

ORDINANCE 1313

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1074 (PART), 1164, 1166, 1170, 1196 THROUGH 1199, 1210 THROUGH 1222, 1227, 1270, AND 1278; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 1166, 1170, AND 1197; SECTION 3 OF TOWN OF JACKSON ORDINANCE NO. 1166; AND SECTIONS 1.9.2.B, 1.9.3.B THROUGH D, 2.2.2.A, 2.2.2.C & D, 2.2.3.A, 2.2.4.A, 2.2.4.C & D, 2.2.5.A, 2.2.5.C & D, 2.2.6.A, 2.2.6.C THROUGH E, 2.2.7.A THROUGH E, 2.2.8.A THROUGH E, 2.2.9.A THROUGH E, 2.2.10.C & D, 2.2.11.C & D, 2.2.12.C & D, 2.2.13.C & D, 2.2.14.A, 2.2.14.C & D, 2.2.15.A, 2.2.15.C & D, 2.2.16.D, 2.2.17.D, 2.3.10.C & D, 2.3.13.D, 3.3.1.B THROUGH D, 4.2.2.D, 5.4.1.C, 5.5.2.A, 5.5.3.B, 5.9.6.C, 6.1.1.F, 6.1.4.A THROUGH G, 6.1.11.B & C, 6.6.11.F & G, 6.2.1.A, 6.2.5.A & B, 6.3.2.A THROUGH C, 6.3.3.A, 6.3.4.A, 6.3.4.C, 6.4.2.A, 7.5.3.C & D, 7.6.2.A, 7.8.4.B, 8.2.2.B, 9.4.6.A & E, 9.5.A, 9.5.D, 9.5.F, 9.5.H, 9.5.K, AND 9.5.T OF THE LAND DEVELOPMENT REGULATIONS OF THE TOWN OF JACKSON REGARDING THE DEFINITION OF FAMILY AND HOUSEHOLDS.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

Section 1 of Town of Jackson Ordinance Nos. 1074 (part), 1164, 1166, 1170, 1196 THROUGH 1199, 1210 through 1222, 1227, and 1270; Section 2 of Town of Jackson Ordinance No. 1074 (part), 1166, 1170, and 1197; Section 3 of Town of Jackson Ordinance No. 1166; and Sections 1.9.2.B, 1.9.3.B through D, 2.2.2.A, 2.2.2.C & D, 2.2.3.A, , 2.2.4.A, 2.2.4.C & D, 2.2.5.A, 2.2.5.C & D, 2.2.6.A, 2.2.6.C through E, 2.2.7.A through E, 2.2.8.A through E, 2.2.9.A through E, 2.2.10.C & D, 2.2.11.C & D, 2.2.12.C & D, 2.2.13.C & D, 2.2.14.A, 2.2.14.C & D, 2.2.15.A, 2.2.15.C & D, 2.2.16.D, 2.2.17.D, 2.3.10.C & D, 2.3.13.D, 3.3.1.B through D, 4.2.2.D, 5.4.1.C, 5.5.2.A, 5.5.3.B, 5.9.6.C, 6.1.1.F, 6.1.4.A through G, 6.1.11.B & C, 6.6.11.F & G, 6.2.1.A, 6.2.5.A & B, 6.3.2.A through C, 6.3.3.A, 6.3.4.A, 6.3.4.C, 6.4.2.A, 7.5.3.C & D, 7.6.2.A, 7.8.4.B, 8.2.2.B, 9.4.6.A & E, and 9.5.A, 9.5.D, 9.5.F, 9.5.H, 9.5.K, and 9.5.T of the Land Development Regulations of the Town of Jackson are hereby amended and reenacted to read as set forth on the following pages:

B. Maintenance, Alteration, Expansion, and Replacement

Maintenance, alteration, replacement, or expansion of a nonconforming physical development shall only be permitted if all 6 of the following standards are met.

1. **No Increase in Nonconformity.** Maintenance, alteration, replacement, or expansion shall not increase the nonconformity and shall otherwise comply with all applicable standards of these LDRs, except that maintenance, alteration, or expansion of a nonconforming detached dwelling or property listed on the Jackson Historic Register shall not be subject to this limitation (e.g., an addition to a house or structure on the Jackson Historic Register that is nonconforming as to height may be the same height as the existing nonconforming house or historic structure).

EXAMPLE: An addition must meet all setbacks, floor area limits, and other standards even if a portion of the structure being added to does not meet a setback, except that a detached dwelling may be expanded to the same nonconforming setback.

2. **Maintenance and Alteration.** A nonconforming physical development may be maintained or altered.
3. **Expansion.** A nonconforming physical development shall be brought into compliance with all applicable standards of these LDRs upon cumulative expansion of greater than 20% of its floor area or site area. Cumulative expansion is the sum of all expansions from the date the physical development became nonconforming, including all expansions under prior LDRs if the physical development became nonconforming under prior LDRs and remains nonconforming. The following exceptions shall apply to this limit on expansion.
 - a. **Detached Dwelling.** This standard shall not limit the expansion of a Detached Dwelling.
 - b. **Jackson Historic Register.** This standard shall not limit expansion of a property listed on the Jackson Historic Register.
 - c. **Workforce Housing Incentive.** Floor area added using the Deed Restricted Housing Exemption ([Sec. 7.8.3.](#)) or Workforce Housing Floor Area Bonus ([Sec. 7.8.4.](#)) shall not be included in the calculation of expansion.
 - d. **Nonconforming Bulk and Form Standards.** This standards shall not limit expansion of a building that is nonconforming with one or more of the following standards.
 - i. Minimum stories in a street setback
 - ii. Building stepback
 - iii. Pedestrian frontage
 - iv. Building frontage

C. Use, Development Options, and Subdivision

1. A nonconforming physical development shall be used in compliance with these LDRs. Nonconforming use of a nonconforming physical development shall be subject to Sec. 1.9.3.
2. A nonconforming building shall not be subdivided into condominiums or townhomes, unless the subdivision brings the physical development into compliance with these LDRs.
3. A boundary adjustment pursuant to Sec. 8.5.6. 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 (7/18/18, Ord. 1199)

A. Applicability

A nonconforming use is declared generally incompatible with the character of the zone or overlay in which it is located. This Section shall apply to:

1. A lawfully established use that is not allowed in the zone or overlay;
2. A lawfully established conditional or special use that does not have an approved Conditional Use Permit or Special Use Permit; and
3. A lawfully established use that does not comply with the use standards applicable to the zone or overlay. Use standards applicable to all zones are found in Article 6. Use standards applicable to specific zones are found in Subsection C of the zone-specific sections found in Article 2. -Article 4.

B. Expansion

1. A nonconforming use may only be expanded a cumulative total of 20% in the floor area and site area occupied and/or the daily and annual duration of operation, except that a nonconforming Detached Dwelling shall not be subject to this limitation.
2. An expansion of a nonconforming use shall not create or increase nonconformity with use-based standards such as parking and 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, except a Detached Dwelling, 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. 8.4.3.

D. Discontinuance

1. If a nonconforming use is operationally discontinued for a period of more than one year, whether or not the equipment or furniture is removed, the use shall not be reestablished or resumed, and any subsequent use of the site shall conform to these LDRs, except that a nonconforming Detached Dwelling that is torn down or has structural support willfully removed or replaced shall not be rebuilt.
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.

2.2.2. NL-1: Neighborhood Low Density-1

(3/6/19, Ord. 1210)

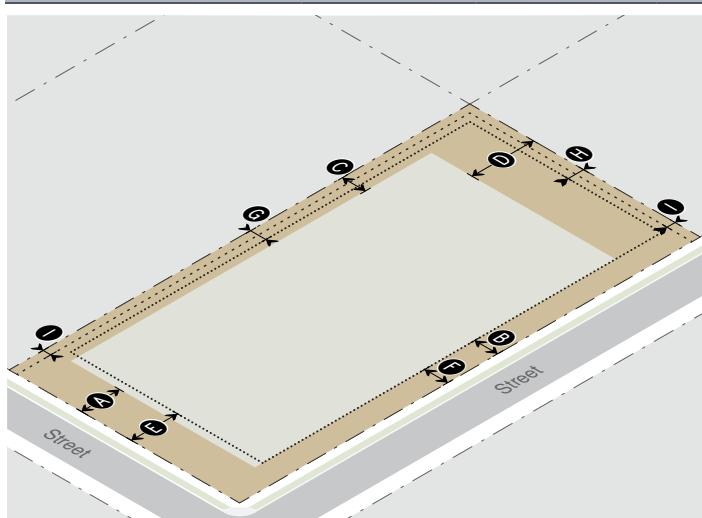
A. Intent

1. General Intent: The intent of the Neighborhood Low Density-1 (NL-1) zone is to provide for places with enough open space and sufficient lot size to provide a predominance of landscape and yards over buildings. Buildings and development should be oriented to respect steep slopes, preserve open space, and provide for wildlife movement through the property. This zone is intended for Stable neighborhoods where increased residential density is not intended.
2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.
3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street, often including longer driveways.
4. Land Use: Detached homes, accessory structures, and ARUs are the primary land uses.
5. Comprehensive Plan: Based primarily on Subarea 6.2 in the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards



Primary Building Setbacks (Sec. 9.4.8.)

Primary street (min)	25'	A
Secondary street (min)	15'	B
Side interior (min)	15'	C
Rear (min)	40'	D

Accessory Structure Setbacks (Sec. 9.4.8.)

Primary street (min)	30'	E
Secondary street (min)	15'	F
Side interior/rear (min)	10'	G
Rear (min)	10'	H

Site Development Setbacks

All site development, excluding driveways, sidewalks, or parking.	Same as primary building
Primary/secondary street (min)	Same as primary building
Side interior/rear (min)	5'
Landscaping (Div. 5.5.)	
Landscape surface ratio (min)	.60
Plant units (min)	
Residential	1 per lot
Nonresidential	1 per 1,000 sf of landscape area
Parking lot (all uses)	1 per 12 parking spaces

10. Required Physical Development Permits

Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units			X	X		(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Nonresidential Floor Area						
≤ 5,000 sf			X	X		(Sec. 5.7.1.)
5,001 - 15,000 sf		X	X	X		(Sec. 5.7.1.)
> 15,000 sf	X	X	X	X		(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	n/a	n/a	n/a	exempt
Residential					
Detached Dwelling (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable excluding basement	2/DU	0.000017(sf) + (Exp(-15.49 + 1.59*Ln(sf))/2.176
Group Home (6.1.4.G.) (E.1)	C	15 rooms per acre	n/a	0.5/bed	exempt
Institutional					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	0.000123 * sf
Minor	B	n/a	n/a		

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.2.)	B	1 unit per lot	(E.2.)	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	n/a	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.)

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-1 zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-1 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-1 zone, however, all standards in Article 7. are applicable in the NL-1 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	43,560 sf	(Sec. 7.2.3.)

2. Residential Subdivision Requirements

Schools and Parks Exaction

Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling
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Parks exaction	9 acres per 1,000 resident
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3. Infrastructure

Transportation Facilities (Div. 7.6.)

Access	required
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Right-of-way for Minor Local Road (min)	60'
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Paved travel way for Minor Local Road (min)	20'
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Required Utilities (Div. 7.7.)

Water	public
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Sewer	public
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4. Required Subdivision and Development Option Permits

Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

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

1. Group Home Use Standards

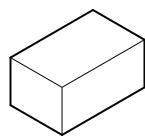
Group Home uses shall be located at least 300 feet from an existing dwelling unit, unless the group home use was proposed as part of a development that included both the group home use and the dwelling units.

2. Accessory Residential Units (ARUs)

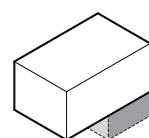
- Home Occupations and Home Businesses in ARUs are prohibited.
- A detached ARU on a lot less than 18,000 sf shall have a maximum habitable floor area of 500 sf. All other ARUs shall have a maximum habitable floor area of 800 sf

F. Configuration Options

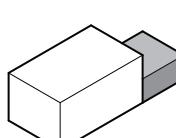
Configuration options in the NL-1 zone include, but are not limited to, the following:



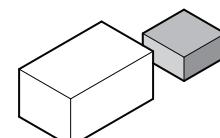
One Unit



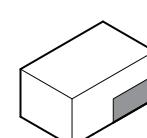
One Unit
+ One basement ARU



One Unit
+ One attached ARU



One Unit
+ One detached ARU



One Unit
+ One internal/basement ARU

2.2.3. NL-2: Neighborhood Low Density-2

(3/6/19, Ord. 1211)

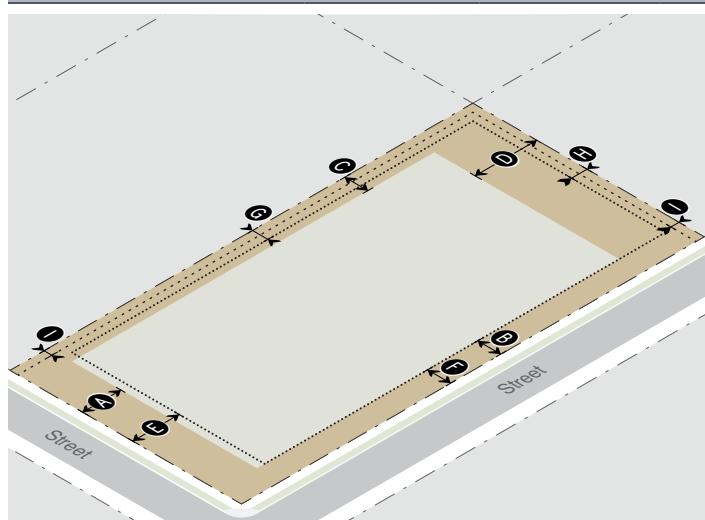
A. Intent

1. General Intent: The intent of the Neighborhood Low Density-2 (NL-2) zone is to provide for places with enough open space and sufficient lot size to provide a predominance of landscape and yards over buildings. Buildings and development should be oriented to respect steep slopes, preserve open space, and provide for wildlife movement through the property. This zone is intended for Stable neighborhoods where increased residential density is not intended.
2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.
3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street, often including longer driveways.
4. Land Use: Detached homes, accessory structures, and ARUs are the primary land uses.
5. Comprehensive Plan: Based primarily on Subarea 6.2 in the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards



Primary Building Setbacks (Sec. 9.4.8.)

Primary street (min)	25'	A
Secondary street (min)	15'	B
Side interior (min)	15'	C
Rear (min)	25'	D

Accessory Structure Setbacks (Sec. 9.4.8.)

Primary street (min)	30'	E
Secondary street (min)	15'	F
Side interior/rear (min)	10'	G
Rear (min)	10'	H

Site Development Setbacks

All site development, excluding driveways, sidewalks, or parking.

Primary/secondary street (min)	Same as primary building
Side interior/rear (min)	5'

Landscaping (Div. 5.5.)

Landscape surface ratio (min)	.60
Plant units (min)	
Residential	1 per lot
Nonresidential	1 per 1,000 sf of landscape area
Parking lot (all uses)	1 per 12 parking spaces

10. Required Physical Development Permits

Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
Dwelling Unit				X		(Sec. 5.7.1.)
< 5 units				X		(Sec. 5.7.1.)
5 - 10 units			X	X		(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Nonresidential Floor Area						
≤ 5,000 sf				X	X	(Sec. 5.7.1.)
5,001 - 15,000 sf			X	X	X	(Sec. 5.7.1.)
> 15,000 sf	X	X	X	X		(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-2 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-2 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-2 zone, however, all standards in Article 6. are applicable in the NL-2 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	B	n/a	n/a	n/a	exempt
Residential					
Detached Dwelling (<u>6.1.4.B.</u>)	Y	1 unit per lot	8,000 sf habitable excluding basement	2/DU	0.000017(sf) + (Exp(-15.49 + 1.59*Ln(sf)))/2.176
Group Home (<u>6.1.4.G.</u> (<u>E.1</u>))	C	15 rooms per acre	n/a	0.5/bed	exempt
Institutional					
Assembly (<u>6.1.8.B.</u>)	C	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (<u>6.1.10.C.</u>)	C	n/a	n/a	1/employee + 1/stored vehicle	0.000123 * sf

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Wireless Communications Facilities (6.1.10.D.) Minor	B	n/a	n/a	1/employee + 1 per stored vehicle	0.000123 * sf
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.2)	B	1 unit per lot	(E.2)	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Home Daycare (6.1.11.E.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	n/a	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.12. D.)	B	1 unit per lot	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit ([Sec. 8.4.2.](#)), C=Conditional Use Permit ([Sec. 8.4.3.](#))

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-2 zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-2 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-2 zone, however, all standards in Article 7. are applicable in the NL-2 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	21,780 sf	(Sec. 7.2.3.)

2. Residential Subdivision Requirements

Schools and Parks Exaction

Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling
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Parks exaction	9 acres per 1,000 resident
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3. Infrastructure

Transportation Facilities (Div. 7.6.)

Access	required
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Right-of-way for Minor Local Road (min)	60'
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Paved travel way for Minor Local Road (min)	20'
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Required Utilities (Div. 7.7.)

Water	public
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Sewer	public
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4. Required Subdivision and Development Option Permits

Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

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

1. Group Home Use Standards

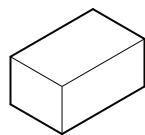
Group Home uses shall be located at least 300 feet from an existing dwelling unit, unless the group home use was proposed as part of a development that included both the group home use and the dwelling units.

2. Accessory Residential Units (ARUs)

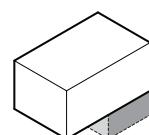
- Home Occupations and Home Businesses in ARUs are prohibited.
- A detached ARU on a lot less than 18,000 sf shall have a maximum habitable floor area of 500 sf. All other ARUs shall have a maximum habitable floor area of 800 sf.

F. Configuration Options

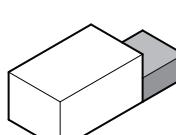
Configuration options in the NL-2 zone include, but are not limited to, the following:



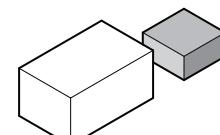
One Unit



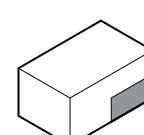
One Unit
+ One basement ARU



One Unit
+ One attached ARU



One Unit
+ One detached ARU



One Unit
+ One internal/basement ARU

2.2.4. NL-3: Neighborhood Low Density-3

(3/6/19, Ord. 1212)

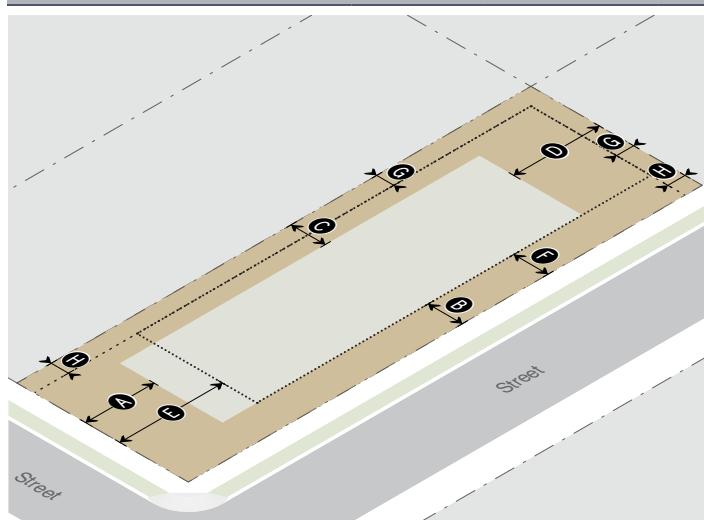
A. Intent

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

B. Physical Development

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

1. Lot Standards



Primary Building Setbacks (Sec. 9.4.8.)

Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Rear (min)	25'	D

Accessory Structure Setbacks (Sec. 9.4.8.)

Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior/rear (min)		G
>14 feet in height	10'	
≤14 feet in height	5'	
Second floor deck	10'	

Site Development Setbacks

All site development, excluding driveways, sidewalks, or parking.

Primary/secondary street (min)	Same as primary building
Side interior/rear (min)	5'

Landscaping (Div. 5.5.)

Landscape surface ratio (min)	.45
Plant units (min)	1 per lot

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-3 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to [6.1.2.D](#). Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-3 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-3 zone, however, all standards in Article 6. are applicable in the NL-3 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	n/a	n/a	n/a	exempt
Residential					
Detached Dwelling (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable excluding basement	2/DU	$0.000017(\text{sf}) + (\text{Exp}(-15.49 + 1.59 * \text{Ln}(\text{sf}))) / 2.176$
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)	Minor	B	n/a	1/employee + 1 per stored vehicle	0.000123 * sf
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.1)	B	1 unit per lot	(E.1)	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit ([Sec. 8.4.2.](#)), C=Conditional Use Permit ([Sec. 8.4.3.](#))

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-3 zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-3 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-3 zone, however, all standards in Article 7. are applicable in the NL-3 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Schools and Parks Exaction		
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling	
Parks exaction	9 acres per 1,000 resident	
3. Infrastructure		
Transportation Facilities		
Access	required	
Right-of-way for Minor Local Road (min)	60'	
Paved travel way for Minor Local Road (min)	20'	
Required Utilities		
Water	public	
Sewer	public	

2.2.5. NL-4: Neighborhood Low Density-4

(3/6/19, Ord. 1213)

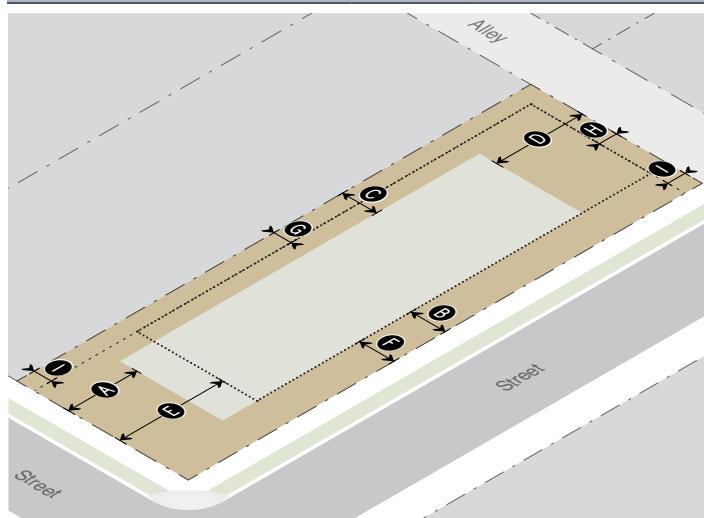
A. Intent

- General Intent: The intent of the Neighborhood Low Density-4 (NL-4) zone is to recognize existing residential neighborhoods and subdivisions and allow development of Detached homes with up to two Accessory Residential Units (ARUs) in a way that is consistent with the existing neighborhood character. This zone is intended for properties with alley access and for Stable neighborhoods where increased residential density is not intended.
- Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.
- Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking for new development will typically be accessed from an alley while existing development is often accessed from a primary street.
- Land Use: Detached homes, accessory structures, and ARUs are the primary land uses.
- Comprehensive Plan: Based primarily on Subarea 3.1 in the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards



Primary Building Setbacks

(Sec. 9.4.8.)

Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Rear (min)	25'	D

Accessory Structure Setbacks

(Sec. 9.4.8.)

Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior/rear (min)		G H
>14 feet in height	10'	
≤14 feet in height	5'	
Second floor deck	10'	

Site Development Setbacks

All site development, excluding driveways, sidewalks, or parking.

Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I

Landscaping

(Div. 5.5.)

Landscape surface ratio (min)	.45
Plant units (min)	1 per lot

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-4 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to [6.1.2.D](#). Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-4 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-4 zone, however, all standards in Article 6. are applicable in the NL-4 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	n/a	n/a	n/a	exempt
Residential					
Detached Dwelling (6.1.4.B.)	Y	1 unit per lot	8,000 sf habitable excluding basement	2/DU	0.000017(sf) + (Exp(-15.49 + 1.59*Ln(sf)))/2.176
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	0.000123 * sf
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.1)	B	2 units per lot	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.12.D.)	B	1 unit per lot	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit ([Sec. 8.4.2.](#)), C=Conditional Use Permit ([Sec. 8.4.3.](#))

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-4 zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-4 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-4 zone, however, all standards in Article 7. are applicable in the NL-4 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
2. Residential Subdivision Requirements		
Schools and Parks Exaction		
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling	
Parks exaction	9 acres per 1,000 resident	
3. Infrastructure		
Transportation Facilities		
Access		
Right-of-way for Minor Local Road (min)		
Paved travel way for Minor Local Road (min)		
Required Utilities		
Water		
Sewer		

2.2.6. NL-5: Neighborhood Low Density-5

(3/6/19, Ord. 1214)

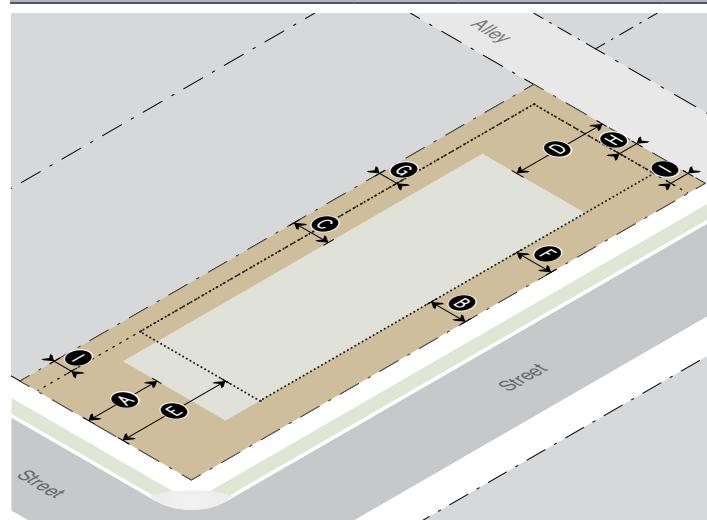
A. Intent

- General Intent: The intent of the Neighborhood Low Density-5 (NL-5) zone is to enhance the character and cohesiveness of residential neighborhoods while allowing for a flexible range of residential types, including detached units, duplex units, and triplex units. A maximum of three detached or attached units per lot is permitted. This flexibility is intended to create opportunities for workforce housing because all apartment units are required to be rented to members of the local workforce. This zone is intended for Stable neighborhoods where increased residential density is not intended.
- Buildings: Buildings can be up to 2 stories in height. Multiple detached buildings or multiple attached units on a site is common. Incentives are provided to encourage variety in roof pitch and design.
- Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from an alley where present or a primary street where no alley exists.
- Land Use: Detached homes, duplex, and triplex units, with additional apartments as allowed to not exceed three units per lot maximum density.
- Comprehensive Plan: Based primarily on Subarea 3.1 in the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards



Primary Building Setbacks

(Sec. 9.4.8.)

Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	B
Rear (min)	10'	D

Accessory Structure Setbacks

(Sec. 9.4.8.)

Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior (min)	5'	G
Rear (min)	5'	H

Site Development Setbacks

All site development, excluding driveways, sidewalks, or parking.

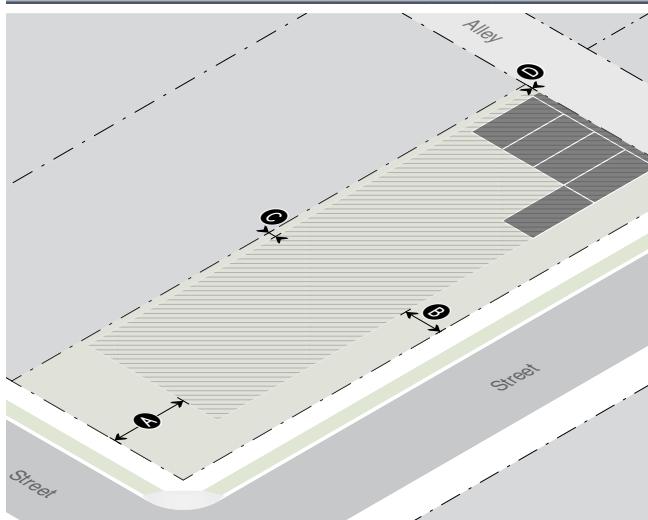
Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I

Landscaping

(Div. 5.5.)

Landscape surface ratio (min)		
1 unit	.45	
2 units	.35	
3 units	.30	
All other allowed uses	.45	
Plant units (min)		
Residential	1 per lot	
Nonresidential	1 per 1,000 sf of landscape area	
Parking Lot (all uses)	1 per 12 parking spaces	

2. Vehicle Access Standards



3. Bulk & Mass Standards



Access

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

Parking Setbacks

	1 or 2 units	3 units/ nonresidential	
Primary street (min)	20'	20'*	A
Secondary street (min)	10'	10'*	B
Side interior (min)	5'	1'	C
Rear (min)	5'	5'	
Rear alley (min)	2'	2'	D

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

Design Guidelines (Div. 5.8.)

The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.

Primary Building Height (Sec. 9.4.9.)

Height (max): roof pitch \leq 3/12	2 stories, not to exceed 26'	A
Height (max): roof pitch 4/12, 5/12	2 stories, not to exceed 28'	A
Height (max): roof pitch \geq 6/12	2 stories, not to exceed 30'	A

Accessory Structure Height (Sec. 9.4.9.)

All other accessory structures (max)	14'
--------------------------------------	-----

Scale of Development (Sec. 9.4.13.)

Floor area ratio (FAR max)	
1 unit	.30
2 units	.35
3 units	.40 (E.3)
All other allowed uses	.40
Individual Building (max gross floor area)	10,000 sf

10. Required Physical Development Permits

Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
Dwelling Unit						
< 5 units				X		(Sec. 5.7.1.)
5 - 10 units			X	X		(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Nonresidential Floor Area						
≤ 5,000 sf				X	X	(Sec. 5.7.1.)
5,001 - 15,000 sf		X	X	X		(Sec. 5.7.1.)
> 15,000 sf	X	X	X	X		(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-5 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-5 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-5 zone, however, all standards in Article 6. are applicable in the NL-5 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space				exempt	
Agriculture (6.1.3.B.)	B	n/a	n/a	n/a	exempt
Residential					
Detached Dwelling (6.1.4.B.) (E.1)	Y	(E.1)		2/DU	0.000017(sf) + (Exp(-15.49 + 1.59*Ln(sf)))/2.176
Attached Dwelling	B	(E.1)	8,000 sf habitable-excluding basement	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Apartment (6.1.4.D.) (E.2)	B	(E.1)		1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Institutional					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	0.000123 * sf
Minor	B	n/a	n/a		

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.),

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.1) (E.2)	B	2 units per lot	(E.1)	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	n/a	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.11.D.)	B	1 unit per lot	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.).

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-5 zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-5 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-5 zone, however, all standards in Article 7. are applicable in the NL-5 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
Condominium/Townhouse	n/a	(Sec. 7.2.4.)

2. Residential Subdivision Requirements

Schools and Parks Exaction

(Div. 7.5.)

Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling
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Parks exaction	9 acres per 1,000 resident
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3. Infrastructure

Transportation Facilities

(Div. 7.6.)

Access	required
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Right-of-way for Minor Local Road (min)	60'
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Paved travel way for Minor Local Road (min)	20'
---	-----

Required Utilities

(Div. 7.7.)

Water	public
Sewer	public

4. Required Subdivision and Development Option Permits

Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

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

1. **Detached Dwelling, Attached Dwelling, Apartment, or ARU.** No more than 3 units of any combination are permitted on the lot.
2. **Apartment and ARU Occupancy.** Occupancy of an apartment or ARU shall be restricted to persons employed within Teton County, in accordance with the Jackson/Teton County Housing Rules and Regulations or the occupants shall be members of the same household unit occupying the principal dwelling unit, such as parents or adult children, or intermittent, nonpaying guests.
3. **Condominium or Townhouse.** Condominium or townhouse subdivision is only allowed if all units on the property are permanently deed restricted to the satisfaction of the Jackson/Teton County Housing Department. The restriction must permanently restrict use and occupancy of each dwelling unit to households that work locally and occupy the unit as their primary residence. If three units are built on the site or lot, an additional 600 square foot above-ground floor area shall be granted.

2.2.7. NM-1: Neighborhood Medium Density-1 (3/6/19, Ord. 1215)

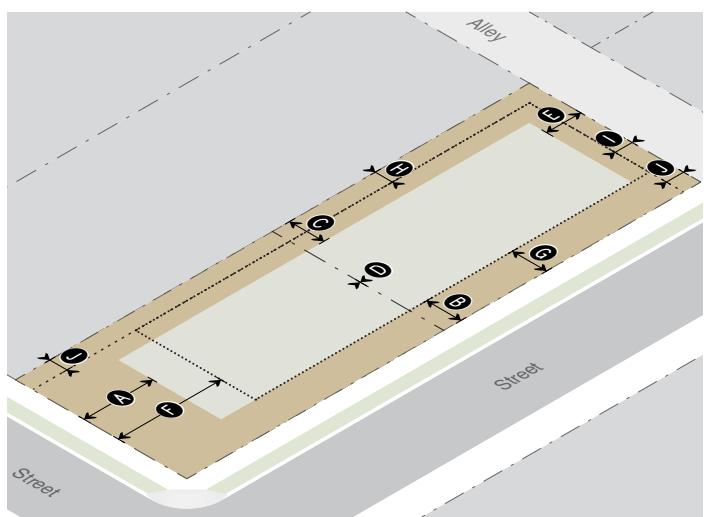
A. Intent

1. General Intent: The intent of the Neighborhood Medium Density 1 (NM-1) zone is to recognize existing residential neighborhood character while allowing flexibility in design and ownership for detached homes, duplex homes, and Accessory Residential Units (ARUs) on smaller lots when feasible. This zone is intended for Stable neighborhoods where increased residential density is not intended.
2. Buildings: Buildings can be up to 2 stories in height. Multiple buildings on a site is common. Incentives are provided to encourage variety in roof pitch and design.
3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street or alley when present.
4. Land Use: Detached and attached homes, accessory structures, and ARUs are the primary land uses. Lots are typically either 7,500 or 3,750 square feet but may also be any size within this range.
5. Comprehensive Plan: Based primarily on Subarea 3.2 in the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards



Primary Building Setbacks (Sec. 9.4.8.)

Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Duplex interior (min)	0'	D
Rear (min)	10'	
Rear alley (min)	10'	E

Accessory Structure Setbacks (Sec. 9.4.8.)

Primary street (min)	30'	F
Secondary street (min)	10'	G
Side interior/rear* (min)		H
>14 feet in height	10'	
≤14 feet in height	5'	
Second floor deck	10'	
Rear alley (min)	10'	I

Site Development Setbacks

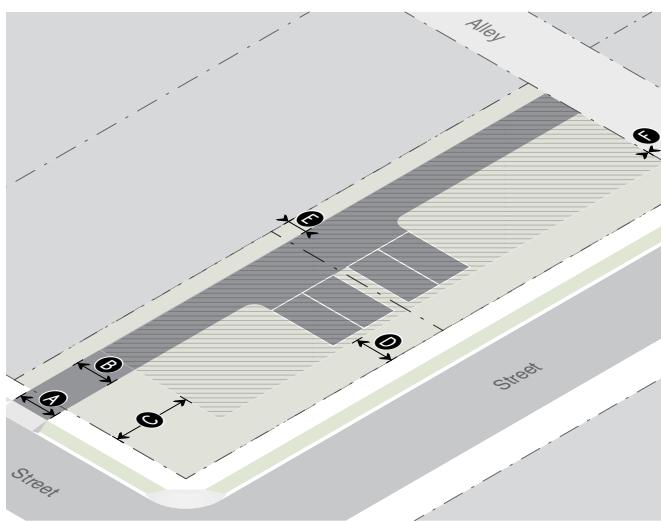
All site development, excluding driveways, sidewalks, or parking.

Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	J

Landscaping (Div. 5.5.)

Landscape surface ratio (min)	<7,500 sf	≥7,500 sf
Detached dwelling	.50	.45
Attached dwelling	.50	n/a
Apartment	n/a	.40
LSR decrease for each ARU	.10	.10
All other uses	.50	.45
Plant units (min)	1 per lot	

2. Vehicle Access Standards



	SFD/SFA Lot width ≤25'	SFD/SFA Lot width >25'	All Other Uses
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Access

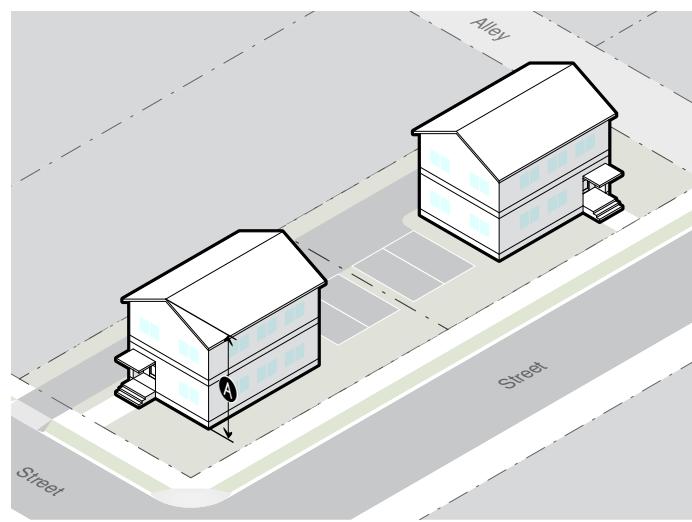
Primary street	Allowed	Allowed	Allowed
Secondary street	Allowed	Allowed	Allowed
Alley	Required	Allowed	Allowed
		20' per 100' of lot frontage or 40% of lot frontage, whichever is less	20' per 100' of lot frontage or 40% of lot frontage, whichever is less
Curb-cut width (max)	Not allowed	A	B
Driveway width in primary/secondary street setback (max)	Not allowed	20'	20'

Parking Setbacks

Primary street (min)	20'*	20'*	20'*	C
Secondary street (min)	10'	10'*	10'*	D
Side interior (min)	5'	5'	5'	E
Rear (min)	5'	5'	5'	
Rear alley (min)	2'	2'	2'	F

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

3. Bulk & Mass Standards



Design Guidelines	(Div. 5.8.)
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The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.

Primary Building Height	(Sec. 9.4.9.)
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Height (max): roof pitch \leq 3/12	2 stories, not to exceed 26'	A
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Height (max): roof pitch 4/12, 5/12	2 stories, not to exceed 28'	A
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Height (max): roof pitch \geq 6/12	2 stories, not to exceed 30'	A
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Accessory Structure Height	(Sec. 9.4.9.)
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Accessory residential unit (max)	2 stories, not to exceed 26'
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All other accessory structures (max)	14'
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Scale of Development	(Sec. 9.4.13.)
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Floor area ratio (FAR max)	<7,500 sf	≥7,500 sf
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Detached dwelling	.40	.40
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Attached dwelling	.40	n/a
-------------------	-----	-----

Townhouse detached	n/a	.40
--------------------	-----	-----

Apartment	n/a	.40
-----------	-----	-----

FAR increase for each ARU	.10	.05
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All other uses	n/a	.40
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C. Allowed Uses and Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	n/a	n/a	n/a	exempt
Residential					
Detached Dwelling (6.1.4.B.)	Y	(E.1)	8,000 sf	2/DU	0.000017(sf) + (Exp(-15.49 + 1.59*Ln(sf))/2.176
Attached Dwelling (6.1.4.C.)	B	1 unit per lot	habitable-excluding basement	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	0.000017(sf) + (Exp(-14.17 + 1.59*Ln(sf))/2.176
Apartment (6.1.4.D.) (E.1)	B	(E.1)			0.000017(sf) + (Exp(-14.17 + 1.59*Ln(sf))/2.176
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	0.000123 * sf
Minor	B	n/a	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.2)	B	(E.1)	(E.2)	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.11.D.)	B	1 unit per lot	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.)

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

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NM-1 zone are provided or referenced below.

Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NM-1 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NM-1 zone, however, all standards in Article 7. are applicable in the NM-1 zone, unless stated otherwise.

1. Development Options and Subdivision				
Option	Lot Size (min) Standards			
Allowed Subdivision Options				
Land Division	3,750 sf (Sec. 7.2.3.)			
Condominium/Townhouse	n/a (Sec. 7.2.4.)			
2. Residential Subdivision Requirements				
Schools and Parks Exaction	(Div. 7.5.)			
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling			
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				
Water	public			
Sewer	public			
4. Required Subdivision and Development Option Permits				
Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

E. Additional Zone-specific Standards

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

1. Maximum Allowed Density

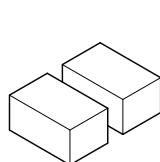
- a. The maximum allowed density on an individual lot of 7,500 sf or greater in size is four units (two primary units and two ARUs), except that a building with two attached dwelling units (i.e. duplex) is only allowed to have ARUs if the lot is served by either two street frontages or by a street and an alley. The two primary units may either be detached (i.e., two Detached Dwellings) or attached (i.e., Apartments attached in the form of a duplex).
b. The maximum allowed density on an individual lot smaller than 7,500 sf in size is two units (one Detached Dwelling and one ARU).

2. Accessory Residential Units (ARUs)

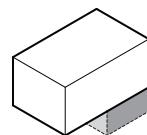
- a. Home Occupations and Home Businesses in ARUs are prohibited.
- b. Detached ARUs shall only be permitted on lots that meet minimum lot size.
- c. A detached ARU on a lot less than 11,250 sf shall have a maximum habitable floor area of 500 sf. All other ARUs shall have a maximum habitable floor area of 800 sf.

F. Configuration Options

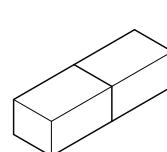
Configuration options in the NM-1 zone include, but are not limited to, the following:



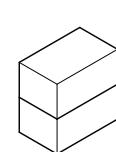
2 detached units



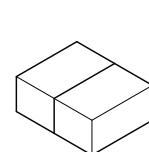
1 unit
+ 1 basement ARU



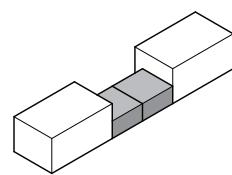
2 attached units
(back to back)



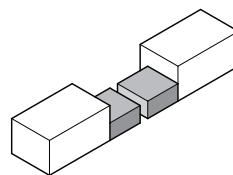
2 attached units
(up and down)



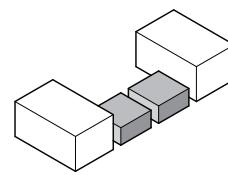
2 attached units
(Side by side)



2 detached units
+ 2 attached ARUs



2 detached units
+ 2 detached attached ARUs



2 detached units
+ 2 detached ARUs

2.2.8. NM-2: Neighborhood Medium Density-2 (3/6/19, Ord. 1216)

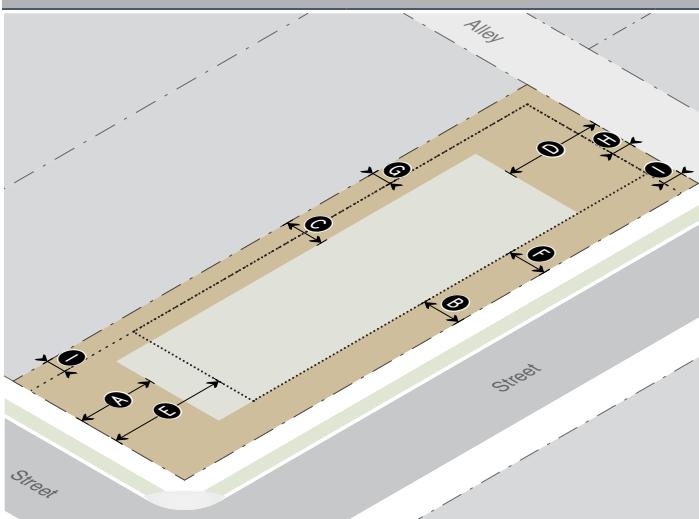
A. Intent

1. General Intent: The intent of the Neighborhood Medium Density-2 (NM-2) zone is to provide for medium to higher density residential development and to promote workforce housing types using a broad range of detached and attached residential types in a pedestrian-oriented environment. The size of individual buildings will be limited in order to respect and enhance the character and cohesiveness of existing residential neighborhoods. This zone is intended for Transitional neighborhoods where increased residential density and workforce housing are intended.
2. Buildings: Buildings can be up to 3 stories in height. Multiple detached buildings or multiple attached units on a site is common. No more than 8 units will be permitted within an individual building. Incentives are provided to encourage variety in roof pitch and design.
3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from a primary street or alley if present.
4. Land Use: The full spectrum from a detached home to an 8-unit apartment/condo building is allowed.
5. Comprehensive Plan: Based primarily on Subarea 3.2 in the Comprehensive Plan

B. Physical Development

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

1. Lot Standards



Primary Building Setbacks (Sec. 9.4.8.)

Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Rear (min)	20'	D

Accessory Structure Setbacks (Sec. 9.4.8.)

Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior (min)	5'	G
Rear (min)	5'	
Rear alley (min)	10'	H

Site Development Setbacks

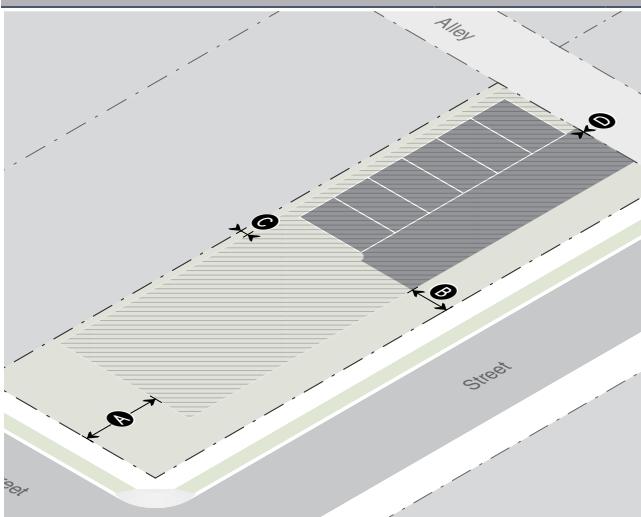
All site development, excluding driveways, sidewalks, or parking.

Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I

Landscaping (Div. 5.5.)

Landscape surface ratio (min)	(9.4.6.D.)
Detached Dwelling	.45
Apartments/ Attached Dwellings	.21 & 70% in front 1/3 of lot
All other allowed uses	.35
Plant units (min)	
Detached Dwelling and Duplex	1 per unit
All other uses	1/1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces

2. Vehicle Access Standards



Access

Primary street	Allowed
Secondary street	Allowed
Alley	Allowed
Curb-cut width (max)	20' per 100' of lot frontage or 40% of lot frontage, whichever is less
Driveway width in primary/secondary street setback (max)	20'

Parking Setbacks

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

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

3. Bulk & Mass Standards



Primary Building Height

(Sec. 9.4.9.)	
Height (max): roof pitch \leq 3/12	3 stories, not to exceed 35' A
Height (max): roof pitch 4/12, 5/12	3 stories, not to exceed 37' A
Height (max): roof pitch \geq 6/12	3 stories, not to exceed 39' A

Accessory Structure Height

(Sec. 9.4.9.)	
All accessory structures (max)	14'

Scale of Development

(Sec. 9.4.13.)	
Floor area ratio (FAR max)	
Detached Dwelling	.30
All other allowed uses	.40
Deed restricted housing exemption	(Sec. 7.8.3.)
Workforce housing floor area bonus	(Sec. 7.8.4.)
Individual building (max gross floor area)	10,000 sf

10. Required Physical Development Permits

Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
Dwelling Unit				X		(Sec. 5.7.1.)
<5 units				X		(Sec. 5.7.1.)
5-15 units			X	X		(Sec. 5.7.1.)
>15 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Use Standards

Standards applicable to uses in the NM-2 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NM-2 zone. This Subsection is intended to indicate all of the use standards applicable in the NM-2 zone, however, all standards in Article 6. are applicable in the NM-2 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Residential					
Detached Dwelling (6.1.4.B.)	Y	n/a	8,000 sf habitable-excluding basement	2/DU	0.000017(sf) + (Exp(-15.49 + 1.59*Ln(sf)))/2.176
Attached Dwelling (6.1.4.C.) (E.1)	B	(E.1)		1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	0.000017(sf) + (Exp(-14.17 + 1.59*Ln(sf)))/2.176
Apartment (6.1.4.D.) (E.1)	B	(E.1)			
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Institutional					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	0.000123 * sf
Minor	B	n/a	n/a		

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Accessory Uses					
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	n/a	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.11.D.)	B	1 unit per lot	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.E.)	B	n/a	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.)

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

D. Development Options

Standards applicable to development options and subdivision in the NM-2 zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NM-2 zone. This subsection is intended to indicate all of the development option and subdivision standards applicable in the NM-2 zone, however, all standards in Article 7. are applicable in the NM-2 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
Condominium/Townhouse	n/a	(Sec. 7.2.4.)

2. Residential Subdivision Requirements

Schools and Parks Exaction

(Div. 7.5.)

Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling
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Parks exaction	9 acres per 1,000 resident
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3. Infrastructure

Transportation Facilities

(Div. 7.6.)

Access	required
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Right-of-way for Minor Local Road (min)	60'
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Paved travel way for Minor Local Road (min)	20'
---	-----

Required Utilities

(Div. 7.7.)

Water	public
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Sewer	public
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4. Required Subdivision and Development Option Permits

Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X
Condominium/Townhouse				X

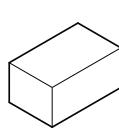
E. Additional Zone-specific Standards

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

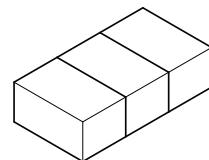
1. Attached Dwelling/Apartment. No more than 8 units are allowed per building.

F. Configuration Options

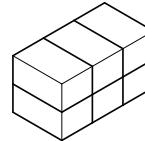
Configuration options in the NM-2 zone include, but are not limited to, the following:



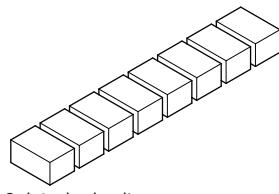
1 unit



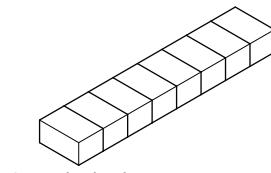
3 attached units



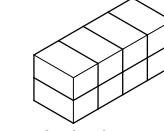
6 attached units



8 detached units



8 attached units



8 attached units

2.2.9. NH-1: Neighborhood High Density 1

(3/6/19, Ord. 1217)

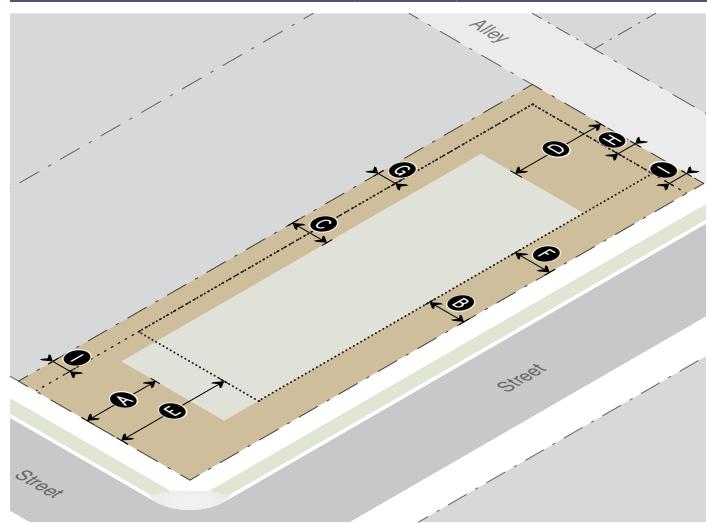
A. Intent

- General Intent: The intent of the Neighborhood High Density 1 (NH-1) zone is to provide for high density residential development and to promote workforce housing types using a broad range of attached residential types in a pedestrian-oriented environment. The size of individual buildings will be limited by the application of required dimensional standards, such as FAR, setbacks, and parking, and not by a prescribed standard. Care will be given to ensure that new development respects and enhances the character and cohesiveness of existing residential neighborhoods. This zone is intended for Transitional neighborhoods where increased residential density and workforce housing are intended.
- Buildings: Buildings can be up to 3 stories in height. Single or multiple detached buildings, each building with multiple units, on a site is common. Incentives are provided to encourage variety in roof pitch and design.
- Parking: Parking is provided primarily on-site in surface or underground garages or with surface parking. Parking is typically accessed from a primary street or alley if present.
- Land Use: The full spectrum from a detached home to whatever size building can fit the site based on the minimum required density (17.4 units/acre) and the dimensional limitations, such as FAR, setbacks, and parking. Apartments take the place of ARUs because they provide greater flexibility.
- Comprehensive Plan: Based primarily on Subarea 3.2 in the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards



Primary Building Setbacks

(Sec. 9.4.8.)

Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	C
Rear (min)	20'	D

Accessory Structure Setbacks

(Sec. 9.4.8.)

Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior/rear (min)	5'	G
Rear alley (min)	10'	H

Site Development Setbacks

All site development, excluding driveways, sidewalks, or parking.

Primary/secondary street (min)	Same as primary building
Side interior/rear (min)	5'

Landscaping

(Div. 5.5.)

Landscape surface ratio (min)	(9.4.6.D.)
Apartments/Attached Dwellings	.21 & 70% in front 1/3 of lot
All other allowed uses	.30
Plant units (min)	
Detached Dwelling and Duplex	1 per unit
All other uses	1/1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces

10. Required Physical Development Permits

Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
Dwelling Unit				X		
<5 units				X		(Sec. 5.7.1.)
5-15 units			X	X		(Sec. 5.7.1.)
>15 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Residential					
Detached Dwelling	B	(E.1)	8,000 sf	0.000017(sf) + (Exp(-15.49 + 1.59*Ln(sf))/2.176	
Attached Dwelling (6.1.4.C.) (E.1)	B	(E.1)	habitable-excluding basement	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	0.000017(sf) + (Exp(-14.17 + 1.59*Ln(sf))/2.176
Apartment (6.1.4.D.)	B	(E.1)			
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Institutional					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	n/a	n/a	1/employee + 1 per stored vehicle	0.000123 * sf

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Accessory Uses					
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	n/a	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.11.D.)	B	1 unit per lot (max)	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit ([Sec. 8.4.2.](#)), C=Conditional Use Permit ([Sec. 8.4.3.](#))

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

D. Development Options

Standards applicable to development options and subdivision in the NH-1 zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NH-1 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NH-1 zone, however, all standards in Article 7. are applicable in the NH-1 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3.)
Condominium/Townhouse	n/a	(Sec. 7.2.4.)

2. Residential Subdivision Requirements

Schools and Parks Exaction

(Div. 7.5.)

Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling
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Parks exaction	9 acres per 1,000 resident
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3. Infrastructure

Transportation Facilities

(Div. 7.6.)

Access	required
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Right-of-way for Minor Local Road (min)	60'
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Paved travel way for Minor Local Road (min)	20'
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Required Utilities

(Div. 7.7.)

Water	public
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Sewer	public
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4. Required Subdivision and Development Option Permits

Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X
Condominium/Townhouse				X

E. Additional Zone-specific Standards

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

1. **Minimum Density.** The minimum density for lots in the NH-1 is 17.425 units per acre. NOTE: this requirement is rounded down to the next whole number (e.g., 1.8 units = 1 unit). The following density ranges are provided for general guidance :
 - a. Lots approximately 5,000 sf or less: One Detached Dwelling;
 - b. Lots approximately 5,001 - 7,499 sf: Two units (either detached or attached);
 - c. Lots 7,500 or larger: Three or more units (either detached or attached).

9. Physical Development Permits Required

Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)	Floodplain Permit
Floor Area							
< 6,900 sf			X	X		<u>Sec. 5.7.1.</u>	<u>Sec. 5.4.4.</u>
6,900 - 13,800 sf		X	X	X		<u>Sec. 5.7.1.</u>	<u>Sec. 5.4.4.</u>
> 13,800 sf	X	X	X	X		<u>Sec. 5.7.1.</u>	<u>Sec. 5.4.4.</u>
> 13,800 sf for only residential use	X	X	X	X		<u>Sec. 5.7.1.</u>	<u>Sec. 5.4.4.</u>
Sign							
					X	<u>Sec. 5.7.1.</u>	<u>Sec. 5.4.4.</u>

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 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 Dwelling (6.1.4.C.)	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)))/2.176
Apartment (6.1.4.D.)	B				
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	2.47/1,000 sf	0.000247 * sf
Retail (6.1.6.C.) (E.3)	B	2,000 sf excluding basement	(E.3)	exempt	0.000216 * sf
Service (6.1.6.D.) (E.3)	B		(E.3)	exempt	0.000216 * sf
Institutional Uses					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				0.75/employee + 0.75/stored vehicle	0.000123 * sf
Minor	B	n/a	n/a		

Y = Use allowed, no use permit required B = Basic Use Permit (Sec. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)

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.)
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
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. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)

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	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	7,500 sf	Sec. 7.2.3.
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.
2. Residential Subdivision Requirements		
Schools and Parks Exaction		
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling	
Parks exaction	9 acres per 1,000 resident	
3. Infrastructure		
Transportation Facilities	(Div. 7.6.)	

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 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 Dwelling (6.1.4.C.)	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)))/2.176
Apartment (6.1.4.D.)	B				
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	0.000247 * sf
Retail (6.1.6.C.)	B	6,000 sf	n/a	3.37/1,000 sf	0.000216 * sf
Service (6.1.6.D.)	B	excluding basement	n/a	2.25/1,000 sf	0.000216 * sf
Restaurant/Bar (6.1.6.E.)	B	storage	n/a	1/73 sf dining area + 1/40 sf bar area	0.000599 * sf
Amusement/Recreation					
Amusement (6.1.5.B.)	B	n/a	n/a	1/40 sf seating area or independent calculation	0.000216 * 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	independent calculation
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	n/a	n/a	n/a	0.000123 * sf

Y = Use allowed, no use permit required B = Basic Use Permit (Sec. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)
 (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.)
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				0.75/employee + 0.75/stored vehicle	0.000123 * 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
Home Daycare (6.1.11.E.)	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. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)
(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	Lot Size (min)	Standards			
Allowed Subdivision Options					
Land Division	7,500 sf	Sec. 7.2.3.			
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.			
2. Residential Subdivision Requirements					
Schools and Parks Exaction					
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling				
Parks exaction	9 acres per 1,000 resident				
3. Infrastructure					
Transportation Facilities (Div. 7.6.)					
Access	required				
Right-of-way for Minor Local Road (min)	60'				
Paved travel way for Minor Local Road (min)	20'				
Required Utilities (Div. 7.7.)					
Water	public				
Sewer	public				
4. Required Subdivision and Development Option Permits					
Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)	
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 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 Dwelling (6.1.4.C.)	B	8,000 sf habitable excluding basement	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	0.000017*sf + $(Exp(-14.17 + 1.59*Ln(sf)))/2.176$
Apartment (6.1.4.D.)	B				
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	0.102 * rooms
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	0.102 * rooms
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	2.47/1,000 sf	0.000247 * sf
Retail (6.1.6.C.)	B	6,000 sf	n/a	3.37/1,000 sf	0.000216 * sf
Service (6.1.6.D.)	B	excluding basement	n/a	2.25/1,000 sf	0.000216 * sf
Restaurant/Bar (6.1.6.E.)	B	storage	n/a	1/73 sf dining area + 1/40 sf bar area	0.000599 * sf
Amusement/Recreation					
Amusement (6.1.5.B.)	B	n/a	n/a	1/40 sf seating area or independent calculation	0.000216 * 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	independent calculation
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	n/a	n/a	n/a	0.000123 * sf
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	0.000123 * sf

Y = Use allowed, no use permit required B = Basic Use Permit (Sec. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)
 (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.)
Wireless Communications Facilities (6.1.10.D.)				0.75/employee + 0.75/stored vehicle	0.000123 * 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
Home Daycare (6.1.11.E.)	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. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)
(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	Lot Size (min)	Standards			
Allowed Subdivision Options					
Land Division	7,500 sf	Sec. 7.2.3.			
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.			
2. Residential Subdivision Requirements					
Schools and Parks Exaction					
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling				
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					
Water		public			
Sewer		public			
4. Required Subdivision and Development Option Permits					
Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)	
Land Division					
≤ 10 Lots		X		X	
> 10 Lots	X	X		X	
Condominium/Townhouse				X	

10. Physical Development Permits Required

Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)	Floodplain Permit
Floor Area							
< 9,750 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
9,750 sf – 19,500 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
>19,500 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 30,000 sf for only residential use	optional	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

C. Allowed Uses and Use Standards

Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 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 Dwelling (6.1.4.C.)	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)))/2.176
Apartment (6.1.4.D.)	B				
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	2.47/1,000 sf	0.000247 * sf
Retail (6.1.6.C.)	B	50,000 sf	n/a	3.37/1,000 sf	0.000216 * sf
Service (6.1.6.D.)	B	excluding basement	n/a	2.25/1,000 sf	0.000216 * sf
Restaurant/Bar (6.1.6.E.)	B	storage	n/a	1/73 sf dining area + 1/40 sf bar area	0.000599 * sf
Mini-Storage Warehouse (6.1.6.G.)	B	n/a	n/a	1/10 storage units + 1/employee	0.000007 * sf
Heavy Retail/Service (6.1.6.F.) (E.3)	C	n/a	n/a	1.5/1,000 sf + 2.25 per repair bay + 0.75/wash bay	0.000123 * sf
Nursery (6.1.6.H.)	C	n/a	n/a	independent calculation	independent calculation

Y = Use allowed, no use permit required B = Basic Use Permit (Sec. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)

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.)
Amusement/Recreation					
Amusement (6.1.7.B.)	B	n/a	n/a	1/40 sf seating area or independent calculation	0.000216 * 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	independent calculation
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	independent calculation
Industrial Uses					
Light Industry (6.1.9.B.) (E.3)	C	n/a	n/a	0.75/1,000sf + 0.75/company vehicle	0.000123 * sf
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	n/a	n/a	n/a	0.000123 * sf
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				0.75/employee + 0.75/stored vehicle	0.000123 * 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
Home Daycare (6.1.11.E.)	B	n/a	n/a	0.75/employee + 0.75 off-street pick-up/ drop-off	exempt
Drive-in Facility (6.1.11.H.)	B	n/a	n/a	3 que spaces per service lane	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. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)

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

D. Development Options and Subdivision

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

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

2.2.14. DC-1: Downtown Core-1 (2/1/21, Ord.

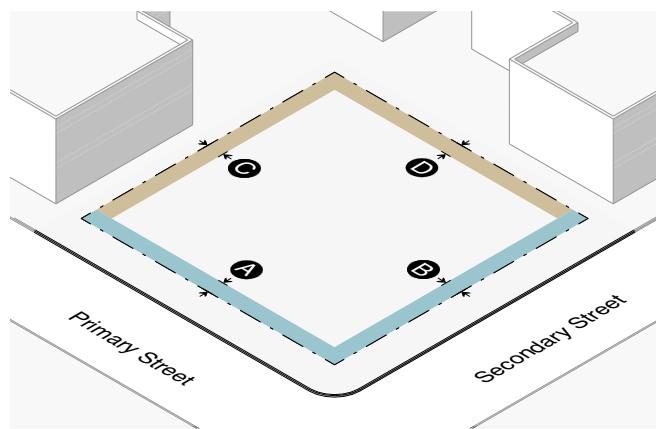
1278)

A. Intent

1. General Intent. The intent of the Downtown Core-1 (DC-1) zone is to provide for a vibrant mixed-use area with a variety of uses and amenities, consisting of wide sidewalks and retail shopfronts pulled up to the street.
2. Buildings. Buildings can be up to 3 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Buildings are located close to the sidewalk, creating an attractive street edge. Large storefront windows invite and encourage pedestrian activity.
3. Parking. Parking is primarily provided off-site on public lots and on-street. Parking provided on-site is underground or screened from view by buildings.
4. Land Use. Active and engaging uses are encouraged on ground floors but not required, with offices, apartments, attached dwellings, and lodging primarily located on upper stories.
5. Comprehensive Plan. Based primarily on sub area 2.3 of the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards**Building Setbacks** (Sec. 9.4.8.)

Primary street setback range (min-max)	0' - 5'	A
Secondary street setback range (min-max)	0' - 5'	B
Side interior (min)	0' or 5'	C
Rear (min)	0' or 5'	D
Abutting protected zone (min)	10'	

Landscaping (Div. 5.5.)

Landscape surface ratio (min)	n/a
Plant units (min)	n/a

Fencing

Height in any street or side yard (max)	4'
Height in rear yard (max)	6'
Setback from pedestrian frontage (min)	1'
Setback from side or rear lot line (min)	0'

Parking Setbacks (Sec. 9.4.8.)

Primary street, above ground (min)	30'
Secondary street, surface parking (min)	30'
Secondary street, tuck-under, enclosed, or structured parking screened by bldg. (min)	0'

Access

Curb cut width (max)	24'
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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 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 Dwelling (6.1.4.C.)	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)))/2.176
Apartment (6.1.4.D.)	B	n/a	n/a	0.5/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a		
Lodging					
Conventional Lodging (6.1.5.B.)	B (LO)	n/a	n/a	0.75/room	0.102 * rooms
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	0.102 * rooms
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	1.65/1,000 sf	0.000247 * sf
Retail (6.1.6.C.)	B	12,500 sf	n/a	2.25/1,000 sf	0.000216 * sf
Service (6.1.6.D.)	B	excluding basement	n/a	1.5/1,000 sf	0.000216 * sf
Restaurant/Bar (6.1.6.E.)	B	storage	n/a	1/110 sf dining area + 1/60 sf bar area	0.000599 * sf
Amusement/Recreation					
Amusement (6.1.7.B.)	B	n/a	n/a	1/60 sf seating area or independent calculation	0.000216 * 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.)	C	n/a	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	independent calculation

Y = Use allowed, no use permit required B = Basic Use Permit (Sec. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)
(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	0.000123 * sf
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.5/employee + 0.5/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				0.5/employee + 0.5/stored vehicle	0.000123 * 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
Home Daycare (6.1.11.E.)	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. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)
 (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	Lot Size (min)	Standards			
Allowed Subdivision Options					
Land Division	5,000 sf	Sec. 7.2.3.			
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.			
2. Residential Subdivision Requirements					
Schools and Parks Exaction					
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling				
Parks exaction	9 acres per 1,000 resident				
3. Infrastructure					
Transportation Facilities (Div. 7.6.)					
Access	required				
Right-of-way for Minor Local Road (min)	60'				
Paved travel way for Minor Local Road (min)	20'				
Required Utilities (Div. 7.7.)					
Water	public				
Sewer	public				
4. Required Subdivision and Development Option Permits					
Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)	
Land Division					
≤ 10 Lots		X		X	
> 10 Lots	X	X		X	
Condominium/Townhouse				X	

2.2.15. DC-2: Downtown Core-2 (2/1/21, Ord. 1278)

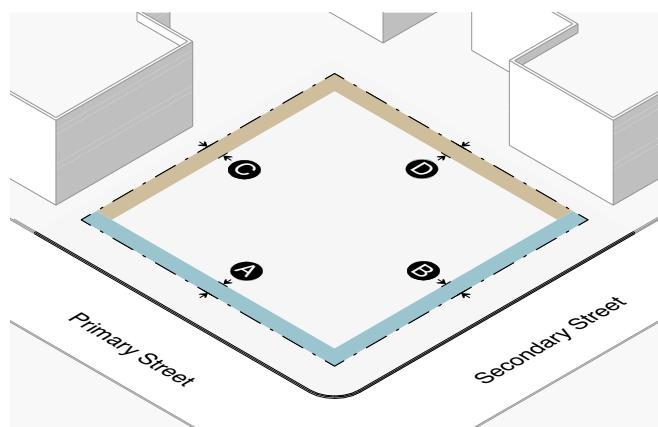
A. Intent

1. General Intent. The intent of the Downtown Core-2 (DC-2) zone is to provide for a vibrant mixed-use area with a variety of uses and amenities, consisting of wide sidewalks and buildings close to the sidewalk.
2. Buildings. Buildings can be up to 3 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Buildings are located close to the sidewalk, creating an attractive street edge. Large storefront windows, display windows, and entry features invite and encourage pedestrian activity.
3. Parking. Parking is primarily provided off-site on public lots and on-street. Parking provided on-site is underground or screened from view by buildings.
4. Land Use. Active and engaging uses are encouraged on ground floors but not required, with offices, apartments, attached dwellings, and lodging primarily located on upper stories.
5. Comprehensive Plan. Based primarily on sub area 2.3 of the Comprehensive Plan.

B. Physical Development

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

1. Lot Standards



Building Setbacks		(Sec. 9.4.8.)
Primary street setback range (min-max)	0' - 5'	A
Secondary street setback range (min-max)	0' - 5'	B
Side interior (min)	0' or 5'	C
Rear (min)	0' or 5'	D
Abutting protected zone (min)	10'	
Landscaping		(Div. 5.5.)
Landscape surface ratio (min)	n/a	
Plant units (min)	n/a	
Fencing		
Height in any street or side yard (max)	4'	
Height in rear yard (max)	6'	
Setback from pedestrian frontage (min)	1'	
Setback from side or rear lot line (min)	0'	
Parking Setbacks		(Sec. 9.4.8.)
Primary street, above ground (min)	30'	
Secondary street, surface parking (min)	30'	
Secondary street, tuck-under, enclosed, or structured parking screened by bldg. (min)	0'	
Access		
Curb cut width (max)	24'	

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 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 Dwelling (6.1.4.C.)	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)))/2.176
Apartment (6.1.4.D.)	B	n/a	n/a	0.5/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a		
Lodging					
Conventional Lodging (6.1.5.B.)	B (LO)	n/a	n/a	0.75/room	0.102 * rooms
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	0.102 * rooms
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	1.65/1,000 sf	0.000247 * sf
Retail (6.1.6.C.)	B	12,500 sf	n/a	2.25/1,000 sf	0.000216 * sf
Service (6.1.6.D.)	B	excluding basement	n/a	1.5/1,000 sf	0.000216 * sf
Restaurant/Bar (6.1.6.E.)	B	storage	n/a	1/110 sf dining area + 1/60 sf bar area	0.000599 * sf
Amusement/Recreation					
Amusement (6.1.7.B.)	B	n/a	n/a	1/60 sf seating area or independent calculation	0.000216 * 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.)	C	n/a	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	n/a	n/a	n/a	0.000123 * sf
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.5/employee + 0.5/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)				0.5/employee + 0.5/stored vehicle	0.000123 * sf
Minor	B	n/a	n/a		

Y = Use allowed, no use permit required B = Basic Use Permit (Sec. 8.4.2.) C = Conditional Use Permit (Sec. 8.4.3.)
(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.)
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
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. 8.4.2.](#)) C = Conditional Use Permit ([Sec. 8.4.3.](#))
(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	Lot Size (min)	Standards			
Allowed Subdivision Options					
Land Division	5,000 sf	Sec. 7.2.3.			
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.			
2. Residential Subdivision Requirements					
Schools and Parks Exaction					
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling				
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					
Water		public			
Sewer		public			
4. Required Subdivision and Development Option Permits					
Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)	
Land Division					
≤ 10 Lots		X		X	
> 10 Lots	X	X		X	
Condominium/Townhouse				X	

D. Development Options and Subdivision

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

1. Allowed Subdivision and Development Options					
Option	Lot Size (min)	Standards			
Allowed Subdivision Options					
Land Division	5,000 sf	<u>Sec. 7.2.3.</u>			
Townhouse Condominium Subdivision	n/a	<u>Sec. 7.2.4.</u>			
2. Residential Subdivision Requirements					
Schools and Parks Exaction					
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling				
Parks exaction	9 acres per 1,000 resident				
3. Infrastructure					
Transportation Facilities (Div. 7.6.)					
Access	required				
Right-of-way for Minor Local Road (min)	60'				
Paved travel way for Minor Local Road (min)	20'				
Required Utilities (Div. 7.7.)					
Water	public				
Sewer	public				
4. Required Subdivision and Development Option Permits					
Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)	
Land Division					
≤ 10 Lots		X		X	
> 10 Lots	X	X		X	
Condominium/Townhouse				X	

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	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

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

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	5,000 sf	Sec. 7.2.3
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4
2. Residential Subdivision Requirements		
Schools and Parks Exaction		
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling	
Parks exaction	9 acres per 1,000 resident	
3. Infrastructure		
Transportation Facilities		
Access	required	
Right-of-way for Minor Local Road (min)	60'	
Paved travel way for Minor Local Road (min)	20'	
Required Utilities		
Water	public	
Sewer	public	

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	0.000123 * sf
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	0 sf	n/a	1/employee + 1 per stored vehicle	0.000123 * sf
Major	C	0 sf	n/a		
Heliport (6.1.10.E.)	C	0 sf	n/a	7/daily aircraft movement	0.000123 * sf
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
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.E.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.)

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
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	Lot Size (min)	Standards			
Allowed Subdivision Options					
Land Division	10,000 sf	(Sec. 7.2.3.)			
Condominium/Townhouse	n/a	(Sec. 7.2.4.)			
2. Residential Subdivision Requirements					
Schools and Parks Exaction					
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling				
Parks exaction	9 acres per 1,000 resident				
3. Infrastructure					
Transportation Facilities					
Access (<u>E.3.a</u>)	required	(Div. 7.6.)			
Right-of-way for Minor Local Road (min)	60'				
Paved travel way for Minor Local Road (min)	20'				
Required Utilities					
Water	public	(Div. 7.7.)			
Sewer	public				
4. Required Subdivision and Development Option Permits					
Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)	
Land Division					
≤ 10 Lots		X		X	
> 10 Lots	X	X		X	
Condominium/Townhouse				X	

E. Additional Zone-specific Standards

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

- Parking for Industrial Uses.** Off-street parking facilities shall be located within 500 feet of the structure the parking is to serve. Off-site parking must be permanent. Leaseholds are not acceptable.

3. Maximum Scale of Use

not applicable

4. Operational Standards

Outside Storage

(Sec. 6.4.1.)

Refuse and Recycling

(Sec. 6.4.2.)

Trash and recycling enclosure required

>4 DUs and all nonresidential

Noise

(Sec. 6.4.3.)

Max sound level at property line

55 DBA

Vibration

(Sec. 6.4.4.)

Electrical Disturbances

(Sec. 6.4.5.)

Fire and Explosive Hazards

(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the MHP-ToJ zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the MHP-ToJ zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the MHP-ToJ zone, however, all standards in Article 7. are applicable in the MHP-ToJ zone, unless stated otherwise.

1. Allowed Subdivision and Development Options

Option	BSA (min)	Lot Size (min)	Density (max)	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options				subdivision prohibited		
Allowed Development Options						
Mobile Home Park	n/a		see Sec. 7.1.3. for standards	18'		(Sec. 7.1.3.)

2. Residential Subdivision Requirements

Schools and Parks Exactions

(Div. 7.5.)

School Exaction	.020 acres per 1- or 2-unit dwelling
	.015 acres per multi-unit dwelling

Park Exaction	9 acres per 1,000 resident
---------------	----------------------------

3. Infrastructure

Transportation Facilities

(Div. 7.6.)

Access	required
Right-of-way for a Minor Local Road (min)	60'
Paved travel way for a Minor Local Road (min)	20'

Required Utilities

(Div. 7.7.)

Water	public
Sewer	public

Div. 3.3. Rural Area Legacy Zones

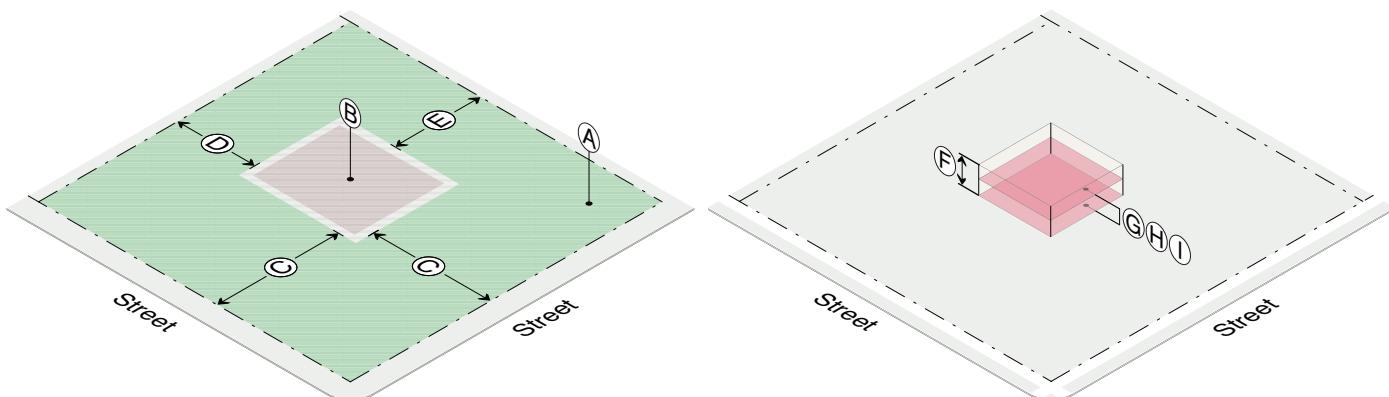
3.3.1. Rural Residential-Town (R-ToJ) (7/18/18, Ord. 1198)

A. Intent

The purpose of the Rural Residential-Town (R-ToJ) Zone classification is to preserve the existing character in rural areas of the Town, typified by expansive open areas, natural features and resources, and agricultural lands.

B. Physical Development

Standards applicable to physical development in the R-ToJ zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the R-ToJ zone. This Subsection is intended to indicate all of the physical development standards applicable in the R-ToJ zone, however, all standards in Article 5. are applicable in the R-ToJ zone, unless stated otherwise.



1. Structure Location and Mass

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)
	LSR (min)	Lot Coverage (max)	Street Setback (min)	Side Setback (min)	Rear Setback (min)	Height (max)	Stories (max)	Stories (LO) (max)	FAR (max)
Detached Dwelling	n/a	<u>E.1</u> , <u>E.2</u>	50'	30'	40'	30'	2	3	n/a
Other principal uses	n/a	n/a	50'	30'	40'	35'	2	3	n/a

Accessory uses

See standards for primary use with which associated (E.5)

Exceptions

Residential Projections. Covered and uncovered decks, porches and balconies may encroach into a front yard by not more than 6 feet. Cornices, canopies, eaves, decks, porches, bay windows, chimneys and similar architectural features may encroach into a side or rear yard by not more than 4 feet. Fire escapes may extend into a side or rear yard by not more than 4 feet. Patios which are at grade may extend to any portion of a side or rear yard.

Detached Accessory Structure Separation. 10'

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

3.3.1. Rural Residential-Town (R-ToJ) (7/18/18, Ord. 1198)

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 Dwelling (<u>6.1.4.B.</u>)	Y	0 ac	1 unit per lot	2/DU	$0.000017 * \text{sf} + (\text{Exp}(-15.49 + 1.59 * \text{Ln}(\text{sf}))) / 2.176$
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	0.000431 * sf
Institutional					
Assembly (<u>6.1.8.B.</u>)	C	0 ac	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (<u>6.1.10.C.</u>)	C	0 ac	n/a	1/employee + 1/stored vehicle	0.000123 * sf
Wireless Communications Facilities (<u>6.1.10.D.</u>)				1/employee + 1 per stored vehicle	0.000123 * sf
Minor	B	0 sf	n/a		
Accessory Uses					
Accessory Residential Unit (<u>6.1.11.B.</u> (<u>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
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. 8.4.2.) C=Conditional Use Permit (Sec. 8.4.3.)

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. 8.4.2.) C=Conditional Use Permit (Sec. 8.4.3.)

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Detached Dwelling	
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.)

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

3.3.1. Rural Residential-Town (R-ToJ) (7/18/18, Ord. 1198)

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	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	12,000 sf	(Sec. 7.2.3.)

2. Residential Subdivision Requirements

Schools and Parks Exaction

Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling
Parks exaction	9 acres per 1,000 resident

3. Infrastructure

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

4. Required Subdivision and Development Option Permits

Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X
Condominium/Townhouse				X

E. Additional Zone-specific Standards

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

1. For lots in developments with required open space, the lot coverage shall be calculated for the entire project area and allocated to each lot at the time a Development Plan is approved.
2. Impervious Surface Coverage for Residential Lots

12. Required Physical Development Permits

Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
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 (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	exempt
Residential					
Group Home (6.1.4.G.)	C	0 sf	n/a	0.5/bed	exempt
Commercial					
Office (6.1.6.B.)	C	0 sf	n/a	3.3/1,000 sf	exempt
Service (6.1.6.D.)	C	0 sf	n/a	3/1,000 sf	exempt
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	exempt
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	exempt
Amusement/Recreation					
Developed Recreation (6.1.6.D.)	C	0 sf	n/a	4.5/1,000 sf	exempt

Y=Use allowed, no permit required B=Basic Use Permit (Sec. 8.4.2.) C=Conditional Use Permit (Sec. 8.4.3.)

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	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	n/a	(Sec. 7.2.3.)
Condominium/Townhouse	n/a	(Sec. 7.2.4.)
2. Residential Subdivision Requirements		
Schools and Parks Exactions		
Schools exaction	.020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling	
Parks exaction	9 acres per 1,000 resident	
3. Infrastructure		
Transportation Facilities		(Div. 7.6.)
Access	required	
Required Utilities		(Div. 7.7.)
Water	public	
Sewer	public	

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)	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options						
Land Division	n/a	n/a	n/a	determined by physical development	(Sec. 7.2.3.)	
Condominium/Townhouse	n/a	n/a	n/a	determined by physical development	(Sec. 7.2.4.)	
2. Residential Subdivision Requirements						
Schools and Parks Exactions						(Div. 7.5.)
Schools exaction				0.02 acres per 1- or 2-unit dwelling		
				0.015 acres per multi-unit dwelling		
Parks exaction					9 acres per 1,000 resident	
3. Infrastructure						
Transportation Facilities						(Div. 7.6.)
Access						required
Required Utilities						(Div. 7.7.)
Water						public
Sewer						public

Div. 5.4. Natural Hazard Protection Standards

The purpose of this Division is to limit development in naturally hazardous areas.

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

5.4.1. Steep Slopes (7/18/18, Ord. 1197)

A. Slopes in Excess of 25%

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

B. Exceptions

1. **Manmade Slopes.** Physical development on manmade slopes is permitted, provided that the proposed finish grade complies with all other applicable standards of these LDRs.
2. **Small Slopes.** Physical development of isolated slopes that cover less than 1,000 square feet and have less than 10 feet of elevation change is permitted.
3. **Essential Access.** Physical development of steep slopes is permitted to provide essential access for vehicles and/or utilities when no other alternative access exists.

C. Standards in Hillside Areas

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

1. **Definition.** For purposes of this Section, hillside areas within the Town of Jackson shall be defined as any lot of record which has an average cross-slope (in any direction) of 10% or greater. This definition shall include any lot of record upon which proposed physical development, use, development option, or subdivision may affect any portion of said lot of record having a slope of 10% or greater, even though the average cross-slope of the subject property may be less than 10%.
2. **Applicability and Exceptions.** The requirements and procedures of this Subsection shall apply when any hillside area is proposed for subdivision, lot split, or development or terrain disturbance of any kind, including a building permit. The only exception shall be in the case of a detached dwelling on a lot which has been legally platted prior November 9, 1994.
3. **Conditional Use Permit Required.** Prior to any terrain disturbance, removal of vegetation, or any physical development, use, development option, or subdivision, a Conditional Use Permit shall be required.

Div. 5.5. Landscaping Standards

5.5.1. Purpose (1/1/15, Ord. 1074)

A. General Purpose

The purpose of these landscaping standards is to assist in maintaining the character of the zones by providing minimum planting, buffering, and screening around and within physical development. Landscape surface area and/or plant units are required for both residential and nonresidential use based upon the zone in which the use is located.

5.5.2. Landscape Plan (1/1/15, Ord. 1074)

A. General

A landscape plan shall be submitted for review, along with the appropriate application for a physical development permit for all physical development except that detached dwellings shall be exempted from the provisions of this Section, but shall be landscaped in accordance with the remaining standards of this Division.

B. Standards

The landscape plan shall comply with the following standards.

1. **Landscape Architect Required.** A landscape plan shall be prepared by a landscape architect registered in the State of Wyoming.
2. **Approval and Bond Required.** Prior to issuance of any physical development permit that requires a landscape plan, a performance bond for completion of the approved landscape plan shall be submitted to the Planning Director pursuant to Sec. 8.2.11.

C. Requirements of Landscape Plan

The landscape plan shall include the following elements.

1. **Mapping of Existing Vegetation.** A map identifying all deciduous trees of 3 inches in caliper or greater, and all coniferous trees of 3 inches in caliper or greater, within an area proposed for clearing and within 25 feet of any area to be cleared. In addition, all trees or shrubs proposed to be retained and counted towards complying with the landscaping standards of this Division shall be mapped. This mapping requirement may be combined with the mapping completed pursuant to Sec. 8.2.2.
2. **Calculation to Determine Required Landscaping.** A summary of all calculations used to determine the total amount of landscaping required.
3. **Plant Schedule.** A plant schedule, identifying symbols, quantity, size, and type of all proposed landscaping and existing vegetation that is proposed for credit.
4. **Planting Plan.** The planting plan shall indicate the location of all proposed landscaping and existing landscaping that is proposed for credit.

5. **Irrigation Statement.** An irrigation statement describing how plant material will be irrigated for a minimum 2 year period or until plant establishment.
6. **Erosion Control.** A description of how erosion is to be controlled on-site, both permanently and during construction.
7. **Cost Estimates.** Cost estimates to implement the landscape plan.

5.5.3. Required Plant Units (7/18/18, Ord. 1197)

A. General

1. **Sum of All Requirements.** The plant units required shall be the sum of all of the plant units prescribed by the standards of this Section.

EXAMPLE: A nonresidential development with a parking lot shall provide the plant units required for the nonresidential development and the plant units required for the parking lot.

2. **Measurement.** One plant unit shall be the minimum amount provided by any development; fractional plant units of one-half or more shall be treated as a requirement of one plant unit.
3. **Credit for Existing Vegetation.** Retention of existing vegetation is encouraged. Any retained existing plant material which satisfies, or with 5 years of growth would satisfy, the required plant units shall be counted towards satisfying the required plant units.

B. Requirements

Except as specified below, plant units shall be provided at a rate of one plant unit per 1,000 square feet of required landscaped surface area.

1. **Nonresidential in the R-ToJ.** Nonresidential development in the R-ToJ zone shall be provided at a rate of one plant unit per 1,000 square feet of gross floor area.
2. **Residential in Legacy Zones.** All new residential development in a Legacy Zone (Div. 2.3. & Div. 3.3.) shall provide one plant unit per dwelling unit.
3. **Location of Plant Units in Single Dwelling Subdivisions.** For residential development within single dwelling subdivisions, the landscaping required per dwelling unit shall be located on each lot of record.

- c. A residential unit(s) that is a Registered Historic Resource structure, or that is contained within such a structure, shall not count as a dwelling unit for the purpose of maximum density limitations.

4. Minimum Lot Size

The minimum lot size limit on a property with a structure listed on the Jackson Historic Register may be eliminated for the purpose of separating the historic property on an individual lot. However, all resulting lots shall meet all applicable requirements of the LDRs with the exception that the Registered Historic Resource may be as close as 5 feet from any newly created rear setback. In addition, the Registered Historic Resource shall be protected in perpetuity on the lot (repositioning allowed) by the recordation of an historic preservation easement.

5. Workforce Housing Mitigation

- a. Uses within a Registered Historic Resource are exempt from the affordable workforce housing mitigation requirements in [Div. 6.3.](#) (see [6.3.2.C.3](#) for full text).
- b. Any addition to a Registered Historic Resource that receives approval of a Certificate of Appropriateness shall be exempt from the affordable workforce housing mitigation requirements in [Div. 6.3.](#) (see [6.3.2.C.3](#) for full text).
- c. For any property with a Registered Historic Resource, the landowner may transfer or sell any unused housing mitigation credits to another property in the TS-1, TS-2, DC-1, DC-2, CR-1, CR-2, CR-3, BP, NM-2, or NH-1 zone. To calculate the amount of the credit, the Town will assume the following:
 - 1) for a residential zone, the credit assumes 100% Detached Dwelling development; 2) for a mixed-use zone, the credit assumes 100% Retail development.

EXAMPLE: For a 7,500 sf property with a 1.3 FAR and existing 1,500 sf historic structure, the housing mitigation credit would be calculated as follows: 9,750 sf (total FAR) sf of credit available to be transferred (i.e., floor area of existing historic structure is not counted). This 9,750 sf then needs to be converted to a mitigation requirement assuming 100% Retail development. Using the Town's workforce housing calculator, this yields a total credit of approximately 2.1 mitigation units.

6. Transfer of Development Rights (TDR) for Historic Preservation

Properties with a Registered Historic Resource may transfer or sell unused floor area (Transferred Floor Area) to another eligible property according the standards in this subsection.

Use Schedule: Town Character Zones															
USE CATEGORY	Complete Neighborhood Zones													Rural Area Zones	Def/ Stds
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Open Space															6.1.3
Agriculture	B	B	B	B	B	B	--			--	--	--	--	--	6.1.3.B
Outdoor Recreation	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.3.C
Residential															6.1.4
Detached Dwelling	Y	Y	Y	Y	Y ^z	Y	Y	Y	--	--	--	--	--	--	6.1.4.B
Attached Dwelling	--	--	--	--	B ^z	B	B ^z	B	B	B	B	B	B	--	6.1.4.C
Apartment	--	--	--	--	B ^z	B	B ^z	B	B	B	B	B	B	--	6.1.4.D
Mobile Home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.4.E
Group Home	C ^z	C ^z	--	--	C	C	B	C	C	C	C	C	C	--	6.1.4.F
Lodging															6.1.5
Conventional Lodging	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.B
Short-Term Rental Unit	--	--	--	--	--	--	--	--	B(LO)	B(LO)	B(LO)	--	--	--	6.1.5.C
Commercial															6.1.6
Office	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.6.B
Retail	--	--	--	--	--	--	--	--	B	B	B	B	B ^z	--	6.1.6.C
Service	--	--	--	--	--	--	--	--	B	B	B	B	B ^z	--	6.1.6.D
Restaurant/Bar	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.6.E
Heavy Retail/Service	--	--	--	--	--	--	--	--	--	--	--	C	--	--	6.1.6.F
Mini-Storage Warehouse	--	--	--	--	--	--	--	--	--	--	--	B	--	--	6.1.6.G
Nursery	--	--	--	--	--	--	--	--	--	--	--	C	--	--	6.1.6.H
Amusement/Recreation															6.1.7
Amusement	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.7.B
Developed Recreation	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.7.D
Outfitter/Tour Operator	--	--	--	--	--	--	--	--	C	B	B	B	B	--	6.1.7.E
Adult Entertainment Business	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.7.F
Institutional															6.1.8
Assembly	C	C	--	--	C	--	C	C	C	C	C	C	C	--	6.1.8.B
Daycare/Education	--	--	--	--	--	--	--	--	B	B	B	B	B	--	6.1.8.C

Y = Use allowed, no use permit required (LO) = Only allowed in Lodging Overlay -- = Use not allowed

B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required

^z = Use subject to zone specific standards

Use Schedule: Town Character Zones														Rural Area Zones	Def/Std
USE CATEGORY	Complete Neighborhood Zones														
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	
Industrial															6.1.9
Light Industry	--	--	--	--	--	--	--	--	--	--	--	--	B ^z	--	6.1.9.B
Heavy Industry	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.C
Disposal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.9.D
Transportation/Infrastructure															6.1.10
Parking	--	--	--	--	--	--	--	--	C	C	C	C	--	--	6.1.10.B
Utility Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	--	6.1.10.C
Wireless Communication Facilities															
Minor	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.10.D
Major	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Heliport	--	--	--	--	--	--	--	--	--	--	C	--	--	--	6.1.10.E
Accessory Uses															6.1.11
Accessory Residential Unit	B ^z	B ^z	B ^z	B ^z	--	B ^z	--	--	B	B	B	B	B	--	6.1.11.B
Bed and Breakfast	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.11.C
Home Occupation	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.D
Home Business	C	C	C	C	C	C	C	C	--	--	--	--	--	--	6.1.11.E
Home Daycare	B	B	B	B	B	B	B	B	B	B	B	B	B	--	6.1.11.F
Home Daycare Center	C	C	--	--	C	--	C	C	--	--	--	--	--	--	6.1.11.G
Drive-In Facility	--	--	--	--	--	--	--	--	--	--	B	--	--	--	6.1.11.H
Temporary Uses															6.1.12
Christmas Tree Sales	--	--	--	--	--	--	--	--	Y	Y	Y	Y	--	--	6.1.12.B
Real Estate Sales Office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.12.C
Temporary Shelter	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.D
Farm Stand	--	--	--	--	--	--	--	--	B	B	B	B	--	--	6.1.12.E
Temp. Gravel Extraction and Processing	B	B	B	B	B	B	B	B	--	--	--	--	--	--	6.1.12.F

Y = Use allowed, no use permit required (LO) = Only allowed in Lodging Overlay -- = Use not allowed

B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required

^z = Use subject to zone specific standards

Use Schedule: Town Legacy Zones								
USE CATEGORY	Complete Neighborhood Zones				Rural Area Zones R-ToJ	Civic Zones		Def/ Stds
	TS	UC	BP-ToJ	MHP-ToJ		P/SP-ToJ	P-ToJ	
Open Space								6.1.3
Agriculture	--	--	--	--	B	Y	Y	6.1.3.B
Outdoor Recreation	--	--	C	--	C	C	C	6.1.3.C
Residential								6.1.4
Detached Dwelling	--	Y	--	--	Y	--	--	6.1.4.B
Attached Dwelling	--	B ^z	--	--	--	--	--	6.1.4.C
Apartment	--	B ^z	--	--	--	--	--	6.1.4.D
Mobile Home	--	--	--	B ^z	--	--	--	6.1.4.E
Group Home	--	C	--	--	C ^z	C	--	6.1.4.F
Lodging								6.1.5
Conventional Lodging	C(LO)	B(LO)	--	--	--	--	--	6.1.5.B
Short-Term Rental Unit	C(LO)	B(LO)	--	--	--	--	--	6.1.5.C
Commercial								6.1.6
Office	B	B	--	--	--	C	--	6.1.6.B
Retail	B	B	--	--	--	--	--	6.1.6.C
Service	B	B	--	--	--	C	--	6.1.6.D
Restaurant/Bar	B	B	--	--	--	--	--	6.1.6.E
Heavy Retail/Service	--	--	B	--	--	C	--	6.1.6.F
Mini-Storage Warehouse	--	--	B	--	--	C	--	6.1.6.G
Nursery	--	--	C	--	C	--	--	6.1.6.H
Amusement/Recreation								6.1.7
Amusement	C	C	--	--	--	--	--	6.1.7.B
Developed Recreation	--	B	C	--	--	C	--	6.1.7.D
Outfitter/Tour Operator	--	C	C	--	--	--	--	6.1.7.E
Adult Entertainment Business	--	--	C	--	--	--	--	6.1.7.F
Institutional								6.1.8
Assembly	--	C	C	--	C	C	--	6.1.8.B
Daycare/Education	--	B	C	--	--	C	--	6.1.8.C

Key: Y = Use allowed, no use permit required -- = Use not allowed ^z = Use subject to zone specific standards

(LO) = Only allowed in Lodging Overlay (OF) = Only allowed in Office Overlay

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Use Schedule: Town Legacy Zones								
USE CATEGORY	Complete Neighborhood Zones				Rural Area Zones R-ToJ	Civic Zones		Def/ Stds
	TS	UC	BP-ToJ	MHP-ToJ		P/SP-ToJ	P-ToJ	
Industrial								6.1.9
Light Industry	--	--	B	--	--	C	--	<u>6.1.9.B</u>
Heavy Industry	--	--	C	--	--	C	--	<u>6.1.9.C</u>
Disposal	--	--	C	--	--	C	--	<u>6.1.9.D</u>
Transportation/Infrastructure								6.1.10
Parking	--	--	--	--	--	C	--	<u>6.1.10.B</u>
Utility Facility	--	C	C	C	C	C	C	<u>6.1.10.C</u>
Wireless Communication Facilities								
Minor	B	B	B	B	B	B	B	<u>6.1.10.D</u>
Major	--	--	C	--	--	C	C	
Heliport	--	--	C	--	--	C	--	<u>6.1.10.E</u>
Accessory Uses								6.1.11
Accessory Residential Unit	B	B	C	--	B	B	--	<u>6.1.11.B</u>
Bed and Breakfast	--	B(LO)	--	--	--	--	--	<u>6.1.11.C</u>
Home Occupation	B	B	B	B	B	B	--	<u>6.1.11.D</u>
Home Business	--	B	--	--	C	--	--	<u>6.1.11.E</u>
Home Daycare	--	B	B	--	B	--	--	<u>6.1.11.F</u>
Home Daycare Center	--	B	C	--	--	B	--	<u>6.1.11.G</u>
Drive-In Facility	--	B	--	--	--	--	--	<u>6.1.11.H</u>
Temporary Uses								6.1.12
Christmas Tree Sales	--	Y	Y	--	Y	Y	Y	<u>6.1.12.B</u>
Real Estate Sales Office	--	--	B	--	B	--	--	<u>6.1.12.C</u>
Temporary Shelter	--	B	--	B	B	--	--	<u>6.1.12.D</u>
Farm Stand	--	B	--	--	B	B	--	<u>6.1.12.E</u>
Temp. Gravel Extraction and Processing	--	B	B	B	B	B	B	<u>6.1.12.F</u>

Key: Y = Use allowed, no use permit required -- = Use not allowed ^z = Use subject to zone specific standards

(LO) = Only allowed in Lodging Overlay (OF) = Only allowed in Office Overlay

B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required

b. Does Not Include:

- i. Golf course

2. Standards

- a. **Operations Plan.** An outdoor recreation use shall be subject to an operations plan approved as part of its use permit. The purpose of the operations plan is to outline management practices and techniques to mitigate the impact of the use on natural resources and neighboring properties. The operations plan shall address the following, if applicable.
 - i. Strategies or mitigation measures to minimize glare from night lighting; and
 - ii. Hours of operation.

6.1.4. Residential Uses (7/18/18, Ord. 1198)

A. All Residential Uses

1. **Definition.** A residential use is a living facility, certified under the International Residential or Building Code or by HUD, that includes permanent provision for living, sleeping, eating, cooking, and sanitation.

2. Standards

- a. No residential unit or portion of a residential unit may be rented such that occupancy is limited to less than 31 days. Short-term rental of less than 31 days shall be considered a lodging use subject to the standards of Sec. 6.1.4. A time-share condominium is considered a residential use as long as the ownership intervals are 31 days or longer. Any ownership intervals of less duration shall be considered a lodging use.
- b. A residential unit shall have a maximum of one kitchen.
- c. Occupancy of a camping unit is not a residential use. A camping unit may only be occupied as permitted by 6.1.12.D.
- d. Occupancy Requirements for International Residential Code (IRC) Structures
 - i. Structures 3,000 square feet or less: 1 person per 200 square feet or 4 persons per bathroom, whichever is greater.
 - ii. Structures 3,001 square feet or more: 1 person per 200 square feet or 4 persons per bathroom, whichever is less.
 - iii. Bathroom shall be defined as: a space containing at least one toilet, one sink, and one bathtub or shower.

e. Occupancy Requirements for International Building Code (IBC) Structures

- i. Shall be pursuant to the IBC.

B. Detached Dwelling

1. **Definition.** A detached dwelling is a single residential unit occupied by not more than one household unit having no roof, wall, or floor in common with any other residential unit or nonresidential unit, except as modified below.

- a. **Includes:**

- i. Detached dwellings attached to accessory residential units
- ii. Detached townhouse units

C. Attached Dwelling

1. **Definition.** An attached dwelling is a residential unit occupied by not more than one household unit, which is connected to at least one other dwelling unit or nonresidential unit by one or more common walls.

- a. **Includes:**

- i. Attached townhouse unit
- ii. Condominium

- b. **Does Not Include:**

- i. Apartments
- ii. Attached dwellings attached to accessory residential units

D. Apartment

1. **Definition.** An apartment is a dwelling that cannot be owned as a separate, single unit.

2. **Does Not Include:**

- a. Townhouse
- b. Condominium
- c. Accessory residential unit

E. Mobile Home

1. **Definition.** A mobile home is a movable or portable dwelling unit, built on a chassis or frame, for use with or without a permanent foundation, fabricated in an off-site location, which conforms to the applicable US Housing and Urban Development (HUD) construction and safety standards as amended, and is intended for occupancy as a detached dwelling when connected to utility systems.

a. Includes:

- i. Manufactured home

b. Does Not Include:

- i. Camping Unit
- ii. Homes built to meet the requirements of the International Residential or Building Code

2. Standards

- a. The mobile home shall be of a color and placed or landscaped in such a way as to be visually unobtrusive.
- b. The mobile home's roof shall use nonmetallic, nonreflective materials and shall have a minimum pitch of 3 in 12.
- c. The mobile home shall be skirted.

F. [subsection deleted]

G. Group Home

- 1. **Definition.** A group home is a residential unit, which typically offers shelter, medical and mental health services, and other care-related services to residents.
 - a. Includes:
 - i. nursing homes and various assisted living centers
 - ii. group living facilities with related sheltered care facilities
 - iii. residential facilities for the developmentally disabled including on-site training facilities

2. Standards

- a. **Maximum density.** For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

6.1.5. Lodging Uses (7/18/18, Ord. 1196)

A. All Lodging Uses

- 1. **Definition.** A lodging use is a sleeping unit or residential unit rented such that occupancy is limited to less than 31 days.
- 2. **Establishment of Lodging Overlay (LO)**

There is hereby established the Lodging Overlay (LO) which, in areas where it applies, shall overlay all other base zones established by these LDRs.

- c. Providers of overhead utilities shall be given an opportunity to review the approach corridors and plans. Any marking of utility lines in the area requested by the providers shall be done at the developer's expense.
- d. In order to minimize noise and other negative impacts on the general public, commercial air tour operations are prohibited.

6.1.11. Accessory Uses (7/18/18, Ord. 1196)

A. All Accessory Uses

- 1. **Definition.** An accessory use is a use that constitutes a minority of the use or character of the property and is secondary and subordinate to another use of the same property, but which is not an incidental use.
- 2. **Standards**
 - a. An accessory use may only be permitted in association with an active, primary use designated for the accessory use.
 - b. An accessory use must be abandoned upon abandonment of its primary use.
 - c. An accessory use shall be subject to all dimensional limitations and other development standards applicable to its primary use unless otherwise provided in this Section.
 - d. A property with an accessory use shall not be subdivided in any way that results in the accessory use being owned separately from its primary use.

B. Accessory Residential Unit (ARU)

- 1. **Definition.** An accessory residential unit (ARU) is a dwelling unit that is secondary to a principal use of the property. The intent is that accessory residential units provide workforce housing.

- a. **Includes:**
 - i. employee apartment
 - ii. caretaker's quarters
 - iii. mother-in-law suite
 - iv. guesthouse

- b. **Does Not Include:**
 - i. Mobile Home

- 2. **Primary Uses:**
 - a. All open space uses
 - b. Detached Dwelling

- c. All lodging uses
- d. All commercial uses
- e. All amusement and recreation uses
- f. All institutional uses
- g. All industrial uses

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 household unit occupying the principal dwelling unit, such as parents or adult children; or
 - iii. The occupants shall be intermittent, nonpaying guests of the household unit occupying the primary Detached Dwelling.
- 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 Dwelling
- 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 communal 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.

F. Home Daycare

1. **Definition.** A home daycare is the provision of care, for hire, for part of a day, in a household setting. The intent of a home daycare is to give small, local businesses a place to start. Home daycares are intended to be at a residential scale; once they grow beyond a certain size they can no longer be characterized as home daycares.
2. **Primary Uses**
 - a. All residential uses
 - b. Accessory residential unit
3. **Standards**
 - a. A home daycare shall provide care for no more than 10 persons.
 - b. A home daycare shall be operated by a person residing within the dwelling.
 - c. A home daycare shall comply with the relevant provisions of the Wyoming Statutes and with local health, safety, and fire codes.

G. Home Daycare Center

1. **Definition.** A home daycare center is the provision of care, for hire, for part of a day, in a household setting. The intent of a home daycare center is to give small, local businesses a place to start. Home daycare centers are intended to be at a residential scale; once they grow beyond a certain size they can no longer be characterized as home daycare centers.
2. **Primary Uses**
 - a. All residential uses
 - b. Accessory residential unit
3. **Standards**
 - a. A home daycare center shall provide care for no more than 15 persons.
 - b. A home daycare center shall comply with the relevant provisions of the Wyoming Statutes and with local health, safety and fire codes.

H. Drive-in Facility

1. **Definition.** A drive-in facility is a commercial use catering to customers in vehicles.
 - a. **Includes:**
 - i. drive-in restaurants
 - ii. drive-in banking facilities
 - iii. drive-thru pharmacy

Div. 6.2. Parking and Loading Standards

6.2.1. Purpose (3/22/15, Ord. 1170)

This Division establishes parking and loading standards for various uses. The standards are intended to lessen congestion on streets and to ensure an adequate supply of parking and loading spaces within a reasonable distance of development.

6.2.2. Required Parking and Loading (7/18/18, Ord. 1198)

A. Required Parking

The table below establishes the minimum required parking spaces that shall be provided for each use in these LDRs, unless otherwise specified in Subsection C.2 of a specific zone. Where a minimum requirement is not listed in the table it shall be determined by the Planning Director upon finding the proposed use has need for parking. Calculations that reference floor area shall be based on the gross floor area. Calculations that reference employees shall be based on the maximum number of employees normally on duty at any one time.

Required Parking		
Use	Parking Spaces	Queuing Spaces
Open Space Uses		
Agriculture	n/a	
Outdoor recreation	independent calculation	
Residential Uses		
Detached dwelling	2 per DU	
Attached dwelling	2 per DU +0.5 per DU if ≥ 3 units served by lot	
Apartment	2 per DU +0.5 per DU if ≥ 3 units served by lot	
Mobile home	2 per DU	
Group home	0.5 per bed	
Lodging Uses		
Conventional lodging	0.75 per LU + 1 per 150 sf assembly area	
Short-term rental	2 per LU	
Campground	1 per campsite +1 per 7.5 campsites	
Commercial Uses		
Office	3.3 per 1,000 sf	
Retail	4.5 per 1,000 sf	
Service	3 per 1,000 sf	
Restaurant/Bar	1 per 55 sf dining area + 1 per 30 sf bar area	
Heavy retail/Service	2 per 1,000 sf + 3 per repair bay + 1 per wash bay	2 per wash bay
Mini-storage warehouse	1 per 10 storage units + 1 per employee	
Nursery	2 per 1,000 sf + 1 per 4,000 sf outdoor display area + 1 per employee	

Required Parking		
Use	Parking Spaces	Queuing Spaces
Amusement/Recreation Uses		
Amusement	1 per 30 sf seating area or independent calculation	
Developed recreation	4.5 per 1,000 sf	
Outfitter/Tour operator	independent calculation	
Adult Entertainment Business	1 per 30 sf seating area or independent calculation	
Institutional Uses		
Assembly	independent calculation	
Daycare/Education	independent calculation	
Industrial Uses		
Light industry	1 per 1,000 sf + 1 per company vehicle	
Heavy industry	2 per 1,000 sf + 1 per company vehicle	
Disposal	1 per employee	
Infrastructure Uses		
Parking	n/a	
Utility facility	1 per employee + 1 per stored vehicle	
Wireless communication facility	1 per employee + 1 per stored vehicle	
Heliport	7 per daily aircraft movement	
Accessory Uses		
Accessory residential unit	1.25 per DU	
Bed and breakfast	0.75 per LU	
Home occupation	n/a	
Home business	1 per employee	
Home daycare	1 per employee	1 off-street for pick-up
Home daycare center	1 per employee	2 off-street for pick-up
Drive-in facility	n/a	3 per service lane
Temporary Uses		
Christmas tree sales	1 per 1,000 sf outdoor display area + 1 per employee	
Real estate sales office	3.3 per 1,000 sf	
Temporary shelter	2 per DU	
Farm stand	5 per 1,000 sf display area	
Temporary gravel extraction	1 per employee	

- Administrative Adjustment.** The Planning Director may establish a lesser parking requirement pursuant to the procedure of [Sec. 8.8.2](#) based on information from reliable sources that demonstrates a lesser standard is workable due to anticipated parking demand and alternative transportation services available.

C. Display of Vehicles for Sale

Vehicles shall not be displayed for sale in nonresidential parking areas except licensed bona-fide automobile dealerships, and excepting casual display by vehicle owners who are employees or patrons present on the premises at the times of such display.

D. Repair Work Prohibited

No repair work that renders the vehicle inoperable for more than 24 hours shall be permitted on off-street parking or loading facilities.

E. Snow Storage Prohibited

The storage of plowed snow for more than 48 hours is prohibited in required off-street parking and loading areas.

6.2.5. Off-Street Parking and Loading Design Standards (1/1/15, Ord. 1074)

All off-street parking and loading facilities shall meet the following design standards:

A. Surface and Drainage

1. **Paving Required.** Outdoor, off-street parking and loading areas, aisles and access drives shall be paved, except parking areas, aisles and access drives for detached dwellings which may be gravel.
2. **Paving Standards.** Paved parking and loading areas, aisles and access drives shall be paved with concrete, grasscrete, paving blocks, asphalt, or another all weather surface.
3. **Landscape Islands.** Parking lots shall include landscaped islands to avoid large expanses of asphalt and shall be screened from off-site, or their view substantially filtered by vegetation.
4. **Compaction and Drainage.** Parking and loading areas, aisles, and access drives shall be compacted and paved or surfaced in conformity with applicable specifications to provide a durable surface, shall be graded and drained so as to dispose of surface water runoff without damage to private or public land, roads, or alleys, and shall conform with any additional standards for drainage prescribed by these LDRs, or other applicable regulations and standards.

B. Access and Circulation Standards

1. **Unobstructed Access.** Each required parking space shall have unobstructed access from a road or alley, or from an aisle or drive connecting with a road or alley except for approved tandem parking.

2. **Tandem Parking.** Tandem parking (one vehicle parking directly behind another) is not permitted, and shall not be credited toward meeting any parking requirement of this Division except for residential uses not exceeding 4 units on one lot, provided that the tandem parking spaces are assigned to the same residential unit.
3. **Backing onto Roads and Public Streets Prohibited.** Except for parking facilities serving lots for detached dwellings and parking facilities accommodating 4 vehicles or less, all off-street parking spaces shall open directly onto a parking aisle and be designed so that it will not be necessary for vehicles to back out into any road or public street.
4. **Traffic Interference Prohibited.** All off-street parking and loading facilities shall be designed with access to a street or alley in one or more locations which cause the least interference with traffic movements.
5. **Nonresidential Use Access Drive Width.** Access drives to nonresidential uses shall have a minimum width of 15 feet for drives posted as one-way, or 24 feet for two-lane and 36 feet for three-lane drives.
6. **Access Drive Intersections.** Intersections of parking lot aisles shall be at least 40 feet from a curb cut.

C. Snow Storage Standards

All parking and loading areas shall comply with the following snow storage standards.

1. **General.** Adequate on-site snow storage areas shall be developed to accommodate snow removed from off-street parking and loading areas or the removal of snow from elsewhere on the site.
2. **On-Site Snow Storage Standards for Parking and Loading Area.** If an off-site snow repository is not used, adequate on-site snow storage shall be provided using the following standards:
 - a. A minimum site area representing 2.5% of the total required off-street parking and loading area, inclusive of aisles and access drives, shall be provided as the snow storage area.
 - b. Adequate drainage of the snow storage area shall be provided to accommodate snowmelt, and no snowmelt shall drain onto contiguous lands.
 - c. Required yards and open space may be used to accommodate the required snow storage area, including landscaped areas properly designated for snow storage. However, stored snow shall not restrict access and circulation, nor create a visual obstruction for motorists and pedestrians.

EXAMPLE: On December 18, 1995 the use of a property was a restaurant/bar. In 2000 the use of the property changed to retail. In 2010 the use of the property changed to office. The exiting use for the purpose of this standard is restaurant/bar because restaurant/bar use has the highest affordable workforce housing requirement of the legal uses since December 18, 1995.

EXAMPLE: An office space built as permitted in 2004 is considered existing for the purpose of this standard, regardless of the employee mitigation provided in 2004.

- a. This definition of existence shall not apply to an attached dwelling or apartment for which housing mitigation has not been provided. (It shall apply to other residential uses.)

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.

2. **Other types of development.** This division only applies to new building and use. A non-building physical development, development option, or subdivision is not employee generating development and not subject to this Division, except that [4.3.1.F.6](#) requires a Planned Resort Master Plan to include an estimation of the affordable workforce housing that will be required for the entire resort and a housing mitigation plan for the entire resort.

EXAMPLE: This Division does not apply to an application for a single dwelling subdivision. This Division will be applied to each lot in the subdivision at the time a building permit is submitted.

B. Approved Unbuilt Development

1. **Approval prior to December 18, 1995.** Employee generating development approved prior to December 18, 1995 which has not yet been developed shall also be subject to this Division upon submittal of any required application to complete the development.

EXAMPLE: There is no “credit” for an existing vacant lot. A subdivision completed in 1992 approved construction of a detached dwelling on each of the lots in the subdivision. Upon application for a building permit to build a unit on one of the lots in the subdivision, this Division shall apply.

EXAMPLE: A Planned Unit Development approved in 2004 allows commercial and residential development on a site, but does not include a specific housing mitigation plan outlining the required number of affordable and employee housing units. Upon application for a development plan, building permit, or use permit under that PUD this Division shall apply.

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 3 building development and included a Housing Mitigation Plan. Only 1 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 1 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.

C. Exemptions

The following are exempt from the standards of this Division.

1. **Housing Department Unit.** A residential unit subject to a deed restriction administered by the Housing Department.
2. **Other Workforce Housing.** A residential unit subject to a deed restriction administered by the Jackson Hole Community Housing Trust or Habitat for Humanity of the Greater Teton Area; or an apartment in the NL-5 zone.
3. **Historic Building.** Use of a building included on the Jackson Historic Register. Furthermore, any addition to a Registered Historic Resource that obtains approval of a Certificate of Appropriateness is exempt from affordable workforce mitigation requirements..

EXAMPLE: A 2,000 square foot historic cabin used currently as an office but being converted into a restaurant would be exempt from this Division. Furthermore, a 3,000 sf addition that gets a Certificate of Appropriateness is also exempt from the mitigation requirements. .

4. **Agriculture.** An agriculture use (6.1.3.B.).
5. **Replacement after Damage by Natural Disaster.** Replacement of an attached dwelling (6.1.4.C.) or apartment (6.1.4.D.) that is demolished or destroyed by a natural disaster or through any manner not willfully accomplished by the owner, regardless of the extent of the demolition or destruction. The replacement shall be complete, or an application to complete shall be sufficient, within 18 months of the date of destruction.
6. **Mobile Home.** A mobile home (6.1.4.E.) or mobile home park (Sec. 7.1.4.).
7. **Group Home.** A group home (6.1.4.F.).
8. **Daycare.** A day care or early childhood education use.

9. **Accessory Use.** An accessory use (Sec. 6.1.11.).
10. **Temporary Use.** A temporary use (Sec. 6.1.12.).
11. **Workforce Housing Unit Incentive.** A residential unit approved pursuant to Div. 7.8., whether deed restricted or not.
12. **Public/Semi-Public Zone.** Employee generating development in the public/semi-public zone.

6.3.3. Amount of Affordable Workforce Housing Required

(12/23/20, Ord. 1270)

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 Dwelling (<u>6.1.4.B.</u>) (Non-Local Occupancy, <u>A.8</u>)	$0.000017 * \text{sf} + (\text{Exp}(-15.49 + 1.59 * \text{Ln(sf)})) / 2.176$
Detached Dwelling (<u>6.1.4.B.</u>) (Local Occupancy, <u>A.8</u>)	$0.000017 * \text{sf} + (\text{Exp}(-16.14 + 1.59 * \text{Ln(sf)})) / 2.176$
Attached Dwelling (<u>6.1.4.C.</u>), Apartment (<u>6.1.4.D.</u>) (Non-Local Occupancy, <u>A.8.</u>)	$0.000017 * \text{sf} + (\text{Exp}(-14.17 + 1.59 * \text{Ln(sf)})) / 2.176$
Attached Dwelling (<u>6.1.4.C.</u>), Apartment (<u>6.1.4.D.</u>) (Local Occupancy, <u>A.8</u>)	$0.000017 * \text{sf} + (\text{Exp}(-14.82 + 1.59 * \text{Ln(sf)})) / 2.176$
Conventional Lodging (<u>6.1.5.B.</u>), Short-Term Rental Unit (<u>6.1.5.C.</u>)	0.102 * room
Office (<u>6.1.6.B.</u>)	0.000247 * sf
Retail (<u>6.1.6.C.</u>), Service (<u>6.1.6.D.</u>), Nursery (<u>6.1.6.H.</u>), Amusement (<u>6.1.7.B.</u>), Adult Entertainment Business (<u>6.1.7.F.</u>)	0.000216 * sf
Restaurant/Bar (<u>6.1.6.E.</u>)	0.000599 * sf
Mini-Storage Warehouse (<u>6.1.6.G.</u>)	0.000007 * sf
Heavy Retail/Service (<u>6.1.6.F.</u>), Industrial Uses (<u>Sec. 6.1.9.</u>), Transportation/ Infrastructure Uses (<u>Sec. 6.1.10.</u>)	0.000123 * sf
Outdoor Recreation (<u>6.1.3.C.</u>), Developed Recreation (<u>6.1.7.D.</u>), Outfitter/Tour Operator (<u>6.1.7.E.</u>), Institutional Uses (<u>Sec. 6.1.8.</u>)	independent calculation

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 building or use (6.3.2.A.1), the amount of affordable workforce housing required shall be calculated based on the difference between the requirement for the proposed and existing employee generating development.

EXAMPLE: A 5,000 sf office building proposing to add 1,500 sf would be required to provide 0.37 affordable workforce housing units ($0.000247 * 6,500 - 0.000247 * 5,000 = 0.37$). A 3,000 sf detached dwelling proposing to add 500 sf would be required to provide 0.017 affordable workforce housing units ($(0.000017 * 3,500 + \text{Exp}(-15.49 + 1.59*\text{Ln}(3,500))/2.176) - (0.000017 * 3,000 + \text{Exp}(-15.49 + 1.59*\text{Ln}(3,000))/2.176) = 0.017$).

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 (6.3.2.A.1).

EXAMPLE: A proposal to use a 2,000 sf retail space as an office would be required to include 0.062 affordable workforce housing units ($0.000247 * 2,000 - 0.000247 * 2,000 = 0.062$).

5. **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 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.
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 calculation for non-local occupancy shall be applied to all residential uses. In order to utilize the local occupancy calculation, a restriction shall be placed on the unit that requires compliance with the occupancy qualification requirement of the Housing Department Rules and Regulations. Placement of an affordable restriction or workforce restriction on a unit, as defined in the Housing Department Rules and Regulations, shall exempt the unit from any requirement pursuant to 6.3.2.C.1. However, 6.3.2.C.1 does not apply to an occupancy restriction placed to utilize the local occupancy calculation.

EXAMPLE: An applicant proposing to build 3 – 1,000 square foot attached dwellings would be required to provide 0.108 affordable workforce housing units ($3 * (0.000017 * 1,000 + \text{Exp}(-14.17 + 1.59 * \text{Ln}(1,000)) / 2.176) = 0.108$). If a workforce restriction is placed on the units, they are exempt from the requirements of this Section. If an occupancy restriction is placed on the units, 0.081 affordable workforce housing units would be required ($3 * (0.000017 * 1,000 + \text{Exp}(-14.82 + 1.59 * \text{Ln}(1,000)) / 2.176) = 0.081$).

9. **Removal of a Voluntary Restriction.** An affordable, workforce, or occupancy restriction voluntarily placed on a unit may be removed. 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.
10. **Update Requirement Regularly.** The determination of need for affordable workforce housing shall be evaluated and updated at least every 5 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. The intent of the independent calculation is to identify a requirement for an industry that is proportional to the demand for affordable workforce housing that industry generates, where the general circumstances surveyed in the Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended, do not represent unique circumstances of the industry. The independent calculation is not intended to be business specific.

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:

- ii. Verifiable local information and data; and
- iii. Data that is industry specific rather than business specific; and
- iv. In the case of B, the year-round (including dual seasonal), post-construction occupancy of the space.

EXAMPLE: A space that is leased to a raft guiding operation in the summer and snowmobile guiding operation in the winter. For a space that size, a raft guiding operation averages 10 employees and a snowmobile guiding operation averages 7 employees. "B" for that use of that space = 7.

6.3.4. Type of Affordable Workforce Housing Required (7/18/18, Ord. 1196)

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

A. Unit types allowed.

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

B. Affordability.

1. **Restriction.** Each affordable or 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 7 units, the order of allocation shall repeat. A fractional requirement shall be the last allocated.

1. Construction of required affordable workforce housing on the site of the employee generating development, or off-site. Below are LDRs intended to facilitate construction of required affordable workforce housing.
 - a. **FAR exemption for affordable or workforce housing units.** Applies in the DC, CR-1, CR-2, CR-3, OR, NH-1, and NM-2 zones, see [Sec. 7.8.3.](#)
 - b. **25% FAR Bonus for affordable or workforce housing units.** Applies in the TS, UC, and BP zones, see the applicable zone.
 - c. **FAR Increases for more units.** Applies in the NL-5 and NM-1 zones, see the applicable zone.
 - d. **Shared parking between nonresidential use and affordable workforce housing.** Applies in all zones, see [6.2.2.B.1](#)
2. Conveyance of land for affordable workforce housing.
3. Utilization of a banked affordable or workforce housing unit.
4. Restriction of an existing residential unit as an affordable workforce housing.
5. Payment of an in-lieu fee.

C. Priority Method Impracticable

A required affordable or workforce housing unit shall be provided through the highest priority method practicable. A lower priority method may be used upon making 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.
 - a. **Exception for change to short-term rental.** In buildings approved under the affordable workforce housing standards in place since July 18, 2018, change of use of a unit from attached dwelling or apartment to short-term rental shall be mitigated by construction of the required housing regardless of the amount of the requirement.
2. **On-site provision impractical.** On-site provision of the required affordable workforce housing:
 - a. Does not comply with other Town, County, State, or Federal laws; or
 - b. 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 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:

Div. 6.4. Operational Standards

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

A. Use of Front Yards

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

B. Storage of Structures

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

C. Vehicle and Equipment Storage - Vacant Property

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

D. Outdoor Display

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

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

A. Town Trash and Recycling Enclosures

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

6.4.3. Noise (7/18/18, Ord. 1197)

All uses shall conform with the following standards.

A. Maximum Noise

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

- a. The replatted lots are restricted to detached dwellings only.
- b. The replat consists only of reconfiguring or eliminating interior lot lines, with no additional land or building area added to the subdivision.
- c. The replat results in no additional dwelling units or lots, and therefore, has no greater impact on park and school facilities than would the original plat.

D. Parks/Recreation/Open Space Development Exaction Standards

1. **General.** Teton County/Jackson Parks and Recreation development exaction standards are based upon consideration of the Jackson/Teton County Comprehensive Plan and Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007.
2. **Standards.** Prior to the recordation of a plat, a developer subdividing residential land shall dedicate to the Town of Jackson, platted land in a location selected by the Town Council in the ratio of 9 acres for every one 1,000 residents of a proposed subdivision (that is, the number of residents multiplied by 0.009 of an acre per resident). The number of residents attributable to a subdivision is calculated according to the schedule in the table below.

Unit Type	Number of Persons Housed Per Unit
	Persons Housed Per Unit
Studio	1.25
One Bedroom	1.75
Two Bedroom	2.25
Three Bedroom	3.00
Four Bedroom	3.75
Five Bedroom	4.50
Each Additional Bedroom	0.50

E. Option for Independent Calculation of Dedication Standards

An applicant seeking approval for a residential development application may submit an independent calculation. If approved, the independent calculation will be utilized to calculate the required dedication.

1. **General.** An applicant may submit an independent calculation requesting modification to any or all of the following standards:
 - a. **Occupants.** The number of occupants to be housed by a proposed development to be used in place of the occupant generation requirements of the table in 7.5.2.D. above; or
 - b. **Percent of Set Aside/In-Lieu Fee.** The amount of land required to be dedicated, and/or the in-lieu fee amount.

7.5.3. School Exactions (1/4/17, Ord. 1164)

A. Applicability

1. All residential subdivisions and re-subdivisions, including new condominiums and townhouse projects to be developed or constructed, and the conversion of existing dwelling units to a condominium or townhouse subdivision, which is the subject of an approved, recorded plat, shall be required to dedicate lands for school and park development unless specifically exempted by other provisions of this Division.
2. Any subdivision, re-subdivision, or condominium or townhouse subdivision or development on land subject to a recorded plat for which exactions have been fully and properly paid pursuant to this Section shall not be subject to exactions, except for the incremental increase in the number of dwelling units, if any, over and above those permitted by the previous plat for which exactions were paid.

B. Intent

The Teton County School District requires land for necessary school functions, which may include, but are not limited to, school buildings, support facilities, open space, and recreation areas and housing for employees and their families. The purpose of this Section is to ensure that as development occurs within the School District and school enrollment grows, the current level of service provided to students can be maintained. This is accomplished by the adoption of standards for new subdivisions to provide land, or cash-in-lieu thereof to the Town, for use by the School District. The standards are based on the number of students the development generates and the School District's current level of service standard for land area provided per student.

C. Exemptions

The following developments are exempt from the requirements of this Division:

1. Boundary adjustments pursuant to Sec. 8.5.6.
2. Re-subdivisions of existing legally platted lots provided all of the following standards are met:
 - a. The replatted lots are restricted to detached dwellings only.
 - b. The replat consists only of reconfiguring or eliminating interior lot lines, with no additional land or building area added to the subdivision.
 - c. The replat results in no additional dwelling units or lots, and therefore, has no greater impact on park and school facilities than would the original plat.

D. Teton County School District Dedications and Payments

1. **General Formula.** Within the Teton County School District, required land dedications or fees-in-lieu of land dedications for school purposes shall be based on the following formula:

Land area required per student x students generated per dwelling unit = land dedication standard

2. **Land Area Required Per Student.** In applying the general formula above, the following requirements for land area per student shall be used.

Teton County School District Land Requirements Per Student		
	Reasonable Capacity	Recommended Acreage
Elementary School	650	15.5
Middle School	600	26.0
High School	800	38.0
Totals	1,950	79.5
Total Acres/Student		0.04077
Total SF/Student		1,776

3. **Student Generation Rates.** In applying the general formula above, the following requirements for land area per student shall be used.

Teton County School District Student Generation Rates	
1- or 2-unit dwelling	0.49 Student/Dwelling Unit
Multi-unit dwelling	0.38 Student/Dwelling Unit

4. **Land Dedication Requirements.** Applying the factors listed above results in the Teton County School District school land dedication requirements shown below.

Teton County School District Land Dedication Requirements	
1- or 2-unit dwelling	870 sf per unit or 0.020 acre
Multi-unit dwelling	675 sf per unit or 0.015 acre

5. **Cash-in-Lieu of Land Dedication.** At the discretion of the Town Council, a developer of residential housing may make a cash payment in lieu of dedicating land, or may make a cash payment in combination with a land dedication. The formula to determine the cash-in-lieu payment is as follows:

Market value of land per acre x land dedication standard from Subsection 4 above x # of dwelling units = cash-in-lieu payment required.

E. Option for Independent Calculation Of Dedication Standards

An applicant seeking approval for a residential development application may submit an independent calculation. If approved, the independent calculation will be utilized to calculate the required dedication.

1. **General.** An applicant may submit an independent calculation requesting modification to any or all of the following standards:

Div. 7.6. Transportation Facility Standards

7.6.1. Purpose (1/1/15, Ord. 1074)

The purpose of this Division is to control access to public roadways in a manner that maintains the safety, capacity, and function of the roadway and to provide standards for transportation facilities, including streets, alleys, access easements, and pathways.

7.6.2. Access to Roads, Streets and Highways (1/1/15, Ord. 1074)

Direct vehicular access to collector and arterial roads shall be limited to ensure that the congestion created by turning movements is reduced to a minimum. All development shall meet the following standards:

A. Residential Uses

Lots of record for individual detached dwellings shall take direct access to or from local residential streets and may take direct access to a collector or arterial road only if no other access options exist, and only if the developer is unable to provide a street for access to a public or private local residential street, due to site limitations such as but not limited to topography and sight distances.

B. Other Residential Development

Other residential development of higher density shall take direct access to collector or arterial streets to avoid infiltration of lower density neighborhoods where available.

C. Nonresidential Uses

All nonresidential uses shall take primary access from a parking circulation aisle or drives designed to provide internal circulation within the development or for several lots of record.

1. **Direct Primary Access to Local Street.** Direct primary access to a local residential street is prohibited for nonresidential uses.
2. **Direct Primary Access to Arterial or Collector Road.** Nonresidential uses shall be permitted direct primary access to arterial or collector roads (except as provided in 7.6.2.D.)

D. Access Limited to Collector and Arterial Road

At least 300 feet shall separate access points on collector and arterial roads with posted speeds 35 miles per hour (mph) or more.

7.6.3. Streets, Alleys, and Easements (3/6/19, Ord. 1225)

A. Standards

The standards for right-of-way and street design are to be used in the design and construction of all new streets, and as guides in the improvement of the existing street system. It is recognized that standards cannot be developed which will apply

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 Dwelling (6.1.4.C.); or
 - b. Apartment (6.1.4.D.); or
 - c. 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.

D. Timing

A pre-application conference shall be held prior to the submittal of an application.

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

E. Conference Focus

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

F. Conference Summary

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

G. Expiration

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

8.2.2. Environmental Analysis (EA) (7/18/18, Ord. 1197)

A. Purpose

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

B. Applicability

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

1. Exemptions

- a. **Previous Approval.** Physical development, use, development options, and subdivision that has received approval in accordance with the LDRs.
- b. **Detached Dwelling.** Physical development of a detached dwelling if:
 - i. The proposed location is not within the NRO;
 - ii. It is the only dwelling unit on the lot of record, or the density on the site is less than or equal to one dwelling unit per 35 acres of base site area; and

C. Adjusted Site Area

Adjusted site area is used to calculate maximum site development and lot coverage.

Adjusted site area is gross site area minus the following:

1. All land within existing vehicular access easements;
2. All land between levees or banks of rivers and streams; and
3. All land within lakes or ponds, when the sum of the surface area of the ponds and/or lakes exceeds one acre.

D. Minimum Site Area

Minimum site area is the minimum gross site area or minimum base site area, as specified, required to permit a use or development option. On sites in more than one zone, the entire site may be used to meet minimum site area requirements in either zone. On sites with multiple uses or development options, the entire site may be used to meet minimum site area requirements for each use or development option.

9.4.5. Floor Area (1/1/15, Ord. 1074)

Floor area is the area of all floors interior to an enclosed building that have at least 5 feet of clearance between floor and ceiling. Floor area shall be measured to the exterior face of the structural members of the wall. Roofed architectural recesses and open covered porches are not considered interior to the building. A building with at least 50% of its perimeter open to the outside shall not be considered enclosed.

9.4.6. Density/Intensity (3/6/19, Ord. 1227)

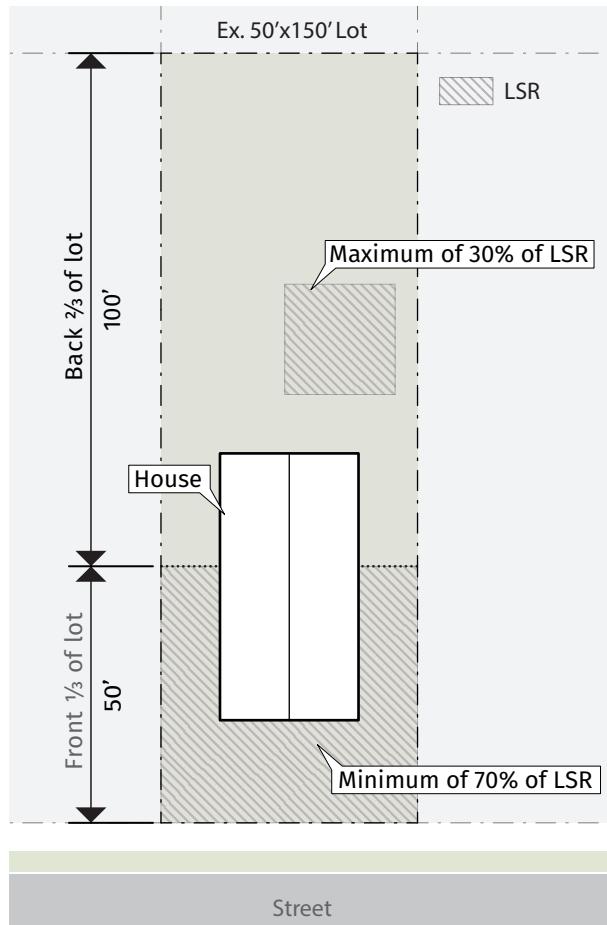
The following standards shall apply to the calculation of maximum density, maximum floor area, and minimum landscape surface area.

A. General

1. **Split Zoning.** On sites in multiple zones, calculations shall be based on the base site area, or gross site area in Character Zones ([Div. 2.2.](#) & [Div. 3.2.](#)), in each zone.
2. **Mixed Use.** On sites with multiple uses, the base site area, or gross site area in Character Zones ([Div. 2.2.](#) & [Div. 3.2.](#)), shall be prorated to determine the allowed density/intensity each use.

EXAMPLE: On a base site area of 30,000 square feet with an FAR of 0.3 for a detached dwelling, a 3,000 square foot detached dwelling would occupy 10,000 square feet of the base site area ($3,000/.3 = 10,000$), leaving 20,000 square feet of base site area left to calculate the remaining maximum floor area for other uses on the property.

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



E. Lot Coverage

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

EXAMPLE: A detached dwelling with a building footprint of 1,500 square feet on an adjusted site area of 7,500 sf would have a lot coverage of .2 (1,500/7,500 = .2). Unless otherwise defined in these LDRs, the maximum building footprint is calculated by multiplying the maximum lot coverage by the adjusted site area (see [Div. 9.5](#) for definition of Footprint, Building). Sites with residential and nonresidential use shall be exempt from any lot coverage requirement.

F. Minimum Lot Size

Minimum lot size means the required minimum gross site area of a newly created lot of record, including remnant parcels.

Arterial Road. See, "Road, Arterial."

Assembly. See 6.1.8.B.

Association. (For the purposes of Div. 5.9.). The direct link between an important historic event or person and a historic property.

Attached Dwelling. 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

(2/1/21, Ord. 1278)

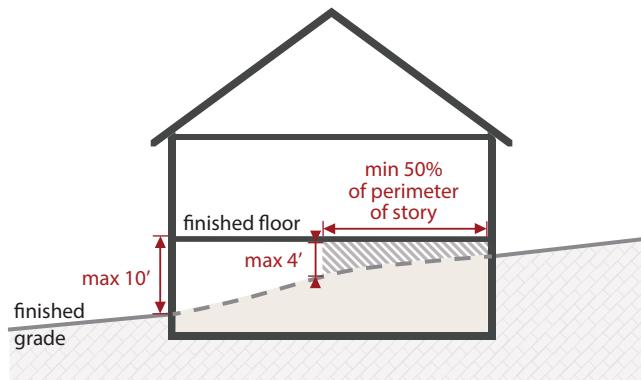
Background Area. The entire area of a sign on which lettering and/or graphics can be placed.

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 placed, 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.

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

Daycare, Home Center. See [6.1.11.G.](#)

Dedication. Dedication means the transfer of property interests by the owner to another person. The transfer may be of fee simple interest or of a less than fee simple interest, including an easement. Dedication is not complete unless the party to which the interest is dedicated accepts the dedication.

Density. See [9.6.4.B.](#)

Design. (For the purposes of [Div. 5.9.](#)). The combination of elements that create the form, plan, space, structure, and style of a property.

Design Guideline. (For the purposes of [Div. 5.9.](#)). A criterion with which the Design Review Committee and/or Planning Director will require compliance when it is found applicable to the specific proposal. A guideline is subject to some interpretation when determining compliance.

Detached Dwelling. See [6.1.4.B.](#)

Detention Basin. A detention basin is a covered or uncovered reservoir designed to hold an excessive accumulation of stormwater or snowmelt so as to reduce peak flow in a stormwater or snowmelt drainage system.

Developed Recreation. See [6.1.7.D.](#)

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."

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 residential 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 (2/1/21, Ord. 1278)

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.](#)

Eligibility Criteria. (For the purposes of [Div. 5.9.](#)). The criteria by which a property is determined to be historic.

Employee Generating Development. Employee generating development is a new building or use not currently in existence, as further defined by [6.3.2.A.](#) It is a term describing development that requires provision of affordable workforce housing pursuant to [Div. 6.3.](#), unless exempt in that Division.

Employee Housing. 1) A unit subject to an Employee Housing restriction as defined in the Housing Department Rules and Regulations, such units were required by [Div. 6.3.](#) as it existed prior to July 18, 2018. 2) A unit occupied by an employee of a business on the site

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 (2/1/21, Ord. 1278)

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.

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.

Farm Stand. See 6.1.12.E.

Fascia. Fascia means a band located at the top edge of a building, but below the actual roofline and above the building wall. Fascia material is typically of a different type than either the actual roof or the building wall.

Fault Line. Fault line means all geologic faults indicated on the Geological Quadrangle Maps covering Teton County, published by the U.S. Geological Survey.

Feeling. (For the purposes of Div. 5.9.) A property's expression of the aesthetic or historic sense of a particular period of time.

Fence. Fence means a barrier of posts, wire, rails, boards, or other material which is a barrier and used as a boundary or means of protection or confinement. A fence shall not be a freestanding wall; and shall not include barbed wire, security wire, sharpened top spikes, electrified wires, or other similar elements or materials.

Fill Slope. Fill slope means the surface of the outward margins or sides of a fill.

Fill. Fill means rock, soil, sand, gravel, or other earth material deposited by man, whether submerged or not, which is commonly used for leveling, back-filling, or otherwise preparing a site for development or construction.

Finished Grade. See, "Grade, Finished."

Flag. Flag means a device generally made of flexible materials, such as cloth, paper, or plastic, displayed individually on poles or as groups on poles, strings, or wires.

Flashing Sign. See "Sign, Flashing."

Flood. See Chapter 15.30, Flood Damage Prevention, Municipal Code of the Town of Jackson.

H (2/1/21, Ord. 1278)

Habitable Floor Area. Habitable floor area is the floor area that can be used for living purposes, usually having access to heat, plumbing, and electricity. Habitable floor area includes studios, exercise rooms, offices, and similar spaces. It also includes foyers, hallways, restrooms, storage, and other common areas within a building. Habitable floor area does not include barns, garages, or unfinished attic space.

Heavy Industry. See [6.1.9.C.](#)

Heavy Retail/Service. See [6.1.6.F.](#)

Height, Building. See [Sec. 9.4.9.](#)

Height, Story. [Sec. 9.4.13.](#)

Heliport. See [6.1.10.E.](#)

Historic Property. A property listed on the Jackson Historic Register.

Historic Significance. The meaning or value ascribed to a building, structure, object or site based on criteria for evaluation as identified in [Sec. 5.9.4.](#)

Home Business. See [6.1.11.E.](#)

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

Home Daycare Center. See [6.1.11.G.](#)

Home Occupation. See [6.1.11.D.](#)

Household Unit. Individuals occupying a dwelling unit that have established ties and familiarity with each other; share a lease agreement, have consent of the owner to reside on the property, or own the property; jointly use common areas and interact with each other; and share the household expenses such as rent or ownership costs, utilities, and other household and maintenance costs activities.

I (2/1/21, Ord. 1278)

Impervious surface. Impervious surfaces mean a surface which does not absorb water.

EXAMPLE: Examples of impervious surfaces include, but are not limited to: buildings (including roofed areas but excluding eaves that over-hang a pervious surface), structures, parking areas, loading areas, driveways, roads, sidewalks, and any areas of concrete, asphalt, or significantly compacted material which prevents water absorption.

Industrial Use. See [Sec. 6.1.9.](#)

Industry, Heavy. See [6.1.9.C.](#)

Industry, Light. See [6.1.9.B.](#)

Incidental Use. [6.1.2.B.2.](#)

Infrastructure. Infrastructure means public facilities necessary to serve development, including, but not limited to roads, potable water supply facilities, sewage disposal facilities, drainage facilities, electric facilities, natural gas facilities, telephone facilities and cable television facilities.

Institutional Use. See [Sec. 6.1.8.](#)

Integrity. (For the purposes of [Div. 5.9.](#)). The ability of a property to convey its historic significance through its physical features.

Irrigation Ditch. An irrigation ditch is a man-made ditch constructed for the purpose of land irrigation. Irrigation ditches shall not include naturally formed drainageways.

J (2/1/21, Ord. 1278)

Jackson Historic Register (JHR). The list of buildings – Registered Historic Resources – found to have significance in the Town of Jackson as maintained by the Planning Department.

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

Kitchen. A kitchen is a room or portion of a room devoted to the preparation or cooking of food for a person or a household living independently of any other household, which contains a sink and a stove or oven powered by either natural gas, propane or 220-V electric hook-up. A wet bar, consisting of no more than a refrigerator, sink, and microwave, or similar facility that is a homeowner convenience and is not intended to function as the cooking facility for a separate dwelling unit shall not be considered a kitchen facility.

L (2/1/21, Ord. 1278)

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.

Swale. Swale means a linear depression in the land's surface in which sheet runoff would collect and form a temporary watercourse. A swale with a drainage area of 5 acres or more is considered a drainageway.

T

(1/4/17, Ord. 1166)

Temporary Gravel Extraction and Processing. See [6.1.12.F](#).

Temporary Shelter. See [6.1.12.D](#).

Temporary Use. See [6.1.2.B.5](#).

Thread Channel. A line running through the low point of a river or stream with running water.

Time-Share Ownership. Time-share ownership means ownership of a unit in which purchase is for interval ownership with ownership conveyed by deed/license.

Top of Bank. The elevation of the top of bank shall be determined by the observed high water mark, or one foot above the maximum discharge elevation of an outlet control structure that controls the water elevation of a body of water.

Tour Operator. See [6.1.7.E](#).

Tower. Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

Townhouse. Townhouse means an attached dwelling, including the ground beneath the unit, with a single unit going from ground to roof.

Transparency. See [Sec. 9.4.14](#).

U

(7/18/18, Ord. 1198)

Unlicensed Wireless Services. Unlicensed wireless service means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services.

Unstable Soil. Unstable soil means soil subject to slippage, creep, landslide, avalanche, bedrock slump, talus, rockfall, colluvium, and lacustrine deposits, either at the surface or overlain by other deposits, or subject to other movements as indicated by the Land Stability Maps of Teton County, site specific geotechnical reconnaissance studies, or any other technically competent source.

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

Use, Conditional. See [6.1.1.C](#).

Use, Incidental. See [6.1.2.B.2](#).

Use, Primary. See [6.1.2.B.4](#).

Use, Principal. See [6.1.2.B.2](#).

(Ord. 1313, § 1, 2022)

SECTION II.

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

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

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

PASSED 1ST READING THE 22nd DAY OF FEBRUARY, 2022.

PASSED 2ND READING THE 7th DAY OF MARCH, 2022.

PASSED AND APPROVED THE 21st DAY OF MARCH, 2022.

TOWN OF JACKSON

BY:

ATTEST:

Hailey Morton Levinson, Mayor

BY:

Riley Taylor, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance 1313 was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the 30th day of March, 2022.

I further certify that the foregoing Ordinance was duly recorded on page ___ of Book 9 of Ordinances of the Town of Jackson, Wyoming.

Riley Taylor, Town Clerk