

ORDINANCE L

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) TO DELETE DIVISION 7.4 AND SECTION 9.5.V, AND AMEND DIVISIONS 6.3, 1.4, AND SECTIONS 1.9.3.B.2, 1.9.3.C.2, 2.2.2.C.2, 2.2.2.D.2, 2.2.3.C.2, 2.2.3.D.2, 2.2.4.C.2, 2.2.4.D.2, 2.2.5.C.2, 2.2.5.D.2, 2.3.1.B.1, 2.3.1.C.2, 2.3.1.D.2, 2.3.2.B.1, 2.3.2.C.2, 2.3.2.D.2, 2.3.10.B.1, 2.3.10.C.2, 2.3.10.D.2, 3.3.1.C.2, 3.3.1.D.2, 4.2.1.C.2, 4.2.1.D.2, 4.2.2.C.2, 4.2.2.D.2, 4.3.1.D.3, 4.3.1.F.6, 4.3.1.F.11.f, 6.1.3.B.2.d.i.b, 6.1.5.C.2.c, 6.1.11.B.3.c, 6.2.2.B.1, 7.8.3, 7.8.4, 9.5.A, 9.5.B, 9.5.E, 9.5.L, AND 9.5.N OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING THE AFFORDABLE WORKFORCE HOUSING REQUIRED TO BE PROVIDED WITH DEVELOPMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

Section 1 of Town of Jackson Ordinance No. 1074 as amended (part) is hereby amended and reenacted to delete Division 7.4 and Section 9.5.V, and amend Divisions 6.3, 1.4, and Sections 1.9.3.B.2, 1.9.2.C.2, 2.2.2.C.2, 2.2.2.D.2, 2.2.3.C.2, 2.2.3.D.2, 2.2.4.C.2, 2.2.4.D.2, 2.2.5.C.2, 2.2.5.D.2, 2.3.1.B.1, 2.3.1.C.2, 2.3.1.D.2, 2.3.2.B.1, 2.3.2.C.2, 2.3.2.D.2, 2.3.10.B.1, 2.3.10.C.2, 2.3.10.D.2, 3.3.1.C.2, 3.3.1.D.2, 4.2.1.C.2, 4.2.1.D.2, 4.2.2.C.2, 4.2.2.D.2, 4.3.1.D.3, 4.3.1.F.6, 4.3.1.F.11.f, 6.1.3.B.2.d.i.b, 6.1.5.C.2.c, 6.1.11.B.3.c, 6.2.2.B.1, 7.8.3, 7.8.4, 9.5.A, 9.5.B, 9.5.E, 9.5.L, and 9.5.N of the Town of Jackson Land Development Regulations to read as follows:

Div. 6.3. Affordable Workforce Housing Standards

6.3.1. Purpose and Findings (P17-052)

A. Purpose

The purpose of these affordable workforce housing standards is to ensure that affordable workforce housing is provided to the local workforce by new physical development, use, development options, and subdivision proportionate with the need for affordable workforce housing they create.

B. Legislative Findings

In adopting this Section, the Town Council finds:

1. **A local workforce is a defining feature of community character.** An essential component of the community character and social, economic, and political fabric of Teton County and the Town of Jackson over the years is the presence of those persons and families that work in the community, live in the community, attend schools in the community, worship in the community, and vote in the community. Maintenance of a local workforce is key to a balanced and sustainable local economy and resilient level of critical service provision.
2. **Supply of local workforce housing is limited by affordability.** One of the primary factors that historically allowed this special community character in Teton County and the Town of Jackson is that, until the mid-1990s, the cost of housing was affordable to those persons living and working in the community. Beginning in the mid-1980s, a significant second home market emerged in Jackson Hole. These home buyers came from different parts of the country and had substantially higher incomes than the local workforce. They have contributed to a dramatic increase in land and construction costs in the community, resulting in a substantial increase in the price of housing. This increase in housing prices, when coupled with a slight increase or static local workforce wages (accounting for inflation), has made market-rate housing unaffordable to most of the local workforce, forcing many to move outside the community. Review of state and national census and other wage and labor data demonstrate this trend.
 - a. In 1986, median sales prices of homes (\$90,000) in Teton County and the Town of Jackson were on target with the affordable housing price for a median income household (\$90,667). From that point in time forward, housing prices have increased so that they no longer align with what is affordable to median income households.
 - b. By 2000, the median sales price (\$565,000) was nearly three times the price that was affordable to a median income household (\$196,333).
 - c. In 2007, the median sales price (\$1,075,000) was approximately four times the price affordable to a median income household (\$270,000).

- d. While the Great Recession had an impact on housing prices, even during the downturn housing was never affordable to most of the workforce. In 2012, the median sales price of housing (\$853,150) was more than 2.6 times the price that is affordable to a median income household (\$320,667).
 - e. By 2016, the affordability gap had returned to pre-Great Recession levels with the median sales price (\$1,130,000) at 3.95 times the price that is affordable to a median income household (\$286,000).
3. **As a result, the percentage of the workforce living locally has declined.** This phenomenon has resulted in a number of persons employed in the community and their families being forced to move outside the community, to places like Teton County, Idaho and Lincoln County, Wyoming. Estimates indicate that in 1986 approximately 91% of the workforce lived locally. In 1995 this number had decreased to approximately 80%. By 2005 it was 68%. By 2015, it was estimated only 58% of the workforce resided locally.
 4. **The decline in the local workforce has resulted in a deterioration of community character.** This decline in the percentage of the workforce living locally has resulted in an impairment of the social, economic, and political fabric of the community, along with the community's character. Estimates indicate this problem will continue to worsen in the future, unless additional housing is provided within price and rental ranges that are affordable to the workforce. More specifically:
 - a. A local workforce household is more likely to reinvest socially, civically, and economically in the community. As a greater percentage of the workforce commutes, their children no longer attend schools in the community, they no longer worship in the community, and they no longer express their ideas at the ballot box.
 - b. A local workforce results in a more balanced and sustainable local economy and resilient provision of critical services. As the community becomes more reliant on commuters it also becomes more susceptible to weather events that adversely impact the local economy and the provision of critical community services.
 - c. A local workforce also results in a healthier ecosystem. A commuter workforce generates more traffic than a local workforce, which results in greater impact to wildlife and the environment in general.
 - d. The lack of affordable workforce housing opportunities will result in the loss of generational continuity. If there are few housing opportunities available that are affordable to the workforce, there is little chance children who grow up in the community can raise their own families in the community, and continue to support and participate in the civic and social life of the community which they have been a part of their entire lives.

6.3.2. Applicability (P17-052)

5. **As a result the community set a workforce housing goal.** To address the impacts from this loss of the local workforce, in 2012 Teton County and the Town of Jackson set a goal In the Jackson/Teton County Comprehensive Plan to ensure a variety of workforce housing opportunities exist in the community so that at least 65% of those employed locally live locally.
6. **To implement this goal, development must provide mitigation for the need for affordable workforce housing it creates.** To assist in the implementation of this goal, these standards require new physical development, use, development options, and subdivision to provide affordable workforce housing proportionate to the need it creates.
7. **For these reasons,** these affordable workforce housing standards, are hereby adopted by the Town Council.

C. Technical support

The technical support and analysis upon which these affordable workforce housing standards are established is based upon The Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended, which is incorporated herein by reference.

D. Authority

The Town Council of the Town of Jackson has the authority to adopt these affordable workforce housing standards in accordance with Article 13, Section 1 of the Wyoming Constitution, and Section 15-1-601, et. seq., Wyoming Statutes, and such other authorities and provisions that are established in the statutory and common law of the State of Wyoming.

6.3.2. Applicability (P17-052)

These affordable workforce housing standards apply to any employee generating development, unless exempted below.

A. Approved Unbuilt Development

1. **Approval prior to February 21, 1995.** Employee generating development approved prior to February 21, 1995 which has not yet been developed shall also be subject to this Division upon submittal of any required application to complete the development.
2. **Substantial amendment to prior approval.** In addition, this Division shall apply to all employee generating development not completed under an existing approval when that existing approval is substantially amended, regardless of whether the amendment applies to the entire uncompleted portion of the approval, and regardless of the approved Housing Mitigation Plan (or Housing Mitigation Agreement). A substantial amendment is any amendment that would increase the amount of affordable workforce housing required.

EXAMPLE: A Sketch Plan was approved for a three building development and included a Housing Mitigation Plan. Only one building has been built, and only the required housing associated with the built building has been provided. An amendment to the Sketch Plan is proposed to increase the size of one of the unbuilt buildings. The amount of affordable workforce housing required to approve the amendment would be equal to the current requirement for both unbuilt buildings.

B. Exemptions

The following are exempt from the standards of this Division.

1. **Existing.** An existing physical development or use, and maintenance or alteration of an existing physical development or use.
2. **Prior approval.** Approved employee generating development with an approved Mitigation Plan that is completed pursuant to the approval.
3. **Replacement.** Replacement of an existing physical development, use, development option, or subdivision within 12 months, except for:
 - a. Any expansion of the existing physical development, use, development option, or subdivision; or
 - b. Replacement of an existing residential use for which housing mitigation has not been provided.

EXAMPLE: An existing apartment building built prior to 1995 is being razed to build a new apartment building. Because the apartment building being razed did not provide any affordable housing mitigation when it was built, the new apartment building would be subject to this Division as though the apartment building being razed did not exist.

4. **Affordable workforce housing unit.** A residential unit subject to a deed restriction administered by the Housing Department, Jackson Hole Community Housing Trust, or Habitat for Humanity of the Greater Teton Area. (This exemption shall not apply to an occupancy restriction as defined in the Housing Department Rules and Regulations.)
5. **Agriculture.** An agriculture use (6.1.3.B).
6. **Mobile home.** A mobile home (6.1.4.E) or mobile home park (7.1.4).
7. **Dormitory.** A dormitory (6.1.4.F).
8. **Group home.** A group home (6.1.4.G).
9. **Accessory use.** An accessory use (6.1.11), except for a Bed and Breakfast (6.1.11.C).
10. **Workforce housing incentive.** A residential unit approved pursuant to Div. 7.8, whether deed restricted or not.

6.3.3. Amount of Affordable Workforce Housing Required (P17-052)

- 11. **Non-Single-Family Subdivision.** Land division in the DC, CR-1, CR-2, CR-3, OR, TS, UC, BP, NH-1, NM-2, NM-1, P, and P/SP zones.
- 12. **Public/semi-public zone.** Physical development, use, development option, or subdivision in the public/semi-public zone.

6.3.3. Amount of Affordable Workforce Housing Required (P17-052)

A. Requirement

Any employee generating development to which this Division applies shall provide at least the amount of affordable workforce housing determined by the following calculations. The calculations vary by the use being proposed and are the function of the size of the proposal. The calculations are based on the analysis found in the Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended, and assume an affordable workforce housing unit houses 1.8 local employees.

Required Affordable Workforce Housing	
Use	Affordable Workforce Housing Units Required
Detached Single-Family Unit (6.1.4.B) (Non-Local Occupancy, A.8)	$0.000017 * sf + (Exp(-15.49 + 1.59*Ln(sf)))/2.414$
Detached Single-Family Unit (6.1.4.B) (Local Occupancy, A.8)	$0.000017 * sf + (Exp(-16.14 + 1.59*Ln(sf)))/ 2.414$
Attached Single-Family Unit (6.1.4.C), Apartment (6.1.4.D) (Non-Local Occupancy, A.8)	$0.000017 * sf + (Exp(-14.17 + 1.59*Ln(sf)))/ 2.414$
Attached Single-Family Unit (6.1.4.C), Apartment (6.1.4.D) (Local Occupancy, A.8)	$0.000017 * sf + (Exp(-14.82 + 1.59*Ln(sf)))/ 2.414$
Conventional Lodging (6.1.5.B), Short-Term Rental Unit (6.1.5.C)	0.204 * room
Office (6.1.6.B)	0.000655 * sf
Retail (6.1.6.C), Service (6.1.6.D), Heavy Retail/Service (6.1.6.F), Nursery (6.1.6.H), Amusement (6.1.7.B)	0.000573 * sf
Restaurant/Bar (6.1.6.E)	0.001589 * sf
Industrial Uses (6.1.9), Transportation/ Infrastructure Uses (6.1.10), Mini-Storage Warehouse (6.1.6.G)	0.000326 * sf
Institutional Uses (6.1.8)	0.000698 * sf

- 1. **Schedule and calculator available.** A schedule of the requirement for employee generating development of various sizes and a calculator to use in determining the requirement are both available in the Administrative Manual. The residential requirement is a logarithmic equation because there is an exponential relationship between the size of a unit and the number of operations and maintenance employees generated.

2. **Use not listed.** For uses not listed, the Planning Director shall either find a use comparable to the proposed employee generating development and utilize the comparable calculation, or require the applicant to conduct an independent calculation pursuant to 6.3.3.B to determine the requirement.
3. **Expansion.** In the case of an expansion to an existing physical development, use, development option, or subdivision, the amount of affordable workforce housing required shall be calculated based only on the expansion.
4. **Change of Use.** In the case of a change of use, the amount of affordable workforce housing required shall be the difference between the requirement for the proposed use and the requirement for the existing use. An existing use shall not have been discontinued for longer than 12 months.
5. **Estimating use or size.** Where the use or size of the proposal is unknown, the following estimates shall be used:
 - a. **Platting vacant single family-lots.** For subdivision in the R, NL-1, NL-2, NL-3, and NL-4 zones, the maximum habitable floor area allowed above ground on each lot proposed shall be used to calculate the amount of affordable workforce housing required at the time of subdivision. If additional habitable floor area is proposed at the time of building permit, the additional affordable workforce housing mitigation as required by this Section shall be required at that time.
 - b. **Unknown use.** For the development of floor area with an unknown use, the allowed use in the zoning district with the greatest need for affordable workforce housing shall be used, except that use of a Restaurant/Bar use shall only be required in association with a Restaurant/Bar use permit.
6. **Sf.** In the calculations “sf” is equal to the habitable floor area (in square feet), including basement, of each residential, lodging, or nonresidential unit.
 - a. The calculation for a multi-unit building shall be the sum of the calculation for each unit.
 - b. Common hallways, entryways, stairways, and other circulation areas in buildings with multiple residential or nonresidential units, that are not within any individual unit, shall not be included in the calculation.
 - c. Other square footage used for commercial activity that are not habitable floor area, such as outdoor seating and sales areas, shall be included in the calculation.
7. **Room.** In the calculations “room” is equal to a single lodging room. In the case of a conventional lodging or short-term rental with multiple bedrooms per unit, the number of rooms used in the calculation shall be the number of bedrooms, not the number of units.
8. **Local occupancy restriction.** The requirement for non-local occupancy shall be applied to all residential uses. In order to utilize the local occupancy calculation, an occupancy restriction as defined in the Housing Department Rules and

Regulations shall be placed on the unit. (Placement of an affordable restriction or workforce restriction, as defined in the Housing Department Rules and Regulations, shall exempt the unit from any requirement pursuant to 6.3.2.B.4.) In order to remove such a restriction, the affordable workforce housing required on the date of the removal shall be provided. In the case of removal of an occupancy restriction the affordable workforce housing requirement shall be calculated as a change of use from local to non-local occupancy.

9. **Update requirement regularly.** The determination of need for affordable workforce housing shall be evaluated and updated at least every five years to account for changes in the economic and demographic trends in the community. Updates shall be based on update to The Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended.

B. Independent Calculation

Where applicable, an independent calculation shall establish the amount of affordable workforce housing required.

1. Applicability

- a. **Applicant option.** An applicant may elect to prepare an independent calculation of the required affordable workforce housing if the applicant believes the nature, timing, or location of the proposed employee generating development is likely to create less need for affordable workforce housing than otherwise required in this Section.
- b. **Unspecified use.** The Planning Director may require an independent calculation of the need created for required affordable workforce housing if:
 - i. A calculation for the proposed use is not established in Sec. 6.3.3.A; or
 - ii. A proposed use does not rely on floor area; or
 - iii. The Planning Director finds the employee generating development to be unique from the general circumstances surveyed in The Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended.

2. **Calculation Methodology.** An independent calculation shall use the methodology used in the Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013) to generate the calculations in 6.3.3.A. That methodology is represented by the following equation:

$$\text{Requirement (units per sf/room)} = [A/30/X*Y] + [B/X*Y] + [C/X*Y] + [D/W*Y]$$

- a. A = the number of construction workers needed to construct one sf/room of the use.

- b. B = the post-construction workers needed to operate one sf/room of the use. In the case of residential development these are the operations and maintenance employees such as landscapers, trash collectors, and property managers. In the case of nonresidential development these are the employees who work at the use.
 - c. C = the number of fire and emergency medical personnel needed to serve one sf/room of the use.
 - d. D = the number of law enforcement personnel needed to serve one sf/room of the use.
 - e. 30 = the 30 year average career of a construction worker.
 - f. X = the average number of workers in the household of an employee in a specific industry.
 - g. Y = the percentage of workers in a specific industry that cannot afford market housing.
3. **Calculation Values.** The values in the Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended, shall be used in the independent calculation except pursuant to the following standards.
- a. **Values that may be altered.** In equation for independent calculation an alternate value shall only be used for A, B, or C.
 - b. **Alternate values.** The alternate value proposed shall be calculated using:
 - i. Generally recognized principles and methods of impact analysis; and
 - ii. Verifiable local information and data.

6.3.4. Type of Affordable Workforce Housing Required (P17-052)

The affordable workforce housing units required by this Division shall comply with the following requirements to ensure their affordability and livability.

A. Unit types allowed.

A required affordable workforce housing unit shall be a detached single-family unit (6.1.4.B), attached single-family unit (6.1.4.C), apartment (6.1.4.D), or accessory residential unit (6.1.11.B). No other residential or lodging unit type shall be required affordable workforce housing.

B. Affordability.

- 1. **Restriction.** Each affordable workforce housing unit shall be subject to one of the following restrictions.
 - a. **Less than 50% of Median Income.** An affordable rental restriction, as defined in the Housing Department Rules and Regulations, ensuring affordability for households making 50% of family median income or less.

- b. **50%-80% of Median Income.** An affordable rental restriction, as defined in the Housing Department Rules and Regulations, ensuring affordability for households making above 50% up to 80% of family median income.
 - c. **80%-120% of Median Income.** An affordable rental or affordable ownership restriction, as defined in the Housing Department Rules and Regulations, ensuring affordability for households making above 80% up to 120% of family median income.
 - d. **120%-200% of Median Income.** A workforce rental or workforce ownership restriction, as defined in the Housing Department Rules and Regulations, for households making above 120% up to 200% of family median income.
2. **Allocation of restrictions.** The above restrictions shall be allocated to the required units in the following order. For requirements above 8 units the order of allocation shall repeat. A fractional requirement shall be the last allocated.

Allocation of Affordability Restrictions				
Units Required	< 50%	50% - 80%	80% - 120%	120% - 200%
1	0	1	0	0
2	0	1	1	0
3	1	1	1	0
4	2	1	1	0
5	2	2	1	0
6	2	2	2	0
7	3	2	2	0
8	3	2	2	1

- a. The Housing Director may adjust the restriction allocation in accordance with the procedure of Sec. 8.8.1 and the following standards.
 - i. The adjustment shall not reduce the required number of units.
 - ii. The restriction allocation shall meet the following distribution.

Distribution of Affordability Restrictions	
Affordability Restriction	% of Required Units
< 50%	At least 34%
50% - 80%	At least 27%
80% -120%	No more than 23%
120% - 200%	No more than 15%

- 3. **Allocation of restrictions by unit size.** To the maximum extent practicable the allocation of restrictions shall be evenly distributed across all unit sizes.

C. Unit Size - Allocation of bedrooms per unit.

The size of the required units, in number of bedrooms, shall be determined in the following order. For requirements above 4 units the order of allocation shall repeat. A fractional requirement shall be the last allocated.

Allocation of Number of Bedrooms			
Units Required	1 Bedroom or Studio	2 Bedroom	3 Bedroom
1	0	1	0
2	0	2	0
3	0	2	1
4	1	2	1
*Assumed Employees per Unit	1.45	1.85	2.1

1. **Administrative Adjustment.** The Housing Director may adjust the bedroom allocation in accordance with the procedure of Sec. 8.8.1 and the following standards.
 - a. The adjustment shall not reduce the required number of units.
 - b. The maximum number of bedrooms in any unit shall be 3.
 - c. The bedroom mix shall serve the needs of the local workforce.
 - d. The bedroom allocation shall provide housing for a total number of workers equal to the required number of units times 1.8 workers per unit. The number of workers housed through the proposed bedroom allocation shall be calculated using the employees per unit assumed in the above table.

D. Required components of livability.

Each required affordable workforce housing unit shall include, at a minimum the following components of livability as they are defined in the Housing Department Rules and Regulations.

1. A fully equipped kitchen;
2. A fully equipped bathroom;
3. An area for living;
4. An area for sleeping; and
5. An area for storage.

E. Compliance with Rules and Regulations.

Each required affordable workforce housing unit shall comply with the Housing Department Rules and Regulations.

6.3.5. Method for Providing Required Affordable Workforce Housing (P17-052)

1. The Jackson/Teton County Affordable Housing Department (“Housing Department”) is responsible for administration of any affordable workforce housing units established in accordance with this Division, as well as other affordable workforce housing units it is directed to administer by the Town Council.
2. To assist in the administration of this Division, the Housing Department is authorized to establish the Jackson/Teton County Housing Department Rules and Regulations, which shall authorize the Housing Department to:
 - a. Manage and oversee all affordable workforce housing units.
 - b. Determine the structure and design of the units.
 - c. Determine the building materials to be used for the units.
 - d. Administer the marketing of the units.
 - e. Establish rules for qualifying renters and buyers, and administer selection of renters and buyers.
 - f. Establish rules for and monitor the units to ensure applicants, renters, and sellers comply with the requirements of this Division and the Rules and Regulations. The Rules and Regulations shall also include rules addressing:
 - i. Renter and buyer non-compliance, which may include but is not limited to requirements for disqualification and prosecution for fraud.
 - ii. Seller non-compliance (for initial or subsequent sales), which may include but is not limited to issuance of an affidavit affecting title and prosecution for fraud.
 - iii. Housing Department reimbursement by the renter, seller, or applicant, for any attorney’s fees and other costs associated with the Department’s compliance enforcement.

6.3.5. Method for Providing Required Affordable Workforce Housing (P17-052)

A. Standards Applicable to All Methods

Regardless of the method used to provide the affordable workforce housing required, each required affordable workforce housing unit provided shall comply with the following standards.

1. **Type.** Each required affordable workforce housing unit shall meet the standards of Section 6.3.4, as well as all other standards of these LDRs and the Housing Department Rules and Regulations.
2. **Location.** Each required unit shall be located in the Town of Jackson or in Teton County east of the Tetons, and shall be in an area determined suitable for affordable workforce housing.

3. **Deed Restriction.** To ensure compliance with the standards of this Division, the property of each affordable workforce housing unit and the property of the employee generating development shall both be subject to a deed restriction, in perpetuity, and a Housing Mitigation Agreement. More specifically:
 - a. **Deed restriction.** The property of the affordable workforce housing unit and the property of the employee generating development shall be subject to a deed restriction in a form established and approved by the Housing Department, and included in the Rules and Regulations.
 - b. **Housing Mitigation Agreement.** The property of the affordable workforce housing unit and the property of the employee generating development shall also be subject to a Housing Mitigation Agreement which shall be recorded against the property of the employee generating development in a form acceptable to the Town Attorney.

B. Preferred Methods.

Each employee generating development subject to the requirements of this Division shall provide the required affordable workforce housing by one or a combination of the methods identified below, in order of priority. Alternate methods shall not be proposed.

1. Construction of required affordable workforce housing on the site of the employee generating development, or off-site.
2. Conveyance of land for affordable workforce housing.
3. Utilization of a banked affordable workforce housing unit.
4. Restriction of an existing residential unit as an affordable workforce housing unit.
5. Payment of an in-lieu fee.

C. Priority Method Impracticable

A required affordable workforce housing unit shall be provided through the highest priority method practicable. A lower priority method may be used upon making one of the following findings for each higher priority method.

1. **Less than one unit.** An in-lieu fee may be paid for an affordable workforce housing requirement of less than one unit.
2. **On-site provision impractical.** On-site provision of the required workforce housing:
 - a. Is inconsistent with the Comprehensive Plan or LDRs; or
 - b. Does not comply with other Town, County, State, or Federal laws; or
 - c. Is unreasonable due to lack of infrastructure, inappropriate soils, or other site conditions.

3. **Off-site methods not reasonably available.** A good faith effort to provide the required affordable workforce housing units off-site, is unsuccessful due to infrastructure, regulatory (either Town, County, State or Federal), or other site constraints of the land, or due to the price at which the land was available for sale. Conditions relevant to these constraints include but are not limited to factors like:
 - a. No off-site options are for sale that would support affordable workforce housing units at an economically feasible density to provide the amount of affordable workforce housing units required.
 - b. The inability to provide the needed infrastructure (e.g., roads, water supply, sewage disposal, telephone, electricity and gas) for the development of available off-site locations.

D. Standards Applicable to Specific Methods

In addition to the standards applicable to all methods, the following shall also apply to the specific method used for the provision of affordable workforce housing.

1. **Construction.** Construction of required affordable workforce housing units shall comply with the following standards.
 - a. **Timing.** Unless an alternate phasing plan is established in the Housing Mitigation Agreement, each required affordable housing unit shall be reviewed and constructed pursuant to the following standards. If an alternate phasing plan is established, the Housing Mitigation Agreement shall include financial assurances that the construction will occur.
 - i. Each required affordable workforce housing unit constructed shall receive a certificate of occupancy prior to the granting of the applicable certificate of occupancy, use permit, or subdivision plat for the employee generating development.
 - ii. If the employee generating development is approved for phases, the required affordable workforce housing units shall be constructed in proportion to the phases of the employee generating development. The phasing plan shall be established in the Housing Mitigation Agreement. The phasing plan shall require a recalculation of the amount of affordable workforce housing required at each phase.
 - iii. The application to construct the affordable workforce housing shall be sufficient in order for an application for development plan, use permit, or building permit for employee generating development to be determined sufficient.
 - iv. The approval process for the employee generating development shall occur concurrent with the approval process of the required affordable workforce housing development.

EXAMPLE: An employee generating development proposes off-site required affordable workforce housing of a scale that requires a development plan. The development plan for the employee generating development shall not be approved until the development plan for the required affordable workforce housing is approved.

2. **Conveyance of Land.** Conveyance of land for affordable workforce housing shall comply with the following standards.
 - a. **Acceptance.** Land conveyed shall only be approved and accepted at the discretion of the Town Council, regardless of the decision maker on approval of the employee generating development that is providing the mitigation.
 - b. **Timing.** Land conveyance shall occur concurrently with approval of the development plan, use permit, or building permit, whichever occurs first, unless a different time of conveyance is established in the Housing Mitigation Agreement. If a different time is established, the Housing Mitigation Agreement shall include financial assurances that land conveyance will occur.
 - c. **Amount.** Land conveyed shall be in an amount that allows for economically feasible construction of at least the amount of affordable workforce housing units required under the zoning applicable to the land, at the time of conveyance. The value of the land conveyed shall also be at least equal to the in-lieu fee that would be required.
 - d. **Confirmation of fair market value.** The fair market value of the land conveyed shall be confirmed at the time of conveyance. Fair market value shall be net of any customary real estate commission for the sale of land.
 - e. **Clear title.** Land conveyed shall have clear title, physical and legal access, and be free of any liens.
 - f. **Onsite Infrastructure.** Land conveyed shall be fully ready for development and ready for construction, with roads, water supply, sewage disposal, telephone, electricity and gas (if available), and other basic services in place to the property line of the land, as applicable. If this cannot be demonstrated, the applicant shall post a bond in accordance with Section 8.2.11, to complete the improvements. (In no event shall the bonded improvements be completed more than one year after the date of conveyance of the land to the Town.)
 - g. **Suitability.** Where there is concern about the suitability of soils or other site conditions to support affordable workforce housing, a soils report and/or other reports shall be prepared by an engineer or other consultant deemed qualified by the Town Council, at the applicant's expense, stipulating the land is suitable for the type of construction contemplated, stating any special construction techniques necessary for its development.

h. Use of conveyed land.

- i. Land conveyed shall be used for the development of affordable workforce housing units, and when accepted by the Town Council shall be conveyed to the Jackson/Teton County Housing Authority for that purpose.
- ii. Where it is determined by the Board of County Commissioners and Town Council that the goals of providing affordable workforce housing will be better met through sale of the conveyed land, the conveyed land may be sold by the Jackson/Teton County Housing Authority.
- iii. Proceeds from the sale of conveyed land shall be placed in the interest-bearing Affordable Workforce Housing Account. Proceeds from the sale of conveyed land, and any interest accrued from the sale, shall be used for development of affordable workforce housing that meets the standards of this Division, within a reasonable period of time after deposit into the account.

3. Banked units.

- a. **Banking of a unit.** A voluntarily restricted affordable workforce housing unit may be banked if it complies with the following standards.
 - i. The voluntarily restricted unit shall not be tied to any requirement in these LDRs.
 - ii. The deed restriction shall be approved by the Housing Department.
 - iii. The deed restriction shall identify the unit as a banked unit and require re-recording of the restriction to associate the unit with the employee generating development that utilizes the banked unit.
 - iv. The unit shall be banked for a maximum of 20 years.
- b. **Utilization of a banked unit.** Utilization of a banked unit to fulfill an affordable workforce housing requirement shall comply with the following.
 - i. The banked unit shall have a deed restriction that complies with Section 6.3.4. (The deed restriction on a banked unit may be amended, if approved by the Housing Department, to meet this requirement.)
 - ii. Prior to approval of the development plan, use permit, or building permit for the employee generating development, whichever comes first, the deed restriction on the banked unit shall be re-recorded to reference the employee generating development it is mitigating. At the same time, the Housing Mitigation Agreement identifying use of the banked unit shall be recorded against the property of the employee generating development.

4. **Restriction of an existing unit.** Restriction of an existing residential unit as an affordable workforce housing unit shall comply with the following standards.
 - a. **Age and Condition.** The unit shall be less than 15 years old and shall have been maintained to the standards required by the Rules and Regulations.
 - b. **Timing.** A restriction approved by the Housing Department shall be placed on the existing unit prior to the granting of the applicable certificate of occupancy, use permit, or subdivision plat for the employee generating development.
5. **Payment of an in-lieu fee.** Payment of a fee in-lieu for affordable workforce housing shall comply with the following standards.
 - a. **Amount.** The amount of the in-lieu fee shall be proportionate to the need created by the development as established in Sec. 6.3.3 based on the Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended. The in-lieu fee amounts shall vary by affordability restriction and number of bedrooms. The current in-lieu fee amounts are included in the Administrative Manual.
 - b. **Fractional amount.** If a fraction of an affordable workforce housing unit is required, the same fraction of the in-lieu fee amount shall be required.
 - c. **Update.** The Town Council shall update the fee in-lieu amount annually, by Resolution, based on the cost of developing the required affordable workforce housing and the resale value of the required workforce housing.
 - i. The cost of development shall be provided by the Housing Director based on recent past development.
 - ii. Unit sizes shall be assumed to be
 - a). 1 Bedroom/Studio: 750 sf
 - b). 2 Bedroom: 1,050 sf
 - c). 3 Bedroom: 1,350 sf
 - iii. The maximum sales and rental prices shall be as established by the Housing Department annually pursuant to the Rules and Regulations.
 - iv. The capitalization rate for rental units shall be assumed to be eight percent (8%).
 - d. **Timing.** The in-lieu fee shall be paid prior to the granting of the applicable certificate of occupancy, use permit, or subdivision plat for the employee generating development, whichever occurs first.
 - e. **Payment.** In-lieu fees collected shall be immediately deposited into the interest-bearing Affordable Workforce Housing Account.

- f. **Use of Fees.** In-lieu fees, and any interest accrued from in-lieu fees, shall be used for the development of affordable workforce housing that meets the standards of this Division.
- g. **Refund of in-lieu fees.**
 - i. **Seven year limit.** In-lieu fees shall be refunded upon written request by the current owner of the development for which in-lieu fees are paid, if the fees are not expended within seven years from the date the fees are paid.
 - a). Notwithstanding this provision, if the Town Council earmarks the fees for expenditure on a specific affordable workforce housing project, then the Town Council may extend the time period by up to three additional years.
 - b). In-lieu fee payments shall be deemed expended on the basis that the first payment in shall be the first payment out.
 - c). The written request shall be submitted to the Planning Director within one year from the end of the seventh year, or one year from the end of the extended refund time period.
 - ii. **Expired approval or permit.** An in-lieu fee required for an employee generating development for which approval has expired shall be refunded upon a written request from the current owner of the property for which the fee was paid. Such request shall be submitted to the Planning Director within three months of the date of the expiration.
 - iii. **Written request.** In all instances where a refund of an in-lieu fee is available, the current owner must submit proof of ownership of the property and proof of payment of the in-lieu fee.

6.3.6. Housing Mitigation Plan and Housing Mitigation Agreement (P17-052)

A. Housing Mitigation Plan

An application for physical development, use, development option, or subdivision shall demonstrate compliance with, or exemption from, this Division through a Housing Mitigation Plan.

1. **Part of application.** The Housing Mitigation Plan shall be a required component of a sufficient application for physical development, use, development option, or subdivision.
2. **Review and decision.** The decision maker on the application, for which the Housing Mitigation Plan is a part, shall review and make a decision on the Housing Mitigation Plan as part of the review of the application, except that only the Town Council can accept a proposal to convey land.

3. **Contents of Mitigation Plan.** The Housing Mitigation Plan shall be in the form of the Housing Mitigation Plan template provided in the Administrative Manual and include the following.
- a. **Applicability.** A statement that the requirements of this Division apply, or the proposed employee generating development is exempt from this Division in accordance with Sec. 6.3.2, along with an explanation why.
 - b. **Calculation of Requirement.** Calculation of the amount of required affordable workforce housing created by the employee generating development in accordance with Sec. 6.3.3.
 - c. **Tabulation of unit types.** Demonstration how the unit types required by Sec. 6.3.4 will be provided.
 - d. **Proposed method of provision.** The method (or combination of methods) by which affordable workforce housing is to be provided in accordance with Sec. 6.3.5. The method of provision proposed shall include the following, as applicable.
 - i. Findings to justify that higher priority methods are impracticable (e.g., construction of affordable workforce housing units, on-site or off-set) if they are not used.
 - ii. Location of the proposed units, if applicable.
 - iii. The time by which the units or another method of mitigation will be provided.
 - iv. A completed Housing Department Deed Restriction Worksheet for each unit.
 - v. Demonstration of compliance with the standards of Subsection 6.3.5.D. for the specific method proposed.
 - vi. In the case of construction of units, the application number for the permit to construct the units.
 - vii. In the case of a conveyance of land:
 - a). A topographic and boundary survey of the land to be conveyed.
 - b). An analysis of the residential development allowed on the land by the current zoning.
 - c). Evidence that on-site infrastructure needed for development is on the site, or will be timely provided by the person conveying the land.
 - d). A title report on the land demonstrating clear title, physical and legal access, any liens, easements, and other information necessary to fully describe the legal status of the land to be conveyed.

- e). An appraisal of the fair market value of the land.
- f). Any additional information or studies determined by the Planning Director to be necessary to demonstrate compliance with Subsection 6.3.5.D.2.
- viii. In the case of restriction of an existing unit, the certificate of occupancy for the unit, and an inspection of the maintenance of the unit to the standards of the Rules and Regulations shall be completed by a qualified professional inspector.
- ix. In the case of payment of an in-lieu fee, calculation of the in-lieu fee amount.

B. Housing Mitigation Agreement

As a condition of approval of the employee generating development, the owner of the property on which the employee generating development is proposed shall enter into a Housing Mitigation Agreement with the Town. The Housing Mitigation Agreement shall include: the approved Housing Mitigation Plan; all terms and conditions of the approval of the Housing Mitigation Plan; all applicable deed restrictions; and any other provisions the decision-maker or the Housing Department deems relevant.

1. In signing the agreement, the applicant agrees to comply with the terms and conditions of the approved Housing Mitigation Plan and the Housing Mitigation Agreement.
2. The Housing Mitigation Agreement shall be recorded against the property of the employee generating development.
3. The Housing Mitigation Agreement shall be in a form acceptable by the Town Attorney.
4. The Housing Mitigation Agreement shall be amended only in accordance with its original approval.

1.3.3. Implement the Illustration of Our Vision (1/1/15, Ord. 1074)

3. Residents and visitors will safely, efficiently, and economically move within our community and throughout the region using alternative modes of transportation.
4. Timely, efficiently, and safely deliver quality services and facilities in a fiscally responsible and coordinated manner.

1.3.3. Implement the Illustration of Our Vision (1/1/15, Ord. 1074)

- A. Achieve the desired future character identified for each Character District.
- B. Implement the policy objectives for each Character District.
- C. Achieve the character-defining features identified for each Subarea.

1.3.4. Predictable Regulations, Incentives, and Allowances

(1/1/15, Ord. 1074)

- A. Ensure standards are consistently applied to similar applications and circumstances.
- B. Ensure landowners, the public, and decision-makers know the amount, location, and type of growth to expect.
- C. Use data analysis and best practices to inform standards and implement the adaptive management philosophy of the Growth Management Program.

1.3.5. Coordination Between Jurisdictions (1/1/15, Ord. 1074)

- A. Implement the joint Town/County Vision through coordinated, supportive actions.
- B. Maintain a common structure, format, and definitions in Town and County LDRs.

Div. 1.4. Organization of the LDRs (P17-052)

These LDRs constitute the Town's zoning and subdivision regulations. They have two organizing principles. Primarily, they are organized by zone in order to implement and emphasize the community's character-based planning approach. Secondly, to provide ease of use, they are organized to answer three questions:

- What can be built or physically developed?
- What uses are allowed?
- How can the land be developed or subdivided?

The LDRs contain 9 articles.

General

<p>Article 1: General Provisions</p>	<p>This article establishes the purpose and intent of the LDRs and the zones. It includes general provisions that identify the Town's authority to adopt the LDRs, outlines the organization of the LDRs, and establishes to whom the LDRs apply. It also establishes the rules governing nonconformities.</p>
<p>Article 9: Definitions</p>	<p>This article consolidates definitions for terms necessary to understand and enforce the LDRs. It also provides rules of construction for interpreting terms, rules of measurement that establish methodologies for the measurement of common standards (e.g., setbacks, height, etc.), and a list of abbreviations.</p>

Zone Specific Standards

Articles 2-4 establish the zones and zone standards. Each zone section includes a purpose and intent statement, the specific standards applicable in the zone, and the general standards from Articles 5-7 that may be applicable in the zone. The provisions in each zone are organized by: Physical Development, Use and Development Options and Subdivision.

<p>Article 2: Complete Neighborhood Zones</p>	<p>This article establishes the zones that implement the vision for Complete Neighborhoods identified in the Illustration of Our Vision Chapter of the Jackson/Teton County Comprehensive Plan.</p>
<p>Article 3: Rural Area Zones</p>	<p>This article establishes the zones that implement the vision for Rural Areas identified in the Illustration of Our Vision Chapter of the Jackson/Teton County Comprehensive Plan.</p>
<p>Article 4: Special Purpose Zones</p>	<p>This article establishes the resort, civic, and other special purpose zones that apply to unique places in the community to protect and support their special character.</p>

Standards Applicable to All Zones

Articles 5-7 establish the physical development, use, development option and subdivision standards that apply across multiple zones. These standards may only apply in certain overlays, or may apply in all zones. They apply in conjunction with the zone-specific standards of Articles 2-4.

<p>Article 5: Physical Development Standards</p>	<p>This article establishes the standards for the location, mass, and form of physical development. Environmental, scenic, and natural hazard protections, as well as landscaping, sign, stormwater, and grading and erosion control standards are also included. Standards applicable in the Natural Resource and Scenic Resources Overlays are established in this article.</p>
<p>Article 6: Use Standards</p>	<p>This article establishes and defines the allowed uses. Use-based standards such as parking and affordable workforce housing are included in this article, as are operational standards.</p>
<p>Article 7: Development Option & Subdivision Standards</p>	<p>This article establishes and defines the allowed development options. It also establishes subdivision standards and includes subdivision-based requirements such as development exactions, required transportation facilities and required utilities.</p>

Administration

<p>Article 8: Administrative Procedures</p>	<p>This article establishes the procedures and review standards for the permits or approvals that are used to ensure development complies with the standards of these LDRs. It also establishes the enforcement provisions for the LDRs. The applicable procedures are referenced within the zone standards (Articles 2-4) and standards applicable in all zones (Articles 5-7).</p>
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1.9.3. Nonconforming Uses (P17-052)

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 (P17-052)

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.
2. An expansion of a nonconforming use shall not create or increase nonconformity with use-based standards such as parking and affordable workforce 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 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 affordable workforce 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.
2. When government action other than those described in 1.9.1.1., 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.

E. Subdivision of a Nonconforming Use Prohibited.

Subdivision or Exempt Land Division of a structure or land containing a nonconforming use shall constitute discontinuance of the nonconforming use.

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.)	Affordable Workforce Housing Units (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	$0.000017 * sf + (Exp(-14.17 + 1.59 * Ln(sf))) / 2.414$
Apartment (6.1.4.D.)	B				
Dormitory (6.1.4.F.)	C	n/a	n/a	0.251/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Lodging					
Conventional Lodging (6.1.5.B.)	B (LO)	n/a	n/a	0.75/room	0.204*bedrooms
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	0.204*bedrooms
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	1.65/1,000 sf	0.000655*sf
Retail (6.1.6.C.)	B	12,500 sf	n/a	2.25/1,000 sf	0.000573*sf
Service (6.1.6.D.)	B	excluding basement storage	n/a	1.5/1,000 sf	0.000573*sf
Restaurant/Bar (6.1.6.E.)	B		n/a	1/110 sf dining area + 1/60 sf bar area	0.001589*sf
Amusement/Recreation					
Amusement (6.1.7.B.)	B	n/a	n/a	1/60 sf seating area or independent calculation	0.000573*sf
Developed Recreation (6.1.7.D.)	B	n/a	n/a	2.25/1,000 s	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	n/a	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	0.000698*sf
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	0.000698*sf

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.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	n/a	n/a	n/a	0.000326*sf
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.5/employee + 0.5/stored vehicle	0.000326*sf
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	n/a	n/a	0.5/employee + 0.5/stored vehicle	0.000326*sf
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	n/a	n/a	1/DU	exempt
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	0.5/employee + 0.5 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	n/a	n/a	0.5/1,000 sf outdoor display area + 0.5/employee	exempt
Farm Stand (6.1.12.E.)	B	n/a	n/a	2.5/1,000 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
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	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 Workforce Housing						Div. 6.3.
Required Workforce Affordable Housing		Housing required for maximum floor area allowed on each lot				
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.)	Affordable Workforce Housing Units (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	$0.000017 * \text{sf} + (\text{Exp}(-14.17 + 1.59 * \text{Ln}(\text{sf}))) / 2.414$
Apartment (6.1.4.D.)	B				
Dormitory (6.1.4.F.)	C	n/a	n/a	0.25/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Lodging					
Conventional Lodging (6.1.5.B.)	B (LO)	n/a	n/a	0.75/room	0.204*bedrooms
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	0.204*bedrooms
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	2.47/1,000 sf	0.000655*sf
Retail (6.1.6.C.)	B	6,000 sf excluding basement	n/a	3.37/1,000 sf	0.000573*sf
Service (6.1.6.D.)	B			2.25/1,000 sf	0.000573*sf
Restaurant/Bar (6.1.6.E.)	B			1/73 sf dining area + 1/40 sf bar area	0.001589*sf
Amusement/Recreation					
Amusement (6.1.7.B.)	B	n/a	n/a	1/40 sf seating area or independent calculation	0.000573*sf
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	0.000698*sf
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	0.000698*sf

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.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	n/a	n/a	n/a	0.000326*sf
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	0.000326*sf
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	n/a	n/a	0.75/employee + 0.75/stored vehicle	0.000326*sf
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	n/a	n/a	1/DU	exempt
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		<u>Sec. 7.2.3.</u>
Townhouse Condominium Subdivision	n/a	n/a	n/a	n/a	n/a	<u>Sec. 7.2.4.</u>
2. Residential Subdivision Requirements						
Affordable Workforce Housing						Div. 6.3.
Required Workforce Affordable Housing		Housing required for maximum floor area allowed on each lot				
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						(<u>Div. 7.6.</u>)
Access						required
Right-of-way for Minor Local Road (min)						60'
Paved travel way for Minor Local Road (min)						20'
Required Utilities						(<u>Div. 7.7.</u>)
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.)	Affordable Workforce Housing Units (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	$0.000017 * \text{sf} + (\text{Exp}(-14.17 + 1.59 * \text{Ln}(\text{sf}))) / 2.414$
Apartment (6.1.4.D.)	B				
Dormitory (6.1.4.F.)	C	n/a	n/a	0.25/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
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	[Use to be deleted by P17-077]
Lodging					
Conventional Lodging (6.1.5.B.)	B (LO)	n/a	n/a	0.75/room	0.204*bedrooms
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	0.204*bedrooms
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	2.47/1,000 sf	0.000655*sf
Retail (6.1.6.C.)	B	6,000 sf	n/a	3.37/1,000 sf	0.000573*sf
Service (6.1.6.D.)	B	excluding basement storage	n/a	2.25/1,000 sf	0.000573*sf
Restaurant/Bar (6.1.6.E.)	B		n/a	1/73 sf dining area + 1/40 sf bar area	0.001589*sf
Amusement/Recreation					
Amusement (6.1.7.B.)	B	n/a	n/a	1/40 sf seating area or independent calculation	0.000573*sf
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	0.000698*sf
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	0.000698*sf

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.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	n/a	n/a	n/a	0.000326*sf
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	0.000326*sf
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	n/a	n/a	0.75/employee + 0.75/stored vehicle	0.000326*sf
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	n/a	n/a	1/DU	exempt
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		<u>Sec. 7.2.3.</u>
Townhouse Condominium Subdivision	n/a	n/a	n/a	n/a	n/a	<u>Sec. 7.2.4.</u>
2. Residential Subdivision Requirements						
Affordable Workforce Housing						Div. 6.3.
Required Workforce Affordable Housing		Housing required for maximum floor area allowed on each lot				
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						(<u>Div. 7.6.</u>)
Access						required
Right-of-way for Minor Local Road (min)						60'
Paved travel way for Minor Local Road (min)						20'
Required Utilities						(<u>Div. 7.7.</u>)
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.)	Affordable Workforce Housing Units (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	$0.000017 * sf + (Exp(-14.17 + 1.59 * Ln(sf))) / 2.414$
Apartment (6.1.4.D.)	B				
Dormitory (6.1.4.F.)	C	n/a	n/a	0.25/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
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	[Use to be deleted by P17-077]
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	2.47/1,000 sf	$0.000655 * sf$
Retail (6.1.6.C.) (E.3.)	B	2,000 sf excluding basement storage	E.3.	exempt	$0.000573 * sf$
Service (6.1.6.D.) (E.3.)	B		E.3.	exempt	$0.000573 * sf$
Institutional Uses					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	$0.000698 * sf$
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	$0.000698 * sf$
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	$0.000326 * sf$
Wireless Communications Facilities (6.1.10.D.)				0.75/employee + 0.75/stored vehicle	$0.000326 * sf$
Minor	B	n/a	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	n/a	n/a	1/DU	exempt
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 Workforce Housing						Div. 6.3.
Required Workforce Affordable Housing	Housing required for maximum floor area allowed on each lot					
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

Div. 2.3. Complete Neighborhood Legacy Zones

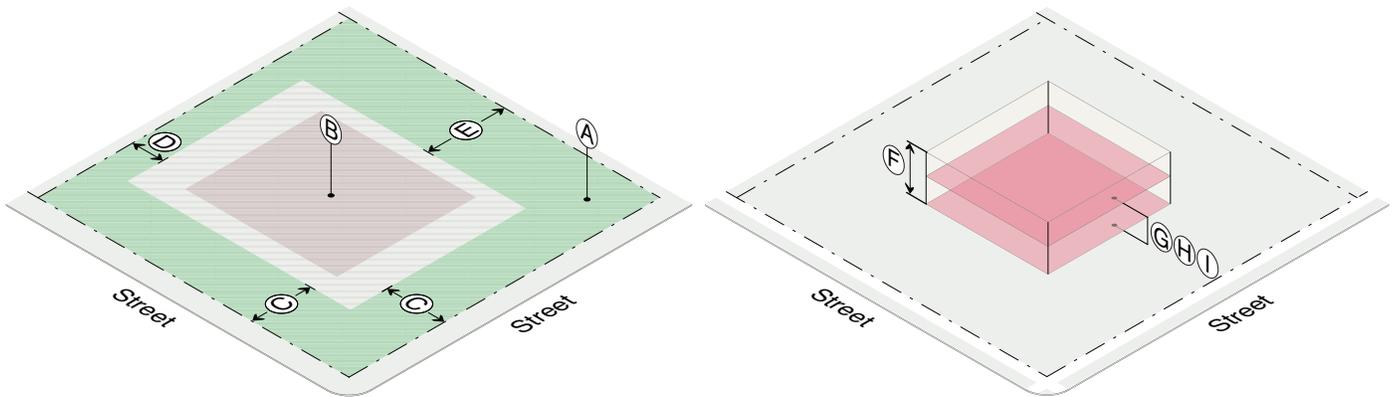
2.3.1. Town Square (TS) (P17-052)

A. Intent

The purpose of the Town Square (TS) Zone is to provide development standards that preserve and enhance the unique character, qualities, and pedestrian-oriented environment of the Jackson Town Square and its immediate vicinity. An essential component of the tourism environment for Teton County and the Town of Jackson is the Town Square and the commercial environment that has developed in the immediate vicinity of the Square. This area is important to both the County and the Town because the character of the area is the cornerstone of tourism commercial activity in the community.

B. Physical Development

Standards applicable to physical development 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 physical development standards applicable in the TS zone, however, all standards in [Article 5](#) are applicable in the TS zone, unless stated otherwise.



1. Structure Location and Mass									
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)
	LSR (min)	Lot Coverage (max)	Street Setback (min) (E.1.)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	Stories (LO) (max)	FAR (max)
Allowed use	.0	n/a	0'	0'	0'	35'	2	3	1.83
Detached accessory structure	n/a	n/a	30'	5'	5'	28'	2	n/a	n/a
Exceptions									
FAR. A 25% increase in FAR is allowed provided the increased floor area is devoted to on-site permanently affordable workforce housing (deed restricted).									
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									
Rear yard setback for nonresidential uses. Minimum rear setback of 22 feet on the ground level with the exception of structural elements supporting the upper floor.									
Detached Accessory Structure Separation. 10'									

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Lodging					
Conventional Lodging (6.1.5.B.)	C(LO)	0 sf	n/a	0.75/LU + 1 per 150 sf assembly area	0.204*bedrooms
Short-term Rental Unit (6.1.5.C.)	C(LO)	0 sf	n/a	1.5/1,000 sf, max 2	0.204*bedrooms
Commercial Uses					
Office (6.1.6.B.)	B	0 sf	n/a	1.65/1,000 sf	0.000655*sf
Retail (6.1.6.C.)	B	0 sf	n/a	2.25/1,000 sf	0.000573*sf
Service (6.1.6.D.)	B	0 sf	n/a	1.5/1,000 sf	0.000573*sf
Restaurant/Bar (6.1.6.E.)	B	0 sf	n/a	1/110 sf dining area + 1/60 sf bar area	0.001589*sf
Amusement/Recreation					
Amusement (6.1.7.B.)	C	0 sf	n/a	1/60 sf seating area or independent calculation	0.000573*sf
Transportation/Infrastructure					
Wireless Communications Facilities (6.1.10.D.)				0.5/employee + 0.5/stored vehicle	0.000326*sf
Minor	B	0 sf	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	exempt
Home Occupation (6.1.11.D.)	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)= Lodging Overlay Only

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Individual retail use excluding basement	12,500 sf habitable
Lodging operation with multiple buildings	90,000 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 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 Workforce Housing								(Div. 6.3.)
Required Affordable Workforce Housing			Housing required for maximum floor area allowed on each lot					
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

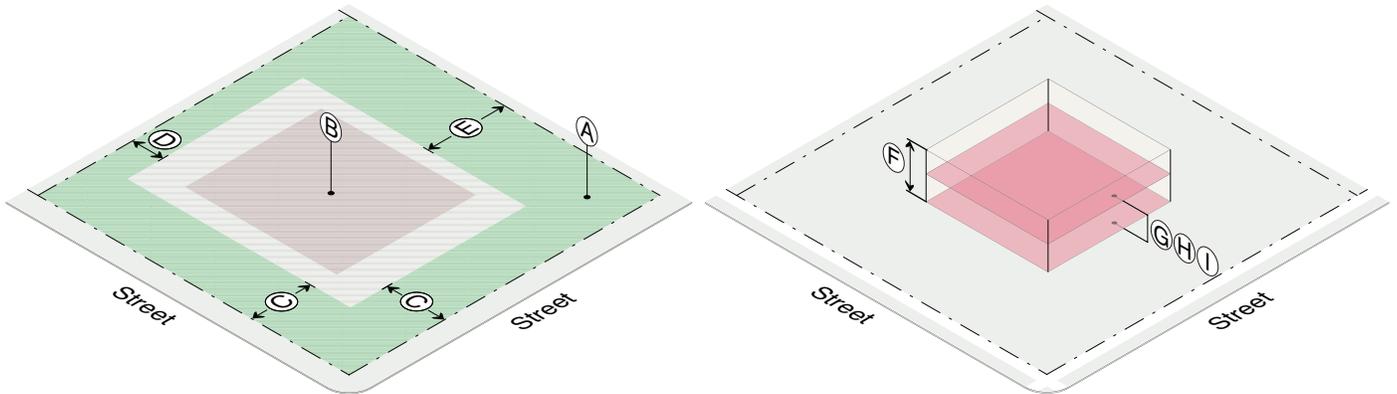
2.3.2. Urban Commercial (UC) (P17-052)

A. Intent

The purpose of the Urban Commercial (UC) Zone is to provide for relatively intense mixed-use development of lodging, restaurants, financial, retail, and visitor-oriented services, and the full range of residential uses. The UC Zone is intended to be applied to central, pedestrian-oriented commercial areas and dense residential areas associated with these commercial areas.

B. Physical Development

Standards applicable to physical development 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 physical development standards applicable in the UC, however, all standards in Article 5. are applicable in the UC zone, unless stated otherwise.



1. Structure Location and Mass									
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)
	LSR (min) (E.1.)	Lot Coverage (max)	Street Setback (min) (E.4.)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	Stories (LO) (max)	FAR (max)
Detached single-family unit	.30	.40	12'	5'	20'	28'	2	3	.45
Other principal use	.10	n/a	0'	0'	0'	35'	2	3	1.3
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									
FAR. A 25% increase in FAR is allowed, provided the increased floor area is devoted to on-site permanently affordable workforce housing (deed restricted).									
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.									
Rear yard for nonresidential uses. Minimum rear setback of 22 feet on the ground level with the exception of structural elements supporting the upper floor.									
Detached Accessory Structure Separation. 10'									

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.5.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Residential Uses					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	n/a	1.5/1,000 sf, max 2	$0.000017 * \text{sf} + (\text{Exp}(-15.49 + 1.59 * \text{Ln}(\text{sf}))) / 2.414$
Attached Single-Family Unit (6.1.4.C.) (E.2.)	B	0 sf	n/a	1.5/1,000 sf, max 2	$0.000017 * \text{sf} + (\text{Exp}(-14.17 + 1.59 * \text{Ln}(\text{sf}))) / 2.414$
Apartment (6.1.4.D.) (E.2.)	B	0 sf	n/a	1.5/1,000 sf, max 2	$0.000017 * \text{sf} + (\text{Exp}(-14.17 + 1.59 * \text{Ln}(\text{sf}))) / 2.414$
Dormitory (6.1.4.F.)	C	0 sf	35 rooms per acre	1/bed	exempt
Group Home (6.1.4.G.)	C	0 sf	35 rooms per acre	0.5/bed	exempt
Lodging					
Conventional Lodging (6.1.5.B.)	B(LO)	0 sf	n/a	0.75/LU + 1 per 150 sf assembly area	0.204*bedrooms
Short-term Rental Unit (6.1.5.C.)	B(LO)	0 sf	n/a	1.5/1,000 sf, max 2	0.204*bedrooms
Commercial Uses					
Office (6.1.6.B.)	B	0 sf	n/a	1.65/1,000 sf	0.000655*sf
Retail (6.1.6.C.)	B	0 sf	n/a	2.25/1,000 sf	0.000573*sf
Service (6.1.6.D.)	B	0 sf	n/a	1.5/1,000 sf	0.000573*sf
Restaurant/Bar (6.1.6.E.)	B	0 sf	n/a	1/110 sf dining area + 1/60 sf bar area	0.001589*sf
Amusement/Recreation					
Amusement (6.1.7.B.)	C	0 sf	n/a	1/60 sf seating area or independent calculation	0.000573*sf
Developed Recreation (6.1.7.D.)	B	0 sf	n/a	2.25/1,000 s	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	0.000698*sf
Day Care/Education (6.1.8.C.)	B	0 sf	n/a	independent calculation	0.000698*sf

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	BSA (min)	Density (max)	Parking (min) (Div. 6.2.) (E.5.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	0.5/employee + 0.5/stored vehicle	0.000326*sف
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	0.5/employee + 0.5/stored vehicle	0.000326*sف
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	exempt
Bed and Breakfast (6.1.11.C.)	B(LO)	0 sf	n/a	0.75/LU	0.204*bedrooms
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	0.5 per employee	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	0.5/employee + 0.5 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	B	0 sf	n/a	0.5/employee + 1 off-street pick-up/drop-off	exempt
Drive-in Facility (6.1.11.H.)	B	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	0.5/1,000 sf outdoor display area + 0.5/employee	exempt
Temporary Shelter (6.1.12.D.)	Y		1 unit per lot	1.5/1,000 sf, max 2	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	2.5/1,000 sf display area	exempt
Temporary Gravel Extraction & Processing (6.1.12.F.)	B	0 sf	n/a	0.5/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)= Lodging Overlay Only

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
Individual retail use excluding basement	12,500 sf habitable
Lodging operation with multiple buildings	90,000 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 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 Workforce Housing								(Div. 6.3.)
Required Affordable Workforce Housing		Housing required for maximum floor area allowed on each lot						
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		

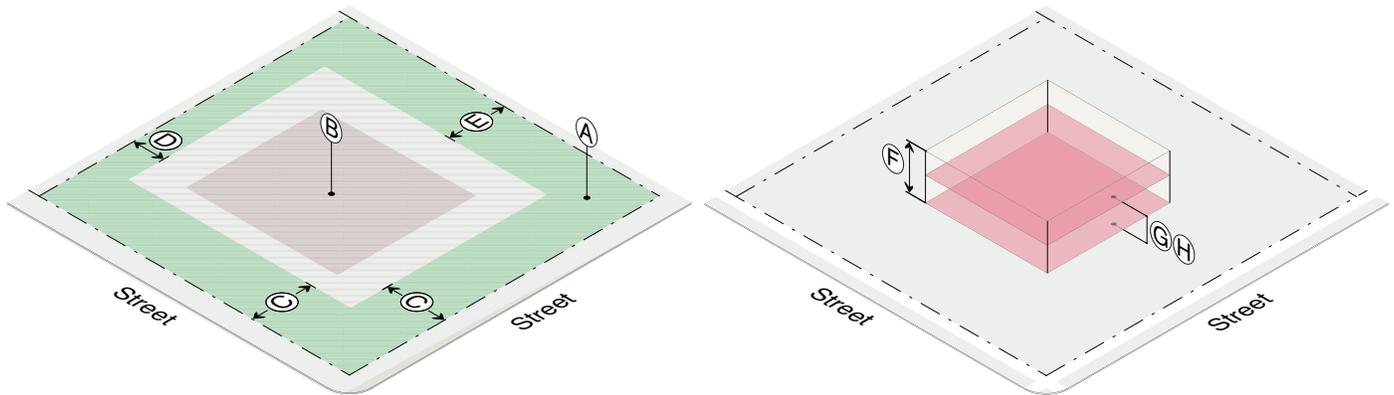
2.3.10. Business Park-Town (BP-ToJ) (P17-052)

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								
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	LSR (min)	Lot Coverage (max)	Street Setback (min)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	FAR (max)
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 workforce housing (deed restricted).								
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.)	Affordable Workforce Housing Units (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 1.5/1,000 sf	[Use to be deleted by P17-077]
Commercial					
Heavy Retail/Service (6.1.6.F.)	B	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	0.000573*sف
Mini-Storage Warehouse (6.1.6.G.)	B	0 sf	n/a	1/10 storage units + 1/employee	0.000326*sف
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	0.000573*sف
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	0.000573*sف
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	0.000698*sف
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	0.000698*sف
Industrial					
Light Industry (6.1.9.B.)	B	0 sf	n/a	1/1,000 sf + 1/company vehicle	0.000326*sف
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf + 1/company vehicle	0.000326*sف
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	0.000326*sف

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.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sف
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	0.000326*sف
Major	C	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	0.000326*sف
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	C	0 sf	n/a	1.25/DU	exempt
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 Workforce Housing								(Div. 6.3.)
Required Affordable Workforce Housing				Housing required for maximum floor area allowed on each lot				
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

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	B	0 ac	n/a	n/a	exempt
Outdoor Recreation (<u>6.1.3.C.</u>)	C	0 ac	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (<u>6.1.4.B.</u>)	Y	0 ac	1 unit per lot	2/DU	$0.000017 * sf + (Exp(-15.49 + 1.59 * Ln(sf))) / 2.414$
Dormitory (<u>6.1.4.F.</u>)	C	0 ac	7 rooms per acre	1/bed	exempt
Group Home (<u>6.1.4.G.</u>) (<u>E.3.</u>)	C	0 ac	7 rooms per acre	0.5/bed	exempt
Commercial					
Nursery (<u>6.1.6.H.</u>)	C	0 ac.	n/a	2 per 1,000 sf + 1 per 4,000 sf outdoor display area + 1 per employee	$0.000573 * sf$
Institutional					
Assembly (<u>6.1.8.B.</u>)	C	0 ac	n/a	independent calculation	exempt
Transportation/Infrastructure					
Utility Facility (<u>6.1.10.C.</u>)	C	0 ac	n/a	1/employee + 1/stored vehicle	$0.000326 * sf$
Wireless Communications Facilities (<u>6.1.10.D.</u>)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	$0.000326 * sf$
Accessory Uses					
Accessory Residential Unit (<u>6.1.11.B., E.5.</u>)	B	0 sf	1 unit per lot	1/bedroom	exempt
Home Occupation (<u>6.1.11.D.</u>)	B	0 ac	n/a	n/a	exempt
Home Business (<u>6.1.11.E.</u>)	C	0 ac	n/a	1/employee	exempt
Family Home Daycare (<u>6.1.11.F.</u>)	B	--	n/a	1/employee + 1 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.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 ac	n/a	1 per 1,000 sf outdoor display area + 1 per employee	exempt
Farm Stand (6.1.12.E.)	B	0 ac	n/a	5 per 1,000 sf display area	exempt
Real Estate Sales Office (6.1.12.C.)	B	0 ac	n/a	3.3/1,000 sf	exempt
Temporary Shelter (6.1.12.D.)	B	0 ac	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 ac	n/a	1/employee	exempt

Y=Use allowed, no 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 < 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 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.)
2. Residential Subdivision Requirements								
Affordable Workforce Housing								(Div. 6.3.)
Required Affordable Workforce Housing			Housing required for maximum floor area allowed on each lot					
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

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	Y	0 sf	n/a	n/a	exempt
Outdoor Recreation (<u>6.1.3.C.</u>)	C	0 sf	n/a	independent calculation	exempt
Residential					
Dormitory (<u>6.1.4.F.</u>)	C	0 sf	n/a	1/bed	exempt
Group Home (<u>6.1.4.G.</u>)	C	0 sf	n/a	0.5/bed	exempt
Commercial					
Office (<u>6.1.6.B.</u>)	C	0 sf	n/a	3.3/1,000 sf	exempt
Service (<u>6.1.6.D.</u>)	C	0 sf	n/a	3/1,000 sf	exempt
Heavy Retail/Service (<u>6.1.6.E.</u>)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	exempt
Mini-Storage Warehouse (<u>6.1.6.G.</u>)	C	0 sf	n/a	1/10 storage units + 1/employee	exempt
Amusement/Recreation					
Developed Recreation (<u>6.1.7.D.</u>)	C	0 sf	n/a	4.5/1,000 sf	exempt

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
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.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	exempt
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf	exempt
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	exempt
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	0 sf	n/a	n/a	exempt
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	exempt
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	exempt
Major	C	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	exempt
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Daycare Center (6.1.11.G.)	B	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
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 permit required B=Basic Use Permit (Sec. 8.4.1.) C=Conditional Use Permit (Sec. 8.4.2.)

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/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 Workforce Housing							(Div. 6.3.)
Required Affordable Workforce Housing							exempt
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			

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	Y	0 sf	n/a	n/a	exempt
Outdoor Recreation (6.1.3.C.)	C	0 sf	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sf
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	0.000326*sf
Major	C	0 sf	n/a		
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

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

3. Maximum Scale of Use	
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		<u>Sec. 7.2.4.</u>
2. Residential Subdivision Requirements							
Affordable Workforce Housing							(Div. 6.3.)
Required Affordable Workforce Housing			Housing required for maximum floor area allowed on each lot				
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		

B. Applicability

Only those lands described below shall be eligible for Planned Resort zoning. The intent is that a limited number of PR Districts be created and only in locations that are consistent with the Jackson/Teton County Comprehensive Plan.

1. **Snow King Ski and Summer Resort.** For the purposes of this Division, this area shall be known as “Snow King Resort” and shall encompass the property described in Sec. 4.3.2.
2. **Teton Village.** The Teton Village Resort Zone is comprised of 2 Planned Unit Developments (PUDs) known as Teton Village I and Teton Village II. For the purposes of this Division, this area in its entirety shall be known as “Teton Village” and shall encompass the property described in Sec. 4.3.3. and Sec. 4.3.4.
3. **Jackson Hole Golf and Tennis Club.** For the purposes of this Division, this area shall be known as “Golf and Tennis” and shall encompass the property described in Sec. 4.3.5.
4. **Snake River Canyon Ranch.** For the purposes of this Division, this area, formerly known as Astoria Mineral Hot Springs, shall be known as “Snake River Canyon Ranch” and shall encompass the property described in Sec. 4.3.6.
5. **Grand Targhee.** For the purposes of this Section, this area shall be known as “Grand Targhee” and shall encompass the property described in Sec. 4.3.7.

C. Legislative Act

Each Planned Resort Zone is subject to the legislative authority of the Town Council and to the findings and procedural standards outlined in Sec. 8.7.3. An approved Planned Resort master plan shall establish the development standards for that Planned Resort Zone.

D. Findings for Approval

A Planned Resort master plan shall be approved only if all of the following findings are made.

1. **Consistency with Comprehensive Plan.** The Planned Resort master plan is consistent with the goals and objectives of the Jackson/Teton County Comprehensive Plan.
2. **Consistency with Purpose and Intent.** The Planned Resort master plan is substantially consistent with the purpose and intent of this Section, as set forth in 4.3.1.A.
3. **Affordable Workforce Housing.** The Planned Resort master plan ensures a supply of affordable workforce housing that is in accordance with the requirements for housing created by development within the Planned Resort.

6. **Housing Element.** The Planned Resort master plan shall have a housing element to ensure a supply of affordable workforce housing that is commensurate to the demand for housing created by development within the Planned Resort.
 - a. **Affordable workforce housing shall be provided pursuant to Div. 6.3.**
 - i. **Housing Calculations.** Since development of a Planned Resort may span time periods over which numbers of employees and their salaries may fluctuate, the calculations performed in developing a Housing Mitigation Plan shall use data current for the most recent full year prior to application for Planned Resort master plan.
 - ii. **Master Plan Estimate.** The amount of housing required and the locations where it will be provided, as presented in the Planned Resort master plan, shall be treated as an estimate/concept, and shall be finalized by the Planning Director as Development Plans within the Planned Resort are reviewed and acted upon. Each approved Development Plan shall establish the actual amount and location of required housing for that portion of the Planned Resort master plan.
7. **Design Element.** The Planned Resort master plan shall include design guidelines, and a mechanism for their implementation, that establish design parameters for both buildings and spaces in the Planned Resort. The design theme of the resort shall be defined by the applicant and be consistent with the standards of this Section. This Subsection establishes concepts that the design guidelines shall address; the design guidelines shall be evaluated as to whether or not they address these concepts, as well as character objectives for specific resorts set forth in Sec. 4.3.2.-Sec. 4.3.7. The design guidelines shall be prepared by an architect or landscape architect licensed in the State of Wyoming; preparation by a person or persons of similar expertise may be permitted by the Planning Director.
 - a. **General.** There shall be visual continuity among the resort structures and design elements without unduly limiting variety in design. Development shall be compatible with the surrounding built and natural environment in both scale and character. The design theme of the Planned Resort shall have an emphasis on outdoor recreational activities and create a sense of place. A sense of place is created when site planning and architecture:
 - i. concentrate activities and human interaction into identifiable spaces, such as a plaza or mall;
 - ii. assemble a built environment that connects buildings, spaces and structures through common scale, design and materials;
 - iii. incorporate into the built environment the natural features and cultural heritage of the area; and
 - iv. produce an identifiable image that is associated with the planned resort and with Jackson Hole.

amenities, and required performances that mitigate the impacts of the resort shall be developed or provided in proportion to the type and amount of development in each phase.

- e. **Performance Objectives.** The Town shall establish performance objectives as part of the Planned Resort master plan approval that ensure that development within the Planned Resort achieves the required mitigation of projected impacts on the community. The resort developers shall be responsible for ensuring that proposed mitigation measures are effective. For example, the resort approval may require vehicle trip reduction techniques in order to avoid undesired vehicle trips; performance objectives shall be identified and incorporated into a monitoring program, described below.
 - f. **Monitoring Program.** A program for monitoring compliance with performance objectives for each phase of development shall be designed in a collaborative effort between the applicant(s) and the Town, and shall be set forth in the Planned Resort master plan approval. The monitoring program shall be implemented by the applicant, or an entity that equitably represents all landowners within the Planned Resort, and will include monitoring of TDM components, affordable workforce housing developments, and other such elements as identified by the Town Council.
 - i. **Program Contents.** The monitoring program shall specify data collection needs, responsibility for data collection, techniques to be used in analyzing data, how the data shall be used to determine achievement of performance objectives, and the schedule for reporting to the Town the results of the monitoring effort.
 - ii. **Program Results.** Representatives of the landowners within the Planned Resort shall have 3 reporting opportunities to demonstrate achievement of performance objectives. If, by the third scheduled report, the resort has been unable to meet any specified performance objective, the Planned Resort master plan may be subject to reconsideration pursuant to E.8.d.
 - g. **Achievement of Performance Objectives.** Approval of future final development plans may be delayed until the performance objectives of the previous phases are met or a strategy for achieving them has been approved by the Town Council.
12. **Community Services Element (Optional).** Resorts function as integral parts of the community by participating in civic initiatives and implementing the goals of the community. The optional community services element is intended to be a component of the Planned Resort master plan in which the benefits that the resort area provides to the community are acknowledged. Landowners within Planned Resorts are encouraged to continue with, and expand upon, programs designed to retain local access to the resort's main recreational activity and facilities. Community service programs help to maintain a balance at the resort between out-of-town visitors and the community, and contribute to the quality of life in the community. Examples of community services currently provided are:

6.1.3. Open Space Uses (P17-052)

- ii. minimize conflicts between agricultural operations and neighboring developments by encouraging protection of large, contiguous blocks of open space; and
 - iii. to preserve agricultural open space which is crucial to the wildlife, scenic and community values of Teton County, as outlined in the Comprehensive Plan.
- b. **Active.** Agricultural land shall be actively farmed or ranched.
- c. **Ancillary retail prohibited.** Retail sale of agricultural products on-site is prohibited unless permitted as a separate use.
- d. **Exemptions.** The following exemptions apply to agricultural uses:
- i. **Regulation Exemptions.** Agricultural uses are exempt from certain provisions of the regulations listed below. Refer to the referenced LDR section for specifics of the exemption.
 - a). Grading, Erosion Control, and Stormwater except on natural slopes of 25% or greater (Sec. 5.7.2. - Sec. 5.7.4.)
 - b). Affordable Workforce Housing Requirements (Div. 6.3.)
 - ii. **Permit Exemptions.** Agricultural uses are exempt from obtaining the following permits. However, exemption from the requirement to obtain a permit does not grant exemption from any regulations. See subsection 6.1.3.B.2.d.i., above for applicable regulation exemptions.
 - a). Grading Permits except on natural slopes of 25% or greater (Sec. 5.7.1.)

C. Outdoor Recreation

1. **Definition.** Outdoor recreation is the use of land for passive or active recreational or athletic purposes that requires minimal permanent physical development relative to the open space.
- a. **Includes:**
- i. parks
 - ii. arboretums
 - iii. athletic fields not in stadiums
 - iv. equestrian centers
 - v. nordic ski trails
 - vi. downhill ski areas
 - vii. outdoor receptions (4 or more events per year, excluding non-profit events)

2. Standards

- a. No residential unit or portion of a residential unit may be rented so as to limit occupancy to less than 31 days unless permitted for short-term rental.
- b. Developments that have been approved for short-term rentals of less than 31 days prior to November 9, 1994 will be allowed to continue such rentals in accordance with Div. 1.9. or in accordance with the PUD approval, whichever is applicable.
- c. A short-term rental unit shall be subject to the stricter of the two standards when residential and nonresidential standards would apply.

EXAMPLE: A short-term rental unit is subject to lodging affordable workforce housing requirements rather than residential affordable workforce housing requirements.

6.1.6. Commercial Uses (1/4/17, Ord. 1163)

A. All Commercial Uses

- 1. **Definition.** A commercial use is the sale of goods or services.

B. Office

- 1. **Definition.** Office use is a professional service or other activity customarily provided in an office environment where appointments are scheduled.
 - a. **Includes:**
 - i. legal, accounting, investment, and financial services
 - ii. medical, dental, and other health services
 - iii. engineering, architectural, and other design services
 - iv. counseling and social services
 - v. insurance and real estate
 - vi. broadcast studios for television and radio
 - vii. administrative and sales offices for business, industry, and government, provided that only administrative, bookkeeping, and clerical types of activities are conducted on site.
- 2. **Establishment of Office Overlay.**
 - a. **Establishment.** There is hereby established the Office Overlay (OF) which, in areas where it applies, shall allow office uses.
 - b. **Location.** The Office Overlay shall apply to lands as identified on the Official Zoning Map.

3. Standards

- a. **Zone Specific Standards Also Apply.** In addition to the standards of this subsection, applicable standards for an ARU may also be found in Subsection C and/or E for the Section of the Zone in which the ARU is located.
- b. **Occupancy.** The occupancy of an ARU shall be restricted to persons that meet one of the following standards:
 - i. The occupants shall be employed within Teton County, in accordance with the Jackson/Teton County Housing Rules and Regulations; or
 - ii. The occupants shall be members of the same family occupying the principal dwelling unit, such as parents or adult children; or
 - iii. The occupants shall be intermittent, nonpaying guests of the family occupying the primary Detached Single-Family Unit.
- c. **Use as Required Housing.** An accessory residential unit may be utilized to satisfy the requirements set forth in Div. 6.3, so long as it complies with the standards of Div. 6.3.

C. Bed and Breakfast

1. **Definition.** A bed and breakfast is a residential unit in which bedrooms are rented as lodging units.
2. **Primary Uses:**
 - a. Detached single-family unit
3. **Standards**
 - a. A bed and breakfast shall have no more than 4 lodging units (bedrooms).
 - b. A bed and breakfast shall average no more than 8 persons per night during any 30 day period.
 - c. No more than 2 family style meals may be provided per 24 hour period. The meals shall be for the guests of the bed and breakfast only.
 - d. The owner or manager shall reside in the dwelling unit.

D. Home Occupation

1. **Definition.** A home occupation is an accessory nonresidential use conducted entirely within a residential unit or on-site structure accessory to the residential unit. The intent of a home occupation is to give small, local businesses a place to start. Home occupations are intended to be at a residential scale; once they grow beyond a certain size they can no longer be characterized as home occupations.

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 affordable workforce 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 Workforce 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. 7.8. Workforce Housing Incentive Program

7.8.1. Intent (11/23/16, Ord. 1153)

This Division establishes incentives for the development of workforce housing. Because not every landowner will use the incentives, this Division manages growth by limiting the actual (rather than a projected) use of the incentives. Section [7.8.2.](#) establishes the limit on the cumulative use of the incentives over time, and the following Sections establish specific incentives.

7.8.2. Cumulative Limit on Incentives (11/23/16, Ord. 1153)

Use of an incentive in this Division is prohibited if the application would increase the amount of residential development allowed in the Town and County above the amount allowed and planned for since 1994.

- A. The amount of residential development allowed in the Town and County is reported annually as Indicator 1 of the Jackson/Teton County Comprehensive Plan Indicator Report. Past Indicator Reports can be found at www.jacksontetonplan.com.
- B. A residential unit shall be added to the amount of residential development allowed in the Town and County upon its initial approval using an incentive in this Division.
- C. A residential unit approved using an incentive in this Division shall be subtracted from the amount of residential development allowed in the Town and County upon expiration, revocation, or extinguishment of the approval.

EXAMPLE: A project proposing 4 residential units through use of the Workforce Housing Floor Area Bonus ([Sec. 7.8.4.](#)) receives Sketch Plan approval in 2016. The 2017 Indicator Report would report an increase of 4 residential units as a result of the project. If by 2018 the units are not built and the Sketch Plan approval has expired, the 2019 Indicator Report would report a decrease of 4 residential units as a result of the project expiration. The cumulative effect of the increase reported in the 2017 and decrease reported in the 2019 would reflect that no incentive units have been built on the site.

7.8.3. Deed Restricted Housing Exemption (P17-052)

A. Intent

Deed restricted housing is required by [Div. 6.3.](#), and other standards of these LDRs. A landowner may also voluntarily deed restrict housing. In order to encourage incorporation of required and voluntary deed restricted housing into development, deed restricted housing is exempt from certain LDRs.

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.](#) or another standard of these LDRs.

2. **Voluntary Restricted Housing.** Floor area in a residential unit that is subject to an affordable or 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., 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 workforce housing required by Div. 6.3
4. Limit on 20% expansion of a nonconforming physical development

7.8.4. Workforce Housing Floor Area Bonus (P17-052)

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
DC	2:1
CR-1	2:1
CR-2	2:1
OR	2:1

2. **Restricted Housing.** The restricted floor area provided pursuant to this Section shall be subject to an affordable or 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., 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 workforce housing required by Div. 6.3
4. Limit on 20% expansion of a nonconforming physical development

Div. 9.5. Defined Terms

When used in these LDRs, the following terms shall have the following meanings:

A (P17-052)

Access. Access means a method to provide physical entrance to or exit from a property, street, or highway.

Accessory Residential Unit. See [6.1.11.B.](#)

Accessory Structure. An accessory structure is a separate structure that is secondary and subordinate to another structure on the same property.

Accessory Use. See [6.1.2.B.3.](#)

Adjoining. See “Contiguous.”

Adjusted Site Area. See [9.4.4.C.](#)

Affordable Workforce Housing Unit. A detached single-family unit, attached single-family unit, or apartment unit that is deed restricted in accordance with Sec. 6.3.4 for the purpose of providing for sale or rental housing that is affordable to those members of the workforce in the Jackson Hole community whose incomes are less than 200% of the median income.

Agriculture. See [6.1.3.B.](#)

Alley. An access way, no more than 30 feet wide, which provides a means of public access to contiguous property that is not intended for general traffic circulation.

Alter or Alteration. Alter or alteration means any change, addition, or modification in construction or occupancy.

Amusement Use. See [6.1.7.B.](#)

Antenna. Any apparatus used for the transmission and/or reception of radio frequency energy, including, but not limited to, omni-directional antenna (whip), directional antenna (panel), microcell, and parabolic antenna (dish). Antenna does not include support structures, utility structures, or towers.

Apartment. See [6.1.4.D.](#)

Arterial Road. See, “Road, Arterial.”

Assembly. See [6.1.8.B.](#)

Attached Single-Family Unit. See [6.1.4.C.](#)

Awning. Awning means a roof-like cover that projects from and is supported by the wall of a building for the purpose of shielding a doorway or window from the elements.

B (P17-052)

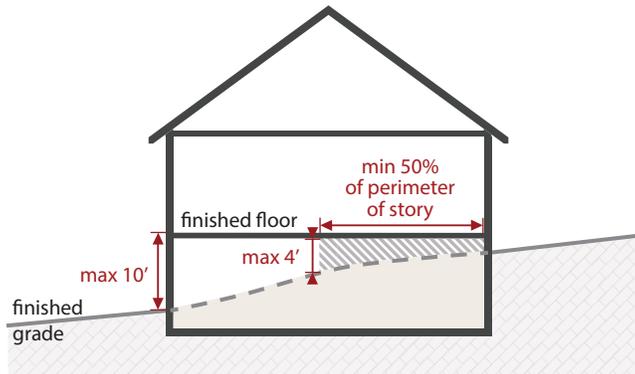
Background Area. The entire area of a sign on which lettering and/or graphics can be placed.

Bank (Stream/River/Ditch). Bank means the natural or man-made slope immediately bordering the channel of a river, stream, or creek containing and/or confining the normal water flow. See also "Top of Bank"

Banked unit. A residential unit, on which a deed restriction approved by the Housing Department has been voluntarily been place, which may be utilized within 20-years of placement of the restriction as required housing for employee generating development.

Bar. See [6.1.6.E.](#)

Basement. A basement is any story for which the finish floor of the story above is less than 4 feet above finished grade for at least 50% of the perimeter of the story and at no point greater than 10 feet above finished grade.



Base Site Area. See [9.4.4.B.](#)

Base Station. A structure or equipment at a fixed location that enables or is designed to enable FCC-licensed or authorized wireless communications between user equipment and a communications network in connection with the provision of personal wireless services as defined in 47 U.S.C. Section 332(c)(7). The term does not encompass a Tower as defined in this subpart or any equipment associated with a Tower.

- a. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- b. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

- c. The term does not include a supporting structure, including by way of example a rooftop, tower, light standard or pole to which the base station, or an element of the base station, may be attached, but does include any structure that houses equipment described in paragraphs (a)-(b) of this section definition.

Bed and Breakfast. See 6.1.11.C.

Bedroom. Bedroom means a room, including a den or unfinished room, in a dwelling unit that is marketed and designed for sleeping, or otherwise has potential to function primarily for sleeping.

Berm. Berm means a man-made landform, typically built as an earth mound, located so as to screen a structure or property from view and/or to provide sound relief from a nearby road.

Blank Wall Area. See Sec. 9.4.15.

Buffer (Natural Resource). The area between a natural resource and the minimum natural resource setback extending the full length of the natural resource.

Building Envelope. A building envelope means the area of a lot of record within which all physical development shall occur.

Building Footprint. The building footprint is the area of the foundation; eaves, overhangs, decks, cantilevers and other projections are not included.

Building. Building means any structure having a roof supported by columns or walls; any enclosed structure, including tarpaulin structures, designed or used for the housing or enclosure of persons, animals, chattels, or property of any kind; or any attached appurtenance thereto, but not including an advertising sign board, fence, tepee, tent, or similar type of temporary structure. See also "Historic Building"

Bulk. Bulk is a spatial dimension of magnitude and refers to the scale, height, floor area, and footprint of a building.

C

(1/4/17, Ord. 1166)

Caliper. The diameter of a tree trunk measured 4.5 feet above the natural grade at the base of the tree.

Canopy Tree. Canopy tree means a deciduous shade or specimen tree, such as aspen, cottonwood, golden willow, or ash.

Canopy. Canopy means the uppermost spreading branchy layer of trees. Canopy also means an ornamental roof-like structure, cantilevered or supported by posts or pillars and having open sides.

Developer. Developer means a recognized legal or beneficial owner of a lot of record proposed for inclusion in a development or use, including a lessee, optionee, or contract purchaser.

Development Option. A development option is any division of a lot of record into 2 or more lots of record; adjustment of the boundaries of lots of record; entitlement of uses or densities not allowed through approval of only a physical development permit and/or use permit; and any other approval that changes the allowed physical development or use of a site.

Development. Development means any physical development, development option, or subdivision. Development does not mean use if the use does not require any physical development or development option.

Disposal. See [6.1.9.D.](#)

Ditch, Irrigation. See, "Irrigation Ditch."

Dormitory. See [6.1.4.F.](#)

Downhill Ski Area. See [6.1.3.C.](#)

Drainage. Drainage means the removal of surface water or groundwater from land by drains, grading, or other means. Drainage, sometimes referred to in terms of stormwater management, also includes the control of runoff to minimize erosion and sedimentation during and after development, and includes the means necessary for water supply preservation or prevention or alleviation of flooding.

Drainageway. A drainageway is a watercourse identified by the presence of an intermittent flow, or a swale whose drainage area is a minimum of 5 acres.

Drive-In Facility. See [6.1.11.H.](#)

Driveway. Driveway means a private access way serving 2 or fewer single-family units or deeded lots.

Dwelling Unit. A dwelling unit is a unit used residentially and is also known as a residential unit. See [Sec. 6.1.4.](#) for a definition of residential use.

E (P17-052)

Earth Sheltered Design. Earth sheltered design means a building whose mass is built fully or partly below the land surface, or which sits above natural grade but has been covered with earth so that at least 50% of the perimeter of the building is concealed from view.

Easement. Easement means a less than fee interest in land, which provides a person other than the owner of the land certain rights over that land, or any designated part of that land, for the purposes specified.

Education. See [6.1.8.C.](#)

Employee generating development. New physical development, use, development option, or subdivision not currently in existence, unless exempted in accordance with Sec. 6.3.2.B.

Employee Housing Unit. A dwelling unit that is restricted to occupation by a person, and that person's family, employed within Teton County, Wyoming through deed, lease, covenant, or other means.

Erosion. Erosion means the detachment and movement of soil, sediment, or rock fragments by water, wind, ice, and/or gravity.

Essential Service. Essential service means facilities owned or maintained by utility companies or public agencies, located in public ways or in easements provided for that purpose, or on a customer's premises not requiring a private right-of-way, that is reasonably necessary for the furnishing of adequate water, sewer, gas, electric, communication, or similar services to adjacent customers. Essential services do not include any cross-country line on towers in a private right-of-way.

Excavation. Excavation means any act by which organic matter, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed, as well as the resulting conditions.

Existing Use or Development. Existing use or development means any use or development of a site, which is located on the site at a given point in time, whether or not the use or development conforms with the provisions of these LDRs.

F (1/4/17, Ord. 1166)

Facade. A facade is a building's elevation, as viewed in a single plane parallel to a referenced lot line.

Facade Width. Facade width is the linear width of the building elevation, measured in a single plane parallel to the referenced lot line.

Fair Market Value. The price that land will bring in a competitive and open market under all conditions of fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undue stimulus.

Family. Family means one or more individuals related by blood, marriage, adoption, or guardianship, or not more than 3 individuals not so related, occupying a dwelling unit and living as a single housekeeping unit.

Fall Zone. The area in which a Wireless Facility may be expected to fall in the event of a structural failure, as measured by engineering standards.

Family Home Daycare. See [6.1.11.F](#).

Farm Stand. See [6.1.12.E](#).

L (P17-052)

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 Occupancy. Residential units subject to an occupancy restriction as defined in the Housing Department Rules and Regulations.

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.

M (1/4/17, Ord. 1166)

Maintenance (Sign). Sign maintenance means the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not change or alter the basic copy design, or structure of the sign.

Manmade Slope. See "Slope, Manmade"

Maximum Extent Practicable. Maximum extent practicable means no feasible or practical alternative exists, as determined by Staff, and all possible efforts to comply with the LDRs and minimize potential harmful or adverse impacts have been undertaken by the applicant. Economic considerations may be taken into account but shall not be the overriding factor determining "maximum extent practicable."

Maximum Permitted Illumination. Maximum permitted illumination means the maximum illumination measured in footcandles at the street, side, and rear setbacks at ground level.

Maximum. See [9.4.3.B.](#)

Mean High Water. Mean high water means the average of the elevation achieved each year by the water level of a water course during the month of June. Mean high water should not to be construed as a flood elevation.

Minimum Site Area. See [9.4.4.D.](#)

Minimum. See [9.4.3.C.](#)

Mini-Storage Warehouse. See [6.1.6.G.](#)

Mobile Home Park. See [Sec. 7.1.4.](#)

Mobile Home. See [6.1.4.E.](#)

Monopole. A single, freestanding, tubular, self-supporting pole-type structure supporting one or more antennas

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Native Species. Native species means vegetation which is indigenous to, and is commonly found in, landscapes in the Town of Jackson and Teton County which have never been disturbed. A list of native species is available at the Planning Department.

Natural Grade. See “Grade, Natural.”

Natural Topographic Break. Natural topographic break means any naturally occurring change in relief on land such as a mound, knoll, hill, bank, ridge, or terrace, or an area sloping away from a flat grade, which creates a recessed area capable of screening development.

Neon Sign. See, “Sign, Neon.”

Nonconforming or Nonconformity. See [Div. 1.9.](#)

Non-Local Occupancy. Residential units not subject to an occupancy restriction as defined in the Housing Department Rules and Regulations

Nursery. See [6.1.6.H.](#)

O (1/4/17, Ord. 1166)

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.](#)

