units (same as for ARUs currently).	***COUNCIL: Side setbacks should be 10' for all primary structures, regardless of size.***	This public comment appears to request a 5' side setback for smaller or perhaps 'tiny homes.' In essence, this would treat small primary homes like ARUs that are ≤ 14' in height. This idea would treat structures based on their size/impact rather than if they are primary or accessory. Consistent with this thinking, Staff had recommended that any residential structure that is less 800 sf and ≤ 14' in height would have a side setback of 5 feet. Council, however, opted for a more simple rule that applies a 10' side setback to all dwelling units, regardless of size. Staff notes that this creates a perhaps odd result in that the ARUs in the NL-4 can be 5' from a side boundary but the same sized unit in the NL-5 must be 10' away – meaning that the standard is more restrictive in the NL-5 which is supposed to be slightly more intense than the NL-4. **Further confirmation on this issue is desired by staff.**
46	NL-5	Rezone Hawtin property to NM-2 on Kelly Avenue	***COUNCIL: Change the proposed zoning for 265 E. Kelly from NL-5 to NM-2.***	The landowner of two lots addressed at 265 E. Kelly has requested (see letter from Bruce Hawtin) that the property be rezoned NM-2 instead of NL-5. The primary reasons are that the property has alley access like the adjacent NM-2 properties and that it is already developed with a large building and extensive hardscape in a way that is more consistent with the higher intensity of the NM-2 zone. Staff generally agrees with this assessment and so supports the requested zone change.
47	NM-1	Height • Retain flat roof height at 30'.	***COUNCIL: See recommendation for Item #4 (i.e., keep existing proposed height range of 26' – 30', which includes reduction of height for flat-roofed houses from 30' to 26').***	As explained in the Key Issues discussion, staff feels that the community will benefit from having different height limits for flat and pitched roofs. And if the flat roof height remains at 30' then the pitched roof height must be increased to 34', which staff feels is too high for this zone. Therefore, the better option is to reduce the height (and perceived mass) of flat-roofed structures from 30' to 26'.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
48	NM-1	Density • Do not allow split lots to have 4 new units.	***COUNCIL: Keep existing proposed rules that allow only 2 units on a 3,750 sf lot.***	This comment appears to be concerned that allowing each primary unit to have an ARU is too much density when a 7,500 sf lot is split into two 3,750 sf lots. While this could lead to a crowded site, past experience has shown that most landowners do not include ARUs when they subdivide a 7,500 sf lot, thus staff is not too concerned about this outcome.
49	NM-1	Ownership • Units resulting from upzone (specifically affordable units) should be owner-occupied	***COUNCIL: Keep proposed "fill the box" workforce incentive for upzoned properties but do not require that units created by incentive be occupied by the owner.***	The intent of this comment is not clear. Assuming it is advocating that where existing NC-2 properties are being upzoned to MN-2 that all resulting additional units should be owner-occupied. The only units that are currently required to be owner-occupied are from deed-restrictions from required mitigation. Staff's approach to any residential upzoning has been to use market incentives to construct the additional unit using the "fill the box" workforce incentive where 33% to 50% of additional units will be deed-restricted to local workers. An owner-occupancy restriction would severely limit development of the additional units, especially much-needed rental units.
50	NM-1	Setbacks (alley) • Allow buildings on alleys to be 5' from the alley	***COUNCIL*: Establish a 10' setback from alleys for all structures. This rule should apply in all zones where alleys exist.**	Staff feels that buildings should be no less than 10' from the alley. This is to avoid overcrowding our 20' alleys that are often congested and where car turning movements can be difficult, especially in the winter with snow buildup.
51	NM-2	Height • Reduce the 35' height limit in the NM-2 zone	***COUNCIL: See recommendation for Item #4 (i.e., keep the existing proposed height range of 35' – 39' (3 stories) for the NM-2).***	The proposed LDRs show a height limit of 35' – 39' and 3 stories in the NM-2. This height is based on the current PUD height limit of 35' and 3 stories allowed in the AR/UR zones. The intent is to incorporate the PUD height into the base standards of the NM-2 so it could be used without any special approvals. Then, as with the other zones, we added 4' for pitched roofs. In order to encourage workforce housing, staff feels this height increase is both necessary and appropriate.
52	NM-2	LSR • Consider reducing LSR further to promote workforce housing	***COUNCIL: See recommendation for Item #6.***	See discussion above for Item #6.
53	NM-2	Occupancy • Occupancy of new units should be restricted to owners.	***COUNCIL: Keep proposed "fill the box" workforce incentive for upzoned properties but do not require that units created by incentive be occupied by the owner.***	See discussion above for Item #49.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
54	NM-2	Setback • Consider reducing side setback from 10' to something smaller (e.g., 7') to facilitate development.	***COUNCIL: Keep existing proposed 10' side setback in NM-2.***	This comment is asking whether a lesser side setback from 10' would better facilitate density given that the NM-2 is one of 2 new zones intended to generate additional workforce housing. While staff agrees with the premise of this question, we maintain that keeping the 10' side setback is critical to reducing impacts on adjacent properties because the NM-2 allows 39' tall buildings and that would be too close for a 7' setback.
55	NM-2	Review Threshold • At what threshold (i.e., how many units) should residential projects be required to have public review (Sketch Plan and/or Development Plan review) by the Council instead of staff review only?	***COUNCIL: Set the threshold for public review (i.e., Development Plan) at development of more than 2 lots. Still no Sketch Plan required for all-residential projects.***	One goal of the LDR update is to streamline the development review process to reduce unnecessary red tape and to encourage development such as workforce housing. We did this in District 2 by making the threshold for a Development Plan the development of more than 2 lots and a Sketch Plan more than 4 lots. The Council has chosen the same approach with the Districts 3 - 6 zones, (Note that staff was a little more aggressive and recommended that projects on sites up to the size of three 7,500 sf lots (i.e., 22,500 sf) would require a building permit (i.e., staff review only), while project sites larger than 22,500 sf would require a Development Plan (Council approval)).
55.B	NM-2	Zoning Map • 125 and 145 Aspen Dr. should be included in NM-1. • Zone Aspen Dr. and Pine Dr. NM-1 (not NM-2).	***COUNCIL: Keep NM-2 for properties at eastern end of Aspen Drive.***	These comments are directed at the proposed zoning for the properties on Aspen Drive between Millward and So. Cache that are proposed as NM-2 but which the comments suggest should remain as NC-2/NM-1. Staff and PC recommended an upzone to NM-2 because these properties are closer to the Snow King base where larger buildings allowed and because some of the properties already have densities above NC-2 levels.
56	NH-1	Density • Allow 3 units, but don't require 3 unit minimum for every property.	***COUNCIL: Replace the proposed 3-unit minimum standard for all properties with a minimum density requirement of 17.4 DUs/acre that would still require 3 units per 7,500 sf lot but which would require only 2 units for lots less than 7,500 sf (or 1 unit if lot less than approx. 5,200 sf)***	The proposed LDRs require a minimum of three units (attached or detached) in the NH-1 for a regular 7,500 sf lot. This is a new type of standard and its purpose is to ensure that properties in this zone do not 'underdevelop,' especially with low-density SF homes. However, staff also acknowledges that trying to fit 3 units on some properties, such as those smaller than 7,500 sf and without alleys for access, would be difficult and often lead to undesirable design results. To address this issue staff offered an alternative that would replace the proposed 3-unit minimum standard with a minimum density requirement of 17.4 DUs/acre. This density still requires 3 units per 7,500 sf lot but which would only require 2 units for lots less than 7,500 sf (and only 1 unit is less than 5,200 sf). This would provide some relief, for example, to the

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	Topic	Modification	Council Direction	Comments
				smaller lots north of the Rodeo grounds. Results from this calculation would need to be rounded down.
57	NH-1	Zoning Map – Rodeo Grounds area • Area near Rodeo Grounds should be less dense than NH-1.	***COUNCIL: Keep all properties near the rodeo grounds zoned NH-1 with the understanding that the minimum density requirement will be reduced as recommended immediately above in Item #56 under 'Density.'***	Staff finds that this area is ideal for redevelopment and is close to all major town service and jobs. As such, it is appropriate for additional density, which would be two units as directed by Council for most lots under 7,500 sf.
58	NH-1	Zoning Map - Daisy Bush area • Remove Daisy Bush/May Park area in East Jackson from NH-1 zoning and instead zone NL-3, NL-5, or NM-1. • Move the NH-1 boundary south to exclude the 1.33-acre parcel on north end. • The Forest Service property should be lower density to protect trailhead area and wildlife	***COUNCIL: Keep all existing multi-family properties in May Park subarea NH-1 but rezone all existing SF and duplex properties NM-1 as described in the adjacent comments.***	The Comprehensive Plan states that the May Park subarea should be planned to "maintain the existing medium to high density development pattern, with a mix of small lot single-family, duplex, tri-plex, and multi-family structures." This direction supports a potential increase in density over current zoning but does not specify exactly where or by how much. In addition, staff acknowledges that this area currently has limited pedestrian facilities and street connections that could make certain higher-density development types unfeasible. In this light, and in response to public comment in opposition to the proposed NH-1 zone in certain parts of this subarea, staff recommends an alternative where all the existing multi-family properties remain zoned NH-1 and all existing SF and duplex properties are zoned NM-1 (current NC-2). This would mean, for example, that the Daisy Bush PUD, the 1.3 acre property immediately north of Daisy Bush, the 6-plex north of Daisy Bush, the 5-acre US Forest Service site, and four single-family properties on the corner of Hansen/Nelson would all be rezoned NM-1. The rest of the subarea would be rezoned NH-1.
59	NH-1	Review Threshold • At what threshold (i.e., how many units) should residential projects be required to have public review (Sketch Plan and/or Development Plan review) by the Council instead of staff review only?	***COUNCIL: Set the threshold for public review (i.e., Development Plan) at development of more than 2 lots. Still no Sketch Plan required for all-residential projects.***	One goal of the LDR update is to streamline the development review process to reduce unnecessary red tape and to encourage development such as workforce housing. We did this in District 2 by making the threshold for a Development Plan the development of more than 2 lots and a Sketch Plan more than 4 lots. The Council has chosen the same approach with the Districts 3 - 6 zones, (Note that staff was a little more aggressive and recommended that projects on sites up to the size of three 7,500 sf lots (i.e., 22,500 sf) would require a building permit (i.e., staff review only), while project sites larger than 22,500 sf would require a Development Plan (Council approval)).
60	NH-1	LSR • Reduce LSR requirements.	***COUNCIL: See recommendation for Item #6.***	
61	NH-1	Nonconformities	***COUNCIL: See recommendation for Item #5.***	

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	**Topic**	**Modification**	**Council Direction**	**Comments**
		• Revisit 20% nonconformity regulations with upzone.		
62	CR-3	Height • Increase height	***COUNCIL: See recommendation for Item #4 (i.e., height should be 42' – 46' but we should use only two height categories (like currently used in District 2 zones) instead of the three categories used in the residential zones.***	The proposed LDRs increase the height from 35' (or less) to 42' – 46' and 3 or 4 stories. Staff feels this increase is sufficient to balance the needs of landowners and creating workforce housing with maintaining the intended character of the commercial corridor.
63	CR-3	FAR • Increase FAR	***COUNCIL: Keep existing proposed .40 FAR and "fill the box" workforce bonus.***	The proposed FAR in the CR-3 is .40, which is a slight increase over the current range of .25 - .46 FAR but a slight decrease compared to the .46 FAR of the CR-2 zone. Due to buildout constraints from the Comp Plan, which prevent an increase of commercial development potential, additional FAR in commercial zones is not an option. However, with the "fill the box" workforce bonus, significantly more residential floor area can be located on most CR-3 properties and should encourage residential development and workforce housing.
64	CR-3	Setbacks • Increase setbacks with higher heights.	***COUNCIL: Keep existing proposed 10' side setback.***	The proposed LDRs require a 10' side setback for 42' – 46' tall buildings. This will provide a minimum of 20' of separation between buildings on adjacent properties. While this is close, staff and PC do not feel additional setback is needed to buffer the taller buildings, especially given the highway corridor context.
65	CR-3	Form Standards • The "form standards" (build-to lines, minimum façade widths, etc.) should be reconsidered to better reflect the realities and goals of highway corridor development.	***COUNCIL: Council approved the previous draft of the CR-3 zone but staff informed the Council that we would continue to work with our consultant Code Studio to modify and finalize the CR-3 standards (build-to lines, parking location, landscaping, etc.) to better address the needs of the highway corridor context.***	The proposed CR-3 zone has been updated with the assistance of Code Studio to incorporate similar 'form standards' as the CR-2 but with targeted changes to better reflect the larger lots and highway context of the highway corridor. For example, a landscaping buffer requirement was added and strengthened for properties fronting the highway, parking location and screening standards were added, and other changes were made to create standards that are both reasonable but will improve the visual quality and function of new development in this more auto-dependent context. **Staff is looking for confirmation of the changes in the updated CR-3 zone.**
66	CR-3	Storage Units • Allow storage units as use	***COUNCIL: Do not allow the 'Mini-storage Warehouse' use in CR-3. Council generally agreed with PC concerns that this use is unsightly and might outcompete other more desirable uses that will have much higher housing mitigation requirements under the proposed new affordable housing mitigation***	The 'Mini-storage Warehouse' (i.e., storage units) use is currently allowed in the AC, BP-R, and RB zones. Thus, deleting this use from the CR-3 zone would make existing mini-storage businesses nonconforming.

Districts 3 – 6 and Town Parking Modifications List (Cont.)				
#	Topic	Modification	Council Direction	Comments
			requirements. The result would be more mini storage projects than appropriate for our gateway corridor.	

ORDINANCE I

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART), THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS, AND OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF JACKSON TO RE-NUMBER SECTIONS 2.2.2, 2.2.3, 2.2.4 and 2.2.5, TO ADD SECTIONS 2.2.2 THROUGH 2.2.9 AND 2.2.13, TO DELETE SECTIONS 2.3.4, 2.3.5, 2.3.6, 2.3.9, 2.3.11, 2.3.12, 2.3.14, 2.3.15, AND 2.3.16, TO AMEND SECTIONS 2.1.1, 2.1.2, 2.2.1.D.5, 4.4.1.G, 5.2.1.D, 5.3.1.B.2, 5.3.1.B.5, 5.3.2.D.3, 5.4.1.B, 5.5.3.C.1, 5.5.3.D, 5.5.4.C, 5.6.1.E.7.a, 5.8.1.A, 6.1.1.F, 6.4.3.A, 7.1.1, 7.2.1, 7.8.4.B.1, 8.2.2.B.1.b, 9.4.6.D, 9.4.8.J AND 9.5.P, TO REMOVE THE URBAN RESIDENTIAL (UR), AUTO-URBAN COMMERCIAL-TOWN (AC-TOJ), AUTO-URBAN RESIDENTIAL-TOWN (AR-TOJ), BUSINESS PARK RESTRICTED USES (BP-R), BUSINESS CONSERVATION-TOWN (BC-TOJ), RESIDENTIAL BUSINESS (RB), NEIGHBORHOOD CONSERVATION-TOWN (NC-TOJ), NEIGHBORHOOD CONSERVATION-2-FAMILY (NC-2), AND SUBURBAN-TOWN (S-TOJ) LEGACY ZONES, AND TO ADD THE NL-1: NEIGHBORHOOD LOW DENSITY 1, NL-2: NEIGHBORHOOD LOW DENSITY 2, NL-3: NEIGHBORHOOD LOW DENSITY 3, NL-4: NEIGHBORHOOD LOW DENSITY 4, NL-5: NEIGHBORHOOD LOW DENSITY 5, NM-1: NEIGHBORHOOD MEDIUM DENSITY 1, NM-2: NEIGHBORHOOD MEDIUM DENSITY 2, NH-1: NEIGHBORHOOD HIGH DENSITY 1, AND CR-3: COMMERCIAL RESIDENTIAL 3 CHARACTER ZONES, TO IMPLEMENT CHARACTER DISTRICTS 3 THROUGH 6 OF 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 II of Town of Jackson Ordinance No. 1074 as amended (part) is hereby amended and reenacted to renumber Section 2.2.2 as 2.2.10, 2.2.3 as 2.2.11, 2.2.4 as 2.2.12, and 2.2.5 as 2.2.14; add Sections 2.2.2 through 2.2.9 and 2.2.13; delete Sections 2.3.4, 2.3.5, 2.3.6, 2.3.9, 2.3.11, 2.3.12, 2.3.14, 2.3.15, and 2.3.16; and amend Sections 2.1.1, 2.1.2, 2.2.1.D.5, 4.4.1.G, 5.2.1.D, 5.3.1.B.2, 5.3.1.B.5, 5.3.2.D.3, 5.4.1.B, 5.5.3.C.1, 5.5.3.D, 5.5.4.C, 5.6.1.E.7.a, 5.8.1.A, 6.1.1.F, 6.4.3.A, 7.1.1, 7.2.1, 7.8.4.B.1, 8.2.2.B.1.b, 9.4.6.D, 9.4.8.J, and 9.5.P of the Town of Jackson Land Development Regulations to read as follows:

Div. 2.1. All Complete Neighborhood Zones

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

2.1.1. Character Zones (~~11/23/16, Ord. 1149~~ P17-077)

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

A. NL-1: Neighborhood Low Density -1

B. NL-2: Neighborhood Low Density-2

C. NL-3: Neighborhood Low Density-3

D. NL-4: Neighborhood Low Density-4

E. NL-5: Neighborhood Low Density -5

F. NM-1: Neighborhood Medium Density-1

G. NM-2: Neighborhood Medium Density-2

H. NH-1: Neighborhood High Density-1

I. DC: Downtown Core ~~(DC)~~

J. CR-1: Commercial Residential-1 ~~(CR-1)~~

K. CR-2: Commercial Residential-2 ~~(CR-2)~~

L. CR-3: Commercial Residential-3

M. Office Residential (OR)

2.1.2. Legacy Zones (~~11/23/16, Ord. 1149~~ P17-077)

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

A. Town Square (TS)

B. Urban Commercial (UC)

C. ~~Urban Residential (UR)~~

D. ~~Auto Urban Commercial-Town (AC-ToJ)~~

E. ~~Auto Urban Residential-Town (AR-ToJ)~~

F. ~~Business Park-Restricted Uses (BP-R)~~

G. Business Park-Town (BP-ToJ)

H. ~~Business Conservation-Town (BC-ToJ)~~

I. ~~Residential Business (RB)~~

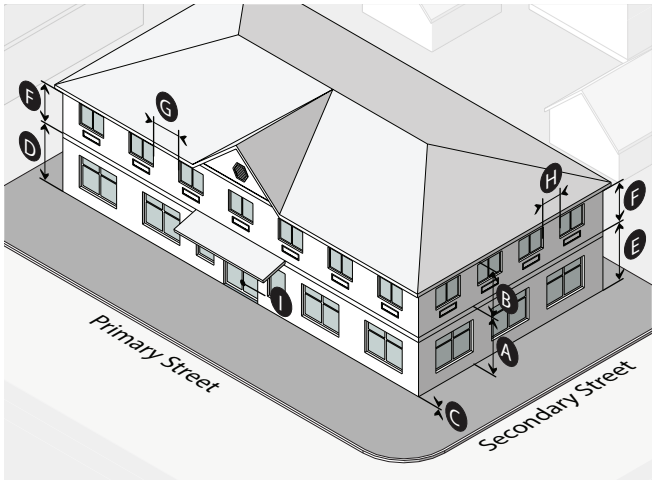
J. Mobile Home Park-Town (MHP-ToJ)

K. ~~Neighborhood Conservation-Town (NC-ToJ)~~

L. ~~Neighborhood Conservation-Two-Family (NC-2)~~

M. ~~Suburban-Town (S-ToJ)~~

4. Lodging

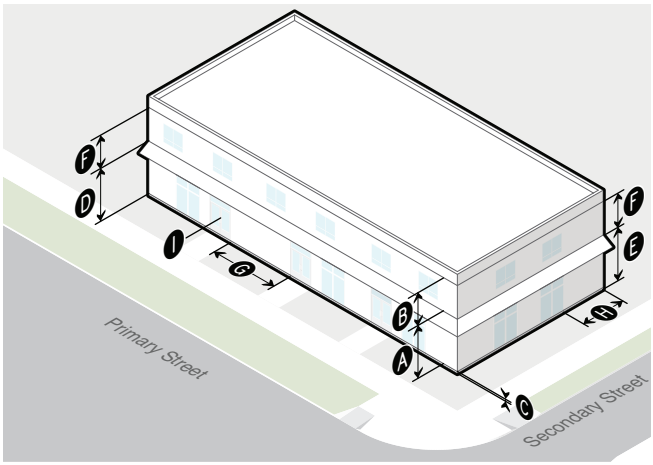


Description

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

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

5. Highway



Description

The Highway Frontage is intended for a variety of uses that front Highway 89/191. Buildings must address the Highway by providing an operable building entrance that faces the Highway 89/191 and provide glazing (windows and doors) on both ground and upper story street-facing building facades.

Story Height	Sec. 9.4.13.
Ground story height (min)	12’
Upper story height (min)	9’
Ground floor elevation (min-max)	0’ - 5’
Transparency	**Sec. 9.4.14.**
Ground story, primary street (min)	40%
Ground story, secondary street (min)	40%
Upper story, primary/secondary street (min)	20%
Blank Wall Area	**Sec. 9.4.15.**
Blank wall area, primary street (max)	50’
Blank wall area, secondary street (max)	50’
Pedestrian Access	**Sec. 9.4.16.**
Entrance facing primary street	Required
Entrance spacing along primary street (max)	n/a

2.2.2. NL-1: Neighborhood Low Density-1 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Low Density-1 (NL-1) zone is to provide for places with enough open space and sufficient lot size to provide a predominance of landscape and yards over buildings. Buildings and development should be oriented to respect steep slopes, preserve open space, and provide for wildlife movement through the property. This zone is intended for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street, often including longer driveways.

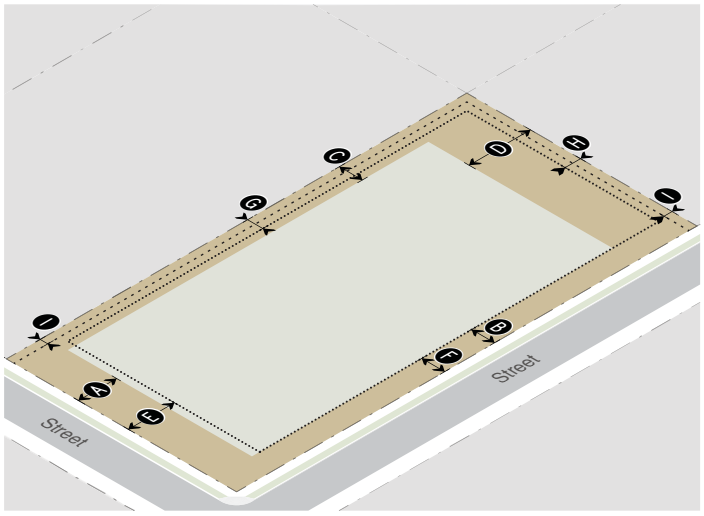
4. Land Use: Single-family detached homes, accessory structures, and ARUs are the primary land uses.

5. Comprehensive Plan: Based primarily on Subarea 6.2 in the Comprehensive Plan.

B. Physical Development

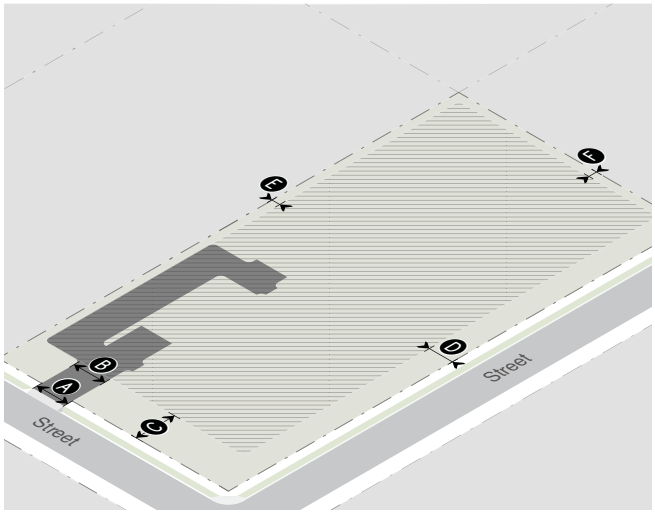
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	25'	A
Secondary street (min)	15'	B
Side interior (min)	15'	C
Rear (min)	40'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	15'	F
Side interior/rear (min)	10'	G
Rear (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	.60	
Plant units (min)		
Residential	1 per lot	
Nonresidential	1 per 1,000 sf of landscape area	
Parking lot (all uses)	1 per 12 parking spaces	

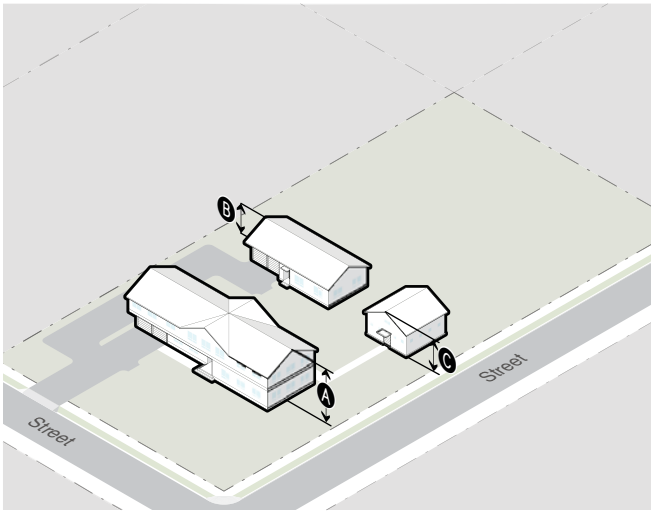
2. Vehicle Access Standards



Access		
Primary street	Allowed	
Secondary street	Allowed	
Alley	Allowed	
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less	A
Driveway width in primary/secondary street setback (max)	20'	B
Parking Setbacks		
Primary street* (min)	25'	C
Secondary street* (min)	15'	D
Side interior (min)	5'	E
Rear (min)	5'	F

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	Sec. 9.4.9	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	Sec. 9.4.9	
Accessory residential unit (max)	2 stories, not to exceed 26'	B
All other accessory structures (max)	14'	C
Scale of Development	Sec. 9.4.13	
Floor area ratio (FAR max)	.40	
Individual building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear year	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-1 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 NL-1 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-1 zone, however, all standards in Article 6. are applicable in the NL-1 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending ~~Housing Mitigation~~ LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					to be amended pending Housing Mitigation LDR Update
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable excluding basement (max)	2/DU	
Group Home (6.1.4.G.) (E.1.)	C	15 rooms per acre		0.5/bed	
Institutional					to be amended pending ~~Housing Mitigation~~ LDR Update
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			

Y=Use allowed, no use 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	Density (max)	Individual Use	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.2.)	B	1 unit per lot	Detached ARU on Lot < 18,000 sf (max): 500 sf habitable. All other ARUs (max): 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	
Home Occupation (6.1.11.D.)	B	n/a		n/a	to be amended pending Housing Mitigation LDR Update
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-1 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 NL-1 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-1 zone, however, all standards in Article 7. are applicable in the NL-1 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	**Lot Size (min)**	**Standards**
Allowed Subdivision Options		
Land Division	43,560 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing		to be amended pending Housing Mitigation LDR Update
Required Affordable Housing		
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

4. Required Subdivision and Development Option Permits				
Option	**Sketch Plan (Sec. 8.3.1.)**	**Development Plan (Sec. 8.3.2.)**	**Development Option Plan (Sec. 8.5.2.)**	**Subdivision Plat (Sec. 8.5.3.)**
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-1 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.

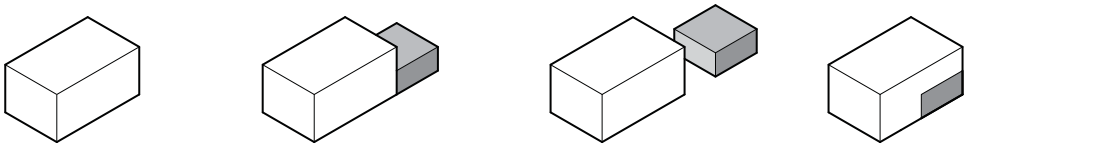
2. Accessory Residential Units (ARUs)

   a. Home Occupations and Home Businesses in ARUs are prohibited.

   b. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

Configuration options in the NL-1 zone include, but are not limited to, the following:



One Unit

One Unit
+ One attached ARU

One Unit
+ One detached ARU

One Unit
+ One internal/basement ARU

2.2.3. NL-2: Neighborhood Low Density-2 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Low Density-2 (NL-2) zone is to provide for places with enough open space and sufficient lot size to provide a predominance of landscape and yards over buildings. Buildings and development should be oriented to respect steep slopes, preserve open space, and provide for wildlife movement through the property. This zone is intended for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street, often including longer driveways.

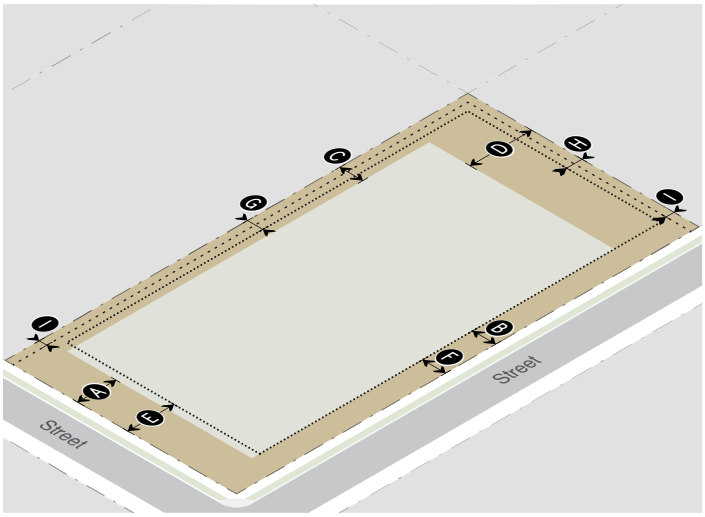
4. Land Use: Single-family detached homes, accessory structures, and ARUs are the primary land uses.

5. Comprehensive Plan: Based primarily on Subarea 6.2 in the Comprehensive Plan.

B. Physical Development

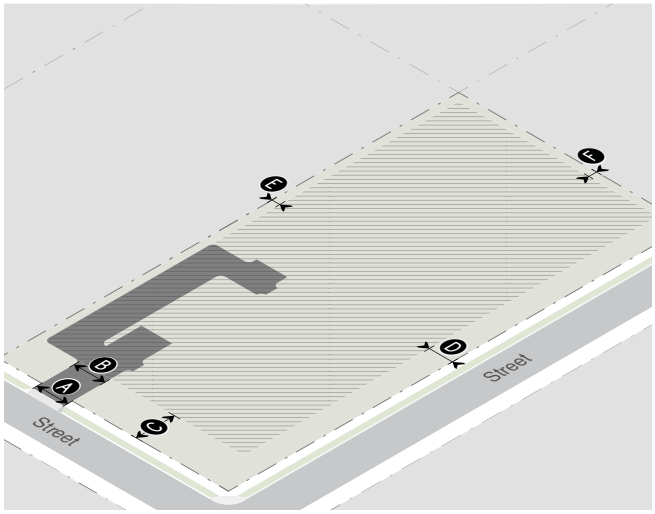
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	25'	A
Secondary street (min)	15'	B
Side interior (min)	15'	C
Rear (min)	25'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	15'	F
Side interior/rear (min)	10'	G
Rear (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	.60	
Plant units (min)		
Residential	1 per lot	
Nonresidential	1 per 1,000 sf of landscape area	
Parking lot (all uses)	1 per 12 parking spaces	

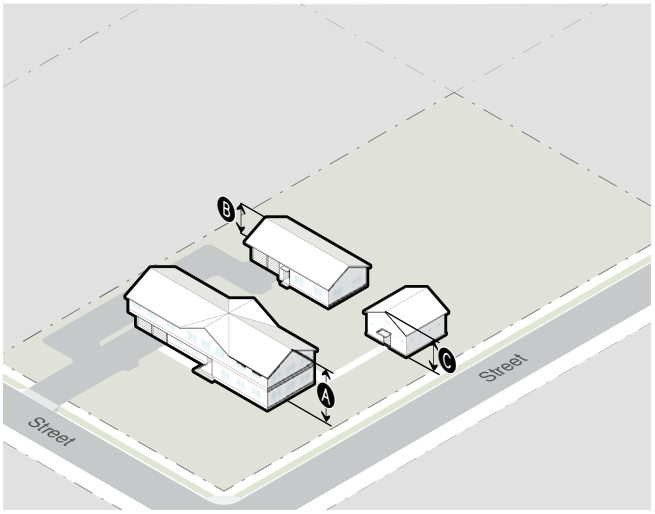
2. Vehicle Access Standards



Access		
Primary street	Allowed	
Secondary street	Allowed	
Alley	Allowed	
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less	A
Driveway width in primary/secondary street setback (max)	20'	B
Parking Setbacks		
Primary street* (min)	25'	C
Secondary street* (min)	15'	D
Side interior (min)	5'	E
Rear (min)	5'	F

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	Sec. 9.4.9	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	Sec. 9.4.9	
Accessory residential unit (max)	2 stories, not to exceed 26'	B
All other accessory structures (max)	14'	C
Scale of Development	Sec. 9.4.13	
Floor area ratio (FAR max)	.40	
Individual Building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear year	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

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

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					to be amended pending Housing Mitigation LDR Update
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable excluding basement	2/DU	
Group Home (6.1.4.G.) (E.1.)	C	15 rooms per acre		0.5/bed	
Institutional					to be amended pending Housing Mitigation LDR Update
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.2.)	B	1 unit per lot	Detached ARU on Lot < 18,000 sf (max): 500 sf habitable All other ARUs: 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-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 NL-2 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-2 zone, however, all standards in Article 7. are applicable in the NL-2 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	**Lot Size (min)**	**Standards**
Allowed Subdivision Options		
Land Division	21,780 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

4. Required Subdivision and Development Option Permits				
Option	**Sketch Plan (Sec. 8.3.1.)**	**Development Plan (Sec. 8.3.2.)**	**Development Option Plan (Sec. 8.5.2.)**	**Subdivision Plat (Sec. 8.5.3.)**
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

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

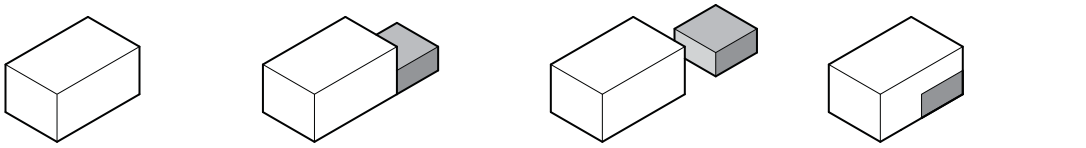
2. Accessory Residential Units (ARUs)

a. Home Occupations and Home Businesses in ARUs are prohibited.

b. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

Configuration options in the NL-2 zone include, but are not limited to, the following:



1 Unit

1 Unit
+ 1 attached ARU

1 Unit
+ 1 detached ARU

1 Unit
+ 1 internal/basement ARU

2.2.4. NL-3: Neighborhood Low Density-3 (P17-077)

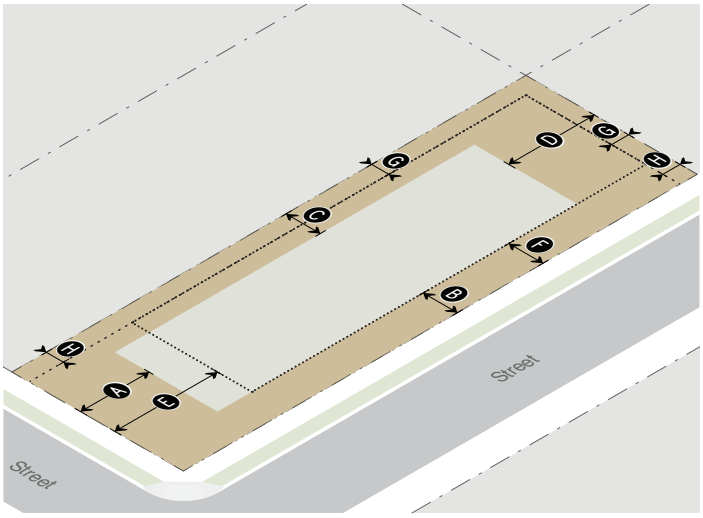
A. Intent

1. General Intent: The intent of the Neighborhood Low Density-3 (NL-3) zone is to recognize existing residential neighborhoods and subdivisions and allow development of Single-Family detached homes with up to one Accessory Residential Unit (ARU) in a way that is consistent with the existing neighborhood character. This zone is intended for Stable neighborhoods where increased residential density is not intended.
2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.
3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street.
4. Land Use: Single-family detached homes, accessory structures, and ARUs are the primary land uses.
5. Comprehensive Plan: Based primarily on Subareas 3.1, 5.5, and 6.1 in the Comprehensive Plan.

B. Physical Development

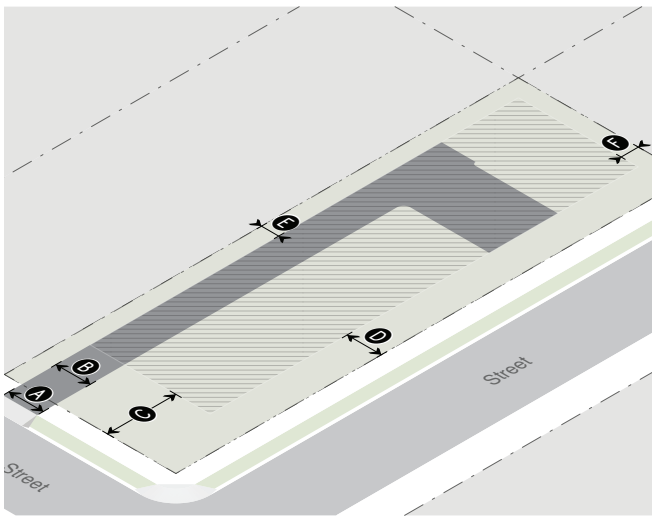
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20’	A
Secondary street (min)	10’	B
Side interior (min)	10’	C
Rear (min)	25’	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30’	E
Secondary street (min)	10’	F
Side interior/rear (min)		G
>14 feet in height	10’	
≤14 feet in height	5’	
Second floor deck	10’	
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5’	H
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	.45	
Plant units (min)	1 per lot	

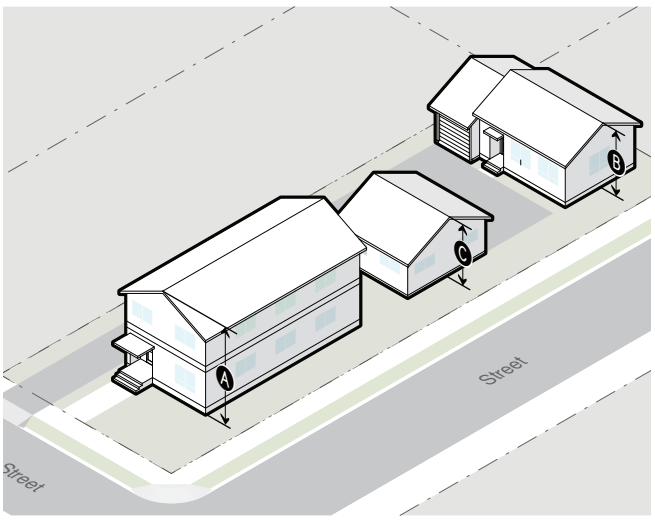
2. Vehicle Access Standards



Access		
Primary street	Allowed	
Secondary street	Allowed	
Alley	Allowed	
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less	A
Driveway width in primary/secondary street setback (max)	20'	B
Parking Setbacks		
Primary street* (min)	20'	C
Secondary street* (min)	10'	D
Side interior (min)	5'	E
Rear (min)	5'	F

*Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	(Sec. 9.4.9)	
Accessory residential unit (max)	2 stories, not to exceed 26'	B
All other accessory structures (max)	14'	C
Scale of Development	(Sec. 9.4.13)	
Floor area ratio (FAR max)	.40	
Individual Building (max gross floor area)	n/a	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.1)
Home occupation/business	1 unlit wall sign
Area (max)	2 sf
Background color	No white or yellow
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-3 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 NL-3 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-3 zone, however, all standards in Article 6. are applicable in the NL-3 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable excluding basement	2/DU	to be amended pending Housing Mitigation LDR Update
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			
Accessory Uses					
Accessory Residential Unit (Sec. 6.1.11.) (E.1)	B	1 unit per lot	Detached ARU on Lot < 11,250 sf: 500 sf habitable All ofther ARUs: 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	to be amended pending Housing Mitigation LDR Update
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

3. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure not required	
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-3 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 NL-3 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-3 zone, however, all standards in Article 7. are applicable in the NL-3 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Option Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident

3. Infrastructure
Transportation Facilities
Access
Right-of-way for Minor Local Road (min)
Paved travel way for Minor Local Road (min)
Required Utilities
Water
Sewer

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

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-3 zone.

1. Accessory Residential Units (ARUs)

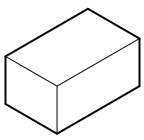
   a. Accessory residential units are prohibited north of West Broadway accessed via Budge Drive and West Broadway Avenue.

   b. Home Occupations and Home Businesses in ARUs are prohibited.

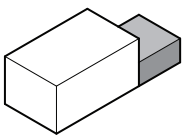
   c. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

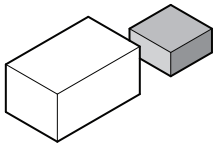
Configuration options in the NL-3 zone include, but are not limited to, the following:



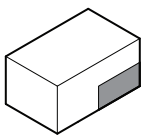
1unit



1 unit
+ 1 attached ARU



1 unit
+ 1 detached ARU



1 unit
+ 1 internal/basement ARU

2.2.5. NL-4: Neighborhood Low Density-4 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Low Density-4 (NL-4) zone is to recognize existing residential neighborhoods and subdivisions and allow development of Single-Family detached homes with up to two Accessory Residential Units (ARUs) in a way that is consistent with the existing neighborhood character. This zone is intended for properties with alley access and for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking for new development will typically be accessed from an alley while existing development is often accessed from a primary street.

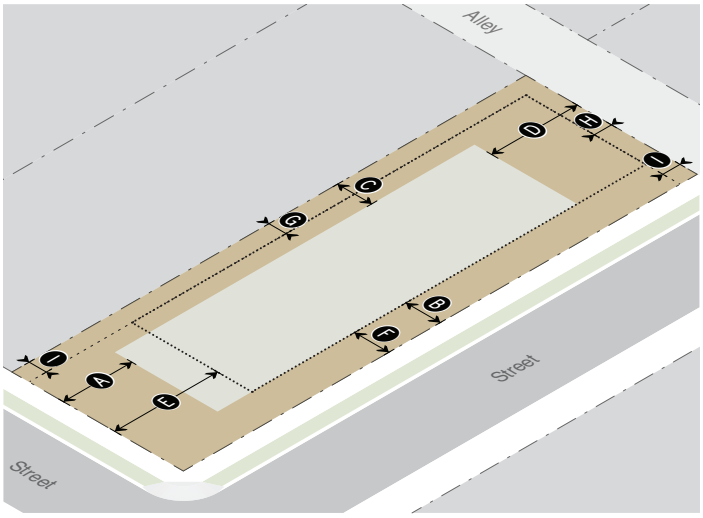
4. Land Use: Single-family detached homes, accessory structures, and ARUs are the primary land uses.

5. Comprehensive Plan: Based primarily on Subarea 3.1 in the Comprehensive Plan.

B. Physical Development

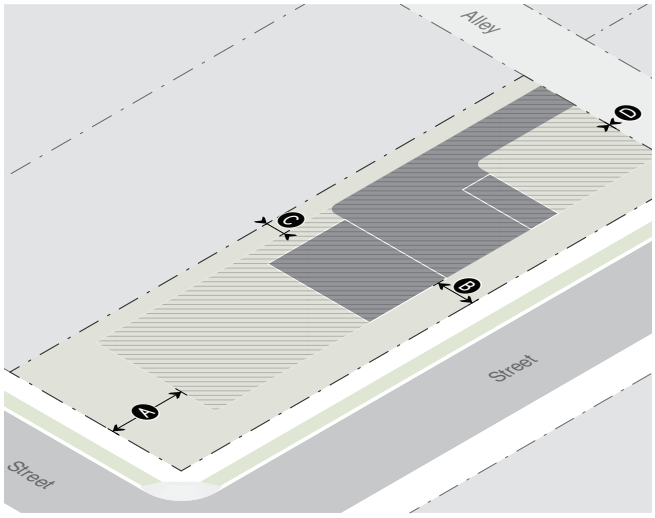
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



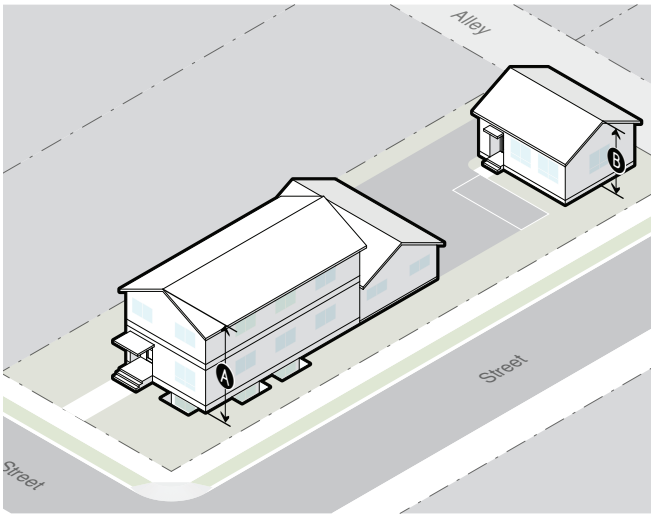
Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20’	A
Secondary street (min)	10’	B
Side interior (min)	10’	C
Rear (min)	25’	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30’	E
Secondary street (min)	10’	F
Side interior/rear* (min)		G
>14 feet in height	10’	
≤14 feet in height	5’	
Second floor deck	10’	
Rear alley (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5’	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	.45	
Plant units (min)	1 per lot	

2. Vehicle Access Standards



	1 or 2 units	3 units/ nonresidential	
Access			
Primary street	Not allowed	Allowed	
Secondary street	Not allowed	Allowed	
Alley	Required	Allowed	
Curb-cut width (max)	Not allowed	20' or 40% of lot frontage, whichever is less	
Driveway width in primary/secondary street setback (max)	Not allowed	20'	
Parking Setbacks			
Primary street (min)		20'	A
Secondary street (min)		10'	B
Side interior (min)		5'	C
Rear (min)		5'	
Rear alley (min)		0'	D

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	(Sec. 9.4.9)	
Accessory residential unit (max)	2 stories, not to exceed 26'	B
All other accessory structures (max)	14'	
Scale of Development	(Sec. 9.4.13)	
Floor area ratio (FAR max)	.40	
Individual Building (max gross floor area)	n/a	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	

5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)

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

7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

8. Signs	(Div. 5.6.1)
Home occupation/business	1 unlit wall sign
Area (max)	2 sf
Background color	No white or yellow
Temporary Signs	(Sec. 5.6.1.)

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

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-4 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 NL-4 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-4 zone, however, all standards in Article 6. are applicable in the NL-4 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					to be amended pending Housing Mitigation LDR Update
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable-excluding basemen	2/DU	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			
Accessory Uses					to be amended pending Housing Mitigation LDR Update
Accessory Residential Unit (Sec. 6.1.11.) (E.1)	B	2 units per lot	Detached ARU on Lot < 11,250 sf: 500 sf habitable All other ARUs: 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	to be amended pending Housing Mitigation LDR Update
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

3. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure not required	
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-4 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 NL-4 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-4 zone, however, all standards in Article 7. are applicable in the NL-4 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Option Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing		to be amended pending Housing Mitigation LDR Update
Required Affordable Housing		
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident

3. Infrastructure
Transportation Facilities
Access
Right-of-way for Minor Local Road (min)
Paved travel way for Minor Local Road (min)
Required Utilities
Water
Sewer

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

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-4 zone.

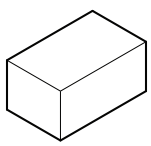
1. Accessory Residential Units (ARUs)

   a. Home Occupations and Home Businesses in ARUs are prohibited.

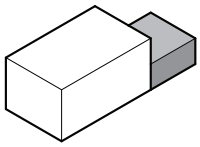
   b. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

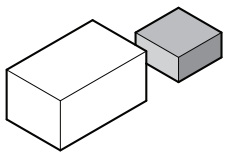
Configuration options in the NL-4 zone include, but are not limited to, the following:



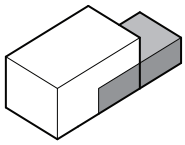
1 unit



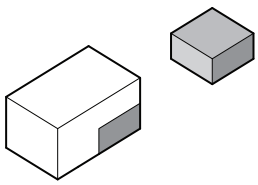
1 unit
+ 1 attached ARU



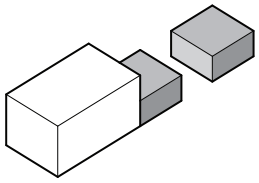
1 unit
+ 1 detached ARU



1 unit
+ 1 Internal/basement ARU
+ 1 attached ARU



1 unit
+ 1 internal/basement ARU
+ 1 detached ARU



1 unit
+ 1 attached ARU
+ 1 detached ARU

2.2.6. NL-5: Neighborhood Low Density-5 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Low Density-5 (NL-5) zone is to enhance the character and cohesiveness of residential neighborhoods while allowing for a flexible range of residential types, including single-family detached units, duplex units, and triplex units. A maximum of three detached or attached units per lot is permitted. This flexibility is intended to create opportunities for workforce housing because all apartment units are required to be rented to members of the local workforce. This zone is intended for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple detached buildings or multiple attached units on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from an alley where present or a primary street where no alley exists.

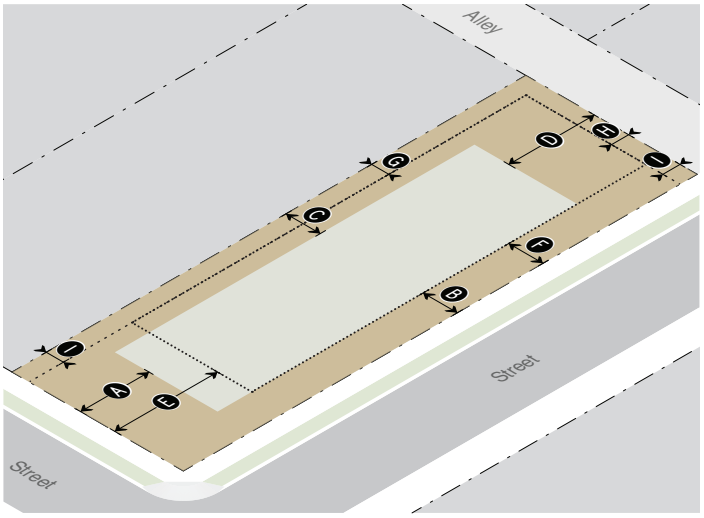
4. Land Use: Single-family detached homes, duplex, and triplex units, with additional apartments as allowed to not exceed three units per lot maximum density.

5. Comprehensive Plan: Based primarily on Subarea 3.1 in the Comprehensive Plan.

B. Physical Development

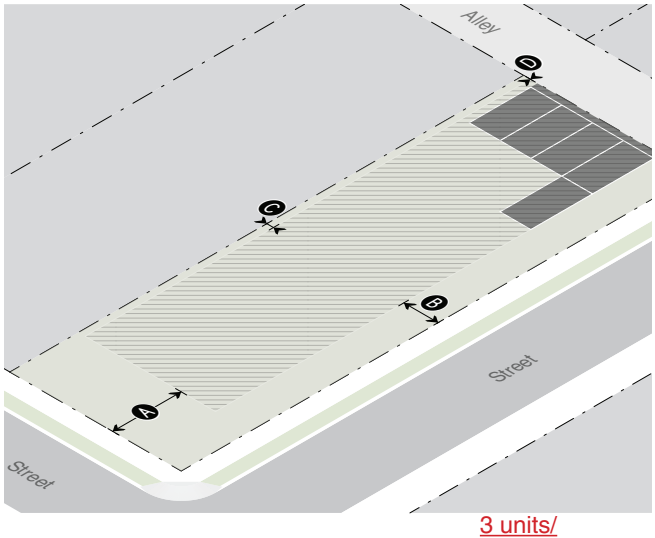
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	B
Rear (min)	10'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior (min)	5'	G
Rear (min)	5'	
Rear alley (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)		
1 unit	.45	
2 units	.35	
3 units	.30	
All other allowed uses	.45	
Plant units (min)		
Residential	1 per lot	
Nonresidential	1 per 1,000 sf of landscape area	
Parking Lot (all uses)	1 per 12 parking spaces	

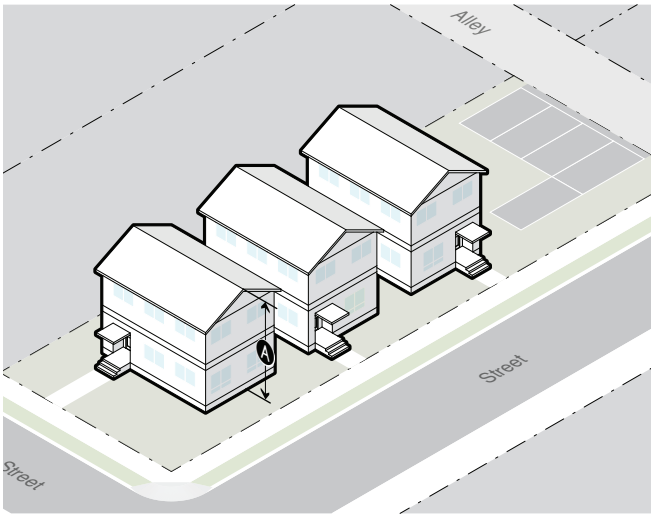
2. Vehicle Access Standards



	1 or 2 units	3 units/ nonresidential	
Access			
Primary street	Not allowed	Allowed	
Secondary street	Not allowed	Allowed	
Alley	Required	Allowed	
Curb-cut width (max)	Not allowed	20' or 40% of lot frontage, whichever is less	
Driveway width in primary/secondary street setback (max)	Not allowed	20'	
Parking Setbacks			
Primary street (min)	20'	20'*	A
Secondary street (min)	10'	10'*	B
Side interior (min)	5'	1'	C
Rear (min)	2'	2'	
Rear alley (min)	0'	0'	D

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'	A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'	A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'	A
Accessory Structure Height	(Sec. 9.4.9)	
All other accessory structures (max)	14'	
Scale of Development	(Sec. 9.4.13)	
Floor area ratio (FAR max)		
1 unit	.30	
2 units	.35	
3 units	.40	
All other allowed uses	.40	
Individual Building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/ R.O.W./sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-5 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 Section 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-5 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-5 zone, however, all standards in Article 6. are applicable in the NL-5 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					
Detached Single-Family Unit (6.1.4.B.) (E.1)	Y	E.1	8,000 sf habitable- excluding basemen	2/DU	
Apartment (6.1.4.D.) (E.2)	B	E.1		1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	to be amended pending Housing Mitigation LDR Update
Dormitory (6.1.4.F.)	C	n/a		1/bed	
Group Home (6.1.4.G.)	C	n/a		0.5/bed	
Institutional					to be amended pending Housing Mitigation LDR Update
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	to be amended pending Housing Mitigation LDR Update
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Accessory Uses					
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	to be amended pending Housing Mitigation LDR Update
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-5 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 NL-5 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-5 zone, however, all standards in Article 7. are applicable in the NL-5 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	**Lot Size (min)**	**Option Standards**
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		(Div. 7.5.)
Schools exaction		
Parks exaction		
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

4. Required Subdivision and Development Option Permits				
Option	**Sketch Plan (Sec. 8.3.1.)**	**Development Plan (Sec. 8.3.2.)**	**Development Option Plan (Sec. 8.5.2.)**	**Subdivision Plat (Sec. 8.5.3.)**
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-5 zone.

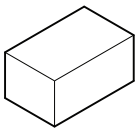
1. Single-Family Detached or Apartment. No more than 3 units of any combination are permitted on the lot.

2. Apartment

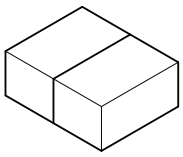
   a. Occupancy of an apartment shall be restricted to persons employed within Teton County, in accordance with the Jackson/Teton County Housing Rules and Regulations or the occupants shall be members of the same family occupying the prncipal dwelling unit, such as parents or adult children, or intermittent, nonpaying guests

F. Configuration Options

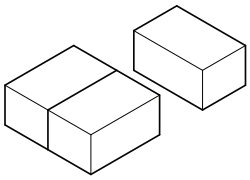
Configuration options in the NL-5 zone include, but are not limited to, the following:



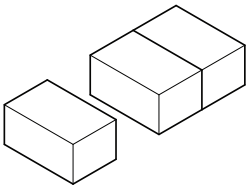
1 unit



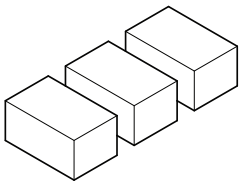
2 attached units (side by side)



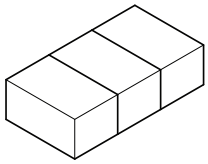
2 attached units (side by side)
+ 1 detached Unit



1 detached unit
+ 2 attached Units



3 detached units



3 attached units

2.2.7. NM-1: Neighborhood Medium Density-1 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Medium Density 1 (NM-1) zone is to recognize existing residential neighborhood character while allowing flexibility in design and ownership for single-family detached, duplex homes, and Accessory Residential Units (ARUs) on smaller lots when feasible. This zone is intended for Stable neighborhoods where increased residential density is not intended.

2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street or alley when present.

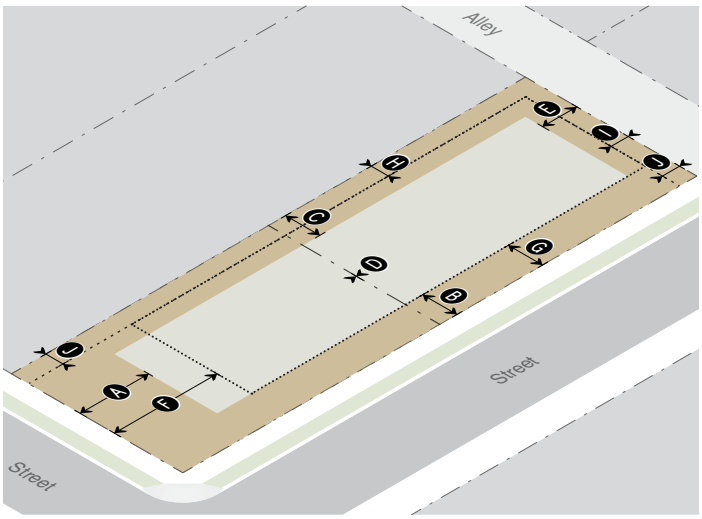
4. Land Use: Single-family detached and attached homes, accessory structures, and ARUs are the primary land uses. Lots are typically either 7,500 or 3,750 square feet but may also be any size within this range.

5. Comprehensive Plan: Based primarily on Subarea 3.2 in the Comprehensive Plan.

B. Physical Development

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

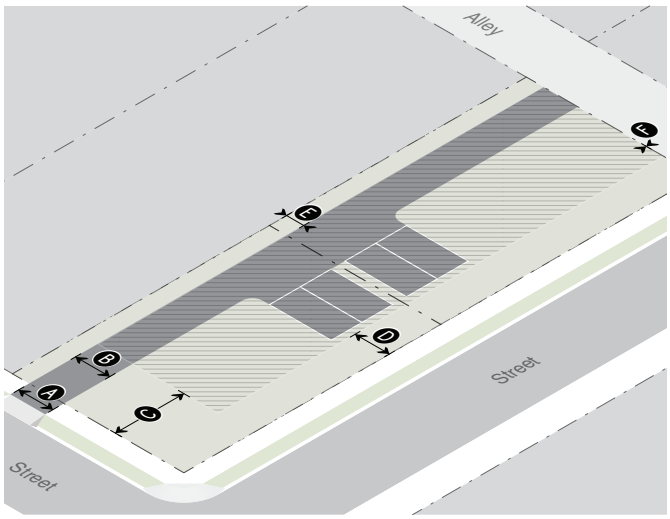
1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Duplex interior (min)	0'	D
Rear (min)	10'	
Rear alley (min)	10'	E
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	F
Secondary street (min)	10'	G
Side interior/rear* (min)		H
>14 feet in height	10'	
≤14 feet in height	5'	
Second floor deck	10'	
Rear alley (min)	10'	I
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	J

Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	<7,500 sf	≥7,500 sf
Single-family detached	.50	.45
Single-family attached	.50	n/a
Apartment	n/a	.40
LSR decrease for each ARU	.10	.10
All other uses	.50	.45
Plant units (min)	1 per lot	

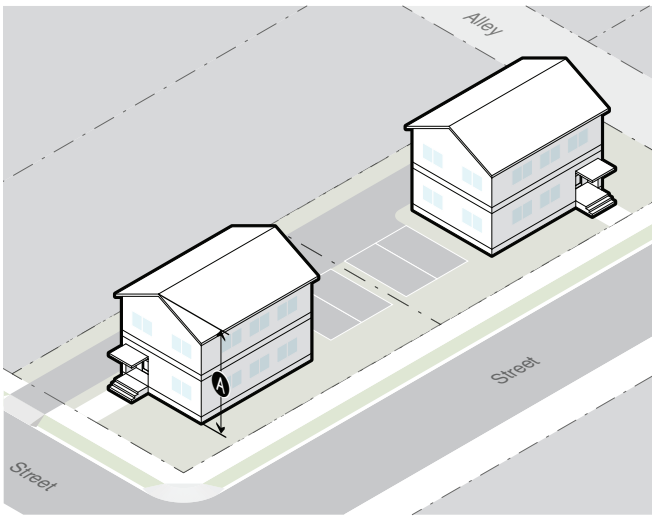
2. Vehicle Access Standards



	SFD/SFA Lot width ≤25'	SFD/SFA Lot width >25'	All Other Uses	
Access				
Primary street	Not allowed	Allowed	Allowed	
Secondary street	Not allowed	Allowed	Allowed	
Alley	Required	Allowed	Allowed	
Curb-cut width (max)	Not allowed	20' or 40% of lot frontage, whichever is less	20' or 40% of lot frontage, whichever is less	A
Driveway width in primary/secondary street setback (max)	Not allowed	20'	20'	B
Parking Setbacks				
Primary street (min)	Not allowed	20'*	20'*	C
Secondary street (min)	10'	10'*	10'*	D
Side interior (min)	5'	5'	5'	E
Rear (min)	5'	5'	5'	
Rear alley (min)	2'	2'	2'	F

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8		
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.			
Primary Building Height	(Sec. 9.4.9)		
Height: roof pitch ≤ 3/12 (max)	2 stories, not to exceed 26'		A
Height: roof pitch 4/12, 5/12 (max)	2 stories, not to exceed 28'		A
Height: roof pitch ≥ 6/12 (max)	2 stories, not to exceed 30'		A
Accessory Structure Height	(Sec. 9.4.9)		
Accessory residential unit (max)	2 stories, not to exceed 26'		
All other accessory structures (max)	14'		
Scale of Development	(Sec. 9.4.13)		
Floor area ratio (FAR max)	<7,500 sf	≥7,500 sf	
Single-family detached	.40	.40	
Single-family attached	.40	n/a	
Apartment	n/a	.40	
FAR increase for each ARU	.10	.05	
All other uses	n/a	.40	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./ sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek (South of Cache Creek Drive)	20’
Flat Creek north of Hansen Ave.	25’
Flat Creek south of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000’
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Home occupation/business	1 unlit wall sign
Area (max)	2 sf
Background color	No white or yellow
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NM-1 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 NM-1 zone. This Subsection is intended to indicate all of the use standards applicable in the NM-1 zone, however, all standards in Article 6. are applicable in the NM-1 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					to be amended pending Housing Mitigation LDR Update
Agriculture (6.1.3.B.)	B	n/a		n/a	
Residential					to be amended pending Housing Mitigation LDR Update
Detached Single-Family Unit (6.1.4.B.)	Y	2 units per lot	8,000 sf habitable-excluding basement	2/DU	
Attached Single-Family Unit (6.1.4.C.)	B	1 unit per lot		1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	
Apartment (6.1.4.D.) (E.1)	B	2 units per lot			
Dormitory (6.1.4.F.)	C	n/a		1/bed	
Group Home (6.1.4.G.)	C	n/a		0.5/bed	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.2)	B	1 per unit	Detached ARU on lot <11,250 sf: 500 sf habitable All other ARUs: 800 sf habitable	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/ DU	to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	to be amended pending Housing Mitigation LDR Update
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NM-1 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 NM-1 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NM-1 zone, however, all standards in Article 7. are applicable in the NM-1 zone, unless stated otherwise.

1. Development Options and Subdivision		
Option	**Lot Size (min)**	**Option Standards**
Allowed Subdivision Options		
Land Division	3,750 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		(Div. 7.5.)
Schools exaction		
Parks exaction		
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

4. Required Subdivision and Development Option Permits				
Option	**Sketch Plan (Sec. 8.3.1.)**	**Development Plan (Sec. 8.3.2.)**	**Development Option Plan (Sec. 8.5.2.)**	**Subdivision Plat (Sec. 8.5.3.)**
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NM-1 zone.

1. Maximum Allowed Density

   a. The maximum allowed density on an individual lot of 7,500 sf or greater in size is four units (two primary units and two ARUs). The two primary units may either be detached (i.e., two Detached Single-Family homes) or attached (i.e., Apartments attached in the form of a duplex);

   b. The maximum allowed density on an individual lot smaller than 7,500 sf in size is two units (one Detached Single-Family home and one ARU

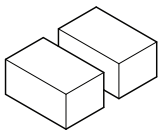
2. Accessory Residential Units (ARUs)

   a. Home Occupations and Home Businesses in ARUs are prohibited.

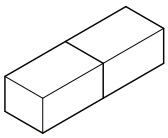
   b. Detached ARUs shall only be permitted on lots that meet minimum lot size.

F. Configuration Options

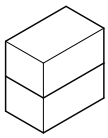
Configuration options in the NM-1 zone include, but are not limited to, the following:



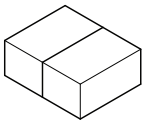
2 detached units



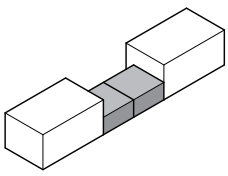
2 attached units (back to back)



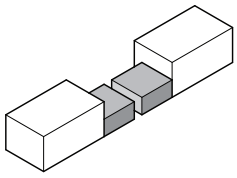
2 attached units (up and down)



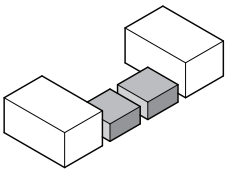
2 attached units (Side by side)



2 detached units
+ 2 attached ARUs



2 detached units
+ 2 detached attached ARUs



2 detached units
+ 2 detached ARUs

2.2.8. NM-2: Neighborhood Medium Density-2 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood Medium Density-2 (NM-2) zone is to provide for medium to higher density residential development and to promote workforce housing types using a broad range of detached and attached residential types in a pedestrian-oriented environment. The size of individual buildings will be limited in order to respect and enhance the character and cohesiveness of existing residential neighborhoods. This zone is intended for Transitional neighborhoods where increased residential density and workforce housing are intended.

2. Buildings: Buildings can be up to 3 stories in height. Multiple detached buildings or multiple attached units on a site is common. No more than 8 units will be permitted within an individual building. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street or alley if present.

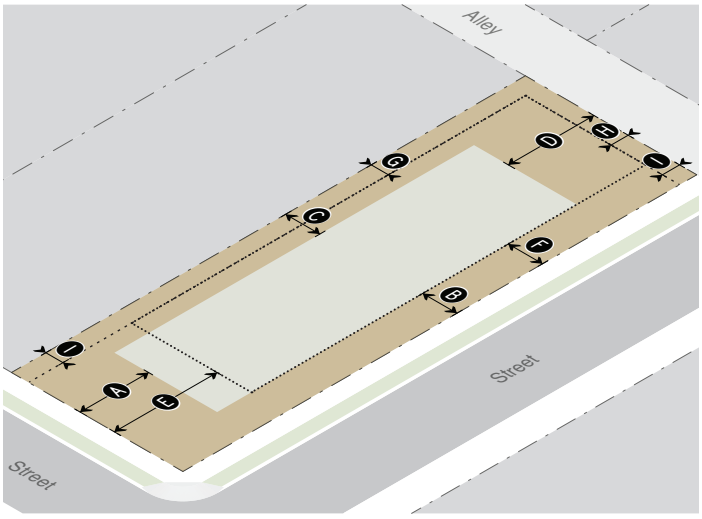
4. Land Use: The full spectrum from a single-family detached home to an 8-unit apartment/condo building is allowed.

5. Comprehensive Plan: Based primarily on Subarea 3.2 in the Comprehensive Plan

B. Physical Development

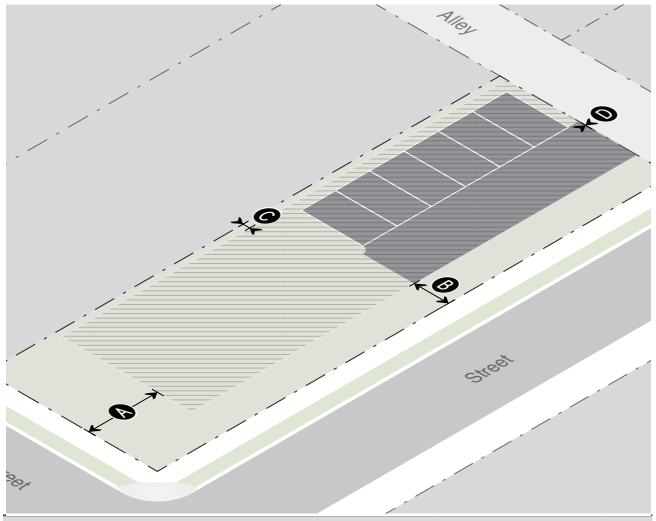
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Rear (min)	20'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior (min)	5'	G
Rear (min)	5'	
Rear alley (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	(9.4.6.E.2)	
Single-Family Detached	.45	
Apartments	.21 & 70% in front 1/3 of lot	
All other allowed uses	.35	
Plant units (min)		
Single-Family and Duplex	1 per unit	
All other uses	1/1,000 sf of landscape area	
Parking Lot (all uses)	1 per 12 parking spaces	

2. Vehicle Access Standards

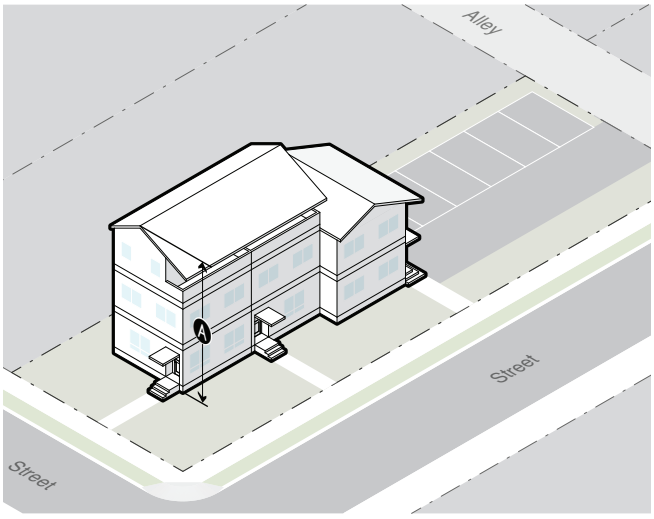


Access	
Primary street	Allowed
Secondary street	Allowed
Alley	Allowed
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less
Driveway width in primary/secondary street setback (max)	20'

Parking Setbacks		
Primary street* (min)	20'	A
Secondary street* (min)	20'	B
Side interior (min)	1'	C
Rear (min)	5'	
Rear alley (min)	0'	D

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	3 stories, not to exceed 35'	A
Height: roof pitch 4/12, 5/12 (max)	3 stories, not to exceed 37'	A
Height: roof pitch ≥ 6/12 (max)	3 stories, not to exceed 39'	A
Accessory Structure Height	Sec. 9.4.9	
All accessory structures (max)	14'	
Scale of Development	Sec. 9.4.13	
Floor area ratio (FAR max)		
Single-Family Detached	.30	
All other allowed uses	.40	
Deed restricted housing exemption	Sec. 7.8.3.	
Workforce housing floor area bonus	Sec. 7.8.4.	
Individual building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
6. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)
9. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Site area						
≤ 15,000 sf			X			(Sec. 5.7.1.)
15,001 - 30,000 sf		X	X			(Sec. 5.7.1.)
> 30,000 sf	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable-excluding basement	2/DU	to be amended pending Housing Mitigation LDR Update
Attached Single-Family unit (6.1.4.C.) (E.1)	B	E.1		1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	
Apartment (6.1.4.D.) (E.1)	B	E.1			
Dormitory (6.1.4.F.)	C	n/a		1/bed	
Group Home (6.1.4.G.)	C	n/a		0.5/bed	
Institutional					to be amended pending Housing Mitigation LDR Update
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			
Accessory Uses					to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a		n/a	
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	

Y=Use allowed, no use 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	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	
Temporary Uses					to be amended pending Housing Mitigation LDR Update
Temporary Shelter (6.1.12.D.)	B	1 unit per lot		2/DU	
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options

Standards applicable to development options and subdivision in the NM-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 NM-2 zone. This subsection is intended to indicate all of the development option and subdivision standards applicable in the NM-2 zone, however, all standards in Article 7. are applicable in the NM-2 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Option Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
Condominium/Townhouse	n/a	(Sec. 7.2.4.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		(Div. 7.5.)
Schools exaction		
Parks exaction		
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60’
Paved travel way for Minor Local Road (min)		20’
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

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

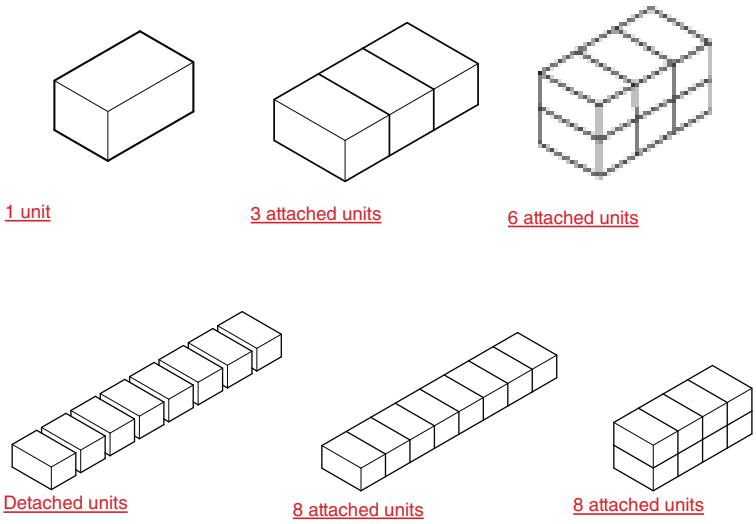
E. Additional Zone-specific Standards

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

1. **Attached Single-Family Unit/Apartment.** No more than 8 units are allowed per building.

F. Configuration Options

Configuration options in the NM-2 zone include, but are not limited to, the following:



2.2.9. NH-1: Neighborhood High Density 1 (P17-077)

A. Intent

1. General Intent: The intent of the Neighborhood High Density 1 (NH-1) zone is to provide for high density residential development and to promote workforce housing types using a broad range of attached residential types in a pedestrian-oriented environment. The size of individual buildings will be limited by the application of required dimensional standards, such as FAR, setbacks, and parking, and not by a prescribed standard. Care will be given to ensure that new development respects and enhances the character and cohesiveness of existing residential neighborhoods. This zone is intended for Transitional neighborhoods where increased residential density and workforce housing are intended.

2. Buildings: Buildings can be up to 3 stories in height. Single or multiple detached buildings, each building with multiple units, on a site is common. Incentives are provided to encourage variety in roof pitch and design.

3. Parking: Parking is provided primarily on-site in surface or underground garages or with surface parking. Parking is typically accessed from a primary street or alley if present.

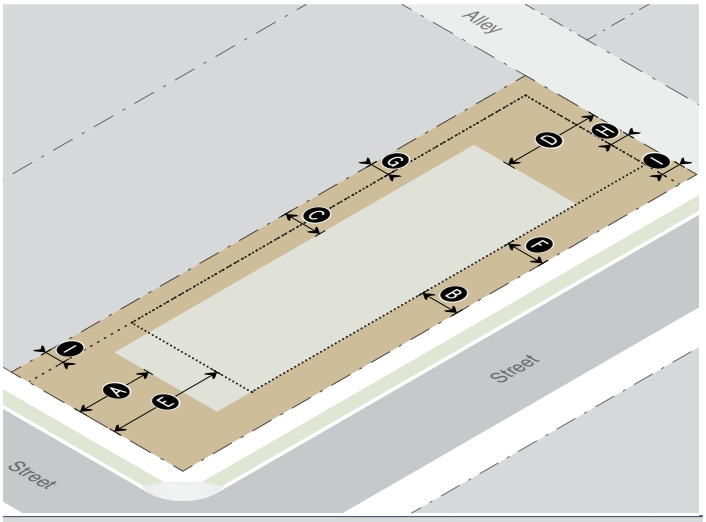
4. Land Use: The full spectrum from a Single-family home to whatever size building can fit the site based on the minimum required density (17.4 units/acre) and the dimensional limitations, such as FAR, setbacks, and parking. Apartments take the place of ARUs because they provide greater flexibility.

5. Comprehensive Plan: Based primarily on Subarea 3.2 in the Comprehensive Plan.

B. Physical Development

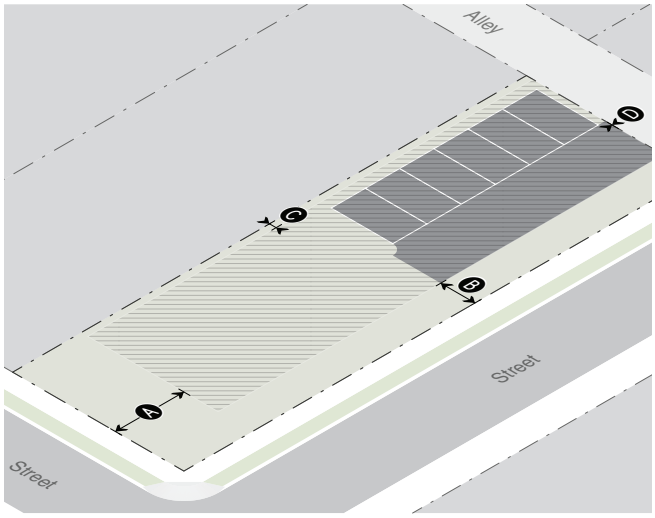
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks	(Sec. 9.4.8)	
Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Rear (min)	20'	D
Accessory Structure Setbacks	(Sec. 9.4.8)	
Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior/rear (min)	5'	G
Rear alley (min)	10'	H
Site Development Setbacks		
All site development, excluding driveways or parking.		
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I
Landscaping	(Div. 5.5)	
Landscape surface ratio (min)	(9.4.6.E.2)	
Apartments	.21 & 70% in front 1/3 of lot	
All other allowed uses	.30	
Plant units (min)		
Single-Family and Duplex	1 per unit	
All other uses	1/1,000 sf of landscape area	
Parking Lot (all uses)	1 per 12 parking spaces	

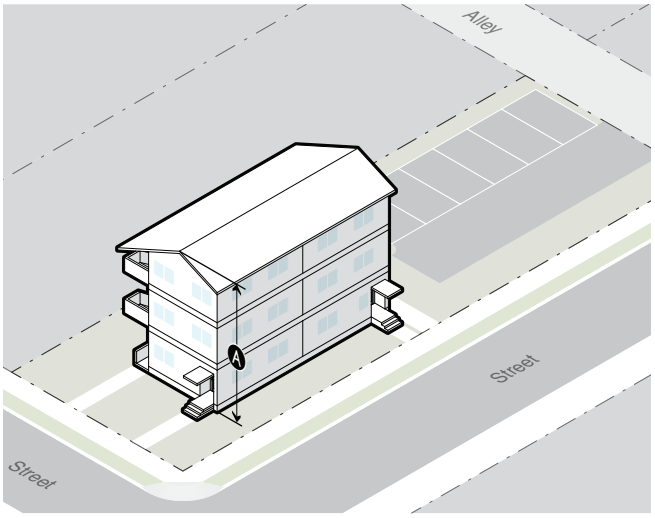
2. Vehicle Access Standards



Access		
Primary street	Allowed	
Secondary street	Allowed	
Alley	Allowed	
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less	
Driveway width in primary/secondary street setback (max)	20'	
Driveway Setbacks		
Primary street* (min)	20'	A
Secondary street* (min)	10'	B
Side interior (min)	1'	C
Rear (min)	5'	
Rear alley (min)	0'	D

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards



Design Guidelines	Div. 5.8	
The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.		
Primary Building Height	(Sec. 9.4.9)	
Height: roof pitch ≤ 3/12 (max)	3 stories, not to exceed 35'	A
Height: roof pitch 4/12, 5/12 (max)	3 stories, not to exceed 37'	A
Height: roof pitch ≥ 6/12 (max)	3 stories, not to exceed 39'	A
Accessory Structure Height	(Sec. 9.4.9)	
All accessory structures (max)	14'	
Scale of Development	(Sec. 9.4.13)	
Floor area ratio (FAR max)	.40	
Deed restricted housing exemption	Sec. 7.8.3.	
Workforce housing floor area bonus	Sec. 7.8.4.	
Individual Building (max gross floor area)	10,000 sf	

4. Fencing	
Height (max)	
In street yard	4’
In side or rear yard	6’
Setback (min)	
Primary or secondary street lot line/R.O.W./sidewalk (min)	1’
Side or rear lot line	0’
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	

5. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20’
Flat Creek North of Hansen Ave.	25’
Flat Creek South of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15’
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)

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

7. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

8. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Freestanding sign	
Height (max)	6’
Setback (min)	5’
Projecting sign	
Height (max)	24’ above grade
Clearance (min)	7’6” from average grade
Setback (min)	18” from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Site area						
≤ 15,000 sf			X			(Sec. 5.7.1.)
15,001 - 30,000 sf		X	X			(Sec. 5.7.1.)
> 30,000 sf	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Use Standards

Standards applicable to uses in the NH-1 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 NH-1 zone. This subsection is intended to indicate all of the use standards applicable in the NH-1 zone, however, all standards in Article 6. are applicable in the NH-1 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Residential					
Detached Single-Family unit	B	E.1	8,000 sf habitable-excluding basement	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	to be amended pending Housing Mitigation LDR Update
Attached Single-Family unit (6.1.4.C.) (E.1)	B	E.1			
Apartment (6.1.4.D.) (E.2)	B	E.1			
Dormitory (6.1.4.F.)	C	n/a		1/bed	
Group Home (6.1.4.G.)	C	n/a		0.5/bed	to be amended pending Housing Mitigation LDR Update
Institutional					
Assembly (6.1.8.B.)	C	n/a		independent calculation	
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a		1/employee + 1/stored vehicle	to be amended pending Housing Mitigation LDR Update
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	
Minor	B	n/a			
Accessory Uses					
Home Occupation (6.1.11.D.)	B	n/a		n/a	to be amended pending Housing Mitigation LDR Update
Home Business (6.1.11.E.)	C	n/a		1/employee	
Family Home Daycare (6.1.11.F.)	B	n/a		1/employee + 1 off-street pick-up/drop-off	
Home Daycare Center (6.1.11.G.)	C	n/a		1/employee + 2 off-street pick-up/drop-off	

Y=Use allowed, no use 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	Density	Individual Use (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot (max)		2/DU	to be amended pending Housing Mitigation LDR Update
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a		1/employee	

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

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

D. Development Options

Standards applicable to development options and subdivision in the NH-1 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 NH-1 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NH-1 zone, however, all standards in Article 7. are applicable in the NH-1 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Option Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
Condominium/Townhouse	n/a	(Sec. 7.2.4.)
2. Residential Subdivision Requirements		
Affordable Housing	to be amended pending Housing Mitigation LDR Update	
Required Affordable Housing		
Schools and Parks Exaction		(Div. 7.5.)
Schools exaction		
Parks exaction		

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

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

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NH-1 zone.

1. **Minimum Density.** The minimum density for lots in the NH-1 is based on requiring a minimum density of 17.4 units per acre and are as follows:

   a. Lots 5,125 sf or less: One Detached Single-Family Unit;

   b. Lots 5,126 - 7,499 sf: Two units (either detached or attached)

   c. Lots 7,500 or larger: Three units (either detached or attached)

2.2.13. CR-3: Commercial Residential-3

A. Intent

1. General Intent. The intent of the Commercial Residential-3 (CR-3) zone is to provide for a vibrant mixed-use zone consisting primarily of retail, office and residential uses. This zone is located on both sides of Highway 89/191 from High School Road to Flat Creek bridge at the entrance to downtown Jackson.

2. Buildings. Buildings can be up to 3 or 4 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Front setbacks are varied, with some buildings pulled up to the street and others set back with landscaping in front, creating an attractive and green street edge.

3. Parking. Parking is primarily provided on-site, to the rear or side of buildings and screened from view with a screen-wall.

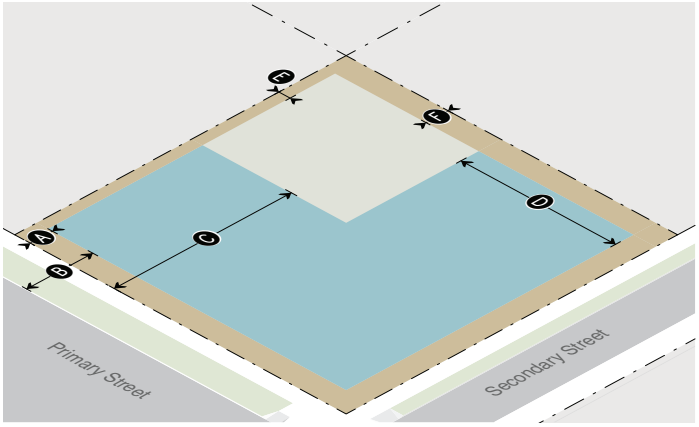
4. Land Use. Active uses, such as retail and service, are encouraged on the ground level, often with residential or office on the upper floors. Buildings of all residential uses are encouraged.

5. Comprehensive Plan. Based primarily on sub areas 4.1, 4.2, 4.3, 5.1 and 5.3 of the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards



Building Setbacks	Sec. 9.4.11	
Highway 89/191		
Primary street setback range		
Property line (min)	20’	A
Back of curb (min)	30’	B
Property line (max)	85’*	C
Secondary street range (min-max)	10’ - 85’*	D
All Other Streets		
Primary street setback range (min-max)	10’ - 65’*	
Secondary street setback range (min-max)	10’ - 65’*	
Side interior (min)	5’	E
Rear (min)	10’	F
Abutting protected zone (min)	10’	
*Residential projects are exempt from the max setback requirement		

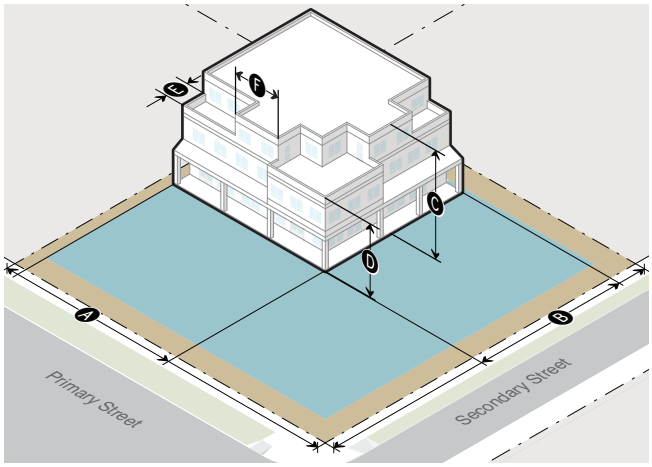
Landscaping	Div. 5.5
Landscape surface ratio (min)	10%
Highway 89 streetscape standards	see E.5

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

Parking Setbacks	Sec. 9.4.8.
Highway: primary street (min)	20’
All Other Streets: primary street (min)	10’
Secondary street (min)	10’

Access	
Curb cut width (max)	24’

2. Bulk Standards



Street Facade	Sec. 9.4.11.	
Width of ground and 2nd story in primary street setback range		A
% of lot width (min)	50%*	
Length from street corner (min)	n/a	
Width of ground and 2nd story in secondary street setback range		B
% of lot width (min)	50%*	
Length from street corner	n/a	

*Residential projects are exempt from the % of lot width requirement

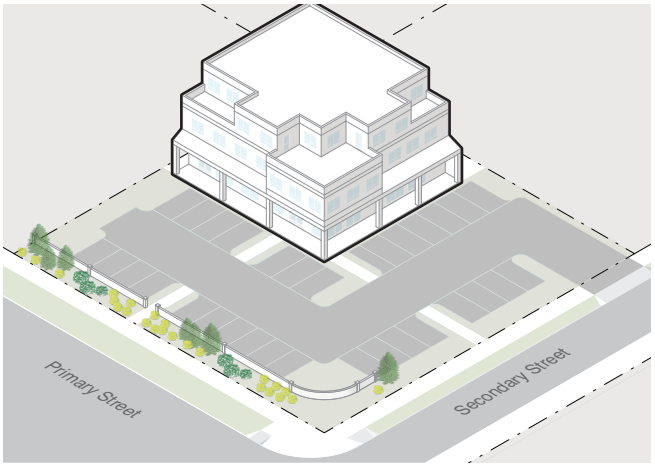
Building Height	Sec. 9.4.9.	
Height (max) roof pitch ≥ 5/12	46'	C
Height (max) roof pitch < 5/12	42'	C
Stories (max) - see E.4 for additional height provisions	3	C
Height (min) - applies fronting Highway 89/191 only - see E.6	24'	D

Building Stepback	Sec. 9.4.12.	
Stepback for any 3rd story street facade or street facade over 30' (min)	10'	E
Encroachment in stepback (max % of overall facade width)	60%	F

A building with only residential use that has at least 4 units is exempt from the stepback requirement

Scale of Development	
Floor area ratio (FAR max)	0.40
Deed restricted housing exemption	Sec. 7.8.3.
Workforce housing floor area bonus	Sec. 7.8.4.

3. Form Standards



Design Guidelines	Sec. 5.8

These requirements apply to all residential and nonresidential development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.

Pedestrian Frontage Options	
Trees in grates	see Sec. 2.2.1.C.2
Trees in lawn	see Sec. 2.2.1.C.3

Building Frontage Options	
Shopfront	see Sec. 2.2.1.D.1
Office	see Sec. 2.2.1.D.2
Residential	see Sec. 2.2.1.D.3
Highway	see Sec. 2.2.1.D.5

Parking Type Options	
On-street parking	see Sec. 2.2.1.E.1
Surface parking	see Sec. 2.2.1.E.2
Enclosed parking	see Sec. 2.2.1.E.3
Tuck-Under Parking	see Sec. 2.2.1.E.4
Structured parking	see Sec. 2.2.1.E.5
Underground parking	see Sec. 2.2.1.E.6
Remote parking	see Sec. 2.2.1.E.7

4. Fencing	
Height (max)	
In street yard	4’
In side yard	6’
Setback (min)	
Primary or side street lot line/R.O.W/ sidewalk	1’
Side or rear lot line	0’
5. Environmental Standards	
Natural Resource Setback (min)	Sec. 5.1.1.
Cache Creek south of Cache Creek Dr.	20’
Flat Creek north of Hansen Ave.	25’
Flat Creek south of Hansen Ave.	50’
Wetland	30’
Irrigation Ditch Setback (min)	Sec. 7.7.4.D.
Irrigation Ditch	15’
Natural Resource Overlay (NRO)	Sec. 5.2.1.
6. Scenic Standards	
Exterior Lighting	Sec. 5.3.1.
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Lumens per site (max)	3
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	Sec. 5.3.2.
7. Natural Hazards to Avoid	

Steep Slopes	Sec. 5.4.1.
Development prohibited	Slopes > 30%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	Sec. 5.4.2.
Fault Area	Sec. 5.4.3.
Floodplains	Sec. 5.4.4.
Wildland Urban Interface	Sec. 5.4.5.

8. Physical Development Permits Required

Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)	Floodplain Permit
Site Area							
< 15,000 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
15,000 - 30,000 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 30,000 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 30,000 sf for only residential use	optional	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Employee Housing (min) (Div. 6.3.)
Residential Uses					to be amended pending Housing Mitigation LDR Update
Attached Single-Family Unit (6.1.4.B.)	B	8,000 sf habitable excluding basement	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	
Apartment (6.1.4.D.)	B				
Dormitory (6.1.4.F.)	B	n/a	n/a	0.25/bed	
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	
Commercial Uses					to be amended pending Housing Mitigation LDR Update
Office (6.1.6.B.)	B	n/a	n/a	2.47/1,000 sf	
Retail (6.1.6.C.)	B	50,000 sf excluding basement storage	n/a	3.37/1,000 sf	
Service (6.1.6.D.)	B		n/a	2.25/1,000 sf	
Restaurant/Bar (6.1.6.E.)	B		n/a	1/73 sf dining area + 1/40 sf bar area	
Heavy Retail/Service (6.1.6.F) (E.3)	C	n/a	n/a	1.5/1,000 sf + 2.25 per repair bay + 0.75/wash bay	
Amusement/Recreation					to be amended pending Housing Mitigation LDR Update
Amusement (6.1.7.B.)	B	n/a	n/a	1/40 sf seating area or independent calculation	
Developed Recreation (6.1.7.D.)	B	n/a	n/a	3.37/1,000 sf	
Outfitter/Tour Operator (6.1.7.E.)	B	n/a	n/a	independent calculation	
Institutional Uses					to be amended pending Housing Mitigation LDR Update
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	
Industrial Uses					to be amended pending Housing Mitigation LDR Update
Light Industry (6.1.9.B)(E.3)	C	n/a	n/a	0.75/1,000sf + 0.75/company vehicle	
Transportation/Infrastructure					to be amended pending Housing Mitigation LDR Update
Parking (6.1.10.B.)	C	n/a	n/a	n/a	
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	
Wireless Communications Facilities (6.1.10.D.)				0.75/employee + 0.75/stored vehicle	
Minor	B	n/a	n/a		

Y = Use allowed, no use 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	Individual Use (max)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Employee Housing (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	n/a	n/a	1/DU	to be amended pending Housing Mitigation LDR Update
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	
Family Home Daycare (6.1.11.F.)	B	n/a	n/a	0.75/employee + 0.75 off-street pick-up/drop-off	
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	n/a	n/a	0.75/1,000 sf outdoor display area + 0.75/ employee	to be amended pending Housing Mitigation LDR Update
Farm Stand (6.1.12.E.)	B	n/a	n/a	3.75/1,000 sf display area	

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

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

D. Development Options and Subdivision

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

1. Allowed Subdivision and Development Options		
Option	**Lot Size (min)**	**Option Standards**
Allowed Subdivision Options		
Land Division	7,500 sf	Sec. 7.2.3.
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.
2. Residential Subdivision Requirements		
Affordable Housing		
Required Affordable Housing		To be amended, pending Housing Mitigation LDR update
Schools and Parks Exaction		
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction		9 acres per 1,000 resident
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for Minor Local Road (min)		60'
Paved travel way for Minor Local Road (min)		20'
Required Utilities		(Div. 7.7.)
Water		public
Sewer		public

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

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

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

      i. Residential Uses (Sec. 6.1.4.);

      ii. Lodging Uses (Sec. 6.1.5.); and

      iii. Accessory Residential Unit (6.1.11.B.).

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

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

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

      ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.

      iii. The on-street parking shall follow the established configuration of existing on-street parking.

      iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.

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

3. **South Highway 191/89 or South Park Loop Frontage.** Heavy Service/Retail and Light Industry uses are only allowed on sites with Highway 191/89 frontage south of South Park Loop Road and sites with South Park Loop frontage.

4. Workforce Housing Incentive for Additional Height. A structure may be 48' in height and four stories provided the following criteria are met.

   a. The following standards apply to the amount of additional floor area achieved through the increase in structure height; however, the actual floor area to which the following standards apply may be distributed throughout the structure.

      i. It shall be deed restricted workforce, affordable, or employee housing with an occupancy restriction;

      ii. It may have an employment and/or price restriction.

      iii. It shall be exempt from the calculation of affordable housing required by Division 7.4, but shall not be used to meet the affordable housing requirement for the project.

   b. The project shall provide the affordable housing required by Division 7.4 on site.

   c. The site shall be at least 2 acres to provide opportunity for sufficient setback from, and building height step down to small scale development.

   d. The site shall be served by transit within 1/4 mile.

   e. The site shall be within 1/4 mile walking distance from numerous commercial services routinely needed by residents.

   f. The additional building height shall not increase the floor area allowance or decrease the required open space.

5. Highway 89/191 Streetscape Standards

   The following standards apply to all development abutting Highway 89/191. The goal is to provide for an attractive, high-quality streetscape.

   a. Landscape Strip

      i. The first 20 feet adjacent to the right-of-way must be landscaped along the entire property frontage, except for breaks allowing pedestrian, bicycle and vehicular connections.

      ii. The required landscape strip must include 1.5 plant units per 125 linear feet, as described in Div. 5.5. In order to maximize year-round screening, Alternative C is preferred.

   b. Screening Wall for Parking Lots

      i. A screening wall (or year round vegetative hedge) must be placed within the landscape strip when the landscape strip abuts a parking lot. The screening wall or hedge must range in height from 2.5 feet minimum to 4 feet maximum. Variations in height are encouraged.

      ii. The screening wall cannot be located in the public right-of-way.

iii. The screening wall must be constructed of high-quality materials that are a combination of one or more of the following: stone, cast-stone, split-faced block, stucco over concrete masonry blocks, glass block, or other material approved by the Planning Director.

iv. The maximum allowed length of a continuous, unbroken and uninterrupted wall plane of the screening is 50 feet. Breaks must be provided through the use of columns with an alternative material or through staggering the wall by at least 1 foot.

6. Highway 89/191 Minimum Height and Building Material Standards

The following standards apply to any building located within 85 feet of the ROW of Highway 89/191.

a. Minimum Height

The minimum height requirement applies to all building facades that face Highway 89/19. The minimum height requirement must wrap the corner of the building and extend at least 20 feet down the side of all building facades that do not have an immediately abutting building.

b. Building Materials

Any building materials and treatments applied to building facades that face Highway 89/19 must wrap the corner of the building and extend at least 20 feet down the side of all building facades that do not have an immediately abutting building.

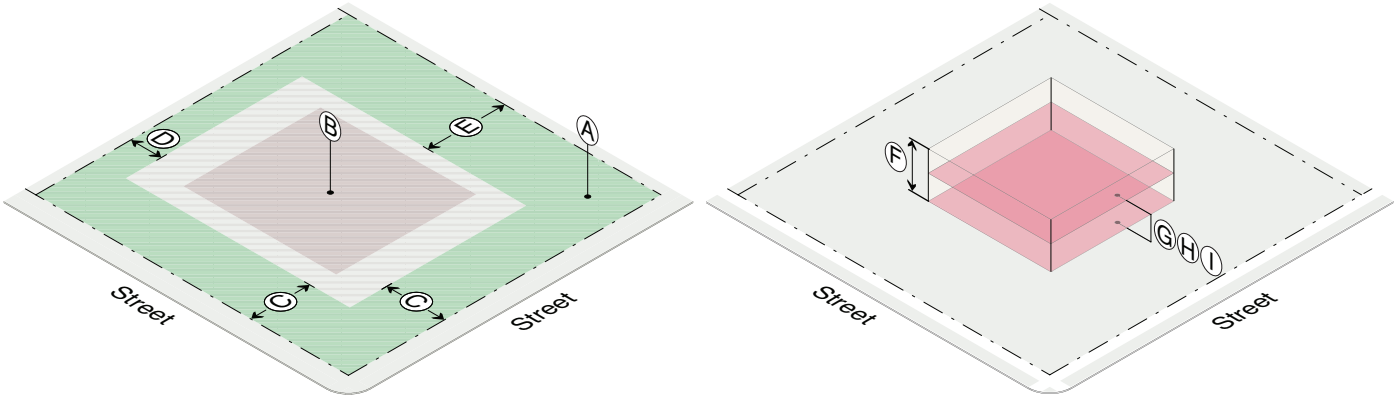
2.3.4. [deleted] (P17-077) ~~Urban Residential (UR)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Urban Residential (UR) Zone is to provide for high density residential areas and promote affordable housing types as part of a full range of residential uses in a pedestrian-oriented environment.~~

B. ~~Physical Development~~

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



1. ~~Structure Location and Mass~~									
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~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~~	~~.30~~	~~.40~~	~~12'~~	~~5'~~	~~20'~~	~~28'~~	~~2~~	~~3~~	~~.45~~
~~Exceptions~~									
~~FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~									
~~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'~~									

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

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

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

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

12. Required Physical Development Permits

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

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area per 1,000 sf (min) (Div. 6.3.)
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Attached single-family unit (6.1.4.C.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Dormitory (6.1.4.F.)	C	0 sf	35 rooms/ acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	35 rooms/ acre	0.5/bed	n/a
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Accessory Uses					
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
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 use 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
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options

Standards applicable to development options and subdivision in the UR 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 UR zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the UR zone, however, all standards in Article 7. are applicable in the UR zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	**BSA (min)**	**Lot Size (min)**	**Density (max)**	**OSR (min)**	**LSR (min)**	**FAR (max)**	**Lot Coverage (max)**	**Option Standards**
Allowed Subdivision Options								
Land Division	n/a	5,000 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	15,000 sf	n/a	23.5 du/ac	.20	n/a	.65	n/a	(Sec. 7.1.3.)
Planned Unit Development (PUD-ToJ)	15,000 sf	n/a	n/a	n/a	.30	.65	.5	(Sec. 4.4.2.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

4. Required Subdivision and Development Option Permits

Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots	X (PUD)		X		X
> 10 Lots	X (PUD)	X	X		X
Condominium/Townhouse					X
Non-subdivision development option (UCD or PUD-ToJ)					
0 - 4 Units	X (PUD)			X	
5 - 10 Units	X (PUD)		X		
> 10 Units	X (PUD)	X	X		

E. Additional Zone-specific Standards

1. **PUD-ToJ Height.** For a PUD-ToJ proposed in the UR zoning district, structure height may be 48 feet provided the following criteria are met.

   a. The following standards apply to the amount of additional floor area achieved through the increase in structure height; however, the actual floor area to which the following standards apply may be distributed throughout the structure.

      i. It shall be deed restricted workforce, affordable, or employee housing with an occupancy restriction;

      ii. It may have an employment and/or price restriction.

      iii. It shall be exempt from the calculation of affordable housing required by Division 7.4, but shall not be used to meet the affordable housing requirement for the project.

   b. The project shall provide the affordable housing required by Division 7.4 on site.

   c. The site shall be at least 2 acres to provide opportunity for sufficient setback from, and building height step down to small scale development.

   d. The site shall be served by transit within 1/4 mile.

   e. The site shall be within 1/4 mile walking distance from numerous commercial services routinely needed by residents.

   f. The additional building height shall not increase the floor area allowance or decrease the required open space.

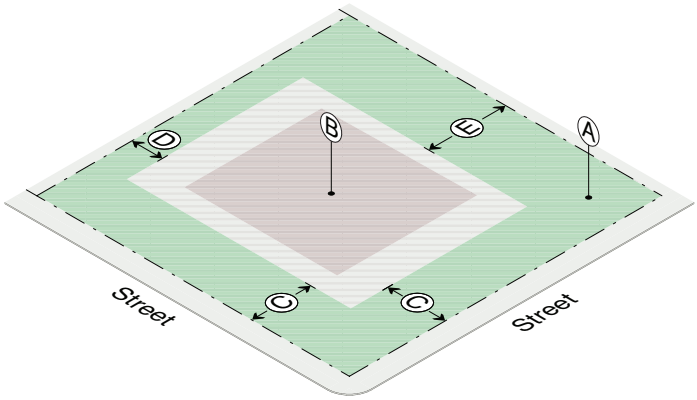
2.3.5. [deleted] (P17-077) ~~Auto Urban Commercial-Town (AC-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

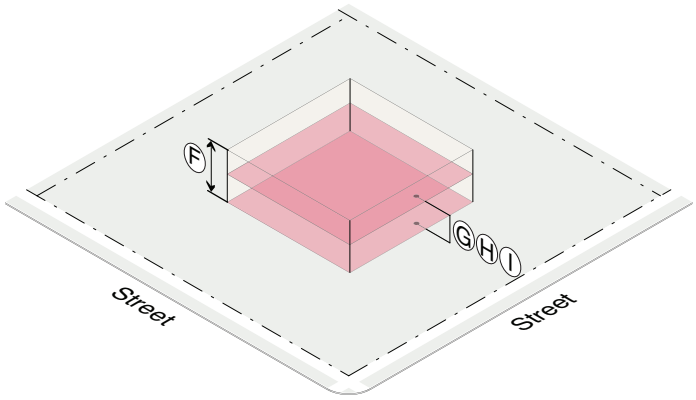
A. ~~Intent~~

~~The purpose of the Auto-Urban Commercial-Town (AC-ToJ) Zone is to provide for commercial development that is oriented to the street and is easily accessed by automobiles with adequate parking and pedestrian connections to adjoining developments in order to promote non-vehicular movement between buildings in commercial areas. Uses in the AC-ToJ zone primarily serve residents' commercial needs, and provide some tourist service uses. The AC-ToJ zone is intended to be applied to community-serving commercial areas.~~

B. ~~Physical Development~~

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





1. Structure Location and Mass

	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (E.3.,E.4.) (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~Stories (LO) (max)~~	~~FAR (max)~~
~~Detached single-family unit~~	~~.50~~	~~.28~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~3~~	~~.30~~
~~with attached accessory unit~~	~~.48~~	~~.30~~	~~20'~~	~~10'~~	~~20'~~	~~26'~~	~~2~~	~~3~~	~~.32~~
~~with detached accessory unit~~	~~.48~~	~~.30~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.32~~
~~with 2 accessory units~~	~~.45~~	~~.32~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.35~~
~~Live/Work unit~~	~~.50~~	~~.28~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~3~~	~~.40~~
~~Office~~	~~.25~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~35'~~	~~2~~	~~3~~	~~.40~~
~~Lodging in the LO~~	~~.20~~	~~n/a~~	~~10'~~	~~0'~~	~~20'~~	~~35'~~	~~n/a~~	~~n/a~~	~~.80~~
~~Other principal use~~	~~.20~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~35'~~	~~2~~	~~3~~	~~.25~~
~~Pre-1994 lot ≤ 15,000 sf~~	~~.20~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~35'~~	~~2~~	~~3~~	~~.46~~
~~Accessory use~~	~~See standards for primary use with which associated~~								
~~Detached accessory structure~~	~~n/a~~	~~n/a~~	~~30'~~	~~5'~~	~~5'~~	~~28'~~	~~2~~	~~n/a~~	~~n/a~~

~~Exceptions~~

~~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.~~

~~FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~

~~Side/Rear Yard Residential Projections. Fire escapes may extend into a side or rear yard by not more than 4 feet. Patios which are at grade may extend to any portion of a side or rear yard.~~

~~Accessory Structure Detached Separation. 10'~~

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	15,000 sf
Single building in LO with CUP	35,000 sf
Single building out of LO with CUP	50,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	12'; LO: 6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the AC-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 AC-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the AC-ToJ zone, however, all standards in Article 6. are applicable in the AC-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					
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential				see also 6.2.6.B	
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Attached Single-Family Unit (6.1.4.C.) (E.1.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D.) (E.1.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Dormitory (6.1.4.F.)	C	0 sf	30 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	30 rooms per acre	0.5/bed	n/a
Live/Work Unit (6.1.4.H.)	B	0 sf	n/a	1.5/DU or 1.5/1,500 sf	n/a
Lodging					
Conventional Lodging (6.1.5.B.)	B(LO)	0 sf	n/a	0.75/LU + 1/150 sf of assembly area	47 sf/1,000 sf
Short-Term Rental Unit (6.1.5.C.)	B(LO)	0 sf	n/a	2/LU (see also 6.2.6.B)	47 sf/1,000 sf
Commercial					
Office (6.1.6.B.)	B	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C.)	B	0 sf	n/a	4.5/1,000 sf	156 sf/1,000 sf
Service (6.1.6.D.)	B	0 sf	n/a	3/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (6.1.6.E.)	B	0 sf	n/a	1/55 sf dining area + 1/30 sf bar area	378 sf/1,000 sf
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Nursery (6.1.6.H.)	B	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	independent calculation

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

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.)
Amusement/Recreation					
Amusement (6.1.7.B.)	B	0 sf	n/a	1/30 sf seating area	independent calculation
Developed Recreation (6.1.7.D.)	B	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	B	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	0 sf	n/a	n/a	independent calculation
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	n/a
Bed and Breakfast (6.1.11.C.)	B	0 sf	n/a	0.75/LU	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	B	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Drive-In Facility (6.1.11.H.)	B	0 sf	n/a	n/a	exempt

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

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.)
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

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

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
Live/work unit	750 sf min/2,000 sf max habitable
Lodging operation with multiple buildings	90,000 sf habitable
Individual retail use excluding basement	
without CUP	12,500 sf habitable
with CUP	50,000 sf habitable
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.) (E.3.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the AC-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 AC-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the AC-ToJ zone, however, all standards in Article 7. are applicable in the AC-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	22,500 sf	n/a	11.7 du/ac	.40	n/a	.40	.35	(Sec. 7.1.3.)
Planned Unit Development (PUD-ToJ)	22,500 sf	n/a	n/a	n/a	.45	.40	.30	(Sec. 4.4.2.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

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

E. Additional Zone-specific Standards

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

1. **Attached Single-Family and Apartment Units.** Attached single-family and apartment units shall be located on the second or third floor.

2. **Open Storage.** The open storage of vehicles and equipment is prohibited.

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

4. **Highway Frontage Setback.** Where the highway frontage setback is 20 feet, the minimum parking area setback shall be 20 feet. This setback shall be landscaped generally in accordance with Div. 5.5, Landscaping Standards. In addition, where a 20 foot structure setback is required from the right-of-way of U.S. Highway 26-89-189-191, the first 20 feet adjacent to the right-of-way (as a minimum) must be landscaped. The objectives for highway setback landscaping shall be to provide for an attractive, high-quality streetscape, and where applicable, entryways to the Town of Jackson. Plant units shall maximize year-round screening. Public sidewalks and pathways may traverse landscaped areas, and monument signage is encouraged.

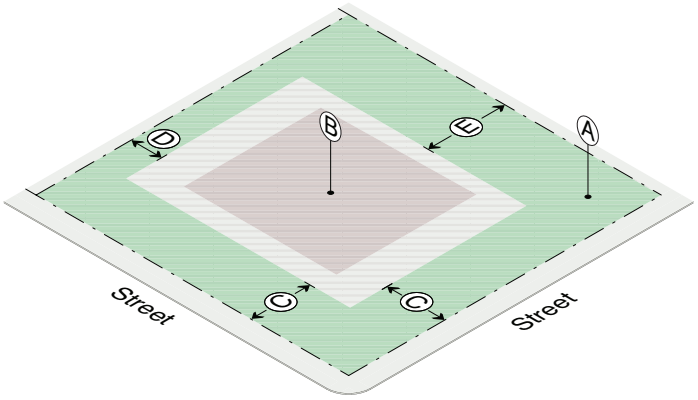
2.3.6. [deleted] (P17-077) ~~Auto Urban Residential-Town (AR-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

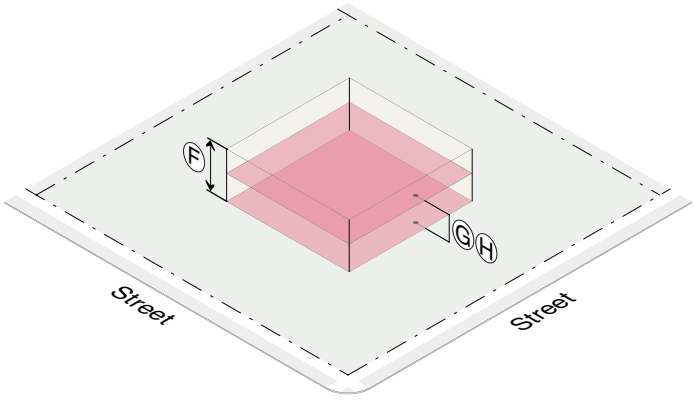
A. ~~Intent~~

~~The purpose of the Auto-Urban Residential-Town (AR-ToJ) Zone is to maintain the character and cohesiveness of residential neighborhoods while allowing for a wide range of residential types, including affordable housing.~~

B. ~~Physical Development~~

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





1. ~~Structure Location and Mass~~								
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~FAR (max)~~
~~Detached single-family unit~~	~~.50~~	~~.28~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~.30~~
~~with attached accessory unit~~	~~.48~~	~~.30~~	~~20'~~	~~10'~~	~~20'~~	~~26'~~	~~2~~	~~.32~~
~~with detached accessory unit~~	~~.48~~	~~.30~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.32~~
~~with 2 accessory units~~	~~.45~~	~~.32~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.35~~
~~Other principal use~~	~~.45~~	~~n/a~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~.35~~
~~Accessory use~~	~~See standards for primary use with which associated~~							
~~Detached accessory structure~~	~~n/a~~	~~n/a~~	~~30'~~	~~5'~~	~~5'~~	~~26'~~	~~2~~	~~n/a~~
~~Exceptions~~								
~~FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~								
~~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.~~								
~~Accessory Structure Detached Separation. 10'~~								

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	10,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear Yard lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

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

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the AR-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 Section 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the AR-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the AR-ToJ zone, however, all standards in Article 6. are applicable in the AR-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
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Dormitory (6.1.4.F.)	C	0 sf	25 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	25 rooms per acre	0.5/bed	n/a
Commercial					
Office (6.1.6.B.)	B(OF)	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.1.)	B	0 sf	2 units per lot	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt

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

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.)
Temporary Uses					
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 use permit required, B=Basic Use Permit (Sec. 8.4.1.), C=Conditional Use Permit (Sec. 8.4.2.), (LO) = Only allowed in Lodging Overlay, (OF) = Only allowed in Office Overlay

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	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.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the AR-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 AR-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the AR-ToJ zone, however, all standards in Article 7. are applicable in the AR-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	22,500 sf	n/a	11.7 du/ac	.40	n/a	.40	.35	(Sec. 7.1.3.)
Planned Unit Development (PUD-ToJ)	22,500 sf	n/a	n/a	n/a	.45	.40	.30	(Sec. 4.4.2.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

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

E. Additional Zone-specific Standards

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

1. Accessory Residential Units (ARUs)

   a. Accessory residential units are only permitted in conjunction with a detached single-family unit.

   b. No more than 2 accessory units per lot are allowed.

   c. If only one accessory unit per lot is constructed, it may be attached to or detached from the principal structure.

   d. If 2 accessory units are constructed on one lot, one shall be attached to the principal structure, the other shall be detached. The minimum separation between detached units shall be 10 feet.

2.3.7. [deleted] (11/23/16, Ord. 1149)

[Section number reserved, original Section deleted]

2.3.8. [deleted] (11/23/16, Ord. 1149)

[Section number reserved, original Section deleted]

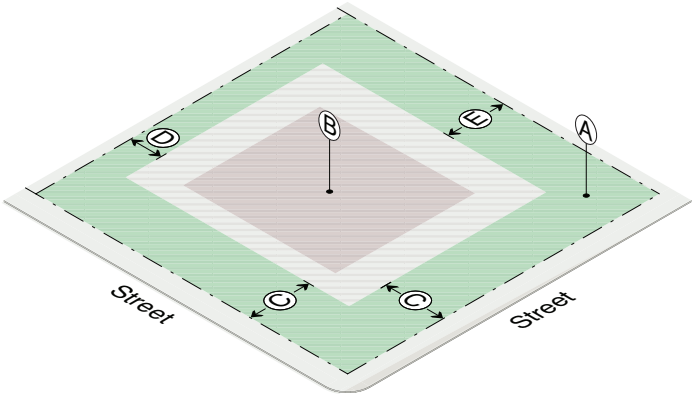
2.3.9. [deleted] (P17-077) Business Park-Restricted Uses (BP-R) (1/4/17, Ord. 1159)

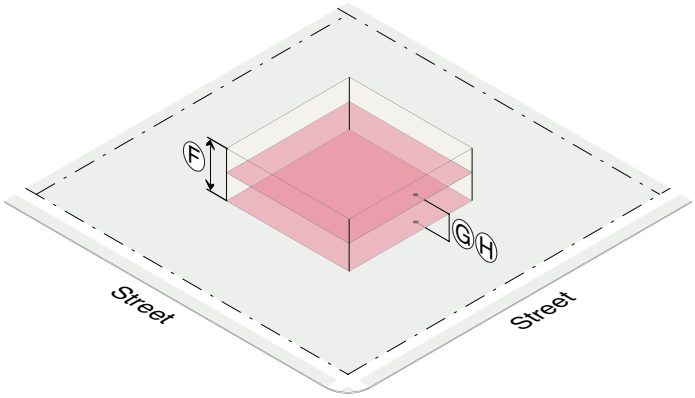
A. Intent

The purpose of the Business Park-Restricted Uses (BP-R) Zone is to provide suitable locations and environs for not only industrial, wholesaling, distribution and service commercial uses typically allowed in the Business Park-Town (BP-ToJ) Zone, but also uses such as office, commercial retail, certain services, restaurant/bar, drive-in facilities, and Urban Cluster Development to meet general community needs.

B. Physical Development

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





1. Structure Location and Mass

	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	LSR (min)	Lot Coverage (max)	Street Setback (min)	Side Setback (min)	Rear Setback (min)	Height (max) (E.3.)	Stories (max)	FAR (max)
Live-work unit	.15	n/a	20'	10'	20'	35'	2	.40
Office	.25	n/a	20'	10'	20'	35'	2	.40
Retail, services (E.2.), restaurant, bar	.20	n/a	20'	10'	20'	35'	2	.25
Other principal use	.15	n/a	20'	10'	20'	35'	2	.41
Accessory use	See standards for primary use with which associated							

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.

FAR. A 25% increase in FAR is allowed in all nonresidential zones, provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.

Detached Accessory Structure Separation. 10'

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single nonresidential building	15,000 sf
Single nonresidential building with CUP	50,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	(E.5.)
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	100,000
All fixtures	
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	12'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.5.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Attached Single-Family Unit (6.1.4.C.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D.)	B	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Live/Work Unit (6.1.4.H.)	C	0 sf	n/a	1.5/DU or 1.5/1,500 sf	n/a
Commercial					
Office (E.4.) (6.1.6.B.)	C	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Retail (E.4.) (6.1.6.C.)	C	0 sf	n/a	4.5/1,000 sf	156 sf/1,000 sf
Service (E.2. & E.4.) (6.1.6.D.)	C	0 sf	n/a	3/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (E.4.) (6.1.6.E.)	C	0 sf	n/a	1/55 sf dining area + 1/30 sf bar area	378 sf/1,000 sf
Heavy Retail/Service (6.1.6.F.)	B	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	B	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Nursery (6.1.6.H.)	C	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	independent calculation
Amusement/Recreation					
Developed Recreation (6.1.7.D.)	C	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	exempt

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.5.)	Employee Housing Floor Area (min) (Div. 6.3.)
Industrial					
Light Industry (6.1.9.B.)	B	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	8 sf/1,000 sf
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	C	0 sf	n/a	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Drive-In Facility (6.1.11.H.)	C	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Real Estate Sales Office (6.1.12.C.)	B	0 sf	n/a	3.3/1,000 sf	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

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

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single family unit (attached, or apartment)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf
Individual retail use excluding basement	
without CUP	12,500 sf habitable
with CUP	50,000 sf habitable
Accessory residential unit	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.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the BP-R 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 BP-R zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the BP-R zone, however, all standards in Article 7. are applicable in the BP-R zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	**BSA (min)**	**Lot Size (min)**	**Density (max)**	**OSR (min)**	**LSR (min)**	**FAR (max)**	**Lot Coverage (max)**	**Option Standards**
Allowed Subdivision Options								
Land Division	n/a	5,000 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	22,500 sf	n/a	11.7 du/ac	.40	n/a	.40	.35	(Sec. 7.1.3.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident
3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Access	required
Right-of-way for Minor Local Road (min)	60'
Paved travel way for Minor Local Road (min)	20'
Required Utilities	(Div. 7.7.)
Water	public
Sewer	public

4. Required Subdivision and Development Option Permits

Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots			X		X
> 10 Lots		X	X		X
Condominium/Townhouse					X
Non-subdivision development option (UCD)					
0 - 4 Units				X	
5 -10 Units			X		
> 10 Units		X	X		

E. Additional Zone-specific Standards

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

1. Attached single-family and apartment units shall be located on the second or third floor.

2. Allowed service uses exclude gunsmithing, taxidermy, mortuary/funeral home, kennels and veterinary services), restaurant/bar, and drive-in facility uses.

3. Mixed-use structures with a residential component for which a Conditional Use Permit has been approved may be raised up to 46 feet upon compliance with the following conditions:

a. ~~The top 2 stories of the structure must be used for residential purposes only.~~

b. ~~The roof pitch must be at least 4 feet in 12 feet.~~

c. ~~The setback from U.S. Highway 26, 89, 189, High School Road and South Park Loop County Road and 191 shall be not less than 150 feet.~~

d. ~~The rear setback shall be not less than 50 feet.~~

e. ~~Building height shall not exceed 35 feet as measured from an elevation equal to the elevation of the adjacent Highway 26, 89, 189 and 191 at its highest point adjacent to the project.~~

4. ~~Allowed Retail, Office, Service, and Restaurant/Bar uses are required to take their primary access and be primarily oriented towards Teton County Road No. 22-1 or U.S. Highway 26/89/189/191 or High School Road in order to minimize traffic impacts on internal roads in the adjacent lands zoned BP-ToJ.~~

5. ~~Where the highway frontage setback is 20 feet, the minimum parking area setback shall be 20 feet. This setback shall be landscaped generally in accordance with Div. 5.5., Landscaping Standards. In addition, where a 20 foot structure setback is required from the right-of-way of U.S. Highway 26-89-189-191, the first 20 feet adjacent to the right-of-way (as a minimum) must be landscaped. The objectives for highway setback landscaping shall be to provide for an attractive, high-quality streetscape, and where applicable, entryways to the Town of Jackson. Plant units shall maximize year-round screening. Public sidewalks and pathways may traverse landscaped areas, and monument signage is encouraged.~~

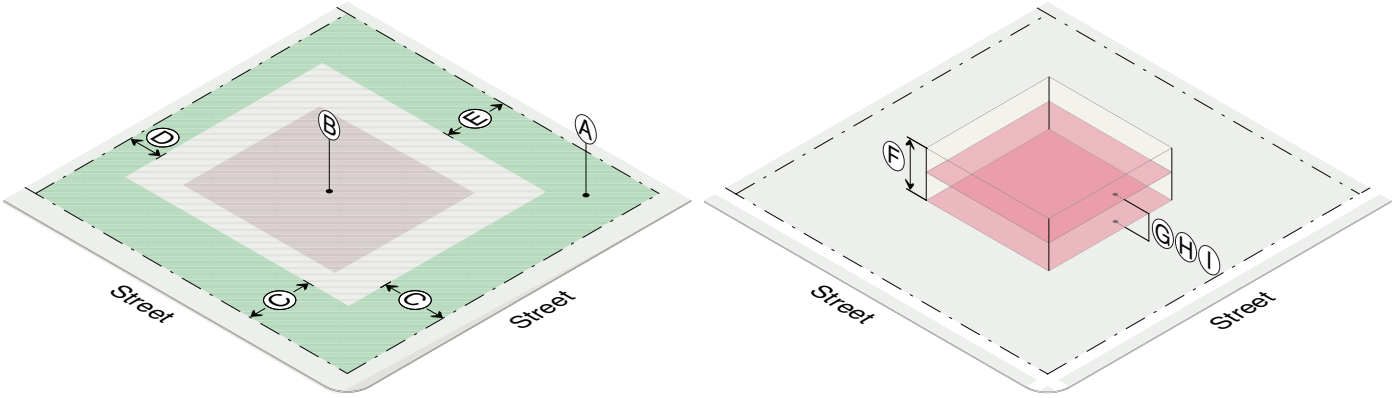
2.3.11. [deleted] (P17-077) ~~Business Conservation-Town (BC-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Business Conservation-Town (BC-ToJ) Zone is to provide for the continuation of existing commercial development where the expansion of the nonresidential use into a commercial node is considered inappropriate. The BC-ToJ zone recognizes existing business uses as conforming, but requires a Conditional Use Permit for any change of use. The BC-ToJ zone shall not be expanded except to allow for a remedy of a nonconformity of an existing business.~~

B. ~~Physical Development~~

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



1. ~~Structure Location and Mass~~	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~Stories (L0) (max)~~	~~FAR (max)~~
~~Detached single-family unit~~	~~.50~~	~~n/a~~	~~20'~~	~~10'~~	~~30'~~	~~26'~~	~~2~~	~~3~~	~~.30~~
~~with attached accessory unit~~	~~.48~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~26'~~	~~2~~	~~3~~	~~.32~~
~~with detached accessory unit~~	~~.48~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.32~~
~~with 2 accessory units~~	~~.45~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.35~~
~~Other principal use~~	~~.30~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~26'~~	~~2~~	~~3~~	~~.30~~
~~Accessory use~~	~~See standards for primary use with which associated~~								
~~Detached accessory structure~~	~~n/a~~	~~n/a~~	~~30'~~	~~5'~~	~~5'~~	~~26'~~	~~2~~	~~n/a~~	~~n/a~~

~~Exceptions~~
~~FAR. A 25% increase in FAR is allowed in all, provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~
~~Side/Rear Yard 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'~~

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building (not lodging)	6,000 sf
Lodging building in the LO	15,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	12'; LO: 6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the BC-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 BC-ToJ zone. This Subsection is intended to indicate all of the use standards applicable in the BC-ToJ zone, however, all standards in Article 6. are applicable in the BC-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.)	C	0 sf	n/a	n/a	exempt
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Attached Single-Family Unit (6.1.4.C., E.5.)	C	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D., E.5.)	C	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	n/a
Dormitory (6.1.4.F.)	C	0 sf	30 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	30 rooms per acre	0.5/bed	n/a
Lodging (E.4.)					
Conventional Lodging (6.1.5.B.)	C (LO)	0 sf	n/a	0.75/LU + 1/150 sf of assembly area	47 sf/1,000 sf
Short-Term Rental Unit (6.1.5.C.)	C (LO)	0 sf	n/a	2/LU	47 sf/1,000 sf
Commercial					
Office (6.1.6.B.)	C	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Retail (6.1.6.C.)	C	0 sf	n/a	4.5/1,000 sf	156 sf/1,000 sf
Service (6.1.6.D.)	C	0 sf	n/a	3/1,000 sf	56 sf/1,000 sf
Restaurant/Bar (6.1.6.E.)	C	0 sf	n/a	1/55 sf dining area + 1/30 sf bar area	378 sf/1,000 sf
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Nursery (6.1.6.H.)	C	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	independent calculation

Y=Use allowed, no use 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.)
Amusement/Recreation					
Developed Recreation (6.1.7.D.)	C	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	n/a
Bed and Breakfast (6.1.11.C.)	C (LO)	0 sf	n/a	0.75/LU	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
Drive-In Facility (6.1.11.H.)	C	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	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 use 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
Lodging operation with multiple buildings	90,000 sf habitable
Individual retail use excluding basement	12,500 sf habitable
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the BC-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 BC-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the BC-ToJ zone, however, all standards in Article 7. are applicable in the BC-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

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

E. Additional Zone-specific Standards

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

1. **Expansion Permitted.** The land use existing on the site as of November 9, 1994 shall be allowed an expansion of 20 percent of the size of the structure so long as all the standards of this Section and these LDRs are met. In instances where expansion of 20% permits less expansion than the Floor Area Ratio listed in 2.3.11.B. Structure Location and Mass, expansion to the FAR shall be permitted, pursuant to the conditions of this Section and these LDRs.

   a. **Determining Size.** The 20% expansion permitted shall be determined by the size of the structure in which the use is located on November 9, 1994. For example, the expansion of habitable building square footage shall be based upon the total square footage of all existing habitable building square footage.

   b. **Expansion of Existing Use.** Expansion which exceeds 5,000 square feet shall require a Conditional Use Permit pursuant to Sec. 8.4.2., in addition to required physical development permits.

   c. **ADA Necessitated Expansions Exempt.** Expansions to existing buildings for the primary purpose of meeting requirements of the American With Disabilities Act (ADA) shall be exempt from any limitations on expansions imposed in this Section. Expansions to meet ADA requirements may include, but shall not be limited to, covered wheelchair ramps, lifts, handicap accessible rest rooms, etc.

2. ~~Change Signs or Lighting. Proposals to change signs or lighting shall not increase the discrepancy between the existing sign and the standards of Div. 5.6., Sign Standards, and Sec. 5.3.1., Exterior Lighting Standards.~~

3. ~~Change of Use Permitted. The change shall be limited to uses of equal or lesser intensity only. The following standards shall be used in evaluating the change of use:~~

   a. ~~Uses. All uses permitted in the AC-ToJ zone are eligible uses for change of use applications.~~

   b. ~~Level of Intensity. Determination of the level of intensity shall include consideration of the size of structures, traffic generation (amount and type), impacts on access, parking demand, level of outdoor activity, operational characteristics, and other potential adverse impacts on neighboring uses.~~

   c. ~~Signs and Lighting. If the use is changed pursuant to this Subsection, the sign for the use shall comply with the standards of Div. 5.6., Sign Standards, and Sec. 5.3.1., Exterior Lighting Standards.~~

4. ~~Lodging. Lodging is permitted in the BC-ToJ zone pursuant to the standards of this Section, regardless of the location of the subject property with respect to the Lodging Overlay (LO) zone.~~

5. ~~Residential Use. Change of use to a conditional residential use shall meet the following standards.~~

   a. ~~Nonresidential Use Abandoned. Conditional residential use shall be the only use permitted on the BC site; all nonresidential use shall be abandoned.~~

   b. ~~Density/Intensity. The conditional residential use shall have an intensity less than the intensity of the existing non-residential use. The determination of the level of intensity shall include consideration of traffic generated (amounts and type), impact on access, parking demand, proposed level of activity, operational characteristics, and other potentially adverse impacts on neighboring lands.~~

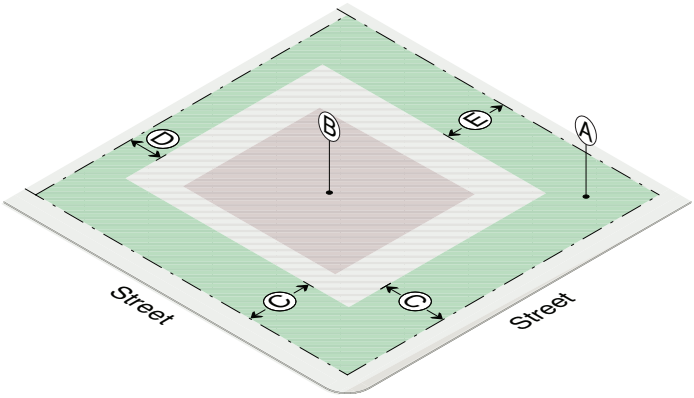
2.3.12. [deleted] (P17-077) ~~Residential Business (RB)~~ ~~(1/4/17, Ord. 1159)~~

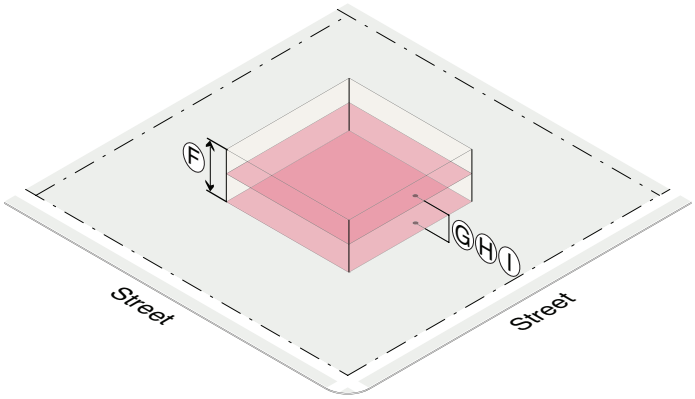
A. ~~Intent~~

~~The purpose of the Residential Business (RB) zone is to provide for the conduct of small scale businesses on a lot where the principal use is residential.~~

B. ~~Physical Development~~

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





1. ~~Structure Location and Mass~~									
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~Stories (L0) (max)~~	~~FAR (max)~~
~~Allowed use~~	~~.30~~	~~n/a~~	~~25'~~	~~10'~~	~~25'~~	~~30'~~	~~2~~	~~3~~	~~.32~~
~~Detached accessory structure~~	~~n/a~~	~~n/a~~	~~30'~~	~~5'~~	~~5'~~	~~30'~~	~~2~~	~~3~~	~~n/a~~
~~Exceptions~~									
~~FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~									
~~Side/Rear Yard Residential Projections. 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'~~									

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	10,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 8 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside Area Standards	(Sec. 5.4.1.)
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	12'; LO: 6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the RB 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 RB zone. This Subsection is intended to indicate all of the use standards applicable in the RB zone, however, all standards in Article 6. are applicable in the RB 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.)
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Attached Single-Family Unit (6.1.4.C.)	B	0 sf	n/a	2/DU +0.5 per DU if ≥ 3 units served by lot	n/a
Apartment (6.1.4.D.)	B	0 sf	n/a	2/DU +0.5 per DU if ≥ 3 units served by lot	n/a
Dormitory (6.1.4.F.)	C	0 sf	25 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.)	C	0 sf	25 rooms per acre	0.5/bed	n/a
Commercial					
Office (6.1.6.B.)	B	0 sf	n/a	3.3/1,000 sf	14 sf/1,000 sf
Service (6.1.6.D.)	C	0 sf	n/a	3/1,000 sf	56 sf/1,000 sf
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		

Y=Use allowed, no use 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.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	B	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					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use 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
Nonresidential use	Less than residential
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the RB 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 RB zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the RB zone, however, all standards in Article 7. are applicable in the RB zone, unless stated otherwise.

1. Allowed Subdivision and Development Options

Option	Site Area (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)

2. Residential Subdivision Requirements

Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

3. Infrastructure

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

4. Required Subdivision and Development Option Permits

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

E. ~~Additional Zone-specific Standards~~

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

1. ~~**Primary Use Residential.** The primary use of any property or development within the RB zone shall be residential.~~

2. ~~**Residential Types and Standards.** In addition to conventional single-family units and accessory residential units as provided in 2.3.12.C., Allowed Uses and Use Standards, 2-family structures are allowed in the RB zone. All residential uses and unit types are subject to the standards in 2.3.12.B., Structure Location and Mass.~~

3. ~~**Nonresidential Use Accessory.** Any nonresidential use of a property or development in the RB zone shall be accessory to the residential use. No nonresidential use may occupy more than 50% of the total allowable floor area on any property. All nonresidential activity and structures shall be located to the rear of the primary residence(s).~~

4. ~~**Open Storage.** Open storage of materials, vehicles, and equipment is allowed provided it is adequately screened from residential areas of adjacent properties~~.

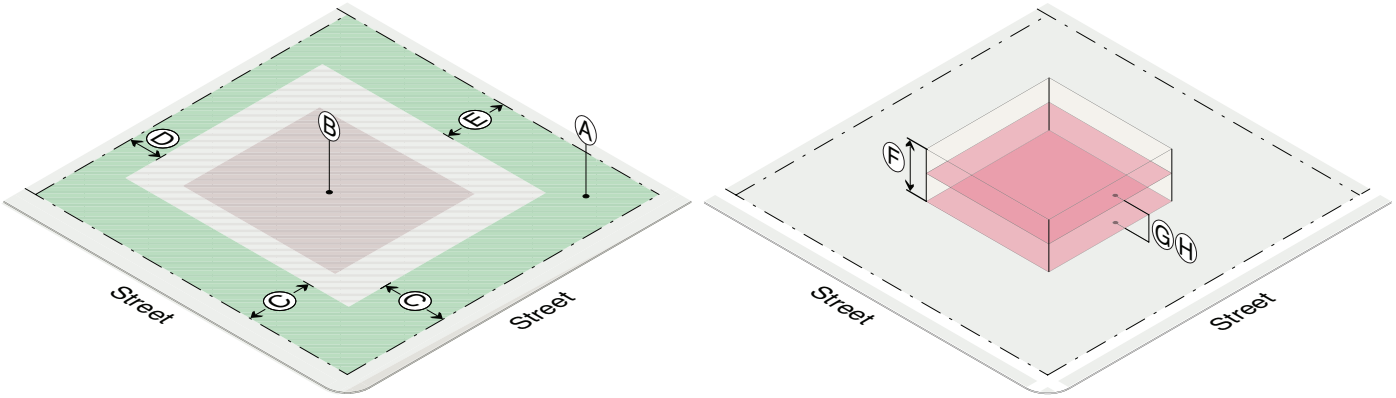
2.3.14. [deleted] (P17-077) ~~Neighborhood Conservation-Town (NC-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Neighborhood Conservation - Town (NC-ToJ) Zone is to recognize existing residential neighborhoods and subdivisions and allow development to continue in a way that is consistent with the existing neighborhood character. The NC-ToJ zone is intended primarily for single-family detached dwellings and accessory uses and structures. The NC-ToJ zone shall not be applied to vacant land, except to allow for in-fill development, and shall not be permitted to expand beyond its original boundaries.~~

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~~								
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	~~LSR (min)~~	~~Lot Coverage (max)~~	~~Street Setback (min)~~	~~Side Setback (min)~~	~~Rear Setback (min)~~	~~Height (max)~~	~~Stories (max)~~	~~FAR (max)~~
~~Allowed use~~	~~.45~~	~~.32~~	~~25'~~	~~10'~~	~~25'~~	~~30'~~	~~2~~	~~.40~~
~~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'~~								

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
n/a	
3. Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	
7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)

8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign

Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the 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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Accessory Uses					
Accessory Residential Unit (Sec. 6.1.11., 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 use 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.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision 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 development option and subdivision standards applicable in the NC-ToJ zone, however, all standards in Article 7. are applicable in the NC-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	Site Area (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division (E.1 & E.2)	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

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

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.~~

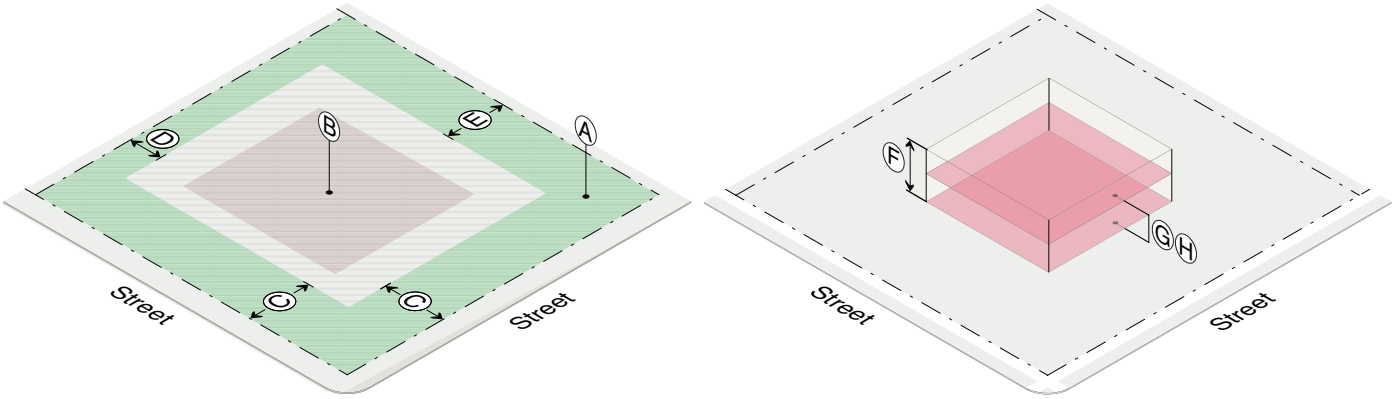
2.3.15. [deleted] (P17-077) ~~Neighborhood Conservation-2-Family (NC-2)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Neighborhood Conservation 2 family (NC-2) zone is to recognize existing residential neighborhoods and subdivisions and allow development to continue in a way that is consistent with the existing neighborhood character. The NC-2 zone is intended primarily for single-family detached and duplex dwellings and accessory uses and structures. The NC-2 zone shall not be applied to vacant land, except to allow for in-fill development, and shall not be permitted to expand beyond its original boundaries.~~

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~~	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	~~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'~~

2. Maximum Scale of Development	
n/a	
3. Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	
7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek (South of Cache Creek Drive)	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)

8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000'
Unshielded fixtures	4,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign

Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	(Sec. 5.6.1.)

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

Standards applicable to uses in the 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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
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 use 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.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision 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 development option and subdivision standards applicable in the NC-2 zone, however, all standards in Article 7. are applicable in the NC-2 zone, unless stated otherwise.

1. Development Options and Subdivision								
Option	Site Area (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options (E.1.,E.4.)								
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development (UCD)	22,500 sf	n/a	11.7 du/ac	.40	n/a	.40	.35	(Sec. 7.1.3.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident
3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Access	required
Right-of-way for Minor Local Road (min)	60'
Paved travel way for Minor Local Road (min)	20'
Required Utilities	(Div. 7.7.)
Water	public
Sewer	public

4. Required Subdivision and Development Option Permits					
Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots			X		X
> 10 Lots		X	X		X
Condominium/Townhouse					X
Non-subdivision development option (UCD)					
0 - 4 Units				X	
5 -10 Units			X		
> 10 Units		X	X		

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 be12,000 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.~~

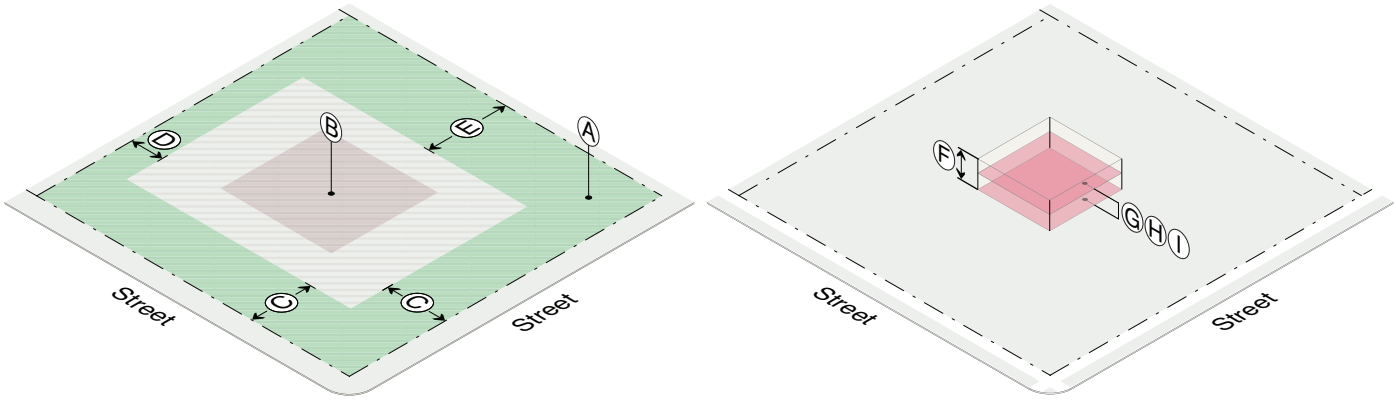
2.3.16. [deleted] (P17-077) ~~Suburban-Town (S-ToJ)~~ ~~(1/4/17, Ord. 1159)~~

A. ~~Intent~~

~~The purpose of the Suburban-Town (S-ToJ) Zone classification is to provide for places with enough open space and sufficient lot size to provide a predominance of landscape over buildings, where there is less human interaction than in the Urban zones, where a stronger sense of privacy is maintained through building orientation and landscaping, and where shared open space is provided. The S-ToJ Zone is also intended to provide for low to moderate density residential development with a range of primary residential and associated uses.~~

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~~									
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ	Ⓘ
	~~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~~
~~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'~~									

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	10,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping	(Div. 5.5.)
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts ans supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards	(Sec. 5.2.1.)
8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per site (max)	
All fixtures	60,000
Unshielded fixtures	40,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

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

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

12. Required Physical Development Permits

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

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	0 sf	n/a	n/a	exempt
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	n/a
Dormitory (6.1.4.F.)	C	0 sf	15 rooms per acre	1/bed	n/a
Group Home (6.1.4.G.) (E.1.)	C	0 sf	15 rooms per acre	0.5/bed	n/a
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B., E.2.)	B	0 sf	1 unit per lot	1/bedroom	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
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 use 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.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision 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 development option and subdivision standards applicable in the S-ToJ zone, however, all standards in Article 7. are applicable in the S-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	Site Area (min)	Lot Size (min)	Density (max)	OSR (min)	LSR (min)	FAR (max)	Lot Coverage (max)	Option Standards
Allowed Subdivision Options								
Land Division	n/a	12,000 sf	n/a	n/a	determined by physical development			(Sec. 7.2.3.)
Townhouse Condominium Subdivision	n/a	n/a	n/a	n/a	determined by physical development			(Sec. 7.2.4.)
Allowed Development Options								
Urban Cluster Development								(Sec. 7.1.3.)
25% ratio	80,000 sf	n/a	3.64 du/ac	.25	n/a	.30	.35	
35% ratio	80,000 sf	n/a	4.0 du/ac	.35	n/a	.30	.38	
Planned Unit Development (PUD)	80,000 sf	n/a	n/a	n/a	.70	.20	.25	(Sec. 4.4.2.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

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

4. Required Subdivision and Development Option Permits

Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots			X		X
> 10 Lots		X	X		X
Condominium/Townhouse					X
Non-subdivision development option (UCD or PUD-ToJ)					
0 - 4 Units	X (PUD)			X	
5 - 10 Units	X (PUD)		X		
> 10 Units	X (PUD)	X	X		

E. Additional Zone-specific Standards

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

E. Establishment of a New PUD

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

F. Amendment of an Existing PUD or Other Special Project

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

G. PUD Option Schedule

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

PUD Option Schedule: Character Zones														
	Complete Neighborhood Zones													Rural Area Zones
	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a
~~PUD-TOJ (Sec. 4.4.2.)~~	No PUD options are allowed in the Town													~~n/a~~

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

PUD Option Schedule: Legacy Zones																
	Complete Neighborhood Zones													Rural Area Zones	Civic Zones	
	TS	UC	~~UR~~	~~AC-ToJ~~	~~AR-ToJ~~	~~BP-R~~	BP-ToJ	~~BC-ToJ~~	~~RB~~	MHP-ToJ	~~NC-ToJ~~	~~NC-2~~	~~S-ToJ~~	R-ToJ	P/SP-ToJ	P-ToJ
No PUD Options are allowed in the Town																
~~PUD-TOJ (Sec. 4.4.2.)~~	~~--~~	~~P~~	~~P~~	~~P~~	~~P~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~P~~	~~--~~	~~--~~	~~--~~

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

H. List of Approved Planned Unit Development Zones - Town (PUD-ToJ)

The following PUD-ToJ Zones have been approved by the Town. The approved physical development, use, development option, and subdivision standards are hereby adopted by reference into the LDRs and are on file for public review with the Town Clerk and Planning Department. A copy of the approved development plan for each PUD-ToJ is also on file for review with the Town Clerk and Planning Department.

1. Planned Unit Development - Urban Residential (P15-029) (PUD-UR (P15-029)) (135 West Kelly Avenue)

2. Planned Unit Development - Urban Residential (P16-017) (PUD-UR (P16-017)) (1255 West Highway 22)

h. **Spring, Summer, and Fall Habitat Occurs in Riparian Areas.** During spring, summer, and fall, bald eagles forage primarily in riparian areas for fish, waterfowl, and other prey items.

i. **Winter Habitat Is Important.** During winter, heavy snow accumulation and freezing water surfaces reduces the availability of spring, summer, and fall habitat. At these times, bald eagles forage on wild ungulate and livestock carrion, supplemented by fish and waterfowl carcasses. Ungulate carrion is readily available but sparsely distributed on ungulate winter ranges, meaning that in addition to its nesting habitat, the crucial ungulate winter ranges also become critical to the bald eagle's survival.

j. **Additional Crucial Winter Habitat Essential to Survival.** It is vital that bald eagle crucial winter habitat be protected to ensure the survival of this species in Teton County.

D. Applicability of NRO Standards

In addition to all other standards required by these LDRs, all physical development, use, development options and subdivision within the NRO shall comply with all standards of this Section, unless exempted below. Demonstration of compliance with the standards of this Section shall come from a qualified professional, even if an EA is exempt.

1. **Alterations and Additions.** Structural alterations and additions to existing structures shall be exempt from the standards of this Section.

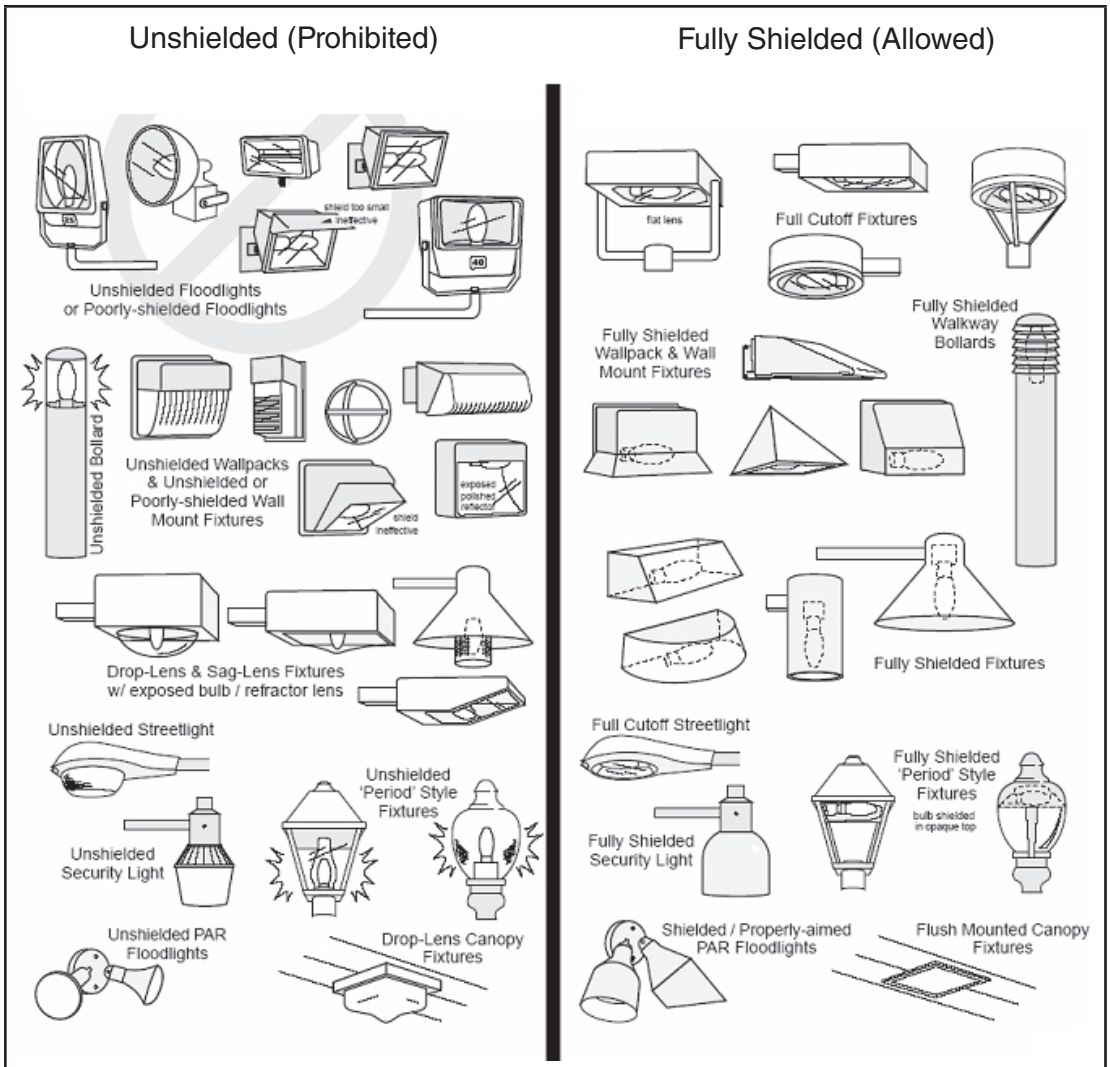
2. ~~**NC-ToJ Zoned Lands.** All physical development, use, and development options, except new subdivisions, within the NC-ToJ zone shall be exempt from the standards of this Section, except that F.4., F.6., and Sec. 5.1.2. shall apply.~~

3. **Land in Conservation Easement.** Land protected by a conservation easement where proposed development density is one house per 70 acres or less and the total acreage subject to the easement is 320 acres or more, shall be exempt from the standards of this Section, except that F.4. and F.6., shall apply.

E. Impacting the NRO

The base site area shall not be reduced because a portion of the lot of record is in the NRO. When conflicts exist between the NRO and SRO, the standards of this Section shall have priority and be achieved to the maximum extent practical. The requirements of Sec. 5.3.2. shall receive second priority. Where densities/intensities permitted cannot be achieved by locating development outside of the NRO, then lands protected by the NRO may be impacted pursuant to the standards of this Subsection.

1. **Minimizes Wildlife Impact.** The location of the proposed development shall minimize impacts on the areas protected (e.g., crucial migration routes, crucial winter range, nesting areas). For the purposes of this standard, "minimize" is defined as locating development to avoid higher quality habitats or vegetative cover types for lesser quality habitats or vegetative cover types. Only when



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

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

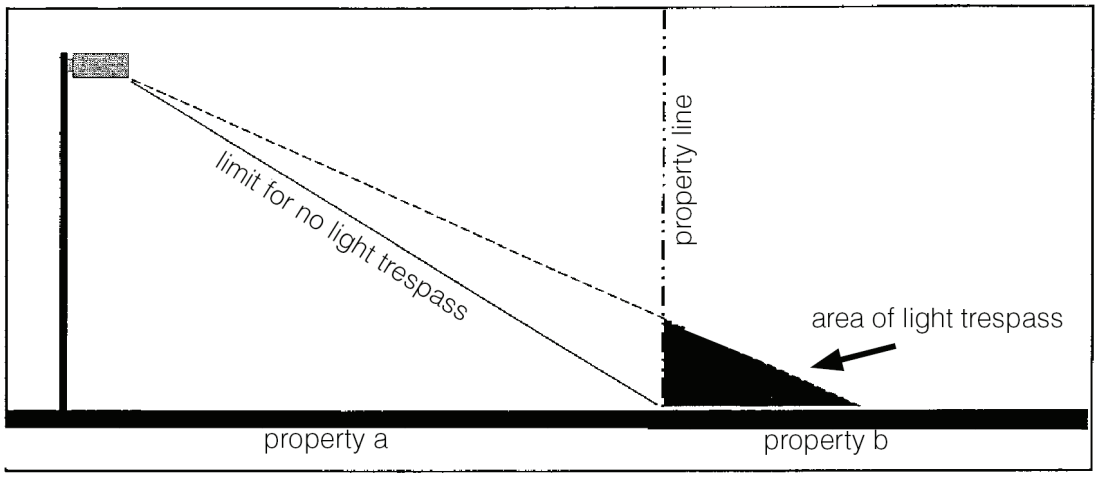
a. These lumen limits are upper limits and not a design goal; the design goal should be the lowest levels of lighting possible.

b. Individuals with visual impairments and organizations that primarily serve individuals with visual impairments (e.g. retirement communities, hospices, and hospitals) may use up to 4 times the illumination allowed by this section.

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

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

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



5. Maximum Pole Height of Light Fixture.

Zone	Maximum Pole Height of Light Fixtures
DC, CR-1, CR-2, CR-3, OR, TS, UC, ~~UR, AC-ToJ, AR-ToJ, BP-R,~~ BP-ToJ, ~~BC-ToJ~~ MHP-ToJ, P/SP, P-ToJ, NL-5, NM-2, NH-1~~NC-2~~	18 feet
R-ToJ, ~~S-ToJ, NC-ToJ, RB,~~ NL-1, NL-2, NL-3, NL-4, NM-1	15 feet

6. Controls. All nonresidential lighting fixtures shall employ automatic lighting controls that extinguish exterior lighting when sufficient daylight is available. Such controls include, but are not limited to: timers, wireless remote monitoring with turn on/off capabilities, photo sensitive light controls, photoelectric switches,

D. Applicability

1. **Foreground Standards.** All physical development, use, development options, and subdivision within the Foreground of the Scenic Areas described above shall comply with the foreground standards of 5.3.2.G.

2. **Development in Skyline.** All physical development, use, development options, and subdivision within the Skyline of the SRO shall comply with the skyline standards of 5.3.2.H.

3. Exemptions

   a. ~~**NC-ToJ Zones.** All physical development, use, and development options, except new subdivisions, within the NC-ToJ Zone shall be exempt from the foreground standards of 5.3.2.G.~~

   b. **Remodeling or Expansion of Existing Structures.** Remodeling or expansion of structures that existed prior to November 9, 1994, shall be exempt from the foreground standards of 5.3.2.G.

   c. **Land in Conservation Easement.** Land protected by a conservation easement where proposed development density is one house per 70 acres or less and the total acreage subject to the easement is 320 acres or more, shall be exempt from the foreground standards of 5.3.2.G.

E. Impact on SRO

1. The base site area shall not be reduced because a portion of a lot of record is located within the SRO.

2. When conflicts exist between the NRO and SRO, the standards of Sec. 5.2.1. shall have priority and be achieved to the maximum extent practical. The requirements of this Section shall receive second priority.

F. Visual Resource Analysis

1. If a proposed physical development, use, development option, or subdivision is in the SRO, the application shall contain a visual analysis narrative, provide a photographic simulation or other comparable visual analysis of the proposed development, depict the boundaries of the SRO, compare the visual impacts of alternative site designs, if any, and include plans identifying how the proposal complies with the standards of this Section.

2. A visual resource analysis shall demonstrate and document for review the visual impact of the proposed development on surrounding designated scenic corridors and viewpoints. The analysis shall show, in accurate perspective format, what portions of the proposed development are visible from various points along the scenic corridor or from critical viewpoints. Multiple perspectives may be required along scenic corridors to accurately reflect the appearance of the development as the viewpoint is moved along the corridor.

Div. 5.4. Natural Hazard Protection Standards

The purpose of this Division is to limit development in naturally hazardous areas. Development in hazardous areas threatens the health, safety and welfare of human inhabitants, steep slopes, poor soils, avalanche chutes, floodplains, dense forest and areas along fault lines offer unique opportunities for interaction with the environment, but when natural events do occur in these areas the results can be disastrous.

5.4.1. Steep Slopes (~~1/4/17, Ord. 1162~~ P17-077)

A. Slopes in Excess of 25%

No physical development shall be permitted on natural slopes in excess of 25%.

B. Exceptions

1. ~~NC-ToJ Zone Zones.~~ ~~In the~~ NC-ToJ Zone, ~~no physical development shall be permitted on natural slopes in excess of 30%.~~

2. Manmade Slopes. Physical development on manmade slopes is permitted, provided that the proposed finish grade complies with all other applicable standards of these LDRs.

3. Small Slopes. Physical development of isolated slopes that cover less than 1,000 square feet and have less than 10 feet of elevation change is permitted.

4. Essential Access. Physical development of steep slopes is permitted to provide essential access for vehicles and/or utilities when no other alternative access exists.

C. Standards in Hillside Areas

The purpose of this Section is to provide requirements, standards, criteria, and review procedures which are supplementary to those found elsewhere in these LDRs, and which apply only to hillside areas of the Town of Jackson.

1. Definition. For purposes of this Section, hillside areas within the Town of Jackson shall be defined as any lot of record which has an average cross-slope (in any direction) of 10% or greater. This definition shall include any lot of record upon which proposed physical development, use, development option, or subdivision may affect any portion of said lot of record having a slope of 10% or greater, even though the average cross-slope of the subject property may be less than 10%.

2. Applicability and Exceptions. The requirements and procedures of this Subsection shall apply when any hillside area is proposed for subdivision, lot split, or development or terrain disturbance of any kind, including a building permit. The only exception shall be in the case of a detached single-family unit on a lot which has been legally platted prior November 9, 1994.

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				
	Use			
Zone	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
NL-1	--	1 per 12 spaces	--	1 per 12 spaces
NL-2	--	1 per 12 spaces	--	1 per 12 spaces
NL-3	--	--	--	--
NL-4	--	--	--	--
NL-5	--	--	1 per 12 spaces	1 per 12 spaces
NM-1	--	--	--	--
NM-2	--	1 per 12 spaces	1 per 12 spaces	1 per 12 spaces
NH-1	--	1 per 12 spaces	1 per 12 spaces	1 per 12 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
CR-3	--	--	--	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, CR-3, 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. **Wyoming Seed Law.** All seed used for site revegetation or restoration must be used in accordance with WS 11-12-101 - 125 certified as weed free and acquired through a dealer licensed by the Wyoming Department of Agriculture.

b. **Wyoming Nursery Stock Law.** All nursery stock used for site revegetation or restoration must be used in accordance with W.S. 11-9-101 through 109 accompanied by a valid health certificate and acquired through a dealer licensed by the Wyoming Department of Agriculture.

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, CR-3, 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.

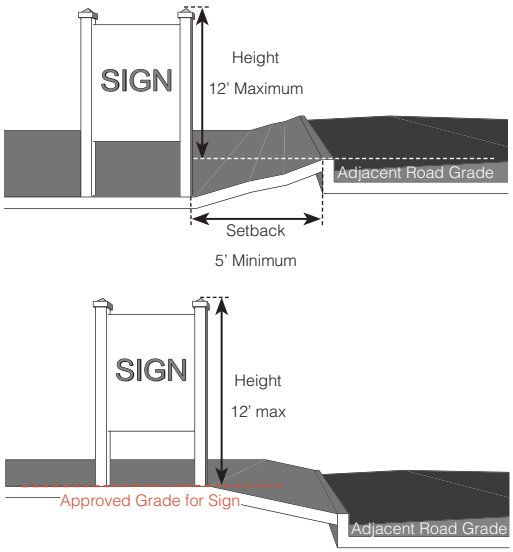
7. Freestanding Signs

a. Height

i. Permitted freestanding signs and support structures within the Town Square Sign District and DC, CR-1, CR-2, CR-3, OR, UC, ~~AC-ToJ/LO, BC-ToJ, RB, UR, AR-ToJ, S-ToJ, and NC-ToJ~~ NL-1, NL-2, NL-3, NL-4, NL-5, NM-1, NM-2, and NH-1 zones in the General Sign District and shall not exceed 6 feet in height.

ii. Permitted freestanding signs and support structures within the CR-2, CR-3, ~~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.



Div. 5.8. Design Guidelines

5.8.1. Applicability (~~11/23/16, Ord. 1151~~P17-077)

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, CR-3, and OR zones.
3. All applications for residential development that includes three or more attached units.

B. Zone-Specific Applicability

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

C. Planning Director Exemption

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

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

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

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

Procedures and requirements for conduct of the Town's Design Review Committee are established in Article 8.

Div. 6.1. Allowed Uses

6.1.1. Use Schedule (~~3/22/17, Ord. 1170~~ P17-077)

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.

E. Permit Exemption for Emergency Response

From time to time, a use may be a necessary part of an emergency response under the Comprehensive Emergency Management Plan, implemented by Teton County Emergency Management. In such instances, the requirement for a use permit shall be waived.

> **EXAMPLE:** A heliport is an aviation use requiring a Conditional Use Permit. Temporary heliports are sometimes established in proximity to a forest fire for purposes of helicopter fire suppression. In the case of an emergency response, the requirement for a CUP is waived.

F. Use Schedule

The use schedule is established in the following tables.

USE CATEGORY	Town Character Zones														
	Complete Neighborhood Zones													Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Open Space															6.1.2.
Agriculture	B	B	B	B	B	B	--		--	--	--	--	--	--	6.1.3.B.
Outdoor Recreation	--	--	--	~~--~~	--	--	--	--	--	--	--	--	--	--	~~6.1.3.C.~~
Residential															6.1.4.
Detached Single-Family Unit	Y	Y	Y	Y	Y	Y	Y	Y	--	--	--	--	--	--	6.1.4.B.
Attached Single-Family Unit	--	--	--	--	--	B	B	B	B	B	B	B	B	--	6.1.4.C.
Apartment	--	--	--	--	B	B	B	B	B	B	B	B	B	--	6.1.4.D.
Mobile Home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.4.E.
Dormitory	--	--	--	--	C	C	B	C	C	C	C	B	C	--	6.1.4.F.
Group Home	C	C	--	--	C	C	B	C	C	C	C	C	C	--	6.1.4.G.
~~Live/Work Unit~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~B~~	~~--~~	~~B~~	~~--~~	~~6.1.4.H.~~
Lodging															6.1.5.
Conventional Lodging	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.B.
Short-Term Rental Unit	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.C.
Commercial															6.1.6.
Office	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.6.B.
Retail	--	--	--	--	--	--	--	--	B	B	B	B	B[Z]	--	6.1.6.C.
Service	--	--	--	--	--	--	--	--	B	B	B	B	B[Z]	--	6.1.6.D.
Restaurant/Bar	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.6.E.
Heavy Retail/Service	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.6.F.
Mini-Storage Warehouse	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.6.G.
Nursery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.6.H.

Y = Use allowed, no use permit required (LO) = Only allowed in Lodging Overlay -- = Use not allowed
B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required [Z] = Use subject to zone specific standards

USE CATEGORY	Town Character Zones														
	Complete Neighborhood Zones													Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Amusement/Recreation															6.1.7.
Amusement	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.7.B.
Developed Recreation	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.7.D.
Outfitter/Tour Operator	--	--	--	--	--	--	--	--	C	B	B	B	--	--	6.1.7.E.
Adult Entertainment Business	--	--	--	--	--	--	--	--	--	--	--		--	--	6.1.7.F.
Institutional															6.1.8.
Assembly	C	C	--	--	C	--	C	C	C	C	C	C	C	--	6.1.8.B.
Daycare/Education	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.8.C.
Industrial															6.1.9.
Light Industry	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.9.B.
Heavy Industry	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.C.
Disposal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.D.
Transportation/Infrastructure															6.1.10.
Parking	--	--	--	--	--	--	--	--	C	C	C	C	--	--	6.1.10.B.
Utility Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	--	6.1.10.C.
Wireless Communication Facilities															6.1.10.D.
Minor	B	B	B	B	B	B	B	B	B	B	B	B	B	--	
Major	---	---	--	--	--	--	--	--	--	--	--	--	--	--	
Heliport	--	--	--	--	--	--	--	--	--	--	--	C	--	--	6.1.10.E.
Accessory Uses															6.1.11.
Accessory Residential Unit	B	B	B	B	--	B	--	--	B	B	B	B	B	--	6.1.11.B.
Bed and Breakfast	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.11.C.
Home Occupation	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.D.

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USE CATEGORY	Town Character Zones														
		Complete Neighborhood Zones												Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Home Business	C	C	C	C	C	C	C	C	--	--	--	--	--	--	6.1.11.E.
Family Home Daycare	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.F.
Home Daycare Center	C	C	--	--	C	--	C	C	--	--	--	--	--	--	6.1.11.G.
Drive-In Facility	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.11.H.
Temporary Uses															6.1.12.
Christmas Tree Sales	--	--	--	--	--	--	--	--	Y	Y	Y	Y	--	--	6.1.12.B.
Real Estate Sales Office	--	--	--	--	--	--	--	--	--	--	--		--	--	6.1.12.C
Temporary Shelter	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.D.
Farm Stand	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.12.E.
Temp. Gravel Extraction and Processing	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.F.

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

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

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B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required [Z] = Use subject to zone specific standards

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

Key: Y = Use allowed, no use permit required (LO) = Only allowed in Lodging Overlay (OF) = Only allowed in Office Overlay -- = Use not allowed
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Div. 6.4. Operational Standards

6.4.1. Outside Storage (3/22/17, Ord. 1170)

A. Use of Front Yards

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

B. Storage of Structures

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

C. Vehicle and Equipment Storage - Vacant Property

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

D. Outdoor Display

The organized outdoor display of goods for sale in association with a nonresidential use is allowed, except an Adult Entertainment Business (see 6.1.7.F.), provided it is contained on private property.

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

A. Town Trash and Recycling Enclosures

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

6.4.3. Noise (~~11/23/16, Ord. 1152~~ P17-077)

All uses shall conform with the following standards.

A. Maximum Noise

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

Noise Level Restrictions	
Zone	Maximum Permitted Sound Level
R, ~~S, NC-ToJ, AR-ToJ,~~ MHP-ToJ NL-1, NL-2, NL-3, NL-4, NL-5, NM-1, NM-2, NH-1	55 DBA
All other zones	65 DBA

B. Exceptions

1. **General.** Noises of vehicles, home appliances, and chain saws in private use, occasionally used safety signals, warning signals, emergency pressure relief valves, and temporary construction operations shall be exempt from the requirements of this Section.

2. **Limited Exception/Limited Interval of Time/One Day.** The maximum permitted sound level may be exceeded by 10 DBA for a single period, not to exceed 15 minutes, in any one day.

3. **Impact Noises.** For the purposes of this Section, impact noises are those noises whose peak values are more than 6 DBA higher than the values indicated on the sound level meter, and are of short duration, such as the noise of a forging hammer or punch press. For impact noises, the maximum permitted sound level may be exceeded by 10 DBA.

C. Measurement

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

6.4.4. Vibration (1/4/17, Ord. 1163)

All uses shall conform with the following standards:

A. General

Vibration shall be measured at the site boundary line. Except for temporary construction operations and blasting for avalanche control, no activity shall cause or create a displacement for the frequencies prescribed in the table below.

Maximum Permitted Steady State Vibration Displacement	
Frequency (cycles per second)	Vibration Displacement (inches)
10 and below	0.0008
10-20	0.0005
20-30	0.0003
30-40	0.0002
40 and over	0.0001

Div. 7.1. Development Option Standards

7.1.1. Development Options Schedule (~~11/23/16, Ord. 1153~~ P17-077)

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

Town Character Zones - Development Options															
		Complete Neighborhood Zones												Rural Area Zones	
Option	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	Stds
~~UCD~~		~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~7.1.3.~~
MHP	--	--	--	--	--	--	--	--	--	--	--	--	--	--	7.1.4.

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

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

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

7.1.2. Planned Residential Development (PRD) (1/1/15, Ord. 1074)

[Section number reserved, standards only apply in County]

7.1.3. [deleted] ~~Urban Cluster Development (UCD)~~ (~~1/1/15, Ord. 1074~~ P17-077)

A. ~~Purpose~~

~~The purpose of Urban Cluster Development is to permit development that will result in improved living and working environments, promote more efficient development, encourage a variety of types of residential dwellings, encourage ingenuity and originality in total development and individual site design, allow for denser clustering of development where appropriate, and preserve open space to serve wildlife, scenic, agricultural, and recreational purposes, all within the densities established for the zone. Furthermore, it is the purpose of the Urban Cluster Development option to preserve and enhance the character and qualities of urban and suburban neighborhoods.~~

Div. 7.2. Subdivision Standards

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

7.2.1. Subdivision Types Schedule (~~11/23/16, Ord. 1153~~ P17-077)

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

Town Character Zones - Subdivision Types															
	Complete Neighborhood Zones												Rural Area Zones		
	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	Stds
Land Division	P	P	P	P	P	P	P	P	P	P	P	P	P	--	7.2.3.
Condominium/ Townhouse	--	--	--	--	--	--	P	p	P	P	P	p	P	--	7.2.4.

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

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

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

B. Applicability

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

1. **Required Restricted Housing.** Floor area in a residential unit that is required to be restricted in order to comply with Div. 6.3., Div. 7.4., or another standard of these LDRs.

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

C. Exemptions

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

1. Maximum Floor Area Ratio (FAR)

2. Thresholds for physical development permits

3. Affordable housing required by Div. 7.4.

4. Limit on 20% expansion of a nonconforming physical development

7.8.4. Workforce Housing Floor Area Bonus (~~1/4/17, Ord. 1164~~ P17-077)

A. Intent

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

B. Applicability

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

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

Maximum Exempt Unrestricted Floor Area per Voluntarily Restricted Floor Area	
Zone	Unrestricted Floor Area : Restricted Floor Area
NM-2	2:1
NH-1	2:1
DC	2:1
CR-1	2:1
CR-2	2:1
CR-3	2:1
OR	2:1

2. **Restricted Housing.** The restricted floor area provided pursuant to this Section shall be subject to an affordable, employee, employment-based, or rental workforce deed restriction, acceptable to the Jackson/Teton County Housing Department, which is recorded with the County Clerk.

3. **Required Restrictions Do Not Apply.** Floor area that is required to be restricted in order to comply with Div. 6.3., Div. 7.4., or another standard of these LDRs shall not be included in the calculation of the maximum amount of unrestricted floor area allowed by this Section.

4. **Allowed Use.** Floor area approved pursuant to this Section shall only be used for one of the following uses:

   a. Attached Single Family Dwelling (6.1.4.C.); or

   b. Apartment (6.1.4.D.); or

   c. Dormitory (6.1.4.F.); or

   d. Group Home (6.1.4.G.).

C. Exemptions

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

1. Maximum Floor Area Ratio (FAR)

2. Thresholds for physical development permits

3. Affordable housing required by Div. 7.4.

4. Limit on 20% expansion of a nonconforming physical development

D. Timing

A pre-application conference shall be held prior to the submittal of an application. A potential applicant shall initiate a request for a pre-application conference pursuant to Sec. 8.2.4. The pre-application conference shall be scheduled for a date acceptable to the requester that is within 60 days of receipt of the request.

E. Conference Focus

At the pre-application conference, the applicant and representatives of the Town shall discuss the potential proposal to identify the standards and procedures that would apply to the proposal. Applicable LDR provisions not identified at the pre-application conference or amended following the pre-application conference are still applicable to the proposal. The level of detail of the Town's review will match the level of detail contained in the materials submitted with the request for the pre-application conference. The pre-application conference is intended as a means of facilitating the application review process; discussions at the meeting and the written summary of the meeting are not binding on the Town.

F. Conference Summary

The pre-application conference requester shall be provided a written summary of the pre-application conference within 14 days of its completion.

G. Expiration

A pre-application conference only satisfies a pre-application conference requirement if the application for which it is required is submitted within 12 months of the pre-application conference.

8.2.2. Environmental Analysis (EA) ~~(1/4/17, Ord. 1165~~ P17-077~~)~~

A. Purpose

The purpose of an Environmental Analysis (EA) is to coordinate the application of all natural resource protection standards through identification of the natural resources on a site. An EA review does not result in application approval, it results in recommended natural resource protections for an application.

B. Applicability

Unless exempted below, physical development, use, development options, and subdivision subject to Div. 5.1., Div. 5.2. or Sec. 7.1.2. shall complete an EA in accordance with the requirements of this Section.

1. Exemptions

a. **Previous Approval.** Physical development, use, development options, and subdivision that has received approval in accordance with the LDRs.

b. ~~**NC-ToJ.** All development located in the NC-ToJ zone, except new subdivision.~~

c. **Detached Single-Family Dwelling.** Physical development of a detached single-family dwelling if:

i. The proposed location is not within the NRO;

B. Maximum Density

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

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

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

1. The maximum floor area (see Sec. 9.4.5. for definition of Floor Area) allowed on a site shall be the maximum habitable floor area not including basement floor area, as defined in Sec. 9.5.B.
2. The site area used to calculate maximum floor area shall be:
    a. gross site area in Character Zones (Div. 2.2. & Div. 3.2.), and
    b. base site area in Legacy Zones (Div. 2.3. & Div. 3.3.).
3. Unless otherwise defined in these LDRs, the maximum allowed floor area above grade is calculated by multiplying the allowed FAR by the applicable site area. Inversely, FAR is calculated by dividing the habitable floor area above grade by the applicable site area.

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

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

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

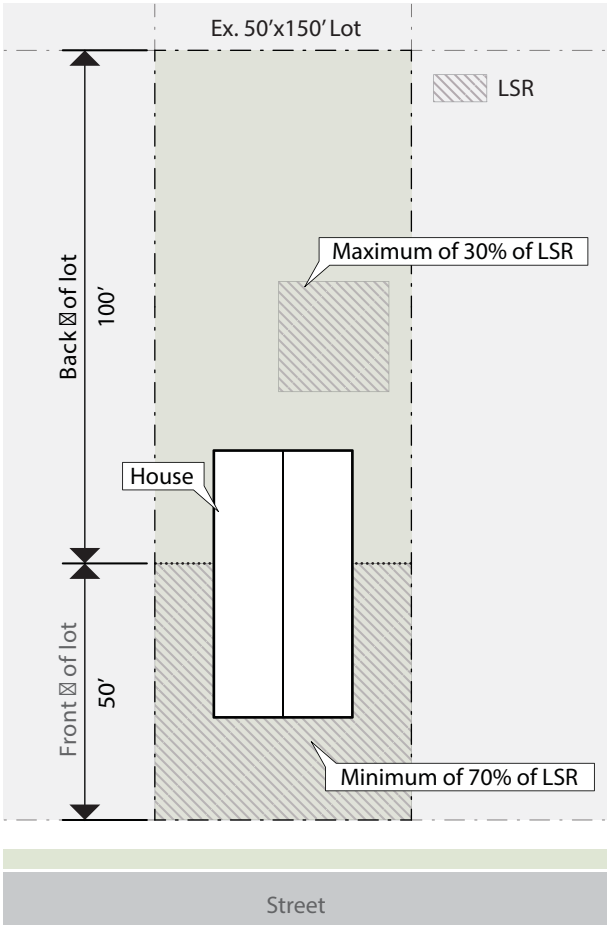
> **EXAMPLE:** A property that has 28 acres of open space with a base site area of 35 acres has an OSR of .8 (28/35 = .8). Unless otherwise defined in these LDRs, the minimum required amount of open space is calculated by multiplying the required OSR by the base site area (see Sec. 9.5.O. for definition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

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

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

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

2. The LSR for Apartments in the NM-2 and NH-1 zones shall be calculated consistent with the graphic below.

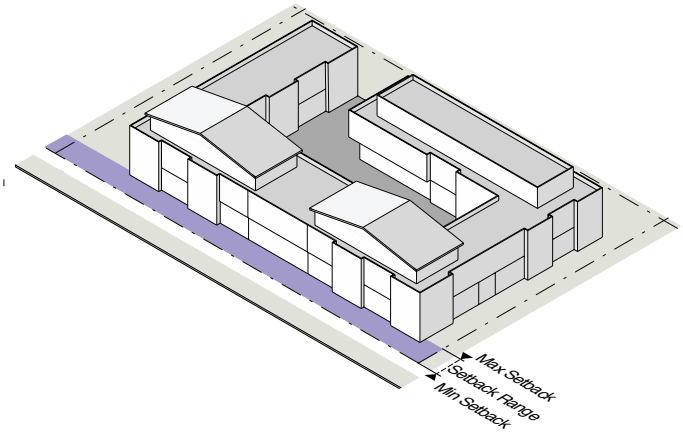


F. Lot Coverage

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

D. Setback Range

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



E. Street Setback

1. Point of Measurement

a. **Character Zones.** In a Character Zone (Div. 2.2. & Div. 3.2.) a street setback shall be measured to the back of the pedestrian frontage.

b. **Legacy Zones.** In a Legacy Zone (Div. 2.3. & Div. 3.3.) a street setback shall be measured to any road right-of-way, roadway, vehicular access easement, additional width required for right-of-way purpose as established in the Master Plan for Street Improvements, or property line from which access is taken, except that a street setback shall not be measured to a driveway easement.

F. Driveway Setback

The minimum setback from a driveway easement shall be 5 feet, but shall not reduce the side or rear yard setback as measured to a lot line.

G. Side Setback

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

H. Rear Setback

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

I. Site Development Setback Exemption

Site development setbacks shall not apply from a lot line to a road or driveway when the lot line is within an easement and properties on both sides of the lot line benefit from the easement.

J. Encroachments into Setbacks

1. Residential Zones (NL-1, NL-2 NL-3, NL-4, NL-5, NM-1, NM-2, NH-1)

2. Front Setback: Cornices, canopies, eaves, decks (covered and uncovered), porches, balconies, bay windows, chimneys and similar architectural features may encroach into a front yard by not more than 6 feet.

    a. Side and Rear Setback: Cornices, canopies, eaves, decks (covered and uncovered), porches, balconies, bay windows, chimneys and similar architectural features may encroach into a side/rear yard by not more than 4 feet. Patios which are at grade may extend to any portion of a side or rear yard but not closer than 1 foot from a property line. The allowances in this subsection b. apply only to primary structures and do not apply to ARUs or accessory structures.

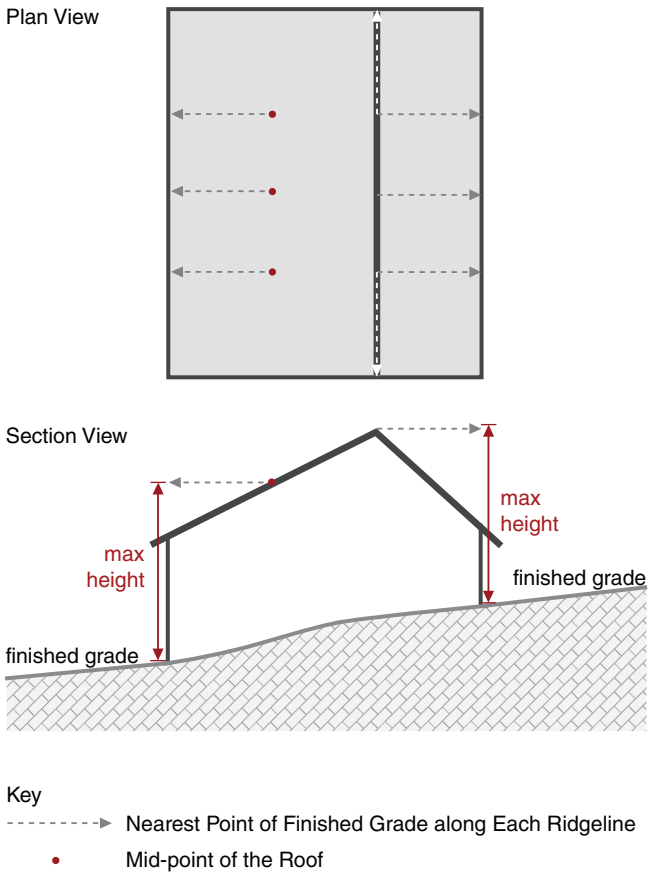
3. Commercial buildings

    a. Architectural encroachments are not permitted in any setback in a commercial zones/buildings.

9.4.9. Building Height (11/23/16, Ord. 1155)

A. Height of Any Point

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



Nonconforming or Nonconformity. See Div. 1.9.

Nursery. See 6.1.6.H.

O (~~1/4/17, Ord. 1166~~ P17-077)

Office. See 6.1.6.B.

Off-Premise Sign. A sign identifying or advertising a business, person, activity, goods, products or services, which is not located on the premises where the business or commercial activity is conducted.

Off-Site. Located neither on the land that is the subject of the application nor on a contiguous portion of a street or other right-of-way.

On-Site. Located on the land that is the subject of the application.

~~**Open Space Ratio.** See 9.4.6.D.~~

Open Space (Use). See Sec. 6.1.2.

~~**Open Space, Required.** Required open space is undeveloped area that is required in order to receive approval of a development or use. Unless otherwise noted for a specific development or use, the standards for required open space are in Div. 7.3.~~

Outdoor Recreation. See 6.1.3.C.

Outfitter. See 6.1.7.E.

P (~~1/4/17, Ord. 1166~~ P17-077)

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

Parking (Use). See 6.1.10.B.

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

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

Pedestrian Access. See Sec. 9.4.16.

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

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

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

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

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

Planned Residential Development. See Sec. 7.1.2.

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

Primary Use. See 6.1.2.B.4.

Principal Use. See 6.1.2.B.1.

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

Protected Zone. The following zones are protected zones: Neighborhood Low Density -1 (NL-1), Neighborhood Low Density -2 (NL-2) Neighborhood Low Density -3 (NL-3), Neighborhood Low Density -4 (NL-4), Neighborhood Low Density -5 (NL-5), and Neighborhood Medium Density -1 (NM-1). ~~Single-Town (NC-ToJ) and Auto-Urban Residential-Town (AR-ToJ).~~

Public Sanitary Sewer. See "Wastewater Treatment System, Public."

Public Water Supply. See "Water Supply, Public."

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

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

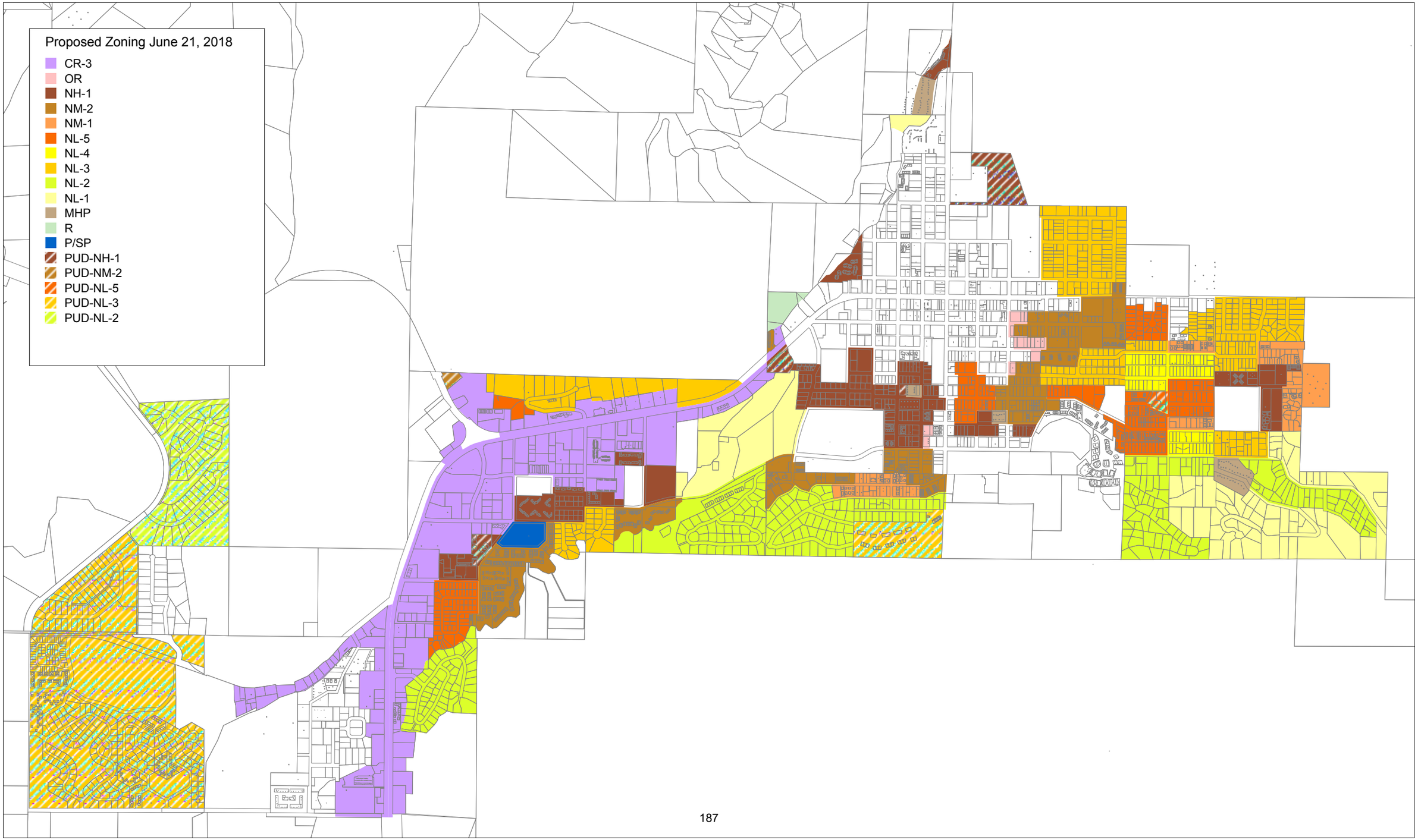
Real Estate Sales Office. See 6.1.12.C.

Rear Lot Line. See, "Lot Line, Rear."

Rear Yard. See, "Yard, Rear."

SECTION II.

Section II of Town of Jackson Ordinance 1074 (part) and the Official Zoning District Map of the Town of Jackson are hereby amended to remove the Urban Residential (UR), Auto-Urban Commercial-Town (AC-ToJ), Auto-Urban Residential-Town (AR-ToJ), Business Park Restricted Uses (BP-R), Business Conservation-Town (BC-ToJ), Residential Business (RB), Neighborhood Conservation-Town (NC-ToJ), Neighborhood Conservation-2-Family (NC-2), and Suburban-Town (S-ToJ) legacy zones, and add the NL-1: Neighborhood Low Density 1, NL-2: Neighborhood Low Density 2, NL-3: Neighborhood Low Density 3, NL-4: Neighborhood Low Density 4, NL-5: Neighborhood Low Density 5, NM-1: Neighborhood Medium Density 1, NM-2: Neighborhood Medium Density 2, NH-1: Neighborhood High Density 1, and CR-3: Commercial Residential 3 character zones, to wit:


Proposed Zoning June 21, 2018
CR-3
OR
NH-1
NM-2
NM-1
NL-5
NL-4
NL-3
NL-2
NL-1
MHP
R
P/SP
PUD-NH-1
PUD-NM-2
PUD-NL-5
PUD-NL-3
PUD-NL-2

SECTION III.

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

SECTION IV.

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 V.

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

PASSED 1ST READING THE _____ DAY OF _____, 2018.
PASSED 2ND READING THE _____DAY OF _____, 2018.
PASSED AND APPROVED THE _____DAY OF _____, 2018.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandy 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 _____, 2018.

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

_____
Sandy Birdyshaw, Town Clerk

ORDINANCE J

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) TO DELETE SECTIONS 4.4.2, 6.1.4.H, AND 7.1.3 AND DIVISION 7.3; TO AMEND SECTIONS 2.2.10.D, 2.2.11.D, 2.2.12.C.1, 2.2.12.D, 2.2.14.C.1, 2.2.14.D, 2.3.1.D, 2.3.2.D, 2.3.10.B.1, 2.3.10.C.1, 2.3.10.C.3, 2.3.10.D, 2.3.13.D, 3.3.1.D, 4.2.1.D, 4.2.2.D, 4.4.1.G, 4.4.1.H, 6.1.1.F, 6.2.2.A, 7.1.1, 9.3.2, 9.4.6, 9.5.L, 9.5.O AND 9.5.U OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO REMOVE THE LIVE/WORK USE AND THE PLANNED UNIT DEVELOPMENT - TOWN (PUD-TOJ) AND URBAN CLUSTER DEVELOPMENT (UCD) DEVELOPMENT OPTIONS, 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 II of Town of Jackson Ordinance No. 1074 as amended (part) is hereby amended and reenacted to delete Sections 4.4.2, 6.1.4.H, and 7.1.3, and Division 7.3; and amend Sections 2.2.10.D, 2.2.11.D, 2.2.12.C.1, 2.2.12.D, 2.2.14.C.1, 2.2.14.D, 2.3.1.D, 2.3.2.D, 2.3.10.B.1, 2.3.10.C.1, 2.3.10.C.3, 2.3.10.D, 2.3.13.D, 3.3.1.D, 4.2.1.D, 4.2.2.D, 4.4.1.G, 4.4.1.H, 6.1.1.F, 6.2.2.A, 7.1.1, 9.3.2, 9.4.6, 9.5.L, 9.5.O, and 9.5.U of the Town of Jackson Land Development Regulations to read as follows:

D. Development Options and Subdivision

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

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

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

D. Development Options and Subdivision

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

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

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

C. Allowed Uses and Use Standards

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

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

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

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

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

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

D. Development Options and Subdivision

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

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

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

C. Allowed Uses and Use Standards

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

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

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

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

D. Development Options and Subdivision

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

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

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

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

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

i. Residential Uses (Sec. 6.1.4.);

ii. Lodging Uses (Sec. 6.1.5.); and

iii. Accessory Residential Unit (6.1.11.B.).

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

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

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

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

ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.

iii. The on-street parking shall follow the established configuration of existing on-street parking.

iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.

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

D. Development Options and Subdivision

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

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

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

E. Additional Zone-specific Standards

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

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

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

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

      i. Residential Uses (Sec. 6.1.4.);

      ii. Lodging Uses (Sec. 6.1.5.); and

      iii. Accessory Residential Unit (6.1.11.B.).

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

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

Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

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

1. Allowed Subdivision and Development Options								
Option	~~BSA (min)~~	Lot Size (min)	~~Density (max)~~	~~OSR (min)~~	~~LSR (min)~~	~~FAR (max)~~	~~Lot Coverage (max)~~	Option Standards
Allowed Subdivision Options								
Land Division	~~n/a~~	5,000 sf	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.3.)
Condominium/Townhouse	~~n/a~~	n/a	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.4.)
Allowed Development Options								
~~Urban Cluster Development (UCD)~~	~~15,000 sf~~	~~n/a~~	~~23.5 du/ac~~	~~.20~~	~~n/a~~	~~.65~~	~~n/a~~	~~(Sec. 7.1.3.)~~
~~Planned Unit Development (PUD-ToJ)~~	~~15,000 sf~~	~~n/a~~	~~n/a~~	~~n/a~~	~~.30~~	~~.65~~	~~.5~~	~~(Sec. 4.4.2.)~~

2. Residential Subdivision Requirements	
Affordable Housing	(~~Div. 7.4.~~)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exaction	(Div. 7.5.)
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction	9 acres per 1,000 resident

3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Access	required
Right-of-way for Minor Local Road (min)	60’

Paved travel way for Minor Local Road (min)	20’
Required Utilities	(Div. 7.7.)
Water	public
Sewer	public

4. Required Subdivision and Development Option Permits

Option	~~Planned Unit Development (Sec. 8.7.3.)~~	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Land Division					
≤ 10 Lots			X		X
> 10 Lots		X	X		X
Condominium/Townhouse					X
~~Non-subdivision development option (UCD or PUD-ToJ)~~					
~~0 - 4 Units~~	~~X (PUD)~~			~~X~~	
~~5 -10 Units~~	~~X (PUD)~~		~~X~~		
~~> 10 Units~~	~~X (PUD)~~	~~X~~	~~X~~		

E. Additional Zone-specific Standards

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

1. **LSR Surfaces.** The Town Council may substitute on-site hardscape improvements to satisfy the LSR requirement in the UC zone if the application for development can incorporate one or more of the following design elements: pervious or decorative pavers, sidewalks, boardwalks or similar amenity.

2. **Attached Single-Family and Apartment Units.** Attached single-family and apartment units shall be located on the second or third floor.

3. **Open Storage**

   a. The open storage of vehicles and equipment is prohibited.

   b. No use shall be permitted to include any freestanding storage units of any kind, including but not limited to trailers, sheds, “Bully Barns,” tarpaulin structures, or any other contrivance not made a permanent part of the principal structure as that term is defined in these LDRs.

4. **Pedestrian Facilities.** All new development, redevelopment and infill development in the Lodging Overlay and UC zone shall provide a minimum setback of 10 feet from the back of curb to the closest point on the building. Such space shall be clear space unencumbered by doors, windows, bay windows or any

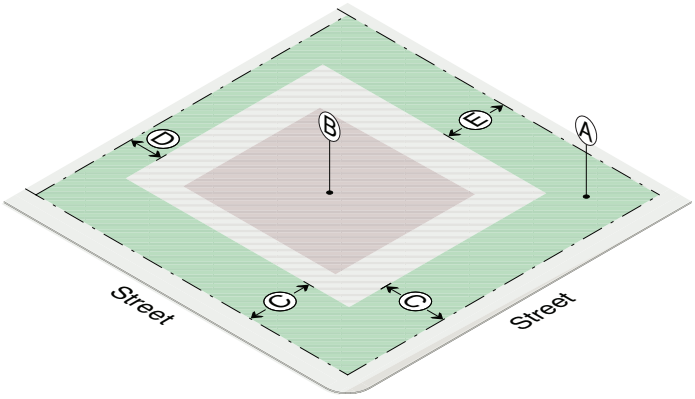
2.3.10. Business Park-Town (BP-ToJ) (P17-077 ~~3/22/17, Ord. 1170~~)

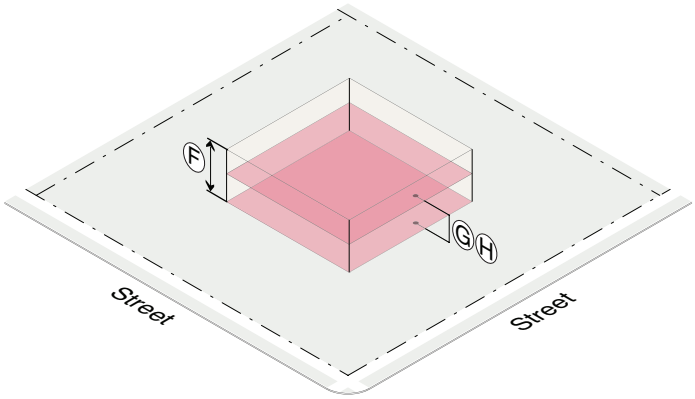
A. Intent

The purpose of the Business Park-Town (BP-ToJ) Zone is to provide suitable locations and environs for a variety of industrial, wholesaling, distribution, and service commercial types of uses to meet general community needs.

B. Physical Development

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





1. Structure Location and Mass								
	Ⓐ	Ⓑ	Ⓒ	Ⓓ	Ⓔ	Ⓕ	Ⓖ	Ⓗ
	LSR (min)	Lot Coverage (max)	Street Setback (min)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	FAR (max)
~~Live-work unit~~	~~.15~~	~~n/a~~	~~20'~~	~~10'~~	~~20'~~	~~35'~~	~~2~~	~~.40~~
Other principal use	.15	n/a	20'	10'	20'	35'	2	.41
Accessory use	See standards for primary use with which associated							

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.
FAR. A 25% increase in FAR is allowed in all nonresidential zones, provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.
Detached Accessory Structure Separation. 10'

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Employee Housing Floor Area (min) (Div. 6.3.)
Open Space					
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
~~Live/Work Unit (6.1.4.H.)~~	~~C~~	~~0 sf~~	~~n/a~~	~~1.5/DU or 1.5/1,500 sf~~	~~n/a~~
Commercial					
Heavy Retail/Service (6.1.6.F.)	B	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	16 sf/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	B	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
Nursery (6.1.6.H.)	C	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	independent calculation
Amusement/Recreation					
Developed Recreation (6.1.7.D.)	C	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Adult Entertainment Business (6.1.7.F.)	C	0 sf	n/a	1/30 sf seating area	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	B	0 sf	n/a	1/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf + 1/company vehicle	8 sf/1,000 sf
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	8 sf/1,000 sf
Transportation/Infrastructure					

Y=Use allowed, no use 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.) (E.1.)	Employee Housing Floor Area (min) (Div. 6.3.)
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.)				1/employee + 1 per stored vehicle	independent calculation
Minor	B	0 sf	n/a		
Major	C	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	C	0 sf	n/a	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Real Estate Sales Office (6.1.12.C.)	B	0 sf	n/a	3.3/1,000 sf	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use 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)	
~~Live/Work unit~~	~~750 sf min. 2,000 sf max habitable~~
Accessory residential unit	800 sf habitable
4. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.) (E.3.b.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the BP-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 BP-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the BP-ToJ zone, however, all standards in Article 7. are applicable in the BP-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options								
Option	~~BSA (min)~~	Lot Size (min)	~~Density (max)~~	~~OSR (min)~~	~~LSR (min)~~	~~FAR (max)~~	~~Lot Coverage (max)~~	Option Standards
Allowed Subdivision Options								
Land Division	~~n/a~~	10,000 sf	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.3.)
Condominium/Townhouse	~~n/a~~	n/a	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.4.)
2. Residential Subdivision Requirements								
Affordable Housing								(Div. 7.4.)
Required Affordable Housing								1 affordable unit per 4 market units
Schools and Parks Exaction								(Div. 7.5.)
Schools exaction								.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction								9 acres per 1,000 resident
3. Infrastructure								
Transportation Facilities								(Div. 7.6.)
Access (E.3.a.)								required
Right-of-way for Minor Local Road (min)								60’
Paved travel way for Minor Local Road (min)								20’
Required Utilities								(Div. 7.7.)
Water								public
Sewer								public

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

3. Maximum Scale of Use	
not applicable	
4. Operational Standards	
Outside Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash and recycling enclosure required	>4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Max sound level at property line	55 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the MHP-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 MHP-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the MHP-ToJ zone, however, all standards in Article 7. are applicable in the MHP-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options							
Option	BSA (min)	Lot Size (min)	Density (max)	~~OSR (min)~~	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options	subdivision prohibited						
Allowed Development Options							
Mobile Home Park	n/a	see Sec. 7.1.4. for standards				18’	(Sec. 7.1.4.)
2. Residential Subdivision Requirements							
Affordable Housing							(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units						
Schools and Parks Exactions							(Div. 7.5.)
School Exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit						
Park Exaction	9 acres per 1,000 resident						
3. Infrastructure							
Transportation Facilities							(Div. 7.6.)
Access	required						
Right-of-way for a Minor Local Road (min)	60’						
Paved travel way for a Minor Local Road (min)	20’						
Required Utilities							(Div. 7.7.)
Water	public						
Sewer	public						

4. Required Subdivision and Development Option Permits					
Option	~~Planned Unit Development (Sec. 8.7.3.)~~	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Mobile Home Park					
0 - 4 units				X	n/a
5 -10 units			X		n/a
> 10 units		X	X		n/a

E. Additional Zone-specific Standards

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

1. **Mobile Homes.** A mobile home shall be located within a mobile home park.

   a. A new mobile home park shall be developed pursuant to the standards of Sec. 7.1.4.

   b. Existing Mobile Home Parks. Existing mobile home parks within the MHP-ToJ zone shall be allowed to continue, expand, and redevelop, provided the standards in this Subsection are met.

      i. **Density.** The number of units in an existing mobile home park in the MHP-ToJ zone shall not be limited.

      ii. **Area.** Each mobile home within an expansion area or redeveloped park shall have a lot or pad land area that equals or exceeds the average size of a mobile home lot or pad in the existing mobile home park, not including open space areas clearly heretofore undeveloped. Land that typically serves as yard area between mobile homes shall be included in the existing land area per individual mobile homes, unless the area between 2 particular mobile homes is clearly in excess of the average, to the extent that another mobile home could be located there.

      iii. **Impervious Surface.** The impervious coverage per mobile home lot or pad in the expansion area or redeveloped park shall be equal to or less than the average amount of impervious coverage per mobile home lot or pad in the existing park.

      iv. **Yards.** Each mobile home within the expansion area or redeveloped park shall have yards that equal or exceed the average yards for the mobile homes in the existing park. Front, side, and rear yards in the expansion area or redeveloped park shall equal or exceed the average front, side, and rear yards respectively.

D. Development Options and Subdivision

Standards applicable to development options and subdivision 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 development option and subdivision standards applicable in the R-ToJ zone, however, all standards in Article 7. are applicable in the R-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options

Option	~~Site Area (min)~~	Lot Size (min)	~~Density (max)~~	~~OSR (min)~~	~~LSR (min)~~	~~FAR (max)~~	~~Lot Coverage (max)~~	Option Standards
Allowed Subdivision Options								
Land Division	~~n/a~~	12,000 sf	~~n/a~~	~~n/a~~	~~determined by physical development~~			(Sec. 7.2.3.)
Affordable Housing								(Div. 7.6.)
Required Affordable Housing								1 affordable unit per 4 market units
Schools and Parks Exaction								(Div. 7.5.)
Schools exaction								.020 acres per 1- or 2-family unit .015 acres per multi-family unit
Parks exaction								9 acres per 1,000 resident
Transportation Facilities								(Div. 7.6.)
Access								required
Right-of-way for Minor Local Road (min)								60’
Paved travel way for Minor Local Road (min)								20’
Required Utilities								(Div. 7.7.)
Water								public
Sewer								public

4. Required Subdivision and Development Option Permits

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

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

D. Development Options

Standards applicable to development options and subdivision in the P/SP-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 P/SP-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the P/SP-ToJ zone, however, all standards in Article 7. are applicable in the P/SP-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options							
Option	~~BSA (min)~~	Lot Size (min)	~~Density (max)~~	~~OSR (min)~~	~~FAR (max)~~	~~Height (max)~~	Option Standards
Allowed Subdivision Options							
Land Division	~~n/a~~	n/a	~~n/a~~	~~n/a~~	~~determined by physical development~~		(Sec. 7.2.3.)
Condominium/Townhouse	~~n/a~~	n/a	~~n/a~~	~~n/a~~	~~determined by physical development~~		(Sec. 7.2.4.)

2. Residential Subdivision Requirements	
Affordable Housing	(Div. 7.4.)
Required Affordable Housing	1 affordable unit per 4 market units
Schools and Parks Exactions	(Div. 7.5.)
Schools exaction	0.02 acres per 1- or 2-family unit 0.015 acres per multi-family unit
Parks exaction	9 acres per 1,000 residents

3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Access	required
Required Utilities	(Div. 7.7.)
Water	Connection to public supply required
Sewer	Connection to public supply required

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

3. Maximum Scale of Use	
not applicable	
4. Nuisance Standards	
Outside Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash and recycling enclosure required	>4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Max sound level at property line	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options

Standards applicable to development options and subdivision in the P-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 P-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the P-ToJ zone, however, all standards in Article 7. are applicable in the P-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options							
Option	BSA (min)	Lot Size (min)	Density (max)	~~OSR (min)~~	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options							
Land Division	n/a	n/a	n/a	~~n/a~~	determined by physical development		(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	~~n/a~~	determined by physical development		Sec. 7.2.4.
2. Residential Subdivision Requirements							
Affordable Housing							(Div. 7.4.)
Required Affordable Housing							1 affordable unit per 4 market units
Schools and Parks Exactions							(Div. 7.5.)
Schools exaction							0.02 acres per 1- or 2-family unit 0.015 acres per multi-family unit
Parks exaction							9 acres per 1,000 residents
3. Infrastructure							
Transportation Facilities							(Div. 7.6.)
Access							required
Required Utilities							(Div. 7.7.)
Water							Connection to public supply required
Sewer							Connection to public supply required

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

E. Establishment of a New PUD

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

F. Amendment of an Existing PUD or Other Special Project

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

G. PUD Option Schedule

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

PUD Option Schedule: Character Zones														
	Complete Neighborhood Zones													Rural Area Zones
	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a
~~PUD-TOJ (Sec. 4.4.2.)~~	No PUD options are allowed in the Town													~~n/a~~

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

PUD Option Schedule: Legacy Zones																
	Complete Neighborhood Zones													Rural Area Zones	Civic Zones	
	TS	UC	~~UR~~	~~AC-ToJ~~	~~AR-ToJ~~	~~BP-R~~	BP-ToJ	~~BC-ToJ~~	~~RB~~	MHP-ToJ	~~NC-ToJ~~	~~NC-2~~	~~S-ToJ~~	R-ToJ	P/SP-ToJ	P-ToJ
No PUD Options are allowed in the Town																
~~PUD-TOJ (Sec. 4.4.2.)~~	~~--~~	~~P~~	~~P~~	~~P~~	~~P~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~P~~	~~--~~	~~--~~	~~--~~

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

H. List of Approved Planned Unit Development Zones - Town (PUD-ToJ)

The following PUD-ToJ Zones have been approved by the Town. The approved physical development, use, development option, and subdivision standards are hereby adopted by reference into the LDRs and are on file for public review with the Town Clerk and Planning Department. A copy of the approved development plan for each PUD-ToJ is also on file for review with the Town Clerk and Planning Department.

1. Planned Unit Development - Urban Residential (P15-029) (PUD-UR (P15-029)) (135 West Kelly Avenue)

2. Planned Unit Development - Urban Residential (P16-017) (PUD-UR (P16-017)) (1255 West Highway 22)

3. Planned Unit Development - Urban Residential (P16-019) (PUD-UR (P16-019)) (655 Powderhorn Lane)

4. Planned Unit Development - Auto-Urban Residential (P16-061) (PUD-AR (P16-061)) (335 Redmond Street)

5. Planned Unit Development – Urban Residential (P16-079) (PUD-UR-(P16-079)) (60 Rosencrans)

6. Planned Unit Development - Urban Residential (P17-021) (PUD-UR-(P17-021)) (550 W. Broadway)

4.4.2. ~~[deleted] (P17-077) Planned Unit Development - Town (PUD-ToJ)~~ ~~(8/9/17, Ord. 1183)~~

A. ~~Purpose and Intent~~

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

1. ~~To encourage flexibility, innovation of design and variety of development types in order to promote the most suitable use of a site.~~
2. ~~To facilitate efficient provision of streets, utilities and municipal services.~~
3. ~~To provide a functional system of pathways, both on and off site.~~
4. ~~To achieve a compatible land use relationship with the surrounding area.~~
5. ~~To preserve the unique, natural, scenic, historical and cultural features of a site.~~
6. ~~To develop and preserve usable open space.~~
7. ~~To encourage a high quality of design.~~
8. ~~To encourage the conservation of energy.~~
9. ~~To promote and encourage affordable housing.~~

B. ~~Unified Control~~

~~The development site of a PUD-ToJ shall be under unified control, and shall be planned as a whole.~~

C. ~~Phasing~~

~~Phasing of development and associated public and private improvements is permitted subject to an approved phasing schedule. All requirements of these LDRs, as well as all standards established by PUD-ToJ approval, shall be met at each development phase.~~

D. ~~Permitted Dwelling Unit Types~~

~~PUD-ToJ zones shall be permitted all principal and accessory residential uses and are encouraged to provide a variety and mix of residential types and sizes. Permitted unit types may include, but shall not be limited to, single-family homes (attached and detached), townhouses, condominiums, apartments, and accessory residential units. Mobile homes, mobile home parks, and mobile home subdivisions are not permitted as PUD-ToJ zones.~~

E. ~~Application and Review Procedures~~

~~All PUD-ToJ zones shall be submitted, processed, and reviewed according to the provisions of Sec. 8.7.3.~~

1. ~~Criteria for Review.~~ ~~All PUD-ToJ zones shall demonstrate substantial compliance with the following criteria as applicable to the specific proposal.~~

    a. ~~Conformance with Comprehensive Plan.~~ ~~Projects proposed pursuant to this Section shall demonstrate substantial compliance with the Jackson/Teton County Comprehensive Plan in terms of furthering or helping achieve and implement the goals, objectives, policies, and recommendations contained therein.~~

    b. ~~Conformance with Other Applicable Regulations.~~ ~~PUD-ToJ zones shall conform with the requirements of these LDRs, all other applicable Resolutions of the Town, County, and Wyoming State Statutes, except as modified by this Section.~~

    c. ~~Density.~~ ~~Proposed density shall be appropriate and compatible both in terms of the surrounding neighborhood and the zoning district in which the PUD-ToJ is located.~~

    d. ~~Variety of Unit Types.~~ ~~As a general standard, PUD-ToJ zones are encouraged to provide a mix of appropriate dwelling unit types and sizes, or, provide a unit(s) which broadens the variety across the community, or, offer a unit for which there is a recognized need. Large-scale projects which offer little or no diversity and variety of dwelling unit offerings may be denied on that basis.~~

    e. ~~Open Space.~~ ~~All PUD-ToJ zones shall provide functional open space and landscape areas as appropriate. Open spaces shall be adequate to provide light, air circulation, and privacy. Open spaces may be used to protect existing vegetation or other environmental features of the site, or they may be used to provide amenities. All units should have access to open space.~~

    f. ~~Historical and Cultural Resources.~~ ~~The PUD-ToJ process encourages the preservation of historic and cultural resources. When encountered in the course of development or redevelopment, such resources should be preserved and incorporated into the project design to the extent possible, and in a manner which preserves the integrity and community value of the resource.~~

g. ~~Arrangement and Design.~~ ~~Structures shall be separated and arranged to provide privacy and to allow opportunities for use of borrowed space. Structures should be oriented to common areas such that open space is shared among units. The configuration of lots or units within the project shall provide each lot, unit, or building with a building site that is suitable when considering topography and other natural features. The development shall be compatible with the surrounding neighborhood in terms of bulk, scale, structural mass, and character. Additionally, PUD-ToJ zones should enhance the sense of order, cohesiveness, and/or distinctive identity of the neighborhood in which they are located.~~

h. ~~Access.~~ ~~Safe and adequate access shall be provided to all areas of the proposed development, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way, or a commonly owned easement. Points of access shall be located and designed to maximize vehicle and pedestrian safety. Access which forces relatively large volumes of traffic through lower density neighborhoods via minor streets shall be avoided. Where a proposed project abuts a collector, arterial road or highway, direct access to such road or highway from individual lots, units, or buildings in the project shall be avoided. Double frontage or reverse frontage lots or buildings shall be prohibited, except where necessary to limit vehicular access to arterial roads and highways; or to provide separation of development from through traffic; or to overcome specific disadvantages of topography or other natural features of the site.~~

i. ~~Circulation.~~ ~~The circulation system shall be designed to provide access to areas of the site which need to be accessible to vehicles (parking areas, garages, etc.). "Automobile free" areas and pedestrian only access to individual units are encouraged.~~

j. ~~Emergency Access.~~ ~~Adequate, approved access to all structures by emergency vehicles shall be provided.~~

k. ~~Streetscapes.~~ ~~All PUD-ToJ zones with frontage on a public street or approved private street shall provide safe, inviting, and attractive streetscapes. Where appropriate, residential units, including outdoor spaces such as porches, decks, and balconies, shall be oriented to the street yard, and where appropriate, streetscapes shall not be dominated by parked vehicles and garage entrances. Trash enclosures and dumpsters shall not be located in street yards or adjacent to any street.~~

l. ~~Pedestrian System.~~ ~~Walkways shall form a logical, safe, and convenient system for pedestrian access to all dwelling units, project facilities and amenities, and principal off-site pedestrian destinations. Provision shall be made for pedestrian and bicycle travel in accordance with Pathways Master Plan - The Town of Jackson & Teton County, Wyoming, March 2007. Linkages to schools, parks, public lands, and pathways existing on adjacent properties shall be provided.~~

2. ~~Findings for Approval.~~ ~~Any PUD-ToJ proposal may be approved only if all of the following findings are made:~~

   a. ~~That the proposed project substantially achieves the stated purposes (as applicable) of this Section, and that it is an appropriate and legitimate application of the PUD-ToJ process; and~~

   b. ~~That the proposed project is in substantial compliance with all applicable standards and criteria of this Section; and~~

   c. ~~That the proposed project substantially meets the character objectives of preservation or enhancement of the zoning district and neighborhood in which it is to be located. Projects which are found to be out of scale and character with their surroundings will not be approved; and~~

   d. ~~That streets and intersections serving the project will not be reduced to unacceptable levels of service, nor will the safety of motorists, pedestrians, and cyclists be jeopardized; and~~

   e. ~~That the density and distribution of population resulting from the project will not overburden schools, parks, utilities, or other public services; and~~

   f. ~~That all adverse impacts associated with the proposed project are effectively mitigated to the extent possible.~~

F. ~~Base Development Standards~~

~~The base development standards for the PUD-ToJ option are established in the zoning districts in which the PUD-ToJ is allowed, which can be found in Article 2.~~

1. ~~FAR Bonuses.~~ ~~The following FAR bonuses apply in addition to the base FAR allowed by the PUD-ToJ.~~

   a. ~~Affordable or Employee Housing.~~ ~~A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable housing (deed restricted) and/or employee housing.~~

   b. ~~Apartment Building with Interior Corridors.~~ ~~An additional 10% increase in FAR, calculated following the application of other FAR increases, is allowed pursuant to the following standards.~~

      i. ~~The increase shall be for an apartment building of 10 or more units.~~

      ii. ~~All apartments in the building shall have interior access corridors and none shall not have exterior access corridors.~~

      iii. ~~The increased floor area shall be devoted to deed restricted affordable, employee, or workforce housing.~~

      iv. ~~No apartment in the building shall exceed the maximum habitable floor area established in the Housing Department Rules and Regulations.~~

> **EXAMPLE:** An application to build an apartment building using a UR-PUD would have a maximum FAR of 0.89 (0.65 * 1.25 = 0.81 * 1.1 = 0.89).

G. ~~Flexible Development Standards~~

~~All other development standards of density, height, setbacks, and required parking are open and flexible, and are to be established for each individual PUD-ToJ based upon the criteria provided below.~~

1. ~~Front Setbacks (Street Yards).~~ ~~Front setbacks shall reflect the general standards of the neighborhood, character area, and zoning district in which the PUD-ToJ is located. (For example, front setbacks will tend to be smaller in urban areas, deeper in auto-urban areas, and deeper yet in areas of suburban character.) Front setbacks should be somewhat varied, especially in auto-urban and suburban single-family detached situations, to avoid regimentation and monotony. The primary purposes of front setbacks are:~~

    a. ~~attractive streetscapes which provide a comfortable and pleasing pedestrian environment, including such features as decks, porches, balconies, etc., to enliven the streetscape,~~

    b. ~~functional open space, and~~

    c. ~~light, air, and separation of the structure from the activity of the street.~~

2. ~~Side and Rear Setbacks.~~ ~~Setbacks for side and rear yards are critical factors in terms of neighborhood compatibility. Generally, side and rear setbacks in PUD-ToJ zones should reflect those in the immediate neighborhood and should mirror those of adjacent properties. The primary purposes of side and rear setbacks are:~~

    a. ~~functional open space (primarily in rear yards),~~

    b. ~~to provide light, air circulation, and privacy,~~

    c. ~~to provide separation between buildings which allows for vistas, the use of borrowed space and linkages to common open space as appropriate,~~

    d. ~~to provide private outdoor space (primarily in rear yards); decks, patios, balconies, etc.~~

    ~~While side setbacks may be reduced to zero in appropriate urban applications, no setback shall be reduced to the extent that rain, snow, or snow melt falls on to adjacent property.~~

3. ~~Density.~~ ~~In a PUD-ToJ, density is a function of the base standards, the type and mix of units proposed, and the character of the surrounding neighborhood. The density proposed should be appropriate and compatible with the neighborhood in terms of both total population and bulk, scale, and massing of structures. Project density should not result in traffic or any other external impacts which will adversely impact the surrounding neighborhood or adjacent property.~~

4. ~~Height of Structures.~~ ~~The structural height proposed should be in scale with the surrounding neighborhood. Structural heights should be appropriate to the terrain of the project site and to the type of unit(s) proposed. Generally, perimeter setbacks should increase with structural height, and taller structures should be located toward the interior of the site, or elsewhere if the potential for adverse impacts is lessened. Structures in a PUD-ToJ are not limited as to the number of levels above finished grade. No structure may exceed 35 feet in height, except in response to extraordinary slope or to provide workforce, affordable or employee housing in the UR zone as provided in 2.3.4.E..~~

5. ~~Parking Requirements.~~ ~~Parking standards for PUD-ToJ zones shall be set on an individual, project-by-project basis. The standards set forth in Div. 6.2. shall be a guide in determining appropriate standards. Parking demand is a function of the following factors:~~

   a. ~~project location,~~

   b. ~~unit type,~~

   c. ~~size/value of unit, and~~

   d. ~~target market.~~

6. ~~Cross Aisles.~~ ~~Cross aisles and drive aisles which are not abutted by parking may be reduced to no less than 20 feet in width in the interior of a PUD-ToJ, provided that vehicle, pedestrian, and resident safety, and emergency access are not compromised.~~

7. ~~Tandem Parking.~~ ~~Tandem parking may be permitted in a PUD-ToJ regardless of the number of units, provided that the resulting tandem spaces are assigned to the same unit. No more than 2 vehicles parked in tandem are permitted.~~

8. ~~Backing onto Roads and Public Streets.~~ ~~The backing of vehicles onto roads and public streets in groups of vehicles greater than 3 may be permitted, provided that vehicle, pedestrian, and bicycle safety are not compromised. This provision applies to minor residential streets and cul-de-sacs only. On all other streets, the standard in 6.2.5.B.3. applies.~~

9. ~~Public and Private Streets.~~ ~~Standards for public and private streets may be reduced from those set forth in Div. 7.6. of these LDRs, provided that vehicle, pedestrian, bicycle, and resident safety are not compromised. Street design shall be based upon the type and density of land use served, and total projected vehicle trips. Public streets must be readily maintainable and shall not be a maintenance cost liability to the Town of Jackson.~~

H. ~~List of Approved Planned Unit Development Zones - Town (PUD-ToJ)~~

~~The following PUD-ToJ Zones have been approved by the Town. The approved physical development, use, development option, and subdivision standards are hereby adopted by reference into the LDRs and are on file for public review with the Town Clerk and Planning Department. A copy of the approved development plan for each PUD-ToJ is also on file for review with the Town Clerk and Planning Department.~~

1. ~~Planned Unit Development - Urban Residential (P15-029) (PUD-UR (P15-029)) (135 West Kelly Avenue)~~
2. ~~Planned Unit Development - Urban Residential (P16-017) (PUD-UR (P16-017)) (1255 West Highway 22)~~
3. ~~Planned Unit Development - Urban Residential (P16-019) (PUD-UR (P16-019)) (655 Powederhorn Lane)~~
4. ~~Planned Unit Development - Auto-Urban Residential (P16-061) (PUD-AR (P16-061)) (335 Redmond Street)~~
5. ~~Planned Unit Development – Urban Residential (P16-079) (PUD-UR-(P16-079)) (60 Rosencrans)~~
6. ~~Planned Unit Development - Urban Residential (P17-021) (PUD-UR-(P17-021)) (550 W. Broadway)~~

Div. 6.1. Allowed Uses

6.1.1. Use Schedule (~~3/22/17, Ord. 1170~~ P17-077)

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.

E. Permit Exemption for Emergency Response

From time to time, a use may be a necessary part of an emergency response under the Comprehensive Emergency Management Plan, implemented by Teton County Emergency Management. In such instances, the requirement for a use permit shall be waived.

> **EXAMPLE:** A heliport is an aviation use requiring a Conditional Use Permit. Temporary heliports are sometimes established in proximity to a forest fire for purposes of helicopter fire suppression. In the case of an emergency response, the requirement for a CUP is waived.

F. Use Schedule

The use schedule is established in the following tables.

USE CATEGORY	Town Character Zones														
	Complete Neighborhood Zones													Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Open Space															6.1.2.
Agriculture	B	B	B	B	B	B	--		--	--	--	--	--	--	6.1.3.B.
Outdoor Recreation	--	--	--	~~--~~	--	--	--	--	--	--	--	--	--	--	~~6.1.3.C.~~
Residential															6.1.4.
Detached Single-Family Unit	Y	Y	Y	Y	Y	Y	Y	Y	--	--	--	--	--	--	6.1.4.B.
Attached Single-Family Unit	--	--	--	--	--	B	B	B	B	B	B	B	B	--	6.1.4.C.
Apartment	--	--	--	--	B	B	B	B	B	B	B	B	B	--	6.1.4.D.
Mobile Home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.4.E.
Dormitory	--	--	--	--	C	C	B	C	C	C	C	B	C	--	6.1.4.F.
Group Home	C	C	--	--	C	C	B	C	C	C	C	C	C	--	6.1.4.G.
~~Live/Work Unit~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~B~~	~~--~~	~~B~~	~~--~~	~~6.1.4.H.~~
Lodging															6.1.5.
Conventional Lodging	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.B.
Short-Term Rental Unit	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.C.
Commercial															6.1.6.
Office	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.6.B.
Retail	--	--	--	--	--	--	--	--	B	B	B	B	B[Z]	--	6.1.6.C.
Service	--	--	--	--	--	--	--	--	B	B	B	B	B[Z]	--	6.1.6.D.
Restaurant/Bar	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.6.E.
Heavy Retail/Service	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.6.F.
Mini-Storage Warehouse	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.6.G.
Nursery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.6.H.

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B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required [Z] = Use subject to zone specific standards

USE CATEGORY	Town Character Zones														
	Complete Neighborhood Zones													Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Amusement/Recreation															6.1.7.
Amusement	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.7.B.
Developed Recreation	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.7.D.
Outfitter/Tour Operator	--	--	--	--	--	--	--	--	C	B	B	B	--	--	6.1.7.E.
Adult Entertainment Business	--	--	--	--	--	--	--	--	--	--	--		--	--	6.1.7.F.
Institutional															6.1.8.
Assembly	C	C	--	--	C	--	C	C	C	C	C	C	C	--	6.1.8.B.
Daycare/Education	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.8.C.
Industrial															6.1.9.
Light Industry	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.9.B.
Heavy Industry	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.C.
Disposal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.D.
Transportation/Infrastructure															6.1.10.
Parking	--	--	--	--	--	--	--	--	C	C	C	C	--	--	6.1.10.B.
Utility Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	--	6.1.10.C.
Wireless Communication Facilities															6.1.10.D.
Minor	B	B	B	B	B	B	B	B	B	B	B	B	B	--	
Major	---	---	--	--	--	--	--	--	--	--	--	--	--	--	
Heliport	--	--	--	--	--	--	--	--	--	--	--	C	--	--	6.1.10.E.
Accessory Uses															6.1.11.
Accessory Residential Unit	B	B	B	B	--	B	--	--	B	B	B	B	B	--	6.1.11.B.
Bed and Breakfast	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.11.C.
Home Occupation	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.D.

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USE CATEGORY	Town Character Zones														
		Complete Neighborhood Zones												Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Home Business	C	C	C	C	C	C	C	C	--	--	--	--	--	--	6.1.11.E.
Family Home Daycare	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.F.
Home Daycare Center	C	C	--	--	C	--	C	C	--	--	--	--	--	--	6.1.11.G.
Drive-In Facility	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.11.H.
Temporary Uses															6.1.12.
Christmas Tree Sales	--	--	--	--	--	--	--	--	Y	Y	Y	Y	--	--	6.1.12.B.
Real Estate Sales Office	--	--	--	--	--	--	--	--	--	--	--		--	--	6.1.12.C
Temporary Shelter	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.D.
Farm Stand	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.12.E.
Temp. Gravel Extraction and Processing	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.F.

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

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

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

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b. The mobile home's roof shall use nonmetallic, nonreflective materials and shall have a minimum pitch of 3 in 12.

c. The mobile home shall be skirted.

F. Dormitory

1. **Definition.** A dormitory is a residential unit occupied by a group of unrelated people not residing as a single family.

   a. Includes:

      i. boarding houses or rooming houses

      ii. residential facilities for students and staff of schools

      iii. residential facilities associated with other types of instruction, education, training, and religious activity

2. Standards

   a. **Maximum density.** For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

G. Group Home

1. **Definition.** A group home is a residential unit occupied by more than 3 unrelated individuals, which typically offers shelter, medical and mental health services, and other care-related services to residents.

   a. Includes:

      i. nursing homes and various assisted living centers

      ii. group living facilities with related sheltered care facilities

      iii. residential facilities for the developmentally disabled including on-site training facilities

2. Standards

   a. **Maximum density.** For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

H. ~~Live/Work Unit~~

1. ~~**Definition.** A live/work unit is a single-family unit used jointly for residential and nonresidential purposes where the nonresidential use of the unit is incidental to the primary use of the unit as a residence.~~

2. ~~Purpose~~

   a. ~~To provide for the appropriate development of units which incorporate both living and working space.~~

   b. ~~To provide locations for new businesses to start up.~~

   c. ~~To provide opportunities for people to live in mixed-use industrial and commercial areas where compatible with existing uses.~~

3. ~~Standards~~

   a. ~~Only the following nonresidential uses may be incorporated into live/work units, and only if the use is allowed in the zone:~~

      i. ~~Office (~~6.1.6.B.~~)~~

      ii. ~~Retail (~~6.1.6.C.~~)~~

      iii. ~~Services (~~6.1.6.D.~~)~~

      iv. ~~Heavy retail/service (~~6.1.6.F.~~)~~

   b. ~~The resident of the live/work unit shall work in the nonresidential component of the unit. At least one resident in each Live/Work Unit shall maintain at all times a valid Business License for a business on the premises.~~

   c. ~~A minimum of 25% and no more than 50% of the floor area of each live/work unit shall be devoted to nonresidential use;~~

   d. ~~Prior to the Certificate of Occupancy or Final Plat, whichever occurs first, a deed restriction or note on the Final Plat shall be recorded indicating requirements of this Subsection.~~

   e. ~~Change of Use to or from Live/Work Units.~~

      i. ~~Live/Work Units may not be changed to residential use, nor may the portion of the Live/Work Unit devoted to residential space be increased above the percentage of residential space when the unit was established.~~

      ii. ~~Live/Work Units may be changed to exclusively nonresidential use. The increase in nonresidential square footage will be subject to the provisions of~~ ~~Div. 6.3.~~

6.1.5. Lodging Uses (11/23/16, Ord. 1152)

A. All Lodging Uses

1. **Definition.** A lodging use is a sleeping unit or residential unit rented such that occupancy is limited to less than 31 days.

Div. 6.2. Parking and Loading Standards

6.2.1. Purpose (P17-077 ~~3/22/15, Ord. 1170~~)

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

6.2.2. Required Parking and Loading (1/4/17, Ord. 1163)

A. Required Parking

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

Required Parking		
Use	Parking Spaces	Queuing Spaces
Open Space Uses		
Agriculture	n/a	
Outdoor recreation	independent calculation	
Residential Uses		
Detached single-family unit	2 per DU	
Attached single-family unit	2 per DU +0.5 per DU if ≥ 3 units served by lot	
Apartment	2 per DU +0.5 per DU if ≥ 3 units served by lot	
Mobile home	2 per DU	
Dormitory	1 per bed	
Group home	0.5 per bed	
~~Live/Work unit~~	~~1.5 per DU or 1.5 per 1,000 sf~~	
Lodging Uses		
Conventional lodging	0.75 per LU + 1 per 150 sf assembly area	
Short-term rental	2 per LU	
Campground	1 per campsite +1 per 7.5 campsites	
Commercial Uses		
Office	3.3 per 1,000 sf	
Retail	4.5 per 1,000 sf	
Service	3 per 1,000 sf	

Required Parking		
Use	Parking Spaces	Queuing Spaces
Restaurant/Bar	1 per 55 sf dining area + 1 per 30 sf bar area	
Heavy retail/Service	2 per 1,000 sf + 3 per repair bay + 1 per wash bay	2 per wash bay
Mini-storage warehouse	1 per 10 storage units + 1 per employee	
Nursery	2 per 1,000 sf + 1 per 4,000 sf outdoor display area + 1 per employee	
Amusement/Recreation Uses		
Amusement	1 per 30 sf seating area or independent calculation	
Developed recreation	4.5 per 1,000 sf	
Outfitter/Tour operator	independent calculation	
Adult Entertainment Business	1 per 30 sf seating area or independent calculation	
Institutional Uses		
Assembly	independent calculation	
Daycare/Education	independent calculation	
Industrial Uses		
Light industry	1 per 1,000 sf + 1 per company vehicle	
Heavy industry	2 per 1,000 sf + 1 per company vehicle	
Disposal	1 per employee	
Infrastructure Uses		
Parking	n/a	
Utility facility	1 per employee + 1 per stored vehicle	
Wireless communication facility	1 per employee + 1 per stored vehicle	
Heliport	7 per daily aircraft movement	
Accessory Uses		
Accessory residential unit	1.25 per DU	
Bed and breakfast	0.75 per LU	
Home occupation	n/a	
Home business	1 per employee	
Family home daycare	1 per employee	1 off-street for pick-up
Home daycare center	1 per employee	2 off-street for pick-up
Drive-in facility	n/a	3 per service lane
Temporary Uses		
Christmas tree sales	1 per 1,000 sf outdoor display area + 1 per employee	
Real estate sales office	3.3 per 1,000 sf	
Temporary shelter	2 per DU	
Farm stand	5 per 1,000 sf display area	
Temporary gravel extraction	1 per employee	

1. Administrative Adjustment. The Planning Director may establish a lesser parking requirement pursuant to the procedure of Sec. 8.8.1. based on information from reliable sources that demonstrates a lesser standard is workable due to anticipated parking demand and alternative transportation services available.

2. Change of Use. An applicant for a change of use shall only be required to additionally provide the difference between the parking requirement of the existing use and proposed use, regardless of the actual parking that exists.

B. Shared Parking

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

1. Residential and Nonresidential Uses. A percentage of the parking spaces required for nonresidential uses may be considered shared with on-site residential uses in accordance with the table below, and the extent to which:

   a. The residential use provides on-site employee housing; and

   b. The location and design of the development enhances the shared parking function.

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

2. Other Compatible Uses. Notwithstanding the standard percentages established in the table above, reductions in total parking requirements between and among any uses may be granted in one or more of the following circumstances:

   a. When it is intended that patrons frequent more than one use in a single trip (example: lodging and restaurant)

   b. When operating hours are substantially different (example: movie theater and office)

   c. When peak trip generation characteristics are substantially different (example: lodging and retail)

Div. 7.1. Development Option Standards

7.1.1. Development Options Schedule (~~11/23/16, Ord. 1153~~ P17-077)

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

Town Character Zones - Development Options															
		Complete Neighborhood Zones												Rural Area Zones	
Option	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	Stds
~~UCD~~		~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~7.1.3.~~
MHP	--	--	--	--	--	--	--	--	--	--	--	--	--	--	7.1.4.

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

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

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

7.1.2. Planned Residential Development (PRD) (1/1/15, Ord. 1074)

[Section number reserved, standards only apply in County]

7.1.3. [deleted] ~~Urban Cluster Development (UCD)~~ (~~1/1/15, Ord. 1074~~ P17-077)

A. ~~Purpose~~

~~The purpose of Urban Cluster Development is to permit development that will result in improved living and working environments, promote more efficient development, encourage a variety of types of residential dwellings, encourage ingenuity and originality in total development and individual site design, allow for denser clustering of development where appropriate, and preserve open space to serve wildlife, scenic, agricultural, and recreational purposes, all within the densities established for the zone. Furthermore, it is the purpose of the Urban Cluster Development option to preserve and enhance the character and qualities of urban and suburban neighborhoods.~~

B. ~~Standards~~

~~The site, lot, and building standards for Urban Cluster Developments are given added flexibility in order to permit and encourage compact development, affordable housing, preservation of open space, innovative site planning and design, and compatibility with existing neighborhoods, in concurrence with the Comprehensive Plan. Urban Cluster Development proposals shall demonstrate substantial compliance with the following standards as applicable to the specific proposal.~~

1. ~~**Conformance with Other Applicable Regulations.** Urban Cluster Developments shall conform with the requirements of these LDRs, all other applicable Resolutions of the Town, County, and Wyoming State Statutes, except as modified by this Section.~~

2. ~~**Interior Yards.** Urban Cluster Developments allow increased density and flexibility over the Single-Family Detached option. However, in the interior of the project, the requirements for front, side, and rear yards may be deviated from.~~

3. ~~**Perimeter Setbacks.** For any Urban Cluster Development, the minimum perimeter setbacks (street yard, side yard, and rear yard) are those set forth for a structure in the zone. Notwithstanding perimeter setbacks may be required to be increased in order to preserve the character and qualities of adjacent properties, provide adequate buffer and transition areas, provide functional open space, preserve existing vegetation, or to meet any other objectives of this Section.~~

4. ~~**Dwelling Unit Types.** All Urban Cluster Developments shall be permitted and are encouraged to provide a variety and mix of dwelling unit types. Permitted unit types may include, but shall not be limited to, single-family homes (attached and detached), townhouses, condominiums, apartments, and accessory residential units. Mobile home parks are permitted provided the provisions of Sec. 7.1.4. are met.~~

5. ~~**Mix of Unit Types/Sizes.** In order to provide a variety of dwelling unit types, all Urban Cluster Developments of more than 4 units must provide 2 or more types or sizes of unit. Units within a single project may vary by type, square footage of living area, or number of bedrooms. For purposes of this Section each unit type listed in B.4., above is to be considered a separate and distinct unit type from the other types listed. Units may vary in size by number of bedrooms, or by a difference in total living area of not less than 20%.~~

   > **EXAMPLE:** A 3-bedroom townhouse varies in size from a 2-bedroom townhouse. A 3-bedroom townhouse with 1,400 square feet of total living area varies from a 3-bedroom townhouse of 1,100 square feet. A 3-bedroom townhouse of 1,400 square feet does not vary from a 3-bedroom townhouse of 1,300 square feet.

   ~~Units shall vary by type or size according to the schedule set forth in the table below.~~

Standards for Residential Unit Mix Urban Cluster Development	
Total Units	Minimum Number of Sizes or Types
4 or less	1
5 - 6	2
7 - 8	3
9 - 12	4
13 - 16	5
17 +	No one size and type may exceed 20% of total units

7. ~~Open Space Required.~~ ~~All Urban Cluster Developments are required to provide a certain amount of open space, as specified by the OSR requirement for the zone. Required open space shall meet the following standards.~~

   a. ~~Natural resources protected pursuant to Div. 5.1. and Div. 5.2. and scenic resources protected pursuant to Sec. 5.3.2., or other lands protected by these LDRs shall constitute required open space.~~

   b. ~~Land which is part of an individually owned lot of record shall be counted as required open space, if it is located outside of an identified building envelope and can be designed as part of the contiguous open space on the development.~~

   c. ~~Required open space, to the greatest extent practicable, shall be configured into large contiguous areas, and not fragmented into small unconnected areas. Additionally, and to the greatest extent practicable, required open space shall connect to or expand on open spaces and rural lands on adjacent properties.~~

   d. ~~Open space may be on a non-contiguous site if the proposed locations of development and the open space are consistent with the Comprehensive Plan.~~

   e. ~~Open space may include pathways that connect with the Teton County/ Town of Jackson Pathways system and wildlife habitat improvements.~~

   f. ~~Roads, structures, corrals and fencing associated with a bona fide agricultural operation shall be permitted in required open space.~~

   g. ~~In the R-ToJ zone, open space may include non-structural recreational facilities that disturb no more than 5% of the open space area. In more urban zones, open space may be used to meet the active recreation needs of the residents of the development.~~

8. ~~Lot Coverage.~~ ~~The lot coverage shall be calculated for the entire project area and allocated to each lot at the time the development plan is approved. For a UCD in the R-ToJ zone, the lot coverage may, based on site design, be~~

~~increased proportionally, based upon the proportional increase from the lowest maximum density (.029 units/acre) to the maximum gross density allowable in the selected UCD type.~~

9. ~~**Arrangement and Design.** The configuration of lots or units within the project shall provide each lot, unit, or building with a building site that is suitable when considering the topography and other natural features of the site. The project shall be compatible with the surrounding neighborhood in terms of bulk, scale, structural mass, and character.~~

10. ~~**Access.** Safe and adequate access shall be provided to all areas of the proposed development, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way, or a commonly owned easement.~~

11. ~~**Streetscapes.** All Urban Cluster Developments with frontage on a public street or approved private street shall provide safe, inviting, and attractive streetscapes. Where appropriate, residential units, including outdoor spaces such as porches, decks, and balconies, shall be oriented to the street yard, and where appropriate, streetscapes shall not be dominated by parked vehicles and garage entrances.~~

12. ~~**Limitation of Access to Arterial Streets and Highways.** Where a proposed project is contiguous to a collector, arterial road or highway, direct access to such road or highway from individual lots, units, or buildings in the project is prohibited.~~

13. ~~**Double or Reverse Frontage.** Double frontage or reverse frontage lots or buildings shall be prohibited, except where necessary to limit vehicular access to arterial roads and highways; or to provide separation of development from through traffic; or to overcome specific disadvantages of topography or other natural features of the site.~~

14. ~~**Circulation.** Circulation for the project shall be designed in accordance with the following:~~

    a. ~~**Principal Access.** Principal vehicular access points shall be designed to provide smooth traffic flow and minimum hazards to vehicular, pedestrian, or bicycle traffic.~~

    b. ~~**Street Connections.** Minor streets shall not be directly connected with streets outside the development in such a way as to encourage use of such minor streets by substantial amounts of through traffic.~~

    c. ~~**Access by Emergency Vehicles.** Access to all structures and uses by emergency vehicles shall be provided.~~

    d. ~~**Efficient Circulation System.** The circulation system shall be designed to provide adequate access to all areas of the development using the minimum linear footage of roadway.~~

e. ~~Pathways.~~ ~~Provision shall be made for pedestrian and bicycle travel in accordance with Pathways Master Plan - The Town of Jackson & Teton County, Wyoming, March 2007. Linkages to schools, parks, public lands, and pathways existing on adjacent properties shall be provided.~~

15. ~~Parking and Drive Areas.~~ ~~All parking, drive, and maneuvering areas shall be designed in accordance with Sec. 6.2.5.~~

16. ~~Pedestrian System.~~ ~~Walkways shall form a logical, safe, and convenient system for pedestrian access to all dwelling units, appropriate project facilities, and principal off-site pedestrian destinations.~~

17. ~~Adequate Facilities.~~ ~~There shall be a demonstration that the development proposed is provided with adequate potable water, sewage treatment, solid waste disposal, electrical, park, school, police, and fire-fighting facilities.~~

C. ~~Review Procedure and Findings for Approval~~

~~Any application for an Urban Cluster Development may be approved only if the following findings are made:~~

1. ~~That the proposed project is in substantial compliance with all applicable standards of this Section;~~

2. ~~That the proposed project substantially meets the character objectives of preservation or enhancement of the zone and neighborhood in which it is to be located. Projects which are out of scale and character with their surroundings will not be approved;~~

3. ~~That streets and intersections serving the project will not be reduced to unacceptable levels of service, nor will the safety of motorists, pedestrians, and cyclists be jeopardized;~~

4. ~~That the density and distribution of population resulting from the project will not overburden schools, parks, utilities, or other public services; and~~

5. ~~That all adverse impacts associated with the proposed project are effectively mitigated to the extent possible.~~

7.1.4. Mobile Home Park (1/1/15, Ord. 1074)

Mobile Home Parks shall meet the following standards. Mobile Home Parks may be proposed in the MHP-ToJ or as an Urban Cluster Development.

A. **Existing Mobile Home Parks in the MHP-ToJ.** Existing mobile home parks within the MHP-ToJ zone shall be allowed to continue, expand, and redevelop, provided the standards in this Subsection are met.

1. **Density.** The number of units in an existing mobile home park in the MHP-ToJ shall not be limited.

Div. 7.3. [deleted] P17-077 ~~Open Space Standards~~

7.3.1. ~~Purpose~~ ~~(1/1/15, Ord. 1074)~~

~~The purpose of this Division is to establish standards for open space that is required for approval of a physical development, use, development option or subdivision. This includes Planned Residential Development options that permit higher density in conjunction with greater amounts of open space. In return for higher density, a landowner must set aside open space that contributes to community goals as set forth in the Jackson/Teton County Comprehensive Plan.~~

7.3.2. ~~Applicability~~ ~~(1/1/15, Ord. 1074)~~

~~This Division applies to all physical development, use, development options and subdivision for which an open space ratio (OSR) is specified or for which open space is otherwise required. All open space provided to satisfy an open space requirement shall comply with the standards of this Division. An Environmental Analysis shall be prepared pursuant to Sec. 8.2.2. to demonstrate compliance with this Division. If the open space proposed as part of an application subject to this Division does not meet the standards of this Division, the application associated with the proposed open space may be denied.~~

7.3.3. ~~Configuration and Location of Required Open Space~~ ~~(1/1/15, Ord. 1074)~~

~~Open space required in return for higher density shall be configured and located to protect, or provide space for, the Areas of Public Benefit on the subject property. The following are the Areas of Public Benefit: 1) wildlife habitat and migration corridors; 2) scenic vistas and natural skylines; 3) natural waterbodies (rivers, streams, lakes, ponds), floodplains, and wetlands; 4) agricultural activities; 5) public pathways as depicted in the Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007; and 6) public parks and accesses to public lands.~~

A. ~~Identifying the Areas of Public Benefit on the Subject Property~~

~~The following shall be used to identify the Areas of Public Benefit on the subject property:~~

1. ~~Character Defining Features Maps;~~
2. ~~Natural Resources Overlay and Scenic Resources Overlay;~~
3. ~~100-year floodplain as depicted on the Federal Emergency Management Agency maps;~~
4. ~~Land Development Regulations:~~
   a. ~~Natural resources as defined in Sec. 5.1.1.;~~
   b. ~~Land used for bona fide agricultural activities;~~
   c. ~~Priority 6 to Priority 10 habitats as described in 5.2.1.F.;~~

5. ~~Environmental Analysis of the subject property;~~

6. ~~Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007; and~~

7. ~~Maps and information on the existing conditions of the subject property.~~

B. ~~Order of Priority for Protecting the Areas of Public Benefit~~

1. ~~Open space set-asides shall be configured and located to protect or provide Areas of Public Benefit in the following order of priority from "1" to "6" with "1" being the highest priority and "6" being the lowest priority.~~

   a. ~~1 - Wildlife habitat and migration corridors~~

   b. ~~2 - Scenic vistas and natural skylines~~

   c. ~~3 - Waterbodies (rivers, streams, lakes, ponds), floodplains, and wetlands~~

   d. ~~4 - Agricultural activities~~

   e. ~~5 - Public pathways as depicted in Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007~~

   f. ~~6 - Public parks and accesses to public lands~~

2. ~~When all Areas of Public Benefit have been protected, or there are no Areas of Public Benefit on the subject property, and an additional amount of open space is required, the additional required open space shall be configured and located to expand the protection of the Areas of Public Benefit, or expand an existing open space area. The Areas of Public Benefit or the existing open space could be on the subject property or on adjacent properties. The purpose of this standard is to maximize the benefit of open space, when there are no Areas of Public Benefit to be protected, by locating the open space in large, unfragmented areas.~~

C. ~~Map of Required Open Space and Areas of Public Benefit~~

~~The applicant shall submit a map that shows how the configuration and location of the required open space protects the Areas of Public Benefit, and shows how the Areas of Public Benefit are protected in priority order.~~

D. ~~Residential Lots of Record~~

~~Open space is permitted to include a portion of a residential lot of record provided it:~~

1. ~~is not fenced apart from, or otherwise visually or functionally separated from, the required open space;~~

2. ~~protects or provides Areas of Public Benefit as identified and prioritized in this Section; and,~~

3. ~~complies with~~ Sec. 7.3.4., ~~Sec. 7.3.5. and~~ Sec. 7.3.6.

E. ~~Noncontiguous Open Space~~

~~Required open space may be provided at a noncontiguous location, pursuant to 9.4.4.A.1., and provided that the open space meets the standards of this Division.~~

F. ~~Acreage in Rivers~~

~~Acreage within rivers shall not be eligible to satisfy required open space acreage.~~

7.3.4. ~~Use of Open Space~~ ~~(1/1/15, Ord. 1074)~~

A. ~~Permitted Uses in Open Space~~

~~Required open space shall be restricted to uses consistent with the protection of the Areas of Public Benefit on the subject property.~~

> **EXAMPLE:** If the open space protects a designated wildlife habitat area, the uses and activities permitted on open space lands shall be consistent with protecting and maintaining the habitat value of the property. Uses of the required open space shall not reduce or diminish the Areas of Public Benefit being preserved by the required open space.

B. ~~Prohibited Uses in Open Space~~

~~Notwithstanding the permitted uses, areas devoted to building envelopes, parking areas, road and driveway easements, cut or fill slopes, or other permanently disturbed areas that are part of a development are prohibited in required open space, except for recreational uses. Also any commercial or industrial use, or physical development activity not related to bona fide agricultural uses, recreational uses, wildlife habitat improvement projects, or other uses permitted pursuant to 7.3.4.A. are prohibited in required open space.~~

C. ~~Separate from Exaction Requirements~~

~~Open space set aside in return for higher density, which provides public pathways or parks pursuant to this Division, shall not be credited toward land exactions required in Div. 7.5.~~

7.3.5. ~~Physical Development Permitted in Open Space~~ ~~(1/1/15, Ord. 1074 P17-077)~~

~~The following physical development may be permitted in open space if deemed consistent with the Areas of Public Benefit on the subject property:~~

A. ~~Nonresidential structures, land disturbances, corrals, fencing, etc., for bona fide agricultural uses.~~

B. ~~Outdoor recreation facilities, such as cross-country ski trails and pathways identified as implementing the Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007.~~

C. ~~In the S-ToJ, AR-ToJ, and AC-ToJ zones, structures and other land disturbing activities for active recreation facilities; however, evening or night facilities which require obtrusive lighting are prohibited.~~

D. ~~Creation of ecologically functioning wetlands for wastewater and stormwater treatment.~~

E. ~~Wildlife habitat improvements that are primarily enhancing existing wildlife habitat or are restoring existing, but degraded, habitat.~~

7.3.6. ~~Record of Restriction~~ ~~(1/1/15, Ord. 1074)~~

~~Required open space shall be duly restricted, in perpetuity, by recorded instrument in a form acceptable to the County Attorney and the Board of County Commissioners. The instrument shall not be amended or varied without first obtaining approval by the Board of County Commissioners. Refer to a sample easement, which may be obtained from the Planning Department, for guidance. At minimum, the instrument shall contain the following:~~

A. ~~A legal description of the property and its location;~~

B. ~~The purpose of the restriction on the property;~~

C. ~~Conveyance of rights to enforce the restrictions to an organization qualified and dedicated to preserving the values intended by the restrictions;~~

D. ~~Specification of the uses and physical development permitted and prohibited on the property under restriction;~~

E. ~~Enforcement procedures;~~

F. ~~Documentation of the existing uses and condition of the property under restriction;~~

G. ~~Specification that notice be given 15 days prior to any transfer of ownership, and that such notice be in a written form to the qualified organization holding the easement; and~~

H. ~~A granting of the restrictions in perpetuity.~~

7.3.7. ~~Ownership of Open Space~~ ~~(1/1/15, Ord. 1074)~~

~~An individual landowner, a homeowners association, or nonprofit organization may retain ownership of the required open space. Ownership does not affect the terms of the easement.~~

Div. 9.3. Abbreviations

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

The purpose of this Division is to provide abbreviations for terms and phrases that are commonly used in these LDRs.

9.3.2. Common Abbreviations (P17-077 ~~1/4/17, Ord. 1166~~)

The abbreviations provided below have the following meanings:

ac	Acre
ARU	Accessory Residential Unit (6.1.11.B.)
ASA	Adjusted Site Area (9.4.4.C.)
BSA	Base Site Area (9.4.4.B.)
BUP	Basic Use Permit (8.4.1.)
CUP	Conditional Use Permit (8.4.2.)
du	Dwelling Unit
EA	Environmental Analysis (8.2.2.)
FA	Floor area (9.4.5.)
FAA	Federal Aviation Administration
FAR	Floor Area Ratio (9.4.6.C.)
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
ft	Feet
GSA	Gross Site Area (9.4.4.A.)
HUD	U.S. Department of Urban Housing and Development
LDRs	Land Development Regulations
LO	Lodging Overlay (6.1.5.A.2.)
lu	Lodging unit
LSR	Landscape Surface Ratio (9.4.6.E.)
max	Maximum
min	Minimum
NRO	Natural Resources Overlay (5.2.1.)
~~OSR~~	~~Open Space Ratio (9.4.6.D.)~~
SRO	Scenic Resources Overlay
sq. ft. or sf	Square Feet
SUP	Special Use Permit (8.4.3.)
~~UCD~~	~~Urban Cluster Development (7.1.3.)~~
WYDEQ	Wyoming Department of Environmental Quality
WYDOT	Wyoming Department of Transportation

C. Adjusted Site Area

Adjusted site area is used to calculate maximum site development and lot coverage. Adjusted site area is gross site area minus the following:

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

D. Minimum Site Area

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

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

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

9.4.6. Density/Intensity (P17-077 ~~1/4/17, Ord. 1166~~)

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

A. General

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

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

B. Maximum Density

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

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

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

1. The maximum floor area (see Sec. 9.4.5. for definition of Floor Area) allowed on a site shall be the maximum habitable floor area not including basement floor area, as defined in Sec. 9.5.B.
2. The site area used to calculate maximum floor area shall be:
    a. gross site area in Character Zones (Div. 2.2. & Div. 3.2.), and
    b. base site area in Legacy Zones (Div. 2.3. & Div. 3.3.).
3. Unless otherwise defined in these LDRs, the maximum allowed floor area above grade is calculated by multiplying the allowed FAR by the applicable site area. Inversely, FAR is calculated by dividing the habitable floor area above grade by the applicable site area.

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

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

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

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

> **EXAMPLE:** Examples of impervious surfaces include, but not are not limited to: buildings (including roofed areas but excluding eaves that over-hang a pervious surface), structures, parking areas, loading areas, driveways, roads, sidewalks, and any areas of concrete, asphalt, or significantly compacted material which prevents water absorption.

Industrial Use. See Sec. 6.1.9.

Industry, Heavy. See 6.1.9.C.

Industry, Light. See 6.1.9.B.

Incidental Use. See 6.1.2.B.2.

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

Institutional Use. See Sec. 6.1.8.

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

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

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

L (~~1/4/17, Ord. 1166~~ P17-077)

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

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

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

Landscape Surface Ratio. See 9.4.6.E.

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

Light Industry. See 6.1.9.B.

~~**Live/Work Unit.** See 6.1.4.H.~~

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

Local Road. See, "Road, Local."

Lodging. See Sec. 6.1.5.

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

Lot Coverage. See 9.4.6.F.

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

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

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

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

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

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

Lot Size, Minimum. See 9.4.6.G.

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

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

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

Nonconforming or Nonconformity. See Div. 1.9.

Nursery. See 6.1.6.H.

O (~~1/4/17, Ord. 1166~~ P17-077)

Office. See 6.1.6.B.

Off-Premise Sign. A sign identifying or advertising a business, person, activity, goods, products or services, which is not located on the premises where the business or commercial activity is conducted.

Off-Site. Located neither on the land that is the subject of the application nor on a contiguous portion of a street or other right-of-way.

On-Site. Located on the land that is the subject of the application.

~~**Open Space Ratio.** See 9.4.6.D.~~

Open Space (Use). See Sec. 6.1.2.

~~**Open Space, Required.** Required open space is undeveloped area that is required in order to receive approval of a development or use. Unless otherwise noted for a specific development or use, the standards for required open space are in Div. 7.3.~~

Outdoor Recreation. See 6.1.3.C.

Outfitter. See 6.1.7.E.

P (~~1/4/17, Ord. 1166~~ P17-077)

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

Parking (Use). See 6.1.10.B.

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

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

Pedestrian Access. See Sec. 9.4.16.

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

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

Time-Share Ownership. Time-share ownership means ownership of a unit in which purchase is for interval ownership with ownership conveyed by deed/license.

Top of Bank. The elevation of the top of bank shall be determined by the observed high water mark, or one foot above the maximum discharge elevation of an outlet control structure that controls the water elevation of a body of water.

Tour Operator. See 6.1.7.E.

Tower. Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

Townhouse. Townhouse means a single-family unit, including the ground beneath the unit, with a single unit going from ground to roof.

Transparency. See Sec. 9.4.14.

U (~~1/1/15, Ord. 1074~~ P17-077)

Unlicensed Wireless Services. Unlicensed wireless service means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services.

Unstable Soil. Unstable soil means soil subject to slippage, creep, landslide, avalanche, bedrock slump, talus, rockfall, colluvium, and lacustrine deposits, either at the surface or overlain by other deposits, or subject to other movements as indicated by the Land Stability Maps of Teton County, site specific geotechnical reconnaissance studies, or any other technically competent source.

~~**Urban Cluster Development.** See Sec. 7.1.3.~~

Use, Accessory. See 6.1.2.B.3.

Use, Conditional. See 6.1.1.C.

Use, Incidental. See 6.1.2.B.2.

Use, Primary. See 6.1.2.B.4.

Use, Principal. See 6.1.2.B.2.

Use, Special. See 6.1.1.D.

Use, Temporary. See 6.1.2.B.5.

Use. See 6.1.2.A.

Utility Facility. See 6.1.10.C.

SECTION II.

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

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

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

PASSED 1ST READING THE _____ DAY OF _____, 2018.
PASSED 2ND READING THE _____DAY OF _____, 2018.
PASSED AND APPROVED THE _____DAY OF _____, 2018.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandy 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 _____, 2018.

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

_____
Sandy Birdyshaw, Town Clerk

ORDINANCE K

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) AND SECTIONS 1.9.2.B.1, 1.9.2.B.3.a, 1.9.3.B.1, 1.9.3.C, AND 1.9.3.D.1 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING A NONCONFORMING DETACHED SINGLE-FAMILY HOME, 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 II of Town of Jackson Ordinance No. 1074 as amended (part) is hereby amended and reenacted to amend Sections 1.9.2.B.1, 1.9.2.B.3.a, 1.9.3.B.1, 1.9.3.C, and 1.9.3.D.1 of the Town of Jackson Land Development Regulations to read as follows:

B. Maintenance, Alteration, Expansion, and Replacement

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

1. **No Increase in Nonconformity.** Maintenance, alteration, replacement, or expansion shall not increase the nonconformity and shall otherwise comply with all applicable standards of these LDRs, except that maintenance, alteration, or expansion of a nonconforming Detached Single-Family Unit shall not be subject this limitation (e.g., an addition to a house that is nonconforming as to height may be the same height as the existing nonconforming house).

   > **EXAMPLE:** An addition must meet all setbacks, floor area limits, and other standards even if a portion of the structure being added to does not meet a setback, except that a Single-Family Unit may be expanded to the same nonconforming setback.

2. **Maintenance and Alteration.** A nonconforming physical development may be maintained or altered.

3. **Expansion.** A nonconforming physical development shall be brought into compliance with all applicable standards of these LDRs upon cumulative expansion of greater than 20% of its floor area or site area. Cumulative expansion is the sum of all expansions from the date the physical development became nonconforming, including all expansions under prior LDRs if the physical development became nonconforming under prior LDRs and remains nonconforming. The following exceptions shall apply to this limit on expansion.

   a. Detached Single-Family Unit: This standard shall not limit the expansion of a Detached Single-Family Unit.

   b. **Historic Buildings.** This standard shall not limit expansion of a building included on the Teton County Historical Preservation Board (TCHPB) list of historically significant properties, or that is otherwise deemed in writing by the TCHPB to be historically significant.

   c. **Workforce Housing Incentive.** Floor area added using the Deed Restricted Housing Exemption (Sec. 7.8.3.) or Workforce Housing Floor Area Bonus (Sec. 7.8.4.) shall not be included in the calculation of expansion.

   d. **Nonconforming Bulk and Form Standards.** This standards shall not limit expansion of a building that is nonconforming with one or more of the following standards.

      i. Minimum stories in a street setback

      ii. Building stepback

      iii. Pedestrian frontage

      iv. Building frontage

C. Use, Development Options, and Subdivision

1. A nonconforming physical development shall be used in compliance with these LDRs. Nonconforming use of a nonconforming physical development shall be subject to Sec. 1.9.3..

2. A nonconforming building shall not be subdivided into condominiums or townhomes, unless the subdivision brings the physical development into compliance with these LDRs.

3. A boundary adjustment pursuant to Sec. 8.5.5. of a site that includes nonconforming physical development shall not increase the nonconformity of the physical development.

4. A subdivision or development option on a site with nonconforming physical development shall require all physical development on the site, except existing buildings, comply with these LDRs.

1.9.3. Nonconforming Uses (P17-077 ~~1/4/17, Ord. 1158~~)

A. Applicability

A nonconforming use is declared generally incompatible with the character of the zone or overlay in which it is located. This Section shall apply to:

1. A lawfully established use that is not allowed in the zone or overlay;

2. A lawfully established conditional or special use that does not have an approved Conditional Use Permit or Special Use Permit; and

3. A lawfully established use that does not comply with the use standards applicable to the zone or overlay. Use standards applicable to all zones are found in Article 6. Use standards applicable to specific zones are found in Subsection C of the zone-specific sections found in Article 2.-Article 4.

B. Expansion

1. A nonconforming use may only be expanded a cumulative total of 20% in the floor area and site area occupied and/or the daily and annual duration of operation, except that a nonconforming Detached Single-Family use shall not be subject to this limitation.

2. An expansion of a nonconforming use shall not create or increase nonconformity with use-based standards such as parking and employee housing.

3. An expansion of a nonconforming use shall comply with all physical development, development option, and subdivision standards of these LDRs.

4. An expansion of a use that is nonconforming because it does not have an approved CUP or SUP requires approval of a CUP or SUP upon 20% cumulative total expansion in the floor area and site area occupied and/or the daily and annual duration of operation.

C. Change in Use

A nonconforming use, except a Detached Single-Family Unit, may be changed to another nonconforming use provided all 3 of the following standards are met.

1. The new use is a materially less intense nonconforming use. The determination of the level of intensity shall include, but is not limited to, consideration of traffic generated (amounts and type), impacts on access, parking demand, proposed level of activity, operational characteristics, and other potentially adverse impacts on neighboring lands.

2. The new use shall not create or increase nonconformities with use-based standards such as parking and employee housing.

3. The new use shall obtain a Conditional Use Permit pursuant to Sec. 8.4.2.

D. Discontinuance

1. If a nonconforming use is operationally discontinued for a period of more than one year, whether or not the equipment or furniture is removed, the use shall not be reestablished or resumed, and any subsequent use of the site shall conform to these LDRs, except that a nonconforming Detached Single-Family use that is torn down (three walls/structural support problem) shall not be rebuilt.

2. When government action other than those described in 1.9.1.I., a natural disaster, or any other action not considered a willful act of the owner or occupant can be documented as the reason for discontinuance, the nonconforming use may be discontinued for longer than one year provided an application to reconstruct or reestablish the use is submitted to the Planning Director within one year from cessation of the use, and reconstruction or reestablishment is completed within the time period established in the permit approved for the reconstruction or reestablishment.

3. Once a nonconforming principal use is discontinued, all associated accessory uses shall discontinue within 31 days or a sufficient application to permit each accessory use in association with another principal use shall be submitted within 31 days.

4. Time spent maintaining, altering, replacing, or expanding a structure or site devoted to the nonconforming use is not considered a discontinuance of the use, provided:

    a. All appropriate permits or approvals are obtained;

    b. The maintenance, alteration, replacement, or expansion is completed within 18 months after commencement; and

    c. The use is reestablished within 31 days after completion of the maintenance, alteration, replacement, or expansion.

SECTION II.

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

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

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

PASSED 1ST READING THE _____ DAY OF _____, 2018.
PASSED 2ND READING THE _____DAY OF _____, 2018.
PASSED AND APPROVED THE _____DAY OF _____, 2018.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandy 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 _____, 2018.

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

_____
Sandy Birdyshaw, Town Clerk

TOWN COUNCIL MEETING
AGENDA DOCUMENTATION

PREPARATION DATE: May 24, 2018
MEETING DATE: May 29, 2018

SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Tyler Sinclair
PRESENTER: Paul Anthony

SUBJECT: P17-077 – Character Districts 3 - 6 and Town Parking Standards LDR Update

STATEMENT/PURPOSE

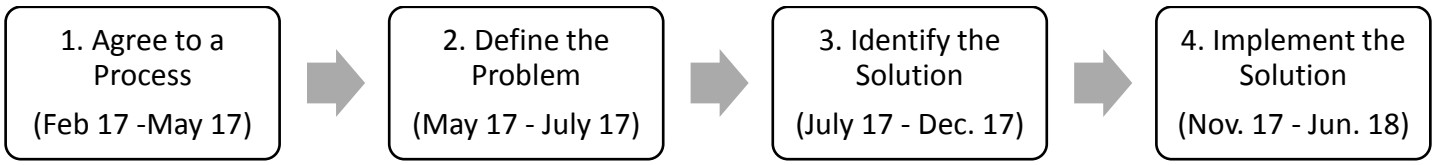
To update and amend the Town of Jackson Land Development Regulations (LDRs) and Official Zoning Map regarding Character Districts 3 – 6 (Districts 3 – 6) and the Town Parking standards. Amendments are proposed primarily to Articles 1, 2, 4, 5, 6, 7, and any associated parts of the LDRs generally applying to the Town's residential zones and the Highway 89 commercial corridor approximately from High School Road north to the Flat Creek Bridge.

BACKGROUND

In 2012 the Town and County adopted the current Comprehensive Plan, which includes the community's updated policies and goals for growth and development of the Town and County. While many policies are a continuation of well-supported, previous policies, the new Comprehensive Plan includes a range of new policies and programs to better manage growth, including a formal Growth Management Program with annual monitoring and reporting on specific growth indicators. In addition, the community committed itself to house 65% of the workforce locally and to direct at least 60% of new growth into Complete Neighborhoods (such as Town) and no more than 40% into Rural areas. These two goals form the heart of the Districts 3 – 6 update.

Important too, the Districts 3 - 6 update is occurring concurrently with the Housing Mitigation updates that is considering significant changes to the affordable/employee housing mitigation requirements for new development. These two LDR updates impact each other in critical ways.

The update to the Districts 3 - 6 LDRs is in the final phase of a 4-phase process, branded as Engage 2017: Housing, Parking, and Natural Resources. The purpose of the 4-phase process was to define the problem and identify the solution prior to considering adoption of regulations so that the review of draft LDRs would be the culmination, rather than the initiation, of months of public dialogue. The draft Districts 3- 6 LDRs were released March 16 and are intended to implement the policy direction provided December 11, 2017, which responded to the policy questions identified June 27, 2017.



- Phase 1
  - Feb. 21, 2017: Approval of project purpose, schedule, roles, and responsibilities
  - May 1, 2017: Approval of contract with Code Studio for technical support

- Phase 2
  - The public identified issues at:
    - Community Discussion in Spanish, May 30 (17 participants)
    - Open House, June 1 (about 75 participants)
    - Community Discussion, June 1 (about 75 participants)
    - Online Survey, May 23 – June 5 (220 participants)
  - June 27, 2017: Approval of 10 policy questions to answer through the updates

- Phase 3
  - The public analyzed policy alternatives at:
    - Spanish Community Discussion "Public Comment Event" November 6 (25 attendees)
    - English Community Discussion "Public Comment Event" November 8 (63 attendees)
    - Online alternatives analysis survey open October 20 – November 12 (146 responses)
    - Comments submitted by email September 13 – October 11 (7 comments)
  - December 11, 2017: Direction on the 10 policy questions

- Phase 4
  - March 16, 2018: Release of public review draft
  - March 19, 2018: Presentation of public review draft
  - April 12, 2018: Public open house/workshop to review draft (90 ± participants)
  - April 23, 2018: Modifications Brainstorming Workshop
  - May 4: Release of list of proposed modifications with staff recommendations
  - May 14/15: Planning Commission provided recommendations on draft modifications in public hearings

Next Steps

- May 29: Council hearing on draft (6:00pm, Town Hall)
  - Vote on updated Districts 3- 6 LDRs subject to list of supported modifications
  - Continue to 2:00pm, May 30, Town Hall if needed
  - Continue to 2:00pm, May 31, Town Hall if needed
- June 20: Release of adoption version of Districts 3 – 6 LDR update
- June 25: Council 1st reading/hearing on adoption version (1:00pm, Town Hall)
- July 2: Council 2nd reading/adoption (6:00pm, Town Hall)
- July 16: Council 3rd reading/adoption (6:00pm, Town Hall)

[NOTE: The schedule has been modified such that 1st Reading has been moved from May 29 to June 25 to allow the necessary time to get all ordinances in final form for Council consideration. This change moves back final adoption by 2 weeks, unless an additional special meeting is scheduled.]

Meeting Format

The Planning Director proposes the following meeting format for the Council hearing. The purpose of the proposed format is to organize the discussion and allow the Mayor to participate. The focus of the meeting will be for the Council to provide its recommendation on each of the proposed modifications on the attached list.

Roles

- Facilitator: Tyler Sinclair, Planning Director
- Content Expert: Paul Anthony, Principal Planner

Agenda

1. Staff presentation/questions
    - Tyler will kick-off meeting with introduction of agenda and the meeting format
    - Staff will answer any questions from Council have about the draft or agenda

2. Public comment
    - The Chair will open the floor to public comment

3. Modifications list review
    - Tyler will facilitate discussion of the list of proposed modifications,
    - Paul will begin the process by explaining each of the Key Issues and then move on to the more specific modifications in the list. Staff will explain both the staff recommendation and the PC recommendation for each modification, which are often the same.
    - For each modification, Tyler will ask if there are any who disagree with the Planning Commission recommendation.
        - If no: the Planning Commission will become the Council recommendation and Tyler will move to next modification without discussion.
        - If yes:
            - Paul will present the modification (or modification options if there are multiple modifications proposed for a single topic)
            - Tyler will facilitate a discussion of the proposed modification
            - A straw poll will be taken on the modification.
    - Once each of the modifications on the attached list has been reviewed there will be an opportunity for Council members to add any additional modifications to the list. Such additional modifications will be discussed using the same method except that there will be no staff recommendation.
    - If the entire modification list cannot be reviewed in a single meeting the hearing will be continued to May 30, 2018 at 2:00pm in the Town Hall, and the list will be picked up where the Council left off.

4. Motion
    - Once the Council has made a recommendation on each modification a motion will be made to recommend approval of the housing mitigation requirements update subject to the list of modifications.

STAFF ANALYSIS

Most of staff's analysis of proposed changes to the draft Districts 3 - 6 and Town Parking LDRs is contained in the attached Modifications List and will not be repeated here. The proposed modifications come primarily from public comment at the April 12 Open House, the April 24 Brainstorming Workshop, internal staff review, and the Planning Commission meetings on May14/15.

It is important to remember that the current draft Districts 3- 6 LDRs are a direct response to implement the policy direction provided by the Council in December, 2017. At that time staff asked the Council 8 policy questions on Districts 3 – 6 and 10 policy questions on Town Parking (attached in one combined document).

The Districts 3- 6 policy questions are listed below for context:

1. What portion of the additional 1,800 dwelling units should be transferred from the Rural areas of the County into Town? [These units would be in addition to what is allowed by current zoning.]
2. What type of residential density is preferred? Where should residential density be located?
3. How should residential buildout potential be calculated and monitored?
4. How much of the additional density should be tied to incentives for workforce and/or deed-restricted housing?
5. Should the amount of commercial development potential in Town be reduced? If so, how?
6. What types of development should be subject to architectural design standards?
7. What type of pedestrian improvements, if any, should be required for new development?
8. Should the Town strive to increase connectivity for all modes of travel by trying to encourage or require that all blocks be more similar in size to those downtown?

The Town Parking Study questions are listed below as well for context:

1. What level of vehicle parking demand are we planning for?
2. What level of bicycle parking demand are we planning for?
3. What is an acceptable distance from a parking space to a destination?
4. Should parking policy vary by season?
5. Who is on-street parking for?
6. What is the public role in providing off-street parking (such as parking garages)?
7. How should Park n' Ride facilities be used?
8. What level of safety are we trying to achieve through parking policies?
9. How should on-street and off-street public parking be funded?
10. How should parking be managed?

As these two LDR updates progressed through the review process, they were combined into one process, resulting in the parking policies being provided on a subarea-by-subarea basis, as provided in the final Policy Direction document from December, 2018.

Below are staff's findings for the proposed LDR text and Zoning Map amendments.

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

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

   Yes. The proposed text amendments continue a major rezoning effort to update to the LDRs and are consistent with the LDRs' primary purpose which is to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. In addition, the proposed new Districts 3 - 6 zoning

districts and associated amendments to the LDRs are consistent with the LDRs' goals to improve predictability in LDR implementation and to focus on desired future character as the organizing principle for development in the Town.

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

Yes. The proposed text amendments will improve consistency of the LDRs by eliminating ten legacy zones that will be deleted if the proposed District 3 - 6 LDRs and eight new District 2 zones are adopted. Furthermore, the new Districts 3- 6 zones will be more consistent in format and content with the recently adopted District 2 zone districts.

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

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

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

Yes. The adoption of a Jackson/Teton County Comprehensive Plan adopted in May 2012 is a new condition that requires the Town to update the LDR text and zones to be consistent with the new Comprehensive Plan. The proposed text amendments, which provide updated zoning regulations for Character Districts 3 - 6, are a continuation of general rezoning update by the Town to implement the new Comprehensive Plan.

5. Improves implementation of the Comprehensive Plan

District 3: Town Residential Core

The Town Residential Core is comprised of a variety of housing types and forms, including single family, duplex, tri-plex and multifamily occupied primarily by the local workforce. Some of the district's key characteristics are its proximity to the Town Commercial Core (District 2) employment opportunities and Complete Neighborhood amenities, an existing gridded transportation network, and a mix of low to high density residential development. The district is envisioned to contain a variety of residential densities, a variety of residential types (such as single family, duplex, tri-plex and multifamily), and a variety of building sizes in order to maintain and meet our community's Growth Management and workforce housing goals. The consolidation of multiple lots to create larger single family homes is inconsistent with the district's existing and desired character. An important goal within the district will be to reestablish a strong sense of ownership by this district's residents. The existing gridded transportation system, including areas with and without alleys, provides great connectivity for all modes and should be maintained and enhanced whenever possible. Complete street amenities, including continued and expanded START service, are appropriate and should be added at every opportunity in keeping with the existing residential character. These amenities should be developed to link residents to key community features found in the district, including parks, schools, and local convenience commercial. It is also important to recognize Snow King Avenue as a primary transportation corridor that will need to be maintained and improved in order to support regional transportation goals. The district is well-served by a majority of Complete Neighborhood amenities that should be maintained and enhanced in the future. Limited local convenience commercial and mixed use office development is currently found in the district and should continue in the future in order to achieve the Complete Neighborhood and economic sustainability goals of the Plan. The district is in need of redevelopment and reinvestment in order to ensure it is a desirable residential neighborhood with a strong sense of community ownership into the future.

Complies. The proposed text amendments in District 3 are consistent with this vision by providing new rules that will both protect the character of Stable subareas and create incentives for Transitional to redevelop with increased opportunities for workforce housing in particular.

Common Value 1: Ecosystem Stewardship

Not applicable.

Common Value 2: Growth Management
Policy 4.1.b Emphasize a variety of housing types, including deed-restricted housing.

Complies. The proposed text amendments in District 3 will not only encourage a wide variety of market housing (single-family up to large apartment buildings) but will encourage development of hundreds of deed restricted units in District 3 through the "fill the box" workforce housing incentive.

Policy 4.3.a Preserve and enhance stable subareas.

Complies. The proposed text amendments in District 3 are designed to not increase density the Stable subareas of 3:1 East Jackson, 3.3 Rodeo Grounds Institutional Area, while the higher density and more diverse subarea 3.4 May park Area will see a slight increase in development potential if redevelopment of existing multi-family projects occurs in the future.

Policy 4.3.b Create and develop transitional subareas.

Complies. The proposed text amendments in District 3 will allow for increased development potential in Transitional subarea 3.2 Core Residential for the primary purpose of creating workforce housing where infrastructure, jobs, public transportation, and other services exist to serve the new residents.

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

Not applicable.

Common Value 3: Quality of Life

Policy 5.2.d Encourage deed-restricted rental units.

Complies. The proposed text amendments in District 3 will encourage development of hundreds of deed restricted units in District 3 through the "fill the box" workforce housing incentive. In addition, developers will likely create voluntary deed-restricted housing due to other incentives available in the proposed LDRs, such a reduced LSRs and a streamlined development review process intended to reduce the time and cost to develop larger residential projects.

Policy 5.3.b Preserve existing workforce housing stock.

Complies. Although the proposed text amendments in District 3 are not specifically targeted to preserve existing workforce housing stock, the Districts 3 – 6 amendments as a whole will contribute to this goal by incentivizing a significant increase in the supply of new workforce housing that it will likely reduce the pressure on existing stock and free up that housing for renters and buyers previously shut out of the market.

Policy 7.1.c Increase the capacity for use of alternative transportation needs.

Complies. The proposed text amendments in District 3 will encourage density in areas that are well-served by transit and within walking and bike distance of jobs and services. This should increase the user-base for these alternative modes of travel.

District 4: Midtown

Midtown is one of the most Complete Neighborhoods in the community. It contains many of the service, office and retail establishments that meet Teton County residents' daily needs. It also contains a significant amount of workforce housing in a variety of housing types, including single family, duplex and multifamily structures. Another important characteristic of the district is the "Y", the intersection of the community's two main highways, U.S. 89 and Wyoming 22. Midtown is a highly visible district that is experienced on a daily basis by most residents. Today, the land use pattern is automobile-oriented and made up of large blocks containing low intensity single-use structures (both residential and non-residential) surrounded by significant surface parking, with little connectivity between blocks and lots. It is also the location of a significant amount of existing lodging uses developed prior to the Lodging Overlay that will be allowed to continue in the future. Flat Creek and the Karns Meadow are significant natural features in this district. The future vision is to create a walkable mixed use district with improved connectivity and increased residential population. Key to achieving this vision will be the creation of a concentrated and connected land use pattern. To support this goal, future land uses will continue to include a variety of non-residential uses serving the needs of the local community and a variety of residential types focusing on workforce housing in multifamily and mixed use structures, specifically including deed-restricted rental units. Mixed use, non-residential and multifamily residential buildings should be two to three stories in height and oriented to the street. Four story structures may be considered when adjacent to a natural land form. In the future, a landscape buffer between buildings and the street with well-designed green space and/or hardscape will be important to create an attractive pedestrian environment becoming of a desirable, walkable, mixed use district. Parking areas should be predominantly located behind buildings or screened from view. The creation of complete streets will be critical to increase connectivity between uses and between blocks and lots by all modes of travel. It is also important to recognize Snow King Avenue as a primary transportation corridor that will need to be maintained and improved in order to support regional transportation goals. Despite the intensity of human activity within the district, Midtown contains or is adjacent to prominent natural resource lands such as the Karns Meadow, Flat Creek, East Gros Ventre Butte, High School Butte and the northwestern foot of Snow King Mountain. A key characteristic of this area is the mule deer movement corridor between East Gros Ventre Butte and Karns Meadow, and consequently, the high rate of wildlife vehicle collisions along West Broadway Avenue. The natural resources found in or adjacent to this district should be considered in the course of future planning, with development being located in a way that protects wildlife habitat and facilitates wildlife movement through the district. Future enhancements and redevelopment should seek to incorporate Flat Creek as a recreational and ecological amenity for the entire community. Whether it is enhancing the gateway to Town at the Y intersection, redeveloping under-utilized properties with mixed use structures, improving alternative transportation infrastructure and connectivity, or enhancements to Flat Creek - change in this district is desirable.

Complies: The proposed text amendments in District 4 will are consistent with the above vision by providing new standards that will increase the vitality of the existing highway corridor while also improving both site design and building design. The amendments will also allow for protect sensitive hillsides and provide for significant new opportunities for workforce housing in the form of larger apartment buildings that are appropriately oriented toward the street and increase multi-odal transportation options.

Common Value 1: Ecosystem Stewardship
1.1.c: Design for wildlife permeability

Complies. The proposed text amendments in District 4 will allow for development that can accommodate wildlife movement between East Gros Ventre Butte and Karns Meadow. Specific measures to do so are often generated through the Environmental Analysis process for properties in the Natural Resources Overlay, which will apply to District 4 properties as required by the LDRs.

Common Value 2: Growth Management
4.1.b: Emphasize a variety of housing types, including deed-restricted housing

Complies. The proposed text amendments in District 4 will not only encourage a wide variety of market housing (single-family up to large apartment buildings) but will encourage development of hundreds of deed restricted units along the highway corridor in District 4 through the "fill the box" workforce housing incentive.

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

Complies. The proposed text amendments in District 4 will provide additional FAR for commercial and residential purposes and help incentive the redevelopment of the highway commercial corridor, thus helping to maintain Jackson as the economic center of the region.

4.2.c: Create vibrant walkable mixed use subareas

Complies. The proposed text amendments in District 4 will encourage mixed-used development, including the provision of new sidewalks, in an area of town that is often not conducive to pedestrian travel. The proposed LDRs also try to encourage the creation of additional street and pedestrian connections where they are currently lacking to reduce traffic congestion and increase safe pedestrian options consistent with Policy 4.2.c.

4.3.a: Preserve and enhance stable subareas

Not applicable.

4.3.b: Create and develop transitional subareas

Complies. The proposed text amendments in District 4 will allow for increased development potential in Transitional subareas 4.1 Midtown Highway Corridor, 4.2 Northern Hillside, and 4.3 Central Midtown, for the primary purpose of creating mixed-use projects and workforce housing where infrastructure, jobs, public transportation, and other services exist to serve patrons and new residents.

4.4.b Enhance Jackson gateways

Complies. The proposed text amendments in District 4 will include new zoning for the properties located on Highway 22 and the "Y" intersection which are considered one of Jackson's three main gateways. The proposed LDRs include site design standards and additional Design Review Committee review that will help improve the visual appearance of buildings in this important gateway consistent with policy 4.4.b.

4.4.d: Enhance natural features in the built environment

Complies. While the proposed text amendments in District 4 do not directly include standards to enhance natural features (this should come from the Natural Resources LDR update currently under consideration), the proposed standards do try to limit additional density on steep slopes (Budge Hillside) consistent with Policy 4.4.d.

Common Value 3: Quality of Life

5.2.d: Encourage deed-restricted rental units

Complies. The proposed text amendments in District 4 will encourage development of hundreds of deed restricted units in District 4 through the "fill the box" workforce housing incentive. In addition, developers will likely create voluntary deed-restricted housing due to other incentives available in the proposed LDRs, such a reduced LSRs and a streamlined development review process intended to reduce the time and cost to develop larger residential projects.

5.3.b: Preserve existing workforce housing stock

Complies. Although the proposed text amendments in District 4 are not specifically targeted to preserve existing workforce housing stock, the Districts 3 – 6 amendments as a whole will contribute to this goal by incentivizing a significant increase in the supply of new workforce housing that will likely reduce the pressure on existing stock and free up that housing for renters and buyers previously shut out of the market.

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

Complies. Although the proposed text amendments in District 4 are not specifically targeted to encourage lifestyle-based businesses, the amendments are intended to create a more vital commercial corridor that should increase opportunities for the these types of businesses to get a start or expand in Jackson consistent with Policy 6.2.b.

6.2.c: Encourage local entrepreneurial opportunities

Complies. The proposed text amendments in District 4 will encourage local entrepreneurial opportunities by helping to create a more vital commercial corridor that should provide new and improved commercial spaces for all types of businesses to get a start or expand in Jackson consistent with Policy 6.2.c.

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

Complies. The proposed text amendments in District 4 will encourage density in areas that are well-served by transit and within walking and bike distance of jobs and services. This should increase the user-base for these alternative modes of travel.

7.2.d: Complete key Transportation Network Projects to improve connectivity

Complies. Although the proposed text amendments in District 4 do not specifically identify new transportation improvements or key connections that will be developed, the amendments do discuss and encourage the new development to provide such connections when feasible and necessary.

7.3.b: Reduce wildlife and natural and scenic resource impacts

Complies. The proposed text amendments in District 4 will reduce impacts on wildlife, natural, and scenic resources by relocating up to 1,800 residential units from the Rural areas of the County into Town which will protect precious wildlife habitat and scenic open space. Increased workforce housing located in Town will also help to reduce wildlife collisions on the highway as the number of commuters is reduced by increased local workforce housing supply.

District 5: West Jackson

West Jackson currently exists as one of the most Complete Neighborhoods within the community, with its most significant characteristic being its wide variety of land uses. This diverse district is highly automobile oriented and contains a variety of non-residential uses, a variety of residential types and sizes, light industrial and the majority of the community's public schools. It also contains a large undeveloped agricultural area south of High School Road, and Flat Creek as a prominent natural feature. The future goal of the district will be to take advantage of the existing variety of land uses and Complete Neighborhood amenities and develop them into a more attractive and well connected district. The continuation of light industrial uses is necessary to support the local economy. The preservation of existing residential areas that provide workforce housing, will be essential in meeting the Growth Management and workforce housing goals of the community. Enhancement of the southern gateway into Town into a mixed use corridor with improved connectivity and visual appearance will also be important. A key challenge of the district will be to address transportation congestion, safety and connectivity issues. Possible solutions may come in many forms, including consideration of an east/west connector south of High School Road and/or the Tribal Trails connector, complete street improvements to collector roads including High School, Middle School, Gregory Lane and South Park Loop and improved alternative mode connectivity throughout the district.

Complies: The proposed text amendments in District 5 will are consistent with the above vision by providing new standards that will increase the vitality of the existing highway corridor while also improving both site design and building design. The amendments will also allow for protect sensitive hillsides and provide for significant new opportunities for workforce housing in the form of larger apartment buildings that are appropriately oriented toward the street and increase multi-odal transportation options.

Common Value 1: Ecosystem Stewardship

Not Applicable.

Common Value 2: Growth Management
Policy 4.1.b: Emphasize a variety of housing types, including deed-restricted housing

Complies. The proposed text amendments in District 5 will not only encourage a wide variety of market housing (single-family up to large apartment buildings) but will encourage development of hundreds of deed restricted units along the highway corridor in District 5 through the "fill the box" workforce housing incentive.

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

Complies. The proposed text amendments in District 5 will provide additional FAR for commercial and residential purposes and help incentive the redevelopment of the highway commercial corridor, thus helping to maintain Jackson as the economic center of the region.

Policy 4.2.c: Create vibrant walkable mixed use subareas

Complies. The proposed text amendments in District 5 will encourage mixed-used development, including the provision of new sidewalks, in an area of town that is often not conducive to pedestrian travel. The proposed LDRs also try to encourage the creation of additional street and pedestrian connections where they are currently lacking to reduce traffic congestion and increase safe pedestrian options consistent with Policy 4.2.c.

Policy 4.3.a: Preserve and enhance stable subareas

Not Applicable.

Policy 4.3.b: Create and develop transitional subareas

Complies.The proposed text amendments in District 5 will allow for increased development potential in Transitional subareas 5.1 West Jackson Highway Corridor, and 5.3 High School Butte for the primary purpose of creating mixed-use projects and workforce housing where infrastructure, jobs, public transportation, and other services exist to serve patrons and new residents.

Policy 4.4.b Enhance Jackson gateways

Complies. The proposed text amendments in District 5 will include new zoning for the properties located on Highway 89 at the south entrance to Town which are considered one of Jackson's three main gateways. The proposed LDRs include site design standards and additional Design Review Committee review that will help improve the visual appearance of buildings in this important gateway consistent with policy 4.4.b.

Common Value 3: Quality of Life

Policy 5.3.b: Preserve existing workforce housing stock

Complies. Although the proposed text amendments in District 5 are not specifically targeted to preserve existing workforce housing stock, the Districts 3 – 6 amendments as a whole will contribute to this goal by incentivizing a significant increase in the supply of new workforce housing that will likely reduce the pressure on existing stock and free up that housing for renters and buyers previously shut out of the market.

Policy 6.2.b: Support businesses located in the community because of our lifestyle

Complies. Although the proposed text amendments in District 5 are not specifically targeted to encourage lifestyle-based businesses, the amendments are intended to create a more vital commercial corridor that should increase opportunities for the these types of businesses to get a start or expand in Jackson consistent with Policy 6.2.b.

Policy 6.2.c: Encourage local entrepreneurial opportunities

Complies. The proposed text amendments in District 5 will encourage local entrepreneurial opportunities by helping to create a more vital commercial corridor that should provide new and improved commercial spaces for all types of businesses to get a start or expand in Jackson consistent with Policy 6.2.c.

Policy 6.2.d: Promote light industry

Complies. The proposed text amendments in District 5 will allow light industrial uses in a broader area along the highway corridor so this will expand opportunities for these types of uses consistent with Policy 6.2.d.

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

Complies. The proposed text amendments in District 5 will encourage density in areas that are well-served by transit and within walking and bike distance of jobs and services. This should increase the user-base for these alternative modes of travel.

Policy 7.2.d: Complete key Transportation Network Projects to improve connectivity

Complies. Although the proposed text amendments in District 5 do not specifically identify new transportation improvements or key connections that will be developed, the amendments do discuss and encourage the new development to provide such connections when feasible and necessary.

District 6: Town Periphery

The Town Periphery District is located at the edges of Town, acting as the interface between the rural land of the unincorporated County and the National Forest. This district is made up of predominantly low density single family residential development. Located at the periphery of the district is a wildlife presence that is part of the defining character of the district. These areas are close to many of the amenities of a Complete Neighborhood located in other Town districts; however, they are often not within the preferred ¼ to ½ mile walking distance. The existing street network primarily consists of low volume residential streets without any pedestrian or other alternative mode accommodations. In the future, the desired character will remain the same, with low density single family development remaining the principal land use. While further subdivision of this Complete Neighborhood may be necessary to further the Growth Management goals of the plan it should be in keeping with existing character. The establishment of both minimum and maximum lot and house sizes should be developed to preserve the existing character. 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. Residents in these areas do not wish to add any significant amenities to become more Complete Neighborhoods. Their close proximity to local convenience commercial, START bus, parks, pathways, and other amenities in adjacent districts is a desirable characteristic and should be maintained. All future development, including improvements to existing properties, should be designed to improve wildlife permeability by providing wildlife friendly fencing, keeping development setback from riparian areas/ wetlands, and implementing other solutions known to increase permeability. The existing street networks will be maintained with limited alternative mode improvements on collector roadways. Pedestrian/bike amenities such as pathways will be added to connect this district to surrounding districts with Complete Neighborhood amenities and to connect our community to adjacent public lands. A challenge in this district will be maintaining its workforce housing demographic in the future. Maintenance of the expansive forested hillsides is also necessary to achieve the goal of preserving its scenic value, which is enjoyed from many areas outside of the district.

Complies. The proposed text amendments in District 6 are consistent with this vision by providing new rules that will protect the character of Stable subareas from increased development that would be incompatible with the wildlife habitat, natural sources, and scenic values in this unique part of Town.

Common Value 1: Ecosystem Stewardship

Policy 1.1.c: Design for wildlife permeability

Complies. The proposed text amendments in District 6 will encourage wildlife permeability by decreasing subdivision potential so that wildlife will have fewer physical obstacles and other deterrents (dogs, people, etc.) to moving through this sensitive area.

Policy 1.3.b: Maintain expansive hillside and foreground vistas

Complies. The proposed text amendments in District 6 will limit development on steep hillsides and so will help preserve the views both from and to the hillside areas in District 6, consistent with Policy 1.3.b.

Common Value 2: Growth Management

Policy 4.3.a: Preserve and enhance stable areas

Complies. The proposed text amendments in District 6 will preserve and enhance stable subareas 6.1 Low to Medium Density Neighborhoods and 6.2 Upper Cache by reducing subdivision potential which will essentially preserve the existing residential density and character of this unique periphery area.

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

Complies. The proposed text amendments in District 6 will preserve and enhance natural features in the built environment by reducing subdivision potential which will help protect the steep slopes, riparian areas, and wildlife habitat in District 6.

Common Value 3: Quality of Life

Policy 5.3.b: Preserve existing workforce housing stock

Complies. Complies. Although the proposed text amendments in District 6 are not specifically targeted to preserve existing workforce housing stock, the Districts 3 – 6 amendments as a whole will contribute to this goal by incentivizing a significant increase in the supply of new workforce housing that will likely reduce the pressure on existing stock and free up that housing for renters and buyers previously shut out of the market.

6. **Is consistent with other adopted Town Ordinances**

   Yes. The proposed text amendments for the Districts 3 - 6 and Town Parking LDRs are consistent with other adopted Town Ordinances.

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

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

   Yes. The proposed amendments to the Official Zoning Map for Districts 3 - 6 are a continuation of the effort to update the zoning map of the LDRs and are consistent with the LDRs' primary purpose which is to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. In addition, the proposed new Districts 3 - 6 zoning districts are consistent with the LDRs' goals to improve predictability in LDR implementation and to focus on desired future character as the organizing principle for development in the Town.

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

   Yes. The proposed amendments to the Official Zoning Map for Districts 3 - 6 are a continuation of the effort to update the Official Zoning Map to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. The proposed zoning map changes will implement the desired future character of Districts 3 - 6 by ensuring that each subarea is carefully considered with new zoning rules to reflect the particular goals of each subarea. In addition, because the zoning map amendments are essentially the locational representation of the text amendments for the new Districts 3 - 6 zones, please see the above responses for Finding #5 for text amendments as a response for this finding.

3. **Is necessary to address changing conditions or public necessity**

Yes. The adoption of a Jackson/Teton County Comprehensive Plan adopted in May 2012 is a new condition that requires the Town to update its LDRs and Official Zoning Map to be consistent with the new Comprehensive Plan. The proposed Districts 3 - 6 zoning map amendments, which provide updated zoning regulations for the Town residential areas and commercial corridor south of Downtown, is part of the continuing effort to update the LDRs by the Town to implement the new Comprehensive Plan.

4. **Is consistent with other adopted Town Ordinances**

Yes. The proposed Districts 3 - 6 amendments to the Official Zoning Map are consistent with other adopted Town Ordinances.

PLANNING COMMISSION

As mentioned above, the Planning Commission held public hearings on this item on May 14 and 15. Their recommendations are contained in the attached List of Modifications.

FISCAL IMPACT

Adoption of the proposed Districts 3 – 6 and Parking Study updated LDRs will not significantly change the current level of staff time or resources needed to administer the LDRs, thus minimal fiscal impact to the Town is anticipated.

LEGAL REVIEW

Ongoing. The Town Attorney will continue to review the updates to the Districts 3 – 6 LDRs prior to the Town Council hearings. In particular, draft ordinances will be reviewed prior to first reading on June 25.

ATTACHMENTS

- Proposed Modifications with Staff Recommendations
- Draft redline version of proposed amendments to LDRs for Districts 3 – 6
- Public comment received since April 19, 2018 (prior public comment has been previously provided, contact staff for additional copies.

RECOMMENDATION

The Planning Director recommends Approval of P17-077, the Districts 3 – 6 and Town Parking LDR update, dated March 16, 2018, subject also to the 'Staff and Planning Commission Recommendations on Proposed Modifications' dated 5/24/18, and based on the findings made above.

SUGGESTED MOTION

Item A: Text Amendment

I move to **APPROVE** Item P17-077, the Districts 3 - 6 and Town Parking amendments to the text of Town of Jackson Land Development Regulations, dated March 16, 2018, and as presented by Staff, finding pursuant to Section 8.7.1.C, Findings, that P17-077 is 1) Consistent with purposes of LDRs, 2) Improves consistency with other LDRs, 3) Provides flexibility with standards that clearly define desired character, 4) Necessary to meet changes or public necessity, 5) Improves implementation of Comprehensive Plan, and 6) Consistent with other Town Ordinances; subject to the following modifications:

1. Additional modifications identified by the Council on May 29, 2018.

Item B: Zoning Map Amendment

I move to **APPROVE** Item P17-077, the District 3 - 6 and Town Parking amendments to Official Zoning Map, dated March 16, 2018, and as presented by Staff, finding pursuant to Section 8.7.2.C, Findings for Approval, that P17-077 is 1) Consistent with purposes of LDRs, 2) Improves implementation of desired future character, 3) Necessary to meet changes or public necessity, and 4) Consistent with other Town Ordinances; subject to the following modification:

1. Additional modifications identified by the Council on May 29, 2018.

From:	susan@susanflemingjewelry.com
To:	Town Council
Subject:	Zoning changes - specifically the parcel to the north of Daisy Bush
Date:	Thursday, May 24, 2018 5:13:03 PM

Hello Council members - I am writing today in regards to the current zoning proposal changes to the May Park area and specifically the parcel to the north of Daisy Bush. While I support creating density and housing in town, I think there are appropriate areas and less appropriate areas for such density to occur. I am writing to urge you to consider NL-2 zoning for the parcel to the north of Daisy Bush as it seems the most appropriate and similar (would be more dense than Daisy Bush) to the surrounding neighborhoods. This section of East Jackson is primarily owner occupied units and there is a real sense of community and neighborliness. Under the current proposal for this area, it seems as though a much larger scale building or set of buildings could potentially be built. This is not an area that can support this type of density as we currently have no sidewalks on Nelson Drive and no plans for sidewalks in the future, Nelson is narrow with a sharp curve where people drive too fast already, there are parking issues in this area already, the area is not in walking distance to grocery stores, post office, restaurants, jobs, etc., and it is adjacent to a wildlife area. I do believe that the current proposed zoning is not in character with the surrounding neighborhood and encourage you to consider NL-2 zoning so that we don't exacerbate existing problems.
Thank you for your time-
Susan Fleming
East Jackson

From:	Tim Grimes
To:	Town Council
Subject:	East Jackson Proposed Zoning
Date:	Thursday, May 24, 2018 11:47:15 AM

Dear Council,
I am writing to recommend that the Daisy Bush and USFS parcels at the end of Nelson Street be considering for a zoning of NL-2.
I have heard that the staff had recommended lowering the proposed zoning from the NH-1 to a less dense zoning. I feel the NL-2 zoning will be best suited for the density of the current Daisy Bush area. Nelson and Rancher neighborhoods have been declared "Stable" by the towns review and I feel that the Daisy Bush current build out is appropriate for the area. I am not calling for "Not in my Backyard" type of stance. I have lived on Nelson Street for close to 10 years and I was all for the Daisy Bush build out and still am. I also have witnessed greater traffic, but primarily more parking on the street. The town has already limited parking to one side of the street due to previous problems of a too narrow a street for overlap parking. Nelson Drive is a huge bicycle access currently to the Cache Creek area and should remain a safe area for that. I think the implications for the USFS property becoming built out to a denser proposed zoning is something else that must be closely looked at. Wildland Urban Interface, Wildlife corridors and greatly increased traffic will be quite problematic if ever instigated.
We have no sidewalks and no grocery stores or restaurants close at hand, this area can stand some density but NL-2 would be the most the neighborhood could bear.
Thanks for listening to my comments and look forward to your thoughtful recommendation,
Tim Grimes
40 Nelson Dr.
1-307-690-6064

From: Paul Anthony
To: Tiffany Stolte
Subject: FW: Districts 3-6 - 115 Nelson Drive Zoning
Date: Tuesday, May 29, 2018 2:25:31 PM

See public comment below…

From: Bruce Hawtin [mailto:bhawtin@hawtinjorgensen.com]
Sent: Tuesday, May 29, 2018 2:10 PM
To: Town Council <electedofficials@jacksonwy.gov>; Pete Muldoon <pmuldoon@jacksonwy.gov>
Cc: Tyler Sinclair <tsinclair@jacksonwy.gov>; Paul Anthony <panthony@jacksonwy.gov>
Subject: Districts 3-6 - 115 Nelson Drive Zoning

Dear Mayor Muldoon and Town Council Members,

We own a 1.3 acre property at 115 Nelson Drive. We recently asked for a reduction in intensity by asking that the proposed zoning be reduced two levels from Neighborhood High 1 (NH-1) to Neighborhood Medium 1 (NM-1), as stated in a May 11, 2018 letter to the Town Council and the Planning Department. Both the Planning Department and the Planning Commission have accepted that feedback and that recommendation has been forwarded to you.

We feel this reduction in intensity is reasonable and appropriate for the neighborhood. The NM-1 zoning speaks to bulk and scale issues and increases density over the current zoning to contribute to the Comprehensive Plan goals of shifting density from the County to the Town. We have spent significant time reaching out, and listening, to immediate nieghbors and very much appreciate the time they have spent with us and Arne Jorgensen. While some of the concerns have been addressed, it is our understanding that some neighbors are going to request further reductions in intensity. While we very much respect the input of the neighbors, we continue to be comfortable that the recommended zoning of NM-1 is appropriate. This based on several factors:

- There are certainly impacts of increased density but we feel that the scale of what could take place on this property is well within a reasonable level. The property is accessed from from Nelson which ties to two significant east/west streets. While not immediately adjacent, a bus stop and sidewalks are within reasonable walking distances.
- The aggregate of density on this property is smaller than what has occurred in the recent past of some increased density along with the redevelopment of older single family units and empty lots throughout East Jackson.
- As we point out above, the overarching positive benefits to the community as presented in our Comprehensive Plan goals and priorities should be part of this discussion.

After listening to our neighbors and the points of concern, we would suggest the following edits to address the issues of total units and building configuration:

- In section 2.1.5.F, remove the first graphic in the second line labeled '2 detached units + Two attached ARUs'. While ARUs are a very positive use in these zones, having them all attached seems to be counter to the duplex focus of this zone.
- Add an Additional Zone-specific Standard under the proposed Neighborhood Medium 1 zone (2.1.5.E.3).

3. Attached Single-Family Unit/Apartment. No more than 2 units are allowed per building. This standard is to be applied to all buildings regardless of ownership or platting configuation.

This suggested language is based on similar language in the proposed Neighborhood Medium 2 (2.1.6.E.1).

In addition to the specific regulatory comments above, we have heard the concerns about on street parking. We agree that this is a real concern but that it is best addressed through community wide efforts to ensure that our on street parking is appropriately managed regardless of an individual property impact.

In closing, one of the best things that happened to our property on Kelly Street is the Affordable Housing Project across the street. Carolynn grew up sitting at the kitchen table looking across the street to a wonderful historic log home, several rentals pushed back to the alley, empty lots and two glorious crab apple trees. Our family was inspired by my 90 year old mother who liked the change and never complained. She loved seeing the young families, older people etc that had a home. Before mom died, one of the owners who was a painter came over and painted her garage door without charge. So great to be in a caring neighborhood. That project added housing and wonderful neighbors that serve this town. If we want economic diversity we have to welcome more density in town.

Thank you for your consideration of this appeal. We look forward to your decision and we are available at any time to discuss this issue.

Best Regards,

Bruce Hawtin 307-690-1125
Carolynn Hawtin 307-690-1124

From:	Paul Anthony
To:	Tiffany Stolte
Subject:	FW: Districts 3-6 - 115 Nelson Drive Zoning
Date:	Thursday, June 21, 2018 9:23:11 AM

From: Arne Jorgensen [mailto:ajorgensen@hawtinjorgensen.com]
Sent: Wednesday, May 30, 2018 5:59 PM
To: Tyler Sinclair <tsinclair@jacksonwy.gov>; Paul Anthony <panthony@jacksonwy.gov>
Cc: Town Council <electedofficials@jacksonwy.gov>
Subject: Districts 3-6 - 115 Nelson Drive Zoning

Tyler and Paul

As always, thank you for your efforts in walking the community through these discussions about our community's future.

I wanted to follow up on the discussion that the three of us had yesterday evening about the suggestions offered by Bruce and Carolynn Hawtin and on which I commented during Public Comment.

Most seem to acknowledge that buildings that contain four units on a parcel such as 115 Nelson are not desired given the parcel size and neighborhood context. While it is likely that given the mix of standards of Landscape Surface Ratio, parking, and setbacks that these larger number of units in a single building are not likely, I feel that we should find language that clearly implements the goal of nothing greater than duplexes on more constrained parcels.

I understand that there is some concern that the proposed language may not take into account other Neighborhood Medium 1 zoned areas that may be able to reasonably accommodate the duplex configuration with possible ARUs. I would strongly suggest that we should look to address the concerns mentioned related to 115 Nelson and offer the following.
Add an Additional Zone-specific Standard under the proposed Neighborhood Medium 1 zone (2.1.5.E.3):
3. On lots containing a Detached Single Family Unit, an ARU is permitted. On lots containing two Attached Single Family Units/Apartment, ARUs are only permitted where access is provided from both a street and an alley prior to a potential lot split.

I believe that this language would be a reasonable response to the Public Comment referencing uncertain density on the 115 Nelson parcel.

Thank you again for all of your efforts.

Arne O. Jorgensen
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Hawtin Jorgensen Architects
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Begin forwarded message:

From: Bruce Hawtin <bhawtin@hawtinjorgensen.com>
Subject: Districts 3-6 - 115 Nelson Drive Zoning
Date: May 29, 2018 at 2:10:02 PM MDT
To: council@jacksonwy.gov, Pete Muldoon <pmuldoon@jacksonwy.gov>
Cc: Tyler Sinclair <tsinclair@ci.jackson.wy.us>, Paul Anthony <panthony@ci.jackson.wy.us>

Dear Mayor Muldoon and Town Council Members,

We own a 1.3 acre property at 115 Nelson Drive. We recently asked for a reduction in intensity by asking that the proposed zoning be reduced two levels from Neighborhood High 1 (NH-1) to Neighborhood Medium 1 (NM-1), as stated in a May 11, 2018 letter to the Town Council and the Planning Department. Both the Planning Department and the Planning Commission have accepted that feedback and that recommendation has been forwarded to you.

We feel this reduction in intensity is reasonable and appropriate for the neighborhood. The NM-1 zoning speaks to bulk and scale issues and increases density over the current zoning to contribute to the Comprehensive Plan goals of shifting density from the County to the Town. We have spent significant time reaching out, and listening, to immediate nieghbors and very much appreciate the time they have spent with us and Arne Jorgensen. While some of the concerns have been addressed, it is our understanding that some neighbors are going to request further reductions in intensity. While we very much respect the input of the neighbors, we continue to be comfortable that the recommended zoning of NM-1 is appropriate. This based on several factors:

- There are certainly impacts of increased density but we feel that the scale of what could take place on this property is well within a reasonable level. The property is accessed from from Nelson which ties to two significant east/west streets. While not immediately adjacent, a bus stop and sidewalks are within reasonable walking distances.
- The aggregate of density on this property is smaller than what has occurred in the recent past of some increased density along with the redevelopment of older single family units and empty lots throughout East Jackson.
- As we point out above, the overarching positive benefits to the community as presented in our Comprehensive Plan goals and priorities should be part of this discussion.

After listening to our neighbors and the points of concern, we would suggest the following edits to address the issues of total units and building configuration:

- In section 2.1.5.F, remove the first graphic in the second line labeled '2 detached units + Two attached ARUs'. While ARUs are a very positive use in these zones, having them all attached seems to be counter to the duplex focus of this zone.
- Add an Additional Zone-specific Standard under the proposed Neighborhood Medium 1 zone (2.1.5.E.3).

3. Attached Single-Family Unit/Apartment. No more than 2 units are allowed per building. This standard is to be applied to all buildings regardless of ownership or platting configuation.

This suggested language is based on similar language in the proposed Neighborhood Medium 2 (2.1.6.E.1).
In addition to the specific regulatory comments above, we have heard the concerns about on street parking. We agree that this is a real concern but that it is best addressed through community wide efforts to ensure that our on street parking is appropriately managed regardless of an individual property impact.

In closing, one of the best things that happened to our property on Kelly Street is the Affordable Housing Project across the street. Carolynn grew up sitting at the kitchen table looking across the street to a wonderful historic log home, several rentals pushed back to the alley, empty lots and two glorious crab apple trees. Our family was inspired by my 90 year old mother who liked the change and never complained. She loved seeing the young families, older people etc that had a home. Before mom died, one of the owners who was a painter came over and painted her garage door without charge. So great to be in a caring neighborhood. That project added housing and wonderful neighbors that serve this town. If we want economic diversity we have to welcome more density in town.

Thank you for your consideration of this appeal. We look forward to your decision and we are available at any time to discuss this issue.

Best Regards,

Bruce Hawtin 307-690-1125
Carolynn Hawtin 307-690-1124

From: Paul Walters
To: "feedback@jacksontetonplan.com"
Subject: Possible up zoning of MayPark/East Jackson Area
Date: Tuesday, June 12, 2018 9:02:30 AM

Greetings,

I am a home owner on East Hansen, have been for close to 30 years. I know I'm getting into the 'game' a bit late but I would like to comment on the proposed up zone of my 'neighborhood'.
Yes, it is a 'neighborhood', which currently functions well under the current zoning regime. I've talked to many of my friends and neighbors about this possible zoning change, and to the person all seem to agree that 'reasonableness' is the key concept.
Up zone - yes, reasonably – NL-2, seems doable. Other up zones – unacceptable, for all the reasons you have heard already – Safety, density, traffic, parking, noise, wildlife conflict, walkability, snow removal, etc.
Please don't overbuild our neighborhood – be reasonable, and do the right thing for all the residents of East Jackson.

Very Sincerely,

Paul

The Paul Walters Family
400 Henley Rd.

From:	Paul Anthony
To:	Tiffany Stolte
Subject:	FW: URGENT - NL-1 - No detached ARU on lot less than min size - increase in Min lot size
Date:	Wednesday, June 20, 2018 4:10:35 PM

For the file…thx

From: Destin Peters [mailto:destin@enclosurestudio.com]
Sent: Wednesday, June 20, 2018 2:53 PM
To: Tyler Valentine <tvalentine@jacksonwy.gov>
Cc: Paul Anthony <panthony@jacksonwy.gov>
Subject: URGENT - NL-1 - No detached ARU on lot less than min size - increase in Min lot size

Tyler,

Just caught this today, very concerning. What's the status of this?

How to we ditch the min lot size increase in NL-1?

What is the proposed date to adopt the new LDR's?

..warning, begin rant....

Reducing density in an area that has very quick access to downtown Jackson, and is a 5 min walk from the start bus is shooting ourselves in the foot for housing opportunities.

We'll be creating/maintaining more situations like a a number of the homes on Upper Cache, expensive homes on large lots that are only occupied a few weeks of the year.

Anyhow, pretty frustrating that the working middle class who are hustling to make it in this town don't always have time to fully engage with the process - but the retired or wealthy NIMBY's do - giving the no-growth crowd a disproportional voice.

Thanks,

Destin Peters | EnclosureStudio
www.enclosurestudio.com
Jackson WY | 307.690.0498

ORDINANCE G

AN ORDINANCE ADDING A NEW TITLE 16 TO THE TOWN OF JACKSON MUNICIPAL CODE REGARDING HOUSING WITH A NEW CHAPTER 16.10 ENACTING THE TOWN OF JACKSON HOUSING RULES AND REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

There is hereby added to the Town of Jackson Municipal Code a new Title 16 regarding Housing and with a new Chapter 16.10 enacting the Town of Jackson Housing Rules and Regulations to read as follows:

Title 16 Housing

Title 16
Housing

Chapters:

16.10 TOWN OF JACKSON HOUSING RULES AND REGULATIONS

Chapter 16.10
TOWN OF JACKSON HOUSING RULES AND REGULATIONS

Sections:

16.10.000 Introduction.
16.10.001 Purpose and General Goals.
16.10.002 Housing Development Standards and Procedures.
16.10.003 Qualification and Eligibility.
16.10.004 Weighted Drawing.
16.10.005 Purchase and Sale Standards and Procedures.
16.10.006 Rental Standards and Procedures.
16.10.007 Compliance and Exception, Appeal, Grievance Standards and Procedures.
16.10.008 Definitions.

16.10.000 Introduction.

A. List of Commonly Used Acronyms.

Acronym	Full Text
ARU	Accessory Residential Units
AMI	Area Median Income
CC&Rs	Covenants, Conditions, & Restrictions
CPI	Consumer Price Index
HOA	Homeowners Association
HUD	U.S. Department of Housing and Urban Development
JTCHA	Jackson/Teton County Housing Authority
LDRs	Land Development Regulations
MFI	Median Family Income
MRP	Maximum Resale Price
OPP	Original Purchase Price
SF	Square Feet

B. Summary of Housing Programs.

The general goal of all housing programs covered by the Housing Department Rules and Regulations is to provide and maintain housing affordable to persons and families who make a living primarily from employment located in Teton County, Wyoming. The housing programs addressed in the Housing Department Rules and Regulations are: Affordable Ownership, Affordable Rental, Workforce Ownership, and Workforce Rental. Legacy programs (including Accessory Residential Units, Attainable units, Employee units, and Employment-based units) are referenced in some properties' restrictions, so these Housing Department Rules and Regulations also contain the rules that pertain to these programs.
Descriptions of Applicable Programs:

1. Accessory Residential Units (ARU) – Units created through this program are developed as part of nonresidential developments that are exempt from the housing requirements set by the LDRs. These units are rented to workers employed in Teton County, and they must remain as rental property (i.e., they cannot be converted to condominiums). Accessory Residential Units developed after June 4, 2018 will be part of the "Workforce Rental" program.

2. Affordable – These are units created through the mandatory affordable housing mitigation requirements included in the Town and County Land Development Regulations (LDRs). The Affordable housing program is divided into "Affordable Ownership" and "Affordable Rental," and each has restricted pricing based on applicable affordability ranges.

3. Attainable – These units were built before housing standards were codified in the LDRs. No more Attainable housing units will be constructed, but the Housing Department Rules and Regulations still apply through the management of existing units. Specific requirements for these units are recorded as covenants on the property deed, and the Housing Department Rules and Regulations are referenced through these covenants.

4. Employee – These rental housing units are built to comply with the housing mitigation requirements for new nonresidential development set out in the Town and County LDRs. Initially, these units were intended to provide housing to seasonal workers, but they are not restricted to occupancy by seasonal workers. These Housing Department Rules and Regulations have been updated to reflect the Town and County's policy direction in 2017, which aligns with the Comprehensive Plan's goal of housing the local year-round workforce. The owner of the Employee housing units ultimately makes the decision about unit tenancy so long as the household qualifies, and household income is capped at 120% AMI. These units can be converted to condominiums for workforce employers. If the Housing Department Rules and Regulations and the restrictions recorded on the deeds of these properties conflict, then the language, requirement, and/or provision of the restrictions shall be applied and followed, not the Housing Department Rules and Regulations. Employee units developed after June 4, 2018 will be part of the "Affordable Rental" program.

5. Employment-Based – This is a program that the Town of Jackson initiated to create restricted ownership units for sale to households that are employed in Teton County, but do not fit within the affordability ranges set out in the LDRs. These units are not developed under a mandatory requirement set out in the Town's LDRs. These units do not have income or asset limits. Qualifying households are required to be employed at least 30 hours per week at a local business and earn 75% of income from employment at a business located in Teton County. Employment-Based units developed after June 4, 2018 will be part of the "Workforce Ownership" program.

6. Workforce Housing Programs – This program is divided into "Workforce Rental" units and "Workforce Ownership" units. There is no cap on the original purchase price or the initial rental rate. Once an ownership unit is sold or rented, the maximum resale price or rental rate is restricted to an appreciation cap on the unit as recorded in the covenants on the deed. The Housing Department Rules and Regulations apply to these units with respect to qualification rules, livability and minimum/maximum square footage requirements, and resale standards.

16.10.001 Purpose and General Goals.

A. Purpose – The Jackson/Teton County Affordable Housing Department ("Housing Department") was created by Teton County, Wyoming and the Town of Jackson, Wyoming on March 14, 2016 Town Resolution 16-04 and County Resolution 16-008. The purpose of these Housing Department Rules and Regulations ("Housing Rules") is to provide comprehensive and consistent provisions that apply to housing units created through the Town or County established housing programs and/or administered by the joint Town of Jackson/Teton County Housing Department (hereafter "Housing Department").

The Housing Department Rules and Regulations were formerly known as the "Guidelines." When the Housing Guidelines are referenced in documents promulgated prior to the adoption of the 2018 Housing Department Rules and Regulations, the reference of guidelines refers to these Housing Department Rules and Regulations.

1. Applicability.

   a. Subject to Provisions that are Unique to Specific Program - Each housing program covered in these Housing Department Rules and Regulations is subject to provisions that are unique to that program as indicated in these Housing Department Rules and Regulations.

   b. Subject to Provisions of the Restrictions Recorded on the Property - Restricted housing units are subject to individual deed restrictions, special restrictions, or ground leases, (collectively "restrictions") which may have additional requirements or provisions. If the Housing Department Rules and Regulations and the restrictions conflict, then the language, requirement, and/or provision of the Restrictions shall be applied and followed, not the Housing Department Rules and Regulations. The Restrictions recorded on the property supersede any inconsistency in these Housing Department Rules and Regulations.

   c. Subject to Federal Fair Housing Law (The Fair Housing Amendments Act of 1988) - The Housing Department recognizes that the Office of Fair Housing and Equal Opportunity administers and enforces federal laws and establishes policies that ensure that all Americans have equal access to the housing of their choice. The Housing Department does business in accordance with the Federal Fair Housing Law (The Fair Housing Amendments Act of 1988).

      i. Discrimination - It is Illegal to discriminate against any person because of race, color, religion, sex, handicap, familial status, or national origin in the sale or rental of housing, in the financing of housing, in the provision of real estate brokerage services, or in the appraisal of housing.

         a) Filing a Complaint - Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination to the HUD Housing Discrimination Hotline, 1-800-669-9777 (Toll Free), or the TDD line for the hearing impaired, 1-800-927-9275.

      ii. Blockbusting - Blockbusting is also prohibited. Blockbusting is the practice of illegally frightening homeowners by telling them that people who are members of a particular race, religion, or national origin are moving into their neighborhood and that they should expect a decline in the value of their property. The purpose of this scheme is to get the homeowners to sell at a deflated price.

   d. Disclaimer - The Jackson/Teton County Affordable Housing Department ("Housing Department") expressly disclaims any and all warranties, express or implied, including without limitation fitness for a particular purpose with respect to the provision of restricted housing units. The Housing Department does not represent, warrant, or promise to construct, finance, or otherwise produce, in whole or in part, any restricted housing units pursuant to these Housing Department Rules and Regulations or under any other programs. No

applicant may rely upon any promise implied or expressed that restricted housing units shall be constructed, financed, or otherwise produced, in whole or in part, by the Housing Department. In no event shall the Housing Department be liable to any applicant for any direct, indirect, incidental, punitive, or consequential damage of any kind whatsoever, including without limitation lost profits, lost sales, lost business, lost opportunity, lost information, lost or wasted time. None of the information contained in these Housing Department Rules and Regulations constitutes an offer to sell or the solicitation of an offer to buy a restricted housing unit.

B. General Policy Goals – The general goal of all housing programs covered by these Housing Department Rules and Regulations is to provide and maintain housing affordable to persons and families who make a living primarily from employment located in Teton County, Wyoming, which includes the Affordable, Attainable, Employee, Employment-Based, Accessory Residential Unit, and Workforce housing programs. This is accomplished by regulating the occupancy, use, sale and/or rental of the restricted housing units covered by the Housing Department Rules and Regulations to qualified households as defined herein.

1. Promoting Economic and Social Diversity - Certain housing programs also limit initial eligibility of qualified households based on financial means criteria, which may include both household income and household net assets. Such financial qualifying factors promote economic and social diversity within the Jackson Hole community.

2. Ensuring Long-Term Affordability - Many of the restricted housing units covered by these Housing Department Rules and Regulations are subject to price limitations for sale, resale and/or rental. These limitations are intended to ensure affordability for both the current household occupying the restricted housing unit and to ensure the long-term affordability of the restricted housing unit.

3. Providing Housing for the Local Workforce - Minimum occupancy requirements apply to all restricted housing units to ensure that the unit meets the community's goals of providing housing for the local workforce by maximizing the space and filling the bedrooms, and to ensure that the restricted housing unit does not serve as a second home.

4. Providing Fair and Consistent Administration - These Housing Department Rules and Regulations are intended to provide clear, fair, and consistent administration of the housing programs to which they apply. It is recognized that there are individual households or restricted housing units that may not fit clearly into the specific provisions of the Housing Department Rules and Regulations, but still meet these general policy goals. For these cases, exception, appeal, and grievance processes have been included in Section **16.10.007** Compliance and Exception, Appeal, and Grievance Standards and Procedures.

C. Relationship to Land Development Regulations – The Town of Jackson and Teton County Land Development Regulations (LDRs) set out standards for the development

and use of land within each jurisdiction. The LDRs include requirements for certain developments to provide affordable housing or fees to offset the additional housing need that the developments create. Specific programs address different types of development. The Planning Department of each jurisdiction reviews development applications to check for compliance with the LDRs.

These Housing Department Rules and Regulations impose additional requirements on the developers of any type of restricted housing units. The Housing Department reviews compliance with these Housing Department Rules and Regulations, both prior to development and during occupancy and use.

1. Standards Applicable Under LDRs versus Housing Department Rules and Regulations - Generally, the LDRs address any provisions that must be met during the development approval phase, while the Housing Department Rules and Regulations address provisions that ensure proper use and maintenance of the restricted housing units throughout their lifetime.

LDR Provisions	Housing Department Rules and Regulations Provisions
Rental/Sale Mix (required mix of units)	Livability Standards (Interior)
Occupancy Standards	Dormitory Livability Standards
Distribution of Income Categories	Livability Requirements for Conversion of Existing Housing Stock
Requirements for Fees in Lieu	Restrictive Covenant Form and Process
Requirements for Conveyance of Land or Conversion of Existing Housing Stock	Sale/Rental Standards and Procedures including Qualification and Eligibility for Each Program
Procedure for Banking Credits	Compliance with Housing Department Rules and Regulations.
Phasing Plan	
Mix by Number of Bedrooms	

2. References Retained for Convenience - All references to the LDRs in these Housing Department Rules and Regulations are for convenience and are not a part of the Housing Department Rules and Regulations.

16.10.002 Housing Development Standards and Procedures.

A. Purpose - The Jackson/Teton County Comprehensive Plan lists three common community values, one of which is quality of life. One of the ways called out to achieve quality of life is through local workforce housing. With regards to workforce housing, the Comprehensive Plan includes the four following principles:

1. Maintain a diverse population by providing workforce housing
2. Strategically locate a variety of housing types
3. Reduce the shortage of housing that is affordable to the workforce

4. Use a balanced set of tools to meet our housing goal

The Town of Jackson and Teton County have several tools to increase the amount of housing that is affordable to the workforce. One of these tools is the requirement and/or incentive in the LDRs for residential and non-residential development to provide permanently restricted workforce housing. This housing represents a substantial and long-term public investment. As such, it is imperative the restricted housing produced be livable and of good quality.

This section, Housing Development Standards and Procedures, is meant to provide guidance to the prospective developers of restricted housing units. Subsection **B** lays out the requirements of the Housing Mitigation Plan, which is reviewed by both the Planning Department and the Housing Department. Subsection **C** sets out the Livability Standards, which are under the Housing Department's purview.

1. Applicability - This Section applies to all developments subject to Division 6.3 and Division 7.4 of the County LDRs and Division 6.3 and Division 7.4 of the Town LDRs. It also applies to any restricted housing units not required through the LDRs that are presented to the Board of County Commissioners or Town Council in development applications.

2. General Policy Goals.

    a. Inform Developers of Standards and Procedures - These Housing Development Standards and Procedures inform prospective developers of the standards and guidelines for construction and sale of restricted housing units, as required by the LDRs and the Housing Department Rules and Regulations.

    b. Provide Fair and Consistent Implementation of Standards and Procedures - These Housing Development Standards and Procedures help the Housing Department implement policies of the LDRs and the Housing Department Rules and Regulations in a fair and consistent manner.

B. Housing Mitigation Plan - A Housing Mitigation Plan for each project shall be submitted according to the provisions of the Teton County and Town of Jackson LDRs [See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4]. A packet with a checklist for a Housing Mitigation Plan can be obtained through the Housing Department or the Town or County Planning Departments.

1. Procedures.

    a. Consultation with Applicant (Optional) - Applicants may meet with Housing Department staff prior to submitting a Housing Mitigation Plan. Although this step is not required, it is often helpful for the applicant and the Housing Department staff to discuss the development proposal and how it meets the LDRs and Housing Department Rules and Regulations.

b. Review - Applications for development that have been submitted to the Town or County Planning and/or Building Departments are reviewed by the Housing Department for compliance with these Housing Department Rules and Regulations.

2. Content - The Housing Mitigation Plan contains some provisions that fall under the purview of the Planning Department, while others fall under the purview of the Housing Department. Specifically, the Housing Department oversees the maximum unit size. Developers should refer to the LDRs for requirements such as the mitigation methods, the mix of units by number of bedrooms and the mix of units by affordability ranges.

   a. Mitigation Method - See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4.

   b. Requirement Calculation - See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4.

   c. Fee Calculations - If the developer proposes Fees In-Lieu as the preferred form of mitigation, the developer shall submit the proposed amount with a Final Development Plan.

      The Housing Department shall update the fees in-lieu for the restricted housing units on an annual basis effective April 1 or within 30 days of HUD publishing updated annual median income data. Fees in-lieu figures are available at the Housing Department office or on the Housing Department website.

   d. Unit Descriptions.

      i. Unit Size - There is no minimum or maximum unit size based on square footage. Size by bedroom mix is located in the LDRs.

      ii. Rental/Sale Mix - As part of the Housing Mitigation Plan, the developer shall state which units are intended as rentals and which are intended as ownership in accordance with the LDRs (See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4).

      iii. Mix of Units by Number of Bedrooms - The intent of the restricted housing programs is to provide a variety of unit types to meet the housing needs of our diverse workforce. The Town and County LDRS set out the specific occupational requirements for housing units. The mix of units by number of bedrooms in each unit is also determined by the Town and County LDRs.

iv. Distribution of Income Categories - See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4.

e. Special Restriction Form and Process - A Special Restriction is a contract between the Board of County Commissioners/Town of Jackson and the owner of real property developed or designated to satisfy the Town or County LDRs. It also applies to other restricted housing units that will be administered by the Housing Department. Special Restrictions shall keep the restricted housing units affordable in perpetuity and provide proper notification of this obligation to subsequent buyers or other interested parties. (See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4).

i. Requirement - The developer shall record Special Restrictions in the public land records for the subject property prior to the issuance of a Certificate of Occupancy by the County or Town.

ii. Process - The Housing Department shall prepare special restrictions according to the process below. Restrictive covenant templates are available from the Housing Department or the Housing Department website.

a) Special Restriction Information Sheet - The developer shall complete the "Special Restriction Information Sheet" and submit to the Housing Department. This form is found at the Housing Department website, or at the Housing Department offices.

b) Preparation of Special Restriction - The Housing Department will prepare the special restriction and provide the document to the developer for review via email or other delivery method.

c) Review - Once reviewed by the developer for accuracy, the Housing Department and the developer ("declarant") will sign the special restriction and deliver to the County or Town for the required signature.

d) Developer Responsibilities - The developer is responsible for signing the special restriction, recording the special restriction with the Teton County Clerk, paying for the recording fees, providing the County or Town Planning Department with a copy of the recorded document, and returning the original to the Jackson/Teton County Housing Department office. The Housing Department shall witness the recording.

e) Modification/Amendment - The developer shall not make modifications to the special restrictions with the exception that when an alternate housing program is approved by the Town Council or County Commissioners. Modifications or amendments to the restricted

covenant must be agreed to in writing by the Housing Department. The developer or owner may be responsible for any legal costs to amend a restrictive covenant.

C. **Livability Standards** - To meet the community's goals of providing working families a viable choice of housing, to protect social diversity, and to contribute to economic stability, the LDRs and the Housing Department Rules and Regulations require that restricted housing units are designed to provide adequate size, building and site design, and finishings to serve future tenants. These are all criteria in the Housing Department's decisions as to whether a development meets the goals of the LDRs and the Housing Department Rules and Regulations. For additional construction standards, see Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4.

1. Process - These Livability Standards are associated with interior components of the units, functionality, light, and outdoor space. Review by the Housing Department will be completed during the planning process and at time of building permit. It is encouraged that applicants review restricted housing unit designs with the Housing Department early in the design process.

   Restricted housing units will also be subject to Planning Department review, as some livability standards are requirements of the LDRs (See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4).

2. Intent - The livability standards in the LDRs do not include minimum size requirements for units. To ensure functionality of units regardless of size, these Livability Standards have been adopted. The Housing Department may consider flexibility within these standards as long as the intent of functionality is being met. All building, plumbing, electrical, and fire code requirements are still required to be met. These standards do not supersede other requirements.

   Restricted housing units are expected to be designed with logical and functional room layout. This includes adequate space for normal living based on two (2) persons per one-bedroom unit, three (3) persons per two-bedroom unit, and four (4) persons per three-bedroom unit and adequate circulation pathways through the unit based on a reasonable furniture configuration.

   The standards contained in this document provide minimum requirements for specific items and are not intended to be "build to" specifications.

   a. Exceptions - Applicants may request approval of components that don't conform to these Livability Standards by completing the "Request for Exception" form. The request must include a detailed explanation of why the applicant wishes to diverge from these Livability Standards, and how the proposed difference is meeting the intent of these Livability Standards. Detailed drawings of what is being proposed shall also be submitted (See Section 7-3)

3. Acceptance of Restricted Housing Units - Proposed floor plans will be reviewed by the Housing Department at time of Sketch Plan submittal, Final Development Plan submittal and/or other permit submittal. Proposed unit designs and components must be approved by the Housing Department prior to submittal for building permit. The Housing Department will inspect all restricted units before certificate of occupancy to ensure that the unit is built according to the approved designs.

4. Standards for Restricted Ownership Units.

   a. Kitchen.

      i. Cabinets - All units shall have kitchen cabinet or other storage area (such as a pantry) proportionate to unit size that, at a minimum, meet the required space listing in the table below. A stove/oven may not be used to meet cabinet requirements, and no more than two cabinet spaces less than one foot in width may be used to meet cabinet requirements.

Unit Size	Lineal Ft of Base Cabinets*	Lineal ft of Upper Cabinets*
Efficiency / studio / one-bedroom < 475 SF	4	4
One bedroom > 475 SF	5	5
Two bedrooms	6	6
Three bedrooms or more	7	7

*Assumes standard 24” depth and 26” height for base cabinets and 12” depth and 30” height for upper cabinets.

Note that additional kitchen storage beyond the minimum is desirable. In some cases, additional cabinetry is provided as either base or upper cabinets and credit is requested to reduce cabinetry elsewhere. Requests to storage requirements will be considered as an exception to be approved by the Housing Department.

      ii. Countertops - The surface of countertops shall be made of new, durable, easily cleaned materials that are commonly used for countertops. One, two and three bedroom units must provide a minimum 3 feet of continuous countertop work space not including interior corner space.

      iii. Appliances.

         a) Table of Appliance Specifications - The following table specifies minimum appliance requirements.

Unit Size	Sink width*	Range/oven width*	Refrigerator cubic feet*	Dishwasher*
Studio/One bedroom < 475 SF	24”	24”	18	18”
One bedroom >475 SF	30”	30”	25	24”
Two bedroom	32”	30”	30	24”
Three bedrooms or more	32”	30”	30	24”

*Minimum Size

b) Quality and Warranty - All appliances shall be new, Energy Star, and UL (Underwriters Laboratories Standards for Safety) listed, and approved appliances. Documentation of the estimated reliability of proposed appliances, such as Consumer Report ratings, should be provided. Appliances must be of sound quality with the following minimum warranties:

1) Range or Stove and Oven - One-year minimum warranty. All major appliances used for surface cooking must have a ventilation system that meets code (typically, a fan rated at a minimum of 150 CFM).

2) Refrigerator - One-year minimum warranty on the entire appliance.

3) Dishwasher - One-year minimum warranty on the entire appliance.

4) Garbage Disposal - If provided in the market rate units, all restricted ownership units shall include a garbage disposal each with a one-year minimum warranty on the entire appliance.

5) Microwaves and other small appliances are optional.

b. Bathrooms - At least one full bathroom is required and must contain a bathtub with shower, sink, toilet, and a minimum of four (4) square feet of storage. Flexibility is allowed as to how the storage is provided and will be approved by the Housing Department

c. Closets and Storage Areas - Adequate storage is essential to providing livable housing. For safety reasons, mechanical rooms should be separate from any storage space and to ensure usable storage space should not open into storage space. All closets and storage areas should have a minimum 7.5’ height except those under stairs which can include sloping ceilings down to 6’ height unless it is not being counted toward the requirement. All dimensions shall be calculated from the finish trim dimension.

i. Table of Minimum Storage Dimensions.

Unit Size	Bedroom closet width	Linen closet* width	Additional storage square feet
Studio/one-bedroom < 475 SF	6 feet	24 inches	25 square feet
One-bedroom > 475 SF	6 feet	30 inches	30 square feet
Two-bedroom	6 feet	30 inches	40 square feet
Three-bedroom or more	6 feet	36 inches	50 square feet

ii. Other Storage Standards.

a) Closet depth must be 26 inches.

b) Bedrooms must each contain a closet that includes one shelf over a rod.

c) Entryway closets are not a requirement. If an entryway closet is not provided that will adequately store coats and shoes/boots for one person in a studio, two persons in a one-bedroom, three persons in a two-bedroom and four persons in a three-bedroom, then an area for hanging/storing coats and shoes/boots near the entryway is required that will adequately provide for the same persons per unit.

d) In addition to bedroom, linen and entryway storage, additional storage must be provided. Locations may include the basement, garage, exterior to the unit or interior to the unit. The intent of this storage is to provide space for large or outdoor items such as bicycles, strollers, recreational gear, etc. If appliances are located in this area, their footprint cannot be counted toward square footage of storage and must be approved by the Housing Department.

e) Closet and storage doors must be sliding doors, folding doors, or doors that open outwards to allow for access to space. Doors are not required on interior storage. Closets and storage space may not have any other doors opening into the space.

D. Floor Coverings - New carpet, wood, tile, vinyl or linoleum floor covering shall be provided, with a minimum 10-year warranty. New water resistant floor covering other than carpet is required in kitchens and bathrooms. Floor coverings are required on all subfloor material with the exception that concrete can be used as flooring material.

E. Room Sizes and Shapes - All units must include appropriate and adequate room sizes and room shapes (generally rectilinear) that allow for functional furniture placement. Minimum sizes should be measured at the narrowest point in the room. Where any room such as the dining room is adjacent to the kitchen area, a 3’ wide buffer between all kitchen cabinets, appliances and work spaces may not be included in the minimum room calculation. All dimensions shall be calculated from the finish trim dimension.

It is highly recommended that room dimensions include an additional 1-2” as a margin of error to accommodate discrepancies in the framing and finish.

i. Minimum Room Size.

Unit Size	Minimum Square Feet
Studio/One-bedroom <475 SF	100 SF
One-bedroom	120 SF
Two-bedroom	180 SF
Three-bedroom or more	200 SF

ii. Bedrooms - The first bedroom shall be a minimum of 120 square feet. Additional bedrooms shall be a minimum of 90 square feet. No bedroom shall have a finish dimension less than nine feet (9’0).

iii. Living/Dining Rooms - Living/Dining Rooms shall provide the following minimum dimensions with no dimension less than ten feet (10’0).

iv. Connections and openings, circulation to and through, and exterior doors and windows shall not compromise the ability to furnish the living/dining area. Furniture layouts shall be used to set critical room dimensions. There shall be a minimum of one layout that is possible that will seat every household member assuming one (1) person for a studio, two (2) persons for a one-bedroom, three (3) persons for a two-bedroom and four (4) persons for a three-bedroom and at least one seven-foot sofa, space for side tables, and ample leg room. Mechanical features, such as fuse boxes, shall not be visible or a central feature in the living area.

v. The eating/dining area may be in a separate room, part of a combined living/dining area, or in the kitchen provided a 3’ wide buffer between all kitchen cabinets, appliances and work spaces is not included in the minimum room calculation and a table and chairs (minimum 2 chairs – 4 chairs for two-bedroom or larger) can be shown to fit into the space without blocking circulation or doorways. A countertop eating area a minimum of 12” deep and 36” in length may be an acceptable alternative for units with less than two-bedrooms.

vi. Studios and One-Bedrooms less than 475 square feet - All units must include appropriate room shapes (generally rectilinear) that allow for functional furniture placement including a sleeping area that will accommodate a twin bed, a living area that can accommodate a 6’ sofa, and a cooking eating area (table or island) that will accommodate two persons/chairs or stools. Furniture layouts shall be used to set critical room dimensions that include room for circulation.

F. Windows/Noise Mitigation - All living areas and bedrooms shall have a minimum of one window that can be opened.

Housing units that share walls with other residential or non-residential spaces must provide noise mitigation in walls, floors and ceilings for both airborne and impact sound.

All windows in rental units that have locations where pedestrians or passersby can see directly into the window must provide window shades or coverings that open from the top down to allow partial closing that provides privacy but also allows for the maximum amount of natural light to enter the unit and for ventilation.

For developments that propose affordable units facing on and within 100 yards of road-ways with allowable speeds in excess of 35 miles per hour or other types of industrial or other noise must have windows facing these conditions that meet a

32 Sound Transmission Class (STC) rating standard for noise mitigation or greater.

g. Laundry - Restricted ownership units shall include washer/dryer hookups.

h. Heating and Hot Water - Furnaces, boilers, or hot water heaters provided must have a 5-year minimum warranty. Hot water heaters must be appropriately sized to adequately serve the number of anticipated occupants based on one (1) person for a studio, two (2) persons for a one-bedroom, three (3) persons for a two-bedroom and four (4) persons for a three-bedroom.

   Heating mechanical units may not be located on any patio or deck used to meet open space requirements or interior to the unit in a way that reduces usable floor area.

i. Other Design Features - The following features are encouraged and may be used in the place of other requirements with approval from the Housing Department:

   i. Built-in storage space such as drawers under beds, stairs, etc.
   ii. Creative shelving in dead space
   iii. Washer/Dryer or communal laundry area in rental units
   iv. Extra storage for recreational equipment
   v. Additional closet space
   vi. Additional cabinetry

5. Standards for Dormitories - General livability standards (Section: **C**) will apply except when these dormitory standards differ. There shall be a minimum of 150 square feet net livable floor area per person, including sleeping, bathroom, kitchen, and lounge space. Net livable floor area shall not include interior or exterior hallways, parking, patios, decks, laundry rooms, mechanical areas, and storage.

   a. Bathroom - At least one bathroom shall be provided for shared use by no more than four persons, containing at least one toilet, one sink, one bathtub with a shower, and a total area of at least 60 habitable square feet.

   b. Kitchen Facility - A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Housing Department's approval and determination that the facilities are adequate in size to service the number of persons using the facility.

      Provide seating at a table or bar area for each person proposed to use the facility. The kitchen must have a range with a minimum of 4 burners and an oven. A refrigerator at least 5 cubic feet per person proposed to use the dorm. Each unit must have a minimum of 7 lineal feet of base cabinets and upper cabinets. Each unit shall have a kitchen sink at least 31 inches wide.

c. Storage Space - Each unit occupant shall be provided at least 20 net square feet of enclosed storage space located within, or in close proximity to, the unit. This is in addition to the required 150 square feet of net livable floor area of living space per person.

d. Occupancy - A dormitory unit shall not be occupied by more than eight persons.

e. Variances - At its discretion, Housing Department staff may allow a variance to the requirement of 150 square feet. To receive approval for a variance, an applicant shall provide a minimum of 60 square feet of sleeping area per person and meet conditions 1- 4, listed above.

6. Standards for Conversions of Existing Housing Stock - If existing unrestricted housing is offered and accepted by the Town of Jackson or Teton County, as adequate to meet an affordable housing requirement, the existing units must be upgraded in accordance with the following standards, unless a variance from these requirements is approved by the Planning Department of the Town or County.

Applicants shall bear the costs of any required upgrades to meet the standards, as listed below. Applicants will also be responsible for any structural/engineering reports requested by the Housing Department to assess compliance with the Housing Department standards of the proposed units.

a. Standards.

i. All units must be freshly painted;

ii. All appliances must be purchased within the last five years and be in good condition and in working order. Evidence must be provided to verify the appliance was purchased within the last five years;

iii. New carpet shall be provided (unless carpet has been purchased in the last five years and is in good condition and repair). Evidence must be provided to verify the carpet was installed within the last five years;

iv. The exterior walls shall be freshly painted within one year of dedication, a general level of upgrade to yards and landscaping shall be provided, and windows, heating, plumbing, and electrical systems, fixtures and equipment shall be in good condition and working order;

v. The roof must have a remaining useful life of at least ten years. Evidence must be provided to verify this; and

vi. The unit shall meet Uniform Building Code minimum standards, as well as any applicable housing code.

vii. See Section 6.3 of the LDRs for other existing housing stock requirements.

16.10.003 Qualification and Eligibility.

A. **General Descriptions** - Each housing program described in these Housing Department Rules and Regulations is evaluated on two levels to determine the requirements of occupants and/or owners to purchase and/or occupy the housing unit in question; the two levels of evaluation are herein referred to as qualification and eligibility.

1. Qualification - Qualification is the most general and applies to all housing programs.

2. Eligibility - Eligibility refers to additional requirements specific to a particular restricted housing unit or program.

B. **Qualification** - To be considered a qualified household under these Housing Department Rules and Regulations, all of the following criteria must be met prior to the time of closing:

1. Employment Requirement - At least one member of the household must fit one of the following categories:

a. Employed in Teton County - Be employed at a local business or organization located in Teton County an average of at least thirty (30) hours per week or 1560 hours in a calendar year, or be under contract for employment at a local business or organization located in Teton County, Wyoming, where such contract commences employment before move-in or closing on a restricted housing unit, and the employment will be for a minimum of 30 hours per week or 1560 hours per year.

b. Self-Employed - If self-employed, hours of work must be documented to substantiate meeting the 30-hour per week / 1560 hours per year requirement. Since self-employment is often unique, different methods of verification may be used. Reasonable annual income is the first method that will be reviewed. Other methods may include verification from vendors, employees, or other applicable methods.

c. Employment Exemptions.

i. Military Service - Active military service in the U.S. Armed Services counts as employment in Teton County, Wyoming if that member of the household met employment criteria in Teton County, Wyoming for a minimum of two years prior to enlisting.

ii. Disabled - An individual who is defined as disabled and is unable to be gainfully employed due to the disability meets the employment qualifications for housing in Teton County if the individual has a minimum of one (1) year of full-time residency in Teton County, Wyoming; Teton County, Idaho; or Lincoln County, Wyoming.

iii. Caregiver - Work as a caregiver counts as an employment exemption if the following criteria are met:

a) Full-time Resident - The caregiver is a full-time resident of Teton County, Wyoming; Teton County, Idaho; or Lincoln County, Wyoming.

b) Duration and Timing of Caregiving - The caregiver was or is volunteering all or a portion of their time caring for their own children or an ailing or disabled immediate family member and, therefore, was unable to gain full-time employment in Teton County. Verification will be required using varying methods including but not limited to birth certificates, letter from health provider, and affidavits from family members or neighbors.

iv. Secondary School Attendance - Secondary education counts as an employment exemption if other employment criteria were met in Teton County, Wyoming at least two (2) years immediately prior to seeking secondary education.

v. Hospitalization - Hospitalization counts as an employment exemption if the hospitalized member of the household worked in Teton County, Wyoming at least two (2) years immediately prior to becoming hospitalized.

2. Citizenship - At least one (1) member of the household must be a U.S. Citizen or be hold a Lawful Permanent Residency card in the United States in order to qualify to purchase a restricted housing unit.

3. Age - At least one (1) member of the household must be eighteen (18) years of age.

4. Financial Ability - The Household must qualify without a cosigner for a loan through an institutional lender to purchase a restricted housing unit.

a. Contingencies - Any contingencies on lender's qualification may be a cause for the Housing Department to deny qualification to the household. If a contingency requires the household to sell a home prior to the purchase of a restricted housing unit, it will be disclosed to the seller, and the seller will have the option to deny going under contract with the selected household.

b. Disclosure of Financial Gifts - Financial gifts received by the household must be disclosed to the Housing Department and will be counted toward household net assets. A letter from the gift or certifying the gift and the amount of the gift will be required.

c. Use of Retirement Savings for Down Payment - Down payment funds that are withdrawn from retirement accounts will be counted toward household net assets.

d. Qualified Mortgages - All liens that encumber the property must be 'qualified mortgages' made by a 'qualified mortgagee' or will not be secured by the property (See Section **16.10.008** Definitions).

5. Occupancy - The Household must occupy the restricted housing unit as its primary residence for a minimum of 10 months out of a calendar year and in accordance with the restrictions recorded on the property.

    a. Leave of Absence - The Housing Manager of the Housing Department may grant a one (1) year leave of absence if the household submits a "Request for Leave of Absence" form, along with the coinciding fee.

    b. Attainable Housing Program Exception - Attainable housing units allow owners to rent a room in their home as long as the owner still occupies the units on a substantially full-time basis (9 months per year as required by their restriction).

C. **Eligibility** - Households may be required to meet one or all of the following eligibility criteria to be eligible to purchase, rent and / or occupy a housing unit. The restriction on the housing unit and / or the specific housing program will determine if additional eligibility requirements apply.

1. Household Income - Eligibility Criteria differs between units that are targeted to different affordability ranges. The "Household Income and Asset Chart" that sets income and asset requirements is updated annually and published on the Housing Department website. It can also be obtained from the Housing Department.

    a. Affordability Ranges - Below are the affordability ranges based on percentage of Median Family Income (MFI) as calculated by the U.S. Department of Housing and Urban Development (HUD). Legacy units restricted prior to 2018 adoption of Housing Mitigation Standards in the LDRs used different "income categories." These income categories will still apply to legacy units that set out these income categories in the unit's restrictive covenants.

        i. Affordable and Affordable Rental.
        Legacy Units developed prior to 2018 adoption of Housing Mitigation Standards:

        0 – 80%
        81 – 100%
        101 – 120%
        121 – 140%
        141 – 175%
        176 – 200%

        Rental units developed after 2018 adoption of Housing Mitigation Standards:

        0 – 50%
        51 – 80%
        81 – 120%
        121% – 200%

        Ownership units developed after 2018 adoption of Housing Mitigation Standards☹2)

81 – 120%
121 – 200%

ii. Legacy Attainable Units.
Category 2 = <=120%
Category 3 = <=140%
Category 4 = <=175%

iii. Employee.
Legacy Units developed prior to 2018 adoption of Housing Mitigation Standards.

Households are eligible for these Employee housing units if they make up to 120% MFI. If this is inconsistent with the deed restriction recorded on the particular Employee Housing Unit, the deed restriction shall supersede these Housing Department Rules and Regulations.

iv. Employment-Based - There is no income eligibility for Employment-Based units. However, at least 75% of the household's combined income must be earned from a business or organization located in Teton County continuously during ownership. If one (1) person in the household is at the age the Social Security Administration allows a person to begin receiving Social Security, their income will no longer be used to calculate the 75% of household income from a local business.

v. Workforce Housing Program - There is no income eligibility for Workforce housing units. However, at least 75% of the household's combined income must be earned from a business or organization located in Teton County continuously during ownership. If one (1) person in the household is at the age the Social Security Administration allows a person to begin receiving Social Security, their income will no longer be used to calculate the 75% of household income from a local business.

vi. Other Restricted Housing Units - Income eligibility for other restricted housing units may be set out in restrictive covenants that apply to the particular restricted housing unit.

b. Calculation of Income -Household income is based on the current income earned by all intended adult occupants of the restricted housing unit at estimated closing date and is calculated by the Housing Department using the current household income to estimate an annual (12 month) income basis. Households must use their current income and may not make changes or adjustments to earnings in order to fit into a category. Any changes to income must be given to the Housing Department prior to the initiation of a weighted drawing process in order to be eligible to enter the weighted drawing.

i. College-Aged Children - The income of adult children who are members of the household and who are attending college will not be counted.

ii. Business Income - Business income of a qualifying Household is calculated using an average of the last three (3) years of income on the business' tax returns. A year to date profit and loss determination will also be used to calculate business income, along with a current balance sheet. If the business has not been operating for three (3) years, the Housing Department will average income over the time the business has been operating.

iii. Household Members - All individuals who are intending to occupy the unit must be included on the application. All adults who are not attending college must include income and assets on the application. No adults not listed on the application may reside in the home within the first year and without prior approval from the Housing Department. No approval will be given without adding any adult occupants to title.

2. Household Net Assets - Eligibility for some restricted housing units is also based on a qualifying household's net assets.

a. Calculation of Net Assets - Household net assets include the value of all assets over $500 in value including, but not limit too, bank accounts, investment accounts, life insurance, furniture, automobiles, jewelry, computer equipment, real estate, and recreational equipment; less any debt the household has. Net assets do not include retirement accounts, business assets are limited to liquid assets.

Total household net assets shall not exceed two times the four-person household Income requirement for the income category of the housing unit. All household members' shares of liquid business assets shall be included in determination of total household net assets. Net assets of all household members shall be combined in determination of total household net assets. See the "Household Income and Asset Chart" for net asset thresholds, which is updated annually and published on the Housing Department website. A copy may be obtained from the Housing Department.

b. Ownership of Real Property.

i. Ownership at Time of Application - At the time of application, a Household may own other undeveloped or developed residential or commercial property. The fair market value of such property will be taken into consideration when determining household net assets. A price opinion using a market analysis will be obtained by the Housing Department through a local real estate firm within thirty (30) days from the date of submittal of an application for a restricted housing unit to determine fair market value of the other undeveloped or developed property. The owner of the property will be solely responsible to pay for the price opinion in conjunction with submittal of the Housing Department Application.

a) Ownership of Commercial Property - A household will be able to maintain ownership of commercial property.

b) Designation of Mobile Homes - Mobile homes situated in a mobile home park or on other land with hook-ups to water/sewer and electricity will be considered residential property, and thus, will be required to be sold as with other residential property. If the mobile home is not situated in a mobile home park or other land with hook-ups to water/sewer and electricity, it will only be considered an asset.

c) Rental Income and Rental Assets - Rental income from any residential real estate will be counted toward household income and the asset will be counted toward net assets.

c. Required Sale of Residential Property - Once under contract for a restricted housing unit, the qualifying Household must list residential property (developed or undeveloped), located within 150 miles driving distance from the Town of Jackson, for sale at a price commensurate with the price opinion. If the property has not sold or is not under contract after one year from the listing date, within 30 days of the year expiring, another price opinion will be obtained. If the price opinion is lower than the listed price, the owner will have 30 days from the date of the price opinion to lower the asking price to that of the price opinion. If after 24 months from the date first listed, the property still has not sold or gone under contract, the Housing Manager of the Housing Department will issue an analysis of the property with a determination of the salability of the restricted housing unit along with the next steps required. A copy of the analysis will be provided to the owner, and the owner will have the opportunity to appeal the determination of the Housing Authority Board. The owner may be required to sell their restricted housing unit if the residential property has not sold.

d. Disposition of Assets - Any member of a household who has assigned, conveyed, transferred or otherwise disposed of property or other assets within the last two (2) years in order to meet the net asset limitation or the property ownership limitation shall be ineligible to purchase a restricted housing unit.

3. Readiness to Purchase - Individuals purchasing a restricted housing unit must demonstrate readiness to purchase by showing the following:

a. Contingencies - Contingencies on lender's qualification must be approved by the Housing Department prior to entering a weighted drawing. Such contingencies include but are not limited to requirement to sell property, requirement to prove down payment via account statement, gift letter or other, and requirement to pay off debt. Examples of proof of down payment are a letter from a family member who may be providing a gift or a bank statement showing funds available.

b. Age - At least one individual in the household must be at least 18 years of age.

c. Execution of Legally Binding Contract - Individuals must be capable to legally enter into a contract.

4. Homebuyer Education - Completion of the Homebuyer Education course is be required to meet eligibility criteria to enter a weighted drawing for a restricted housing unit and/or purchase a restricted housing unit. The required course is offered by Wyoming Housing Network or another Housing Department approved organization.

5. Online Intake Form - The Online Intake Form must be completed prior to entering a weighted drawing for a home. Completion of this form will put a household on the Housing Department's email list, and the household will begin receiving emails with information about homes when they are available. All advertising of homes available will be done through email to those who have completed the Online Intake Form and on the Housing Department website. The online Intake Form can be found on the Housing Department's website: jhaffordablehousing.org. This form must be completed in its entirety and updated at least annually. It cannot be completed or updated during a weighted drawing process that the household wishes to enter. The Online Intake Form does not enter a household into a weighted drawing. The weighted drawing is a separate process. See Section **16.10.004.C.5**.

16.10.004 Weighted Drawing.

The Affordable and Workforce Housing requirements may utilize the weighted drawing process to select a qualified household using the procedures listed below. The weighted drawing will be advertised on the Housing Department website, jhaffordablehousing.org, and via email to all households that have completed the Online Intake Form. See Section 3-3e: Online Intake Form.

A. Minimum Occupancy Requirement - In order to ensure that the units meet the intended goals of housing the Teton County workforce and are consistent with mitigation requirements, the following occupancy preferences are:

Studio:	One (1) or two (2) persons
One-bedroom:	One (1) or two (2) persons
Two-bedroom:	One (1) or two (2) adults with one (1) or more dependents
Three-bedroom:	One (1) or two (2) adults with two (2) or more dependents
Four-bedroom:	One (1) or two (2) adults with three (3) or more dependents

For purposes of counting household size, children must be able to be claimed as a dependent on Federal Income tax returns.

B. Weighted Drawing Points - Eligible households receive points that will determine the number of entries the household will receive in the weighted drawing. One point equals one entry in the weighted drawing. One point is assigned for each full year of consecutive full-time employment at a local business immediately prior to entering a weighted drawing, with a maximum of ten (10) points. One point is assigned for each qualified

critical services provider with a maximum of two (2) points. The total maximum points a household can receive is twelve (12). Households are not eligible to enter a weighted drawing until they have one (1) full year of full-time employment in Teton County for a local business or one (1) point.

Points are given based off of one person in the household. Years working in Teton County cannot be doubled up and must be verifiable. For example, a two-person household, one of which has been employed in Teton County for two years and the other for four years, would be assigned four (4) points.

1. Employment - At least one member of a household must be employed full-time in Teton County at a local business. Full-time employment is defined as at least one thousand five hundred sixty (1,560) hours per year or an average of at least thirty (30) hours per week. Employment exemptions found in Section **16.10.003.B.** Qualifications apply.

    a. Interruption of Employment - Interruption of employment will be allowed in special circumstances if other employment criteria are met in Teton County, Wyoming at least two (2) years immediately prior to the interruption of employment. Interruption of employment will only be allowed for a maximum period of two (2) years. Points will not be given for the time period during the interruption of employment. Points will be given for years employed full-time at a local business immediately prior to the interruption of employment. To obtain points for prior employment, a household must have reestablished full-time employment at a local business immediately upon termination of the reason for the interruption of employment. Reasons for allowed interruption of employment include: caring for a sick or disabled immediate family member, attending secondary school, and hospitalization. Verification documentation of the reason for interruption of employment will be required to obtain points for prior employment.

2. Additional Points.

    a. Critical Services Provider - Qualified critical services providers, as defined in Section **16.10.008** Definitions, may be eligible for a maximum of two (2) additional points. Any household may not receive more than two (2) points. However, if a household has one (1) person who qualifies as a critical services provider for two (2) organizations, they will receive two (2) points.
    The following conditions must be met to receive the critical services provider designation and priority:

        i. Critical Services Provider Designation - Organizations who believe their employees or volunteers meet the definition of critical services provider can apply to the Housing Department to become an approved critical services provider organization and have certain job positions deemed ‘qualified.” The Teton County Board of County Commissioners and the Jackson Town Council will approve or deny critical services provider organization applications.

a) Required Documentation - Employees who work in these "qualified" positions for approved critical services provider organizations can enter a weighted drawing and receive additional points. These individuals must submit a "Critical Services Provider Supervisor Questionnaire" along with their weighted drawing entry documents. These will be held on file for a period of six months before needing to be updated.

ii. One Year of Full-Time Employment - A qualified critical services provider must earn one (1) point for one (1) year of full-time employment in Teton County at a local business prior to receiving points as a critical services provider.

iii. Approval Process - Applications received by the Housing Department for approval as Critical Services Provider Organizations will be processed by staff. The Housing Manager will make a recommendation to the Jackson/Teton County Housing Authority Board who will approve or deny the application.

3. Accessible Units - Priority will be given to households with member(s) who are mobility impaired. If more than one weighted drawing entry is received for Accessible units, a weighted drawing will be held. If no households with members who have mobility impairments apply, the weighted drawing will be held with all other applicants.

16.10.005 Purchase and Sale Standards and Procedures.

A. Sale and Resale Standards.

1. Applicability - Each restricted housing program dictates both the initial sales price and the maximum resale price. The restrictions for each unit should be consulted for exact details.

a. Affordable Housing Program - For the Affordable housing program, these Housing Department Rules and Regulations set out how to determine both the initial sales price and the maximum resale price.

b. Employment-Based Housing Program - The initial sales prices and maximum resale prices for Employment-Based housing units are determined by these Housing Department Rules and Regulations.

c. Workforce Housing Program - The initial sales prices for Workforce housing units are negotiated between the owner and the buyer. There are some legacy Workforce units that have maximum sales prices and limited appreciation.

d. Attainable Housing Program – The Attainable housing program does not place limits on sale or resale prices, but buyers still must meet the qualification and eligibility rules laid out in Section **16.10.003**. Qualification and Eligibility.

e. Other Programs – For other restricted housing units, the property's restrictions clarify how the sale and resale prices are configured.

f. Rental Rates - For information on maximum rental rates permitted by the rental housing programs, see Section **16.10.005.B**. Tenancy and Rental Standards and Procedures.

2. Initial Sales Price (Maximum Sales Price).

The Housing Department updates the maximum sales prices for Affordable housing units obligated by the LDRs on April 1st of each year. The maximum sales prices are available on the Housing Department's website or at the Housing Department. The methodology listed below shall determine the maximum sales prices. The intent of the maximum sales prices is to ensure initial and long-term affordability.

a. Median Family Income - Each year, the U.S. Department of Housing and Urban Development (HUD) releases Median Family Income figures for Teton County, Wyoming. The Housing Department uses this data to determine household incomes for the applicable restricted housing units based on number of bedrooms and persons per bedroom.

b. Household Size - The Household Size for determining maximum sales price is based on number of persons per bedroom in the applicable restricted housing unit.

c. Affordability Range - The household income for the applicable restricted housing unit is set at the middle of the affordability range to ensure affordability. For example: the income range for affordability range 3 is 81% - 120% MFI; therefore, an income of 100% MFI would be used in calculating the maximum sales price.

d. Percentage of Income - The national standard for household affordability is that a household does not pay more than 30% of its gross income toward housing costs. Therefore, monthly payments (including principle, interest, taxes, insurance and HOA dues) cannot exceed 30% of the Median Family Income for each affordability range.

e. Maximum Sales Price Calculation - The maximum sales price for a restricted housing unit is determined by calculating 30% of a qualifying household's income, using the following assumptions:

i. 22% of household income covers principal and interest,

ii. 8% of household income covers HOA dues, taxes, and insurance,

iii. Assumptions for the mortgage include: 30-year mortgage, 5% down payment, 20-year rolling average interest rate for a qualifying household earning the median of the applicable income category.

f. Potential Variability of Maximum Sales Price.

i. The maximum sales prices will be lower if the unit is below grade, or if there is no garage.

ii. If an owner is determined to be in default of their restrictions, the Housing Department will have the option to purchase the property for a purchase price equal to the maximum resale price or the appraised value, whichever is less, subject to the Housing Department's ability to limit appreciation and/or reduce proceeds, and on such other terms as are provided in the restrictions.

iii. If an owner is found to be in default of their restrictions, the Housing Department may cease the appreciation of the property when determining the maximum resale value beginning on the known date the owner began being in default.

3. Maximum Resale Price.

a. The intent of the maximum resale price is to ensure long-term affordability of the restricted housing units at resale. The maximum resale price (MRP) shall be the original purchase price (OPP) with the following adjustments:

Appreciation 3% or Denver-Boulder-Greeley CPI - Appreciation of the value of the restricted housing unit is based on the Denver-Boulder-Greeley CPI each year capped at 3%. The latest published numbers for Quarter 2 and Quarter 4 of each year will be used unless the deed restrictions or ground lease specifically reference an alternative appreciation method or no measured appreciation.

The following standards apply:

1) Date of purchase is defined as seller's original closing date (date seller purchased the restricted housing unit). If the closing date is on or after the 15th of the month, the month is not counted for prorating the value. If the closing date is before the 15th of the month, the entire month is counted.

2) Three (3) months will be added to the date that the "Letter of Intent to Sell" is received and will be considered the estimated closing date.

3) If the Letter of Intent to Sell is received on or before the 15th of the month, the entire month is counted. If the "Letter of Intent to Sell" is received after the 15th of the month, the month will not be counted.

4) Each eligible whole month will be prorated.

i. Denver-Boulder-Greeley CPI - The CPI used to calculate maximum resale prices in some restrictions is the Denver Boulder Greeley CPI. New figures

are published by the Colorado Department of Labor and Statistics twice a year, normally in March and August. In calculating the allowed maximum appreciation of a home, the latest reported figure will be averaged with the other reported figure for the year and used up to the date new figures are released. Once a Facilitation Agreement has been signed, new figures will not affect the maximum resale price. If the Denver Boulder Greeley Colorado CPI ceases to exist, a comparable index will be used.

ii. Northwest Wyoming Cost of Living Index - The NWCLI figure used to calculate maximum resale prices in some ground leases is obtained from the Wyoming State Division of Economic Analysis and is calculated with All Items minus Housing. It is updated quarterly and released generally in June for the First (1) Quarter, October for the Second (2nd) Quarter, December for the Third (3rd) Quarter and March for the Fourth (4th) Quarter. The latest reported figure will be averaged with the other reported Quarters of the year and will be used up to the date the new figures are released. Once a Facilitation Agreement has been signed, new figures will not affect the maximum resale price. If the NWCLI ceases to exist, a comparable index will be used.

iii. Flat Appreciation Rate of 2.5 Percent - The flat appreciation rate of 2.5% found in some restrictions is not based on an index. Rather, it is based on an analysis of incomes over 20 years, where it was found that incomes rose on average by 2.5% per year.

b. Cost of Actual Capital Improvements - Restricted housing units that have deed restrictions or ground leases allowing for improvement credits can add the value of these improvements to the appreciated value to calculate the MRP based on the following.

Credit for capital improvement expenditures on the restricted housing unit given at resale will be no more than 10% of the OPP of the home except where the Housing Department has determined otherwise. All capital improvements must be pre-approved by the Housing Department and properly permitted and inspected by the Town of Jackson or Teton County Building Official. Approval/disapproval must be determined prior to actual construction to be considered at time of sale. Improvements done without prior approval will not be considered for capital improvement credit. It is the owner's responsibility to secure any approval necessary from the restricted housing unit's Homeowners Association and obtain any necessary permits prior to undertaking any Capital Improvement. Please consult Section **16.10.005.A.5** for more details.

c. Depreciated Costs of Capital Improvements - The depreciated costs of Capital Improvements can be added to the appreciated value to calculate the MRP, so long as they do not exceed ten percent (10%) of the OPP or as determined by the Housing Department on a project-specific basis. All capital improvements will be depreciated as applicable according to the Marshall and Swift Residential Cost Handbook or a similar resource.

d. Maintenance Adjustment - Households are required to keep restricted housing units in a properly maintained state. Housing Department staff and/or a third-party inspector hired by the Housing Department will inspect the property after receiving the "Letter of Intent to Sell" from the owner. The inspector will provide an inspection report to the Housing Department. The Housing Department may require the owner to repair or replace items on the inspection report. The buyer also has the opportunity to inspect the property and provide the Housing Department with a list of items. If required repairs, replacement, or cleaning are not made by the owner prior to the Housing Department's final walkthrough two (2) business days before closing, the Housing Department will estimate the costs at its sole discretion, and an adjustment may be made to the seller's proceeds or to the maximum resale price.

e. Other Costs - Any additional costs allowed by the Housing Department pursuant to the policies in effect on the date of the restricted household's "Letter of Intent to Sell."

4. Selling Procedures.

a. Letter of Intent to Sell - The seller shall submit a completed Letter of Intent to sell form to the Housing Department to begin the selling process. The form can be found on the Housing Department's website or can be obtained from the Housing Department. The Housing Department staff will set up a meeting with the seller to review the selling process and the seller documents. The Letter of Intent must be submitted and the meeting with the seller must occur the week prior to the beginning of the weighted drawing entry period. See section 4.The seller shall be given the option to choose the Title Company. If the seller has no preference, the Housing Department will choose the Title Company.

b. Viewing of Unit - Once the weighted drawing is completed, the first household drawn will be contacted by the Housing Department and a time set up to view the unit. This viewing shall occur within five (5) business days of the household being notified that they were selected first in the drawing.

c. Inspection - The Housing Department will order a third party inspection to be done on the home by a qualified home inspector. The inspection information/report is for the use of the Housing Department and will not be released to any buyer. Buyers shall have the option to order their own inspection to be done on the home. It is the Housing Manager's sole discretion as to whether items found by an inspector will be required to be repaired. A list of items required to be repaired will be given to the seller by the Housing Department. The seller is expected to have the items completed no later than three (3) business days prior to the closing date.

d. Complete Application - The household shall have five (5) business days from the day they are notified that they were selected first in the drawing to submit a complete application to the Housing Department. The Checklist for Complete

Application and Application form can be obtained from the Housing Department's website or from the Housing Department. The Housing Department reserves the right to request additional documentation when verifying a Household's eligibility and qualification.

e. Qualification - The Housing Department shall review the application and supporting documents and calculate income, assets, and hours worked to verify eligibility and qualification. This process normally is complete within five (5) business days of receiving the application. However, it may take longer in unique circumstances. Once the Housing Department completes the review and verification of eligibility and qualification, the applicant is notified of approval or denial. If the applicant does not qualify, the next household drawn in the weighted drawing will be notified and the process will start over.

f. Qualified Household Meeting - When the Housing Department has identified a qualified household who wishes to move forward with the purchase of the home, a meeting is set up with the qualified household to review the purchase process and purchase documents, which include the Contract for Purchase and Sale of Residential Real Estate or Residential Improvements in the case of a Ground Lease and the buyer's Facilitation Agreement. The applicant has five (5) business days to review and execute the purchase documents and return them to the Housing Department with earnest money as called for in the Contract. The seller shall be notified immediately upon receipt of the signed contract and earnest money to execute the contract. A copy of the contract and the earnest money are then delivered by the Housing Department to the Title Company.

g. Final Walk Through - A final walk through will occur generally two (2) business days prior to the closing date. If the Housing Department finds maintenance or repair items that have not been completed, the Housing Department will estimate the costs of the maintenance/repair items and withhold funds from the seller's proceeds. The funds are then given to the buyer and the buyer is responsible for completing the maintenance/repair items.

h. Closing - The closing will be held on or before fifty (50) days from complete execution of the Contract. The Buyer will take possession of the unit on closing day.

5. Capital Improvement Standards.

a. Approval Required - Owners must receive written approval from the Housing Department prior to beginning the work in order to receive credit for the capital improvement. To obtain approval, the "Request for Capital Improvement" form must be submitted along with estimated costs and drawings and/or plans and a narrative of the work to be done. Once the improvement is complete, copies of all receipts for materials and labor must be given to the Housing Department. No credit will be given for sweat equity.

b. Workmanlike Manner - All improvements must be built in a workmanlike manner, and according to Town of Jackson or Teton County building codes. All required permits and completion releases must be obtained from the Town or County. Any owner that does capital improvements without obtaining the proper permits or if it is determined at the Housing Department's sole discretion that the improvements have not been done in a workmanlike manner may be required to make repairs or remove the improvements and return the home to its original condition.

c. Permitted Capital Improvements - The term "permitted capital improvement" shall only include the following:

i. Fixtures erected, installed or attached as permanent, functional, non-decorative improvements to real property, excluding repair, replacement and/or maintenance improvements;

ii. For the benefit of seniors and/or handicapped persons;

iii. Health and safety protection devices (including radon);

iv. Adding and/or finishing of permanent/fixed storage space;

v. Finishing of unfinished space;

vi. Landscaping; Adding trees, shrubs, lawn, patio, walkways, or sprinkler systems;

vii. Decks and balconies, and any extension thereto;

viii. Partial credit may be given for upgrade improvements that will increase the life of the component as compared to the original product or increase the long-term affordability of the home.

d. Improvements Not Permitted for Credit - Permitted capital improvements shall not include the following:

i. Jacuzzis, saunas, steam showers and other similar items;

ii. Upgrades or addition of decorative items, including lights, window treatments and other similar items;

iii. Upgrades of appliances, plumbing and mechanical fixtures, carpets and other similar items included as part of the original construction of a unit, unless replacement is shown to improve the lifespan of the component or the long-term affordability of the restricted housing unit.

6. Resale and Transfer Limitations.

a. Transfer of Title - Transfer of title is not allowed unless approved by the Housing Department. To apply for approval, owners need to complete the Housing Department's "Request for Transfer of Ownership (Title)" form and submit it to the Housing Department along with a $100.00 fee, which covers legal and recording fees. In some cases, a complete application will be required to be submitted for qualifying purposes.

   i. Divorce - In the event of the divorce of an owner, the Housing Department may consent to the transfer of the residential unit to a spouse of an owner, which spouse may not otherwise qualify as a qualified household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

   ii. Death - In the event of the death of an owner, the Housing Department may consent to the transfer of the residential unit to an heir or devisee of such deceased owner, which heir or devisee may not otherwise qualify as a qualified household only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

   iii. Nonqualified Transferee - If title to the restricted housing unit vests in a nonqualified transferee, as defined in these Housing Department Rules and Regulations Section **16.10.005.B.** Qualification, the restricted housing unit shall immediately be listed for sale in accordance with the restrictions and the Housing Department Rules and Regulations. The following shall apply when the Housing Department determines there is a nonqualified transferee:

      a) A nonqualified transferee shall cooperate with the Housing Department to affect the sale, conveyance or transfer of the restricted housing unit to a qualified household (or the Housing Authority in the event of its exercise of its option to purchase) and shall execute any and all documents necessary to such sale conveyance or transfer.

      b) A nonqualified transferee shall comply with the restrictions, the Housing Department Rules and Regulations, and all other covenants regulations, ordinances, statutes, laws, or rules governing the ownership, occupancy, use, development or transfer of the restricted housing unit, and further may only occupy the restricted housing unit with the prior written consent of the Housing Department.

b. Trusts - Restricted housing units may not be put into any type of a trust. This is the equivalent of transferring ownership, and trusts are not qualified to be the owner of a restricted housing unit.

c. Nontestamentary Transfer on Death - A "Nontestamentary Transfer on Death "deed is allowed to be recorded on restricted housing units, and must include the following:

i. It conveys an interest in real property to a beneficiary designated by the owner and states the deed is effective upon the death of the owner.

ii. It must be subject to all other encumbrances on the property to which the owner was subject to during their lifetime, including the Restrictions on the property.

iii. The Housing Department must approve the document before recordation.

d. Title - All adults who occupy the restricted housing unit for more than 30 accumulative days in a calendar year, except for children attending college, must be on the title to the restricted housing unit unless they have approval from the Housing Department to rent a room in the unit. Situations that require an addition to title include but are not limited to marriage, a significant other moving in, a friend moving in, etc. Additions and removal of names on the title constitute a transfer of title. The Housing Department must approve all transfers of title.

7. Other Sale and Resale Standards.

a. Privy to Purchase and Sales Agreement - Sellers and buyers shall provide a copy of the "Purchase and Sale Agreement" to the Housing Department. All financial information shall remain confidential, except as follows:

i. Public Records - Any document that would customarily be a matter of public record in the public records of Teton County, Wyoming, and is subject to the Wyoming Public Records Act;

ii. Weighted Drawing Positions - The names and positions of all persons who have participated in any Rental Weighted drawing held under these Housing Department Rules and Regulations;

iii. Freedom of Information Act or Wyoming Public Records Act - Any other information, which a court of competent jurisdiction rules must be released under the Freedom of Information Act or the Wyoming Public Records Act; and

iv. Audits - In addition, the Housing Department may allow access to personal and private information to any person or entity undertaking an independent audit of the records kept under these Housing Department Rules and Regulations, provided that such person or entity agrees to be subject to this confidentiality provision.

b. Independent Legal Counsel - All sellers and buyers of restricted housing units are advised to consult independent legal counsel to examine all contracts, CC&Rs, deed restrictions, agreements, affidavits, closing statement, title documents, etc. The retention of such counsel, or related services, shall be at the seller's and buyer's own expense. The sellers and buyers and/or their attorneys will not be allowed to make changes to Housing Department documents. A "Buyer's

Acknowledgement" form will be required to be signed prior to closing acknowledging recommendation to obtain legal counsel. The "Buyer's Acknowledgement" form will be provided to the buyer for review prior to closing.

c. Title Company - The Housing Department advises sellers to use a title company and escrow agent located in Jackson, Wyoming to close the transaction because of their expertise with the Housing Department's restricted housing programs and their unique and technical closing documents. The seller and buyer shall authorize the Housing Department to review the "Settlement Statement" prior to closing. Sellers can select a title company and escrow agent of their choice. If no title company is indicated, the Housing Department will select one.

d. Lenders.

i. Approved Lending Institutions - Borrowers are restricted to the following lending institutions licensed to engage in mortgage lending practices in the State of Wyoming:

a) An "institutional lender" such as, but not limited to, a federal, state, or local housing finance agency, a bank (including savings and loan association or insured credit union), an insurance company, or any combination of the foregoing, the policies and procedures of which Institutional Lender are subject to direct governmental supervision; or

b) A "community loan fund", or similar non-profit lender to housing projects for income-eligible persons (e.g. is not given to or acquired by any individual person); or

c) A non-affiliated, legitimate, "finance company." In no event shall such finance company be an individual or any company that is affiliated with or has any affiliation with the owner or any family member of the owner.

ii. Required Down Payment and Loan to Value Ratio - The Housing Department requires that all buyers have at least 3.5% down payment on a purchase, and no refinance or second mortgage obtained after the original purchase is allowed to be higher than 95% loan to value.

iii. Debt to Income Ratio - The total debt to income ratio for a household may not exceed 45%.

iv. Qualified Mortgage - Lenders may submit a "Qualifying Mortgage" form to the Housing Department to have the mortgage deemed a "qualifying mortgage." When submitting a qualified mortgage request, a copy of the title commitment and the Transmittal Summary (HUD Form 1008), or other documentation containing the same information, is required to be attached. The "Qualifying Mortgage" form can be obtained from the Housing Department or from the Housing Department's website.

For homes that do not have a measured appreciation, such as Attainable homes, an appraisal recognizing the restriction on the property is required.

The Housing Department reserves the right to require additional information before approving a mortgage as a "qualifying mortgage".

e. Total Debt - Owners shall not incur debt, liens or other obligations secured by the restricted housing unit that exceed 95% of the Original Purchase Price of the unit and shall notify the Housing Department immediately when a change in the total of these secured obligations is anticipated. No second mortgages, including but not limited to home equity lines of credit, shall encumber the restricted housing unit without advance approval by the Housing Department.

f. Co-Ownership - Any co-ownership arrangement other than Joint Tenancy or Tenancy-In-Common must be approved by the Housing Department. All adults occupying the unit, with the exception of children attending college, must be on the title of the restricted housing unit.

g. Co-Signors - Co-signors are guarantors for payment of mortgage. If an exception to the "no co-signors" rule is granted, co-signors shall not occupy the unit. Co-signors are not co-owners, so they are not allowed on the title. No lien or security can be placed on the property besides the mortgage itself.

h. Homeowners Associations - The restricted housing unit may be subject to a Homeowners Association (HOA). All owners of restricted housing units are required to pay HOA dues, and potential special assessments and fees if applicable, unless otherwise exempted. HOA dues may be substantial and are factored into the maximum sales price. Homeowners Associations frequently have interests and regulations, other than the Restriction, that affects the restricted housing unit. It is the owner's responsibility to be aware of these interests and regulations. Failure of an owner to comply with the HOA Rules and Regulations or CC&Rs constitutes default of the Housing Department Rules and Regulations.

i. Homeowners' Hazard Insurance - Owners are required to keep hazard insurance on their homes for 100% replacement cost. Since the homes are subsidized, this amount could be more than the price of the home. Often times Homeowners Associations provide insurance. Depending on how much coverage the HOA provides, the owner may be required to provide additional insurance to guarantee complete replacement of the home. Ground lease properties are required to name the Jackson/Teton County Housing Authority as additionally insured.

B. **Tenancy and Rental Standards and Procedures** - To maintain the character of neighborhoods and respect the nature of the community, restricted ownership units are not allowed to be rented without prior approval from the Housing Department. This includes renting any portion of the dwelling, any room within the dwelling or the garage.

1. Primary Residence - Owners of restricted housing units shall maintain the home as their primary residence.

    a. Occupancy Requirement - Households shall occupy their home full-time at least 10 months out of each calendar year.

    b. Business Activity Restricted - Households who rent a restricted housing unit shall not engage in any business activity in such dwelling, other than any home occupation use permitted in that zoning district and as permitted in the Lease Agreement.

    c. No Guests for an Extended Period - Households who own restricted housing units shall not permit any adult guests over the age of 18 for periods in excess of thirty (30) cumulative days per calendar year.

    d. Leave of Absence - A one-year exception may be granted in cases of illness, short-term leaves of absence for education or training purposes, or other exigent circumstances with the advance written approval of the Housing Department.

        i. Rental of Restricted Unit during Leave of Absence - If granted a leave of absence, the owner is allowed to rent the property according to the provisions below in Section **16.10.005.B.2**. Rental Procedures for Owner-Occupied Properties.

        ii. Post Leave of Absence.

            a) After the restricted housing unit is rented for nine (9) months, owner will be required to notify the Housing Department in writing of either, (a) their intention to move back to the restricted housing unit upon expiration of the lease and/or the rent approval period; or (b) provide the Housing Department with a "Letter of Intent of Sell" form, which will begin the selling process of the restricted housing unit.

            b) If the owner chooses to sell the restricted housing unit instead of returning when the lease expires, there will be no accrual of appreciation during the term of the rental (this does not apply to medical emergencies).

2. Rental Procedures for Owner-Occupied Properties - The Housing Department may approve rental of space within owner-occupied Affordable, Employment-Based, and Workforce units when pressing circumstances exist. The owner must continue to occupy the unit, and the Housing Department must certify that the renter meets the qualification and eligibility standards set out in Section **16.10.003** Qualification and Eligibility. A fee will be charged along with the request as set forth in the Annual Schedule of Fees.

    a. Requests to Rent during Leave of absence - Approvals for "Requests to Rent" are given at the sole discretion of the Housing Department's Housing Manager.

Approvals to rent will only be given for a maximum period of one (1) year. Approvals to rent will only be given in unique and pressing circumstances.

i. Medical Emergency Documentation - Medical emergencies applicable to a restricted housing unit homeowner will require documentation using the "Housing Department Medical Emergency Leave" form to substantiate the need to leave the area.

ii. Processing Fee - A fee will be charged to a restricted housing unit homeowner for a "Request to Rent." A separate "Annual Schedule of Fees" document that is updated annually and published by the Housing Department provides the processing fee amount.

b. Qualification and Eligibility of Tenants.

i. Tenants shall be a Qualified Household according to the general Qualification and Eligibility Criteria contained in the recorded Restriction and these Housing Department Rules and Regulations.

ii. Tenants shall meet the Eligibility Criteria with respect to Income and Assets that apply to the particular restricted housing unit in question at time of initial occupancy.

iii. Prior to signing a lease for or occupancy of a restricted housing unit, owner must provide the Housing Department with proof of the tenant's qualification under the housing unit's specific program prior to occupancy.

iv. Qualification and eligibility shall be recertified by owner of the restricted housing unit at any time there is a change in occupancy of the restricted housing unit or renewal of lease agreement.

c. Execution of Lease - Rental of restricted ownership units must be by a written Lease provided by the Housing Department. The Housing Department will retain a copy of the fully executed lease.

i. Rent Limitations - Rent charged while the owner is on leave will be limited to Fair Market Rents as published by HUD or total housing costs (mortgage payment, taxes, insurance, Ground Lease Fees and HOA dues), whichever is less.

ii. Housing Department Fee - A fee will be charged by the Housing Department for a request to rent as set forth in the Annual Schedule of Fees updated annually and published by the Housing Department.

d. Requests to Rent a Room - Approvals to rent a room in a restricted unit are at the sole discretion of the Housing Manager and are only allowed in pressing circumstances. The following process will be followed:

i. Submittal of Request to Rent - The owner will submit a "Request to Rent" form to the Housing Department along with the associated fee as outlined on the fee schedule published annually by the Housing Department. The form can be found on the Housing Department website or from the Housing Department.

ii. Approval by the Housing Manager - If the owner is in compliance with their restrictions, the Housing Manager will review the request to rent and approve or deny the request based on the circumstances. Approval can be given for a maximum of one year.

iii. Identification of Tenant - When the owner has identified a potential tenant who they believe qualifies under the income, asset, and employment requirements of the restriction on the unit, the potential tenant is required to submit a complete application to the Housing Department.

iv. Tenant Approval - The Housing Department will verify that the tenant qualifies under the income, asset, and employment requirement.

v. Lease Agreement - The Housing Department provides the Lease Agreement to be signed by the owner, tenant, and the Housing Department.

vi. Notification of Termination of Lease - The owner is required to notify the Housing Department upon termination of the lease. If the owner still wishes to rent the room and still has approval from the Housing Department, the process will start again with Step **d.iii.** Identification of Tenant, above.

vii. Rental Rates - The Housing Department will approve the rental rate based on the housing costs of the owner.

C. **Sale and Resale Procedures** - All restricted housing units shall be sold in accordance with applicable restrictions and/or these Housing Department Rules and Regulations as determined by the Housing Department, Town and/or County, which may vary depending on the specific housing program under which the restricted housing units were created.

1. Consult with Staff - Sellers of restricted housing units are required to consult with Housing Department staff prior to offering a restricted housing unit for sale in order to obtain the most current information about applicable Housing Department Rules and Regulations, sales processes, the allowable maximum resale price, and other applicable provisions of the restriction. The resale process takes approximately three (3) months to complete.

2. Letter of Intent to Sell - In order to begin the resale process, the Housing Department must receive a "Letter of Intent to Sell" from the owner(s) of the restricted housing unit. "Letter of Intent to Sell" forms are available at the Housing Department office or website.

3. Facilitation of Sale - The Housing Department facilitates the sales of restricted housing units to accomplish the sale according to the instructions of the Ground Lease / Deed Restriction and to provide a transfer to a Qualified Household. Specifically, the Housing Department facilitates sales of Affordable housing units, Employment-Based units, Workforce housing units, and Accessory Residential Units.

    a. Facilitation Fee (2%) - At the closing of the sale, the seller will pay to the Housing Department a fee equal to 2% of the sales price, unless otherwise instructed in the deed restriction, for facilitation services. The Housing Department may instruct the Title Company to pay such fees out of the funds held for the seller at closing. The Housing Department may also waive the fee, or a portion thereof, in its sole discretion, to promote the community's goals of providing affordable housing.

    b. Facilitation Agreement - A "Facilitation Agreement" drafted by the Housing Department is provided to the seller. The Housing Manager, or the Sales Coordinator in the absence of the Housing Manager, must sign the Facilitation Agreement. The seller(s) must execute the Facilitation Agreement before the restricted housing unit can be advertised for sale. The deadline is Friday at 3:00 for advertising to begin the following Wednesday.

        After receiving an executed Facilitation Agreement, the Housing Department advertises the restricted housing unit according to Section **16.10.004** Weighted Drawing.

    c. Showing the Unit - The seller is required to make the restricted housing unit available with reasonable notice on a minimum of two (2) occasions to show the property to the selected Qualified Household.

    d. Costs for Declining Initiated Sale – If the seller decides not to sell the restricted housing unit at any point before closing, the seller will be responsible for all advertising and/or other costs associated with listing the unit for sale.

    e. Bridge Loan - If the seller is purchasing another restricted housing unit, a bridge loan may be required to prevent a delay in selling their restricted housing unit.

4. Maximum Resale Letter - The resale price of the restricted housing unit shall be calculated according to its restriction and stated in the "Maximum Resale Letter." Maximum resale prices will be rounded to the nearest dollar. The "Maximum Resale Letter" will be emailed, mailed, faxed, or can be picked up at the Housing Department. The original will be mailed to the seller(s) or hand-delivered by the Housing Department.

    a. Exchange of Value - The maximum resale price shall be the only exchange of value between parties to any sale of the restricted housing unit. Any exchange of value outside the allowed sale price shall invalidate the sale.

5. Inspection - For any resale, the Housing Department will hire a third-party inspector to inspect the restricted housing unit for deferred maintenance and needed repairs. A summary of the inspection and a list of items to be cleaned / repaired will be provided to the seller.

D. Purchase Procedures.

1. Selection of Qualified Household - A unique process applies for selecting each qualified household within each housing program. The following sections provide specific details regarding each housing program. The restrictive covenant should be consulted for exact details.

    a. Weighted Drawing - In the event that the Housing Department receives one or more weighted drawing entry sheets at the maximum resale price from qualified households during the weighted drawing entry period, the buyer will be selected according to preferences set for that particular Housing Program. In the event no weighted drawing entry sheets are received during the weighted drawing entry period, the selection process would be determined either by a bid process or a "first come first served" process. The restrictions on the property clarify which selection procedure to use.

        i. Errors - Every effort is made by the Housing Department to ensure fair and equitable lotteries. Lotteries are not drawn by the Housing Department. Housing Department staff compiles weighted drawing entry sheets with all eligible households included. The weighted drawing is drawn by outside counsel. On the rare occasion that an error is made in compiling or drawing of a weighted drawing, the error will be corrected and the weighted drawing will be re-drawn.

    b. Bid Process - If the restrictions require it, the qualified household submitting the highest bid price (not to exceed the maximum resale price) during the Bid Period shall have the first right to purchase the unit. The owner of the unit shall have the right to accept or reject the bid.

    c. First Come First Served - If no households apply for the unit through the weighted drawing process, the Housing Department advertises the restricted housing unit with the maximum resale price. The first qualified applicant to submit an application will have the opportunity to purchase the home. The buyer can offer a lower price, and the seller can accept or reject the offer.

    d. Other Sale/Resale Procedure.

        i. Owner Selection - If the restriction permits, the owner of the restricted housing unit may be allowed to select the qualified household. Other than verifying that the qualified household meets the qualification and eligibility requirements for the restricted housing unit, the Housing Department shall not have any authority to choose the buyer of the restricted housing unit unless authorized by the owner.

ii. Attainable Housing Program Sale Procedures.

a) When an owner wishes to sell an Attainable housing unit, they can either list the home with a realtor or for sale by owner.

b) The owner of the Attainable housing unit is required to submit a "Letter of Intent to Sell" to the Housing Department before listing or advertising the unit for sale.

c) The owners will be responsible for advertising their Attainable housing unit for sale with the exception that the Housing Department will advertise the unit on their website at no cost to the owner.

d) There is not a maximum resale price for Attainable housing units. The owner will set the price with the understanding that the household who buys the unit will need to qualify under income, asset, and employment criteria. The price may be negotiated before entering into an agreement to purchase.

e) The buyer will be responsible for providing the "Purchase and Sale Agreement" at the time of making an offer to purchase an Attainable housing unit. The seller may make a counter offer that includes changes to the "Purchase and Sale Agreement." The Attainable housing unit is under contract when an offer and/or a counter offer is accepted and both the buyer and seller have signed it. The "Purchase and Sale Agreement" must contain a contingency that the Housing Department must verify that the buyer is "qualified" to purchase the Attainable housing unit. The Housing Department will not deem a buyer "qualified" until a contract has been executed by the seller and the potential buyer.

f) A full copy of the fully executed Purchase and Sale Agreement shall be provided to the Housing Department. All financial information shall remain confidential except as noted in Section **16.10.005.D.7**.**a**. Privy to Purchase and Sales Agreement.

g) In addition to the items listed in Section **16.10.005.D.3.a**. Materials Included with Application, applicants must also include a complete copy of the fully executed "Purchase and Sale Agreement."

1) Time of Submittal: The Attainable housing unit must be under contract before the buyer provides an application to the Housing Department.

2) Time to Process: If the application is complete and thorough, the Housing Department will have a determination of qualification within five (5) business days of receiving the application. It may take longer if the Housing Department has to request further information from the applicant.

3) Qualified Buyer Letter: Once the household is deemed to be "Qualified" to purchase the Attainable housing unit, the Housing Department will provide a "Qualified Buyer Letter" to the applicant. This letter will be used to verify to the seller and the title company that the household is qualified to purchase the unit.

4) Lenders: See Section **16.10.005.A.7.d**. Lenders.

5) Closing: The closing date and time is set between the sellers, buyers, financial institution, the title company, and the Housing Department. The buyers will be required to sign a "Buyer's Acknowledgement" at the time of closing. This document will certify that the buyers acknowledge receiving a copy of the restrictions as well as agreeing to allow the Housing Department to release the sales price of the home, and also agreeing to the Housing Department's right of first option to purchase the unit in case of default by signing a Power of Attorney in Case of Default.

2. Viewing of Restricted Housing Unit - The seller of the restricted housing unit will allow the potential buyer to view the unit to see that it meets their household's needs. If the household decides to purchase the restricted housing unit, they will have the opportunity to inspect the unit further once it is under contract.

3. Submit Application - The potential buyer will have five (5) business days to submit a complete application. The required Housing Department documents are available from the Housing Department or from the Housing Department website.

a. Materials Included with Application.

i. Housing Department Application for Restricted Ownership or Rental Housing.

ii. The Housing Department "Application for Homeownership" is a three (3) page form with an additional two (2) pages made up of a "Certification and Oath" section that will need to be signed by all applicants and notarized, as well as an "Authorization to Release Information" (see **viii** and **ix:** Power of Attorney in Case of Default and Certification and Oath).

All documentation submitted with the complete application for the purchase of a home is the documentation that will be used to qualify a buyer. Documents will not be allowed to be changed once they are submitted (e.g. taxes submitted will be those used to qualify. Applicants will not be allowed to re-file taxes). The Housing Department will review the application before accepting it to ensure it is complete. The Housing Department may ask for additional documentation.

a) Weighted Drawing Entry Form - A "Weighted Drawing Entry" form must be completed and signed and submitted when entering a weighted drawing according to Housing Department processes. "Weighted Drawing Entry" forms may be submitted online, in person, or by USPS.

No incomplete "Weighted Drawing Entry" forms will be accepted. This means that every blank must contain information, "N/A," or a strikethrough so that the Housing Department knows that it was not overlooked.

The Housing Department is not responsible for receiving Weighted Drawing Entry Forms. It is the responsibility of the household to confirm that the Weighted Drawing Entry Form was received and the household is entered in the weighted drawing.

b) Intake Form - All households are required to complete the "Online Intake Form." This form must be completed in its entirety before entering a weighted drawing. Any changes made to the form must be made prior to the opening of a weighted drawing the household wishes to enter or the household will be ineligible to enter the weighted drawing. The Intake form must be updated annually to be eligible to continue to enter lotteries.

iii. Lender's Qualification Worksheet - A current "Lender's Qualification Worksheet" (within one year of the date the weighted drawing begins) is required to be completed by a lending institution. The "Lender's Qualification Worksheet" must be submitted to enter a weighted drawing. "Lender's Qualification Worksheets" may not be faxed; they can either be emailed or submitted in person or mailed by USPS. The worksheet must reflect a loan amount and down payment amount that is equal to or greater than the sale price of the home.

iv. Credit Report - A three bureau credit report including credit scores (not more than one year old) is required to help Housing Department Staff determine if the Household is financially healthy and able to make payments on a mortgage. The credit report also helps determine debt to income ratios.

v. Verification of Down Payment - An account statement, or signed and notarized letter from someone supplying a gift, or other verification of funds for a down payment is required.

vi. Verification of Hours and Years Worked - "Affidavits of Employment," detailed check stubs, or other adequate proof of hours and years worked is required at weighted drawing entry to receive points in the weighted drawing. Affidavits are required to be completed, signed, and notarized by the employer. They may not be completed by the applicant. If hours or years worked cannot be verified, they will not be counted.

Historical information for hours and years worked will be kept on file with the Housing Department. Information is required to be updated annually or if any changes occur.

vii. Federal Tax Returns - Signed federal income tax returns and all attachments (including W-2s and 1099s) and schedules for the last two (2) years for all adult household members are required. If there is self-employment, three (3) years of business and personal tax returns, along with a current "Profit and Loss Statement" and balance sheet, are required. The Housing Department uses tax returns to verify several different aspects of qualification such as but not limited to income, assets, residential homeownership, and sources of income.

viii. Power of Attorney in Case of Default - Buyers will be required to sign a "Power of Attorney in Case of Default" form appointing the Housing Manager of the Housing Department Attorney in Fact in the case of default and forced sale. The Housing Department may use other methods for remedying a default such as a mortgage against the property or a Quit Claim Deed held in Escrow, which would be agreed to at time of purchase.

ix. Certification and Oath - A sworn statement of the facts contained in the application will be required including at least the following certifications:

a) That the facts contained in the application are true and correct to the best of the applicant's knowledge;

b) That the applicant has been given the standard application information packet by Housing Department Staff; and

c) That the applicant, on the basis of the application presented, believes the Household qualifies to occupy the restricted housing unit in question according to the restriction, these Housing Department Rules and Regulations, and all other applicable procedures.

This "Certification and Oath" is required to be signed by all applicants and notarized. There are public notaries available at the Housing Department.

x. Additional Information - Additional information may be requested to determine eligibility or qualification status. This may include:

a) Verification of Household Net Assets - Household net assets are verified through tax returns, account statements, verification of deposits from financial institutions, and the NADA or Kelly Blue Book.

b) Verification of Current Employment in Teton County - One or more of the following are needed to verify employment in Teton County:

1) Wage stubs.

2) Employer name, address, and phone number.

3) Contract for employment.

4) "Affidavit of Employment" (Housing Department).

5) "Authorization to Release Information" form signed by all adults in the household to obtain third party employment verifications.

c) Verification of Completion of Homebuyer Education Course - At least one adult per household must complete the "Homebuyer Education Course." The required course is offered by the Wyoming Housing Network or if not available, another course approved by the Housing Department. This applies to all households regardless of whether they have owned a home or not. This certification only needs to be completed once; however, if a household changes size and the adult who completed the certification is no longer a part of the household, it will need to be taken by an adult who is a part of the household. The Housing Department will keep a record of the certificate. It is encouraged that households keep a copy as well. The applicant must provide evidence of attendance of an approved "Homebuyer Education Course" prior to purchase. This is required to be submitted at time of weighted drawing.

d) Uniform Residential Loan Application - Applicants must provide a copy of the final "Uniform Residential Loan Application" at closing.

e) Occupancy Affidavit - No persons outside of the persons included in the household on the "Weighted Drawing Entry Form" and "Intake Form" at time of weighted drawing entry may be moved into the home without express written approval of the Housing Department. Approval will not be given within twelve (12) months from closing on a home for adults being added to the household. An "Occupancy Affidavit" will be required to be signed by buyers at or before closing. Any adult that is added to a household will be required to be added to title on the home.

1) Power of Attorney in the Case of Default - All households purchasing a home are required to sign a Power of Attorney in the Case of Default at closing. The Power of Attorney will be assigned to the Housing Manager to affect the sale of the housing unit. The Housing Department may use other methods for remedying a default such as a mortgage against the property or a Quit Claim Deed held in Escrow, which would be agreed to at time of purchase.

f) Accessible Unit Preference - Applicants that wish to be considered for accessible units must submit a "Verification Form for Accessible Unit Preference."

g) Critical Services Provider - Organizations applying for critical services provider approval and their corresponding approved positions must gain approval before a critical service worker can gain points in a weighted drawing. The organization must complete a "Critical Services Organization Application" and submit it to the Housing Department. If the organization and positions are approved, a "Supervisor Questionnaire" must be completed by the applicant's supervisor and submitted with the other required documents when entering the weighted drawing. All certifications must be completed for the position and a recommendation from the supervisor is required. The "Supervisor Questionnaire" will need to be updated every six months.

h) Birth Certificate for Children Under One (1) Year of Age - Applicants must provide the birth certificate for children less than one (1) year of age.

4. Verification of Application - To protect the interests of the community that has invested in the creation of restricted housing units, the Housing Department verifies that information submitted on the Application is true and correct and may request documents outlined in Section **16.10.005.D.3.a.x**. Additional Information to assist in this process. The Housing Department strives to complete verification within two (2) weeks of application submittal.

   Any material misstatement of fact or deliberate fraud by the household in connection with any information supplied to the Housing Department shall be cause for immediate expulsion from the application process and/or forced sale of the restricted housing unit.

5. Verification of Qualified Household - The Housing Department verifies that each Household selected to purchase a restricted housing unit meets the qualification and eligibility requirements specific to the restricted housing unit. See Section **16.10.003** for more details on the verification process for each housing program.

6. Qualification Letter - Once the Housing Department verifies that the household meets the Qualification and Eligibility criteria for the particular restricted housing unit, it will issue a "Qualification Letter" to the buyer, a copy of which will be provided to the title company upon request.

7. Purchase and Sale Agreement - Buyers must sign a "Purchase and Sale Agreement" within five (5) business days of being notified of being selected in a weighted drawing for an applicable restricted housing unit. Buyers will be given the five (5) business days to review the "Purchase and Sale Agreement" and are encouraged to get legal advice. Sellers and buyers shall make the Housing Department privy to the "Purchase and Sale Agreement." All financial information shall remain confidential except as noted in Section **16.10.005.A.7.a**. Privy to Purchase and Sales Agreement.

a. Earnest Money - At time of signing the "Purchase and Sale Agreement," one thousand dollars ($1,000.00) in earnest money will be required. The check is made out to the title company referenced in the "Purchase and Sale Agreement."

b. Closing Date - In most cases, the buyer has fifty (50) days to close on the property. The Closing Date will be agreed upon between the buyer and the seller and will be included in the "Purchase and Sale Agreement." The closing date will be the date the buyer takes possession of the restricted housing unit.

c. Inspections - The buyer may perform inspections on the restricted housing unit commencing on the effective date of the contract until closing. However, the buyer will have 30 days from the effective date of the contract to notify the Housing Department of any objections to items found during inspections. Sellers shall make the restricted housing unit available for inspections. If the seller refuses to remedy the objection, the Housing Department will notify the buyer, and the buyer will have three (3) business days to give notice to the Housing Department of their intention, either:

   i. Waiving the objection and proceeding to closing, or

   ii. Terminating the "Purchase and Sale Agreement."

d. Facilitation -Pursuant to Wyoming Statute 33-28-101 through 124, the "Real Estate License Act of 1971", the Housing Department is participating in the transaction as a facilitator without a Wyoming real estate license and in the performance of official duties.

e. Buyer's Acknowledgement - The buyers will be required to sign a "Buyer's Acknowledgement" at closing. This document will certify that the buyers acknowledge receiving a copy of the restrictions as well as agreeing to allow the Housing Department to release the sales price of the home. In addition, by signing this form, the buyer agrees to the JTCHA's right of first option to purchase the unit in case of default.

E. Business Option - The "Business Option" is a mechanism specific to a developer's Housing Mitigation Plan that must be approved by elected officials on a case-by-case basis. It only applies to exempt units, meaning restricted housing units that are not required by the LDRs. The "Business Option" allows a business to identify a proposed purchaser from their employees or someone who has a material nexus to the business or organization, which would allow the household to have the first option to purchase the restricted housing unit.

1. Purpose and Program Goals - The intent of the "Business Option" program is to help qualified businesses house their employees by providing the employees first option to purchase. This program furthers the Jackson/Teton County Comprehensive Plan's goal of housing 65% of the workforce locally and its transportation goals.

2. Applicability - This section applies to restricted housing units that have been approved by the Board of County Commissioners or Town Council for the "Business Option" program.

3. Qualified Business - A qualified business is a non-profit entity, governmental entity, charitable foundation, or for-profit business which meets the definition of a qualified business according to the special restrictions on the property and/or the Housing Department Rules and Regulations.

    a. Qualified Business Application - The business completes a "Qualified Business Application," which can be obtained from the declarant or from the Housing Department and submits it to the Housing Department. If the business has affiliates, it must be indicated on the application.

    b. Verification - The Housing Department verifies that the business meets the criteria of a qualified business with the following documentation. The Housing Department may ask for additional documentation.

        i. Option Agreement - The Housing Department verifies that the business is a true local business, organization, or government agency operating in Teton County.

        ii. Determination of Qualification.

            a) The Housing Department will provide a "Qualified Business Letter" once the verification process is complete and the business is approved to be a qualified business. The Housing Department will then sign the "Option Agreement"; or

            b) If the business is not deemed to be a qualified business, the Housing Department will inform the business with a written letter and copy the declarant or option holder. The business will not be allowed to obtain an option if it is not approved as qualified by the Housing Department.

        iii. Cause for Expulsion - Any material misstatement of fact or deliberate fraud by a business in connection with any information supplied to the Housing Department shall be cause for immediate expulsion from the application process and/or for obtaining or keeping an option.

4. Option Procedures.

    a. Obtaining an Option - Options are available from a declarant or from another option holder. A declarant can choose to provide an option if the business is a qualified business and does so by recording an "Option Agreement" signed by the declarant, the Housing Department, and the qualified business. An option holder may provide an option to a qualified business by assigning the option.

b. Notice of Right to Exercise or Waive Option - The Housing Department will immediately send a notice to the business holding the option (optionor) upon the following three events:

   i. Housing Department's receipt of a "Notice to Sell" by the owner of the property.

   ii. Housing Department's exercise of its default option as set forth in the special restrictions.

   iii. The occurrence of a default and forced sale as set forth in the special restrictions.

   This notice triggers the timeframe the optionor has to identify a proposed purchaser as outlined in the "Option Agreement."

c. Exercise of Option - An optionor shall have a timeframe as outlined in the "Option Agreement" to exercise the option. The timeframe will begin upon receipt of the "Option Notice." To exercise the option, an optionor must notify the Housing Department on or before the expiration of the timeframe that they have identified a proposed purchaser for the home. Additionally, the proposed purchaser must submit a complete application, as outlined in Section **16.10.005.E.3.a**. Qualified Business Application, on or before the expiration of the timeframe. The Housing Department will take approximately five (5) business days to determine whether the proposed purchaser is:

   i. Qualified under "Option Agreement."

   ii. Qualified under terms of the Housing Department's special restrictions.

   The Housing Department will verify that the business continues to be a qualified business each time the option is exercised (See Section **16.10.005.E.3.b**. Verification).

d. Waiver of Option - If the Optionor does not wish to exercise the option, they can sign the "Affidavit of Waiver" indicating they are waiving the option. This affidavit will be recorded with the Teton County Clerk's Office.

   In the case where an option is waived, the Housing Department will find a buyer using the process outlined in Section **16.10.005.C**. Sales and Resale Procedures of these Housing Department Rules and Regulations.

   i. Failure to Identify Purchaser during Required Timeframe - If the optionor does not identify a proposed purchaser on or before the expiration of the timeframe, the optionor will automatically have waived their option.

e. Assignment - An optionor can assign its option to another qualified business. If at any time the business holding the option ceases to be a qualified business, they must assign the option. This is done using the following process:

i. Written Notice - The optionor provides the Housing Department with written notice that they wish to assign their option.

ii. Application - The business that is being assigned the option submits an application to the Housing Department to become a qualified business (see Section **16.10.005.E.3.a**. Qualified Business Application).

iii. Housing Department Approval - If the business qualifies, the Housing Department will provide a "Qualified Business Letter" to the business and sign the "Option Agreement."

iv. Consideration - The assignment may not have any consideration except for consideration required to make the assignment legal.

5. Qualified Purchaser - The Housing Department will determine whether a household is qualified to purchase based on the following criteria:

a. Letter of Certification - The purchaser will be qualified by the Housing Department only if they have a material nexus to the optionor as approved by the Housing Department. A "Letter of Certification" form demonstrating the material nexus the proposed purchaser has with the Optionor must be completed by the optionor. The "Letter of Certification" form is available from the Housing Department. The optionor must deliver documentation satisfactory to the Housing Department that verifies (1) that the proposed buyer is a full-time employee of optionor; or (2) that the identified purchaser otherwise has a material nexus to optionor.

b. Qualified Household - A Household will be qualified by the Housing Department using the Application and Verification process outlined in Section **16.10.005.D**. Purchase Procedures of the Housing Department Rules and Regulations.

If the identified purchaser does not qualify because of not meeting the Housing Department Rules and Regulations requirements, Housing Department special restrictions, or "Option Agreement," and the timeframe has not expired, the optionor may identify another proposed purchaser.

c. Affidavit of Exercise - When the Housing Department determines the household meets qualifying criteria of the "Option Agreement," these Housing Department Rules and Regulations, and Housing Department special restrictions, the Housing Department will sign an "Affidavit of Exercise of Option Right" indicating the household is qualified. The optionor will also sign the "Affidavit of Exercise of Option Right" indicating they are exercising the option right. The affidavit will be recorded with the Teton County Clerk's land records.

16.10.006 Rental Standards and Procedures.

A. Applicability - All rental housing units administered by the Housing Department, including the Affordable Rental program (which includes legacy Employee housing units) and the Workforce Rental program (which includes the legacy ARU program), are subject to these Housing Department Rules and Regulations, with the exception of units that are owned by Teton County or the Town of Jackson and used for housing their employees. Section 6-1 does not apply to cases where the Housing Department has approved rental of a room in a unit.

B. Rental Standards.

1. Affordability - To ensure that the rents are affordable to households earning less than eighty percent (80%) AMI, rents will be calculated using the following method:

   a. National Standard of Affordability - The national standard for affordability provided by HUD is that no more than thirty percent (30%) of a household's income should be spent on housing costs. Included in this thirty percent (30%) are rent, water, sewer, gas and/or electric, and trash removal.

   b. Number of Bedrooms / Number of Persons Match - For purposes of calculating rental rate only:

Studio:	One (1) or two (2) persons
One-bedroom:	One (1) or two (2) persons
Two-bedroom:	One (1) or two (2) adults with one (1) or more dependents
Three-bedroom:	One (1) or two (2) adults with two (2) or more dependents
Four-bedroom:	One (1) or two (2) adults with three (3) or more dependents

   For purposes of counting household size, children must be able to be claimed as a dependent on Federal Income tax returns.

   c. Calculation of Rent - Monthly rent will be the lower income limit for each respective affordability range (specific to the number of bedrooms to determine household size), divided by twelve (12), and multiplied by thirty percent (30%). Studio units may charge eighty percent (80%) of a one-bedroom unit. Dorm units may charge seventy-five (75%) of a studio.

      i. "Plus" Units - Fifty dollars ($50) will be added for "Plus" units. "Plus" units have extra floor area for offices, play areas, etc.

      ii. Lease Renewals - The rent will be calculated each year and applied to a lease renewal Tenants will be notified three (3) months in advance of the new lease amount. The new calculation will also be applied for new households signing a lease.

2. Primary Residence.

a. Occupancy Requirement - Households shall occupy their home full-time at least 10 months out of each calendar year.

b. Business Activity Restricted - Households who rent a restricted housing unit shall not engage in any business activity in such dwelling, other than any home occupation use permitted in that zoning district and as permitted in the Lease Agreement.

c. No Guests for an Extended Period - Households who rent restricted housing units shall not permit any adult guests over the age of 18 for periods in excess of thirty (30) cumulative days per calendar year.

3. Eviction - In the event that a tenant household is in default of their lease agreement, they will be evicted from the rental unit. The eviction process will be in accordance with Wyoming law and all applicable Wyoming Statutes.

C. Rental Procedures.

1. Selection Process - A unique process applies for selecting each qualified household within each housing program. The following sections provide specific details regarding the Housing Department-administered rental housing programs.

a. Weighted Drawing - For the initial rental of new rental housing, a weighted drawing process will be used. Applicants will submit a complete application and a "Weighted Drawing Entry" form during the weighted drawing entry period. A qualified household shall be selected to rent according to the rules set forth in these Housing Department Rules and Regulations, Section **16.10.004** Weighted Drawing.

i. Subsequent Rentals - Once the initial rentals are filled with tenants, and rental units become available from time to time, the units will be rented using the weighted drawing system.

b. First Come First Served - In the event no weighted drawing entries are received during the weighted drawing entry period, the selection process will be determined by a first come first served basis. The first qualified household submitting a complete application will be allowed an opportunity to rent if eligible.

2. Submit Application - Each household entering a weighted drawing to rent a restricted housing unit is required to submit a completed "Application for Restricted Rental Housing" and a "Weighted Drawing Entry" form. A certification page will also be signed by the applicant and notarized. In addition, an "Authorization to Release Information" is signed by the applicant, which allows the Housing Department to obtain banking information and any other relevant information. Application forms can be obtained from the Housing Department or from the Housing Department's website.

3. Verification of Selected Household - The Housing Department verifies that each household selected to rent a restricted housing unit meets the qualification and eligibility requirements specific to the restricted housing unit.

4. Materials Required - To determine that a household desiring to rent a restricted housing unit meets all of the required criteria, the Housing Department will request all of the following for a complete application, which will be submitted at weighted drawing entry:

   a. Housing Department Application for Restricted Ownership or Rental Housing - Completed and signed Housing Department Application for Housing.

   b. Weighted Drawing Entry Form - Completed and signed "Weighted drawing Entry" form. See Section **16.10.005.D.3.a**. Materials Included with Application.

   c. Credit Report - Full three-bureau credit report that reflects credit scores for all adult household members dated no more than 30 days from submittal of application.

   d. Federal Income Tax Returns - Signed federal income tax returns (electronic signature is not sufficient) and all attachments (including W-2s, 1099s) and schedules for the last two (2) years for all adult household members.

   e. Verification of Current Employment in Teton County - One or more of the following will be required for verification of Current Employment in Teton County includes:

      i. Wage stubs;
      ii. Employer name, address, and phone number;
      iii. Contract for employment;
      iv. "Authorization to Release Information" form signed by all adults in the household to obtain third party employment verifications; and

      If deemed applicable, the Housing Department may request the following be submitted with an application:

      i. If self-employed, three (3) years of business and personal tax returns along with a current "Profit and Loss Statement" and balance sheet.
      ii. "Verification Form for Accessible Unit Preference."
      iii. Any other documentation that the Housing Department deems necessary to determine qualification, such as, divorce decrees, Social Security income, rental income, etc.

5. Verification of Application - To protect the interests of the community that has invested in the creation of restricted housing units, the Housing Department verifies

that information submitted on the application is true and correct and may request documents outlined in Section **16.10.005.D.4**. Verification of Application to assist in this process. All financial information shall remain confidential, except as documented in Section **16.10.005.A.7.a**. Privy to Purchase and Sales Agreement.

6. Qualification Letter - After the Housing Department verifies that the household meets the qualification and eligibility criteria for the particular restricted housing unit, it will issue a "Qualification Letter" to the potential renter within 10 business days.

16.10.007 Compliance and Exception, Appeal, and Grievance Standards and Procedures.

A. Compliance Process - Special Restrictions are recorded on all Housing Department homes. These restrictions control the occupancy and use of the unit. They also refer to these Rules and Regulations

The Housing Department Compliance Specialist monitors occupancy and use restrictions to ensure owners are in compliance, and acts on various complaints from the public concerning compliance issues. The Housing Department Compliance Specialist also receives and processes requests for exceptions, appeals, leave of absence, requests to rent, transfer of title, and qualified mortgages.

1. Compliance Requirements.

   a. Affordable Units - Affordable units are required to provide information to the Housing Department annually to verify employment and occupancy. Owners of Affordable housing units with restrictions recorded after June 4, 2018 will receive annual requests for information concerning employment and use of the unit. Owners of Affordable housing units with restrictions recorded prior to June 4, 2018 are not required to verify continued employment annually, however, they may be required to verify occupancy.

   b. Employment-based and Workforce Housing Units - Employment-based units and Workforce housing units are required to provide information to the Housing Department annually concerning income, employment and ownership of other residential real estate.

   c. Employee Housing Units - Owners of Employee housing units will be required to submit information annually about the occupants of the units, their income, employment, and ownership of other residential real estate.

   d. Accessory Residential Units - Owners of ARUs will be required to annually submit information concerning the occupants of the units, their employment, and ownership of residential real estate.

   e. Exemption for Retirees - During ownership, if one (1) member of the household meets the retirement age as defined by the Federal Social Security Administration defined in these Housing Department Rules and Regulations, the household will

be exempt from continued compliance with income and employment eligibility standards.

2. Submittal and Timeline.

   a. Housing Department Request for Information - The Housing Department will send a letter to owners of restricted units requesting information. The letter will outline what type of information is required based on the unit's restrictions. The owner will be given thirty (30) days from the date of the letter to submit the requested information to the Housing Department.

   b. Default - Failure by the owner to submit requested information will be considered default.

3. Common Default Violations - In cases where the restriction defines the default process, it will control the process. If the restriction does not define the process, the default process is as follows:

   Common violations include, but are not limited to:

   a. Occupancy - A household that does not occupy the restricted housing unit for the number of months in a calendar year as required by the restriction is in violation of the Housing Department Rules and Regulations.

   b. Guests - Guests over the age of 18 are not allowed to occupy a restricted housing unit in excess of 30 cumulative days per calendar year.

   c. Renting - Renting a restricted ownership unit is only allowed per the restrictive covenant or as set out in Section **16.10.005.B.2**. Rental Procedures for Owner-Occupied Properties.

   d. Leave of Absence - Leaves of absence must be preapproved if the household is expected to be gone longer than permitted by the Housing Department Rules and Regulations or the deed restrictions.

   e. Pets - Specific policies for pet ownership are outlined in the Covenants, Conditions and Restrictions and/or the Master Rules and Regulations and are enforced by the Homeowners Association. Policies for rental units are outlined in the lease agreement.

   f. Mortgage Delinquency - Failure to maintain obligations required under any mortgages is considered a default under special restrictions.

   g. HOA Delinquency - Failure to pay Homeowners Association dues is considered a violation of the special restrictions.

   h. Ground Lease Delinquency - It shall be an event of default if lessee fails to pay the ground lease fee or other charges required by the terms of the lease.

i. Water/Sewer Dues Delinquency - Unpaid water and sewer dues can result in a lien placed on property that would constitute a violation of the special restrictions.

j. Employment Verification - Employment-based and Workforce units require an owner to work an average of 30 hours per week at a local business located in Teton County, Wyoming. The owner must earn at least 75% of their household income at a local business within Teton County. Annual verification of employment and income is required for owners of Employment-based and workforce restricted housing units.

Affordable units built after June 4, 2018 will be required to provide proof of employment in Teton County at a local business.

k. Ownership of Residential Property - Owners of Employment-based and Workforce housing units are not allowed to own residential property within 150 miles of Teton County. All renters of Housing Department-administered rental units are not allowed to own residential property within 150 miles of Teton County.

l. Estate Planning - Restricted housing units cannot be put into a trust. A trust does not meet the definition of qualified household and therefore cannot own a restricted housing unit. The Housing Department does accept other related documents for estate planning (Non-testamentary Deed upon Death).

m. Covenants, Conditions and Restrictions (CCR) Violations - Any default or breach of the CCRs, Mortgage Agreements, and/or Master Rules and Regulations is considered a default of the special restrictions or ground lease. This includes but is not limited to prompt payment of Homeowners Association dues and ground lease fees.

B. Process for Default Contested Case Hearings - All default hearings are conducted in compliance with the Wyoming Administrative Procedures Act and are contested cases for which the rules and processes are set forth herein. All requests for hearings and subsequent documents shall be submitted and filed with the Housing Department, and all records related to the contested case hearing shall be maintained by the Housing Department.

1. Notice of Default - When the Housing Department deems an owner to be in default of a special restriction, the Housing Department shall notify the owner with a Notice of Default Letter.

a. The Notice of Default shall be sent to the owner via U.S. Mail certified with return receipt requested and via email, if an email address is known. The letter will be considered delivered on the date it is sent.

b. The owner shall have thirty (30) days from the date of the Notice of Default to:

i. Cure the default,

ii. Request a default hearing of the Jackson/Teton County Housing Authority Board, or

iii. Provide the Housing Department with a "Letter of Intent to Sell" the home or unit in accord with the special restriction.

c. The Housing Department shall determine what constitutes a cure of the default based upon the special restriction and the circumstances of the owner.

2. Request for Default Hearing - In the event the owner fails to cure the default or desires to challenge the default identified by the Housing Department, the owner may request a hearing before the Jackson/Teton County Housing Authority Board (JTCHA) to determine the merits of the allegations of the default.

a. To request a hearing, the owner must submit a "Request for Default Hearing" form to the Housing Department within the thirty (30) day cure period.

b. A fee shall be charged by the Housing Department for such "Request for Default Hearing." The fee amount will be set annually in a separate document titled "Annual Fees" to be updated and published by the Housing Department.

3. Failure to Respond to Default - If the owner fails to respond to the Notice of Default, the Housing Department will consider the non-action or failure to respond as a breach of default and shall take steps to enforce the default in accord with the applicable Special Restriction and/or the Housing Department Rules and Regulations. Enforcement of the breach or violation includes but is not limited to forcing the sale of the home or unit.

4. Default Hearing.

a. JTCHA may designate a Hearing Officer and sign an "Order Appointing the Hearing Officer."

b. Within thirty (30) days of the signed Order, the Hearing Officer will issue a scheduling order, which shall include the Official Notice of Hearing, and deadlines for the parties to submit evidentiary documents, exhibits, witness lists, and/or pre-hearing memorandums.

c. Evidentiary documents, exhibits, witness lists, and/or pre-hearing memorandums, to include a written statement of facts, conclusions of law, and proposed order shall be exchanged by the parties, filed with the Housing Department in the contested case proceeding, submitted to the Hearing Officer and to the JTCHA, at least fifteen (15) days prior to the hearing date. Any document or witness not included in these submissions by the deadline shall not be raised at the hearing and shall not be admitted into evidence at the hearing.

d. Hearing proceedings may be recorded, but are not required to be transcribed. If either party wishes to have a court reporter present to transcribe a hearing, all associated costs shall be paid by the party unless the parties agree to share costs.

e. All witnesses who provide testimony at the hearing will be sworn in under oath by either a court reporter if one is present, the Hearing Officer, and if no Hearing Officer, the JTCHA Chair. The parties shall be permitted to cross-examine witnesses, and the JTCHA and the Hearing Officer shall have the opportunity to ask questions of the witnesses and Housing Department staff.

f. The Housing Department's determination the Notice of Default is presumed to be correct, and the burden of proof shall be on the complainant, not on the Housing Department.

g. If the owner requires an interpreter, the Housing Department will make arrangements to provide one and bear the costs.

h. If the complainant fails to appear at the hearing, the JTCHA may make a determination to postpone the hearing, can proceed to review the evidence based upon the written submissions, or can deem the failure to appear as a breach of default.

5. JTCHA Deliberation and Decision.

a. Deliberation - The Hearing Officer or JTCHA Chair, if no Hearing Officer is present, shall close the evidentiary hearing, and the Housing Authority Board will commence deliberation in public to include the following:

i. The JTCHA will examine the special restriction, the evidence presented in writing, and any testimony provided at the hearing and shall make a determination on the allegations of the Notice of Default based upon the preponderance of evidence standard of review.

ii. The burden of proof shall be on the owner to refute the alleged default.

b. JTCHA Decision - The JTCHA Decision will be to either:

i. Affirm the Housing Department's Notice of Default. The Housing Department would proceed to exercise its remedies against the owner according to the special restriction or ground lease recorded on the property, or

ii. Reject the Notice of Default of the Housing Department and no further action would be pursued for the specific alleged default under the special restriction or ground lease recorded on the property.

c. JTCHA Decision and Motion - The JTCHA shall make a motion in the affirmative {e.g.: I move to affirm the Housing Department's assertion that the

owner (owner's name) of (address) is in default of the Special Restriction recorded on the property pursuant to the Notice of Default.} The motion shall receive a second. JTCHA will enter into discussion on the motion and vote. If the motion carries, the JTCHA affirms the Notice of Default. If the motion fails, the JTCHA has decision.

d. Order of Decision - The prevailing party will draft the Findings of Fact and Conclusions of Law and Order, which shall set forth the Board's decision. The Findings of Fact and Conclusions shall be transmitted to the Hearing Officer, then reviewed and approved by the JTCHA at a subsequent meeting of the JTCHA in a timely manner no later than sixty (60) days following the hearing date, which shall be properly noticed and open to the public. The Order shall be filed in the contested case file with the Housing Department. No appeal of the JTCHA decision shall be made to the Jackson Town Council or the Board of County Commissioners. Any appeal of the JTCHA Order shall be to the District Court of Teton County, Wyoming, unless otherwise stated in the Special Restriction.

C. Process for Exception Hearing Process.

1. Request for Exception - The Housing Department will consider requests for exceptions to rules pertaining to qualification and eligibility criteria as well as to rules pertaining to occupancy and use. Granting of exceptions is rare; however, it is recognized that certain unique circumstances exist that are not contemplated in these Housing Department Rules and Regulations. Exceptions will only be granted in unique circumstances that are beyond control of the household, and are not addressed in these Housing Department Rules and Regulations. Requests for exceptions must be submitted prior to the opening of a weighted drawing for a home. In cases where a weighted drawing is not used for identifying a buyer, the request must be submitted prior to submission of an application. All Requests for Exceptions are subject to the review and approval of the Housing Manager

   A household may submit a "Request for Exception" to the Housing Department using the "Request for Exception" form with the required fee, which is specified in a separate "Fee Schedule" document that is updated annually. The Housing Manager will review and render a decision on the Request for Exception within fifteen (15) days from the date of submittal.

2. Request for Exception Hearing Process - If the Request for Exception is denied by the Housing Manager, the applicant may request a hearing of the JTCHA.

   a. Submit a Request for Hearing form with a fee to the Housing Department within fifteen (15) days of the date of denial of "Request for Exception."

      i. Requests for Exception Hearings must contain the following information:

         a) The particular ground(s) upon which it is based, including a copy of the Request for Exception and the Housing Manager's decision;

b) The action or remedy requested;

c) The name address, telephone number of the complainant and similar information of complainant's representative, if any;

d) Proof of notification of hearing request to the housing unit's Homeowners Association, if applicable; and

e) Appeal Fee.

3. Housing Department Review and Recommendation - All requests for hearings will be reviewed by Housing Department for completeness and provided to the JTCHA Board within thirty (30) days with a recommendation for action, copied to the complainant and/or representative.

4. Hearing - The hearing will be heard by the JTCHA Board at a properly noticed meeting scheduled at least thirty (30) days following the Housing Department's receipt of the "Request for Hearing" to ensure notice and due process.

a. Hearing Officer.

i. JTCHA may designate a Hearing Officer and sign an "Order Appointing the Hearing Officer."

ii. If a Hearing Officer is designated, within thirty (30) days of the signed order, the Hearing Officer will send out a scheduling order (Official Notice of Hearing) and timeline.

iii. Hearings may be recorded and are not required to be transcribed. If owner wishes to have a hearing transcribed, all associated costs shall be paid by owner.

b. Hearing Process.

i. JTCHA may designate a Hearing Officer and sign an "Order Appointing the Hearing Officer."

ii. Within thirty (30) days of the signed order, the Hearing Officer will send out a scheduling order (Official Notice of Hearing) and timeline for the parties to submit evidentiary documents and a list of witnesses.

iii. Evidentiary documents and witness list along with a written statement of facts shall be submitted by each party to the opposite party fifteen (15) days prior to the hearing date.

iv. Hearings may be recorded and are not required to be transcribed. If owner wishes to have a hearing transcribed, all associated costs shall be paid by owner.

v. All witnesses that provide testimony will be sworn in under oath by the court reporter, and if no court reporter, the Hearing Officer, and if no Hearing Officer, the JTCHA Chair. Both parties shall be permitted to cross-examine witnesses, and the JTCHA shall have the opportunity to ask questions of the witnesses and Housing Department staff.

vi. The Housing Department's decision concerning the exception will be assumed correct, and the burden of proof shall be on the complainant.

vii. If the complainant fails to appear at the hearing, the JTCHA may make a determination to postpone the hearing, may make a determination based upon the evidence submitted, or may dismiss the matter for failure to appear.

c. JTCHA Decision Binding - Based on the evidence considered at the hearing, the JTCHA will provide a decision by means of a motion and majority vote. The decision of the JTCHA shall be binding, and the Housing Department shall take all actions necessary to carry out the decision. No appeal of the JTCHA shall be made to the Town Council or County Commissioners. Any appeal shall be made to the District Court of Teton County, Wyoming.

5. Other Remedies - The Housing Department shall have the right to enforce the provisions of these Housing Department Rules and Regulations under any civil or criminal remedy provided under Wyoming Law.

D. Grievance Procedure - A grievance is any dispute that seller, buyer, or owner may have with the Housing Department with respect to an action or failure to act in accordance with the individual's rights, duties, welfare, or status. A grievance may be presented to the Housing Department under the procedures below.

1. Request for Grievance Form - Any grievance must be presented in writing to the Housing Department on the "Request for Grievance" form and include:

a. The particular ground(s) upon which it is based;

b. The action or remedy requested;

c. The name address, telephone number of the complainant and similar information of complainant's representative, if any; and

d. Grievance fee.

2. Housing Department Review and Decision.

a. The Housing Department Housing Manager will review all "Requests for Grievances."

b. The Housing Manager shall issue a written letter summarizing the decision regarding the requested grievance within thirty (30) days of receipt of the

"Request for Grievance." The letter will be sent via U.S. mail certified return receipt requested and via email if an email address is known.

c. The applicant may request a hearing of the JTCHA pursuant to Section 16.10.007.3.a.2. if the grievance decision of the Housing Manager is disputed.

16.10.008 Definitions.

A. Definitions.

1. **Accessible Unit**: A unit that has been built or adapted with specific design features that make the unit accessible to those with mobility and hearing handicaps.

2. **Application**: A packet that households who are selected in an affordable housing weighted drawing submit for Housing Authority staff to verify that the household is qualified to purchase the home. The application consists but is not limited to the following:
    a. Housing Department Application for Restricted Ownership or Rental Housing
    b. Signed Certification and Oath
    c. Signed Authorization to Release Information
    d. Completed Lender's Qualification Worksheet (completed by lender)
    e. Full three tier Credit Report that includes credit scores. (Can be obtained from lender)
    f. Previous two years of tax returns with W-2s
    g. Employment Affidavit for each job currently held by wage earners in the household
    h. If self-employed, previous three years of tax returns with an income statement and a balance sheet.

3. **Appeal**: A process requested by an applicant/owner/renter when they understand the qualification, eligibility, and preference criteria and have requested an exception from the Housing Manager and have been denied.

4. **Approved Lending Institution**: Approved lending institutions include institutional lenders; community loan funds, or other similar nonprofits; or other legitimate, non-affiliated finance companies. See Definitions of Institutional Lenders and Community Loan Fund.

5. **Asset**: see Household Net Asset.

6. **Assigned Number**: A computer-generated number based on first name of applicants in alphabetical order that households are listed in a weighted drawing.

7. **Area Median Income (AMI)**: A figure published annually by HUD which is calculated by dividing households residing in counties into two equal segments with the first half of

households earning less than the median household income and the other half earning more.

8. **Authorization to Release Information Form**: This form, which an affordable housing applicant signs, allows the Housing Department staff to verify information supplied by applicants from banks, employers, etc.

9. **Balance Sheet**: A statement of the total assets and liabilities of a business.

10. **Bid Period**: The time period that the Housing Authority accepts bids for an available housing unit. The bid period only takes place if no weighted drawing entry sheets are submitted for an available restricted housing unit.

11. **Borrowed Light**: An indirect source of natural light; for example, a room in a home uses borrowed light when it has a window that looks into another room, where the other room receives direct sunlight.

12. **Capital Improvements**: Improvements done to the home for which the homeowner can receive credit. The capital improvement requires an expenditure that either increases the value of the property or extends its life expectancy.

13. **Caregiver**: A full-time Teton County, Wyoming; Teton County, Idaho; or Lincoln County, Wyoming resident who is or was volunteering all or a portion of their time caring for their own children or an ailing or disabled immediate family member and was therefore unable to gain full-time employment in Teton County.

14. **Closing Date**: The date on which ownership of property transfers from the former owner to the new owner.

15. **Community Loan Fund**: A loan fund that is set up in a community for the purpose of providing down payment assistance or other types of loans for restricted housing units.

16. **Critical Services Provider**: An employee or volunteer of a community based institutional or non-profit organization on call 24 hours per day for public safety emergencies.

17. **Deed Restriction**: A document recorded against a housing unit that describes the unit's housing program. It provides restrictions on the purchase, occupancy, use, and resale of the restricted housing unit. A deed restriction is a type of restrictive covenant that is recorded at the time of certificate of occupancy.

18. **Developer**: An individual or group who builds housing.

19. **Disabled**: Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment.

20. **Earnest Money**: Money that a buyer gives to a seller to bind a contract. Earnest money goes toward the costs of the purchase of the home and is held in escrow by the title company until closing.

21. **Eligibility Criteria**: Criteria defined in either the Deed Restriction or the Housing Department Rules and Regulations, which are used to measure whether a household is eligible to apply for a unit.

22. **Employment-Based**: A restricted housing unit where occupancy is limited to employees in Teton County, Wyoming. There are no income qualifications for an occupant. This type of unit may include, but is not limited to, Accessory Residential Units and Employment-Based Units.

23. **Employment Requirement**: At least one member of a household must demonstrate an average of 30 hours per week (1560 hours per year) of employment in Teton County, Wyoming; or demonstrate a clear intent to work an average of 30 hours per week in Teton County, Wyoming (must have been hired even if hasn't started the job yet.)

24. **Exception**: If a household understands the eligibility and qualification criteria, but feels their situation is unique and there is a compelling reason the rule(s) should not apply to them, they may request an exception. Exceptions are only considered before a weighted drawing process opens or before an application is submitted.

25. **Fair Market Rents (FMR)**: Fair market rents are the maximum chargeable gross rent, including utilities, in an area for projects participating in the Housing and Urban Development (HUD) Section 8 Program. The HUD Section 8 Program targets incomes of 80% and below of the Median Family Income (MFI). The Jackson/Teton County Affordable Housing Department does not participate in HUD's Section 8 Program; however, FMR applies to some Employee Housing rental units. The rental rate corresponds to the amount of bedrooms in a unit.

26. **Final Development Plan Approval**: The point in the development review process when either the Teton County Board of County Commissioners or the Town of Jackson Town Council approves a development.

27. **Final Inspection**: The inspection that is done on a home at least 48 business hours before closing on the sale of the home. The purpose is to determine whether the home has been properly cleaned and that proper maintenance and repairs have been completed.

28. **Finance Company**: A company that regularly makes loans to clients.

29. **Garage**: An enclosed shelter for automotive vehicles.

30. **Grievance**: A dispute that sellers, buyers, or owners may have with the Housing Department with respect to an action or failure to act in accordance with the individual's rights, duties, welfare, or status.

31. **Habitable Floor Area**: Habitable floor area is floor area used for living purposes, usually having access to heat, plumbing, and electricity. It includes foyers, hallways, restrooms, closets, storage, and other common areas within a building. Habitable floor area does not include mechanical rooms, elevators and fireplaces. Habitable floor area is measured either from the exterior of the faces of the building or the exterior limits of any interior wall that separates habitable floor area from uninhabitable floor area, whichever is applicable.

32. **Handicapped**:
    a. Hearing Impaired: Individuals with hearing measures between 25 dB and total hearing loss.
    b. Mentally Challenged: Individuals who have an intellectual functioning level that is well below average and that causes significant limitations in daily living skills.
    c. Mobility Impaired: Individuals who have reduced function of legs and feet that leads them to be permanently dependent on a wheelchair or an artificial aid to walking.

33. **Heir**: A person legally entitled to the property of another person upon the latter person's death.

34. **Homebuyer Education**: Class required by the Jackson/Teton County Housing Authority for households to be eligible to purchase a restricted housing unit. The class educates homebuyers about the entire home buying process.

35. **Homeowners' Association**: An organization comprised of neighbors concerned with managing the common areas of a subdivision or condominium complex. These associations take on issues such as plowing, clearing sidewalks, painting exteriors of a subdivision and collecting dues from residents. The homeowners' association is also responsible for enforcing Covenants, Conditions & Restrictions (CC&Rs) that apply to the property. They do not enforce Deed Restrictions.

36. **Household Income**: The current income going forward 12 months of all adult wage earners within a household before taxes. Income from dependents that are enrolled in college or another type of school is not included in the household income calculation. For self-employed individuals, Income is the net income from the business with depreciation added back in averaged over either the life of the business or the last three (3) years, whichever is shorter. Other types of deductions may be added back in as well, such as home business use.

37. **Household Net Assets**: The value of all assets over $500 in value including, but not limit too, bank accounts, investment accounts, life insurance, furniture, automobiles, jewelry, computer equipment, real estate, and recreational equipment; less any debt the household has. Net assets do not include retirement accounts, business assets are limited to liquid assets.

38. **Housing Programs**: Programs intended to provide housing for the workforce of Teton County and administered under the Jackson/Teton County Affordable Housing

Department They include ownership and rental units created through the Land Development Regulations, through the direct construction of restricted housing units, or the financing thereof.

39. **Housing Mitigation Plan**: The portion of a development plan that specifies how an applicant will satisfy the Affordable and/or Workforce Housing requirements in Division 6.3.6 of the Teton County and Town of Jackson Land Development Regulations.

40. **Immediate Family Member**: Individuals that include a parent, spouse or child, including stepchildren, foster children, step-parents and foster parents.

41. **Initial Inspection**: An inspection done on a home once a letter of intent to sell is received by the Housing Department. The purpose is to inform the seller of the selling process and to check for maintenance and repairs that may be required before the sell occurs.

42. **Institutional Lender**: A lender that is a legitimate financial institution that regularly loans money for real estate transactions.

43. **Joint Tenancy**: When two or more people own property as joint tenants and one owner dies, the other owners automatically own the deceased owner's share. No will is required.

44. **Leave of Absence**: Permission granted by the Housing Department for an owner of a restricted housing unit to be absent from the unit for an extended period of time for a legitimate and compelling reason, without violating the unit's deed restriction.

45. **Lawful Permanent Resident**: Any foreign national who has been granted the right to reside permanently in the United States. Lawful Permanent Residents may apply for Affordable and Attainable housing but are ineligible to apply for Employment-Based housing, as it is available for US Citizens only.

46. **Lender's Qualification**: The Institutional Lender's judgement of the household's financial ability to obtain financing for purchasing a home.

47. **Letter of Intent** to Sell: A letter that a homeowner submits to the Teton County Housing Authority informing the Housing Department that they desire to sell their restricted housing unit. The Housing Department must receive this letter before the selling process can begin.

48. **Liabilities**: Any debt, loans, or balances that a household owes. Liabilities are subtracted from assets when calculating Household Net Assets.

49. **Living Space**: A room in a home used by a family for leisure activities, entertaining guests, etc. It includes space for couches, chairs, tables, and may open to the kitchen.

50. **Local Business**: A local business is a brick and mortar establishment that employs workers in Teton County, and that is located within Teton County, and can include both for profit and not-for-profit entities.

51. **Maintenance**: A repair or maintenance item is an expenditure that restores a property to a sound state.

52. **Maintenance Adjustment**: The amount of money credited to the buyer at closing for maintenance, cleaning, or repairs that are found to be needed on the home at the final inspection.

53. **Maximum Rental Rates**: The maximum rental rate that may be charged to a tenant occupying an Employee Housing unit. The rates must include basic utilities (water/sewer, electric, gas, and trash removal). The specific restriction recorded on the unit instructs the method to be used to calculate maximum rental rates.

54. **Maximum Resale Price**: The maximum amount that a restricted housing unit can be sold for. This price is calculated by the Housing Department according to the restricted housing unit's deed restriction or the Housing Department Rules and Regulations.

55. **Maximum Resale Letter**: A letter given to a seller of an Affordable or Employment-Based housing unit informing them of the maximum amount that the unit may be sold for

56. **Maximum Sales Price**: The maximum amount that newly-provided ownership housing units can be sold for initially. There is 10 percent reduction from the maximum sales price for no garage and a 20 percent reduction from the maximum sales price if the unit is below grade.

57. **Median Family Income (MFI)**: The Department of Housing and Urban Development (HUD) calculates this figure by dividing households residing in counties into two equal segments with the first half of households earning less than the median household income and the other half earning more. Then, adjustments are made based on family size. The Jackson/Teton County Affordable Housing Department uses MFI to determine eligibility for restricted housing units. The Housing Department also uses MFI to calculate maximum sales prices.

58. **Military Service**: Active deployment in the U.S. Armed Services for any amount of time. Military Service counts as employment in Teton County, Wyoming for the sake of gaining the 1-year eligibility in the weighted drawing if the person deployed met employment criteria in Teton County Wyoming for minimum of two years immediately prior to deployment.

59. **Net Livable Floor Area**: This area is calculated on interior living area and is measured interior wall to interior wall, including all interior partitions including, but not limited to habitable basements and interior storage areas, closets and laundry areas. Exclusions include, but are not limited to, uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.

60. **Nonqualified Transferee**: A household to whom the title of a restricted housing unit is transferred, but it does not meet the qualification and eligibility standards set out in these Housing Department Rules and Regulations.

61. **Occupancy Requirements**: A type of preference used in the Affordable and Employment-Based Programs' weighted drawing selection processes through which household is eligible to enter a weighted drawing based on how closely it aligns with the unit size.

62. **Original Purchase Price (OPP)**: The amount the current homeowner originally paid for the home.

63. **"Plus" Units**: Restricted housing units that have extra floor area for offices, play areas, etc.

64. **Post-Secondary Education**: Attendance as a full-time student at an educational establishment after high school or college preparatory school.

65. **Possession Date**: The date a buyer takes possession of a home. This is normally the date of closing unless for some reason funds are unable to be disbursed on that day or other arrangements are made.

66. **Price Opinion**: The market value of residential or commercial property, as determined by a local real estate firm.

67. **Primary Education**: Attendance at a school for primary education located in Teton County Wyoming.

68. **Primary Residence**: A Household's sole residence, occupied at least ten (10) months during each calendar year, or as otherwise stated in the Housing Unit's Restriction.

69. **Profit and Loss Statement**: A statement showing a business's income and expenses up through the month prior to application.

70. **Purchase and Sales Contract**: Contract entered into by the seller and the buyer which outlines the terms and conditions under which the property will be sold.

71. **Qualified Critical Services Provider**: An employee or volunteer on call 24 hours per day for public safety emergencies of an approved community-based organization that provides immediate response to health and safety services.

72. **Qualification Letter**: Letter issued to applicant confirming that they are qualified to purchase the home. This letter is needed by the Title Company in order to allow the closing to take place.

73. **Qualified Households or Qualified Buyer**: Households or buyers that have applied for housing through the Housing Department, where Housing Department staff deem them as eligible to purchase a restricted housing unit after verification of information, based on the unit's Deed Restriction and the Housing Department Rules and Regulations.

74. **Qualified Mortgage/Qualified Mortgagee**: A loan attained from an Approved Lending Institution/the buyer of a restricted housing unit that has been approved for a mortgage.

75. **Resale Process**: The process by which an owner of a restricted housing unit sells it to a new owner.

76. **Residential Property**: A parcel that either includes a residential dwelling unit, or has the by-right potential for developing a residential dwelling unit per local zoning regulations.

77. **Restricted Housing Unit**: Any housing units in the Town of Jackson or Teton County that have Restrictive Covenants or Ground Leases that regulate the occupancy, use, sale, and/or rental of the unit or are restricted by the Land Development Regulations in order to further the Town/County's workforce housing goals.

78. **Restrictive Covenant**: a contract between the Board of County Commissioners/Town of Jackson and the owner of real property developed or designated to ensure the affordability of a housing unit for perpetuity.

79. **Restrictive Covenant Template**: A standard form to be used as a recorded instrument on all restricted housing units.

80. **Restrictive Covenant Information Sheet**: A form that the developers of restricted housing units must fill out as part of the Housing Mitigation Plan.

81. **Retirement Age**: The age at which the Federal Social Security Administration allows an individual to begin collecting Social Security.

82. **Secondary Education**: Attendance at a high school or college preparatory school located in Teton County, Wyoming.

83. **Settlement Statement**: Itemizes all costs, and/or credits due from the buyer and seller at closing.

84. **Tenancy-In-Common**: When two or more people own a shared interest in a property. If one owner dies, they can will their portion to other beneficiary(s) and not to the other owner(s) if they desire.

85. **Uniform Residential Loan Application (or Fannie Mae Form 1003)**: The application required by law for mortgage lenders to use to supply home loans. The Housing Department may require that applicants supply this application when applying for a restricted housing unit.

86. **Verification Checklist**: Checklist used by JTCHA to verify whether a household is qualified to purchase a particular home.

87. **Voluntary Affordable/Employee Housing Units**: Units with a restricted rent or sale price to be affordable to households earning no more than 200 percent of Teton County Median Family Income. An applicant may propose these units in addition to those required by the Land Development Regulations.

88. **Weighted Drawing**: The event that selects the order, of all the applicants for an applicable restricted housing unit, which the home will be offered for sale.

89. **Weighted Drawing Entry Period**: The period (normally two weeks) that the Housing Department accepts weighted drawing entry sheets for an available restricted housing unit.

90. **Weighted Drawing Entry Sheet**: Households complete a weighted drawing entry sheet and submit it to the Housing Department along with other documentation within the weighted drawing entry period when the household is interested in purchasing an available restricted housing unit.

91. **Weighted Drawing Number**: A number that a household receives from a weighted drawing that reflects the household's standing in the weighted drawing for an applicable restricted housing unit.

92. **Weighted Drawing Form**: The form used to record all households who submitted weighted drawing entry sheets for a particular home. The households are recorded in alphabetical order. This form is given to outside counsel who then assigns each household a number. The numbers are placed in a pool and drawn out one by one. The results of the drawing are recorded in order on the Weighted drawing Form and returned to the Housing Department.

93. **Weighted Drawing Process**: The process by which the Housing Department accepts weighted drawing entries from households wishing to purchase a restricted home and determines the order the households will be offered the home for purchase. (Separate lotteries are conducted for each program).

94. **Workforce Housing Program**: An incentive program applicable within the Town of Jackson through which bonus floor areas are available in nonresidential or mixed-use buildings if the developer provides restricted housing units. These units can be either Ownership or Rental, and the number of units to be provided is determined by a ratio set out in the Town LDRs.

SECTION II.

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

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

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

PASSED 1ST READING THE ____ DAY OF _____, 2018.
PASSED 2ND READING THE ____ DAY OF_____, 2018.
PASSED AND APPROVED THE _____ DAY OF_____, 2018.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandy 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 _____, 2018.

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

_____
Sandy P. Birdyshaw
Town Clerk

ORDINANCE G

AN ORDINANCE ADDING A NEW TITLE 16 TO THE TOWN OF JACKSON MUNICIPAL CODE REGARDING HOUSING WITH A NEW CHAPTER 16.10 ENACTING THE TOWN OF JACKSON HOUSING RULES AND REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

There is hereby added to the Town of Jackson Municipal Code a new Title 16 regarding Housing and with a new Chapter 16.10 enacting the Town of Jackson Housing Rules and Regulations to read as follows:

Title 16 Housing

Title 16
Housing

Chapters:

16.10 TOWN OF JACKSON HOUSING RULES AND REGULATIONS

Chapter 16.10
TOWN OF JACKSON HOUSING RULES AND REGULATIONS

Sections:

16.10.000 Introduction.
16.10.001 Purpose and General Goals.
16.10.002 Housing Development Standards and Procedures.
16.10.003 Qualification and Eligibility.
16.10.004 Weighted Drawing.
16.10.005 Purchase and Sale Standards and Procedures.
16.10.006 Rental Standards and Procedures.
16.10.007 Compliance and Exception, Appeal, Grievance Standards and Procedures.
16.10.008 Definitions.

16.10.000 Introduction.

A. List of Commonly Used Acronyms.

Acronym	Full Text
ARU	Accessory Residential Units
AMI	Area Median Income
CC&Rs	Covenants, Conditions, & Restrictions
CPI	Consumer Price Index
HOA	Homeowners Association
HUD	U.S. Department of Housing and Urban Development
JTCHA	Jackson/Teton County Housing Authority
LDRs	Land Development Regulations
MFI	Median Family Income
MRP	Maximum Resale Price
OPP	Original Purchase Price
SF	Square Feet

B. Summary of Housing Programs.

The general goal of all housing programs covered by the Housing Department Rules and Regulations is to provide and maintain housing affordable to persons and families who make a living primarily from employment located in Teton County, Wyoming. The housing programs addressed in the Housing Department Rules and Regulations are: Affordable Ownership, Affordable Rental, Workforce Ownership, and Workforce Rental. Legacy programs (including Accessory Residential Units, Attainable units, Employee units, and Employment-based units) are referenced in some properties' restrictions, so these Housing Department Rules and Regulations also contain the rules that pertain to these programs.
Descriptions of Applicable Programs:

1. Accessory Residential Units (ARU) – Units created through this program are developed as part of nonresidential developments that are exempt from the housing requirements set by the LDRs. These units are rented to workers employed in Teton County, and they must remain as rental property (i.e., they cannot be converted to condominiums). Accessory Residential Units developed after June 4, 2018 will be part of the "Workforce Rental" program.

2. Affordable – These are units created through the mandatory affordable housing mitigation requirements included in the Town and County Land Development Regulations (LDRs). The Affordable housing program is divided into "Affordable Ownership" and "Affordable Rental," and each has restricted pricing based on applicable affordability ranges.

3. Attainable – These units were built before housing standards were codified in the LDRs. No more Attainable housing units will be constructed, but the Housing Department Rules and Regulations still apply through the management of existing units. Specific requirements for these units are recorded as covenants on the property deed, and the Housing Department Rules and Regulations are referenced through these covenants.

4. Employee – These rental housing units are built to comply with the housing mitigation requirements for new nonresidential development set out in the Town and County LDRs. Initially, these units were intended to provide housing to seasonal workers, but they are not restricted to occupancy by seasonal workers. These Housing Department Rules and Regulations have been updated to reflect the Town and County's policy direction in 2017, which aligns with the Comprehensive Plan's goal of housing the local year-round workforce. The owner of the Employee housing units ultimately makes the decision about unit tenancy so long as the household qualifies, and household income is capped at 120% AMI. These units can be converted to condominiums for workforce employers. If the Housing Department Rules and Regulations and the restrictions recorded on the deeds of these properties conflict, then the language, requirement, and/or provision of the restrictions shall be applied and followed, not the Housing Department Rules and Regulations. Employee units developed after June 4, 2018 will be part of the "Affordable Rental" program.

5. Employment-Based – This is a program that the Town of Jackson initiated to create restricted ownership units for sale to households that are employed in Teton County, but do not fit within the affordability ranges set out in the LDRs. These units are not developed under a mandatory requirement set out in the Town's LDRs. These units do not have income or asset limits. Qualifying households are required to be employed at least 30 hours per week at a local business and earn 75% of income from employment at a business located in Teton County. Employment-Based units developed after June 4, 2018 will be part of the "Workforce Ownership" program.

6. Workforce Housing Programs – This program is divided into "Workforce Rental" units and "Workforce Ownership" units. There is no cap on the original purchase price or the rental rate. Once an ownership unit is sold , the maximum resale price is restricted to an appreciation cap on the unit as recorded in the covenants on the deed. The Housing Department Rules and Regulations apply to these units with respect to qualification rules, livability and minimum/maximum square footage requirements, and resale standards.

16.10.001 Purpose and General Goals.

A. Purpose – The Jackson/Teton County Affordable Housing Department ("Housing Department") was created by Teton County, Wyoming and the Town of Jackson, Wyoming on March 14, 2016 Town Resolution 16-04 and County Resolution 16-008. The purpose of these Housing Department Rules and Regulations ("Housing Rules") is to provide comprehensive and consistent provisions that apply to housing units created through the Town or County established housing programs and/or administered by the joint Town of Jackson/Teton County Housing Department (hereafter "Housing Department").

The Housing Department Rules and Regulations were formerly known as the "Guidelines." When the Housing Guidelines are referenced in documents promulgated prior to the adoption of the 2018 Housing Department Rules and Regulations, the reference of guidelines refers to these Housing Department Rules and Regulations.

1. Applicability.

   a. Subject to Provisions that are Unique to Specific Program - Each housing program covered in these Housing Department Rules and Regulations is subject to provisions that are unique to that program as indicated in these Housing Department Rules and Regulations.

   b. Subject to Provisions of the Restrictions Recorded on the Property - Restricted housing units are subject to individual deed restrictions, special restrictions, or ground leases, (collectively "restrictions") which may have additional requirements or provisions. If the Housing Department Rules and Regulations and the restrictions conflict, then the language, requirement, and/or provision of the Restrictions shall be applied and followed, not the Housing Department Rules and Regulations. The Restrictions recorded on the property supersede any inconsistency in these Housing Department Rules and Regulations.

   c. Subject to Federal Fair Housing Law (The Fair Housing Amendments Act of 1988) - The Housing Department recognizes that the Office of Fair Housing and Equal Opportunity administers and enforces federal laws and establishes policies that ensure that all Americans have equal access to the housing of their choice. The Housing Department does business in accordance with the Federal Fair Housing Law (The Fair Housing Amendments Act of 1988).

      i. Discrimination - It is Illegal to discriminate against any person because of race, color, religion, sex, handicap, familial status, or national origin in the sale or rental of housing, in the financing of housing, in the provision of real estate brokerage services, or in the appraisal of housing.

         a) Filing a Complaint - Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination to the HUD Housing Discrimination Hotline, 1-800-669-9777 (Toll Free), or the TDD line for the hearing impaired, 1-800-927-9275.

      ii. Blockbusting - Blockbusting is also prohibited. Blockbusting is the practice of illegally frightening homeowners by telling them that people who are members of a particular race, religion, or national origin are moving into their neighborhood and that they should expect a decline in the value of their property. The purpose of this scheme is to get the homeowners to sell at a deflated price.

   d. Disclaimer - The Jackson/Teton County Affordable Housing Department ("Housing Department") expressly disclaims any and all warranties, express or implied, including without limitation fitness for a particular purpose with respect to the provision of restricted housing units. The Housing Department does not represent, warrant, or promise to construct, finance, or otherwise produce, in whole or in part, any restricted housing units pursuant to these Housing Department Rules and Regulations or under any other programs. No applicant may rely upon any promise implied or expressed that restricted

housing units shall be constructed, financed, or otherwise produced, in whole or in part, by the Housing Department. In no event shall the Housing Department be liable to any applicant for any direct, indirect, incidental, punitive, or consequential damage of any kind whatsoever, including without limitation lost profits, lost sales, lost business, lost opportunity, lost information, lost or wasted time. None of the information contained in these Housing Department Rules and Regulations constitutes an offer to sell or the solicitation of an offer to buy a restricted housing unit.

B. General Policy Goals – The general goal of all housing programs covered by these Housing Department Rules and Regulations is to provide and maintain housing affordable to persons and families who make a living primarily from employment located in Teton County, Wyoming, which includes the Affordable, Attainable, Employee, Employment-Based, Accessory Residential Unit, and Workforce housing programs. This is accomplished by regulating the occupancy, use, sale and/or rental of the restricted housing units covered by the Housing Department Rules and Regulations to qualified households as defined herein.

1. Promoting Economic and Social Diversity - Certain housing programs also limit initial eligibility of qualified households based on financial means criteria, which may include both household income and household net assets. Such financial qualifying factors promote economic and social diversity within the Jackson Hole community.

2. Ensuring Long-Term Affordability - Many of the restricted housing units covered by these Housing Department Rules and Regulations are subject to price limitations for sale, resale and/or rental. These limitations are intended to ensure affordability for both the current household occupying the restricted housing unit and to ensure the long-term affordability of the restricted housing unit.

3. Providing Housing for the Local Workforce - Minimum occupancy requirements apply to all restricted housing units to ensure that the unit meets the community's goals of providing housing for the local workforce by maximizing the space and filling the bedrooms, and to ensure that the restricted housing unit does not serve as a second home.

4. Providing Fair and Consistent Administration - These Housing Department Rules and Regulations are intended to provide clear, fair, and consistent administration of the housing programs to which they apply. It is recognized that there are individual households or restricted housing units that may not fit clearly into the specific provisions of the Housing Department Rules and Regulations, but still meet these general policy goals. For these cases, exception, appeal, and grievance processes have been included in Section **16.10.007** Compliance and Exception, Appeal, and Grievance Standards and Procedures.

C. Relationship to Land Development Regulations – The Town of Jackson and Teton County Land Development Regulations (LDRs) set out standards for the development and use of land within each jurisdiction. The LDRs include requirements for certain

developments to provide affordable housing or fees to offset the additional housing need that the developments create. Specific programs address different types of development. The Planning Department of each jurisdiction reviews development applications to check for compliance with the LDRs.

These Housing Department Rules and Regulations impose additional requirements on the developers of any type of restricted housing units. The Housing Department reviews compliance with these Housing Department Rules and Regulations, both prior to development and during occupancy and use.

1. Standards Applicable Under LDRs versus Housing Department Rules and Regulations - Generally, the LDRs address any provisions that must be met during the development approval phase, while the Housing Department Rules and Regulations address provisions that ensure proper use and maintenance of the restricted housing units throughout their lifetime.

LDR Provisions	Housing Department Rules and Regulations Provisions
Rental/Sale Mix (required mix of units)	Livability Standards (Interior)
Occupancy Standards	Dormitory Livability Standards
Distribution of Income Categories	Livability Requirements for Conversion of Existing Housing Stock
Requirements for Fees in Lieu	Restrictive Covenant Form and Process
Requirements for Conveyance of Land or Conversion of Existing Housing Stock	Sale/Rental Standards and Procedures including Qualification and Eligibility for Each Program
Procedure for Banking Credits	Compliance with Housing Department Rules and Regulations.
Phasing Plan	
Mix by Number of Bedrooms	

2. References Retained for Convenience - All references to the LDRs in these Housing Department Rules and Regulations are for convenience and are not a part of the Housing Department Rules and Regulations.

16.10.002 Housing Development Standards and Procedures.

A. Purpose - The Jackson/Teton County Comprehensive Plan lists three common community values, one of which is quality of life. One of the ways called out to achieve quality of life is through local workforce housing. With regards to workforce housing, the Comprehensive Plan includes the four following principles:

1. Maintain a diverse population by providing workforce housing
2. Strategically locate a variety of housing types
3. Reduce the shortage of housing that is affordable to the workforce
4. Use a balanced set of tools to meet our housing goal

The Town of Jackson and Teton County have several tools to increase the amount of housing that is affordable to the workforce. One of these tools is the requirement and/or incentive in the LDRs for residential and non-residential development to provide permanently restricted workforce housing. This housing represents a substantial and long-term public investment. As such, it is imperative the restricted housing produced be livable and of good quality.

This section, Housing Development Standards and Procedures, is meant to provide guidance to the prospective developers of restricted housing units. Subsection **B** lays out the requirements of the Housing Mitigation Plan, which is reviewed by both the Planning Department and the Housing Department. Subsection **C** sets out the Livability Standards, which are under the Housing Department's purview.

1. Applicability - This Section applies to all developments subject to Division 6.3 and Division 7.4 of the County LDRs and Division 6.3 and Division 7.4 of the Town LDRs. It also applies to any restricted housing units not required through the LDRs that are presented to the Board of County Commissioners or Town Council in development applications.

2. General Policy Goals.

    a. Inform Developers of Standards and Procedures - These Housing Development Standards and Procedures inform prospective developers of the standards and guidelines for construction and sale of restricted housing units, as required by the LDRs and the Housing Department Rules and Regulations.

    b. Provide Fair and Consistent Implementation of Standards and Procedures - These Housing Development Standards and Procedures help the Housing Department implement policies of the LDRs and the Housing Department Rules and Regulations in a fair and consistent manner.

B. Housing Mitigation Plan - A Housing Mitigation Plan for each project shall be submitted according to the provisions of the Teton County and Town of Jackson LDRs [See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4]. A packet with a checklist for a Housing Mitigation Plan can be obtained through the Housing Department or the Town or County Planning Departments.

1. Procedures.

    a. Consultation with Applicant (Optional) - Applicants may meet with Housing Department staff prior to submitting a Housing Mitigation Plan. Although this step is not required, it is often helpful for the applicant and the Housing Department staff to discuss the development proposal and how it meets the LDRs and Housing Department Rules and Regulations.

b. Review - Applications for development that have been submitted to the Town or County Planning and/or Building Departments are reviewed by the Housing Department for compliance with these Housing Department Rules and Regulations.

2. Content - The Housing Mitigation Plan contains some provisions that fall under the purview of the Planning Department, while others fall under the purview of the Housing Department. Specifically, the Housing Department oversees the maximum unit size. Developers should refer to the LDRs for requirements such as the mitigation methods, the mix of units by number of bedrooms and the mix of units by affordability ranges.

   a. Mitigation Method - See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4.

   b. Requirement Calculation - See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4.

   c. Fee Calculations - If the developer proposes Fees In-Lieu as the preferred form of mitigation, the developer shall submit the proposed amount with a Final Development Plan.

      The Housing Department shall update the fees in-lieu for the restricted housing units on an annual basis effective April 1 or within 30 days of HUD publishing updated annual median income data. Fees in-lieu figures are available at the Housing Department office or on the Housing Department website.

   d. Unit Descriptions.

      i. Unit Size - There is no minimum or maximum unit size based on square footage. Size by bedroom mix is located in the LDRs.

      ii. Rental/Sale Mix - As part of the Housing Mitigation Plan, the developer shall state which units are intended as rentals and which are intended as ownership in accordance with the LDRs (See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4).

      iii. Mix of Units by Number of Bedrooms - The intent of the restricted housing programs is to provide a variety of unit types to meet the housing needs of our diverse workforce. The Town and County LDRS set out the specific occupational requirements for housing units. The mix of units by number of bedrooms in each unit is also determined by the Town and County LDRs.

iv. Distribution of Income Categories - See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4.

e. Special Restriction Form and Process - A Special Restriction is a contract between the Board of County Commissioners/Town of Jackson and the owner of real property developed or designated to satisfy the Town or County LDRs. It also applies to other restricted housing units that will be administered by the Housing Department. Special Restrictions shall keep the restricted housing units affordable in perpetuity and provide proper notification of this obligation to subsequent buyers or other interested parties. (See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4).

i. Requirement - The developer shall record Special Restrictions in the public land records for the subject property prior to the issuance of a Certificate of Occupancy by the County or Town.

ii. Process - The Housing Department shall prepare special restrictions according to the process below. Restrictive covenant templates are available from the Housing Department or the Housing Department website.

a) Special Restriction Information Sheet - The developer shall complete the "Special Restriction Information Sheet" and submit to the Housing Department. This form is found at the Housing Department website, or at the Housing Department offices.

b) Preparation of Special Restriction - The Housing Department will prepare the special restriction and provide the document to the developer for review via email or other delivery method.

c) Review - Once reviewed by the developer for accuracy, the Housing Department and the developer ("declarant") will sign the special restriction and deliver to the County or Town for the required signature.

d) Developer Responsibilities - The developer is responsible for signing the special restriction, recording the special restriction with the Teton County Clerk, paying for the recording fees, providing the County or Town Planning Department with a copy of the recorded document, and returning the original to the Jackson/Teton County Housing Department office. The Housing Department shall witness the recording.

e) Modification/Amendment - The developer shall not make modifications to the special restrictions with the exception that when an alternate housing program is approved by the Town Council or County Commissioners. Modifications or amendments to the restricted

covenant must be agreed to in writing by the Housing Department. The developer or owner may be responsible for any legal costs to amend a restrictive covenant.

C. **Livability Standards** - To meet the community's goals of providing working families a viable choice of housing, to protect social diversity, and to contribute to economic stability, the LDRs and the Housing Department Rules and Regulations require that restricted housing units are designed to provide adequate size, building and site design, and finishings to serve future tenants. These are all criteria in the Housing Department's decisions as to whether a development meets the goals of the LDRs and the Housing Department Rules and Regulations. For additional construction standards, see Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4.

1. Process - These Livability Standards are associated with interior components of the units, functionality, light, and outdoor space. Review by the Housing Department will be completed during the planning process and at time of building permit. It is encouraged that applicants review restricted housing unit designs with the Housing Department early in the design process.

   Restricted housing units will also be subject to Planning Department review, as some livability standards are requirements of the LDRs (See Teton County Land Development Regulations: Divisions 6.3 and 7.4 or Town of Jackson Land Development Regulations: Divisions 6.3 and 7.4).

2. Intent - The livability standards in the LDRs do not include minimum size requirements for units. To ensure functionality of units regardless of size, these Livability Standards have been adopted. The Housing Department may consider flexibility within these standards as long as the intent of functionality is being met. All building, plumbing, electrical, and fire code requirements are still required to be met. These standards do not supersede other requirements.

   Restricted housing units are expected to be designed with logical and functional room layout. This includes adequate space for normal living based on two (2) persons per one-bedroom unit, three (3) persons per two-bedroom unit, and four (4) persons per three-bedroom unit and adequate circulation pathways through the unit based on a reasonable furniture configuration.

   The standards contained in this document provide minimum requirements for specific items and are not intended to be "build to" specifications.

   a. Exceptions - Applicants may request approval of components that don't conform to these Livability Standards by completing the "Request for Exception" form. The request must include a detailed explanation of why the applicant wishes to diverge from these Livability Standards, and how the proposed difference is meeting the intent of these Livability Standards. Detailed drawings of what is being proposed shall also be submitted (See Section 7-3)

3. Acceptance of Restricted Housing Units - Proposed floor plans will be reviewed by the Housing Department at time of Sketch Plan submittal, Final Development Plan submittal and/or other permit submittal. Proposed unit designs and components must be approved by the Housing Department prior to submittal for building permit. The Housing Department will inspect all restricted units before certificate of occupancy to ensure that the unit is built according to the approved designs.

4. Standards for Restricted Ownership Units.

   a. Kitchen.

      i. Cabinets - All units shall have kitchen cabinet or other storage area (such as a pantry) proportionate to unit size that, at a minimum, meet the required space listing in the table below. A stove/oven may not be used to meet cabinet requirements, and no more than two cabinet spaces less than one foot in width may be used to meet cabinet requirements.

Unit Size	Lineal Ft of Base Cabinets*	Lineal ft of Upper Cabinets*
Efficiency / studio / one-bedroom < 475 SF	4	4
One bedroom > 475 SF	5	5
Two bedrooms	6	6
Three bedrooms or more	7	7

*Assumes standard 24” depth and 26” height for base cabinets and 12” depth and 30” height for upper cabinets.

Note that additional kitchen storage beyond the minimum is desirable. In some cases, additional cabinetry is provided as either base or upper cabinets and credit is requested to reduce cabinetry elsewhere. Requests to storage requirements will be considered as an exception to be approved by the Housing Department.

      ii. Countertops - The surface of countertops shall be made of new, durable, easily cleaned materials that are commonly used for countertops. One, two and three bedroom units must provide a minimum 3 feet of continuous countertop work space not including interior corner space.

      iii. Appliances.

         a) Table of Appliance Specifications - The following table specifies minimum appliance requirements.

Unit Size	Sink width*	Range/oven width*	Refrigerator cubic feet*	Dishwasher*
Studio/One bedroom < 475 SF	24”	24”	18	18”
One bedroom >475 SF	30”	30”	25	24”
Two bedroom	32”	30”	30	24”
Three bedrooms or more	32”	30”	30	24”

*Minimum Size

b) Quality and Warranty - All appliances shall be new, Energy Star, and UL (Underwriters Laboratories Standards for Safety) listed, and approved appliances. Documentation of the estimated reliability of proposed appliances, such as Consumer Report ratings, should be provided. Appliances must be of sound quality with the following minimum warranties:

1) Range or Stove and Oven - One-year minimum warranty. All major appliances used for surface cooking must have a ventilation system that meets code (typically, a fan rated at a minimum of 150 CFM).

2) Refrigerator - One-year minimum warranty on the entire appliance.

3) Dishwasher - One-year minimum warranty on the entire appliance.

4) Garbage Disposal - If provided in the market rate units, all restricted ownership units shall include a garbage disposal each with a one-year minimum warranty on the entire appliance.

5) Microwaves and other small appliances are optional.

b. Bathrooms - At least one full bathroom is required and must contain a bathtub with shower, sink, toilet, and a minimum of four (4) square feet of storage. Flexibility is allowed as to how the storage is provided and will be approved by the Housing Department

c. Closets and Storage Areas - Adequate storage is essential to providing livable housing. For safety reasons, mechanical rooms should be separate from any storage space and to ensure usable storage space should not open into storage space. All closets and storage areas should have a minimum 7.5’ height except those under stairs which can include sloping ceilings down to 6’ height unless it is not being counted toward the requirement. All dimensions shall be calculated from the finish trim dimension.

i. Table of Minimum Storage Dimensions.

Unit Size	Bedroom closet width	Linen closet* width	Additional storage square feet
Studio/one-bedroom < 475 SF	6 feet	24 inches	25 square feet
One-bedroom > 475 SF	6 feet	30 inches	30 square feet
Two-bedroom	6 feet	30 inches	40 square feet
Three-bedroom or more	6 feet	36 inches	50 square feet

ii. Other Storage Standards.

a) Closet depth must be 26 inches.

b) Bedrooms must each contain a closet that includes one shelf over a rod.

c) Entryway closets are not a requirement. If an entryway closet is not provided that will adequately store coats and shoes/boots for one person in a studio, two persons in a one-bedroom, three persons in a two-bedroom and four persons in a three-bedroom, then an area for hanging/storing coats and shoes/boots near the entryway is required that will adequately provide for the same persons per unit.

d) In addition to bedroom, linen and entryway storage, additional storage must be provided. Locations may include the basement, garage, exterior to the unit or interior to the unit. The intent of this storage is to provide space for large or outdoor items such as bicycles, strollers, recreational gear, etc. If appliances are located in this area, their footprint cannot be counted toward square footage of storage and must be approved by the Housing Department.

e) Closet and storage doors must be sliding doors, folding doors, or doors that open outwards to allow for access to space. Doors are not required on interior storage. Closets and storage space may not have any other doors opening into the space.

D. Floor Coverings - New carpet, wood, tile, vinyl or linoleum floor covering shall be provided, with a minimum 10-year warranty. New water resistant floor covering other than carpet is required in kitchens and bathrooms. Floor coverings are required on all subfloor material with the exception that concrete can be used as flooring material.

E. Room Sizes and Shapes - All units must include appropriate and adequate room sizes and room shapes (generally rectilinear) that allow for functional furniture placement. Minimum sizes should be measured at the narrowest point in the room. Where any room such as the dining room is adjacent to the kitchen area, a 3’ wide buffer between all kitchen cabinets, appliances and work spaces may not be included in the minimum room calculation. All dimensions shall be calculated from the finish trim dimension.

It is highly recommended that room dimensions include an additional 1-2” as a margin of error to accommodate discrepancies in the framing and finish.

i. Minimum Room Size.

Unit Size	Minimum Square Feet
Studio/One-bedroom <475 SF	100 SF
One-bedroom	120 SF
Two-bedroom	180 SF
Three-bedroom or more	200 SF

ii. Bedrooms - The first bedroom shall be a minimum of 120 square feet. Additional bedrooms shall be a minimum of 90 square feet. No bedroom shall have a finish dimension less than nine feet (9’0).

iii. Living/Dining Rooms - Living/Dining Rooms shall provide the following minimum dimensions with no dimension less than ten feet (10’0).

iv. Connections and openings, circulation to and through, and exterior doors and windows shall not compromise the ability to furnish the living/dining area. Furniture layouts shall be used to set critical room dimensions. There shall be a minimum of one layout that is possible that will seat every household member assuming one (1) person for a studio, two (2) persons for a one-bedroom, three (3) persons for a two-bedroom and four (4) persons for a three-bedroom and at least one seven-foot sofa, space for side tables, and ample leg room. Mechanical features, such as fuse boxes, shall not be visible or a central feature in the living area.

v. The eating/dining area may be in a separate room, part of a combined living/dining area, or in the kitchen provided a 3’ wide buffer between all kitchen cabinets, appliances and work spaces is not included in the minimum room calculation and a table and chairs (minimum 2 chairs – 4 chairs for two-bedroom or larger) can be shown to fit into the space without blocking circulation or doorways. A countertop eating area a minimum of 12” deep and 36” in length may be an acceptable alternative for units with less than two-bedrooms.

vi. Studios and One-Bedrooms less than 475 square feet - All units must include appropriate room shapes (generally rectilinear) that allow for functional furniture placement including a sleeping area that will accommodate a twin bed, a living area that can accommodate a 6’ sofa, and a cooking eating area (table or island) that will accommodate two persons/chairs or stools. Furniture layouts shall be used to set critical room dimensions that include room for circulation.

F. Windows/Noise Mitigation - All living areas and bedrooms shall have a minimum of one window that can be opened.

Housing units that share walls with other residential or non-residential spaces must provide noise mitigation in walls, floors and ceilings for both airborne and impact sound.

All windows in rental units that have locations where pedestrians or passersby can see directly into the window must provide window shades or coverings that open from the top down to allow partial closing that provides privacy but also allows for the maximum amount of natural light to enter the unit and for ventilation.

For developments that propose affordable units facing on and within 100 yards of road-ways with allowable speeds in excess of 35 miles per hour or other types of industrial or other noise must have windows facing these conditions that meet a

32 Sound Transmission Class (STC) rating standard for noise mitigation or greater.

g. Laundry - Restricted ownership units shall include washer/dryer hookups.

h. Heating and Hot Water - Furnaces, boilers, or hot water heaters provided must have a 5-year minimum warranty. Hot water heaters must be appropriately sized to adequately serve the number of anticipated occupants based on one (1) person for a studio, two (2) persons for a one-bedroom, three (3) persons for a two-bedroom and four (4) persons for a three-bedroom.

   Heating mechanical units may not be located on any patio or deck used to meet open space requirements or interior to the unit in a way that reduces usable floor area.

i. Other Design Features - The following features are encouraged and may be used in the place of other requirements with approval from the Housing Department:

   i. Built-in storage space such as drawers under beds, stairs, etc.
   ii. Creative shelving in dead space
   iii. Washer/Dryer or communal laundry area in rental units
   iv. Extra storage for recreational equipment
   v. Additional closet space
   vi. Additional cabinetry

5. Standards for Dormitories - General livability standards (Section: **C**) will apply except when these dormitory standards differ. There shall be a minimum of 150 square feet net livable floor area per person, including sleeping, bathroom, kitchen, and lounge space. Net livable floor area shall not include interior or exterior hallways, parking, patios, decks, laundry rooms, mechanical areas, and storage.

   a. Bathroom - At least one bathroom shall be provided for shared use by no more than four persons, containing at least one toilet, one sink, one bathtub with a shower, and a total area of at least 60 habitable square feet.

   b. Kitchen Facility - A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Housing Department's approval and determination that the facilities are adequate in size to service the number of persons using the facility.

      Provide seating at a table or bar area for each person proposed to use the facility. The kitchen must have a range with a minimum of 4 burners and an oven. A refrigerator at least 5 cubic feet per person proposed to use the dorm. Each unit must have a minimum of 7 lineal feet of base cabinets and upper cabinets. Each unit shall have a kitchen sink at least 31 inches wide.

c. Storage Space - Each unit occupant shall be provided at least 20 net square feet of enclosed storage space located within, or in close proximity to, the unit. This is in addition to the required 150 square feet of net livable floor area of living space per person.

d. Occupancy - A dormitory unit shall not be occupied by more than eight persons.

e. Variances - At its discretion, Housing Department staff may allow a variance to the requirement of 150 square feet. To receive approval for a variance, an applicant shall provide a minimum of 60 square feet of sleeping area per person and meet conditions 1- 4, listed above.

6. Standards for Conversions of Existing Housing Stock - If existing unrestricted housing is offered and accepted by the Town of Jackson or Teton County, as adequate to meet an affordable housing requirement, the existing units must be upgraded in accordance with the following standards, unless a variance from these requirements is approved by the Planning Department of the Town or County.

Applicants shall bear the costs of any required upgrades to meet the standards, as listed below. Applicants will also be responsible for any structural/engineering reports requested by the Housing Department to assess compliance with the Housing Department standards of the proposed units.

a. Standards.

i. All units must be freshly painted;

ii. All appliances must be purchased within the last five years and be in good condition and in working order. Evidence must be provided to verify the appliance was purchased within the last five years;

iii. New carpet shall be provided (unless carpet has been purchased in the last five years and is in good condition and repair). Evidence must be provided to verify the carpet was installed within the last five years;

iv. The exterior walls shall be freshly painted within one year of dedication, a general level of upgrade to yards and landscaping shall be provided, and windows, heating, plumbing, and electrical systems, fixtures and equipment shall be in good condition and working order;

v. The roof must have a remaining useful life of at least ten years. Evidence must be provided to verify this; and

vi. The unit shall meet Uniform Building Code minimum standards, as well as any applicable housing code.

vii. See Section 6.3 of the LDRs for other existing housing stock requirements.

16.10.003 Qualification and Eligibility.

A. **General Descriptions** - Each housing program described in these Housing Department Rules and Regulations is evaluated on two levels to determine the requirements of occupants and/or owners to purchase and/or occupy the housing unit in question; the two levels of evaluation are herein referred to as qualification and eligibility.

1. Qualification - Qualification is the most general and applies to all housing programs.

2. Eligibility - Eligibility refers to additional requirements specific to a particular restricted housing unit or program.

B. **Qualification** - To be considered a qualified household under these Housing Department Rules and Regulations, all of the following criteria must be met prior to the time of closing:

1. Employment Requirement - At least one member of the household must fit one of the following categories:

a. Employed in Teton County - Be employed at a local business or organization located in Teton County an average of at least thirty (30) hours per week or 1560 hours in a calendar year, or be under contract for employment at a local business or organization located in Teton County, Wyoming, where such contract commences employment before move-in or closing on a restricted housing unit, and the employment will be for a minimum of 30 hours per week or 1560 hours per year.

b. Self-Employed - If self-employed, hours of work must be documented to substantiate meeting the 30-hour per week / 1560 hours per year requirement. Since self-employment is often unique, different methods of verification may be used. Reasonable annual income is the first method that will be reviewed. Other methods may include verification from vendors, employees, or other applicable methods.

c. Employment Exemptions.

i. Military Service - Active military service in the U.S. Armed Services counts as employment in Teton County, Wyoming if that member of the household met employment criteria in Teton County, Wyoming for a minimum of two years prior to enlisting.

ii. Disabled - An individual who is defined as disabled and is unable to be gainfully employed due to the disability meets the employment qualifications for housing in Teton County if the individual has a minimum of one (1) year of full-time residency in Teton County, Wyoming; Teton County, Idaho; or Lincoln County, Wyoming.

iii. Caregiver - Work as a caregiver counts as an employment exemption if the following criteria are met:

a) Full-time Resident - The caregiver is a full-time resident of Teton County, Wyoming; Teton County, Idaho; or Lincoln County, Wyoming.

b) Duration and Timing of Caregiving - The caregiver was or is volunteering all or a portion of their time caring for their own children or an ailing or disabled immediate family member and, therefore, was unable to gain full-time employment in Teton County. Verification will be required using varying methods including but not limited to birth certificates, letter from health provider, and affidavits from family members or neighbors.

iv. Secondary School Attendance - Secondary education counts as an employment exemption if other employment criteria were met in Teton County, Wyoming at least two (2) years immediately prior to seeking secondary education.

v. Hospitalization - Hospitalization counts as an employment exemption if the hospitalized member of the household worked in Teton County, Wyoming at least two (2) years immediately prior to becoming hospitalized.

2. Citizenship - At least one (1) member of the household must be a U.S. Citizen or be hold a Lawful Permanent Residency card in the United States in order to qualify to purchase a restricted housing unit.

3. Age - At least one (1) member of the household must be eighteen (18) years of age.

4. Financial Ability - The Household must qualify without a cosigner for a loan through an institutional lender to purchase a restricted housing unit.

a. Contingencies - Any contingencies on lender's qualification may be a cause for the Housing Department to deny qualification to the household. If a contingency requires the household to sell a home prior to the purchase of a restricted housing unit, it will be disclosed to the seller, and the seller will have the option to deny going under contract with the selected household.

b. Disclosure of Financial Gifts - Financial gifts received by the household must be disclosed to the Housing Department and will be counted toward household net assets. A letter from the gift or certifying the gift and the amount of the gift will be required.

c. Use of Retirement Savings for Down Payment - Down payment funds that are withdrawn from retirement accounts will be counted toward household net assets.

d. Qualified Mortgages - All liens that encumber the property must be 'qualified mortgages' made by a 'qualified mortgagee' or will not be secured by the property (See Section **16.10.008** Definitions).

5. Occupancy - The Household must occupy the restricted housing unit as its primary residence for a minimum of 10 months out of a calendar year and in accordance with the restrictions recorded on the property.

    a. Leave of Absence - The Housing Manager of the Housing Department may grant a one (1) year leave of absence if the household submits a "Request for Leave of Absence" form, along with the coinciding fee.

    b. Attainable Housing Program Exception - Attainable housing units allow owners to rent a room in their home as long as the owner still occupies the units on a substantially full-time basis (9 months per year as required by their restriction).

C. **Eligibility** - Households may be required to meet one or all of the following eligibility criteria to be eligible to purchase, rent and / or occupy a housing unit. The restriction on the housing unit and / or the specific housing program will determine if additional eligibility requirements apply.

1. Household Income - Eligibility Criteria differs between units that are targeted to different affordability ranges. The "Household Income and Asset Chart" that sets income and asset requirements is updated annually and published on the Housing Department website. It can also be obtained from the Housing Department.

    a. Affordability Ranges - Below are the affordability ranges based on percentage of Median Family Income (MFI) as calculated by the U.S. Department of Housing and Urban Development (HUD). Legacy units restricted prior to 2018 adoption of Housing Mitigation Standards in the LDRs used different "income categories." These income categories will still apply to legacy units that set out these income categories in the unit's restrictive covenants.

        i. Affordable and Affordable Rental.
        Legacy Units developed prior to 2018 adoption of Housing Mitigation Standards:

        0 – 80%
        80 – 100%
        100 – 120%
        120 – 140%
        140 – 175%
        170 – 200%

        Rental units developed after 2018 adoption of Housing Mitigation Standards:

        0 – 50%
        50 – 80%
        80 – 120%
        120% – 200%

        Ownership units developed after 2018 adoption of Housing Mitigation Standards☹2)

80 – 120%
120 – 200%

ii. Legacy Attainable Units.

Category 2 = <=120%
Category 3 = <=140%
Category 4 = <=175%

iii. Employee.

Legacy Units developed prior to 2018 adoption of Housing Mitigation Standards.

Households are eligible for these Employee housing units if they make up to 120% MFI. If this is inconsistent with the deed restriction recorded on the particular Employee Housing Unit, the deed restriction shall supersede these Housing Department Rules and Regulations.

iv. Employment-Based - There is no income eligibility for Employment-Based units. However, at least 75% of the household's combined income must be earned from a business or organization located in Teton County continuously during ownership. If one (1) person in the household is at the age the Social Security Administration allows a person to begin receiving Social Security, their income will no longer be used to calculate the 75% of household income from a local business.

v. Workforce Housing Program - There is no income eligibility for Workforce housing units. However, at least 75% of the household's combined income must be earned from a business or organization located in Teton County continuously during ownership. If one (1) person in the household is at the age the Social Security Administration allows a person to begin receiving Social Security, their income will no longer be used to calculate the 75% of household income from a local business.

vi. Other Restricted Housing Units - Income eligibility for other restricted housing units may be set out in restrictive covenants that apply to the particular restricted housing unit.

b. Calculation of Income -Household income is based on the current income earned by all intended adult occupants of the restricted housing unit at estimated closing date and is calculated by the Housing Department using the current household income to estimate an annual (12 month) income basis. Households must use their current income and may not make changes or adjustments to earnings in order to fit into a category. Any changes to income must be given to the Housing Department prior to the initiation of a weighted drawing process in order to be eligible to enter the weighted drawing.

i. College-Aged Children - The income of adult children who are members of the household and who are attending college will not be counted.

ii. Business Income - Business income of a qualifying Household is calculated using an average of the last three (3) years of income on the business' tax returns. A year to date profit and loss determination will also be used to calculate business income, along with a current balance sheet. If the business has not been operating for three (3) years, the Housing Department will average income over the time the business has been operating.

iii. Household Members - All individuals who are intending to occupy the unit must be included on the application. All adults who are not attending college must include income and assets on the application. No adults not listed on the application may reside in the home within the first year and without prior approval from the Housing Department. No approval will be given without adding any adult occupants to title.

2. Household Net Assets - Eligibility for some restricted housing units is also based on a qualifying household's net assets.

a. Calculation of Net Assets - Household net assets include the value of all assets over $500 in value including, but not limit too, bank accounts, investment accounts, life insurance, furniture, automobiles, jewelry, computer equipment, real estate, and recreational equipment; less any debt the household has. Net assets do not include retirement accounts, business assets are limited to liquid assets.

Total household net assets shall not exceed two times the four-person household Income requirement for the income category of the housing unit. All household members' shares of liquid business assets shall be included in determination of total household net assets. Net assets of all household members shall be combined in determination of total household net assets. See the "Household Income and Asset Chart" for net asset thresholds, which is updated annually and published on the Housing Department website. A copy may be obtained from the Housing Department.

b. Ownership of Real Property.

i. Ownership at Time of Application - At the time of application, a Household may own other undeveloped or developed residential or commercial property. The fair market value of such property will be taken into consideration when determining household net assets. A price opinion using a market analysis will be obtained by the Housing Department through a local real estate firm within thirty (30) days from the date of submittal of an application for a restricted housing unit to determine fair market value of the other undeveloped or developed property. The owner of the property will be solely responsible to pay for the price opinion in conjunction with submittal of the Housing Department Application.

a) Ownership of Commercial Property - A household will be able to maintain ownership of commercial property.

b) Designation of Mobile Homes - Mobile homes situated in a mobile home park or on other land with hook-ups to water/sewer and electricity will be considered residential property, and thus, will be required to be sold as with other residential property. If the mobile home is not situated in a mobile home park or other land with hook-ups to water/sewer and electricity, it will only be considered an asset.

c) Rental Income and Rental Assets - Rental income from any residential real estate will be counted toward household income and the asset will be counted toward net assets.

c. Required Sale of Residential Property - Once under contract for a restricted housing unit, the qualifying Household must list residential property (developed or undeveloped), located within 150 miles driving distance from the Town of Jackson, for sale at a price commensurate with the price opinion. If the property has not sold or is not under contract after one year from the listing date, within 30 days of the year expiring, another price opinion will be obtained. If the price opinion is lower than the listed price, the owner will have 30 days from the date of the price opinion to lower the asking price to that of the price opinion. If after 24 months from the date first listed, the property still has not sold or gone under contract, the Housing Manager of the Housing Department will issue an analysis of the property with a determination of the salability of the restricted housing unit along with the next steps required. A copy of the analysis will be provided to the owner, and the owner will have the opportunity to appeal the determination of the Housing Authority Board. The owner may be required to sell their restricted housing unit if the residential property has not sold.

d. Disposition of Assets - Any member of a household who has assigned, conveyed, transferred or otherwise disposed of property or other assets within the last two (2) years in order to meet the net asset limitation or the property ownership limitation shall be ineligible to purchase a restricted housing unit.

3. Readiness to Purchase - Individuals purchasing a restricted housing unit must demonstrate readiness to purchase by showing the following:

a. Contingencies - Contingencies on lender's qualification must be approved by the Housing Department prior to entering a weighted drawing. Such contingencies include but are not limited to requirement to sell property, requirement to prove down payment via account statement, gift letter or other, and requirement to pay off debt. Examples of proof of down payment are a letter from a family member who may be providing a gift or a bank statement showing funds available.

b. Age - At least one individual in the household must be at least 18 years of age.

c. Execution of Legally Binding Contract - Individuals must be capable to legally enter into a contract.

4. Homebuyer Education - Completion of the Homebuyer Education course is be required to meet eligibility criteria to enter a weighted drawing for a restricted housing unit and/or purchase a restricted housing unit. The required course is offered by Wyoming Housing Network or another Housing Department approved organization.

5. Online Intake Form - The Online Intake Form must be completed prior to entering a weighted drawing for a home. Completion of this form will put a household on the Housing Department's email list, and the household will begin receiving emails with information about homes when they are available. All advertising of homes available will be done through email to those who have completed the Online Intake Form and on the Housing Department website. The online Intake Form can be found on the Housing Department's website: jhaffordablehousing.org. This form must be completed in its entirety and updated at least annually. It cannot be completed or updated during a weighted drawing process that the household wishes to enter. The Online Intake Form does not enter a household into a weighted drawing. The weighted drawing is a separate process. See Section **16.10.004.C.5**.

16.10.004 Weighted Drawing.

The Affordable and Workforce Housing requirements may utilize the weighted drawing process to select a qualified household using the procedures listed below. The weighted drawing will be advertised on the Housing Department website, jhaffordablehousing.org, and via email to all households that have completed the Online Intake Form. See Section 3-3e: Online Intake Form.

A. Minimum Occupancy Requirement - In order to ensure that the units meet the intended goals of housing the Teton County workforce and are consistent with mitigation requirements, the following occupancy preferences are:

Studio:	One (1) or two (2) persons
One-bedroom:	One (1) or two (2) persons
Two-bedroom:	One (1) or two (2) adults with one (1) or more dependents
Three-bedroom:	One (1) or two (2) adults with two (2) or more dependents
Four-bedroom:	One (1) or two (2) adults with three (3) or more dependents

For purposes of counting household size, children must be able to be claimed as a dependent on Federal Income tax returns.

B. Weighted Drawing Points - Eligible households receive points that will determine the number of entries the household will receive in the weighted drawing. One point equals one entry in the weighted drawing. One point is assigned for each full year of consecutive full-time employment at a local business immediately prior to entering a weighted drawing, with a maximum of ten (10) points. One point is assigned for each qualified

critical services provider with a maximum of two (2) points. The total maximum points a household can receive is twelve (12). Households are not eligible to enter a weighted drawing until they have one (1) full year of full-time employment in Teton County for a local business or one (1) point.

Points are given based off of one person in the household. Years working in Teton County cannot be doubled up and must be verifiable. For example, a two-person household, one of which has been employed in Teton County for two years and the other for four years, would be assigned four (4) points.

1. Employment - At least one member of a household must be employed full-time in Teton County at a local business. Full-time employment is defined as at least one thousand five hundred sixty (1,560) hours per year or an average of at least thirty (30) hours per week. Employment exemptions found in Section **16.10.003.B.** Qualifications apply.

    a. Interruption of Employment - Interruption of employment will be allowed in special circumstances if other employment criteria are met in Teton County, Wyoming at least two (2) years immediately prior to the interruption of employment. Interruption of employment will only be allowed for a maximum period of two (2) years. Points will not be given for the time period during the interruption of employment. Points will be given for years employed full-time at a local business immediately prior to the interruption of employment. To obtain points for prior employment, a household must have reestablished full-time employment at a local business immediately upon termination of the reason for the interruption of employment. Reasons for allowed interruption of employment include: caring for a sick or disabled immediate family member, attending secondary school, and hospitalization. Verification documentation of the reason for interruption of employment will be required to obtain points for prior employment.

2. Additional Points.

    a. Critical Services Provider - Qualified critical services providers, as defined in Section **16.10.008** Definitions, may be eligible for a maximum of two (2) additional points. Any household may not receive more than two (2) points. However, if a household has one (1) person who qualifies as a critical services provider for two (2) organizations, they will receive two (2) points.
    The following conditions must be met to receive the critical services provider designation and priority:

        i. Critical Services Provider Designation - Organizations who believe their employees or volunteers meet the definition of critical services provider can apply to the Housing Department to become an approved critical services provider organization and have certain job positions deemed ‘qualified.” The Teton County Board of County Commissioners and the Jackson Town Council will approve or deny critical services provider organization applications.

a) Required Documentation - Employees who work in these "qualified" positions for approved critical services provider organizations can enter a weighted drawing and receive additional points. These individuals must submit a "Critical Services Provider Supervisor Questionnaire" along with their weighted drawing entry documents. These will be held on file for a period of six months before needing to be updated.

ii. One Year of Full-Time Employment - A qualified critical services provider must earn one (1) point for one (1) year of full-time employment in Teton County at a local business prior to receiving points as a critical services provider.

iii. Approval Process - Applications received by the Housing Department for approval as Critical Services Provider Organizations will be processed by staff. The Housing Manager will make a recommendation to the Jackson/Teton County Housing Authority Board who will approve or deny the application.

3. Accessible Units - Priority will be given to households with member(s) who are mobility impaired. If more than one weighted drawing entry is received for Accessible units, a weighted drawing will be held. If no households with members who have mobility impairments apply, the weighted drawing will be held with all other applicants.

16.10.005 Purchase and Sale Standards and Procedures.

A. Sale and Resale Standards.

1. Applicability - Each restricted housing program dictates both the initial sales price and the maximum resale price. The restrictions for each unit should be consulted for exact details.

a. Affordable Housing Program - For the Affordable housing program, these Housing Department Rules and Regulations set out how to determine both the initial sales price and the maximum resale price.

b. Employment-Based Housing Program - The initial sales prices and maximum resale prices for Employment-Based housing units are determined by these Housing Department Rules and Regulations.

c. Workforce Housing Program - The initial sales prices for Workforce housing units are negotiated between the owner and the buyer. There are some legacy Workforce units that have maximum sales prices and limited appreciation.

d. Attainable Housing Program – The Attainable housing program does not place limits on sale or resale prices, but buyers still must meet the qualification and eligibility rules laid out in Section **16.10.003**. Qualification and Eligibility.

e. Other Programs – For other restricted housing units, the property's restrictions clarify how the sale and resale prices are configured.

f. Rental Rates - For information on maximum rental rates permitted by the rental housing programs, see Section **16.10.005.B**. Tenancy and Rental Standards and Procedures.

2. Initial Sales Price (Maximum Sales Price).

The Housing Department updates the maximum sales prices for Affordable housing units obligated by the LDRs on April 1st of each year. The maximum sales prices are available on the Housing Department's website or at the Housing Department. The methodology listed below shall determine the maximum sales prices. The intent of the maximum sales prices is to ensure initial and long-term affordability.

a. Median Family Income - Each year, the U.S. Department of Housing and Urban Development (HUD) releases Median Family Income figures for Teton County, Wyoming. The Housing Department uses this data to determine household incomes for the applicable restricted housing units based on number of bedrooms and persons per bedroom.

b. Household Size - The Household Size for determining maximum sales price is based on number of persons per bedroom in the applicable restricted housing unit.

c. Affordability Range - The household income for the applicable restricted housing unit is set at the middle of the affordability range to ensure affordability. For example: the income range for affordability range 3 is 81% - 120% MFI; therefore, an income of 100% MFI would be used in calculating the maximum sales price.

d. Percentage of Income - The national standard for household affordability is that a household does not pay more than 30% of its gross income toward housing costs. Therefore, monthly payments (including principle, interest, taxes, insurance and HOA dues) cannot exceed 30% of the Median Family Income for each affordability range.

e. Maximum Sales Price Calculation - The maximum sales price for a restricted housing unit is determined by calculating 30% of a qualifying household's income, using the following assumptions:

i. 22% of household income covers principal and interest,

ii. 8% of household income covers HOA dues, taxes, and insurance,

iii. Assumptions for the mortgage include: 30-year mortgage, 5% down payment, 20-year rolling average interest rate for a qualifying household earning the median of the applicable income category.

f. Potential Variability of Maximum Sales Price.

i. The maximum sales prices will be lower if the unit is below grade, or if there is no garage.

ii. If an owner is determined to be in default of their restrictions, the Housing Department will have the option to purchase the property for a purchase price equal to the maximum resale price or the appraised value, whichever is less, subject to the Housing Department's ability to limit appreciation and/or reduce proceeds, and on such other terms as are provided in the restrictions.

iii. If an owner is found to be in default of their restrictions, the Housing Department may cease the appreciation of the property when determining the maximum resale value beginning on the known date the owner began being in default.

3. Maximum Resale Price.

a. The intent of the maximum resale price is to ensure long-term affordability of the restricted housing units at resale. The maximum resale price (MRP) shall be the original purchase price (OPP) with the following adjustments:

Appreciation 3% or Denver-Boulder-Greeley CPI - Appreciation of the value of the restricted housing unit is based on the Denver-Boulder-Greeley CPI each year capped at 3%. The latest published numbers for Quarter 2 and Quarter 4 of each year will be used unless the deed restrictions or ground lease specifically reference an alternative appreciation method or no measured appreciation.

The following standards apply:

1) Date of purchase is defined as seller's original closing date (date seller purchased the restricted housing unit). If the closing date is on or after the 15th of the month, the month is not counted for prorating the value. If the closing date is before the 15th of the month, the entire month is counted.

2) Three (3) months will be added to the date that the "Letter of Intent to Sell" is received and will be considered the estimated closing date.

3) If the Letter of Intent to Sell is received on or before the 15th of the month, the entire month is counted. If the "Letter of Intent to Sell" is received after the 15th of the month, the month will not be counted.

4) Each eligible whole month will be prorated.

i. Denver-Boulder-Greeley CPI - The CPI used to calculate maximum resale prices in some restrictions is the Denver Boulder Greeley CPI. New figures

are published by the Colorado Department of Labor and Statistics twice a year, normally in March and August. In calculating the allowed maximum appreciation of a home, the latest reported figure will be averaged with the other reported figure for the year and used up to the date new figures are released. Once a Facilitation Agreement has been signed, new figures will not affect the maximum resale price. If the Denver Boulder Greeley Colorado CPI ceases to exist, a comparable index will be used.

ii. Northwest Wyoming Cost of Living Index - The NWCLI figure used to calculate maximum resale prices in some ground leases is obtained from the Wyoming State Division of Economic Analysis and is calculated with All Items minus Housing. It is updated quarterly and released generally in June for the First (1) Quarter, October for the Second (2nd) Quarter, December for the Third (3rd) Quarter and March for the Fourth (4th) Quarter. The latest reported figure will be averaged with the other reported Quarters of the year and will be used up to the date the new figures are released. Once a Facilitation Agreement has been signed, new figures will not affect the maximum resale price. If the NWCLI ceases to exist, a comparable index will be used.

iii. Flat Appreciation Rate of 2.5 Percent - The flat appreciation rate of 2.5% found in some restrictions is not based on an index. Rather, it is based on an analysis of incomes over 20 years, where it was found that incomes rose on average by 2.5% per year.

b. Cost of Actual Capital Improvements - Restricted housing units that have deed restrictions or ground leases allowing for improvement credits can add the value of these improvements to the appreciated value to calculate the MRP based on the following.

Credit for capital improvement expenditures on the restricted housing unit given at resale will be no more than 10% of the OPP of the home except where the Housing Department has determined otherwise. All capital improvements must be pre-approved by the Housing Department and properly permitted and inspected by the Town of Jackson or Teton County Building Official. Approval/disapproval must be determined prior to actual construction to be considered at time of sale. Improvements done without prior approval will not be considered for capital improvement credit. It is the owner's responsibility to secure any approval necessary from the restricted housing unit's Homeowners Association and obtain any necessary permits prior to undertaking any Capital Improvement. Please consult Section **16.10.005.A.5** for more details.

c. Depreciated Costs of Capital Improvements - The depreciated costs of Capital Improvements can be added to the appreciated value to calculate the MRP, so long as they do not exceed ten percent (10%) of the OPP or as determined by the Housing Department on a project-specific basis. All capital improvements will be depreciated as applicable according to the Marshall and Swift Residential Cost Handbook or a similar resource.

d. Maintenance Adjustment - Households are required to keep restricted housing units in a properly maintained state. Housing Department staff and/or a third-party inspector hired by the Housing Department will inspect the property after receiving the "Letter of Intent to Sell" from the owner. The inspector will provide an inspection report to the Housing Department. The Housing Department may require the owner to repair or replace items on the inspection report. The buyer also has the opportunity to inspect the property and provide the Housing Department with a list of items. If required repairs, replacement, or cleaning are not made by the owner prior to the Housing Department's final walkthrough two (2) business days before closing, the Housing Department will estimate the costs at its sole discretion, and an adjustment may be made to the seller's proceeds or to the maximum resale price.

e. Other Costs - Any additional costs allowed by the Housing Department pursuant to the policies in effect on the date of the restricted household's "Letter of Intent to Sell."

4. Selling Procedures.

a. Letter of Intent to Sell - The seller shall submit a completed Letter of Intent to sell form to the Housing Department to begin the selling process. The form can be found on the Housing Department's website or can be obtained from the Housing Department. The Housing Department staff will set up a meeting with the seller to review the selling process and the seller documents. The Letter of Intent must be submitted and the meeting with the seller must occur the week prior to the beginning of the weighted drawing entry period. See section 4.The seller shall be given the option to choose the Title Company. If the seller has no preference, the Housing Department will choose the Title Company.

b. Viewing of Unit - Once the weighted drawing is completed, the first household drawn will be contacted by the Housing Department and a time set up to view the unit. This viewing shall occur within five (5) business days of the household being notified that they were selected first in the drawing.

c. Inspection - The Housing Department will order a third party inspection to be done on the home by a qualified home inspector. The inspection information/report is for the use of the Housing Department and will not be released to any buyer. Buyers shall have the option to order their own inspection to be done on the home. It is the Housing Manager's sole discretion as to whether items found by an inspector will be required to be repaired. A list of items required to be repaired will be given to the seller by the Housing Department. The seller is expected to have the items completed no later than three (3) business days prior to the closing date.

d. Complete Application - The household shall have five (5) business days from the day they are notified that they were selected first in the drawing to submit a complete application to the Housing Department. The Checklist for Complete

Application and Application form can be obtained from the Housing Department's website or from the Housing Department. The Housing Department reserves the right to request additional documentation when verifying a Household's eligibility and qualification.

e. Qualification - The Housing Department shall review the application and supporting documents and calculate income, assets, and hours worked to verify eligibility and qualification. This process normally is complete within five (5) business days of receiving the application. However, it may take longer in unique circumstances. Once the Housing Department completes the review and verification of eligibility and qualification, the applicant is notified of approval or denial. If the applicant does not qualify, the next household drawn in the weighted drawing will be notified and the process will start over.

f. Qualified Household Meeting - When the Housing Department has identified a qualified household who wishes to move forward with the purchase of the home, a meeting is set up with the qualified household to review the purchase process and purchase documents, which include the Contract for Purchase and Sale of Residential Real Estate or Residential Improvements in the case of a Ground Lease and the buyer's Facilitation Agreement. The applicant has five (5) business days to review and execute the purchase documents and return them to the Housing Department with earnest money as called for in the Contract. The seller shall be notified immediately upon receipt of the signed contract and earnest money to execute the contract. A copy of the contract and the earnest money are then delivered by the Housing Department to the Title Company.

g. Final Walk Through - A final walk through will occur generally two (2) business days prior to the closing date. If the Housing Department finds maintenance or repair items that have not been completed, the Housing Department will estimate the costs of the maintenance/repair items and withhold funds from the seller's proceeds. The funds are then given to the buyer and the buyer is responsible for completing the maintenance/repair items.

h. Closing - The closing will be held on or before fifty (50) days from complete execution of the Contract. The Buyer will take possession of the unit on closing day.

5. Capital Improvement Standards.

a. Approval Required - Owners must receive written approval from the Housing Department prior to beginning the work in order to receive credit for the capital improvement. To obtain approval, the "Request for Capital Improvement" form must be submitted along with estimated costs and drawings and/or plans and a narrative of the work to be done. Once the improvement is complete, copies of all receipts for materials and labor must be given to the Housing Department. No credit will be given for sweat equity.

b. Workmanlike Manner - All improvements must be built in a workmanlike manner, and according to Town of Jackson or Teton County building codes. All required permits and completion releases must be obtained from the Town or County. Any owner that does capital improvements without obtaining the proper permits or if it is determined at the Housing Department's sole discretion that the improvements have not been done in a workmanlike manner may be required to make repairs or remove the improvements and return the home to its original condition.

c. Permitted Capital Improvements - The term "permitted capital improvement" shall only include the following:

i. Fixtures erected, installed or attached as permanent, functional, non-decorative improvements to real property, excluding repair, replacement and/or maintenance improvements;

ii. For the benefit of seniors and/or handicapped persons;

iii. Health and safety protection devices (including radon);

iv. Adding and/or finishing of permanent/fixed storage space;

v. Finishing of unfinished space;

vi. Landscaping; Adding trees, shrubs, lawn, patio, walkways, or sprinkler systems;

vii. Decks and balconies, and any extension thereto;

viii. Partial credit may be given for upgrade improvements that will increase the life of the component as compared to the original product or increase the long-term affordability of the home.

d. Improvements Not Permitted for Credit - Permitted capital improvements shall not include the following:

i. Jacuzzis, saunas, steam showers and other similar items;

ii. Upgrades or addition of decorative items, including lights, window treatments and other similar items;

iii. Upgrades of appliances, plumbing and mechanical fixtures, carpets and other similar items included as part of the original construction of a unit, unless replacement is shown to improve the lifespan of the component or the long-term affordability of the restricted housing unit.

6. Resale and Transfer Limitations.

a. Transfer of Title - Transfer of title is not allowed unless approved by the Housing Department. To apply for approval, owners need to complete the Housing Department's "Request for Transfer of Ownership (Title)" form and submit it to the Housing Department along with a $100.00 fee, which covers legal and recording fees. In some cases, a complete application will be required to be submitted for qualifying purposes.

   i. Divorce - In the event of the divorce of an owner, the Housing Department may consent to the transfer of the residential unit to a spouse of an owner, which spouse may not otherwise qualify as a qualified household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

   ii. Death - In the event of the death of an owner, the Housing Department may consent to the transfer of the residential unit to an heir or devisee of such deceased owner, which heir or devisee may not otherwise qualify as a qualified household only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

   iii. Nonqualified Transferee - If title to the restricted housing unit vests in a nonqualified transferee, as defined in these Housing Department Rules and Regulations Section **16.10.005.B.** Qualification, the restricted housing unit shall immediately be listed for sale in accordance with the restrictions and the Housing Department Rules and Regulations. The following shall apply when the Housing Department determines there is a nonqualified transferee:

      a) A nonqualified transferee shall cooperate with the Housing Department to affect the sale, conveyance or transfer of the restricted housing unit to a qualified household (or the Housing Authority in the event of its exercise of its option to purchase) and shall execute any and all documents necessary to such sale conveyance or transfer.

      b) A nonqualified transferee shall comply with the restrictions, the Housing Department Rules and Regulations, and all other covenants regulations, ordinances, statutes, laws, or rules governing the ownership, occupancy, use, development or transfer of the restricted housing unit, and further may only occupy the restricted housing unit with the prior written consent of the Housing Department.

b. Trusts - Restricted housing units may not be put into any type of a trust. This is the equivalent of transferring ownership, and trusts are not qualified to be the owner of a restricted housing unit.

c. Nontestamentary Transfer on Death - A "Nontestamentary Transfer on Death "deed is allowed to be recorded on restricted housing units, and must include the following:

i. It conveys an interest in real property to a beneficiary designated by the owner and states the deed is effective upon the death of the owner.

ii. It must be subject to all other encumbrances on the property to which the owner was subject to during their lifetime, including the Restrictions on the property.

iii. The Housing Department must approve the document before recordation.

d. Title - All adults who occupy the restricted housing unit for more than 30 accumulative days in a calendar year, except for children attending college, must be on the title to the restricted housing unit unless they have approval from the Housing Department to rent a room in the unit. Situations that require an addition to title include but are not limited to marriage, a significant other moving in, a friend moving in, etc. Additions and removal of names on the title constitute a transfer of title. The Housing Department must approve all transfers of title.

7. Other Sale and Resale Standards.

a. Privy to Purchase and Sales Agreement - Sellers and buyers shall provide a copy of the "Purchase and Sale Agreement" to the Housing Department. All financial information shall remain confidential, except as follows:

i. Public Records - Any document that would customarily be a matter of public record in the public records of Teton County, Wyoming, and is subject to the Wyoming Public Records Act;

ii. Weighted Drawing Positions - The names and positions of all persons who have participated in any Rental Weighted drawing held under these Housing Department Rules and Regulations;

iii. Freedom of Information Act or Wyoming Public Records Act - Any other information, which a court of competent jurisdiction rules must be released under the Freedom of Information Act or the Wyoming Public Records Act; and

iv. Audits - In addition, the Housing Department may allow access to personal and private information to any person or entity undertaking an independent audit of the records kept under these Housing Department Rules and Regulations, provided that such person or entity agrees to be subject to this confidentiality provision.

b. Independent Legal Counsel - All sellers and buyers of restricted housing units are advised to consult independent legal counsel to examine all contracts, CC&Rs, deed restrictions, agreements, affidavits, closing statement, title documents, etc. The retention of such counsel, or related services, shall be at the seller's and buyer's own expense. The sellers and buyers and/or their attorneys will not be allowed to make changes to Housing Department documents. A "Buyer's

Acknowledgement" form will be required to be signed prior to closing acknowledging recommendation to obtain legal counsel. The "Buyer's Acknowledgement" form will be provided to the buyer for review prior to closing.

c. Title Company - The Housing Department advises sellers to use a title company and escrow agent located in Jackson, Wyoming to close the transaction because of their expertise with the Housing Department's restricted housing programs and their unique and technical closing documents. The seller and buyer shall authorize the Housing Department to review the "Settlement Statement" prior to closing. Sellers can select a title company and escrow agent of their choice. If no title company is indicated, the Housing Department will select one.

d. Lenders.

i. Approved Lending Institutions - Borrowers are restricted to the following lending institutions licensed to engage in mortgage lending practices in the State of Wyoming:

a) An "institutional lender" such as, but not limited to, a federal, state, or local housing finance agency, a bank (including savings and loan association or insured credit union), an insurance company, or any combination of the foregoing, the policies and procedures of which Institutional Lender are subject to direct governmental supervision; or

b) A "community loan fund", or similar non-profit lender to housing projects for income-eligible persons (e.g. is not given to or acquired by any individual person); or

c) A non-affiliated, legitimate, "finance company." In no event shall such finance company be an individual or any company that is affiliated with or has any affiliation with the owner or any family member of the owner.

ii. Required Down Payment and Loan to Value Ratio - The Housing Department requires that all buyers have at least 3.5% down payment on a purchase, and no refinance or second mortgage obtained after the original purchase is allowed to be higher than 95% loan to value.

iii. Debt to Income Ratio - The total debt to income ratio for a household may not exceed 45%.

iv. Qualified Mortgage - Lenders may submit a "Qualifying Mortgage" form to the Housing Department to have the mortgage deemed a "qualifying mortgage." When submitting a qualified mortgage request, a copy of the title commitment and the Transmittal Summary (HUD Form 1008), or other documentation containing the same information, is required to be attached. The "Qualifying Mortgage" form can be obtained from the Housing Department or from the Housing Department's website.

For homes that do not have a measured appreciation, such as Attainable homes, an appraisal recognizing the restriction on the property is required.

The Housing Department reserves the right to require additional information before approving a mortgage as a "qualifying mortgage".

e. Total Debt - Owners shall not incur debt, liens or other obligations secured by the restricted housing unit that exceed 95% of the Original Purchase Price of the unit and shall notify the Housing Department immediately when a change in the total of these secured obligations is anticipated. No second mortgages, including but not limited to home equity lines of credit, shall encumber the restricted housing unit without advance approval by the Housing Department.

f. Co-Ownership - Any co-ownership arrangement other than Joint Tenancy or Tenancy-In-Common must be approved by the Housing Department. All adults occupying the unit, with the exception of children attending college, must be on the title of the restricted housing unit.

g. Co-Signors - Co-signors are guarantors for payment of mortgage. If an exception to the "no co-signors" rule is granted, co-signors shall not occupy the unit. Co-signors are not co-owners, so they are not allowed on the title. No lien or security can be placed on the property besides the mortgage itself.

h. Homeowners Associations - The restricted housing unit may be subject to a Homeowners Association (HOA). All owners of restricted housing units are required to pay HOA dues, and potential special assessments and fees if applicable, unless otherwise exempted. HOA dues may be substantial and are factored into the maximum sales price. Homeowners Associations frequently have interests and regulations, other than the Restriction, that affects the restricted housing unit. It is the owner's responsibility to be aware of these interests and regulations. Failure of an owner to comply with the HOA Rules and Regulations or CC&Rs constitutes default of the Housing Department Rules and Regulations.

i. Homeowners' Hazard Insurance - Owners are required to keep hazard insurance on their homes for 100% replacement cost. Since the homes are subsidized, this amount could be more than the price of the home. Often times Homeowners Associations provide insurance. Depending on how much coverage the HOA provides, the owner may be required to provide additional insurance to guarantee complete replacement of the home. Ground lease properties are required to name the Jackson/Teton County Housing Authority as additionally insured.

B. **Tenancy and Rental Standards and Procedures** - To maintain the character of neighborhoods and respect the nature of the community, restricted ownership units are not allowed to be rented without prior approval from the Housing Department. This includes renting any portion of the dwelling, any room within the dwelling or the garage.

1. Primary Residence - Owners of restricted housing units shall maintain the home as their primary residence.

    a. Occupancy Requirement - Households shall occupy their home full-time at least 10 months out of each calendar year.

    b. Business Activity Restricted - Households who rent a restricted housing unit shall not engage in any business activity in such dwelling, other than any home occupation use permitted in that zoning district and as permitted in the Lease Agreement.

    c. No Guests for an Extended Period - Households who own restricted housing units shall not permit any adult guests over the age of 18 for periods in excess of thirty (30) cumulative days per calendar year.

    d. Leave of Absence - A one-year exception may be granted in cases of illness, short-term leaves of absence for education or training purposes, or other exigent circumstances with the advance written approval of the Housing Department.

        i. Rental of Restricted Unit during Leave of Absence - If granted a leave of absence, the owner is allowed to rent the property according to the provisions below in Section **16.10.005.B.2**. Rental Procedures for Owner-Occupied Properties.

        ii. Post Leave of Absence.

            a) After the restricted housing unit is rented for nine (9) months, owner will be required to notify the Housing Department in writing of either, (a) their intention to move back to the restricted housing unit upon expiration of the lease and/or the rent approval period; or (b) provide the Housing Department with a "Letter of Intent of Sell" form, which will begin the selling process of the restricted housing unit.

            b) If the owner chooses to sell the restricted housing unit instead of returning when the lease expires, there will be no accrual of appreciation during the term of the rental (this does not apply to medical emergencies).

2. Rental Procedures for Owner-Occupied Properties - The Housing Department may approve rental of space within owner-occupied Affordable, Employment-Based, and Workforce units when pressing circumstances exist. The owner must continue to occupy the unit, and the Housing Department must certify that the renter meets the qualification and eligibility standards set out in Section **16.10.003** Qualification and Eligibility. A fee will be charged along with the request as set forth in the Annual Schedule of Fees.

    a. Requests to Rent during Leave of absence - Approvals for "Requests to Rent" are given at the sole discretion of the Housing Department's Housing Manager.

Approvals to rent will only be given for a maximum period of one (1) year. Approvals to rent will only be given in unique and pressing circumstances.

i. Medical Emergency Documentation - Medical emergencies applicable to a restricted housing unit homeowner will require documentation using the "Housing Department Medical Emergency Leave" form to substantiate the need to leave the area.

ii. Processing Fee - A fee will be charged to a restricted housing unit homeowner for a "Request to Rent." A separate "Annual Schedule of Fees" document that is updated annually and published by the Housing Department provides the processing fee amount.

b. Qualification and Eligibility of Tenants.

i. Tenants shall be a Qualified Household according to the general Qualification and Eligibility Criteria contained in the recorded Restriction and these Housing Department Rules and Regulations.

ii. Tenants shall meet the Eligibility Criteria with respect to Income and Assets that apply to the particular restricted housing unit in question at time of initial occupancy.

iii. Prior to signing a lease for or occupancy of a restricted housing unit, owner must provide the Housing Department with proof of the tenant's qualification under the housing unit's specific program prior to occupancy.

iv. Qualification and eligibility shall be recertified by owner of the restricted housing unit at any time there is a change in occupancy of the restricted housing unit or renewal of lease agreement.

c. Execution of Lease - Rental of restricted ownership units must be by a written Lease provided by the Housing Department. The Housing Department will retain a copy of the fully executed lease.

i. Rent Limitations - Rent charged while the owner is on leave will be limited to Fair Market Rents as published by HUD or total housing costs (mortgage payment, taxes, insurance, Ground Lease Fees and HOA dues), whichever is less.

ii. Housing Department Fee - A fee will be charged by the Housing Department for a request to rent as set forth in the Annual Schedule of Fees updated annually and published by the Housing Department.

d. Requests to Rent a Room - Approvals to rent a room in a restricted unit are at the sole discretion of the Housing Manager and are only allowed in pressing circumstances. The following process will be followed:

i. Submittal of Request to Rent - The owner will submit a "Request to Rent" form to the Housing Department along with the associated fee as outlined on the fee schedule published annually by the Housing Department. The form can be found on the Housing Department website or from the Housing Department.

ii. Approval by the Housing Manager - If the owner is in compliance with their restrictions, the Housing Manager will review the request to rent and approve or deny the request based on the circumstances. Approval can be given for a maximum of one year.

iii. Identification of Tenant - When the owner has identified a potential tenant who they believe qualifies under the income, asset, and employment requirements of the restriction on the unit, the potential tenant is required to submit a complete application to the Housing Department.

iv. Tenant Approval - The Housing Department will verify that the tenant qualifies under the income, asset, and employment requirement.

v. Lease Agreement - The Housing Department provides the Lease Agreement to be signed by the owner, tenant, and the Housing Department.

vi. Notification of Termination of Lease - The owner is required to notify the Housing Department upon termination of the lease. If the owner still wishes to rent the room and still has approval from the Housing Department, the process will start again with Step **d.iii.** Identification of Tenant, above.

vii. Rental Rates - The Housing Department will approve the rental rate based on the housing costs of the owner.

C. **Sale and Resale Procedures** - All restricted housing units shall be sold in accordance with applicable restrictions and/or these Housing Department Rules and Regulations as determined by the Housing Department, Town and/or County, which may vary depending on the specific housing program under which the restricted housing units were created.

1. Consult with Staff - Sellers of restricted housing units are required to consult with Housing Department staff prior to offering a restricted housing unit for sale in order to obtain the most current information about applicable Housing Department Rules and Regulations, sales processes, the allowable maximum resale price, and other applicable provisions of the restriction. The resale process takes approximately three (3) months to complete.

2. Letter of Intent to Sell - In order to begin the resale process, the Housing Department must receive a "Letter of Intent to Sell" from the owner(s) of the restricted housing unit. "Letter of Intent to Sell" forms are available at the Housing Department office or website.

3. Facilitation of Sale - The Housing Department facilitates the sales of restricted housing units to accomplish the sale according to the instructions of the Ground Lease / Deed Restriction and to provide a transfer to a Qualified Household. Specifically, the Housing Department facilitates sales of Affordable housing units, Employment-Based units, Workforce housing units, and Accessory Residential Units.

    a. Facilitation Fee (2%) - At the closing of the sale, the seller will pay to the Housing Department a fee equal to 2% of the sales price, unless otherwise instructed in the deed restriction, for facilitation services. The Housing Department may instruct the Title Company to pay such fees out of the funds held for the seller at closing. The Housing Department may also waive the fee, or a portion thereof, in its sole discretion, to promote the community's goals of providing affordable housing.

    b. Facilitation Agreement - A "Facilitation Agreement" drafted by the Housing Department is provided to the seller. The Housing Manager, or the Sales Coordinator in the absence of the Housing Manager, must sign the Facilitation Agreement. The seller(s) must execute the Facilitation Agreement before the restricted housing unit can be advertised for sale. The deadline is Friday at 3:00 for advertising to begin the following Wednesday.

        After receiving an executed Facilitation Agreement, the Housing Department advertises the restricted housing unit according to Section **16.10.004** Weighted Drawing.

    c. Showing the Unit - The seller is required to make the restricted housing unit available with reasonable notice on a minimum of two (2) occasions to show the property to the selected Qualified Household.

    d. Costs for Declining Initiated Sale – If the seller decides not to sell the restricted housing unit at any point before closing, the seller will be responsible for all advertising and/or other costs associated with listing the unit for sale.

    e. Bridge Loan - If the seller is purchasing another restricted housing unit, a bridge loan may be required to prevent a delay in selling their restricted housing unit.

4. Maximum Resale Letter - The resale price of the restricted housing unit shall be calculated according to its restriction and stated in the "Maximum Resale Letter." Maximum resale prices will be rounded to the nearest dollar. The "Maximum Resale Letter" will be emailed, mailed, faxed, or can be picked up at the Housing Department. The original will be mailed to the seller(s) or hand-delivered by the Housing Department.

    a. Exchange of Value - The maximum resale price shall be the only exchange of value between parties to any sale of the restricted housing unit. Any exchange of value outside the allowed sale price shall invalidate the sale.

5. Inspection - For any resale, the Housing Department will hire a third-party inspector to inspect the restricted housing unit for deferred maintenance and needed repairs. A summary of the inspection and a list of items to be cleaned / repaired will be provided to the seller.

D. Purchase Procedures.

1. Selection of Qualified Household - A unique process applies for selecting each qualified household within each housing program. The following sections provide specific details regarding each housing program. The restrictive covenant should be consulted for exact details.

    a. Weighted Drawing - In the event that the Housing Department receives one or more weighted drawing entry sheets at the maximum resale price from qualified households during the weighted drawing entry period, the buyer will be selected according to preferences set for that particular Housing Program. In the event no weighted drawing entry sheets are received during the weighted drawing entry period, the selection process would be determined either by a bid process or a "first come first served" process. The restrictions on the property clarify which selection procedure to use.

        i. Errors - Every effort is made by the Housing Department to ensure fair and equitable lotteries. Lotteries are not drawn by the Housing Department. Housing Department staff compiles weighted drawing entry sheets with all eligible households included. The weighted drawing is drawn by outside counsel. On the rare occasion that an error is made in compiling or drawing of a weighted drawing, the error will be corrected and the weighted drawing will be re-drawn.

    b. Bid Process - If the restrictions require it, the qualified household submitting the highest bid price (not to exceed the maximum resale price) during the Bid Period shall have the first right to purchase the unit. The owner of the unit shall have the right to accept or reject the bid.

    c. First Come First Served - If no households apply for the unit through the weighted drawing process, the Housing Department advertises the restricted housing unit with the maximum resale price. The first qualified applicant to submit an application will have the opportunity to purchase the home. The buyer can offer a lower price, and the seller can accept or reject the offer.

    d. Other Sale/Resale Procedure.

        i. Owner Selection - If the restriction permits, the owner of the restricted housing unit may be allowed to select the qualified household. Other than verifying that the qualified household meets the qualification and eligibility requirements for the restricted housing unit, the Housing Department shall not have any authority to choose the buyer of the restricted housing unit unless authorized by the owner.

ii. Attainable Housing Program Sale Procedures.

a) When an owner wishes to sell an Attainable housing unit, they can either list the home with a realtor or for sale by owner.

b) The owner of the Attainable housing unit is required to submit a "Letter of Intent to Sell" to the Housing Department before listing or advertising the unit for sale.

c) The owners will be responsible for advertising their Attainable housing unit for sale with the exception that the Housing Department will advertise the unit on their website at no cost to the owner.

d) There is not a maximum resale price for Attainable housing units. The owner will set the price with the understanding that the household who buys the unit will need to qualify under income, asset, and employment criteria. The price may be negotiated before entering into an agreement to purchase.

e) The buyer will be responsible for providing the "Purchase and Sale Agreement" at the time of making an offer to purchase an Attainable housing unit. The seller may make a counter offer that includes changes to the "Purchase and Sale Agreement." The Attainable housing unit is under contract when an offer and/or a counter offer is accepted and both the buyer and seller have signed it. The "Purchase and Sale Agreement" must contain a contingency that the Housing Department must verify that the buyer is "qualified" to purchase the Attainable housing unit. The Housing Department will not deem a buyer "qualified" until a contract has been executed by the seller and the potential buyer.

f) A full copy of the fully executed Purchase and Sale Agreement shall be provided to the Housing Department. All financial information shall remain confidential except as noted in Section **16.10.005.D.7**.**a**. Privy to Purchase and Sales Agreement.

g) In addition to the items listed in Section **16.10.005.D.3.a**. Materials Included with Application, applicants must also include a complete copy of the fully executed "Purchase and Sale Agreement."

1) Time of Submittal: The Attainable housing unit must be under contract before the buyer provides an application to the Housing Department.

2) Time to Process: If the application is complete and thorough, the Housing Department will have a determination of qualification within five (5) business days of receiving the application. It may take longer if the Housing Department has to request further information from the applicant.

3) Qualified Buyer Letter: Once the household is deemed to be "Qualified" to purchase the Attainable housing unit, the Housing Department will provide a "Qualified Buyer Letter" to the applicant. This letter will be used to verify to the seller and the title company that the household is qualified to purchase the unit.

4) Lenders: See Section **16.10.005.A.7.d**. Lenders.

5) Closing: The closing date and time is set between the sellers, buyers, financial institution, the title company, and the Housing Department. The buyers will be required to sign a "Buyer's Acknowledgement" at the time of closing. This document will certify that the buyers acknowledge receiving a copy of the restrictions as well as agreeing to allow the Housing Department to release the sales price of the home, and also agreeing to the Housing Department's right of first option to purchase the unit in case of default by signing a Power of Attorney in Case of Default.

2. Viewing of Restricted Housing Unit - The seller of the restricted housing unit will allow the potential buyer to view the unit to see that it meets their household's needs. If the household decides to purchase the restricted housing unit, they will have the opportunity to inspect the unit further once it is under contract.

3. Submit Application - The potential buyer will have five (5) business days to submit a complete application. The required Housing Department documents are available from the Housing Department or from the Housing Department website.

a. Materials Included with Application.

i. Housing Department Application for Restricted Ownership or Rental Housing.

ii. The Housing Department "Application for Homeownership" is a three (3) page form with an additional two (2) pages made up of a "Certification and Oath" section that will need to be signed by all applicants and notarized, as well as an "Authorization to Release Information" (see **viii** and **ix:** Power of Attorney in Case of Default and Certification and Oath).

All documentation submitted with the complete application for the purchase of a home is the documentation that will be used to qualify a buyer. Documents will not be allowed to be changed once they are submitted (e.g. taxes submitted will be those used to qualify. Applicants will not be allowed to re-file taxes). The Housing Department will review the application before accepting it to ensure it is complete. The Housing Department may ask for additional documentation.

a) Weighted Drawing Entry Form - A "Weighted Drawing Entry" form must be completed and signed and submitted when entering a weighted drawing according to Housing Department processes. "Weighted Drawing Entry" forms may be submitted online, in person, or by USPS.

No incomplete "Weighted Drawing Entry" forms will be accepted. This means that every blank must contain information, "N/A," or a strikethrough so that the Housing Department knows that it was not overlooked.

The Housing Department is not responsible for receiving Weighted Drawing Entry Forms. It is the responsibility of the household to confirm that the Weighted Drawing Entry Form was received and the household is entered in the weighted drawing.

b) Intake Form - All households are required to complete the "Online Intake Form." This form must be completed in its entirety before entering a weighted drawing. Any changes made to the form must be made prior to the opening of a weighted drawing the household wishes to enter or the household will be ineligible to enter the weighted drawing. The Intake form must be updated annually to be eligible to continue to enter lotteries.

iii. Lender's Qualification Worksheet - A current "Lender's Qualification Worksheet" (within one year of the date the weighted drawing begins) is required to be completed by a lending institution. The "Lender's Qualification Worksheet" must be submitted to enter a weighted drawing. "Lender's Qualification Worksheets" may not be faxed; they can either be emailed or submitted in person or mailed by USPS. The worksheet must reflect a loan amount and down payment amount that is equal to or greater than the sale price of the home.

iv. Credit Report - A three bureau credit report including credit scores (not more than one year old) is required to help Housing Department Staff determine if the Household is financially healthy and able to make payments on a mortgage. The credit report also helps determine debt to income ratios.

v. Verification of Down Payment - An account statement, or signed and notarized letter from someone supplying a gift, or other verification of funds for a down payment is required.

vi. Verification of Hours and Years Worked - "Affidavits of Employment," detailed check stubs, or other adequate proof of hours and years worked is required at weighted drawing entry to receive points in the weighted drawing. Affidavits are required to be completed, signed, and notarized by the employer. They may not be completed by the applicant. If hours or years worked cannot be verified, they will not be counted.

Historical information for hours and years worked will be kept on file with the Housing Department. Information is required to be updated annually or if any changes occur.

vii. Federal Tax Returns - Signed federal income tax returns and all attachments (including W-2s and 1099s) and schedules for the last two (2) years for all adult household members are required. If there is self-employment, three (3) years of business and personal tax returns, along with a current "Profit and Loss Statement" and balance sheet, are required. The Housing Department uses tax returns to verify several different aspects of qualification such as but not limited to income, assets, residential homeownership, and sources of income.

viii. Power of Attorney in Case of Default - Buyers will be required to sign a "Power of Attorney in Case of Default" form appointing the Housing Manager of the Housing Department Attorney in Fact in the case of default and forced sale. The Housing Department may use other methods for remedying a default such as a mortgage against the property or a Quit Claim Deed held in Escrow, which would be agreed to at time of purchase.

ix. Certification and Oath - A sworn statement of the facts contained in the application will be required including at least the following certifications:

a) That the facts contained in the application are true and correct to the best of the applicant's knowledge;

b) That the applicant has been given the standard application information packet by Housing Department Staff; and

c) That the applicant, on the basis of the application presented, believes the Household qualifies to occupy the restricted housing unit in question according to the restriction, these Housing Department Rules and Regulations, and all other applicable procedures.

This "Certification and Oath" is required to be signed by all applicants and notarized. There are public notaries available at the Housing Department.

x. Additional Information - Additional information may be requested to determine eligibility or qualification status. This may include:

a) Verification of Household Net Assets - Household net assets are verified through tax returns, account statements, verification of deposits from financial institutions, and the NADA or Kelly Blue Book.

b) Verification of Current Employment in Teton County - One or more of the following are needed to verify employment in Teton County:

1) Wage stubs.

2) Employer name, address, and phone number.

3) Contract for employment.

4) "Affidavit of Employment" (Housing Department).

5) "Authorization to Release Information" form signed by all adults in the household to obtain third party employment verifications.

c) Verification of Completion of Homebuyer Education Course - At least one adult per household must complete the "Homebuyer Education Course." The required course is offered by the Wyoming Housing Network or if not available, another course approved by the Housing Department. This applies to all households regardless of whether they have owned a home or not. This certification only needs to be completed once; however, if a household changes size and the adult who completed the certification is no longer a part of the household, it will need to be taken by an adult who is a part of the household. The Housing Department will keep a record of the certificate. It is encouraged that households keep a copy as well. The applicant must provide evidence of attendance of an approved "Homebuyer Education Course" prior to purchase. This is required to be submitted at time of weighted drawing.

d) Uniform Residential Loan Application - Applicants must provide a copy of the final "Uniform Residential Loan Application" at closing.

e) Occupancy Affidavit - No persons outside of the persons included in the household on the "Weighted Drawing Entry Form" and "Intake Form" at time of weighted drawing entry may be moved into the home without express written approval of the Housing Department. Approval will not be given within twelve (12) months from closing on a home for adults being added to the household. An "Occupancy Affidavit" will be required to be signed by buyers at or before closing. Any adult that is added to a household will be required to be added to title on the home.

1) Power of Attorney in the Case of Default - All households purchasing a home are required to sign a Power of Attorney in the Case of Default at closing. The Power of Attorney will be assigned to the Housing Manager to affect the sale of the housing unit. The Housing Department may use other methods for remedying a default such as a mortgage against the property or a Quit Claim Deed held in Escrow, which would be agreed to at time of purchase.

f) Accessible Unit Preference - Applicants that wish to be considered for accessible units must submit a "Verification Form for Accessible Unit Preference."

g) Critical Services Provider - Organizations applying for critical services provider approval and their corresponding approved positions must gain approval before a critical service worker can gain points in a weighted drawing. The organization must complete a "Critical Services Organization Application" and submit it to the Housing Department. If the organization and positions are approved, a "Supervisor Questionnaire" must be completed by the applicant's supervisor and submitted with the other required documents when entering the weighted drawing. All certifications must be completed for the position and a recommendation from the supervisor is required. The "Supervisor Questionnaire" will need to be updated every six months.

h) Birth Certificate for Children Under One (1) Year of Age - Applicants must provide the birth certificate for children less than one (1) year of age.

4. Verification of Application - To protect the interests of the community that has invested in the creation of restricted housing units, the Housing Department verifies that information submitted on the Application is true and correct and may request documents outlined in Section **16.10.005.D.3.a.x**. Additional Information to assist in this process. The Housing Department strives to complete verification within two (2) weeks of application submittal.

   Any material misstatement of fact or deliberate fraud by the household in connection with any information supplied to the Housing Department shall be cause for immediate expulsion from the application process and/or forced sale of the restricted housing unit.

5. Verification of Qualified Household - The Housing Department verifies that each Household selected to purchase a restricted housing unit meets the qualification and eligibility requirements specific to the restricted housing unit. See Section **16.10.003** for more details on the verification process for each housing program.

6. Qualification Letter - Once the Housing Department verifies that the household meets the Qualification and Eligibility criteria for the particular restricted housing unit, it will issue a "Qualification Letter" to the buyer, a copy of which will be provided to the title company upon request.

7. Purchase and Sale Agreement - Buyers must sign a "Purchase and Sale Agreement" within five (5) business days of being notified of being selected in a weighted drawing for an applicable restricted housing unit. Buyers will be given the five (5) business days to review the "Purchase and Sale Agreement" and are encouraged to get legal advice. Sellers and buyers shall make the Housing Department privy to the "Purchase and Sale Agreement." All financial information shall remain confidential except as noted in Section **16.10.005.A.7.a**. Privy to Purchase and Sales Agreement.

a. Earnest Money - At time of signing the "Purchase and Sale Agreement," one thousand dollars ($1,000.00) in earnest money will be required. The check is made out to the title company referenced in the "Purchase and Sale Agreement."

b. Closing Date - In most cases, the buyer has fifty (50) days to close on the property. The Closing Date will be agreed upon between the buyer and the seller and will be included in the "Purchase and Sale Agreement." The closing date will be the date the buyer takes possession of the restricted housing unit.

c. Inspections - The buyer may perform inspections on the restricted housing unit commencing on the effective date of the contract until closing. However, the buyer will have 30 days from the effective date of the contract to notify the Housing Department of any objections to items found during inspections. Sellers shall make the restricted housing unit available for inspections. If the seller refuses to remedy the objection, the Housing Department will notify the buyer, and the buyer will have three (3) business days to give notice to the Housing Department of their intention, either:

   i. Waiving the objection and proceeding to closing, or

   ii. Terminating the "Purchase and Sale Agreement."

d. Facilitation -Pursuant to Wyoming Statute 33-28-101 through 124, the "Real Estate License Act of 1971", the Housing Department is participating in the transaction as a facilitator without a Wyoming real estate license and in the performance of official duties.

e. Buyer's Acknowledgement - The buyers will be required to sign a "Buyer's Acknowledgement" at closing. This document will certify that the buyers acknowledge receiving a copy of the restrictions as well as agreeing to allow the Housing Department to release the sales price of the home. In addition, by signing this form, the buyer agrees to the JTCHA's right of first option to purchase the unit in case of default.

E. Business Option - The "Business Option" is a mechanism specific to a developer's Housing Mitigation Plan that must be approved by elected officials on a case-by-case basis. It only applies to exempt units, meaning restricted housing units that are not required by the LDRs. The "Business Option" allows a business to identify a proposed purchaser from their employees or someone who has a material nexus to the business or organization, which would allow the household to have the first option to purchase the restricted housing unit.

1. Purpose and Program Goals - The intent of the "Business Option" program is to help qualified businesses house their employees by providing the employees first option to purchase. This program furthers the Jackson/Teton County Comprehensive Plan's goal of housing 65% of the workforce locally and its transportation goals.

2. Applicability - This section applies to restricted housing units that have been approved by the Board of County Commissioners or Town Council for the "Business Option" program.

3. Qualified Business - A qualified business is a non-profit entity, governmental entity, charitable foundation, or for-profit business which meets the definition of a qualified business according to the special restrictions on the property and/or the Housing Department Rules and Regulations.

    a. Qualified Business Application - The business completes a "Qualified Business Application," which can be obtained from the declarant or from the Housing Department and submits it to the Housing Department. If the business has affiliates, it must be indicated on the application.

    b. Verification - The Housing Department verifies that the business meets the criteria of a qualified business with the following documentation. The Housing Department may ask for additional documentation.

        i. Option Agreement - The Housing Department verifies that the business is a true local business, organization, or government agency operating in Teton County.

        ii. Determination of Qualification.

            a) The Housing Department will provide a "Qualified Business Letter" once the verification process is complete and the business is approved to be a qualified business. The Housing Department will then sign the "Option Agreement"; or

            b) If the business is not deemed to be a qualified business, the Housing Department will inform the business with a written letter and copy the declarant or option holder. The business will not be allowed to obtain an option if it is not approved as qualified by the Housing Department.

        iii. Cause for Expulsion - Any material misstatement of fact or deliberate fraud by a business in connection with any information supplied to the Housing Department shall be cause for immediate expulsion from the application process and/or for obtaining or keeping an option.

4. Option Procedures.

    a. Obtaining an Option - Options are available from a declarant or from another option holder. A declarant can choose to provide an option if the business is a qualified business and does so by recording an "Option Agreement" signed by the declarant, the Housing Department, and the qualified business. An option holder may provide an option to a qualified business by assigning the option.

b. Notice of Right to Exercise or Waive Option - The Housing Department will immediately send a notice to the business holding the option (optionor) upon the following three events:

   i. Housing Department's receipt of a "Notice to Sell" by the owner of the property.

   ii. Housing Department's exercise of its default option as set forth in the special restrictions.

   iii. The occurrence of a default and forced sale as set forth in the special restrictions.

   This notice triggers the timeframe the optionor has to identify a proposed purchaser as outlined in the "Option Agreement."

c. Exercise of Option - An optionor shall have a timeframe as outlined in the "Option Agreement" to exercise the option. The timeframe will begin upon receipt of the "Option Notice." To exercise the option, an optionor must notify the Housing Department on or before the expiration of the timeframe that they have identified a proposed purchaser for the home. Additionally, the proposed purchaser must submit a complete application, as outlined in Section **16.10.005.E.3.a**. Qualified Business Application, on or before the expiration of the timeframe. The Housing Department will take approximately five (5) business days to determine whether the proposed purchaser is:

   i. Qualified under "Option Agreement."

   ii. Qualified under terms of the Housing Department's special restrictions.

   The Housing Department will verify that the business continues to be a qualified business each time the option is exercised (See Section **16.10.005.E.3.b**. Verification).

d. Waiver of Option - If the Optionor does not wish to exercise the option, they can sign the "Affidavit of Waiver" indicating they are waiving the option. This affidavit will be recorded with the Teton County Clerk's Office.

   In the case where an option is waived, the Housing Department will find a buyer using the process outlined in Section **16.10.005.C**. Sales and Resale Procedures of these Housing Department Rules and Regulations.

   i. Failure to Identify Purchaser during Required Timeframe - If the optionor does not identify a proposed purchaser on or before the expiration of the timeframe, the optionor will automatically have waived their option.

e. Assignment - An optionor can assign its option to another qualified business. If at any time the business holding the option ceases to be a qualified business, they must assign the option. This is done using the following process:

i. Written Notice - The optionor provides the Housing Department with written notice that they wish to assign their option.

ii. Application - The business that is being assigned the option submits an application to the Housing Department to become a qualified business (see Section **16.10.005.E.3.a**. Qualified Business Application).

iii. Housing Department Approval - If the business qualifies, the Housing Department will provide a "Qualified Business Letter" to the business and sign the "Option Agreement."

iv. Consideration - The assignment may not have any consideration except for consideration required to make the assignment legal.

5. Qualified Purchaser - The Housing Department will determine whether a household is qualified to purchase based on the following criteria:

a. Letter of Certification - The purchaser will be qualified by the Housing Department only if they have a material nexus to the optionor as approved by the Housing Department. A "Letter of Certification" form demonstrating the material nexus the proposed purchaser has with the Optionor must be completed by the optionor. The "Letter of Certification" form is available from the Housing Department. The optionor must deliver documentation satisfactory to the Housing Department that verifies (1) that the proposed buyer is a full-time employee of optionor; or (2) that the identified purchaser otherwise has a material nexus to optionor.

b. Qualified Household - A Household will be qualified by the Housing Department using the Application and Verification process outlined in Section **16.10.005.D**. Purchase Procedures of the Housing Department Rules and Regulations.

If the identified purchaser does not qualify because of not meeting the Housing Department Rules and Regulations requirements, Housing Department special restrictions, or "Option Agreement," and the timeframe has not expired, the optionor may identify another proposed purchaser.

c. Affidavit of Exercise - When the Housing Department determines the household meets qualifying criteria of the "Option Agreement," these Housing Department Rules and Regulations, and Housing Department special restrictions, the Housing Department will sign an "Affidavit of Exercise of Option Right" indicating the household is qualified. The optionor will also sign the "Affidavit of Exercise of Option Right" indicating they are exercising the option right. The affidavit will be recorded with the Teton County Clerk's land records.

16.10.006 Rental Standards and Procedures.

A. Applicability - All rental housing units administered by the Housing Department, including the Affordable Rental program (which includes legacy Employee housing units) and the Workforce Rental program (which includes the legacy ARU program), are subject to these Housing Department Rules and Regulations, with the exception of units that are owned by Teton County or the Town of Jackson and used for housing their employees. Section 6-1 does not apply to cases where the Housing Department has approved rental of a room in a unit.

B. Rental Standards.

1. Affordability - To ensure that the rents are affordable to households earning less than eighty percent (80%) AMI, rents will be calculated using the following method:

   a. National Standard of Affordability - The national standard for affordability provided by HUD is that no more than thirty percent (30%) of a household's income should be spent on housing costs. Included in this thirty percent (30%) are rent, water, sewer, gas and/or electric, and trash removal.

   b. Number of Bedrooms / Number of Persons Match - For purposes of calculating rental rate only:

Studio:	One (1) or two (2) persons
One-bedroom:	One (1) or two (2) persons
Two-bedroom:	One (1) or two (2) adults with one (1) or more dependents
Three-bedroom:	One (1) or two (2) adults with two (2) or more dependents
Four-bedroom:	One (1) or two (2) adults with three (3) or more dependents

   For purposes of counting household size, children must be able to be claimed as a dependent on Federal Income tax returns.

   c. Calculation of Rent - Monthly rent will be the lower income limit for each respective affordability range (specific to the number of bedrooms to determine household size), divided by twelve (12), and multiplied by thirty percent (30%). Studio units may charge eighty percent (80%) of a one-bedroom unit. Dorm units may charge seventy-five (75%) of a studio.

      i. "Plus" Units - Fifty dollars ($50) will be added for "Plus" units. "Plus" units have extra floor area for offices, play areas, etc.

      ii. Lease Renewals - The rent will be calculated each year and applied to a lease renewal Tenants will be notified three (3) months in advance of the new lease amount. The new calculation will also be applied for new households signing a lease.

2. Primary Residence.

a. Occupancy Requirement - Households shall occupy their home full-time at least 10 months out of each calendar year.

b. Business Activity Restricted - Households who rent a restricted housing unit shall not engage in any business activity in such dwelling, other than any home occupation use permitted in that zoning district and as permitted in the Lease Agreement.

c. No Guests for an Extended Period - Households who rent restricted housing units shall not permit any adult guests over the age of 18 for periods in excess of thirty (30) cumulative days per calendar year.

3. Eviction - In the event that a tenant household is in default of their lease agreement, they will be evicted from the rental unit. The eviction process will be in accordance with Wyoming law and all applicable Wyoming Statutes.

C. Rental Procedures.

1. Selection Process - A unique process applies for selecting each qualified household within each housing program. The following sections provide specific details regarding the Housing Department-administered rental housing programs.

a. Weighted Drawing - For the initial rental of new rental housing, a weighted drawing process will be used. Applicants will submit a complete application and a "Weighted Drawing Entry" form during the weighted drawing entry period. A qualified household shall be selected to rent according to the rules set forth in these Housing Department Rules and Regulations, Section **16.10.004** Weighted Drawing.

i. Subsequent Rentals - Once the initial rentals are filled with tenants, and rental units become available from time to time, the units will be rented using the weighted drawing system.

b. First Come First Served - In the event no weighted drawing entries are received during the weighted drawing entry period, the selection process will be determined by a first come first served basis. The first qualified household submitting a complete application will be allowed an opportunity to rent if eligible.

2. Submit Application - Each household entering a weighted drawing to rent a restricted housing unit is required to submit a completed "Application for Restricted Rental Housing" and a "Weighted Drawing Entry" form. A certification page will also be signed by the applicant and notarized. In addition, an "Authorization to Release Information" is signed by the applicant, which allows the Housing Department to obtain banking information and any other relevant information. Application forms can be obtained from the Housing Department or from the Housing Department's website.

3. Verification of Selected Household - The Housing Department verifies that each household selected to rent a restricted housing unit meets the qualification and eligibility requirements specific to the restricted housing unit.

4. Materials Required - To determine that a household desiring to rent a restricted housing unit meets all of the required criteria, the Housing Department will request all of the following for a complete application, which will be submitted at weighted drawing entry:

   a. Housing Department Application for Restricted Ownership or Rental Housing - Completed and signed Housing Department Application for Housing.

   b. Weighted Drawing Entry Form - Completed and signed "Weighted drawing Entry" form. See Section **16.10.005.D.3.a**. Materials Included with Application.

   c. Credit Report - Full three-bureau credit report that reflects credit scores for all adult household members dated no more than 30 days from submittal of application.

   d. Federal Income Tax Returns - Signed federal income tax returns (electronic signature is not sufficient) and all attachments (including W-2s, 1099s) and schedules for the last two (2) years for all adult household members.

   e. Verification of Current Employment in Teton County - One or more of the following will be required for verification of Current Employment in Teton County includes:

      i. Wage stubs;
      ii. Employer name, address, and phone number;
      iii. Contract for employment;
      iv. "Authorization to Release Information" form signed by all adults in the household to obtain third party employment verifications; and

      If deemed applicable, the Housing Department may request the following be submitted with an application:

      i. If self-employed, three (3) years of business and personal tax returns along with a current "Profit and Loss Statement" and balance sheet.
      ii. "Verification Form for Accessible Unit Preference."
      iii. Any other documentation that the Housing Department deems necessary to determine qualification, such as, divorce decrees, Social Security income, rental income, etc.

5. Verification of Application - To protect the interests of the community that has invested in the creation of restricted housing units, the Housing Department verifies

that information submitted on the application is true and correct and may request documents outlined in Section **16.10.005.D.4**. Verification of Application to assist in this process. All financial information shall remain confidential, except as documented in Section **16.10.005.A.7.a**. Privy to Purchase and Sales Agreement.

6. Qualification Letter - After the Housing Department verifies that the household meets the qualification and eligibility criteria for the particular restricted housing unit, it will issue a "Qualification Letter" to the potential renter within 10 business days.

16.10.007 Compliance and Exception, Appeal, and Grievance Standards and Procedures.

A. Compliance Process - Special Restrictions are recorded on all Housing Department homes. These restrictions control the occupancy and use of the unit. They also refer to these Rules and Regulations

The Housing Department Compliance Specialist monitors occupancy and use restrictions to ensure owners are in compliance, and acts on various complaints from the public concerning compliance issues. The Housing Department Compliance Specialist also receives and processes requests for exceptions, appeals, leave of absence, requests to rent, transfer of title, and qualified mortgages.

1. Compliance Requirements.

   a. Affordable Units - Affordable units are required to provide information to the Housing Department annually to verify employment and occupancy. Owners of Affordable housing units with restrictions recorded after June 4, 2018 will receive annual requests for information concerning employment and use of the unit. Owners of Affordable housing units with restrictions recorded prior to June 4, 2018 are not required to verify continued employment annually, however, they may be required to verify occupancy.

   b. Employment-based and Workforce Housing Units - Employment-based units and Workforce housing units are required to provide information to the Housing Department annually concerning income, employment and ownership of other residential real estate.

   c. Employee Housing Units - Owners of Employee housing units will be required to submit information annually about the occupants of the units, their income, employment, and ownership of other residential real estate.

   d. Accessory Residential Units - Owners of ARUs will be required to annually submit information concerning the occupants of the units, their employment, and ownership of residential real estate.

   e. Exemption for Retirees - During ownership, if one (1) member of the household meets the retirement age as defined by the Federal Social Security Administration defined in these Housing Department Rules and Regulations, the household will

be exempt from continued compliance with income and employment eligibility standards.

2. Submittal and Timeline.

   a. Housing Department Request for Information - The Housing Department will send a letter to owners of restricted units requesting information. The letter will outline what type of information is required based on the unit's restrictions. The owner will be given thirty (30) days from the date of the letter to submit the requested information to the Housing Department.

   b. Default - Failure by the owner to submit requested information will be considered default.

3. Common Default Violations - In cases where the restriction defines the default process, it will control the process. If the restriction does not define the process, the default process is as follows:

   Common violations include, but are not limited to:

   a. Occupancy - A household that does not occupy the restricted housing unit for the number of months in a calendar year as required by the restriction is in violation of the Housing Department Rules and Regulations.

   b. Guests - Guests over the age of 18 are not allowed to occupy a restricted housing unit in excess of 30 cumulative days per calendar year.

   c. Renting - Renting a restricted ownership unit is only allowed per the restrictive covenant or as set out in Section **16.10.005.B.2**. Rental Procedures for Owner-Occupied Properties.

   d. Leave of Absence - Leaves of absence must be preapproved if the household is expected to be gone longer than permitted by the Housing Department Rules and Regulations or the deed restrictions.

   e. Pets - Specific policies for pet ownership are outlined in the Covenants, Conditions and Restrictions and/or the Master Rules and Regulations and are enforced by the Homeowners Association. Policies for rental units are outlined in the lease agreement.

   f. Mortgage Delinquency - Failure to maintain obligations required under any mortgages is considered a default under special restrictions.

   g. HOA Delinquency - Failure to pay Homeowners Association dues is considered a violation of the special restrictions.

   h. Ground Lease Delinquency - It shall be an event of default if lessee fails to pay the ground lease fee or other charges required by the terms of the lease.

i. Water/Sewer Dues Delinquency - Unpaid water and sewer dues can result in a lien placed on property that would constitute a violation of the special restrictions.

j. Employment Verification - Employment-based and Workforce units require an owner to work an average of 30 hours per week at a local business located in Teton County, Wyoming. The owner must earn at least 75% of their household income at a local business within Teton County. Annual verification of employment and income is required for owners of Employment-based and workforce restricted housing units.

Affordable units built after June 4, 2018 will be required to provide proof of employment in Teton County at a local business.

k. Ownership of Residential Property - Owners of Employment-based and Workforce housing units are not allowed to own residential property within 150 miles of Teton County. All renters of Housing Department-administered rental units are not allowed to own residential property within 150 miles of Teton County.

l. Estate Planning - Restricted housing units cannot be put into a trust. A trust does not meet the definition of qualified household and therefore cannot own a restricted housing unit. The Housing Department does accept other related documents for estate planning (Non-testamentary Deed upon Death).

m. Covenants, Conditions and Restrictions (CCR) Violations - Any default or breach of the CCRs, Mortgage Agreements, and/or Master Rules and Regulations is considered a default of the special restrictions or ground lease. This includes but is not limited to prompt payment of Homeowners Association dues and ground lease fees.

B. Process for Default Contested Case Hearings - All default hearings are conducted in compliance with the Wyoming Administrative Procedures Act and are contested cases for which the rules and processes are set forth herein. All requests for hearings and subsequent documents shall be submitted and filed with the Housing Department, and all records related to the contested case hearing shall be maintained by the Housing Department.

1. Notice of Default - When the Housing Department deems an owner to be in default of a special restriction, the Housing Department shall notify the owner with a Notice of Default Letter.

a. The Notice of Default shall be sent to the owner via U.S. Mail certified with return receipt requested and via email, if an email address is known. The letter will be considered delivered on the date it is sent.

b. The owner shall have thirty (30) days from the date of the Notice of Default to:

i. Cure the default,

ii. Request a default hearing of the Jackson/Teton County Housing Authority Board, or

iii. Provide the Housing Department with a "Letter of Intent to Sell" the home or unit in accord with the special restriction.

c. The Housing Department shall determine what constitutes a cure of the default based upon the special restriction and the circumstances of the owner.

2. Request for Default Hearing - In the event the owner fails to cure the default or desires to challenge the default identified by the Housing Department, the owner may request a hearing before the Jackson/Teton County Housing Authority Board (JTCHA) to determine the merits of the allegations of the default.

a. To request a hearing, the owner must submit a "Request for Default Hearing" form to the Housing Department within the thirty (30) day cure period.

b. A fee shall be charged by the Housing Department for such "Request for Default Hearing." The fee amount will be set annually in a separate document titled "Annual Fees" to be updated and published by the Housing Department.

3. Failure to Respond to Default - If the owner fails to respond to the Notice of Default, the Housing Department will consider the non-action or failure to respond as a breach of default and shall take steps to enforce the default in accord with the applicable Special Restriction and/or the Housing Department Rules and Regulations. Enforcement of the breach or violation includes but is not limited to forcing the sale of the home or unit.

4. Default Hearing.

a. JTCHA may designate a Hearing Officer and sign an "Order Appointing the Hearing Officer."

b. Within thirty (30) days of the signed Order, the Hearing Officer will issue a scheduling order, which shall include the Official Notice of Hearing, and deadlines for the parties to submit evidentiary documents, exhibits, witness lists, and/or pre-hearing memorandums.

c. Evidentiary documents, exhibits, witness lists, and/or pre-hearing memorandums, to include a written statement of facts, conclusions of law, and proposed order shall be exchanged by the parties, filed with the Housing Department in the contested case proceeding, submitted to the Hearing Officer and to the JTCHA, at least fifteen (15) days prior to the hearing date. Any document or witness not included in these submissions by the deadline shall not be raised at the hearing and shall not be admitted into evidence at the hearing.

d. Hearing proceedings may be recorded, but are not required to be transcribed. If either party wishes to have a court reporter present to transcribe a hearing, all associated costs shall be paid by the party unless the parties agree to share costs.

e. All witnesses who provide testimony at the hearing will be sworn in under oath by either a court reporter if one is present, the Hearing Officer, and if no Hearing Officer, the JTCHA Chair. The parties shall be permitted to cross-examine witnesses, and the JTCHA and the Hearing Officer shall have the opportunity to ask questions of the witnesses and Housing Department staff.

f. The Housing Department's determination the Notice of Default is presumed to be correct, and the burden of proof shall be on the complainant, not on the Housing Department.

g. If the owner requires an interpreter, the Housing Department will make arrangements to provide one and bear the costs.

h. If the complainant fails to appear at the hearing, the JTCHA may make a determination to postpone the hearing, can proceed to review the evidence based upon the written submissions, or can deem the failure to appear as a breach of default.

5. JTCHA Deliberation and Decision.

a. Deliberation - The Hearing Officer or JTCHA Chair, if no Hearing Officer is present, shall close the evidentiary hearing, and the Housing Authority Board will commence deliberation in public to include the following:

i. The JTCHA will examine the special restriction, the evidence presented in writing, and any testimony provided at the hearing and shall make a determination on the allegations of the Notice of Default based upon the preponderance of evidence standard of review.

ii. The burden of proof shall be on the owner to refute the alleged default.

b. JTCHA Decision - The JTCHA Decision will be to either:

i. Affirm the Housing Department's Notice of Default. The Housing Department would proceed to exercise its remedies against the owner according to the special restriction or ground lease recorded on the property, or

ii. Reject the Notice of Default of the Housing Department and no further action would be pursued for the specific alleged default under the special restriction or ground lease recorded on the property.

c. JTCHA Decision and Motion - The JTCHA shall make a motion in the affirmative {e.g.: I move to affirm the Housing Department's assertion that the

owner (owner's name) of (address) is in default of the Special Restriction recorded on the property pursuant to the Notice of Default.} The motion shall receive a second. JTCHA will enter into discussion on the motion and vote. If the motion carries, the JTCHA affirms the Notice of Default. If the motion fails, the JTCHA has decision.

d. Order of Decision - The prevailing party will draft the Findings of Fact and Conclusions of Law and Order, which shall set forth the Board's decision. The Findings of Fact and Conclusions shall be transmitted to the Hearing Officer, then reviewed and approved by the JTCHA at a subsequent meeting of the JTCHA in a timely manner no later than sixty (60) days following the hearing date, which shall be properly noticed and open to the public. The Order shall be filed in the contested case file with the Housing Department. No appeal of the JTCHA decision shall be made to the Jackson Town Council or the Board of County Commissioners. Any appeal of the JTCHA Order shall be to the District Court of Teton County, Wyoming, unless otherwise stated in the Special Restriction.

C. Process for Exception Hearing Process.

1. Request for Exception - The Housing Department will consider requests for exceptions to rules pertaining to qualification and eligibility criteria as well as to rules pertaining to occupancy and use. Granting of exceptions is rare; however, it is recognized that certain unique circumstances exist that are not contemplated in these Housing Department Rules and Regulations. Exceptions will only be granted in unique circumstances that are beyond control of the household, and are not addressed in these Housing Department Rules and Regulations. Requests for exceptions must be submitted prior to the opening of a weighted drawing for a home. In cases where a weighted drawing is not used for identifying a buyer, the request must be submitted prior to submission of an application. All Requests for Exceptions are subject to the review and approval of the Housing Manager

   A household may submit a "Request for Exception" to the Housing Department using the "Request for Exception" form with the required fee, which is specified in a separate "Fee Schedule" document that is updated annually. The Housing Manager will review and render a decision on the Request for Exception within fifteen (15) days from the date of submittal.

2. Request for Exception Hearing Process - If the Request for Exception is denied by the Housing Manager, the applicant may request a hearing of the JTCHA.

   a. Submit a Request for Hearing form with a fee to the Housing Department within fifteen (15) days of the date of denial of "Request for Exception."

      i. Requests for Exception Hearings must contain the following information:

         a) The particular ground(s) upon which it is based, including a copy of the Request for Exception and the Housing Manager's decision;

b) The action or remedy requested;

c) The name address, telephone number of the complainant and similar information of complainant's representative, if any;

d) Proof of notification of hearing request to the housing unit's Homeowners Association, if applicable; and

e) Appeal Fee.

3. Housing Department Review and Recommendation - All requests for hearings will be reviewed by Housing Department for completeness and provided to the JTCHA Board within thirty (30) days with a recommendation for action, copied to the complainant and/or representative.

4. Hearing - The hearing will be heard by the JTCHA Board at a properly noticed meeting scheduled at least thirty (30) days following the Housing Department's receipt of the "Request for Hearing" to ensure notice and due process.

a. Hearing Officer.

i. JTCHA may designate a Hearing Officer and sign an "Order Appointing the Hearing Officer."

ii. If a Hearing Officer is designated, within thirty (30) days of the signed order, the Hearing Officer will send out a scheduling order (Official Notice of Hearing) and timeline.

iii. Hearings may be recorded and are not required to be transcribed. If owner wishes to have a hearing transcribed, all associated costs shall be paid by owner.

b. Hearing Process.

i. JTCHA may designate a Hearing Officer and sign an "Order Appointing the Hearing Officer."

ii. Within thirty (30) days of the signed order, the Hearing Officer will send out a scheduling order (Official Notice of Hearing) and timeline for the parties to submit evidentiary documents and a list of witnesses.

iii. Evidentiary documents and witness list along with a written statement of facts shall be submitted by each party to the opposite party fifteen (15) days prior to the hearing date.

iv. Hearings may be recorded and are not required to be transcribed. If owner wishes to have a hearing transcribed, all associated costs shall be paid by owner.

v. All witnesses that provide testimony will be sworn in under oath by the court reporter, and if no court reporter, the Hearing Officer, and if no Hearing Officer, the JTCHA Chair. Both parties shall be permitted to cross-examine witnesses, and the JTCHA shall have the opportunity to ask questions of the witnesses and Housing Department staff.

vi. The Housing Department's decision concerning the exception will be assumed correct, and the burden of proof shall be on the complainant.

vii. If the complainant fails to appear at the hearing, the JTCHA may make a determination to postpone the hearing, may make a determination based upon the evidence submitted, or may dismiss the matter for failure to appear.

c. JTCHA Decision Binding - Based on the evidence considered at the hearing, the JTCHA will provide a decision by means of a motion and majority vote. The decision of the JTCHA shall be binding, and the Housing Department shall take all actions necessary to carry out the decision. No appeal of the JTCHA shall be made to the Town Council or County Commissioners. Any appeal shall be made to the District Court of Teton County, Wyoming.

5. Other Remedies - The Housing Department shall have the right to enforce the provisions of these Housing Department Rules and Regulations under any civil or criminal remedy provided under Wyoming Law.

D. Grievance Procedure - A grievance is any dispute that seller, buyer, or owner may have with the Housing Department with respect to an action or failure to act in accordance with the individual's rights, duties, welfare, or status. A grievance may be presented to the Housing Department under the procedures below.

1. Request for Grievance Form - Any grievance must be presented in writing to the Housing Department on the "Request for Grievance" form and include:

a. The particular ground(s) upon which it is based;

b. The action or remedy requested;

c. The name address, telephone number of the complainant and similar information of complainant's representative, if any; and

d. Grievance fee.

2. Housing Department Review and Decision.

a. The Housing Department Housing Manager will review all "Requests for Grievances."

b. The Housing Manager shall issue a written letter summarizing the decision regarding the requested grievance within thirty (30) days of receipt of the

"Request for Grievance." The letter will be sent via U.S. mail certified return receipt requested and via email if an email address is known.

c. The applicant may request a hearing of the JTCHA pursuant to Section 16.10.007.3.a.2. if the grievance decision of the Housing Manager is disputed.

16.10.008 Definitions.

A. Definitions.

1. **Accessible Unit**: A unit that has been built or adapted with specific design features that make the unit accessible to those with mobility and hearing handicaps.

2. **Application**: A packet that households who are selected in an affordable housing weighted drawing submit for Housing Authority staff to verify that the household is qualified to purchase the home. The application consists but is not limited to the following:
    a. Housing Department Application for Restricted Ownership or Rental Housing
    b. Signed Certification and Oath
    c. Signed Authorization to Release Information
    d. Completed Lender's Qualification Worksheet (completed by lender)
    e. Full three tier Credit Report that includes credit scores. (Can be obtained from lender)
    f. Previous two years of tax returns with W-2s
    g. Employment Affidavit for each job currently held by wage earners in the household
    h. If self-employed, previous three years of tax returns with an income statement and a balance sheet.

3. **Appeal**: A process requested by an applicant/owner/renter when they understand the qualification, eligibility, and preference criteria and have requested an exception from the Housing Manager and have been denied.

4. **Approved Lending Institution**: Approved lending institutions include institutional lenders; community loan funds, or other similar nonprofits; or other legitimate, non-affiliated finance companies. See Definitions of Institutional Lenders and Community Loan Fund.

5. **Asset**: see Household Net Asset.

6. **Assigned Number**: A computer-generated number based on first name of applicants in alphabetical order that households are listed in a weighted drawing.

7. **Area Median Income (AMI)**: A figure published annually by HUD which is calculated by dividing households residing in counties into two equal segments with the first half of

households earning less than the median household income and the other half earning more.

8. **Authorization to Release Information Form**: This form, which an affordable housing applicant signs, allows the Housing Department staff to verify information supplied by applicants from banks, employers, etc.

9. **Balance Sheet**: A statement of the total assets and liabilities of a business.

10. **Bid Period**: The time period that the Housing Authority accepts bids for an available housing unit. The bid period only takes place if no weighted drawing entry sheets are submitted for an available restricted housing unit.

11. **Borrowed Light**: An indirect source of natural light; for example, a room in a home uses borrowed light when it has a window that looks into another room, where the other room receives direct sunlight.

12. **Capital Improvements**: Improvements done to the home for which the homeowner can receive credit. The capital improvement requires an expenditure that either increases the value of the property or extends its life expectancy.

13. **Caregiver**: A full-time Teton County, Wyoming; Teton County, Idaho; or Lincoln County, Wyoming resident who is or was volunteering all or a portion of their time caring for their own children or an ailing or disabled immediate family member and was therefore unable to gain full-time employment in Teton County.

14. **Closing Date**: The date on which ownership of property transfers from the former owner to the new owner.

15. **Community Loan Fund**: A loan fund that is set up in a community for the purpose of providing down payment assistance or other types of loans for restricted housing units.

16. **Critical Services Provider**: An employee or volunteer of a community based institutional or non-profit organization on call 24 hours per day for public safety emergencies.

17. **Deed Restriction**: A document recorded against a housing unit that describes the unit's housing program. It provides restrictions on the purchase, occupancy, use, and resale of the restricted housing unit. A deed restriction is a type of restrictive covenant that is recorded at the time of certificate of occupancy.

18. **Developer**: An individual or group who builds housing.

19. **Disabled**: Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment.

20. **Earnest Money**: Money that a buyer gives to a seller to bind a contract. Earnest money goes toward the costs of the purchase of the home and is held in escrow by the title company until closing.

21. **Eligibility Criteria**: Criteria defined in either the Deed Restriction or the Housing Department Rules and Regulations, which are used to measure whether a household is eligible to apply for a unit.

22. **Employment-Based**: A restricted housing unit where occupancy is limited to employees in Teton County, Wyoming. There are no income qualifications for an occupant. This type of unit may include, but is not limited to, Accessory Residential Units and Employment-Based Units.

23. **Employment Requirement**: At least one member of a household must demonstrate an average of 30 hours per week (1560 hours per year) of employment in Teton County, Wyoming; or demonstrate a clear intent to work an average of 30 hours per week in Teton County, Wyoming (must have been hired even if hasn't started the job yet.)

24. **Exception**: If a household understands the eligibility and qualification criteria, but feels their situation is unique and there is a compelling reason the rule(s) should not apply to them, they may request an exception. Exceptions are only considered before a weighted drawing process opens or before an application is submitted.

25. **Fair Market Rents (FMR)**: Fair market rents are the maximum chargeable gross rent, including utilities, in an area for projects participating in the Housing and Urban Development (HUD) Section 8 Program. The HUD Section 8 Program targets incomes of 80% and below of the Median Family Income (MFI). The Jackson/Teton County Affordable Housing Department does not participate in HUD's Section 8 Program; however, FMR applies to some Employee Housing rental units. The rental rate corresponds to the amount of bedrooms in a unit.

26. **Final Development Plan Approval**: The point in the development review process when either the Teton County Board of County Commissioners or the Town of Jackson Town Council approves a development.

27. **Final Inspection**: The inspection that is done on a home at least 48 business hours before closing on the sale of the home. The purpose is to determine whether the home has been properly cleaned and that proper maintenance and repairs have been completed.

28. **Finance Company**: A company that regularly makes loans to clients.

29. **Garage**: An enclosed shelter for automotive vehicles.

30. **Grievance**: A dispute that sellers, buyers, or owners may have with the Housing Department with respect to an action or failure to act in accordance with the individual's rights, duties, welfare, or status.

31. **Habitable Floor Area**: Habitable floor area is floor area used for living purposes, usually having access to heat, plumbing, and electricity. It includes foyers, hallways, restrooms, closets, storage, and other common areas within a building. Habitable floor area does not include mechanical rooms, elevators and fireplaces. Habitable floor area is measured either from the exterior of the faces of the building or the exterior limits of any interior wall that separates habitable floor area from uninhabitable floor area, whichever is applicable.

32. **Handicapped**:
    a. Hearing Impaired: Individuals with hearing measures between 25 dB and total hearing loss.
    b. Mentally Challenged: Individuals who have an intellectual functioning level that is well below average and that causes significant limitations in daily living skills.
    c. Mobility Impaired: Individuals who have reduced function of legs and feet that leads them to be permanently dependent on a wheelchair or an artificial aid to walking.

33. **Heir**: A person legally entitled to the property of another person upon the latter person's death.

34. **Homebuyer Education**: Class required by the Jackson/Teton County Housing Authority for households to be eligible to purchase a restricted housing unit. The class educates homebuyers about the entire home buying process.

35. **Homeowners' Association**: An organization comprised of neighbors concerned with managing the common areas of a subdivision or condominium complex. These associations take on issues such as plowing, clearing sidewalks, painting exteriors of a subdivision and collecting dues from residents. The homeowners' association is also responsible for enforcing Covenants, Conditions & Restrictions (CC&Rs) that apply to the property. They do not enforce Deed Restrictions.

36. **Household Income**: The current income going forward 12 months of all adult wage earners within a household before taxes. Income from dependents that are enrolled in college or another type of school is not included in the household income calculation. For self-employed individuals, Income is the net income from the business with depreciation added back in averaged over either the life of the business or the last three (3) years, whichever is shorter. Other types of deductions may be added back in as well, such as home business use.

37. **Household Net Assets**: The value of all assets over $500 in value including, but not limit too, bank accounts, investment accounts, life insurance, furniture, automobiles, jewelry, computer equipment, real estate, and recreational equipment; less any debt the household has. Net assets do not include retirement accounts, business assets are limited to liquid assets.

38. **Housing Programs**: Programs intended to provide housing for the workforce of Teton County and administered under the Jackson/Teton County Affordable Housing

Department They include ownership and rental units created through the Land Development Regulations, through the direct construction of restricted housing units, or the financing thereof.

39. **Housing Mitigation Plan**: The portion of a development plan that specifies how an applicant will satisfy the Affordable and/or Workforce Housing requirements in Division 6.3.6 of the Teton County and Town of Jackson Land Development Regulations.

40. **Immediate Family Member**: Individuals that include a parent, spouse or child, including stepchildren, foster children, step-parents and foster parents.

41. **Initial Inspection**: An inspection done on a home once a letter of intent to sell is received by the Housing Department. The purpose is to inform the seller of the selling process and to check for maintenance and repairs that may be required before the sell occurs.

42. **Institutional Lender**: A lender that is a legitimate financial institution that regularly loans money for real estate transactions.

43. **Joint Tenancy**: When two or more people own property as joint tenants and one owner dies, the other owners automatically own the deceased owner's share. No will is required.

44. **Leave of Absence**: Permission granted by the Housing Department for an owner of a restricted housing unit to be absent from the unit for an extended period of time for a legitimate and compelling reason, without violating the unit's deed restriction.

45. **Lawful Permanent Resident**: Any foreign national who has been granted the right to reside permanently in the United States. Lawful Permanent Residents may apply for Affordable and Attainable housing but are ineligible to apply for Employment-Based housing, as it is available for US Citizens only.

46. **Lender's Qualification**: The Institutional Lender's judgement of the household's financial ability to obtain financing for purchasing a home.

47. **Letter of Intent** to Sell: A letter that a homeowner submits to the Teton County Housing Authority informing the Housing Department that they desire to sell their restricted housing unit. The Housing Department must receive this letter before the selling process can begin.

48. **Liabilities**: Any debt, loans, or balances that a household owes. Liabilities are subtracted from assets when calculating Household Net Assets.

49. **Living Space**: A room in a home used by a family for leisure activities, entertaining guests, etc. It includes space for couches, chairs, tables, and may open to the kitchen.

50. **Local Business**: A local business is a brick and mortar establishment that employs workers in Teton County, and that is located within Teton County, and can include both for profit and not-for-profit entities.

51. **Maintenance**: A repair or maintenance item is an expenditure that restores a property to a sound state.

52. **Maintenance Adjustment**: The amount of money credited to the buyer at closing for maintenance, cleaning, or repairs that are found to be needed on the home at the final inspection.

53. **Maximum Rental Rates**: The maximum rental rate that may be charged to a tenant occupying an Employee Housing unit. The rates must include basic utilities (water/sewer, electric, gas, and trash removal). The specific restriction recorded on the unit instructs the method to be used to calculate maximum rental rates.

54. **Maximum Resale Price**: The maximum amount that a restricted housing unit can be sold for. This price is calculated by the Housing Department according to the restricted housing unit's deed restriction or the Housing Department Rules and Regulations.

55. **Maximum Resale Letter**: A letter given to a seller of an Affordable or Employment-Based housing unit informing them of the maximum amount that the unit may be sold for

56. **Maximum Sales Price**: The maximum amount that newly-provided ownership housing units can be sold for initially. There is 10 percent reduction from the maximum sales price for no garage and a 20 percent reduction from the maximum sales price if the unit is below grade.

57. **Median Family Income (MFI)**: The Department of Housing and Urban Development (HUD) calculates this figure by dividing households residing in counties into two equal segments with the first half of households earning less than the median household income and the other half earning more. Then, adjustments are made based on family size. The Jackson/Teton County Affordable Housing Department uses MFI to determine eligibility for restricted housing units. The Housing Department also uses MFI to calculate maximum sales prices.

58. **Military Service**: Active deployment in the U.S. Armed Services for any amount of time. Military Service counts as employment in Teton County, Wyoming for the sake of gaining the 1-year eligibility in the weighted drawing if the person deployed met employment criteria in Teton County Wyoming for minimum of two years immediately prior to deployment.

59. **Net Livable Floor Area**: This area is calculated on interior living area and is measured interior wall to interior wall, including all interior partitions including, but not limited to habitable basements and interior storage areas, closets and laundry areas. Exclusions include, but are not limited to, uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.

60. **Nonqualified Transferee**: A household to whom the title of a restricted housing unit is transferred, but it does not meet the qualification and eligibility standards set out in these Housing Department Rules and Regulations.

61. **Occupancy Requirements**: A type of preference used in the Affordable and Employment-Based Programs' weighted drawing selection processes through which household is eligible to enter a weighted drawing based on how closely it aligns with the unit size.

62. **Original Purchase Price (OPP)**: The amount the current homeowner originally paid for the home.

63. **"Plus" Units**: Restricted housing units that have extra floor area for offices, play areas, etc.

64. **Post-Secondary Education**: Attendance as a full-time student at an educational establishment after high school or college preparatory school.

65. **Possession Date**: The date a buyer takes possession of a home. This is normally the date of closing unless for some reason funds are unable to be disbursed on that day or other arrangements are made.

66. **Price Opinion**: The market value of residential or commercial property, as determined by a local real estate firm.

67. **Primary Education**: Attendance at a school for primary education located in Teton County Wyoming.

68. **Primary Residence**: A Household's sole residence, occupied at least ten (10) months during each calendar year, or as otherwise stated in the Housing Unit's Restriction.

69. **Profit and Loss Statement**: A statement showing a business's income and expenses up through the month prior to application.

70. **Purchase and Sales Contract**: Contract entered into by the seller and the buyer which outlines the terms and conditions under which the property will be sold.

71. **Qualified Critical Services Provider**: An employee or volunteer on call 24 hours per day for public safety emergencies of an approved community-based organization that provides immediate response to health and safety services.

72. **Qualification Letter**: Letter issued to applicant confirming that they are qualified to purchase the home. This letter is needed by the Title Company in order to allow the closing to take place.

73. **Qualified Households or Qualified Buyer**: Households or buyers that have applied for housing through the Housing Department, where Housing Department staff deem them as eligible to purchase a restricted housing unit after verification of information, based on the unit's Deed Restriction and the Housing Department Rules and Regulations.

74. **Qualified Mortgage/Qualified Mortgagee**: A loan attained from an Approved Lending Institution/the buyer of a restricted housing unit that has been approved for a mortgage.

75. **Resale Process**: The process by which an owner of a restricted housing unit sells it to a new owner.

76. **Residential Property**: A parcel that either includes a residential dwelling unit, or has the by-right potential for developing a residential dwelling unit per local zoning regulations.

77. **Restricted Housing Unit**: Any housing units in the Town of Jackson or Teton County that have Restrictive Covenants or Ground Leases that regulate the occupancy, use, sale, and/or rental of the unit or are restricted by the Land Development Regulations in order to further the Town/County's workforce housing goals.

78. **Restrictive Covenant**: a contract between the Board of County Commissioners/Town of Jackson and the owner of real property developed or designated to ensure the affordability of a housing unit for perpetuity.

79. **Restrictive Covenant Template**: A standard form to be used as a recorded instrument on all restricted housing units.

80. **Restrictive Covenant Information Sheet**: A form that the developers of restricted housing units must fill out as part of the Housing Mitigation Plan.

81. **Retirement Age**: The age at which the Federal Social Security Administration allows an individual to begin collecting Social Security.

82. **Secondary Education**: Attendance at a high school or college preparatory school located in Teton County, Wyoming.

83. **Settlement Statement**: Itemizes all costs, and/or credits due from the buyer and seller at closing.

84. **Tenancy-In-Common**: When two or more people own a shared interest in a property. If one owner dies, they can will their portion to other beneficiary(s) and not to the other owner(s) if they desire.

85. **Uniform Residential Loan Application (or Fannie Mae Form 1003)**: The application required by law for mortgage lenders to use to supply home loans. The Housing Department may require that applicants supply this application when applying for a restricted housing unit.

86. **Verification Checklist**: Checklist used by JTCHA to verify whether a household is qualified to purchase a particular home.

87. **Voluntary Affordable/Employee Housing Units**: Units with a restricted rent or sale price to be affordable to households earning no more than 200 percent of Teton County Median Family Income. An applicant may propose these units in addition to those required by the Land Development Regulations.

88. **Weighted Drawing**: The event that selects the order, of all the applicants for an applicable restricted housing unit, which the home will be offered for sale.

89. **Weighted Drawing Entry Period**: The period (normally two weeks) that the Housing Department accepts weighted drawing entry sheets for an available restricted housing unit.

90. **Weighted Drawing Entry Sheet**: Households complete a weighted drawing entry sheet and submit it to the Housing Department along with other documentation within the weighted drawing entry period when the household is interested in purchasing an available restricted housing unit.

91. **Weighted Drawing Number**: A number that a household receives from a weighted drawing that reflects the household's standing in the weighted drawing for an applicable restricted housing unit.

92. **Weighted Drawing Form**: The form used to record all households who submitted weighted drawing entry sheets for a particular home. The households are recorded in alphabetical order. This form is given to outside counsel who then assigns each household a number. The numbers are placed in a pool and drawn out one by one. The results of the drawing are recorded in order on the Weighted drawing Form and returned to the Housing Department.

93. **Weighted Drawing Process**: The process by which the Housing Department accepts weighted drawing entries from households wishing to purchase a restricted home and determines the order the households will be offered the home for purchase. (Separate lotteries are conducted for each program).

94. **Workforce Housing Program**: An incentive program applicable within the Town of Jackson through which bonus floor areas are available in nonresidential or mixed-use buildings if the developer provides restricted housing units. These units can be either Ownership or Rental, and the number of units to be provided is determined by a ratio set out in the Town LDRs.

SECTION II.

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

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

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

PASSED 1ST READING THE ____ DAY OF _____, 2018.
PASSED 2ND READING THE ____ DAY OF_____, 2018.
PASSED AND APPROVED THE _____ DAY OF_____, 2018.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandy 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 _____, 2018.

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

_____
Sandy P. Birdyshaw
Town Clerk