

TETON COUNTY

LAND DEVELOPMENT REGULATIONS

(3/16/18 AMD2017-0004 AMDENDMENTS TO 11/28/17 LDRS)

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The LDRs contain 9 articles.

General

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

Zone Specific Standards

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

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

Standards Applicable to All Zones

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

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

Administration

Article 8: Administrative Procedures	This article establishes the procedures and review standards for the permits or approvals that are used to ensure development complies with the standards of these LDRs. It also establishes the enforcement provisions for the LDRs. The applicable procedures are referenced within the zone standards (Articles 2-4) and standards applicable in all zones (Articles 5-7).
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3. A boundary adjustment pursuant to Sec. 8.5.5. of a site that includes nonconforming physical development shall not increase the nonconformity of the physical development.
4. A subdivision or development option on a site with nonconforming physical development shall require all physical development on the site, except existing buildings, comply with these LDRs.

1.9.3. Nonconforming Uses (AMD2017-0004-1/1/17)

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

Expansion of a nonconforming use shall comply with the following standards; except that, a nonconforming use that does not utilize site development shall be exempt from this subsection.

1. A nonconforming use may only be expanded a cumulative total of 20% in the floor area and site area occupied and/or the daily and annual duration of operation.
2. An expansion of a nonconforming use shall not create or increase nonconformity with use-based standards such as parking and ~~affordable workforce-employee~~ housing.
3. An expansion of a nonconforming use shall comply with all physical development, development option, and subdivision standards of these LDRs.
4. An expansion of a use that is nonconforming because it does not have an approved CUP or SUP requires approval of a CUP or SUP upon 20% cumulative total expansion in the floor area and site area occupied and/or the daily and annual duration of operation.

C. Change in Use

A nonconforming use 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-employee~~ housing.
3. The new use shall obtain a Conditional Use Permit pursuant to Sec. 8.4.2.

D. Discontinuance

1. If a nonconforming use is operationally discontinued for a period of more than one year, whether or not the equipment or furniture is removed, the use shall not be reestablished or resumed, and any subsequent use of the site shall conform to these LDRs.
2. When government action other than those described in 1.9.1.I., a natural disaster, or any other action not considered a willful act of the owner or occupant can be documented as the reason for discontinuance, the nonconforming use may be discontinued for longer than one year provided an application to reconstruct or reestablish the use is submitted to the Planning Director within one year from cessation of the use, and reconstruction or reestablishment is completed within the time period established in the permit approved for the reconstruction or reestablishment.
3. Once a nonconforming principal use is discontinued, all associated accessory uses shall discontinue within 31 days or a sufficient application to permit each accessory use in association with another principal use shall be submitted within 31 days.
4. Time spent maintaining, altering, replacing, or expanding a structure or site devoted to the nonconforming use is not considered a discontinuance of the use, provided:
 - a. All appropriate permits or approvals are obtained;
 - b. The maintenance, alteration, replacement, or expansion is completed within 18 months after commencement; and
 - c. The use is reestablished within 31 days after completion of the maintenance, alteration, replacement, or expansion.

E. Subdivision of a Nonconforming Use Prohibited

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

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12. Required Physical Development Permits					
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit					
< 5 units			X		(Sec. 5.7.1.)
5 - 10 units		X	X		(Sec. 5.7.1.)
> 10 units	X	X	X		(Sec. 5.7.1.)
Nonresidential Floor Area					
< 3,450 sf			X		(Sec. 5.7.1.)
3,450 to 12,000 sf		X*	X		(Sec. 5.7.1.)
> 12,000 sf	X*	X*	X		(Sec. 5.7.1.)
Sign				X	(Sec. 5.7.1.)
* Not required for physical development associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B.					

C. Use Standards

Standards applicable to uses in the AC-TC zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the AC-TC zone. This Subsection is intended to indicate all of the use standards applicable in the AC-TC zone, however, all standards in Article 6 are applicable in the AC-TC 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-Employees Required to be Housed (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	Y	0 sf	n/a	n/a	exempt
Outdoor Recreation (6.1.7.C.)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	$\frac{0.000017 * sf + (Exp(-15.49 + 1.59 * Ln(sf)))}{2.414}$ n/a
Dormitory (6.1.4.F.)	B	0 sf	30 rooms per acre	1/bed	exempt-n/a
Group Home (6.1.4.G.)	B	0 sf	30 rooms per acre	0.5/bed	exempt-n/a

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units Employees Required to be Housed (min) (Div. 6.3.)
Commercial					
Office (6.1.6.B.)	B	0 sf	n/a	3.3/1,000 sf	0.000655*sف-0.05/1,000-sف
Retail (6.1.6.C.)	B	0 sf	n/a	4.5/1,000 sf	0.000573*sف-0.56/1,000-sف
Service (6.1.6.D.)	B	0 sf	n/a	3/1,000 sf	0.000573*sف-0.20/1,000-sف
Restaurant/Bar (6.1.6.E.)	B	0 sf	n/a	1/55 sf dining area + 1/30 sf bar area	0.001589*sف-1.35/1,000-sف
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	0.000573*sف-0.06/1,000-sف
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	0.000326*sف independent calculation
Nursery (6.1.6.H.)	B	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	0.000573*sف 0.37/1,000-sف + 1.51/ac
Amusement/Recreation					
Amusement (6.1.7.B.)	C	0 sf	n/a	1/30 sf seating area	0.000573*sف independent calculation
Developed Recreation (6.1.7.C.)	B	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional		0 sf			
Assembly (6.1.8.B.)	B	0 sf	n/a	independent calculation	0.000698*sف exempt
Daycare/Education (6.1.8.C.)	B	0 sf	n/a	independent calculation	0.000698*sف exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	0.000326*sف-0.03/1,000-sف
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	0 sf	n/a	n/a	0.000326*sف independent calculation
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sف independent calculation
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sف independent calculation
Aviation (6.1.10.E.)	C	0 sf	n/a	independent calculation	0.000326*sف independent calculation

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units Employees Required to be Housed (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (E.2.) (6.1.11.B.)	B	0 sf	see E.2.	1.25/DU	exempt n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/DU	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Drive-In Facility (6.1.11.H.)	C	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single family unit (detached)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf + 100 sf non-habitable FA per acre BSA over 10 acres. Not to exceed 15,000sf
Individual retail use excluding basement	12,500 sf habitable
Accessory residential unit	850 sf habitable

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.)
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.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

Standards applicable to development options and subdivision in the AC-TC zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the AC-TC zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the AC-TC zone, however, all standards in [Article 7.](#) are applicable in the AC-TC 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	7,500 sf	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						
Affordable Workforce Housing						(Div. 6.3 Div. 7.4.)
Required Affordable Workforce Housing			Housing required for maximum floor area allowed on each lot -25% of new units			
Schools and Parks Exactions						(Div. 7.5.)
Development Exaction				0.03 acres of land per housing unit or lot		

C. Use Standards

Standards applicable to uses in the AR-TC 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 AR-TC zone. This Subsection is intended to indicate all of the use standards applicable in the AR-TC zone, however, all standards in Article 6 are applicable in the AR-TC 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-Employees Required to be Housed- (min) (Div. 6.3.)
Open Space					
Outdoor Recreation (6.1.7.C.)	C	30,000 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 sf	1 unit per lot	2/DU	$\frac{0.000017 * sf + (Exp(-15.49 + 1.59 * Ln(sf)))}{2.414}$ n/a
Dormitory (6.1.4.F.)	C	30,000 sf	25 rooms per acre	1/bed	exempt-n/a
Group Home (6.1.4.G.)	C	30,000 sf	25 rooms per acre	0.5/bed	exempt-n/a
Institutional					
Assembly (6.1.8.B.)	C	30,000 sf	n/a	independent calculation	$0.000698 * sf$ exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	30,000 sf	n/a	1/employee + 1/stored vehicle	$0.000326 * sf$ independent calculation
Wireless Communication Facilities (6.1.10.D.)	<u>6.1.10.D.</u>	30,000 sf	n/a	1/employee + 1/stored vehicle	$0.000326 * sf$ independent calculation
Accessory Uses					
Accessory Residential Unit (E.1.) (6.1.11.B.)	B	0 sf	2 units per lot	1.25/DU	exempt-n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/DU	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/ drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/ drop-off	exempt
Temporary Uses					
Real Estate Sales Office (6.1.12.C.)	B	0 sf	n/a	3.3/1,000 sf	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Single family unit (detached)	
Habitable floor area excluding basement	8,000 sf
Gross floor area excluding basement	10,000 sf + 100 sf non-habitable FA per acre BSA over 10 acres. Not to exceed 15,000sf
Accessory residential unit	500 sf habitable
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	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

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

1. Allowed Subdivision and Development Options						
Option	BSA (min)	Lot Area (min)	Density (max)	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options						
Land Division	n/a	7,500 sf	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						
Affordable <u>Workforce</u> Housing						(Div. 6.3 Div. 7.4.)
Required Affordable <u>Workforce</u> Housing			<u>Housing required for maximum floor area allowed on each lot</u> <u>-25% of new units</u>			
Schools and Parks Exactions						(Div. 7.5.)
Development Exaction				0.03 acres of land per housing unit or lot		

12. Required Physical Development Permits					
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit					
< 5 units			X		(Sec. 5.7.1.)
5 - 10 units		X	X		(Sec. 5.7.1.)
> 10 units	X	X	X		(Sec. 5.7.1.)
Nonresidential Floor Area					
< 3,450 sf			X		(Sec. 5.7.1.)
3,450 to 12,000 sf		X	X		(Sec. 5.7.1.)
> 12,000 sf	X	X	X		(Sec. 5.7.1.)
Sign				X	(Sec. 5.7.1.)

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Site Area (min)	Density (max)	Parking (min) (E.8) (Div. 6.2.)	Affordable Workforce Housing Units-Employees Required to be Housed- (min) (Div. 6.3.)
Residential					
Detached Single-Family Unit (E.6.) (6.1.4.B.)	Y	30,000 sf	9 du/ac	2/DU	$\frac{0.000017 * sf + (Exp(-15.49 + 1.59 * Ln(sf)))}{2.414}$ n/a
Attached Single-Family Unit (E.6.) (6.1.4.C.)	B	30,000 sf	9 du/ac	2/DU + 0.5/DU if ≥ 3 units served by lot	$\frac{0.000017 * sf + (Exp(-14.17 + 1.59 * Ln(sf)))}{2.414}$ n/a
Apartment (E.6) (6.1.4.D.)	B	30,000 sf	9 du/ac	2/DU + 0.5/DU if ≥ 3 units served by lot	$\frac{0.000017 * sf + (Exp(-14.17 + 1.59 * Ln(sf)))}{2.414}$ n/a

See Subsection E.5. for additional use standards.

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	Site Area (min)	Density (max)	Parking (min) (E.8) (Div. 6.2.)	Affordable Workforce Housing Units-Employees Required to be Housed (min) (Div. 6.3.)
Commercial					
Office (6.1.6.B.)	B	0 sf	n/a	3.3/1,000 sf	0.000655*sf-0.05/1,000-sf
Retail (6.1.6.C.)	B	0 sf	n/a	4.5/1,000 sf	0.000573*sf-0.56/1,000-sf
Service (6.1.6.D.)	B	0 sf	n/a	3/1,000 sf	0.000573*sf-0.20/1,000-sf
Restaurant/Bar (6.1.6.E.)	B	0 sf	n/a	1/55 sf dining area + 1/30 sf bar area	0.001589*sf-1.35/1,000-sf
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	0.000573*sf-0.06/1,000-sf
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	0.000326*sf independent calculation
Nursery (6.1.6.H.)	B	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	0.000573*sf 0.37/1,000-sf + 1.51/ae
Amusement/Recreation					
Amusement (6.1.7.B.)	C	0 sf	n/a	1/30 sf seating area	0.000573*sf independent calculation
Developed Recreation (6.1.7.C.)	B	0 sf	n/a	4.5/1,000 sf	independent calculation
Institutional					
Assembly (6.1.8.B.)	B	0 sf	n/a	independent calculation	0.000698*sf exempt
Daycare/Education (6.1.8.C.)	B	0 sf	n/a	independent calculation	0.000698*sf exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	0.000326*sf-0.03/1,000-sf
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	0 sf	n/a	n/a	0.000326*sf independent calculation
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sf independent calculation
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sf independent calculation

See Subsection E.5. for additional use standards.

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	Site Area (min)	Density (max)	Parking (min) (E.8) (Div. 6.2.)	Affordable Workforce Housing Units Employees Required to be Housed (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (E.7.) (6.1.11.B.)	B	0 sf	n/a	1.25/DU	exempt n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	B	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

See Subsection E.5. for additional use standards.

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use

Individual Use (floor area) (max)

Single family unit (detached, attached, or apartment)

1 unit per lot of record	2,000 sf habitable
other units on lot of record	1,500 sf habitable
Accessory residential unit	850 sf habitable

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
Pedestrian-oriented outdoor trash and recycling receptacles required	
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.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

Standards applicable to development options and subdivision in the WC 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 WC zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the WC zone, however, all standards in Article 7 are applicable in the WC 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	30,000 sf	n/a	determined by physical development		(Sec. 7.2.3.)
Condominium/Townhouse	30,000 sf	n/a	n/a	determined by physical development		(Sec. 7.2.4.)
2. Residential Subdivision Requirements						
Affordable <u>Workforce</u> Housing						(Div. 6.3 Div. 7.4.)
Required Affordable <u>Workforce</u> Housing						<u>Housing required for maximum floor area allowed on each lot</u> -25% of new units
<u>Required Housing shall be provided on-site except for fractional requirements</u>						
<u>Only category 1, 2, or 3 housing is exempt from requirement</u>						
Schools and Parks Exactions						
Development Exaction						(Div. 7.5.)
						0.03 acres of land per housing unit or lot
3. Infrastructure						
Transportation Facilities						
Access						(Div. 7.6.)
Shared access						required
						accommodated whenever practical
Pedestrian connectivity encouraged						
A delineated Highway 22 crossing shall be visible from the main entrance to a business fronting Highway 22						
Neighboring properties are encouraged to provide boardwalk, sidewalk, or pathway connection between building entrances						
Road and driveway design						also subject to Fire Protection Resolution
Required Utilities						
Water						(Div. 7.7.)
						Connection to public supply, installation of central supply, or evidence of individual well required
Sewer						
Connection to a public sanitary sewer required						within 500'
Small Wastewater Facility (septic) approval required						otherwise

5. Use Mix

- a. **50% Commercial.** At least 50% of the floor area on a WC zoned site shall contain a permitted nonresidential use. The floor area of an ~~an Category 1, 2 or 3~~ affordable housing unit is exempt from this requirement provided that:
 - i. At least 4,500 sf of nonresidential development is proposed on the site; and
 - ii. At least 25% of the floor area contains a nonresidential use.
- b. **50% Wilson Local Service Use.** At least 50% of the nonresidential floor area on a WC zoned site shall provide services to persons living in and around the Wilson area. Wilson local services include general, grocery, drug, book, sporting goods, convenience, hardware, pet, or liquor stores; restaurants, bars, delis, or bakeries; coffee, ice cream, barber, or movie rental shops; libraries or post offices; laundry and dry cleaners, including self service cleaners; nurseries; banks or credit unions; day care centers; health or exercise clubs; and emergency medical care providers.

6. Single-Family Unit. Single-family units shall meet the following standards. The table below summarizes the allowable residential development in the WC zone.

- a. **Occupants.** The occupants of a single-family unit in the WC zone shall be members of the Teton County workforce and occupy the unit as their primary residence. The mechanism, and its specific provisions, for achieving the restriction shall be consistent with the Jackson/Teton County Housing Department Rules and Regulations and shall be enforceable by Teton County.
- b. **Outside Storage.** Only vehicles used for daily travel may be stored outside. All other possessions belonging to occupants of a single-family unit, such as recreational, secondary or inoperative vehicles, boats, motorcycles, canoes, kayaks, lumber and other construction materials not associated with an on-going construction project on the site, or other similar items contributing to an untidy appearance, shall be stored within an enclosed structure
- c. **Frontage.** No single-family unit or office use may be coincident with a street yard on the ground floor.

Residential Units in the WC			
Regulations	ARU	Type of Residential Unit	
		Workforce-Occupancy-Restricted Unit	Affordable-Price-Restricted Unit
Maximum Density	exempt	applies	applies
Occupancy			
Occupancy restriction	Yes	Yes	Yes
Price restriction ¹	No	No	Yes
Floor Area			
Max sf per unit	850	1,500	1,500
50% Commercial	applies	applies	exempt
FAR	exempt	applies	exempt
Max. Building Size	applies	applies	exempt

¹~~Price restriction means that the unit is a category 1, 2, or 3 affordable housing unit.~~

7. **Accessory Residential Unit.** ARUs are only permitted as accessory to a nonresidential use. ARUs associated with a residential use are prohibited.
8. **Parking and Loading**
 - a. **Shared Parking and Loading.** The owners of two or more uses, structures, or lots of record are encouraged to develop a shared parking and loading plan. This shared parking and loading plan shall identify the amount and location of parking that will be shared, identify the hours of use and expected amount of use, provide pedestrian connections, and provide a statement explaining how the owners will ensure an adequate amount of parking is provided. The plan shall also include a shared maintenance agreement, and if applicable, a cross-lot grading and maintenance easement agreement to be recorded by the Teton County Clerk against the subject lots of record.
 - i. **Reduced Parking Requirement.** Development of a shared parking and loading plan may allow for a reduction in parking requirements based on the analysis demonstrating that adequate parking is provided for all uses.
 - ii. **Reduced Landscaping Requirement.** Development of a shared parking and loading plan may allow for a reduction in the standard plant unit requirements on a site at the discretion of the Planning Director.
 - b. **Bicycle Parking.** Bicycle racks shall be required to be provided at an amount of one U-rack or 2 bicycle spaces per 10 parking spaces required. If less than 10 parking spaces are required, a minimum of one U-rack or 2 bicycle spaces shall be provided.
 - c. **Off-Street Parking Facility Design Standards.** Shared access along common property lines shall be encouraged.

C. Use Standards

Standards applicable to uses in the OP-TC 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 OP-TC zone. This Subsection is intended to indicate all of the use standards applicable in the OP-TC zone, however, all standards in Article 6, are applicable in the OP-TC 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-Employees Required to be Housed- (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	Y	0 sf	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (<u>6.1.4.B.</u>)	Y	0 sf	1 unit per lot	2/DU	$\frac{0.000017 * \text{sf} + (\text{Exp}(-15.49 + 1.59 * \text{Ln}(\text{sf})))}{2.414}$ n/a
Commercial					
Office (<u>6.1.6.B.</u>)	B	0 sf	n/a	3.3/1,000 sf	$0.000655 * \text{sf} - 0.05/1,000 \text{ sf}$
Service (<u>6.1.6.D.</u>)	B	0 sf	n/a	3/1,000 sf	$0.000573 * \text{sf} - 0.20/1,000 \text{ sf}$
Institutional					
Daycare/Education (<u>6.1.8.C.</u>)	C	0 sf	n/a	independent calculation	$0.000698 * \text{sf}$ exempt
Transportation/Infrastructure					
Utility Facility (<u>6.1.10.C.</u>)	C	0 sf	n/a	1/employee + 1/stored vehicle	$0.000326 * \text{sf}$ independent calculation
Wireless Communication Facilities (<u>6.1.10.D.</u>)	<u>6.1.10.D.</u>	0 sf	n/a	1/employee + 1/stored vehicle	$0.000326 * \text{sf}$ independent calculation
Accessory Uses					
Accessory Residential Unit (<u>6.1.11.B.</u>) (<u>E.1.</u>)	B	0 sf	see <u>E.1.</u>	1.25/DU	exempt-n/a
Home Occupation (<u>6.1.11.D.</u>)	B	0 sf	n/a	n/a	exempt
Home Business (<u>6.1.11.E.</u>)	C	0 sf	n/a	1/DU	exempt
Family Home Daycare (<u>6.1.11.F.</u>)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (<u>6.1.11.G.</u>)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (<u>6.1.12.D.</u>)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (<u>6.1.12.F.</u>)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

2. Residential Subdivision Requirements					
Affordable <u>Workforce</u> Housing	(<u>Div. 6.3</u> Div. 7.4.)				
Required Affordable <u>Workforce</u> Housing	<u>Housing required for maximum floor area allowed on each lot</u> <u>-25% of new units</u>				
Schools and Parks Exactions					
Development Exaction	0.03 acres of land per housing unit or lot				
3. Infrastructure					
Transportation Facilities					
Access	required				
Right-of-way for a Minor Local Road (min)	60'				
Travel lane width for a Minor Local Road (min)	10'				
Road and driveway design	also subject to Fire Protection Resolution				
Required Utilities					
Water	Connection to public supply, installation of central supply, or evidence of individual well required				
Sewer					
Connection to a public sanitary sewer required	within 500'				
Small Wastewater Facility (septic) approval required	otherwise				
4. Required Subdivision and Development Option Permits					
Option	Planned Unit Development (<u>Sec. 8.7.3.</u>)	Sketch Plan (<u>Sec. 8.3.1.</u>)	Development Plan (<u>Sec. 8.3.2.</u>)	Development Option Plan (<u>Sec. 8.5.2.</u>)	Subdivision Plat (<u>Sec. 8.5.3.</u>)
Land Division					
≤ 10 lots			X		X
> 10 lots		X	X		X
Condominium/Townhouse					
					X
Non-subdivision PRD					
0 - 4 units				X	
5 -10 units			X		
> 10 units		X	X		

E. Additional Zone-specific Standards

1. **ARU Density.** A maximum of 1 ARU shall be permitted accessory to a detached single-family unit. The maximum number of ARUs accessory to a nonresidential use shall be determined based on the definition of Accessory Use (6.1.2.B.3.).

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	<u>Affordable Workforce Housing Units Employees Required to be Housed</u> (min) (Div. 6.3.)
Open Space					
Outdoor Recreation (6.1.7.C.)	C	0 sf	n/a	independent calculation	independent calculation
Commercial					
Retail (6.1.6.C.) (E.2.)	B	0 sf	1 per lot	4.5/1,000 sf	<u>0.000573*s f-0.56/1,000-s f</u>
Heavy Retail/Service (6.1.6.F.)	B	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	<u>0.000573*s f-0.06/1,000-s f</u>
Mini-Storage Warehouse (6.1.6.G.)	B	0 sf	n/a	1/10 storage units + 1/employee	<u>0.000326*s f</u> <u>independent calculation</u>
Amusement/Recreation					
Developed Recreation (6.1.7.C.)	C	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	<u>0.000698*s f exempt</u>
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	<u>0.000698*s f exempt</u>
Industrial					
Light Industry (6.1.9.B.)	B	0 sf	n/a	1/1,000 sf + 1/company vehicle	<u>0.000326*s f-0.03/1,000-s f</u>
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf	<u>0.000326*s f-0.03/1,000-s f</u>
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	<u>0.000326*s f-0.03/1,000-s f</u>
Junkyard (6.1.9.E.)	C	0 sf	n/a	1/employee	<u>0.000326*s f-0.03/1,000-s f</u>
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	B	0 sf	n/a	1/employee + 1/stored vehicle	<u>0.000326*s f</u> <u>independent calculation</u>
Wireless Communication Facilities (6.1.10.D.)	<u>6.1.10.D.</u>	0 sf	n/a	1/employee + 1/stored vehicle	<u>0.000326*s f</u> <u>independent calculation</u>
Aviation (6.1.10.E.)	C	0 sf	n/a	independent calculation	<u>0.000326*s f</u> <u>independent calculation</u>

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units Employees Required to be Housed (min) (Div. 6.3.)
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	exempt n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Family Home Daycare (6.1.11.F.)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	B	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
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. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Retail	2,500 sf gross
Accessory residential unit	850 sf habitable
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	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

Standards applicable to development options and subdivision in the BP-TC 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-TC zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the BP-TC zone, however, all standards in [Article 7.](#) are applicable in the BP-TC 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	10,000 sf	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						
Affordable Workforce Housing					(Div. 6.3 Div. 7.4.)	
Required Affordable Workforce Housing		Housing required for maximum floor area allowed on each lot -25% of new units				
Schools and Parks Exactions					(Div. 7.5.)	
Development Exaction				0.03 acres of land per housing unit or lot		
3. Infrastructure						
Transportation Facilities					(Div. 7.6.)	
Access					required	
Right-of-way for a Minor Local Road (min)					60'	
Travel lane width for a Minor Local Road (min)					10'	
Road and driveway design				also subject to Fire Protection Resolution		
Required Utilities					(Div. 7.7.)	
Water			Connection to public supply, installation of central supply, or evidence of individual well required			
Sewer						
Connection to a public sanitary sewer required					within 500'	
Small Wastewater Facility (septic) approval required					otherwise	
4. Required Subdivision and Development Option Permits						
Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)	
Land Division						
≤ 10 lots			X		X	
> 10 lots		X	X		X	
Condominium/Townhouse					X	

Article 3. Rural Area Zones

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C. Use

Standards applicable to use are provided in this subsection. Where a cross-reference is listed see the referenced division or section for additional standards. All standards in Article 6 are applicable unless stated otherwise.

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Parking (min) (Div. 6.2.)	<u>Affordable Workforce Housing Units-Employees-to-be-Housed</u> (min) (Div. 6.3.)
Open Space						
Agriculture (6.1.3.B.)	Y	n/a	n/a	n/a	n/a	exempt
Outdoor Recreation (6.1.3.C., E.2.)	C	140 ac	n/a	see E.2.	independent calculation	independent calculation
Dude/Guest Ranch (6.1.3.E., E.2.)	C	70 ac	see 6.1.3.E.	see E.2.	1/lu	<u>independent calculation</u> 0.82/guest
Residential						
Detached Single-Family (6.1.4.B.)	Y	n/a	1/35 ac	8,000 sf habitable excluding basement	2/du	<u>$0.000017 * sf + (Exp(-15.49 + 1.59 * \ln(sf))) / 2.414$</u> n/a
Lodging						
Campground (out of NRO) (6.1.5.D., E.2., E.3.)	C	70 ac	15 sites/acre	see E.2. & E.3.	1/campsite + 1/7.5 campsites	<u>independent calculation</u> 0.56/1,000 sf of commercial floor areas + 1.75 per ac
Commercial						
Heavy Retail/Service (6.1.6.F., E.2., E.4.)	C (A)	140 ac	n/a	see E.4.	independent calculation	exempt
Nursery (6.1.6.H., E.2.)	C	140 ac	n/a	see E.2.	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	<u>$0.000573 * sf$</u> <u>$0.37/1,000 sf + 1.51/ac$</u>
Amusement/Recreation						
Developed Recreation (6.1.7.D., E.2.)	C	140 ac	n/a	see E.2.	independent calculation	independent calculation
Outfitter/Tour Operator (6.1.7.E., E.2.)	C	140 ac	n/a	see E.2.	independent calculation	independent calculation
Institutional						
Assembly (out of NRO) (6.1.8.B., E.2.)	C	35 ac	n/a	see E.2.	independent calculation	<u>$0.000698 * sf$</u> exempt
Daycare/Education (out of NRO) (6.1.8.C., E.2.)	C	35 ac	n/a	see E.2.	independent calculation	<u>$0.000698 * sf$</u> exempt
Industrial						
Light Industry (6.1.9.B., E.2., E.4.)	C (A)	140 ac	n/a	see E.4.	independent calculation	exempt
Gravel Extraction/Processing (6.1.9.F.)	S		see 6.1.9.F.		1/employee	<u>$0.000326 * sf - 0.03/1,000 sf$</u>

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use
B=Basic Use Permit (Sec. 8.2.6.) C=Conditional Use Permit (Sec. 8.2.6.) S=Special Use Permit (Sec. 8.2.6.)

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Parking (min) (Div. 6.2.)	<u>Affordable Workforce Housing Units-Employees-to-be Housed</u> (min) (Div. 6.3.)
Transportation/Infrastructure						
Utility Facility (6.1.10.C., E.2.)	C	n/a	n/a	see E.2.	1/employee + 1/ stored vehicle	<u>0.000326*sف</u> independent calculation
Wireless Communications (6.1.10.D.)		see 6.1.10.D.			1/employee + 1/ stored vehicle	<u>0.000326*sف</u> independent calculation
Aviation (out of NRO) (6.1.10.E, E.2., E.5.)	C	140 ac	n/a	see E.2.	independent calculation	<u>0.000326*sف</u> independent calculation
Accessory Uses						
Accessory Residential Unit (6.1.11.B., E.6.)	B	n/a	see 6.1.11.B. & E.6.		1.25/du	<u>exempt-n/a</u>
Bed and Breakfast (6.1.11.C.)	C	140 ac	n/a	see 6.1.11.C.	0.75 per LU	exempt
Home Occupation (6.1.11.D.)	B	n/a	1/du	25% of habitable du sf	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	1/du	25% of habitable du sf	1/du	exempt
Family Home Daycare (6.1.11.F.)	B	n/a	1/du	care for 3-6 persons	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses						
Christmas Tree Sales (6.1.12.B.)	Y	n/a	n/a	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Real Estate Sales Office (6.1.12.C.)	C	n/a	n/a	n/a	3.3/1,000 sf	exempt
Temporary Shelter (6.1.12.D.)	B	n/a	1/lot	n/a	2	<u>exempt-n/a</u>
Farm Stand (6.1.12.E.)	B	n/a	n/a	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction (6.1.12.F.)	B	n/a	n/a	15 ac	1/employee	exempt

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use
 B=Basic Use Permit (Sec. 8.2.6.) C=Conditional Use Permit (Sec. 8.2.6.) S=Special Use Permit (Sec. 8.2.6.)

3. Operational Standards	
Outside Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash and recycling enclosure required	
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.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options and Subdivision

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

1. Allowed Development and Subdivision Options							
Option	Lot Size (min)	Rural Area (min)	Conserv. Area (min)	Develop. Area (max)	Density (max)	Additional Floor Area (max)	Strds.
Subdivision Options							
Land Division	35 ac	n/a	n/a	n/a	n/a	n/a	(7.1.6.)
Development Options							
Floor Area Option	n/a	35 ac	90% of Rural GSA	n/a	2 additional ARU per 35 ac	10,000 sf per 35 ac	(7.1.6.)
Rural PRD	n/a	n/a	Greater of: 70% of Rural GSA OR 49 ac	3 ac per 7 ac conserved	3 du per 35 ac	n/a	(7.1.6.)
CN-PRD*	n/a	JH: 105 ac Alta: 70 ac	90% of Rural GSA	--	--	n/a	(7.1.6.)
CN Development Area	n/a	--	--	1 ac per 19 ac Rural GSA	1 du per 4.375 ac Rural GSA	n/a	
Reserved Rural Development Area	n/a	--	--	1 ac per 9 ac conserved	1 du per 35 ac Rural GSA	n/a	

* (JH): East of the Tetons, (Alta): West of the Tetons

2. Residential Subdivision Requirements	
Affordable Workforce Housing	(Div. 6.3.Div. 7.4.)
Affordable workforce housing (min)	Housing required for maximum floor area allowed on each lot -25% of new units
Schools and Parks Exactions	(Div. 7.5.)
Exaction land (min)	0.03 acres per housing unit or lot

C. Use

Standards applicable to use are provided in this subsection. Where a cross-reference is listed see the referenced division or section for additional standards. All standards in Article 6 are applicable unless stated otherwise.

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Parking (min) (Div. 6.2.)	<u>Affordable Workforce Housing Units-Employees-to-be Housed</u> (min) (Div. 6.3.)
Open Space						
Agriculture (6.1.3.B.)	Y	n/a	n/a	n/a	n/a	exempt
Residential						
Detached Single-Family (6.1.3.B.)	Y	n/a	1/lot	8,000 sf habitable excluding basement	2/du	$0.000017 * sf + (Exp(-15.49 + 1.59 * \ln(sf))) / 2.414$ n/a
Institutional						
Assembly (out of NRO) (6.1.8.B., E.1.)	C	35 ac	n/a	see E.1.	independent calculation	$0.000698 * sf$ exempt
Daycare/Education (out of NRO) (6.1.8.C., E.1.)	C	35 ac	n/a	see E.1.	independent calculation	$0.000698 * sf$ exempt
Industrial						
Gravel Extraction/Processing (6.1.9.F.)	S		see 6.1.9.F.		1/employee	$0.000326 * sf - 0.03 / 1,000 - sf$
Transportation/Infrastructure						
Utility Facility (6.1.10.C., E.1.)	C	n/a	n/a	see E.1.	1/employee + 1/stored vehicle	$0.000326 * sf$ independent calculation
Wireless Communications			see 6.1.10.D.		1/employee + 1/stored vehicle	$0.000326 * sf$ independent calculation
Accessory Uses						
Accessory Residential Unit (6.1.11.B., E.1.)	B	n/a	see 6.1.11.B., E.3.		1.25/du	exempt-n/a
Home Occupation (6.1.11.D.)	B	n/a	1/du	25% of habitable du sf	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	1/du	25% of habitable du sf	1/du	exempt
Family Home Daycare (6.1.11.F.)	B	n/a	1/du	care for 3-6 persons	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses						
Temporary Shelter (6.1.12.D.)	B	n/a	1/lot	n/a	2	exempt-n/a
Temp. Gravel Extraction (6.1.12.F.)	B	n/a	n/a	15 ac	1/employee	exempt

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use
B=Basic Use Permit () C=Conditional Use Permit (8.4.2.) S=Special Use Permit (8.4.3.)

3. Operational Standards	
Outside Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash and recycling enclosure required	
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.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options and Subdivision

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

1. Allowed Development and Subdivision Options							
Option	Lot Size (min)	Rural Area (min)	Conserv. Area (min)	Develop. Area (max)	Density (max)	Additional Floor Area (max)	Strds.
Subdivision Options							
Land Division	35 ac	n/a	n/a	n/a	n/a	n/a	(7.1.6.)
Development Options							
Floor Area Option	n/a	35 ac	90% of Rural GSA	n/a	2 additional ARU per 35 ac	10,000 sf per 35 ac	(7.1.6.)
Rural PRD	n/a	n/a	Greater of: 70% of Rural GSA OR 49 ac	3 ac per 7ac conserved	3 du per 35 ac	n/a	(7.1.6.)
CN-PRD*	n/a	JH: 105 ac Alta: 70 ac	90% of Rural GSA	--	--	n/a	(7.1.6.)
CN Development Area	n/a	--	--	1 ac per 19 ac Rural GSA	1 du per 4.375 ac Rural GSA	n/a	
Reserved Rural Development Area	n/a	--	--	1 ac per 9 ac conserved	1 du per 35 ac Rural GSA	n/a	

* (JH): East of the Tetons, (Alta): West of the Tetons

2. Residential Subdivision Requirements	
Affordable Workforce Housing	(Div. 6.3.Div. 7.4.)
Affordable workforce housing (min)	Housing required for maximum floor area allowed on each lot -25% of new units
Schools and Parks Exactions	(Div. 7.5.)
Exaction land (min)	0.03 acres per housing unit or lot

C. Use

Standards applicable to use are provided in this subsection. Where a cross-reference is listed see the referenced division or section for additional standards. All standards in Article 6 are applicable unless stated otherwise.

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units-Employees-to-be-Housed (min) (Div. 6.3.)
Open Space						
Agriculture (6.1.3.B.)	Y	n/a	n/a	n/a	n/a	exempt
Residential						
Detached Single-Family (6.1.4.B.)	Y	n/a	1/lot	8,000 sf habitable excluding basement	2/du	$0.000017 * sf + (Exp(-15.49 + 1.59 * \ln(sf))) / 2.414$ n/a
Industrial						
Gravel Extraction/ Processing (6.1.9.F.)	S		see 6.1.9.F.		1/employee	$0.000326 * sf - 0.03 / 1,000 - sf$
Transportation/Infrastructure						
Utility Facility (6.1.10.C.)	C	n/a	n/a	n/a	1/employee + 1/ stored vehicle	$0.000326 * sf$ independent calculation
Wireless Communications			see 6.1.10.D.		1/employee + 1/ stored vehicle	$0.000326 * sf$ independent calculation
Accessory Uses						
Accessory Residential Unit (6.1.11.B., E.6.)	B	n/a	see 6.1.11.B. & E.1.		1.25/du	exempt-n/a
Home Occupation (6.1.11.D.)	B	n/a	1/du	25% of habitable du sf	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	1/du	25% of habitable du sf	1/du	exempt
Family Home Daycare (6.1.11.F.)	B	n/a	1/du	care for 3-6 persons	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses						
Temporary Shelter (6.1.12.D.)	B	n/a	1/lot	n/a	2	exempt-n/a
Temp. Gravel Extraction (6.1.12.F.)	B	n/a	n/a	15 ac	1/employee	exempt

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use
B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.) S=Special Use Permit (Sec. 8.4.3.)

3. Operational Standards	
Outside Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash and recycling enclosure required	
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.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options and Subdivision

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

1. Allowed Development and Subdivision Options							
Option	Lot Size (min)	Rural Area (min)	Conserv. Area (min)	Develop. Area (max)	Density (max)	Additional Floor Area (max)	Strds.
Subdivision Options							
Land Division	35 ac	n/a	n/a	n/a	n/a	n/a	(7.1.6.)
Development Options				none			

2. Residential Subdivision Requirements	
Affordable Workforce Housing	(Div. 6.3.Div. 7.4.)
Affordable workforce housing (min)	Housing required for maximum floor area allowed on each lot -25% of new units
Schools and Parks Exactions	(Div. 7.5.)
Exaction land (min)	0.03 acres per housing unit or lot
3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Access	Required
Right-of-way for a minor local road (min)	60'
Travel lane width for minor local road	10'
Road and driveway design	Also subject to Fire Protection Resolution
Required Utilities	(Div. 7.7.)
Water (required)	Connection to public supply, installation of central supply, or evidence of individual well
Sewer (required)	
0-500' from public sanitary sewer	Connect to public sanitary sewer
> 500' from public sanitary sewer	Small wastewater (septic) facility

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	<u>Affordable Workforce Housing. Units-Employees Required to be Housed</u> (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	Y	0 sf	n/a	n/a	exempt
Outdoor Recreation (<u>6.1.7.C.</u>)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (<u>6.1.4.B.</u>)	Y	0 sf	1 unit per lot	2/DU	$\frac{0.000017 * sf + (Exp(-15.49 + 1.59 * Ln(sf)))}{2.414}$ n/a
Attached Single-Family Unit (<u>6.1.4.C.</u> , <u>E.5.</u>)	C	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	$\frac{0.000017 * sf + (Exp(-14.17 + 1.59 * Ln(sf)))}{2.414}$ n/a
Apartment (<u>6.1.4.D.</u> , <u>E.5.</u>)	C	0 sf	n/a	2/DU + 0.5/DU if ≥ 3 units served by lot	$\frac{0.000017 * sf + (Exp(-14.17 + 1.59 * Ln(sf)))}{2.414}$ n/a
Dormitory (<u>6.1.4.F.</u> , <u>E.5.</u>)	C	0 sf	n/a	1/bed	exempt-n/a
Group Home (<u>6.1.4.G.</u> , <u>E.5.</u>)	C	0 sf	n/a	0.5/bed	exempt-n/a
Lodging					
Campground (<u>6.1.5.D.</u>)	C	0 sf	15 sites per acre	1/campsite + 1/7.5 campsites	independent calculation- 0.58/1,000 sf of commercial floor area- + 1.75-per ac
Commercial					
Office (<u>6.1.6.B.</u>)	C	0 sf	n/a	3.3/1,000 sf	$0.000655 * sf - 0.05/1,000 sf$
Retail (<u>6.1.6.C.</u>)	C	0 sf	n/a	4.5/1,000 sf	$0.000573 * sf - 0.56/1,000 sf$
Service (<u>6.1.6.D.</u>)	C	0 sf	n/a	3/1,000 sf	$0.000573 * sf - 0.20/1,000 sf$
Restaurant/Bar (<u>6.1.6.E.</u>)	C	0 sf	n/a	1/55 sf dining area + 1/30 sf bar area	$0.001589 * sf - 1.35/1,000 sf$
Heavy Retail/Service (<u>6.1.6.F.</u>)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	$0.000573 * sf - 0.06/1,000 sf$
Mini-Storage Warehouse (<u>6.1.6.G.</u>)	C	0 sf	n/a	1/10 storage units + 1/employee	$0.000326 * sf$ independent calculation
Nursery (<u>6.1.6.H.</u>)	C	0 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	$0.000573 * sf - 0.37/1,000 sf + 1.51/ac$

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units Employees Required to be Housed (min) (Div. 6.3.)
Amusement/Recreation					
Developed Recreation (6.1.7.C.)	C	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	0.000698*sف exempt
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	0.000698*sف exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	0.000326*sف 0.03/1,000-sف
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	0 sf	n/a	n/a	0.000326*sف independent calculation
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sف independent calculation
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sف independent calculation
Aviation (6.1.10.E.)	C	0 sf	n/a	independent calculation	0.000326*sف independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.6.)	B	0 sf	see E.6.	1.25/DU	exempt-n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/DU	exempt
Family Home Daycare (6.1.11.F.)	C	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Drive-In Facility (6.1.11.H.)	C	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

2. Residential Subdivision Requirements

Affordable Workforce Housing (Div. 6.3 ~~Div. 7.4.~~)

Required Affordable Workforce Housing Housing required for maximum floor area allowed on each lot
~~25% of new units~~

Schools and Parks Exactions (Div. 7.5.)

Development Exaction 0.03 acres of land per housing unit or lot

3. Infrastructure

Transportation Facilities (Div. 7.6.)

Access required

Right-of-way for a Minor Local Road (min) 60'

Travel lane width for a Minor Local Road (min) 10'

Road and driveway design also subject to Fire Protection Resolution

Required Utilities (Div. 7.7.)

Water Connection to public supply, installation of central supply, or evidence of individual well required

Sewer

Connection to a public sanitary sewer required within 500'

Small Wastewater Facility (septic) approval required otherwise

4. Required Subdivision and Development Option Permits

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

E. Additional Zone-specific Standards

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

- Expansion Permitted.** The land use existing on the site as of May 9, 1994 shall be allowed an out-right expansion of 20% of the size of the structure provided all the standards of this Section and these LDRs are met. In instances where expansion of 20% permits less expansion than the FAR maximum, expansion to the FAR maximum shall be permitted, pursuant to the conditions of this Section and these LDRs.

C. Use Standards

Standards applicable to uses in the MHP-TC 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 MHP-TC zone. This Subsection is intended to indicate all of the use standards applicable in the MHP-TC zone, however, all standards in Article 6. are applicable in the MHP-TC 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-Employees Required to be Housed (min) (Div. 6.3.)
Residential					
Mobile Home (<u>E.1.</u>) (<u>6.1.4.E.</u>)	B	0 sf	n/a	2/DU	exempt n/a
Transportation/Infrastructure					
Utility Facility (<u>6.1.10.C.</u>)	C	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sف independent calculation
Wireless Communication Facilities (<u>6.1.10.D.</u>)	<u>6.1.10.D.</u>	0 sf	n/a	1/employee + 1/stored vehicle	0.000326*sف independent calculation
Accessory Uses					
Home Occupation (<u>6.1.11.D.</u>)	B	0 sf	n/a	n/a	exempt
Family Home Daycare (<u>6.1.11.F.</u>)	B	0 sf	n/a	1/employee + 1 off-street pick-up/ drop-off	exempt
Home Daycare Center (<u>6.1.11.G.</u>)	C	0 sf	n/a	1/employee + 2 off-street pick-up/ drop-off	exempt
Temporary Uses					
Temporary Shelter (<u>6.1.12.D.</u>)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (<u>6.1.12.F.</u>)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

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.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

Standards applicable to development options and subdivision in the MHP-TC 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-TC zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the MHP-TC zone, however, all standards in [Article 7](#), are applicable in the MHP-TC 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 <u>Sec. 7.1.4.</u> for standards			18'	(<u>Sec. 7.1.4.</u>)
2. Residential Subdivision Requirements						
Affordable <u>Workforce</u> Housing					(Div. 6.3 Div. 7.4.)	
Required Affordable <u>Workforce</u> Housing		<u>Housing required for maximum floor area allowed on each lot -25% of new units</u>				
Schools and Parks Exactions					(Div. 7.5.)	
Development Exaction				0.03 acres of land per housing unit or lot		
3. Infrastructure						
Transportation Facilities					(Div. 7.6.)	
Access					required	
Right-of-way for a Minor Local Road (min)					60'	
Travel lane width for a Minor Local Road (min)					10'	
Road and driveway design				also subject to Fire Protection Resolution		

C. Use Standards

Standards applicable to uses in the NC-TC zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NC-TC zone. This Subsection is intended to indicate all of the use standards applicable in the NC-TC zone, however, all standards in Article 6 are applicable in the NC-TC 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- Employees Required to be Housed (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	Y	0 sf	n/a	n/a	exempt
Outdoor Recreation (<u>6.1.7.C.</u>)	C	0 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (<u>6.1.4.B.</u>)	Y	0 sf	1 unit per lot	2/DU	$\frac{0.000017 * sf + (Exp(-15.49 + 1.59 * Ln(sf)))}{2.414}$ n/a
Transportation/Infrastructure					
Utility Facility (<u>6.1.10.C.</u>)	C	0 sf	n/a	1/employee + 1/stored vehicle	$\frac{0.000326 * sf}{independent\ calculation}$
Wireless Communication Facilities (<u>6.1.10.D.</u>)	<u>6.1.10.D.</u>	0 sf	n/a	1/employee + 1/stored vehicle	$\frac{0.000326 * sf}{independent\ calculation}$
Accessory Uses					
Accessory Residential Unit (<u>E.3.</u>) (<u>6.1.11.B.</u>)	B	0 sf	1 per du	1.25/DU	exempt-n/a
Home Occupation (<u>6.1.11.D.</u>)	B	0 sf	n/a	n/a	exempt
Home Business (<u>6.1.11.E.</u>)	C	0 sf	n/a	1/DU	exempt
Family Home Daycare (<u>6.1.11.F.</u>)	B	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (<u>6.1.11.G.</u>)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (<u>6.1.12.D.</u>)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (<u>6.1.12.F.</u>)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

D. Development Options

Standards applicable to development options and subdivision in the NC-TC zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NC-TC zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NC-TC zone, however, all standards in [Article 7](#), are applicable in the NC-TC 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						(E.4.)
Hillside lands with slopes $\geq 10\%$	n/a	(E.5.)	(E.5.)	determined by physical development		(E.5.)
RA-20 Zone	n/a	20 ac	n/a	determined by physical development		
RA-10 Zone	n/a	10 ac	n/a	determined by physical development		
RA-7.5 Zone	n/a	7.5 ac	n/a	determined by physical development		
RA-6 Zone	n/a	6 ac	n/a	determined by physical development		
RA-6/3 (variable) Zone						(E.6.)
Groundwater within 3'	n/a	6 ac	n/a	determined by physical development		
Groundwater deeper than 3'	n/a	3 ac	n/a	determined by physical development		
RA-5 Zone	n/a	5 ac	n/a	determined by physical development		
RA-3 Zone	n/a	3 ac	n/a	determined by physical development		
Exceptions						
Within the boundaries of the Teton Village Planned Resort the minimum lot size shall be as platted on May 9, 1994.						
2. Residential Subdivision Requirements						
Affordable Workforce Housing						(Div. 6.3 Div. 7.4.)
Required Affordable Workforce Housing			Housing required for maximum floor area allowed on each lot -25% of new units			
Schools and Parks Exactions						(Div. 7.5.)
Development Exaction				0.03 acres of land per housing unit or lot		

C. Use Standards

Standards applicable to uses in the S-TC zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the S-TC zone. This Subsection is intended to indicate all of the use standards applicable in the S-TC zone, however, all standards in Article 6 are applicable in the S-TC 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- Employees Required to be Housed (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	Y	0 sf	n/a	n/a	exempt
Outdoor Recreation (<u>6.1.7.C.</u>)	C	80,000 sf	n/a	independent calculation	independent calculation
Residential					
Detached Single-Family Unit (<u>6.1.4.B.</u>)	Y	0 sf	1 unit per lot	2/DU	$\frac{0.000017 * sf + (Exp(-15.49 + 1.59 * Ln(sf)))}{2.414}$ n/a
Dormitory (<u>E.1.</u>) (<u>6.1.4.F.</u>)	C	80,000 sf	15 rooms per acre	1/bed	exempt-n/a
Group Home (<u>E.1.</u>) (<u>6.1.4.G.</u>)	C	80,000 sf	15 rooms per acre	0.5/bed	exempt-n/a
Amusement/Recreation					
Outfitter/Tour Operator (<u>6.1.7.E.</u>)	C	80,000 sf	n/a	independent calculation	independent calculation
Institutional					
Assembly (<u>E.1.</u>) (<u>6.1.8.B.</u>)	C	80,000 sf	n/a	independent calculation	$0.000698 * sf$ exempt
Transportation/Infrastructure					
Utility Facility (<u>6.1.10.C.</u>)	C	80,000 sf	n/a	1/employee + 1/stored vehicle	$0.000326 * sf$ independent calculation
Wireless Communication Facilities (<u>6.1.10.D.</u>)	<u>6.1.10.D.</u>	80,000 sf	n/a	1/employee + 1/stored vehicle	$0.000326 * sf$ independent calculation
Accessory Uses					
Home Occupation (<u>6.1.11.D.</u>)	B	0 sf	n/a	n/a	exempt
Home Business (<u>6.1.11.E.</u>)	C	0 sf	n/a	1/DU	exempt
Family Home Daycare (<u>6.1.11.F.</u>)	B	0 sf	n/a	1/employee + 1 off-street pick-up/ drop-off	exempt
Home Daycare Center (<u>6.1.11.G.</u>)	C	0 sf	n/a	1/employee + 2 off-street pick-up/ drop-off	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units Employees Required to be Housed (min) (Div. 6.3.)
Temporary Uses					
Real Estate Sales Office (6.1.12.C.)	B	0 sf	n/a	3.3/1,000 sf	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use

Individual Use (floor area) (max)

Single family unit (detached)

Habitable floor area excluding basement 8,000 sf

Gross floor area excluding basement 10,000 sf + 100 sf non-habitable FA per acre BSA over 10 acres. Not to exceed 15,000sf

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.)

Heat and Humidity (Sec. 6.4.7.)

Radioactivity (Sec. 6.4.8.)

D. Development Options

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

1. Allowed Development and Subdivision Options							
Option	Lot Size (min)	Rural Area (min)	Conserv. Area (min)	Develop. Area (max)	Density (max)	Additional Floor Area (max)	Strds.
Subdivision Options							
Land Division	12,000 sf	n/a	n/a	n/a	n/a	n/a	7.2.3.
Condominium/ Townhouse	n/a	n/a	n/a	n/a	n/a	n/a	7.2.4.
Development Options							
CN-PRD*	n/a	JH: 105 ac Alta: 70 ac	90% of Rural GSA	--	--	n/a	7.1.6.
CN Development Area	n/a	--	--	1 ac per 19 ac Rural GSA	1 du per 4.375 ac Rural GSA	n/a	
Reserved Rural Development Area	n/a	--	--	1 ac per 9 ac conserved	1 du per 35 ac Rural GSA	n/a	
* (JH): East of the Tetons, (Alta): West of the Tetons							
2. Residential Subdivision Requirements							
Affordable Workforce Housing						(Div. 6.3. Div. 7.4.)	
Required Affordable Workforce Housing				Housing required for maximum floor area allowed on each lot -25% of new units			
Schools and Parks Exactions						(Div. 7.5.)	
Development Exaction					0.03 acres of land per housing unit or lot		
3. Infrastructure							
Transportation Facilities						(Div. 7.6.)	
Access						required	
Right-of-way for a Minor Local Road (min)						60'	
Travel lane width for a Minor Local Road (min)						10'	
Road and driveway design					also subject to Fire Protection Resolution		
Required Utilities						(Div. 7.7.)	
Water			Connection to public supply, installation of central supply, or evidence of individual well required				
Sewer							
Connection to a public sanitary sewer required						within 500'	
Small Wastewater Facility (septic) approval required						otherwise	

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	<u>Affordable Workforce Housing Units-Employees Required to be Housed</u> (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	Y	0 ac	n/a	n/a	exempt
Outdoor Recreation (<u>6.1.7.C.</u>)	C	35 ac	n/a	independent calculation	independent calculation
Dude/Guest Ranch (<u>6.1.3.E.</u>)	C	35 ac		1/LU	<u>independent calculation</u> 0.82/guest
Residential					
Detached Single-Family Unit (<u>6.1.4.B.</u>)	Y	0 ac	1 unit per lot	2/DU	$\frac{0.000017 * sf + (Exp(-15.49 + 1.59 * Ln(sf)))}{2.414}$ n/a
Dormitory (E.3.) (<u>6.1.4.F.</u>)	C	35 ac	7 rooms per acre	1/bed	exempt n/a
Group Home (E.3.) (<u>6.1.4.G.</u>)	C	35 ac	7 rooms per acre	0.5/bed	exempt n/a
Lodging					
Campground (<u>6.1.5.D.</u>)	C	35 ac	15 sites per acre	1/campsite + 1/7.5 campsites	<u>independent calculation</u> 0.58/1,000 sf of commercial floor area + 1.75 per ac
Commercial					
Nursery (<u>6.1.6.H.</u>)	C	35 ac	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	$\frac{0.000573 * sf}{0.37/1,000 sf + 1.51/ac}$
Amusement/Recreation					
Outfitter/Tour Operator (<u>6.1.7.E.</u>)	C	35 ac	n/a	independent calculation	independent calculation
Institutional					
Assembly (E.3.) (<u>6.1.8.B.</u>)	C	35 ac	n/a	independent calculation	<u>0.000698*sf exempt</u>
Daycare/Education (<u>6.1.8.C.</u>)	C	35 ac	n/a	independent calculation	<u>0.000698*sf exempt</u>
Industrial					
Gravel Extraction and Processing (<u>6.1.9.F.</u>)	S	35 ac	n/a	1/employee	<u>0.000326*sf-0.03/1,000 sf</u>

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.)

C=Conditional Use Permit (Sec. 8.4.2.) S=Special 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-Employees Required to be-Housed (min) (Div. 6.3.)
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	35 ac	n/a	1/employee + 1/stored vehicle	0.000326*sف independent calculation
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	35 ac	n/a	1/employee + 1/stored vehicle	0.000326*sف independent calculation
Aviation (6.1.10.E.)	C	0 sf	n/a	independent calculation	0.000326*sف independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.4.)	B	0 ac	see E.4.	1.25/DU	exempt n/a
Bed and Breakfast (6.1.11.C.)	C	70 ac	n/a	0.75/LU	exempt
Home Occupation (6.1.11.D.)	B	0 ac	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 ac	n/a	1/DU	exempt
Family Home Daycare (6.1.11.F.)	B	0 ac	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 ac	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 ac	n/a	1/1,000 sf outdoor display area + 1/employee	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
Farm Stand (6.1.12.E.)	B	0 ac	n/a	5/1,000 sf display area	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. 8.3.5.)

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

3. Maximum Scale of Use

Individual Use (floor area) (max)

Single family unit (detached)

Habitable floor area excluding basement	8,000 sf
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Gross floor area excluding basement	10,000 sf + 100 sf non-habitable FA per acre BSA over 10 acres. Not to exceed 15,000sf
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Accessory residential unit

Primary use residential	1,000 sf gross
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Primary use nonresidential	850 sf habitable
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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.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

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

1. Allowed Development and Subdivision Options							
Option	Lot Size (min)	Rural Area (min)	Conserv. Area (min)	Develop. Area (max)	Density (max)	Additional Floor Area (max)	Strds.
Subdivision Options							
Land Division	35 ac	n/a	n/a	n/a	n/a	n/a	7.2.3.
Development Options							
Floor Area Option	n/a	35 ac	90% of Rural GSA	n/a	2 additional ARU per 35 ac	10,000 sf per 35 ac	7.1.5.
Rural PRD	n/a	n/a	Greater of: 70% of Rural GSA OR 49 ac	3 ac per 7 ac conserved	3 du per 35 ac	n/a	7.1.2.
CN-PRD*	n/a	JH: 105 ac Alta: 70 ac	90% of Rural GSA	--	--	n/a	7.1.6.
CN Development Area	n/a	--	--	1 ac per 19 ac Rural GSA	1 du per 4.375 ac Rural GSA	n/a	
Reserved Rural Development Area	n/a	--	--	1 ac per 9 ac conserved	1 du per 35 ac Rural GSA	n/a	

* (JH): East of the Tetons, (Alta): West of the Tetons

2. Residential Subdivision Requirements	
Affordable Workforce Housing	(Div. 6.3. Div. 7.4.)
Required Affordable Workforce Housing	Housing required for maximum floor area allowed on each lot -25% of new units
Schools and Parks Exactions	(Div. 7.5.)
Development Exaction	0.03 acres of land per housing unit or lot

Article 4. Special Purpose Zones

Div. 4.1. All Special Purpose Zones (1/1/15)	4-2
Div. 4.2. Civic Zones	4-2
4.2.1. Public/Semi-Public - County (P/SP-TC) Zone (AMD2017-00048/14/17)	4-3
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Div. 4.3. Planned Resort Zones	4-14
4.3.1. All Planned Resort Zones (AMD2017-00041/1/17)	4-14
4.3.2. Snow King (1/1/15)	4-30
4.3.3. Teton Village I (1/1/15)	4-31
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12. Required Physical Development Permits					
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit					
< 5 units			X		(Sec. 5.7.1.)
5 - 10 units		X	X		(Sec. 5.7.1.)
> 10 units	X	X	X		(Sec. 5.7.1.)
Nonresidential Floor Area					
< 3,450 sf			X		(Sec. 5.7.1.)
3,450 to 12,000 sf		X*	X		(Sec. 5.7.1.)
> 12,000 sf	X*	X*	X		(Sec. 5.7.1.)
Sign				X	(Sec. 5.7.1.)
* Not required for physical development associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B.					

C. Use Standards

Standards applicable to uses in the P/SP-TC 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-TC zone. This Subsection is intended to indicate all of the use standards applicable in the P/SP-TC zone, however, all standards in Article 6. are applicable in the P/SP-TC 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-Employees-Required to be Housed (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	Y	0 sf	n/a	n/a	exempt
Outdoor Recreation (6.1.7.C.)	C	0 sf	n/a	independent calculation	exempt
Residential					
Dormitory (6.1.4.F.)	C	0 sf	n/a	1/bed	exempt
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

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.)
C=Conditional Use Permit (Sec. 8.4.2.) S=Special 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 Employees- Required to be Housed (min) (Div. 6.3.)
Amusement/Recreation					
Developed Recreation (6.1.7.C.)	C	0 sf	n/a	4.5/1,000 sf	exempt
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	exempt
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf	exempt
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	exempt
Junkyard (6.1.9.E.)	C	0 sf	n/a	1/employee	exempt
Gravel Extraction and Processing (6.1.9.F.)	S	0 sf	n/a	1/employee	exempt 0.03/1,000-sf
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	0 sf	n/a	n/a	exempt
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	exempt
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	0 sf	n/a	1/employee + 1/stored vehicle	exempt
Aviation (6.1.10.E.)	C	0 sf	n/a	independent calculation	exempt-independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.3.5.)

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

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	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

Standards applicable to development options and subdivision in the P/SP-TC 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-TC zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the P/SP-TC zone, however, all standards in Article 7. are applicable in the P/SP-TC 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						
Affordable <u>Workforce</u> Housing						(Div. 6.3 Div. 7.4.)
Required Affordable <u>Workforce</u> Housing						Exempt -25% of new units
Schools and Parks Exactions						(Div. 7.5.)
Development Exaction				0.03 acres of land per housing unit or lot		

12. Required Physical Development Permits					
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)
Dwelling Unit			X		(Sec. 5.7.1.)
Nonresidential Floor Area					
< 3,450 sf			X		(Sec. 5.7.1.)
3,450 to 12,000 sf		X*	X		(Sec. 5.7.1.)
> 12,000 sf	X*	X*	X		(Sec. 5.7.1.)
Sign				X	(Sec. 5.7.1.)
* Not required for physical development associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B.					

C. Use Standards

Standards applicable to uses in the P-TC 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-TC zone. This Subsection is intended to indicate all of the use standards applicable in the P-TC zone, however, all standards in Article 6. are applicable in the P-TC 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-Employees Required to be Housed (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	Y	0 ac	n/a	n/a	exempt
Outdoor Recreation (6.1.7.C.)	C	0 ac	n/a	independent calculation	independent calculation-exempt
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 ac	n/a	1/employee + 1/stored vehicle	0.000326*sf independent calculation
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	0 ac	n/a	1/employee + 1/stored vehicle	0.000326*sf independent calculation
Accessory Uses					
Accessory Residential Unit (E.1.) (6.1.11.B.)	C	30 ac	1 unit per lot	2/DU	exempt-n/a
Home Occupation (6.1.11.D.)	B	0 ac	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 ac	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Farm Stand (6.1.12.E.)	B	0 ac	n/a	5/1,000 sf display area	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. 8.3.5.) C=Conditional Use Permit (Sec. 8.4.2.)

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Accessory residential unit	
Habitable floor area	1,500 sf
Gross floor area	2,000 sf
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	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

Standards applicable to development options and subdivision in the P-TC 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-TC zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the P-TC zone, however, all standards in [Article 7.](#) are applicable in the P-TC 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						
Affordable Workforce Housing						(Div. 6.3 Div. 7.4.)
Required Affordable Workforce Housing			Housing required for maximum floor area allowed on each lot 25% of new units			
Schools and Parks Exactions						(Div. 7.5.)
Development Exaction				0.03 acres of land per housing unit or lot		

B. Applicability

The provisions of this Division shall only apply to lands zoned Planned Resort on March 26, 2010. Only those lands described below shall be eligible for Planned Resort zoning. The intent is that a limited number of PR Zones be created and only in locations that are consistent with the Jackson/Teton County Comprehensive Plan.

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

C. Legislative Act

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

D. Findings for Approval

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

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

4. **Master Site Plan.** The Planned Resort master plan shall have a Master Site Plan that clearly illustrates the proposed development and the site to the satisfaction of the Planning Director.
5. **Dimensional Limitation Plan.** The Planned Resort master plan shall have a Dimensional Limitation Plan, which specifies dimensional limitations necessary to achieve the design theme identified by the applicant. The plan shall include floor areas and floor area ratios, densities, landscape ratios, height, setbacks, building envelopes, etc., or other lines delineating areas on which restrictions of development are to be imposed and areas in square feet for each lot or building. Any dimensional limitations unspecified by the Planned Resort master plan shall be established by the standards applicable in the zone that existed on the property prior to the approval of the Planned Resort master plan.
6. **Housing Element.** The Planned Resort master plan shall have a housing element to ensure a supply of affordable ~~workforce and employee~~ housing that is commensurate to the demand for housing created by development within the Planned Resort.
 - a. ~~Affordable Housing.~~ ~~Affordable housing shall be provided in conjunction with residential development pursuant to Div. 7.4.~~
 - b. ~~Employee Housing.~~ ~~Employee Affordable workforce housing~~ shall be provided ~~in conjunction with nonresidential development~~ pursuant to Div. 6.3.
 - i. **Employee Housing Calculations.** Since development of a Planned Resort may span time periods over which numbers of employees and their salaries may fluctuate, the calculations performed in developing a Housing Mitigation Plan shall use data current for the most recent full year prior to application for Planned Resort master plan.
 - ii. **Master Plan Estimate.** The ~~number of employees amount of housing required to be housed~~ and the locations where ~~it they~~ will be ~~provided-housed~~, as presented in the Planned Resort master plan, shall be treated as an estimate/concept, and shall be finalized by the Planning Director as ~~Final~~-Development Plans within the Planned Resort are reviewed and acted upon. Each approved ~~Final~~-Development Plan shall establish the actual ~~amount and location of required housing-number of employees required to be housed and the locations in which they will be housed~~ for that portion of the Planned Resort master plan.
7. **Design Element.** The Planned Resort master plan shall include design guidelines, and a mechanism for their implementation, that establish design parameters for both buildings and spaces in the Planned Resort. The design theme of the resort shall be defined by the applicant and be consistent with the standards of this Section. This Subsection establishes concepts that the design guidelines shall address; the design guidelines shall be evaluated as to whether or not they address these concepts, as well as character objectives for specific resorts set forth in Sec. 4.3.2.-Sec. 4.3.7. The design guidelines

- i. the delayed construction of the improvement does not create a negative impact or exacerbate an existing problematic condition; and
 - ii. financial assurance, in a form acceptable to the Board of County Commissioners, is provided, i.e., letter of credit, that the improvement required for the earlier phase will be developed within a certain time-frame, even if later phases remain undeveloped.
- c. **Coordinated With Public Services.** Phasing shall be coordinated with the improvements schedule or capital improvements program of public or semipublic service providers, as identified in the Capital Improvements Element.
- d. **Relationship of Phasing to Overall Resort Plan.** Phasing shall implement the stated purpose of the Planned Resort master plan, i.e., if a destination ski area is the basis for the resort plan, the ski area facilities should not be the last increment of development. Similarly, open space dedications, amenities, and required performances that mitigate the impacts of the resort shall be developed or provided in proportion to the type and amount of development in each phase.
- e. **Performance Objectives.** The County shall establish performance objectives as part of the Planned Resort master plan approval that ensure that development within the Planned Resort achieves the required mitigation of projected impacts on the community. The resort developers shall be responsible for ensuring that proposed mitigation measures are effective.

EXAMPLE: The resort approval may require vehicle trip reduction techniques in order to avoid undesired vehicle trips. Performance objectives shall be identified and incorporated into a monitoring program, described below.

- f. **Monitoring Program.** A program for monitoring compliance with performance objectives for each phase of development shall be designed in a collaborative effort between the applicant(s) and the County, and shall be set forth in the Planned Resort master plan approval. The monitoring program shall be implemented by the applicant, or an entity that equitably represents all landowners within the Planned Resort, and will include monitoring of TDM components, ~~affordable workforce-employee~~ housing developments, and other such elements as identified by the Board of County Commissioners.
 - i. **Program Contents.** The monitoring program shall specify data collection needs, responsibility for data collection, techniques to be used in analyzing data, how the data shall be used to determine achievement of performance objectives, and the schedule for reporting to the County the results of the monitoring effort.
 - ii. **Program Results.** Representatives of the landowners within the Planned Resort shall have 3 reporting opportunities to demonstrate achievement of performance objectives. If, by the third scheduled report, the

objectives for the resort, or better implement the goals and objectives of the Comprehensive Plan. Similarly, an applicant's ability to achieve the maximums permitted is dependent upon the Planned Resort master plan's avoidance or mitigation of negative impacts on the community, its achievement of the character objectives for the resort, or its contribution toward achievement of the goals and objectives of the Comprehensive Plan.

- c. **Definitions.** The following definitions shall be used when evaluating each Planned Resort Zone:
- i. **Guest.** A guest is a person who is accommodated in overnight lodging facilities within the Planned Resort. The number of guests is calculated by the "average peak occupancy" of the lodging accommodations.
 - ii. **Average Peak Occupancy.** For the purposes of this Section, the following average peak occupancies (APOs) shall be used in calculating the capacity of guest accommodations:
 - a). **Hotel, Motel, or Similar Lodging Unit.** A hotel, motel, or similar lodging unit that exists as sleeping quarters only, and does not contain other types of living spaces such as a living room or kitchen, shall be assigned an APO of two.
 - b). **Dwelling Unit.** A dwelling unit, used for short term rental, shall be assigned an APO of four.
 - c). **Other.** Other lodging facilities that do not meet the definitions above shall have an APO assigned that is the sum of the number of bedrooms the lodging facility contains multiplied by two.

G. Increased Density Limited to Affordable ~~Workforce or Employee~~ Housing

An amendment to a Planned Resort master plan shall not increase residential density except to provide affordable ~~workforce~~ housing ~~that meets the standards of Div. 7.4. or employee housing~~ that meets the standards of Div. 6.3.

1. ~~Rental affordable workforce~~ **Employee** housing shall be for the benefit of housing persons employed within the boundaries of the resort within which the housing is located. In the event there are no persons directly employed within the resort who qualify to rent the unit, the unit shall be first offered to other qualified households, a member of which is employed within 5 miles of the unit. If there are no such persons then the residential unit may be rented to any person employed within Teton County.

4.3.2. Snow King (1/1/15)

[Section number reserved, standards only applicable in Town]

Article 6. Use Standards Applicable in All Zones

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- iii. The occupants shall be intermittent, nonpaying guests of the family occupying the primary Detached Single-Family Unit.
- c. ~~Use as Required Housing-Primary Use Is Not Residential.~~ An accessory residential unit may be ~~utilized-counted~~ to satisfy ~~the-any~~ requirements set forth in Div. 6.3. so long as it complies with the standards of Div. 6.3.
- d. **Primary Use Is Residential.** The floor area of an ARU accessory to a residential unit shall be included in the maximum floor area/FAR and the maximum scale of development calculation for the primary dwelling unit.
- e. **Rental Period.** An ARU rental period shall be a minimum of 90 days.
- f. **Outside Storage.** Only vehicles used for daily travel may be stored outside. All other possessions belonging to occupants of an accessory residential unit, such as recreational, secondary or inoperative vehicles, boats, motorcycles, canoes, kayaks, lumber and other construction materials not associated with an on-going construction project on the site, or other similar items contributing to an untidy appearance, shall be stored within an enclosed structure, such as a garage.

C. Bed and Breakfast

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

D. Home Occupation

- 1. **Definition.** A home occupation is an accessory nonresidential use conducted entirely within a residential unit or on-site structure accessory to the residential unit. The intent of a home occupation is to give small, local businesses a place to start. Home occupations are intended to be at a residential scale; once they grow beyond a certain size they can no longer be characterized as home occupations.
 - a. **Includes:**
 - i. professional services (e.g. accountant, physician, real estate agent)
 - ii. studios (e.g. art, handcraft, music)

2. **Change of Use.** An applicant for a change of use shall only be required to additionally provide the difference between the parking requirement of the existing use and proposed use, regardless of the actual parking that exists.

B. Shared Parking

If two or more uses occupy a site or structure, the required parking, queuing and loading shall be the additive total for each individual use unless the Planning Director determines uses are compatible for sharing parking based on the following standards.

1. **Residential and Nonresidential Uses.** A percentage of the parking spaces required for nonresidential uses may be considered shared with on-site residential uses in accordance with the table below, and the extent to which:
 - a. The residential use provides on-site ~~affordable workforce-employee~~ housing; and
 - b. The location and design of the development enhances the shared parking function.

Percentage of Nonresidential Parking Spaces that May Be Shared		
Nonresidential Use	Affordable Workforce Affordable/Employee Housing or ARU	Other Residential Use
Retail	100%	25%
Office	100%	75%
Restaurant/Bar	100%	20%
Service	100%	25%
All Industrial Uses	100%	75%
Other nonresidential uses	100%	20%

2. **Other Compatible Uses.** Notwithstanding the standard percentages established in the table above, reductions in total parking requirements between and among any uses may be granted in one or more of the following circumstances:
 - a. When it is intended that patrons frequent more than one use in a single trip (example: lodging and restaurant)
 - b. When operating hours are substantially different (example: movie theater and office)
 - c. When peak trip generation characteristics are substantially different (example: lodging and retail)

C. Required Disability Parking

All nonresidential uses and residential uses served by a parking lot shall provide parking spaces in the parking lot for use by motor vehicles which transport disabled persons in accordance with the following standards.

Div. 6.3. Affordable Workforce Housing Standards- Employee Housing Requirements

6.3.1. Purpose and Findings (AMD2017-0004)

A. Purpose

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

B. Legislative Findings

In adopting this Section, the Board of Teton County Commissioners finds:

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

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

6.3.2. Applicability (AMD2017-0004)

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

C. Technical support

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

D. Authority

The Board of County Commissioners has the authority to adopt these affordable workforce housing standards in accordance with Section 18-5-202, Wyoming Statutes, and such other authorities and provisions that are established in the statutory and common law of the State of Wyoming.

6.3.2. Applicability (AMD2017-0004)

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

A. Approved Unbuilt Development

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

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

B. Exemptions

The following are exempt from the standards of this Division.

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

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

4. Affordable workforce housing unit. A residential unit subject to a deed restriction administered by the Housing Department, Jackson Hole Community Housing Trust, or Habitat for Humanity of the Greater Teton Area. (This exemption shall not apply to an occupancy restriction as defined in the Housing Department Rules and Regulations.)
5. Agriculture. An agriculture use (6.1.3.B).
6. 2,000 sf local occupancy detached single-family unit. A detached single-family unit (6.1.4.B) of 2,000 square feet or less, which meets the standards for local occupancy established in 6.3.3.A.8. (Upon expansion of such a unit beyond 2,000 sf, this Division shall apply to the entire unit.)
7. Mobile home. A mobile home (6.1.4.E) or mobile home park (7.1.4).
8. Dormitory. A dormitory (6.1.4.F).
9. Group home. A group home (6.1.4.G).

6.3.3. Amount of Affordable Workforce Housing Required (AMD2017-0004)

10. Accessory use. An accessory use (6.1.11), except for a Bed and Breakfast (6.1.11.C).
11. Non-Single-Family Subdivision. Land division in the AC, WC, OP, BP, P, and P/SP zones.
12. Public/semi-public zone. Physical development, use, development option, or subdivision in the public/semi-public zone.
13. Alta. Physical development, use, development option, or subdivision west of the Tetons.

6.3.3. Amount of Affordable Workforce Housing Required

(AMD2017-0004)

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

1. Schedule and calculator available. A schedule of the requirement for employee generating development of various sizes and a calculator to use in determining the requirement are both available in the Administrative Manual. The residential requirement is a logarithmic equation because there is an exponential relationship between the size of a unit and the number of operations and maintenance employees generated.
2. Use not listed. For uses not listed, the Planning Director shall either find a use comparable to the proposed employee generating development and utilize the comparable calculation, or require the applicant to conduct an independent calculation pursuant to 6.3.3.B to determine the requirement.
3. Expansion. In the case of an expansion to an existing physical development, use, development option, or subdivision, the amount of affordable workforce housing required shall be calculated based only on the expansion.
4. Change of Use. In the case of a change of use, the amount of affordable workforce housing required shall be the difference between the requirement for the proposed use and the requirement for the existing use. An existing use shall not have been discontinued for longer than 12 months.
5. Estimating use or size. Where the use or size of the proposal is unknown, the following estimates shall be used:
 - a. Platting vacant single family-lots. For subdivision in the R-1, R-2, R-3, R-TC, S, NC, BC, and AR zones, the maximum habitable floor area allowed above ground on each lot proposed shall be used to calculate the amount of affordable workforce housing required at the time of subdivision. If additional habitable floor area is proposed at the time of building permit, the additional affordable workforce housing mitigation as required by this Section shall be required at that time.
 - b. Unknown use. For the development of floor area with an unknown use, the allowed use in the zoning district with the greatest need for affordable workforce housing shall be used, except that use of a Restaurant/Bar use shall only be required in association with a Restaurant/Bar use permit.
6. Sf. In the calculations "sf" is equal to the habitable floor area (in square feet), including basement, of each residential, lodging, or nonresidential unit.
 - a. The calculation for a multi-unit building shall be the sum of the calculation for each unit.
 - b. Common hallways, entryways, stairways, and other circulation areas in buildings with multiple residential or nonresidential units, that are not within any individual unit, shall not be included in the calculation.
 - c. Other square footage used for commercial activity that are not habitable floor area, such as outdoor seating and sales areas, shall be included in the calculation.

7. Room. In the calculations “room” is equal to a single lodging room. In the case of a conventional lodging or short-term rental with multiple bedrooms per unit, the number of rooms used in the calculation shall be the number of bedrooms, not the number of units.
8. Local occupancy restriction. The requirement for non-local occupancy shall be applied to all residential uses. In order to utilize the local occupancy calculation, an occupancy restriction as defined in the Housing Department Rules and Regulations shall be placed on the unit. (Placement of an affordable restriction or workforce restriction, as defined in the Housing Department Rules and Regulations, shall exempt the unit from any requirement pursuant to 6.3.2.B.4.) In order to remove such a restriction, the affordable workforce housing required on the date of the removal shall be provided. In the case of removal of an occupancy restriction the affordable workforce housing requirement shall be calculated as a change of use from local to non-local occupancy.
9. Update requirement regularly. The determination of need for affordable workforce housing shall be evaluated and updated at least every five years to account for changes in the economic and demographic trends in the community. Updates shall be based on update to The Teton County and Town of Jackson Employee Generation Land Use Study (August 22, 2013), as amended.

B. Independent Calculation

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

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

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

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

6.3.4. Type of Affordable Workforce Housing Required (AMD2017-0004)

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

A. Unit types allowed.

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

B. Affordability.

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

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

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

<u>Distribution of Affordability Restrictions</u>	
<u>Affordability Restriction</u>	<u>% of Required Units</u>
<u>< 50%</u>	<u>At least 34%</u>

<u>50% - 80%</u>	<u>At least 27%</u>
<u>80% -120%</u>	<u>No more than 23%</u>
<u>120% - 200%</u>	<u>No more than 15%</u>

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

C. Unit Size - Allocation of bedrooms per unit.

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

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

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

D. Required components of livability.

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

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

5. An area for storage.

E. Compliance with Rules and Regulations.

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

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

6.3.5. Method for Providing Required Affordable Workforce Housing (AMD2017-0004)

A. Standards Applicable to All Methods

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

1. Type. Each required affordable workforce housing unit shall meet the standards of Section 6.3.4, as well as all other standards of these LDRs and the Housing Department Rules and Regulations.
2. Location. Each required unit shall be located in the Town of Jackson or in Teton County east of the Tetons, and shall be in an area determined suitable for affordable workforce housing.
3. Deed Restriction. To ensure compliance with the standards of this Division, the property of each affordable workforce housing unit and the property of the employee generating development shall both be subject to a deed restriction, in perpetuity, and a Housing Mitigation Agreement. More specifically:
 - a. Deed restriction. The property of the affordable workforce housing unit and the property of the employee generating development shall be subject to a deed restriction in a form established and approved by the Housing Department, and included in the Rules and Regulations.
 - b. Housing Mitigation Agreement. The property of the affordable workforce housing unit and the property of the employee generating development shall also be subject to a Housing Mitigation Agreement which shall be recorded against the property of the employee generating development in a form acceptable to the County Attorney.

B. Preferred Methods.

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

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

C. Priority Method Impracticable

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

1. Less than one unit. An in-lieu fee may be paid for an affordable workforce housing requirement of less than one unit.
2. On-site provision impractical. On-site provision of the required workforce housing:

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

D. Standards Applicable to Specific Methods

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

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

- iv. The approval process for the employee generating development shall occur concurrent with the approval process of the required affordable workforce housing development.

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

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

expense, stipulating the land is suitable for the type of construction contemplated, stating any special construction techniques necessary for its development.

h. Use of conveyed land.

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

3. Banked units.

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

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

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

6.3.6. Housing Mitigation Plan and Housing Mitigation Agreement (AMD2017-0004)

A. Housing Mitigation Plan

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

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

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

6.3.6. Town Employee Housing Standards (1/1/15)

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

B. Housing Mitigation Agreement

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

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

6.3.7. ~~Town Employee Housing Standards~~ ^(1/1/15)

~~{Section number reserved; standards only apply in Town}~~

6.3.8. ~~County Employee Housing Standards~~ ^(1/1/17)

A. Applicability

~~The standards of this Subsection apply to nonresidential uses unless exempted below. Affordable housing shall be provided in conjunction with residential development pursuant to Div. 7.4.~~

B. Exemptions

~~The following development is exempted from the standards of this Division:~~

1. **Redevelopment of Preexisting Uses.** Redevelopment or remodeling of a nonresidential use existing prior to the effective date of this Section is exempt from the standards of this Division, provided no additional floor area is created by the redevelopment or remodeling activity. In the event new floor area is created, only the area that existed prior to the redevelopment or remodeling shall be exempt from the standards of this Division.
2. **Change of Use.** Any change of use which would result in an employee housing requirement less than or equal to a prior use legally existing on the effective date of this Section is exempt from the provisions of this Subsection. In the event that a change of use results in an employee housing requirement, which is greater than that of the prior legally existing use, only the difference in the employee housing requirement is subject to being provided pursuant to this Division.
3. **Use of a Lot of Record for which Employee Housing Standard has Already Been Met.** Use of any lot of record for which the employee housing standard, pursuant to this Division, has already been met through provision of employee housing, conveyance of land, or payment of fees in lieu, is exempt from the standards of this Division.
4. **Institutional Uses.** Any institutional use is exempt from the standards of this Division.
5. **Accessory Uses.** Nonresidential accessory uses are exempt from the standards of this Division.
6. **Temporary Uses.** Temporary uses are exempt from the standards of this Division.
7. **Agriculture.** Agriculture is exempt from the standards of this Division.
8. **Utility Facilities.** Utility facilities are exempt from the standards of this Division.
9. **Home Uses.** Home occupations and home businesses are exempt from the standards of this Division.
10. **P/SP Uses.** Any use in the P/SP zone is exempt from the standards of this Division.

C. Calculation of Employee Housing Requirement

The employee housing standards for all nonresidential development not exempted shall be as follows:

1. **Required Employee Housing.** Developers of nonresidential uses shall provide housing for seasonal employees pursuant to the standards of the table below. The employee housing shall be provided consistent with the methods for providing employee housing.

Employee Housing Requirement	
Use	Employees Required to be Housed
Dude Ranch	0.82 per guest
Conventional Lodging	0.19 per bedroom

6.3.6. County Employee Housing Standards (1/1/17)

Short-term rental	0.10 per bedroom
Campground	0.58 per 1,000-sf of commercial floor area + 1.75 per ac
Office	0.05 per 1,000-sf
Retail	0.56 per 1,000-sf
Service	0.20 per 1,000-sf
Restaurant/Bar	1.35 per 1,000-sf
Heavy retail/service	0.06 per 1,000-sf
Nursery	0.37 per 1,000-sf + 1.51 per ac
All Industrial uses	0.03 per 1,000-sf
Other Uses Not Listed	Determined by independent calculation (6.3.8.F.)

2. **Nonresidential Use.** The employee housing requirement for any nonresidential use not listed in the table above and not exempted shall be determined by an independent calculation. The requirement given in the table above is the result of calculating the number of peak season employees who are in need of housing, accounting for those who may already live in the community and accounting for average wages paid by various land uses (see Seasonal Employee Housing Needs Assessment, Appendix D, Jackson/Teton County Comprehensive Plan.)

D. Method for Providing Employee Housing

Applicants shall demonstrate how the required employee housing is to be provided by submitting a Housing Mitigation Plan. Employee housing may be provided by one, or a combination of the following methods; the method shall provide housing appropriate for occupation during the applicant's peak season:

1. **On-Site Housing.** Provision of employee housing on-site is the preferred method for providing employee housing required because of nonresidential use outside of the PUD Zone for Planned Resort and shall be used whenever possible and wherever practicable. Provision of employee housing within the PUD Zone for Planned Resort is the preferred method for providing employee housing required because of nonresidential use inside of the PUD Zone for Planned Resort and shall be used whenever possible and wherever practicable.
2. **Alternate Location.** Employee housing may be provided off-site should the applicant demonstrate that on-site development of employee housing is not possible. Applicants with obligations to provide employee housing may pool their required units with employee or affordable units from other developments to create a viable off-site housing project. The purchase or otherwise designation, assignment, or commitment of existing housing stock is not permitted for purposes of meeting the requirements of this Division. The applicant may propose an alternate location provided the density proposed at the alternate location does not exceed the residential density permitted by the zone in which the site is located.

3. **Planned Resort Alternate Location.** In the case of nonresidential use within the PUD Zone for Planned Resort, required employee housing may be provided outside the PUD Zone for Planned Resort provided the density proposed at the alternate location does not exceed the residential density permitted by the zone in which the site is located. Proposals to amend the zone for an alternate location for employee housing shall be consummated prior to or concurrently with approval of the Planned Resort Master Plan (such proposals will be most favorably reviewed in areas identified in the Jackson/Teton County Comprehensive Plan as an area appropriate for higher residential densities or as an affordable housing node.) In proposing an alternate employee housing location, the manner by which employees will travel to work shall be described in the Transportation Demand Management Plan, pursuant to the Transportation Element requirements of the Planned Resort Master Plan.
4. **Employee Unit Types.** Accessory residential units, hotel/motel rooms, cabins, apartments, townhouses, detached dwelling units, boarding houses, and campground space are all acceptable methods for providing employee housing. Notwithstanding, the type of housing unit provided for employees shall be appropriate for occupation during the applicant's peak season.
5. **Number of Employees per Unit Credited.** The table below gives the number of employees each type of unit will be credited toward an applicant's employee housing obligation:

Number of Persons Housed per Unit	
Unit Type	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
Dormitory	1.00 per 150 sf of net habitable area
Campground	1.25 per tent or RV site

6. **Payment of In-Lieu Fees.** An applicant may pay an in-lieu fee for each employee required to be housed by this Division, only if no other arrangement acceptable to the County can be made for provision of employee housing:
 - a. **2008 Fee Amount.** The fee per employee shall be \$57,221.
 - i. **Updating the Fee.** The fee set forth above shall be in effect through April 2009. By resolution, during that April, and each subsequent April, the Board of County Commissioners shall update the fee to reflect the updated fee amount and applicable year of the fees. The updated fee shall be applicable to any application that has not been declared sufficient as of May 1 of the year of approval of the update.

6.3.6. County Employee Housing Standards (1/1/17)

- ii. ~~Calculation of the in-lieu fee. The Jackson/Teton County Affordable Housing Department shall publish a current in-lieu fee schedule, containing the current fees and the calculation of those fees, annually following the update of the fees. The fee shall be calculated using the equation and data sources specified below. The fee shall be equal to the difference between cost of constructing the housing per person housed and the ability of an average seasonal employee to pay for that housing:~~

$$\text{In-Lieu Fee per Seasonal Employee} = 1010.952A + B/60 - 2.4182C$$

~~A = the average per square foot construction cost for residential multiple family construction types IIIA, IIIB, VA and VB as published by the IGC for the previous half-year.~~

~~1010.952 = the multiplier accounting for the cost of the physical construction of 400 square feet of living area per employee, the cost of developing that 400 square feet which is assumed to equal 20% of the cost of construction, and an adjustment to account for the fact that multi-family construction in Teton County is 2.106 times more expensive than the IGC published average based on Teton County builder and developer interviews conducted in 2006-2007 by Economic Planning Solutions and the average per square foot construction cost for residential multiple family construction types IIIA, IIIB, VA and VB published by the IGC in February 2005.~~

~~B = the average homesite sale for the previous year as published in the "The Hole Report" by Jackson Hole Real Estate and Appraisal, or an approved equal market summary.~~

~~60 = the multiplier that derives land costs per person, assuming 12 units per acre, an average of 1.8 employees per household or unit, and an adjustment factor to get per acre value based on Teton County builder and developer interviews on 2004 average homesite sales per acre conducted in 2006-2007 by Economic Planning Solutions and the average homesite sale in 2004 as reported by a Jackson Hole Real Estate and Appraisal.~~

~~C = the average Teton County wage of a person in the Construction, Manufacturing, Other Services, Retail Trade, Transportation and Warehousing, Educational Services, Arts, Entertainment, and Recreation, Accommodation and Food Services sectors, based on the most recent four quarters of data available from the U.S. Bureau of Labor Statistics Quarterly Census of Wages and Employment.~~

~~2.4182 = the multiplier representing the amount that can be paid for~~

- housing by the average Teton County seasonal employee dedicating 30% of his/her income to housing and taking into account the present value of 15 years of rent at a discount rate of 9 percent. _____
- b. **Time of Payment and Use of Funds.** Payment of the in-lieu fee shall be made to the County prior to, and on a proportionate basis to the issuance of any nonresidential use permit.
- i. **Interest Bearing Account.** The County Treasurer shall transfer the funds to an interest bearing fund.
- ii. **Authorized Uses of Fees.** The funds, and any interest accrued, shall be used only for the purposes of planning for, subsidizing or developing employee housing units.
- c. **Refund of Fees**
- i. **Seven Year Limit.** Fees collected pursuant to this Subsection may be returned to the then present owner of property for which a fee was paid, including any interest earned, if the fees have not been encumbered within 7 years from the date of payment, unless the Board of County Commissioners shall have earmarked the funds for expenditure on a specific project, in which case the Board of County Commissioners may extend the time period by up to 3 more years.
- ii. **Sequence of Expenditures.** Fees paid pursuant to this Section are deemed to be spent or encumbered in the sequence in which they were received.
- iii. **Written Request.** To obtain the refund, the present owner must submit a written request to the Planning Director within one year following the end of the 7th year from the date payment was received.
- iv. **Refunds for Expired Permits.** Any payment for a project for which the use permit has expired, due to non-commencement of the use, may be refunded provided a request for refund is submitted to the Planning Director within 3 months of the date of the expiration of the building permit. All requests shall be accompanied by proof that the applicant is the current owner of the property and a copy of the dated receipt issued for payment of the fee.
- v. **Credit for Non-Refunded Payments.** Any payments made for a use which is not realized for any reason, and for which a refund has not been requested in accordance with this Subsection, shall be retained by Teton County and a credit shall be established. Such credit runs with the land, is not transferable to other property, and may only be used against future employee housing obligations on the subject property. A record of such credit shall be maintained by the County.

E. ~~Housing Mitigation Plan~~

1. ~~**Housing Mitigation Plan Required.** A Housing Mitigation Plan is required for all nonresidential uses not exempted from this Division. Any applicant required to provide less than one employee housing unit, may be permitted to pay an in-lieu fee. The Housing Mitigation Plan shall include the following:~~
 - a. ~~**Requirement Calculations.** Calculations determining the number of employees required to be housed and the number of employee units to be provided.~~
 - b. ~~**Method.** The method by which housing is to be provided.~~
 - c. ~~**Unit Descriptions.** A conceptual site plan and building floor plan (if applicable), illustrating the number of units proposed, their location, and the number of bedrooms and size (square feet) of each unit.~~
 - d. ~~**Units Developed.** If employee housing units are proposed to be developed, the proposed restrictions that will be placed on the units to ensure the units will remain available as employee housing units. All restrictions are subject to approval of the Jackson/Teton County Affordable Housing Department.~~
 - e. ~~**Fee Calculations.** If fees in-lieu are proposed, the calculations for determining the required fee amounts shall be submitted.~~

F. ~~Independent Calculation~~

~~Independent calculations shall be performed when required pursuant to the table in 6.3.8.C. Independent calculations also may be performed by an applicant in order to request modification to the amount of employee housing required to be provided.~~

1. ~~**Calculation Contents.** The independent calculations shall be performed according to the following formula and shall be supported by local data and analysis, surveys, and/or other supporting materials that provide competent substantial evidence that supports the data used in the calculation. The calculation used shall be approved by the Planning Director.~~

$$0.69 (A-B) \left(1 - \frac{0.30 C}{750} \right) = \text{Employees required to be housed}$$

~~Where:~~

~~A = Number of employees during applicant's peak season~~

~~B = Average number of full time equivalents (FTEs) during remaining year~~

~~C = Average monthly salary~~

2. ~~**Modification Based Upon Shared Employee Housing.** In the PUD Zone for Planned Resort the amount of employee housing required to be provided may be modified by the Planning Director when an applicant demonstrates that an employee housing unit can be used for seasonal peaks which do not overlap.~~

EXAMPLE: A use within a PUD Zone for Planned Resort may have an employee housing requirement associated with a winter peak season and different uses within the Zone may have a summer peak season. If it can be demonstrated that the peak seasons do not overlap, then an employee housing unit can be used to satisfy the employee housing requirement for both uses.

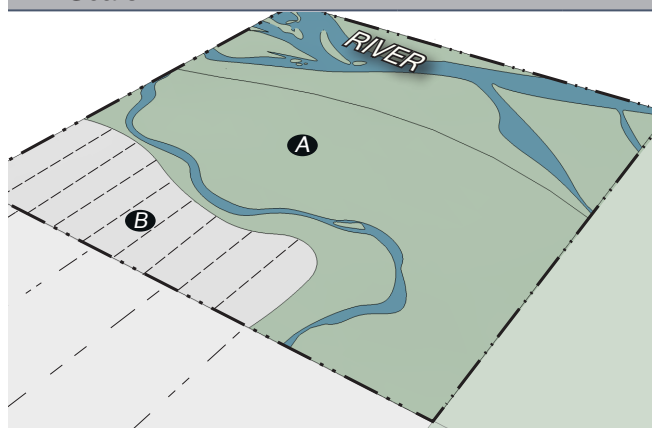
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C. Development Area Standards

Nothing in this Section shall preclude the permanent reduction, through conservation easement, of the development potential allowed in a development area.

1. Scale



Development Area

Development Area (max)	Lesser of: B
Development Area GSA	PRD GSA minus 49 ac.
PRD GSA in development area	OR 30%
# of development areas : PRD GSA (max)	1 : 70 ac
Dwelling units : PRD GSA (max)	3 : 35 ac

Dwelling Unit Within a Rural PRD

Floor area (max)	10,000 sf
Site Development (max)	25,410 sf

Lot Within a Rural PRD

Street setback (min)	
Public Road	50'
Private Road	30'
Non-street setback (min)	
Structure	30'
Site Development	15'

EXAMPLE: A Rural PRD on 100 acres would require a minimum of 70 acres of conservation area and be allowed a maximum of 30 acres of development area ($30:70 = 3:7$). Eight principal residential units ($3 * 100 / 35 = 8.57$) would be allowed in the development area.

2. **Location.** The development area shall be located adjacent to existing development when existing development abuts the Rural PRD site, unless better protection of the conservation value(s) would be achieved in another location.

3. **Access across conservation area.** Access to a development area that crosses a conservation area shall be counted as conservation area in calculation of the maximum development area.
4. **Physical Development Standards.** Except as modified in this Section, the physical development standards applicable in the zone shall apply in a Rural PRD development area.
5. **Use Standards.** Except as modified in this Section, the use standards applicable in the zone shall apply in a Rural PRD development area.
 - a. **Allowed Uses.** In addition to the uses allowed in the zone of the Rural PRD, on lots in the development area of a Rural PRD all residential uses are allowed.

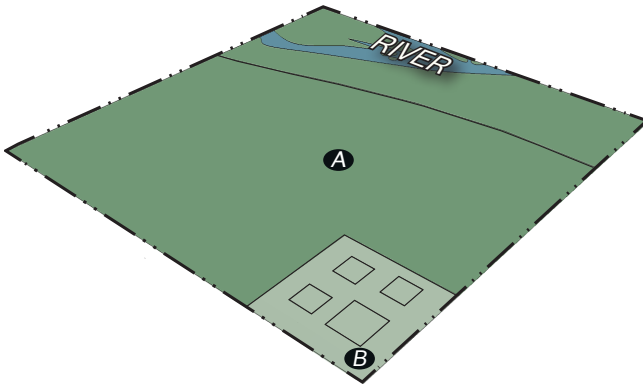
EXAMPLE: The 8 units allowed in the previous example could be any combination of residential uses defined in Section 6.1.4, so long as each unit has only one kitchen.

- b. **Maximum Scale of Residential Use.** A residential unit shall not exceed 8,000 square feet of habitable floor area.
6. **Development Option Standards.** Except as modified in this subsection, the development option and subdivision standards applicable in the zone shall apply in a Rural PRD development area.
 - a. **Condominium/Townhouse.** Condominium or townhouse subdivision is a permitted subdivision option as part of a Rural PRD.
 - b. **Density Allowed without Subdivision.** The density allowed by a Rural PRD does not have to be subdivided into separate lots. However, approval of a Development Plan for a Rural PRD shall vest subdivision of the allowed density once the conservation easement is recorded.
 - c. **Method for Providing Affordable Housing.** ~~A Rural PRD may provide required affordable housing on-site, but does not have to demonstrate that on-site housing is impractical in order to propose off-site housing. The remaining provisions of Section 7.4.1.F. shall apply.~~

C. Development Area Standards

Nothing in this Section shall preclude the permanent reduction, through conservation easement, of the development potential allowed in a development area.

1. Scale



Development Area		
GSA in development area (max)	10%	B
Development area GSA : Conservation area GSA (max)	1 : 9	B : A
Additional Floor Area		
Additional floor area (max)	10,000 sf per 35 ac GSA	(C.3.a.)
Additional ARUs		
Additional ARUs (max)	2 ARUs per 35 ac GSA	(C.4.b.)

EXAMPLE. A 40 acre site utilizing a Floor Area Option can reserve a maximum of 4 acres in development area ($40 \times 10\% = 4$, $4:36 = 1:9$).

2. **Access across conservation area.** Access to a development area that crosses a conservation area shall be counted as conservation area in calculation of the maximum development area.
3. **Physical Development Allowance.** Except as modified in this Section, the physical development standards applicable in the zone shall apply to the Floor Area Option development.
 - a. **Additional Floor Area.** Allowed additional floor area is in addition to the floor area allowed on the site in the absence of an approved Floor Area Option.

EXAMPLE. A 40 acre site in the R-2 zone is allowed 13,000 sf of floor area by-right. With approval of a Floor Area Option the same site would be allowed 24,428 sf ($13,000 + 10,000 \times 40/35$).

- b. **Construction.** Best practices shall be utilized to minimize the impact of construction within the development area on the protected conservation value(s) of the conservation area.

4. **Use Allowance.** Except as modified in this Section, the use standards applicable in the zone shall apply to the Floor Area Option development.

- a. **Conditional use of additional floor area.** The amount of additional floor area that can be used by a conditional use shall be established through the CUP in order to consistently limit intensity through the use and development option permits.

- b. **Additional Accessory Residential Units.** Allowed additional ARUs are in addition to the ARUs allowed on the site in the absence of an approved Floor Area Option. However, all ARUs on a site with an approved Floor Area Option shall be subject to the following standards:

- i. The maximum scale of an ARU, including basement, shall be 5,000 square feet of gross floor area.
- ii. The floor area of an ARU in a Floor Area Option shall not be included in the maximum scale of the detached single-family unit to which it is accessory.

EXAMPLE. A 40 acre site in the R-2 zone is allowed 1 ARU, which may not exceed 1,000 sf, within an allowance of 13,000 sf of gross floor area of which 8,000 may be habitable. With approval of a Floor Area Option the same site would be allowed 3 ARUs ($1 + 2 \times 40/35$), none of which may exceed 5,000 sf, within an allowance of 24,428 sf of gross floor area.

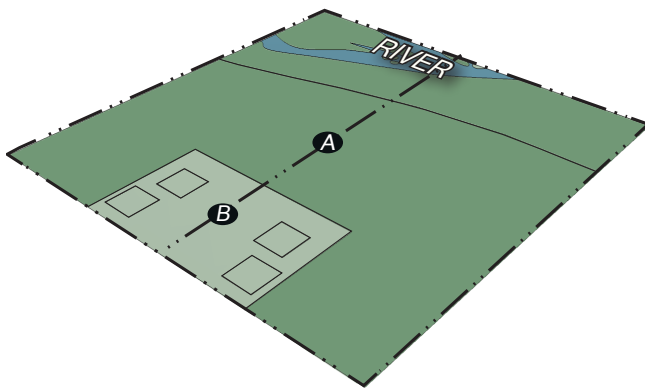
5. **Development Option Standards.** Except as modified in this Section, the development option standards applicable in the zone shall apply to the Floor Area Option development.

- a. **Affordable Housing.** An ARU of greater than 1,000 square feet of habitable floor area shall be subject to the affordable housing requirements of [Div 6.3-Subsection 7.4.1.F.1.c.v.](#)

C. Reserved Rural Development Area

The following standards apply to development areas reserved within the rural area of a CN-PRD. Nothing in this Section shall preclude the permanent reduction, through conservation easement, of the development potential allowed in a development area.

1. Scale



Reserved Rural Development Areas

Rural GSA in development area (max)	10%	B
Rural development area GSA : Conservation area GSA (max)	1 : 9	B : A
Detached single-family unit : Rural GSA (max)	1 du : 35 ac	

EXAMPLE. A CN-PRD with 665 acres of rural area could reserve a maximum of 66.5 acres of development area ($665 * 10\% = 66.5$) for development of a maximum of 19 units ($665/35 = 19$) in the rural area.

2. **Access across conservation area.** Access to a development area that crosses a conservation area shall be counted as conservation area in calculation of the maximum rural development area.
3. **Development areas included in easement.** Any development area reserved in the rural area may be included in the conservation easement, as determined by the holder of the conservation easement. However, the standards of Division 7.3 shall only apply outside of the reserved rural development area.
4. **Clustering.** Development areas do not have to be on the same lot of record, but shall be located to maximize the conservation value of the conservation area as a whole.

EXAMPLE. The 19 units from the previous example could be distributed among 19 lots of record, or all included within a single lot of record. The location of the reserved development areas would be designed as a whole to provide better functioning conservation area than development of each of the 19 units individually; however this does not necessarily mean that all development areas must be contiguous.

6. **Physical Development Allowance.** The physical development standards applicable in the zone shall apply in a reserved rural development area.
7. **Use Allowance.** Except as modified in this subsection, the use standards applicable in the zone shall apply in a reserved rural development area.
 - a. **Allowed Uses.** Allowed uses in a reserved rural development area are listed in this subsection; all other uses are prohibited.
 - i. Agriculture
 - ii. Detached Single-Family Unit
 - iii. Accessory Residential Unit
 - iv. Home Occupation

EXAMPLE. Each of the 19 units from the previous examples would be allowed accessory residential unit and home occupation uses consistent with the standards of the zone, but other accessory uses otherwise allowed in the zone would be prohibited.

9. **Development Option Standards.** Except as modified in this Section, the development option and subdivision standards applicable in the zone shall apply to the reserved development area.
 - a. **Timing of Affordable Housing.** The housing required by [Div. 6.3](#), ~~Div. 7.4~~, shall not be required prior to development of the reserved rural development area, but shall be fulfilled in full at the time the complete neighborhood development area is developed.

Div. 7.4. ~~[deleted]~~ (AMD2017-0004) ~~Affordable Housing Standards~~

~~[Division number reserved, original Division deleted]~~

7.4.1. ~~County Residential Affordable Housing Standards~~ (1/1/17)

A. Findings

1. ~~An essential component of the community character and social, economic, and political fabric of Teton County and the Town of Jackson over the years is those persons and families that work in the community, live in the community, attend schools in the community, worship in the community, and vote in the community. The primary factor that has allowed the confluence of this special mix of social, economic, and political community is the fact that the cost of housing has been affordable to those persons living and working in the community.~~
2. ~~In the mid-1980's, these circumstances began to change. Review of census and other wage and labor information, indicates that in 1986, the cost of a median-priced home in Teton County amounted to 354% of the annual income of a family which had a median annual income. By 1993, a family with a median annual income had to spend 635% of its annual income for a median priced home, and by 2000 that same family spent 959% for that same home. Obviously, given the fact that most indicators provide affordable housing as that which amounts to 250% to 350% of annual income, housing in Teton County is no longer affordable to many of the working people in the community. This phenomenon has resulted in a number of individuals and families being forced to move out of Teton County and find housing in Idaho or Lincoln and Sublette Counties, Wyoming; their children no longer attend schools in the community; they no longer worship in the community; and their ideas are no longer expressed at the ballot box. The end result is that the social, economic, and political fabric of the community has been impaired, as well as the community character~~
3. ~~The primary reason for this housing affordability problem has been the growth, beginning in the mid-1980's, of a significant second home market for vacationers and other persons who only spend a portion of the year in Teton County. The demand for this type of housing from these persons with substantially higher incomes than local residents has resulted in a dramatic increase in land costs, and a concomitant rise in the cost of all housing in the community. It is this rise in housing cost that has made housing unaffordable to the working residents of the County, and forced them to move elsewhere. It is this out-migration that has resulted in a deterioration of community character.~~
4. ~~Analysis in the Affordable Housing Needs Assessment (Appendix D, Jackson/ Teton County Comprehensive Plan) indicates that if this problem is going to be addressed, and housing is to remain affordable in Teton County, approximately 25% of the new housing stock must be made available at affordable prices.~~

B. Purpose

~~The purpose of this Division is to ensure that there is a reasonable supply of affordable housing to meet the needs of the citizens of Teton County in order to restore the social, economic, and political fabric of the County and its community character. This is done through the establishment of affordable housing standards for new residential development that requires the provision of affordable housing, or, in the alternative, the donation of land or contribution of in-lieu fees in an amount proportionate to the need that new residential development creates for affordable housing units in the community.~~

C. Applicability

- ~~1. **General.** The standards of this Division apply to residential development options and uses, unless exempted below.~~
- ~~2. **General Obligation.** Teton County shall make measurable progress toward reducing the existing deficit of affordable housing that existed on the date of adoption (2/21/95) of this Section.~~

D. Exemptions

~~The following residential uses and development options are exempted from the standards of this Division.~~

- ~~1. **Redevelopment of Preexisting Uses.** Redevelopment or remodeling of a use existing prior to February 21, 1995 is exempt from the requirements of this Division, provided no additional residential units are created by the redevelopment or remodeling activity. In the event new residential units are created, only the number of units that existed prior to the redevelopment or remodeling shall be exempt from the standards of this Division. Notwithstanding, the provisions of F.3.c.v. shall apply.~~
- ~~2. **Mobile Home Park.** Development of a mobile home park is exempt from the standards of this Division, provided that during its review, the Board of County Commissioners makes a finding that the units to be located within the development meet the purposes of this Division and, therefore, provision of added affordable housing as a consequence of the development is not required.~~
- ~~3. **Development of Single-Family Unit.** The development of one single-family unit on a lot of record for which the affordable housing standard, pursuant to this Division, has not already been met, is exempt from the requirements of this Division, if the household's gross income is less than 120% of the Teton County median household income and net assets comply with those applicable under the Jackson/Teton County Housing Rules and Regulations, and an owner-occupied dwelling is being developed. The Jackson/Teton County Affordable Housing Department shall perform the income and asset assessment for this exemption. In addition, the owner shall be required to record a deed restriction on the property requiring that upon resale of the property, either (a) the buyer~~

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of the property shall meet the same category income and asset restrictions, or
(b) at closing, the seller of the property shall pay the then-applicable in-lieu fee described in F.3.

4. **Development on Lot of record for which Affordable Housing Standard Has Already Been Met.** Development on any lot of record for which the affordable housing standard, pursuant to this Division, has already been met via provision of affordable housing, conveyance of land, or payment of in-lieu fee, is exempt from the standards of this Division.
5. **Accessory Residential Unit.** Development of an accessory residential unit is exempt from the standards of this Division.
6. **Group Residential.** Development of a dormitory or group home is exempt from the standards of this Division.
7. **Temporary Uses.** Development of a temporary use is exempt from the standards of this Division.
8. **Affordable Housing Development.** Residential developments that are designed and administered to meet the objectives of this Division, as determined by the Board of County Commissioners, are exempt from the standards of this Division. This may include projects developed or sponsored by non-profit organizations that are charged to promote affordable housing and projects for which agreements have been executed that provided affordable housing or land for said purpose at an earlier date, provided that (a) the gross income of each household occupying an affordable housing unit in such development is less than 120% of the Teton County median household income and net assets comply with those applicable under the Jackson/Teton County Housing Rules and Regulations, and (b) the owner shall be required to record a deed restriction on the property requiring that upon resale of the property, either (a) the buyer of the property shall meet the same category income and asset restrictions, or (b) at closing, the seller of the property shall pay the then-applicable in-lieu fee described in F.3.

E. **Calculation of Affordable Housing Standards for Residential Development**

1. **Required Affordable Housing Percentage 25% Requirement.** A minimum of 25% of all residential development shall consist of affordable housing as determined by the formula below.
2. **Formula for Calculation.** The total number of proposed residential units (both affordable housing and free market units, and including units on noncontiguous lots of record) multiplied by the applicable occupancy contained in the table below, shall equal the total number of occupants of the development. The number of occupants of the required affordable housing units shall be at least 25% of the total number of occupants of the development. In instances where residential subdivisions are proposed without specific dwelling units, the applicant shall project the characteristics of the dwelling units based on the average sizes and numbers of bedrooms of residential units in existing subdivisions of comparably sized and valued lots within Teton County. The

~~Board of County Commissioners shall approve the projected mix of dwelling units based on comparable developments in Teton County as part of its review of a Housing Mitigation Plan.~~

Number of Persons Housed Per Unit	
Number of Bedrooms in Unit	Minimum Number of Occupants
Studio	1
One	1
Two	2
Three	3
Four	4

F. Method for Providing Affordable Housing

~~Applicants shall propose how they will satisfy the affordable housing required by submitting a Housing Mitigation Plan. Such a plan shall specify how the affordable housing requirements will be met by one, or a combination of the following ways established by this Section. Unless the County requests an alternative approach that it believes will better promote the efficient provision of affordable housing, an applicant will be required to (a) provide affordable housing units on-site; and if that is not practical, then (b) provide affordable housing units off-site, and if no acceptable off-site location can be identified and provided, then (c) convey developable land suitable for construction of affordable housing to the County, and if that is not practical, then (d) pay an in-lieu fee, all as described below. Conveyance of land and payment of fees are not preferred methods of performing the obligations created by this Division, and will not be approved unless on-site and off-site construction of affordable housing units is impractical.~~

1. Production of New Units

- a. **General.** ~~An applicant shall develop or ensure the development of affordable housing units on-site as part of the proposed development, unless it is demonstrated that the provision of affordable housing on the site is impractical, or unless it is determined that a vital community housing goal or housing need can be better addressed with an alternative method of performance pursuant to F.1.c.~~
- b. **Not Required If Impractical.** ~~An applicant shall not be required to develop or ensure the development of on-site affordable housing units as part of the development if it is demonstrated that such development is impractical. The development of affordable housing on-site shall be considered impractical if it can be demonstrated that:~~
 - i. ~~The number of units required is less than one unit; or~~
 - ii. ~~The development of affordable housing is tied to a federal or state funding source which requires proximity to certain facilities or services which cannot be met on-site; or—~~

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- iii. ~~Development of affordable housing on site would be inconsistent with one or more of the goals of the Jackson/Teton County Comprehensive Plan.~~
- c. **Not Required If County Requests Alternative.** ~~Where it is determined that there is a vital community goal or need which can be better addressed by providing units off-site, then alternative methods of performance may be considered. The requirement for on-site performance may be waived where there is an opportunity to combine the required affordable housing from more than one proposed development in a location that is consistent with the goals of the Jackson/Teton County Comprehensive Plan, and the combination of affordable housing would better address the affordable housing needs of the County. Alternatives include, in the following order of priority:~~
 - i. ~~construction of affordable housing units off-site in a location meeting the standards of 1.d.iv.b);~~
 - ii. ~~conveyance of land pursuant to F.2.; or~~
 - iii. ~~payment of an in-lieu fee pursuant to F.3.~~
- d. **Requirements for Units Developed.** ~~The affordable housing units developed as part of the development shall meet the following requirements:~~
 - i. **Restriction.** ~~Required affordable housing units shall be restricted to sales or rental terms and occupancy limitations designed to keep the units affordable in perpetuity.~~
 - a). **Initial Sale Price.** ~~The Jackson/Teton County Affordable Housing Department shall determine the initial sale price of individual affordable housing units so that based on a 30-year mortgage and prevailing interest rates, the unit will not exceed 30% of the yearly gross income of the minimum number of people that could be housed in the unit based upon the minimum occupancy standards under the Jackson/Teton County Housing Rules and Regulations. Mortgage costs shall include principal, interest, taxes, insurance, private mortgage insurance, homeowners' association or property owners' association dues, and ground lease or condominium association fees. Sales prices may be adjusted by the Jackson/Teton County Affordable Housing Department at the time of initial sale or rental according to current HUD income limits for the relevant income category established in d.ii. below.~~
 - b). **Initial Unit Rents.** ~~The Jackson/Teton County Affordable Housing Department shall determine initial unit rents so that the rent and utilities for the unit will not exceed 30% per month of the annual gross income of the minimum number of people that could be housed in the unit based upon the occupancy standards under the Jackson/Teton County Housing Rules and Regulations, as amended from time to time. Rental rates may be adjusted by the~~

Jackson/Teton County Affordable Housing Department at the time of initial sale or rental according to current HUD income limits for the relevant income category:

- c). **Deed Restriction.** In order to keep the units affordable in perpetuity, the required affordable housing units shall be subject to permanent deed restrictions. All restrictions are subject to the approval of the Jackson/Teton County Affordable Housing Department. The deed restrictions must be recorded against the land prior to the issuance of a certificate of occupancy by the County for both the affordable component and the market rate component of the development. The form of deed restriction shall be submitted as part of the Housing Mitigation Plan.
- d). **Selection of Purchaser(s).** The Jackson/Teton County Affordable Housing Department shall be responsible for the qualification of the initial and all subsequent purchasers of individual affordable housing units to owner/occupants (but not for sales of deed-restricted rental units where the buyer will not be the occupant of the unit). The method of selection shall be in accordance with Jackson/Teton County Housing Rules and Regulations and adopted policies and procedures.
- e). **Selection of Renter(s).** The developer shall be responsible for the qualification of initial renters for affordable units, or shall make such agreements with the owner as necessary to ensure that the developer complies with the qualification requirements as set forth by the Jackson/Teton County Affordable Housing Department. Tenants shall be re-qualified on an annual basis and/or lease renewal periods, by the developer or subsequent landlord, and such entity shall provide re-certification documentation on an annual basis and shall accommodate on-site monitoring of both records and units as required by the Jackson/Teton County Affordable Housing Department.
- f). **Marketing.** The marketing method for the initial and all subsequent sales of individual affordable housing units shall be in accordance with the Jackson/Teton County Housing Rules and Regulations and adopted policies and procedures. The Jackson/Teton County Affordable Housing Department shall receive a 2% facilitation fee upon all sales of individual required owner-occupied affordable housing units to owner/occupants (but not for sales of deed-restricted rental units where the buyer will not be the occupant of the unit) as an administrative charge to cover costs of administering such sales.
- ii. **Required Affordable Income Categories.** The annual gross income and the number of persons that will be living in the unit (household) shall be used to classify applicants into "income categories."

7.3.5. County Residential Affordable Housing Standards (1/1/17)

- a). **Income Categories.** The income categories will correspond to the "income limits" for Teton County, WY published annually by the U.S. Department of Housing and Urban Development (HUD) in the Federal Register. The HUD income limits in effect at the time the applicant/developer submits its Housing Mitigation Plan will be used for the proposed development's unit sales price and/or rent calculations. Income categories are summarized in the table below:

Maximum Household Income Categories	
Income Category	Teton County Area HUD Annual Income Limits
Category 1 (Formerly Affordable 1)	Up to 80% of median income
Category 2 (Formerly Affordable 2)	Up to 100% of median income
Category 3 (Formerly Affordable 3 Attainable 2)	Up to 120% of median income
Category 4 (Formerly Attainable 3)	Up to 140% of median income
Category 5 (Formerly Attainable 4)	Up to 175% of median income

- b). **Use of Income Categories.** All affordable housing units required to be provided pursuant to this Division shall be in income categories 1, 2, or 3, as set forth below. Income categories 4 and 5 are used for categorization of affordable housing units provided through other procedures that are not required to comply with the requirements of this Division.
- c). **Required Portion per Income Category.** The required affordable portion of each residential development shall provide housing units for persons in each of Category 1, Category 2, and Category 3 as described below, and in the percentage amounts stated below. The housing units to be provided for persons in each income category shall be determined by the Jackson/Teton County Affordable Housing Department, in accordance with the housing unit types, minimum sizes and maximum prices described in the Jackson/Teton County Housing Rules and Regulations. Fractions in each category shall be combined to create a whole person. Payment of an in-lieu fee, in accordance with F.3., shall be made when the number of units required is less than one or through other approval of this alternative.
- 1). **Category 1.** No less than 1/3 of the required affordable housing units shall be priced for families in Category 1. Families in Category 1 are those earning 80% or less of the median income for a Teton County family of the same size.
 - 2). **Category 2.** No less than 1/3 of the required affordable housing units shall be priced for families in Category 2. Families in Category 2 are those earning at or below 100% of the median income for a Teton County family of the same size.

- 3). ~~Category 3. No more than 1/3 of the required affordable housing units shall be priced for families in Category 3. Families in Category 3 are those earning at or below 120% of the median income for a Teton County family of the same size.~~
- 4). ~~Category 4. No affordable housing units required by this Division shall be in Category 4. Families in Category 4 are those earning at or below 140% of the median income for a Teton County family of the same size.~~
- 5). ~~Category 5. No affordable housing units required by this Division shall be in Category 5. Families in Category 5 are those earning at or below 175% of the median income for a Teton County family of the same size.~~
- d). ~~Units by Bedroom Size. The Jackson/Teton County Affordable Housing Department shall approve the number of affordable units by bedroom size to be provided for each income category.~~

iii. **Location**

- a). ~~General. The affordable housing units shall be located on the same site as the free market portion of the development, unless:~~
 - 1). ~~The construction of all or a portion of the affordable units on-site is shown by the applicant to be impractical pursuant to those standards in 1.b., above; or~~
 - 2). ~~an alternative site is requested pursuant to F.1.c. above.~~
- b). ~~Off-site Location. Approval for an off-site location within Teton County shall be made as part of the review of the Housing Mitigation Plan. Approval of an off-site location for the affordable housing units shall be based on the following criteria:~~
 - 1). ~~Proximity of the proposed off-site location to employment centers and infrastructure;~~
 - 2). ~~Desirability of the off-site location for residential uses;~~
 - 3). ~~Compliance of the proposed off-site location with the Jackson/ Teton County Comprehensive Plan and these LDRs;~~
 - 4). ~~The ability of the proposed off-site location to accommodate the dwelling units within the permitted maximum gross density;~~
 - 5). ~~Compliance with requirements of federal or state funding source; and;~~
 - 6). ~~Other pertinent concerns.~~

iv. **Size and Materials Standards for Affordable Housing Units**

- a). **Size Limitations.** Affordable housing units shall comply with the minimum size requirements established within the Jackson/Teton County Housing Rules and Regulations, policies, and procedures.
- b). **Oversize Units.** Applicants may choose to construct larger units, but the allowable sale prices for such larger units shall not exceed the sale/rental price set by the Jackson/Teton County Affordable Housing Department for a unit meeting the minimum size requirements.
- c). **Materials.** Affordable housing units shall be constructed with building materials having a compatible exterior style to other units in the development. Each affordable housing unit shall include, at a minimum, a fully equipped kitchen and bathroom, areas for living and sleeping and designated areas for storage. Units shall comply with all applicable minimum standards, all building codes and other development codes adopted by Teton County, as well as such standards as defined in policies and procedures adopted by the Jackson/Teton County Affordable Housing Department.
- d). **Design Features.** Affordable units shall have design features that are comparable to other market units in the development including, but not limited to: decks, patios, parking, fencing and landscaping.

v. **Qualified Applicants.** The Jackson/Teton County Affordable Housing Department is hereby authorized to establish standards, policies, and procedures for the qualification of applicants for affordable housing, and for the periodic re-qualification of occupants of rental affordable housing, required to be provided by this Division and for other affordable housing provided through another process. Such standards, procedures, and policies shall be set forth in the Jackson/Teton County Housing Rules and Regulations, shall be consistent with this Division, shall be designed to promote the efficient and equitable operation of affordable housing within Teton County, and may be amended from time to time by the Board of County Commissioners.

vi. **Occupancy Standards.** Maximum occupancy for affordable housing units shall be in accordance with the building codes adopted by Teton County.

vii. **Timing of Occupancy.** The affordable housing units shall be ready for occupancy no later than the date of the initial occupancy of the free market portion of the project, provided that the Jackson/Teton County Affordable Housing Department and the applicant/developer have identified qualified buyers or renters, whichever is applicable. If the free market portion is to be developed in phases, then the affordable housing units shall be developed in proportion to the phases of the free market portion, in that case, the Board of County Commissioners may also require the applicant/developer to sign a timing agreement.

~~covering the affordable housing units. The developer, with the support of the Jackson/Teton County Affordable Housing Department, shall make a good faith effort to market the required affordable housing units.~~

- viii. **Compliance.** ~~The Jackson/Teton County Affordable Housing Department shall be responsible for monitoring compliance with the above subsections and shall ensure that the above requirements are met. The Board of County Commissioners is hereby authorized to adopt standards, policies, and procedures for monitoring compliance. Such standards, policies, and procedures shall be set forth in the Jackson/Teton County Housing Rules and Regulations, shall be consistent with this Division, shall be designed to promote the efficient and equitable operation of affordable housing within Teton County, and may be amended from time to time by the Board of County Commissioners. The Jackson/Teton County Affordable Housing Department shall bring notice of any and all violations to the attention of the Board of County Commissioners and the Planning Director, and shall follow such procedures as established in these LDRs.~~
- a). **Noncompliance by Applicants/Developers.** ~~The Jackson/Teton County Affordable Housing Department shall bring issues of non-compliance to the attention of the County Commissioners with recommended actions to be brought against the applicant/developer.~~
 - b). **Non-compliance by Applicants/Buyers Desiring to Purchase a Unit.** ~~Issues of non-compliance by applicants/buyers desiring to purchase an affordable unit shall be the responsibility of the Jackson/Teton County Affordable Housing Department. Actions by the Jackson/Teton County Affordable Housing Department may include, but are not limited to: disqualification and prosecution for fraud.~~
 - c). **Noncompliance by Sellers.** ~~Issues of non-compliance by sellers of affordable units (for initial or subsequent sales) shall be the responsibility of the Jackson/Teton County Affordable Housing Department. Actions by the Jackson/Teton County Affordable Housing Department may include, but are not limited to issuance of an affidavit affecting title and prosecution for fraud.~~
 - d). **Reimbursement for Compliance Enforcement.** ~~The Jackson/Teton County Affordable Housing Department shall be reimbursed by the property owner for any attorney's fees and/or other costs associated with the compliance enforcement.~~

2. **Conveyance of Land**

- a. **General.** ~~If the applicant/developer has demonstrated that provision of affordable housing units is impractical and the County has determined that land within the proposed residential development or other location~~

is appropriate for the development of affordable housing units, the applicant shall convey land in fee simple estate to the Board of County Commissioners. The fair market value of the land conveyed shall be at least equal to the equivalent in-lieu fee, as calculated pursuant to F.3. for all required affordable housing units for which units are not produced.

- b. **Establishment Of Fair Market Value.** Fair market value shall be established by a licensed professional real estate appraiser approved by the Board of County Commissioners and paid for by the applicant/developer.
 - i. **Preliminary Value.** Fair market value shall be established on a preliminary basis at the time the Housing Mitigation Plan is reviewed.
 - ii. **Final Value.** Fair market value shall be confirmed at the time of Subdivision Plat approval for the free market portion of the development. For projects that do not require a plat, value shall be confirmed at the time of final development plan approval.
 - iii. **Value Net of Commission.** Fair market value shall be net of any customary real estate commission for the sale of land.
- c. **Time of dedication.** Land conveyance shall occur concurrently with approval of the development plan for the project, unless other arrangements are made, with financial assurances, both of which shall be acceptable to the Board of County Commissioners.
- d. **Conditions of approval.** Acceptance of the conveyance of any land in satisfaction of all or a part of the obligations imposed by this Division shall be at the sole discretion of the Board of County Commissioners. The Board of County Commissioners shall request a recommendation from the Jackson/Teton County Affordable Housing Department prior to making a decision as to whether to accept any such conveyance. The Board of County Commissioners may require any or all of the following, as a condition of approval and at the cost of the applicant/developer.
 - i. **Proof of Ownership.** The applicant shall provide proof of ownership, free of any liens, or proof of legal standing in the title to the property, including a complete title report.
 - ii. **Location.** The land must be located within Teton County and in an area determined suitable by the Board of County Commissioners. The Jackson/Teton County Affordable Housing Department shall provide the Board of County Commissioners with a recommendation regarding the suitability of the location.
 - iii. **Density.** The land must be available to support housing at a density acceptable to the Board of County Commissioners and have a base site area that will support the construction of the number of affordable units that the applicant is required to produce for the community.
 - iv. **Infrastructure.** The land shall be fully ready for development and ready for construction, with roads, water supply, sewage disposal, telephone, electricity and gas (if available) and other basic services in place to

- the property line of each lot of record, as applicable. In lieu of requiring that the all such improvements be completed prior to conveyance of land, the Board of County Commissioners may accept a bond pursuant to Sec. 8.2.11, to complete the improvements. In no event shall the bonded improvements be completed more than one year after the date of conveyance of property to Teton County.
- v. **Suitability.** A soils report and/or other reports may also be required by the Board of County Commissioners. These reports stipulating whether the lot of record is suitable for the type of construction contemplated and any special construction techniques necessary for its development, shall be prepared by a qualified engineer or other consultant deemed qualified by the Board of County Commissioners.
 - vi. **Assurance of Permits.** The Board of County Commissioners may require all necessary permits or preliminary approval from federal, state and local agencies to authorize development by the applicant, or a bond pursuant to Sec. 8.2.11, to ensure all permits.
 - vii. **Improvements Agreement and Covenants.** An improvement agreement and protective covenants shall be recorded against the property to be conveyed, prior to the conveyance, incorporating the infrastructure and assurance permits conditions stated above.
- e. **Subsequent Conveyance Permitted.** The Board of County Commissioners may develop, or cause to be developed, conveyed land as affordable housing, but shall also be permitted to sell the land or lot(s) on a non-price-restricted basis, pursuant to the following criteria:
- i. **Interest Bearing Account.** All proceeds from the sale of the land shall be placed in an interest bearing trust fund or escrow account.
 - ii. **Authorized Uses of Proceeds.** The proceeds from the sale, and any interest accrued, shall be used only for the purposes of planning, subsidizing or developing affordable housing.
 - iii. **Conveyance to Housing Authority.** In the event Teton County conveys such land to the Jackson/Teton County Housing Authority, the use of such land shall be subject to the same restrictions set forth above, and the Jackson/Teton County Housing Authority is hereby authorized to use or further convey such lands subject to such restrictions.

3. **Payment of In-Lieu Fee**

- a. **General.** If (1) the applicant/developer is required to provide less than one affordable housing unit, or (2) it is determined that it is impractical for the applicant/developer to construct affordable housing units and impractical for the applicant/developer to convey land in satisfaction of its obligations, then the applicant shall pay an in-lieu fee as required by this Division. The fees set forth below shall be in effect through the April following their adoption. By resolution, during that April, and each subsequent April, the Board of County Commissioners shall update the fees to reflect the updated

~~fee amounts and applicable year of the fees. The updated fees shall be applicable to any application that has not been declared sufficient as of May 1 of the year of approval of the update.~~

- b. **Calculation of the In-Lieu Fee.** ~~The Jackson/Teton County Affordable Housing Department shall publish a current in-lieu fee schedule, containing the current fees and the calculation of those fees, annually, following the update of the fees. The fee, for each income category of person to be housed, shall be calculated using the equation and data sources specified below. The fee for each income category shall be equal to the average of the “per-person affordability gap” of a one, two, and three bedroom unit in that income category. The “per-person affordability gap” for a unit with one, two, or three bedrooms shall be defined by subtracting the maximum resale price of an affordable unit with that many bedrooms from the average sales price of a condominium in the Town of Jackson with that many bedrooms, and then dividing the difference by the number of occupants of a unit with that many bedrooms.~~

Category X in-lieu-fee	=	$A_1 - B_1$	+	$A_2 - B_2$	+	$A_3 - B_3$
		E_1		E_2		E_3
		3				

Where

~~A_n = The average sales price of a condominium in the Town of Jackson with n bedrooms in the calendar year previous as reported by the “The Hole Report” by Jackson Hole Real Estate and Appraisal, or an approved equal market summary.~~

~~B_n = the maximum affordable sales price of a Category X unit with n bedrooms as defined in the 2007 Housing Needs Assessment and further described below:~~

~~$$B_n = 158.22(I_{xn} - 150 - T - Y_n)$$~~

~~158.22 = multiplier representing the monthly payment of a 30 year, fixed-rate mortgage with an interest rate of 7% and a down payment of 5%~~

~~I_{xn} = 30% of the maximum monthly income of a Category X household of G_n people~~

~~150 = \$150 monthly allowance for homeowners' association dues~~

~~T = estimated monthly taxes, rounded to the nearest 10 dollars, calculated iteratively with B_n such that T equals the average of a \$0.06 tax on the 9.5% assessed value of the maximum affordable sales price of a one, two, and three bedroom Category 1, 2, and 3 unit, times a factor of 0.098872935 to account for monthly payment and the pre-iteration value~~

~~Y_n = estimated monthly insurance for an n bedroom unit calculated iteratively with B_n such that for an n bedroom unit Y_n equals the average of 0.9% (insurance rate) of 95% of the Category 1, 2, and 3 maximum sales price of an n bedroom unit (sales price less 5% down), divided by 12 to account for monthly payment, rounded to the nearest 10 dollars to account for pre-iteration value~~

~~G_n = the maximum number of occupants of an n bedroom unit~~

- c. **Residential Development Payment.** Payment of the in-lieu fee for residential developments shall be made for the number of persons in each category required to be provided with an affordable housing unit, but for whom an affordable housing unit is not provided by the proposed development or for which land is not conveyed. The in-lieu fee shall be calculated based on the following dollar amounts:
- ~~2008 Category 1. For each Category 1 person required to be housed, but for whom a housing unit or land is not provided, a fee payment shall be made in the amount of \$143,716.~~
 - ~~2008 Category 2. For each Category 2 person required to be housed, but for whom a housing unit or land is not provided, a fee payment shall be made in the amount of \$116,877.~~
 - ~~2008 Category 3. For each Category 3 person required to be housed, but for whom a housing unit or land is not provided, a fee payment shall be made in the amount of \$90,038.~~
 - ~~Where an in-lieu fee is due, it shall be calculated based on a rotation (not an average) of the fees for the three income categories, beginning with the fee for a Category 1 person, as set forth in the table below.~~

Calculation of In-Lieu Fees	
Person (or fraction of a person) For Whom An Affordable Housing Is Not Provided	Amount
1st Person	Fee for Category 1 Person
2nd Person	Fee for Category 2 Person
3rd Person	Fee for Category 3 Person
4th Person	Fee for Category 1 Person
5th Person	Fee for Category 2 Person
6th Person	Fee for Category 3 Person
Etc.	

- v. **In-Lieu Fee Due at Building Permit.** An applicant for a building permit to construct or add on to one single-family dwelling and/or any accessory structures on a lot of record for which the affordable housing requirement, pursuant to this Division, has not already been met shall pay an in-lieu fee per habitable square foot of proposed construction:
- Preexisting Lots of Record.** On lots of record created prior to February 21, 1995 the in-lieu fee per square foot of proposed habitable construction shall be equal to 25% of the average of the Category 1, Category 2, and Category 3 in-lieu fees, divided by 5,500.

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- c). ~~Payments Determined.~~ For the purpose of this Section, payments collected shall be deemed spent on the basis that the first payment in shall be the first payment out.
- d). ~~Refunds for Expired Permits.~~ Any payment for a project for which a building permit has expired, due to non-commencement of construction, shall be refunded if a request for refund is submitted to the County Planning Director within 3 months of the date of the expiration of the building permit. All requests shall be accompanied by proof that the applicant is the current owner of the property and a copy of the dated receipt issued for payment of the fee.

G. ~~Housing Mitigation Plan~~

1. ~~Housing Mitigation Plan Required.~~ An applicant shall propose how they will satisfy the affordable housing standards of this Division by submitting a Housing Mitigation Plan:
 - a. ~~Content.~~ The Housing Mitigation Plan shall include the following:
 - i. ~~Requirement Calculations.~~ Calculations determining the affordable housing standard that indicate each step of the calculation, from projected market value of each unit or lot to the resulting number and type of affordable units required and voluntarily provided.
 - ii. ~~Method.~~ A description of the method by which housing is to be provided.
 - iii. ~~Unit Descriptions.~~ A site plan and building floor plan (if applicable) for the required affordable housing units, illustrating the number of units proposed, their location, the number of bedrooms and size (in square feet) of each unit, the rental/sale mix of the development, the income categories for each unit to be developed, and the proposed sales price for each. A tabulation of this information shall also be submitted.
 - iv. ~~Phasing Plan.~~ If the affordable housing units are to be developed in phases, a phasing plan identifying when each unit will be constructed.
 - v. ~~Agreement and Deed Restriction.~~ If affordable housing units are proposed to be developed, a written agreement to execute and record deed restrictions provided by the Jackson/Teton County Affordable Housing Department and as required by the Jackson/Teton County Housing Rules and Regulations as well as a signed original of the deed restrictions to be recorded.
 - vi. ~~Fee Calculations.~~ If in-lieu fees are proposed, the calculations for determining the required fee amounts.
 - b. ~~Procedure.~~ A Housing Mitigation Plan shall be submitted by the applicant/developer to the Planning Director as part of the submittal requirements for a development plan application. Review of the Housing Mitigation Plan shall occur concurrently with the initial review of the free market portion of

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~~the development plan. The Housing Mitigation Plan shall be reviewed by the Jackson/Teton County Affordable Housing Department and the Planning Director, and the Jackson/Teton County Affordable Housing Department shall make a recommendation to the Planning Director regarding the compliance of the Housing Mitigation Plan with this Division and the Jackson/Teton County Housing Rules and Regulations. No development plan shall be approved without complete review and approval of the Housing Mitigation Plan. Some or all of the provisions of the Housing Mitigation Plan may be required to be incorporated into a housing mitigation agreement. If a housing mitigation agreement is required, any development plan or plat related to the development shall not be finally approved until an agreement has been signed by both parties.~~

2. **Review Standards.** ~~The Housing Mitigation Plan shall be approved if it complies with the standards of this Division, addresses the need for affordable housing, and is consistent with the Comprehensive Plan.~~

H. **Independent Calculation**

1. **General.** ~~An applicant may submit an application for independent calculation requesting modification to the following:~~
 - 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 Section 7.4.1.E;~~
 - b. **Housing Mix.** ~~The mix of affordable housing to be provided by the development pursuant to F.1.c.; or~~
 - c. **Percent of set aside/in-lieu fee.** ~~The amount of affordable housing required to be provided, and/or the in-lieu fee amount.~~
2. **Application Content.** ~~The application for independent calculation shall be supported by local data and analysis, surveys, and/or other supporting materials that provide competent substantial evidence that supports the proposed modification.~~
3. **Procedure and Standards.** ~~The application for independent calculation shall be submitted and reviewed as part of the Housing Mitigation Plan. If the materials and information supporting the application demonstrate by competent substantial evidence that there is a reasonable basis to modify the number of occupants to be housed, the housing mix, or the percent set aside for in-lieu fee, whichever is relevant, because of unique circumstances related to the proposed development, the Board of County Commissioners, or Planning Director in the case of a minor development, shall approve the independent calculation and make the relevant modification.~~

7.4.2. **Town Residential Affordable Housing Standards** ~~(1/1/15)~~

~~{Section number reserved; standards only apply in Town}~~

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Div. 9.5. Defined Terms

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

A ~~(AMD2017-00041/1/17)~~

Accessory Residential Unit. See 6.1.11.B.

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

Accessory Use. See 6.1.2.B.3.

Adjoining. See "Contiguous."

Adjusted Site Area. See 9.4.4.C.

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

~~**Affordable.** A term used in conjunction with or with reference to a sale or rental price for a dwelling unit. affordable housing means a dwelling unit that a household earning 175% or less of the Teton County median family income can purchase with a mortgage payment that does not exceed 30% of its gross household income, or rent with the gross rent and utility payments not exceeding 30% of its the gross household income.~~

Agriculture. See 6.1.3.B.

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

Amusement Use. See 6.1.7.B.

Antenna Array. A single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Antenna Support Structure. A structure that is primarily constructed for the purpose of holding antennas but on which one or more antennas may be mounted, including buildings, water tanks, pole signs, billboards, church steeples, and electric power transmission towers.

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

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

Arterial Road. See, "Road, Arterial."

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

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

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

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

(AMD2017-00041/1/17)

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

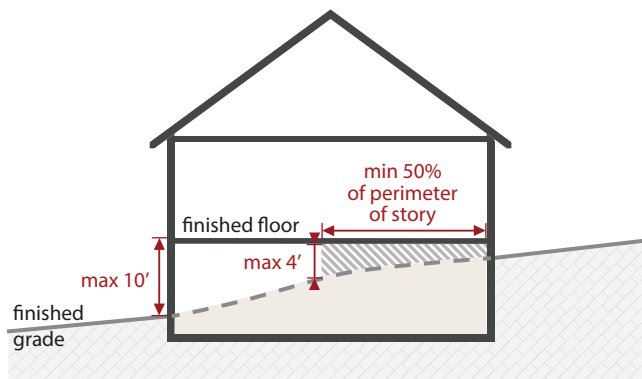
Banked unit. A residential unit, on which a deed restriction approved by the Housing Department has been voluntarily been place, which may be utilized within 20-years of placement of the restriction as required housing for employee generating development.

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

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

Base Station. A facility or structure consisting of radio transceivers, antennas, coaxial cable, a regular and backup power supply, and other associated electronics, including a structure that currently supports or houses an antenna, transceiver, or other associated equipment that constitutes part of the base station, and encompasses such equipment in any technological configuration, including distributed antenna systems and small cells.

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.



Bed and Breakfast. See [6.1.11.C.](#)

E (AMD2017-00044/1/16)

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

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

Education. See 6.1.8.C.

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

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

Equipment Cabinet. Any structure above the base flood elevation including cabinets, shelters, pedestals, and other similar structures and used exclusively to contain radio or other equipment necessary for the transmission or reception of wireless communications signals.

Equipment Compound. The fenced-in area surrounding the ground-based wireless communications facility including the areas inside or under a tower's framework and ancillary structures such as equipment necessary to operate the antenna on the structure that is above the base flood elevation including cabinets, shelters, pedestals, and other similar structures.

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

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

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

F (1/1/17)

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.

J (1/1/15)

Junkyard. See [6.1.9.E.](#)

K (1/1/15)

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

L (AMD2017-00041/1/17)

Land Disturbing Activity. A land disturbing activity is any manmade change to the land surface, including removing vegetative cover, excavating, filling, and grading. The tending of gardens and agricultural activities are not land disturbing activity.

Land. Land means all land or water surfaces, whether public or private, including lots of record or other ownership categories and all rights – surface, subsurface, or air – that may be attached or detached from the land.

Landscape Surface Area. Landscape surface area is the area of a site that is covered by natural vegetation, trees, or landscaped areas such as turf grass, planted trees and shrubs, mulch, or xeriscape. Any area of a site meeting the definition of site development is not landscape surface area.

Landscape Surface Ratio. See [9.4.6.D.](#)

Landscaping, Required. Required landscaping includes required landscape surface area and required plant units.

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

Loading Area or Space. The portion of a site developed for the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and related landscaped areas.

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

Local Road. See, “Road, Local.”

Lodging. See [Sec. 6.1.5.](#)

Lot Area. Lot area means the gross site area of a lot of record.

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

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

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

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

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

N (AMD2017-00041/1/15)

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

Natural Grade. See “Grade, Natural.”

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

Neon Sign. See, “Sign, Neon.”

Non-Concealed. A wireless communications facility that has not been treated, camouflaged, or disguised to blend with the setting and is readily identifiable.

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

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

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

O (4/1/16)

Office. See [6.1.6.B.](#)

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

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

Open Space (Use). See [Sec. 6.1.2.](#)

Outdoor Recreation. See [6.1.7.C.](#)

Outfitter. See [6.1.7.E.](#)