

Title 18*

ZONING

* **Editor's Note:** Ordinance 489 repealed the provisions of Title 18. Ordinance 491 temporarily reinstated the provisions of Title 18.

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GENERAL PROVISIONS

Chapter 18.04

GENERAL PROVISIONS¹

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- 18.04.020 Authority and objectives.
- 18.04.030 Scope.

18.04.010 Short title.

This title shall be known and may be cited as the "Zoning Code of the Town of Jackson." (Ord. 105 Ch. 1 § 1, 1967.)

18.04.020 Authority and objectives.

This title is adopted in pursuance of authority conferred by Chapter 112, Sections 83 to 91, inclusive, Wyoming Session Laws of 1965, for the purpose of promoting the health, safety, morals and general welfare of the inhabitants of the town by a comprehensive plan to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate adequate provisions for transportation, water, sewerage, schools, parks, and other public requirements; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the town. (Ord. 105 Ch 1 § 2, 1967.)

18.04.030 Scope.

When the regulations made under this zoning code require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or less number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in any other statutes, ordinances, regulations or covenants, the provisions of the regulations made under authority of this zoning code shall govern. Whenever the provisions of other statutes, ordinances,

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regulations or covenants shall require or impose other higher standards than are required by the regulations made under this zoning code the provisions of the other statutes, ordinances, regulations or covenants shall govern. (Ord. 105 Ch. 1 § 3, 1967.)

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18.08.005 Generally.

- A. Certain words and terms in this zoning code are defined for the purpose thereof as set out in this chapter.
 - B. Words and Phrases. Words used in the present tense include the future. The word "lot" includes the word "plot." The word "building" includes the word "structure." The term "used" includes the words "arranged, designed or intended to be used." The term "occupied" includes the words "arranged, designed or intended to be occupied."
- (Ord. 105 Ch. 1 § 4 (part), (1), 1967.)

18.08.010 Accessory building.

"Accessory building" means a detached subordinate

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building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located on the same lot with the main building or use. (Ord. 105 Ch. 1 § 4(2), 1967.)

18.08.015 Accessory use.

"Accessory use" means a use naturally and normally incidental to, subordinate to and devoted exclusively to the main use of the premises. "Accessory use" does not include guest house, mobile home or trailer. (Ord. 105 Ch. 1 § 4(3), 1967.)

18.08.020 Agriculture.

"Agriculture" means the growing of soil crops in the customary manner in the open. It shall not include livestock raising activities; nor shall it include retailing of goods on the premises. (Ord. 105 Ch. 1 § 4(4), 1967.)

18.08.025 Alley.

"Alley" means a public way primarily for utility use and for servicing the property adjacent thereto, including deeded properties. (Ord. 105 Ch. 1 § 4(5), 1967.)

18.08.030 Alter or alteration.

"Alter" or "alteration" means any change, addition or modification in construction or occupancy. (Ord. 105 Ch. 1 § 4(6), 1967.)

18.08.035 Amusement park.

"Amusement park" means any place of amusement not conducted wholly within a completely enclosed building. (Ord. 105 Ch. 1 § 4(8), 1967.)

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18.08.040 Animal hospital.

"Animal hospital" means a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use. (Ord. 105 Ch. 1 § 4(7), 1967.)

18.08.045 Apartment house (multiple dwelling).

"Apartment house (multiple dwelling)" means any building or portion thereof which is designed, built, rented or leased, let, or hired out to be occupied or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking within the premises. (Ord. 105 Ch. 1 § 4(9), 1967.)

18.08.050 Attic story.

"Attic story" means any story situated wholly or partly in the roof, so designated, arranged, or built as to be used for business, storage, or habitation. (Ord. 105 Ch. 1 § 4(12), 1967.)

18.08.055 Automobile service station.

A service station or automobile service station is a place of business where gasoline or any highly volatile fuel for motor vehicles or internal combustion engines are sold or offered for sale at retail and dispensed into the fuel tanks of such motor vehicles. (Ord. 356 § 1, 1986; Ord. 105 Ch. 1 § 4(10), 1967.)

18.08.060 Automobile wrecking.

"Automobile wrecking" means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts, but not including the incidental

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storage of damaged vehicles in connection with the operation of a repair garage. (Ord. 105 Ch. 1 § 4(11), 1967.)

18.08.065 Balcony.

"Balcony" means that portion of the seating space of an

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assembly room the lowest part of which is raised four feet or more above the level of the main floor. (Ord. 105 Ch. 1 § 4(13), 1967.)

18.08.070 Basement.

"Basement" means that portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling. (Ord. 105 Ch. 1 § 4(14), 1967.)

18.08.075 Building.

"Building" means any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind, and not including advertising sign boards or fences. (Ord. 105 Ch. 105 Ch. 1 § 4 (15), 1967.)

18.08.080 Building, existing.

"Existing building" means a building erected prior to April 5, 1967, or one for which a legal building permit has been issued. (Ord. 105 Ch. 1 § 4(16), 1967.)

18.08.085 Carport.

"Carport" means a structure not completely enclosed by wall for the shelter of automobiles. (Ord. 105 Ch. 1 § 4(17), 1967.)

18.08.090 Cellar.

"Cellar" means that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. (Ord. 105 Ch. 1 § 4(18), 1967.)

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18.08.095 Church.

"Church" means a permanently located building commonly used for religious worship, fully enclosed with walls (including windows and doors) and having a roof (canvas or fabric excluded) and conforming to applicable legal requirements or fabric excluded) and conforming to applicable legal requirements affecting design and construction. (Ord. 105 Ch. 1 § 4(19), 1967.)

18.08.100 Clinic.

"Clinic" means a building used for the diagnosis and treatment of ill, infirm and injured persons, but which building does not provide board, room or regular hospital care and services. (Ord. 105 Ch. 1 § 4(20), 1967.)

18.08.105 Clothes cleaning and dyeing plant.

"Clothes cleaning and dyeing plant" means a plant wherein clothing and other fabrics are cleaned and dyed and where volatile materials are used in the process. (Ord. 105 Ch. 1 § 4(21), 1967.)

18.08.110 Clothes cleaning establishment.

"Clothes cleaning establishment" means a commercial use wherein clothes cleaning is incidental to a laundry pickup establishment, launderette, or a coin operated dry cleaning service, and where nonvolatile materials are used in the process. (Ord. 105 Ch. 1 § 4(22), 1967.)

18.08.115 Club.

"Club" means an association of persons (whether or not incorporated) for a common purpose, but not including groups organized solely or primarily to render a service carried on as a business for profit. (Ord. 105 Ch. 1 § 4(23), 1967.)

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18.08.120 Coin operated cleaning service.

"Coin operated cleaning service" means any premises wherein coin operated dry cleaning machines with a capacity not to exceed eight pounds, using nonvolatile materials provide a retail service similar to that provided at a self-service launderette. (Ord. 105 Ch. 1 § 4(24), 1967.)

18.08.125 Cul-de-sac lot.

"Cul-de-sac lot" means the same as "lot, cul-de-sac." (Ord. 105 Ch. 1 § 4 (25), 1967.)

18.08.130 Curb cut.

"Curb cut" means a cut in the curb line for the passage of vehicles. (Ord. 105 Ch. 1 § 4(26), 1967.)

18.08.135 Curb level.

"Curb level" means the level of the established curb at the center of the front of the building. Where no curb level has been established, the town engineer shall establish such curb level or its equivalent. (Ord. 105 Ch. 1 § 4(27), 1967.)

18.08.136 Day care center—Group.

"Group day care center" means any private person, partnership, association or corporation that is operating a business, for profit or otherwise, where twelve or more children are cared for on a regular basis. (Ord. 368 § 1, 1987.)

18.08.137 Day care home—Family.

"Family day care home" means a facility in which care is provided for hire for three but not more than six children for part of a day. (Ord. 368 § 2, 1987.)

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18.08.138 Day care home—Group.

“Group day care home” means a child care facility in which care is provided for hire for seven but not more than eleven children for part of a day in a family setting. (Ord. 368 § 3, 1987.)

18.08.140 Display surface.

“Display surface” means the area of any sign made available by the sign structure for the purpose of displaying the advertising message or information message. (Ord. 105 Ch. 1 § 4(28), 1967.)

18.08.145 Dormitory.

“Dormitory” means a building intended or used principally for sleeping accommodations, where such building is related to an educational or public institution, including religious institutions and fraternities and sororities. (Ord. 105 Ch. 1 § 4(29), 1967.)

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18.08.150 Drive-in restaurant.

"Drive-in restaurant" means any building or structure in which food and drink are prepared for service to customers within or outside such structure, or occupying vehicles outside of such structure, and including self-service restaurants for take-out food. (Ord. 105 Ch. 1 § 4(30), 1967.)

18.08.155 Dump.

"Dump" means a place used for disposing, abandoning, discarding by burial, incineration, or by any other means, of any garbage, sewage, trash, refuse, rubble, waste materials, offal, or dead animals. Such use shall not involve any industrial or commercial process. (Ord. 105 Ch. 1 § 4(31), 1967.)

18.08.160 Dwelling.

"Dwelling" means a building or portion thereof which is used as the private residence or sleeping place of one or more human beings, but not including hotels, motels, tourist courts, resort cabins, clubs, or hospitals. In addition, all dwellings shall be constructed as permanent buildings, not temporary structures such as tents, railroad cars, trailers, mobile homes, streetcars, metal prefabricated sections, or similar units. (Ord. 105 Ch. 1 § 4(32), 1967.)

18.08.165 Dwelling group.

"Dwelling group" means two or more one family, two family or multiple dwellings, or boarding or rooming houses, located on one lot. (Ord. 105 Ch. 1 § 4(33), 1967.)

18.08.170 Dwelling, guest.

"Guest dwelling" means living quarters within an accessory building which occupies not more than one-fiftieth of the area of the lot on which it is situated, for use exclusively by temporary, nonpaying guests of the resident family, such quarters having no cooking facilities or kitchen. (Ord. 105 Ch. 1 § 4(34), 1967.)

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18.08.175 Dwelling, multiple family.

"Multiple family dwelling" means a building or portion thereof, designed for or occupied by three or more families living independently of each other. (Ord. 105 Ch. 1 § 4(35), 1967.)

18.08.180 Dwelling, one family.

"One family dwelling" means a detached building designed primarily for the use of a single family and no portion of which is to be rented separately. (Ord. 105 Ch. 1 § 4(36), 1967.)

18.08.185 Dwelling, two family.

"Two family dwelling" means a detached residential building containing two dwelling units, designed for occupancy by not more than two families. (Ord. 105 Ch. 1 § 4(37), 1967.)

8.08.190 Dwelling unit.

"Dwelling unit" means one or more rooms in a building providing complete living facilities for one family, including equipment for cooking or provisions for the same, and including room or rooms for living, sleeping and eating, and is not to be construed as being synonymous with "building." (Ord. 225 § 1, 1977; Ord. 105 Ch. 1 § 4(38), 1967.)

18.08.195 Educational institutions and schools.

"Educational institutions and schools" means public and other nonprofit institutions conducting regular academic instruction at kindergarten, elementary, secondary, and collegiate levels, and including graduate schools, universities, nonprofit research institutions and religious institutions. Such institutions must either:

- A. Offer general academic instruction equivalent to the standards prescribed by the State Board of Education; or
- B. Confer degrees as a college or university of undergraduate or graduate standing; or
- C. Conduct research; or

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D. Give religious instruction.

This definition does not include commercial or trade schools.
(Ord. 105 Ch. 1 § 4(39), 1967.)

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18.08.200 Family.

"Family" means an individual, or two or more persons related by blood, marriage, adoption, or similar legal relationship; or a group of not more than three persons who need not be so related, plus domestic staff employed for services on the premises, living together as a single housekeeping unit in a one-family dwelling or in one unit of a two-family or multiple-family dwelling. (Ord. 473 § 1, 1993; Ord. 105 Ch. 1 § 4(40), 1967.)

18.08.205 Floor area.

"Floor area" means the sum of the areas of the several floors of the building, measured from the exterior walls from the centerline of walls separating buildings. The floor area does not include such features as covered walkways, open, roofed-over areas that are paved, porches, pipe trenches, exterior terraces or steps, chimneys, roof overhangs, etc. (Ord. 105 Ch. 1 § 4(41), 1967.)

18.08.210 Floor area ratio.

"Floor area ratio" means the ratio of gross building floor area to total lot area. Example: Two square feet of gross floor area for each three square feet of total lot area would result in a floor area ratio of 2:3. (Ord. 105 Ch. 1 § 4(42), 1967.)

18.08.215 Freestanding sign.

"Freestanding sign" means any sign that shall have as its supports, steel columns, pipes, posts, angle iron framing or any other combination of these materials as supporting structure. (Ord. 105 Ch. 1 § 4(43), 1967.)

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18.08.220 Front of lot.

"Front of lot" means the front boundary line of a lot bordering on the street, and in the case of a corner lot may be either frontage. (Ord. 105 Ch. 1 § 4(44), 1967.)

18.08.225 Garage, private.

"Private garage" means a detached accessory building or a portion of a main building on the same lot for the parking or temporary storage of vehicles of the occupants of the premises. (Ord. 105 Ch. 1 § 4(45), 1967.)

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18.08.230 Garage, public.

"Public garage" means any garage other than a private garage. (Ord. 105 Ch. 1 § 4(46), 1967.)

18.08.235 Garage, repair.

"Repair garage" means a building other than a private garage used for the care, repair, or equipment of automobiles. (Ord. 105 Ch. 1 § 4(47), 1967.)

18.08.240 Garage, storage.

"Storage garage" means any premises, used exclusively for the storage of vehicles. (Ord. 105 Ch. 1 § 4(48), 1967.)

18.08.245 Golf course.

"Golf course" means a lot or portion of a lot used for the playing of golf, including pitch-and-putt courses, but shall not include driving ranges, miniature golf courses or other similar commercial enterprises. (Ord. 105 Ch. 1 § 4(50), 1967.)

18.08.250 Grade (ground level).

"Grade (ground level)" means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, alley or other public way, the above ground level shall be measured at the elevation of the sidewalk, alley or public way. (Ord. 105 Ch. 1 § 4(49), 1967.)

18.08.255 Gravel pit or storage.

For a definition of "gravel pit or storage," refer to the definition of "junk," Section 18.08.310. (Ord. 105 Ch. 1 § 4(51), 1967.)

18.08.260 Ground sign.

"Ground sign" means any sign other than a freestanding

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sign, wall sign, marquee sign, roof sign, or projecting sign as defined in Section 18.08.515, supported by one or more columns, pipes, posts or angle iron framing or any combination of these materials in or on the ground. (Ord. 105 Ch. 1 § 4(52), 1967.)

18.08.265 Guest.

"Guest" means any person hiring or occupying a room for living or sleeping purposes. (Ord. 105 Ch. 1 § 4(53), 1967.)

18.08.270 Guest house.

"Guest house" means the same as "dwelling, guest." (Ord. 105 Ch. 1 § 4(54), 1967.)

18.08.275 Guest ranch.

"Guest ranch" means a hotel, including all accessory buildings and commercial uses operated primarily for the convenience of the guests thereof. (Ord. 105 Ch. 1 § 4(55), 1967.)

18.08.280 Height of building.

"Height of building" means the vertical distance from the "grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. (Ord. 105 Ch. 1 § 4(56), 1967.)

18.08.285 Home occupation.

"Home occupation" means any use conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Not more than twenty-five percent of the ground floor area shall be so occupied, nor shall any person be employed for hire. There shall be no window display or other

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public display of any material or merchandise in connection with any home occupation, nor shall there be any purchase and resale of commodities upon the premises. No sign shall be displayed on the premises advertising the occupation carried on in the home except one sign which shall not be more than two square feet in area, and which shall be attached to the house. (Ord. 105 Ch. 1 § 4(57), 1967.)

18.08.290 Hospital.

"Hospital" means any building or portion thereof used for the accommodation and medical care of sick, injured, or infirm persons and including sanitariums, alcoholic sanitariums, institutions for the care of chronic drug addicts and mental patients. (Ord. 105 Ch. 1 § 4(58), 1967.)

18.08.295 Hotel.

"Hotel" means a building designed for or occupied as the more or less temporary abiding place of individuals who are lodged with or without meals, and in which no provision is made for cooking in any individual room or suite. (Ord. 105 Ch. 1 § 4(59), 1967.)

18.08.300 Household pets.

"Household pets" means animals ordinarily permitted in the house, and kept for company or pleasure, such as dogs, cats, canaries. (Ord. 105 Ch. 1 § 4(60), 1967.)

18.08.305 Industry.

"Industry" means the manufacture, fabrication, processing, reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, character, or appearance thereof, and including storage elevators, truck storage yards, warehouses, wholesale storage and other similar types of enterprise. (Ord. 105 Ch. 1 § 4(61), 1967.)

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18.08.310 Junk.

"Junk" means the collecting, storing or placing of any of the following described materials except where such use is conducted wholly within a completely enclosed building:

- A. The collection, storage or placing of worn out, discarded or scrapped goods or materials that may be turned to some use, such as rope, chains, iron, copper, furniture, stoves, enamelware, paper, rags, bottles, used pipes, used machinery, parts of dismantled machinery or vehicles;
 - B. The collection, storage or placing of any used material, other than gems, precious metal or material containing precious metal, having a value which is determined solely by the weight thereof;
 - C. The collection, storage or placing of any used material, other than gems, precious metal or material containing precious metal, which has no ordinary practical case in the form in which it exists when so collected, stored or placed.
- (Ord. 105 Ch. 1 § 4(62), 1967.)

18.08.315 Kennel.

"Kennel" means any lot or premises on which two dogs over four months old are kept. (Ord. 105 Ch. 1 § 4 (63), 1967.)

18.08.320 Key lot.

"Key lot" means any lot where the side property line abuts the rear property line of one or more lots and where said lots are not separated by an alley or any other public way. (Ord. 105 Ch. 1 § 4(64), 1967.)

18.08.325 Landscaping.

"Landscaping" means planting and continued maintenance of suitable plant materials or a combination of plant materials with minimum areas of paving, gravel, or otherwise dust-free materials with an adequate irrigation system. (Ord. 105 Ch. 1 § 4(66), 1967.)

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18.08.330 Landscaping, screen.

"Screen landscaping" means planting and continued maintenance of a compact screen of evergreen shrubbery forming a physical barrier or enclosure not less than six feet in height, composed of materials selected from the town's list of acceptable screen landscaping plant materials. (Ord. 105 Ch. 1 § 4(67), 1967.)

18.08.335 Land use plan.

"Land use plan" means a comprehensive plan adopted and maintained by the town which shows the most appropriate use of land within the town. (Ord. 105 Ch. 1 § 4(65), 1967.)

18.08.340 Launderette.

"Launderette" means a business premises equipped with individual clothes washing and drying machines either coin operated or attendant operated for the use of retail customers, exclusive of laundry facilities provided as an accessory use in an apartment house or an apartment hotel. (Ord. 105 Ch. 1 § 4(68), 1967.)

18.08.345 Laundry.

"Laundry" means a premises where clothing and fabrics are washed, other than a launderette and is herein defined as a commercial use. (Ord. 105 Ch. 1 § 4(69), 1967.)

18.08.350 Loading space.

"Loading space" means an off-street space or berth on the same lot with a main building or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading, and which has access from a street, alley or other permanent means of ingress and egress. (Ord. 105 Ch. 1 § 4(70), 1967.)

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18.08.355 Loading space, off-street.

"Off-street loading space" means space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. (Ord. 105 Ch. 1 § 4(71), 1967.)

18.08.360 Lodging house or rooming house.

"Lodging house" or "rooming house" means a building where sleeping accommodations are provided for compensation pursuant to previous arrangement on a daily, weekly, or monthly basis in contradistinction to a hotel, tourist home, or motel. (Ord. 105 Ch. 1 § 4(72), 1967.)

18.08.365 Lot.

"Lot" means land occupied or to be occupied by a building or buildings together with such open spaces as required under this title and having its principal frontage on a street or an officially approved place. "Lot" also means building sites without reference to lots as recorded on official plats. (Ord. 105 Ch. 1 § 4(73), 1967.)

18.08.370 Lot, corner.

"Corner lot" means a lot located at the interception of two or more streets at an angle of not more than one hundred thirty-five degrees. If the angle is greater than one hundred thirty-five degrees, the lot shall be considered an "interior lot." See lot types diagram A-D and A-E in Section 18.08.435. (Ord. 105 Ch. 1 § 4(74), 1967.)

18.08.375 Lot, cul-de-sac.

"Cul-de-sac lot" means a lot fronting on, or with more than one-half of its lot frontage on, the turnaround end of a cul-de-sac street. (Ord. 105 Ch. 1 § 4(75), 1967.)

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18.08.380 Lot depth.

"Lot depth" means the horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines. (Ord. 105 Ch. 1 § 4(76), 1967.)

18.08.385 Lot, hillside.

"Hillside lot" means a lot where the slope of the front half is greater than one foot of rise or fall in a seven foot run from the street elevation at the property line, or between side property lines, all measured in a horizontal plane perpendicular to either the front or side property lines; or where the elevation of the front half of the lot is more than four feet above or below the established street elevation. (Ord. 105 Ch. 1 § 4(77), 1967.)

18.08.390 Lot, interior.

"Interior lot" means a lot other than a corner lot. See lot types diagram B, B-D, and A-E in Section 18.08.435. (Ord. 105 Ch. 1 § 4(78), 1967.)

18.08.395 Lot line, front.

"Front lot line" means the property line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line and that street line on which the house fronts shall be considered the front line. (Ord. 105 Ch. 1 § 4(81), 1967.)

18.08.400 Lot line, interior.

"Interior lot line" means a lot line not abutting a street. (Ord. 105 Ch. 1 § 4(82), 1967.)

18.08.405 Lot line, rear.

"Rear lot line" means the line opposite the front lot line. (Ord. 105 Ch. 1 § 4(83), 1967.)

DEFINITIONS

18.08.410 Lot lines, district boundaries.

Where the district boundaries are not shown to be streets or alleys and where the property has been or may hereafter be divided into blocks or lots, the district boundaries shall be construed to be lot lines; and where the indicated boundaries on the zoning map are approximately lot lines, said lot lines shall be construed to be the boundaries of the districts, unless the boundaries are otherwise indicated on the map. Where a district boundary, as shown on the zoning map, divides a lot in single ownership on April 5, 1967, the use, height, and area regulations of the less restrictive portion of such lot shall be construed as extending to the entire lot, provided the lot does not extend more than fifty feet beyond the boundary line. (Ord. 105 Ch. 1 § 4(85), 1967.)

18.08.415 Lot line, side.

"Side lot line" means any lot line not a front lot line or rear lot line. (Ord. 105 Ch. 1 § 4(84), 1967.)

18.08.420 Lot of record.

"Lot of record" means a lot which is part of a subdivision recorded in the office of the county clerk of Teton County, or a lot described by metes and bounds; the description of which has been recorded in the office of the county clerk of Teton County. (Ord. 105 Ch. 1 § 4(86), 1967.)

18.08.425 Lot, reversed corner.

"Reversed corner lot" means a corner lot, the side line of which is substantially a continuation of the front lot lines of the lots to its rear, whether across an alley or not. See lot types diagram A in Section 18.08.435. (Ord. 105 Ch. 1 § 4(80), 1967.)

18.08.430 Lot, through.

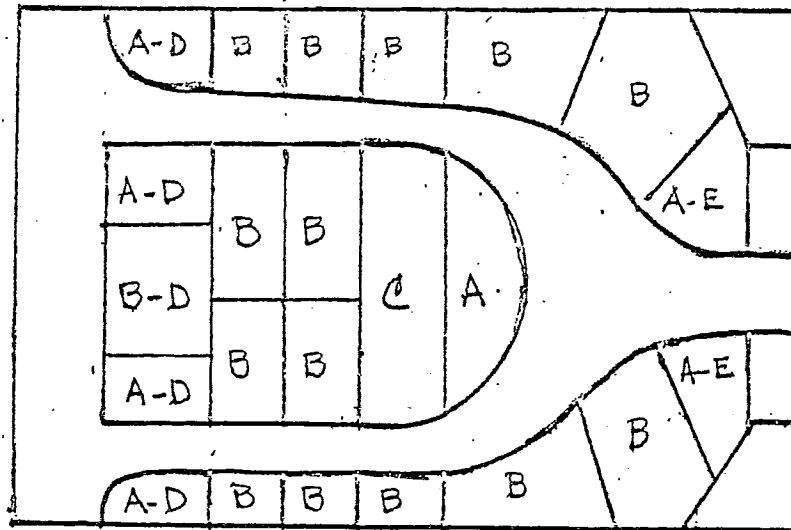
"Through lot" means a lot having frontage on two streets which are parallel or nearly so. See lot types diagram C in

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Section 18.08.435. (Ord. 105 Ch. 1 § 4(79), 1967.)

18.08.435 Lot types diagram.

The lot types referred to in Sections 18.08.370, 18.08.390, 18.08.425 and 18.08.430 are as follows:



(Ord. 105 Ch. 1 § 4(87), 1967.)

18.08.440 Lot width.

"Lot width" means the average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. (Ord. 105 Ch. 1 § 4(88), 1967.)

18.08.445 Map.

"Map" means the zoning district map of Jackson, Wyoming, as approved by this title with any duly approved changes or alterations. (Ord. 105 Ch. 1 § 4(89), 1967.)

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18.08.450 Marquee.

"Marquee" means a permanent roofed structure attached to and supported by the building and projecting over public property. (Ord. 105 Ch. 1 § 4(90), 1967.)

18.08.455 Marquee sign.

"Marquee sign" means any sign that is attached on top of, on bottom of, or on any edge of a marquee. (Ord. 105 Ch. 1 § 4(91), 1967.)

18.08.460 Mobile home.

"Mobile home" means a detached single family dwelling, having a chassis, capable of being transported, and designed for long term occupancy, which is equipped with appliances and electrical and sanitary systems that function independently of auxiliary facilities so that only simple utility connections are needed. (Ord. 247 § 1, 1978: Ord. 105 Ch. 1 § 4(94), 1967.)

18.08.465 Mobile home park.

"Mobile home park" means a development designed exclusively for the parking or other type of installation of mobile homes on spaces offered for rent, including all improvements, buildings, structures, recreational areas or other facilities for the use of the residents of such development, but not including any mobile home site or lot available on a transient basis. (Ord. 247 § 2, 1978: Ord. 105 Ch. 1 § 4(92), 1967.)

18.08.470 Mobile home space.

"Mobile home space" means a plot of ground within a mobile home park designed for the accommodation of one mobile home. (Ord. 105 Ch. 1 § 4(93), 1967.)

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18.08.475 Motel.

"Motel" means any building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the

DEFINITIONS

building with garage or parking space located on the lot and designated, used, or intended wholly or in part for the accommodation of automobile transients. "Motel" includes motor court, motor lodge and tourist court, but not mobile home park. (Ord. 105 Ch. 1 § 4(95), 1967.)

18.08.480 Nonconforming building.

"Nonconforming building" means a building or structure or portion thereof conflicting with the provisions of this title applicable to the district in which it is situated. (Ord. 105 Ch. 1 § 4(96), 1967.)

18.08.485 Nonconforming use.

"Nonconforming use" means the use of a structure or premises conflicting with the provisions of this title for the district in which it is located. (Ord. 105 Ch. 1 § 4(97), 1967.)

18.08.490 Occupancy.

"Occupancy" means the purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors. (Ord. 105 Ch. 1 § 4(98), 1967.)

18.08.495 Occupied.

"Occupied" includes the phrase "arranged, designed or intended to be occupied." (Ord. 105 Ch. 1 § 4(99), 1967.)

18.08.500 Off-street parking space.

"Off-street parking space" means an area for the parking of automobiles which does not include a public street, but has convenient access to it. (Ord. 105 Ch. 1 § 4(101), 1967.)

DEFINITIONS

18.08.505 Park and playground.

"Park and playground" means an open space which has been dedicated, designed for or used for outdoor recreation activities; including town parks and playgrounds, church or club-sponsored parks and playgrounds and the like, but not including outdoor theaters and similar commercial recreational activities. (Ord. 105 Ch. 1 § 4(102), 1967.)

18.08.510 Person.

"Person" also includes association, firm, copartnership, or corporation. (Ord. 105 Ch. 1 § 4(103), 1967.)

18.08.515 Projecting sign.

"Projecting sign" means any sign other than a wall sign suspended from or supported by a building or structure or sign structure and projecting out therefrom. (Ord. 105 Ch. 1 § 4(104), 1967.)

18.08.520 Projection.

"Projection" means the distance by which a sign extends over public property or beyond the building line. (Ord. 105 Ch. 1 § 4(105), 1967.)

18.08.525 Public parks.

"Public parks" means parks which are maintained by a public agency. (Ord. 105 Ch. 1 § 4(106), 1967.)

18.08.530 Rental unit.

"Rental unit" means a room and bath with a separate entrance. (Ord. 105 Ch. 1 § 4(107), 1967.)

18.08.535 Retail store.

"Retail store" means a business selling goods, wares or merchandise directly to the ultimate consumer. (Ord. 105 Ch. 1 § 4(108), 1967.)

DEFINITIONS

18.08.540 Roof sign.

"Roof sign" means any sign attached to roof framing, walls or columns of the building on which the entire sign is above the roof level. (Ord. 105 Ch. 1 § 4(109), 1967.)

18.08.545 Setback.

"Setback" means the shortest distance between the property line and the foundation, wall or main frame of the building. (Ord. 105 Ch. 1 § 4(110), 1967.)

18.08.550 Sign.

"Sign" means any card, cloth, paper, metal, wood, glass, plastic, light, device, figure, painting, drawing, statuary, message, plaque, poster, billboard or any display of any kind, painted or unpainted, lighted or unlighted, designed, intended or used to, advertise or inform and placed in or upon the ground or any tree, bush, rock, post, fence, wall, building or any structure or thing whatsoever, placed out of doors in view of the general public. (Ord. 105 Ch. 1 § 4(100), 1967.)

18.08.555 Site plan.

"Site plan" means a plan, prepared to scale, showing accurately and with complete dimensioning, all of the buildings, structures and uses and other exact manner of development proposed for a specific parcel of land. (Ord. 105 Ch. 1 § 4(112), 1967.)

18.08.560 Story.

"Story" means that portion of a building included between the surface of any floor and the surface of the next floor above it; or if there is no floor above it, then the space between the floor and the ceiling next above it. A basement, the ceiling of which is less than four feet six inches above the grade level shall not be considered a story. A mezzanine floor shall be considered a story if it exceeds thirty-three and one-third percent of the area of the floor next below it. (Ord. 105 Ch. 1 § 4(113), 1967.)

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18.08.565 Street.

"Street" means any thoroughfare or public space not less than sixteen feet in width which has been dedicated or deeded to the public for public use. (Ord. 105 Ch. 1 § 4(114), 1967.)

18.08.570 Structure.

"Structure" means anything constructed or erected, any edifice or building of any kind, or any piece of work artificially built up or composed of parts jointed together in some definite manner, which requires location on or in the ground, or is attached to something having a location on or in the ground, including swimming and wading pools and patios, excepting outdoor areas such as paved areas, walks, tennis courts, and similar recreation areas. (Ord. 105 Ch. 1 § 4(115), 1967.)

18.08.575 Structure, temporary.

"Temporary structure" means a structure which is readily movable to be used for a period not to exceed ninety consecutive days. Such structure shall be subject to all applicable property development standards for the district in which it is located, and used or intended to be used in connection with and during the period of construction. (Ord. 105 Ch. 1 § 4(116), 1967.)

18.08.580 Swimming pool, private.

"Private swimming pool" includes all pools which are used or intended to be used in connection with a single family residence, and available only to the family or householder and his private guests. (Ord. 105 Ch. 1 § 4(117), 1967.)

18.08.585 Swimming pool, public or semipublic.

"Public or semipublic swimming pool" means any pool other than a private swimming pool. (Ord. 105 Ch. 1 § 4(118), 1967.)

DEFINITIONS

18.08.590 Temporary sign.

"Temporary sign" means any sign which may or may not be attached to the outside of a building or structure for a limited period of time as authorized by the town building inspector or board of adjustments. (Ord. 105 Ch. 1 § 4(111), 1967.)

18.08.595 Tourist.

"Tourist" means a paying guest. (Ord. 105 Ch. 1 § 4(121), 1967.)

18.08.600 Trailer, utility.

"Utility trailer" means a vehicle without motive power, to be used for carrying of personal property, but not to be used for habitation. (Ord. 105 Ch. 1 § 4(119), 1967.)

18.08.605 Transient.

"Transient" means a person who is receiving accommodations for a price, with or without meals, for a period of not more than one hundred eighty continuous days in any one year. (Ord. 105 Ch. 1 § 4(120), 1967.)

18.08.610 Use.

"Use" means the purpose for which land or a building is arranged, designed, or intended, or for which either land or building is or may be occupied or maintained. (Ord. 105 Ch. 1 § 4(122), 1967.)

18.08.615 Walk-away business.

"Walk-away business" means a business which sells primarily at retail, foods readily prepared for immediate consumption without facilities customarily incident to a restaurant operation, including waiter service. (Ord. 105 Ch. 1 § 4(123), 1967.)

DEFINITIONS

18.08.620 Wall.

"Wall" means any structure or device forming a physical barrier which is so constructed that fifty percent or more of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in a horizontal plane. (Ord. 105 Ch. 1 § 4(124), 1967.)

18.08.625 Wall sign.

"Wall sign" means any sign attached to or erected against the wall of a building or structure or an integral part of the building or structure with the exposed face (display surface) in a plane parallel to the plane of such wall, building or structure. (Ord. 105 Ch. 1 § 4(125), 1967.)

18.08.630 Warehousing.

"Warehousing" means a building or buildings used for the storage of goods of any type and where no retail operation is conducted. (Ord. 105 Ch. 1 § 4(126), 1967.)

18.08.635 Wholesaling.

"Wholesaling" means the selling of any type of goods for purposes of resale. (Ord. 105 Ch. 1 § 4(127), 1967.)

18.08.640 Yard.

"Yard" means an open space at grade level between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used. (Ord. 105 Ch. 1 § 4(128), 1967.)

18.08.645 Yard, front.

A. "Front yard" means a yard extending between side lot lines

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across the front of a lot.

- B. In case of through lots, unless prevailing front yard patterns or adjoining lots indicate otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the administrative official may waive the requirement for the normal front yard and substitute therefor a special yard requirement which shall not exceed the average of the yards required.
- C. In case of corner lots which do not have reversed frontage, a front yard of the required pattern shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage, so long as the requirements under Section 18.16.010E are observed.
- D. In the case of reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage, so long as the requirements under Section 18.16.010E are observed.
- E. In the case of corner lots with more than two frontages, the administrative official shall determine the front yard requirements, subject to the following limitations:
 - 1. At least one front yard shall be provided having the full depth required generally in the district for front yards;
 - 2. No other front yard on such lot shall have less than half of the full depth required generally in the district for front yards;
 - 3. The requirements under Section 18.16.010E are observed.

Depth of required front yards shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would meet without such rounding. Front and rear lines of a required front yard shall be parallel. (Ord. 105 Ch. 1 § 4(129), 1967.)

DISTRICTS AND ZONING MAP

18.08.650 Yard, rear.

"Rear yard" means a yard extending across the rear of the lot between the inner side yard lines. In the case of through lots and corner lots, there are no rear yard requirements. (Ord. 105 Ch. 1 § 4(130), 1967.)

18.08.655 Yard, service.

"Service yard" means any area utilized to provide space for garden tools, hanging of laundry, garbage cans, trash collection, piling of refuse to be disposed of elsewhere, or areas utilized for similar purposes. (Ord. 105 Ch. 1 § 4(131), 1967.)

Chapter 18.12

DISTRICTS AND ZONING MAP²

Sections:

- 18.12.010 Districts designated.
- 18.12.020 Maps and boundaries.
- 18.12.030 Interpretation of district boundaries.
- 18.12.040 Classification of unzoned districts.
- 18.12.050 General application.

18.12.010 Districts designated.

In order to carry out the provisions of this title, the town is divided into the following districts:

District	Designation
Large single-family residential	LR-1
Small single-family residential	SR-1
Multifamily residential duplex	MR-2
Multifamily residential fourplex	MR-4
Mobile home park	MHP
Core commercial	CC
General commercial	GC
Light industrial	LI

(Ord. 269 § 1, 1980; Ord. 105 Ch. 2 § 1, 1967.)

DISTRICTS AND ZONING MAP

18.12.020 Maps and boundaries.³

The boundaries of such districts are established as shown upon the map designated "Zoning District Map, Town of Jackson," and is on file in the office of the town clerk, which map is made a part of this title. (Ord. 105 Ch. 2 § 2, 1967.)

18.12.030 Interpretation of district boundaries.

Where uncertainty exists as to the boundary of any district, as is herein established and as shown on the district map, the following rules shall apply:

- A. Street as Boundary. Where the designation on the map indicates that the boundary line falls along a street or alley, the centerline of the street or alley shall be construed as the boundary.
- B. Lot Line Boundaries. Where the district boundaries are not otherwise indicated and where the indications on the map are approximately bounded by lot lines, the nearest lot line shall be construed to be the boundary of such district.
- C. Uncertain Boundaries. Where other uncertainty exists as to the boundary of any district, the board of adjustment shall interpret the map.

(Ord. 105 Ch. 2 § 3, 1967.)

18.12.040 Classification of unzoned districts.

In every case in which property has not been specifically included within a district, or where territory has become a part of the town by annexation, the same shall automatically be classed as lying and being in the residential 1 district until such classifications shall be changed as provided by law. (Ord. 105 Ch. 2 § 4, 1967.)

18.12.050 General application.

- A. No building or structure shall be erected or altered, nor shall any building or premises be used for any purpose, other than a use permitted in the district in which such building or premises shall be used so as to produce greater heights, smaller yards or less unoccupied area, and no building shall

DISTRICTS AND ZONING MAP

be occupied by more families than hereinafter prescribed for such building for the district in which it is located. No lot which is now or may be thereafter built upon, as herein required, may be so reduced in area that yards and open spaces will be smaller than prescribed by this title, and no yard, court or open space provided about any building for the purpose of complying with the provisions hereof shall again be used as a yard, court or open space for any other building.

- B. Any building or structure proposed to be erected, altered, or used in a zoning classification district lower (LR-1 districts being the highest classification and LI districts being the lowest classification) than that in which the proposed construction, alteration or use is allowed shall comply with all of the applicable standards of the highest zoning district in which the proposed construction or use is allowed, except for detached single-family residences in other than an LR-1 district which shall comply with SR-1 requirements and standards and except for commercial office buildings in other than an MR-4 district which shall comply with the height, setback and other requirements for the district in which the building is situated or is to be erected, with the exception of parking which shall be required in accordance with the general commercial district parking standards.

(Ord. 376 § 1, 1988; Ord. 269 § 2, 1980; Ord. 244 §§ 1 and 2, 1978; Ord. 105 Ch. 2 § 5, 1967.)

LR-1 LARGE SINGLE-FAMILY RESIDENTIAL DISTRICT

Chapter 18.16

LR-1 LARGE SINGLE-FAMILY RESIDENTIAL DISTRICT

Sections :

- 18.16.010 Permitted uses.
- 18.16.020 Conditional uses.
- 18.16.030 Minimum lot area.
- 18.16.040 Minimum lot width.
- 18.16.050 Setbacks—Principal buildings.
- 18.16.060 Setbacks—Accessory buildings.
- 18.16.070 Maximum height.
- 18.16.080 Minimum floor area.
- 18.16.090 Minimum off-street parking.
- 18.16.100 Minimum distance between buildings.

LR-1 LARGE SINGLE-FAMILY RESIDENTIAL DISTRICT

18.16.010 Permitted uses.

Within any large single-family residential district, no building, structure or premises shall be used or arranged or designed to be used except for one or more of the following uses:

- A. One single-family dwelling per lot, not to be construed to include mobile home on wheels or otherwise;
- B. Parks, playfield, playgrounds and golf courses operated by a public agency or neighborhood or homeowners association;
- C. Fences, hedges, and walls provided such uses are less than three feet in height when constructed of materials tending to obstruct motorists' vision, in clear vision areas, as hereinafter provided in this title;
- D. Accessory buildings and uses;
- E. Family day care homes.

(Ord. 440 § 1, 1992; Ord. 275 § 1, 1981; Ord. 269 § 4(part), 1980.)

18.16.020 Conditional uses.

In addition to the uses set forth in Section 18.16.010, the following uses are allowed providing the owner follows the procedures set forth for obtaining conditional use permits in accordance with Chapter 18.42 of this title:

- A. Churches, public educational institutions;
- B. Public utilities and distribution facilities;
- C. Cemeteries;
- D. Cluster development in hillside areas where the slope exceeds ten percent. The density shall not exceed one unit for each seven thousand five hundred square feet.
- E. Hospitals;
- F. Group day care homes.

(Ord. 440 § 2, 1992; Ord. 368 § 4, 1987; Ord. 269 § 4(part), 1980.)

LR-1 LARGE SINGLE-FAMILY RESIDENTIAL DISTRICT

18.16.030 Minimum lot area.

The minimum lot area shall be twelve thousand square feet per dwelling or building. (Ord. 269 § 4(part), 1980.)

18.16.040 Minimum lot width.

The minimum lot width shall be one hundred feet per dwelling or building. (Ord. 269 § 4(part), 1980.)

LR-1 LARGE SINGLE-FAMILY RESIDENTIAL DISTRICT

18.16.050 Setbacks—Principal buildings.

The minimum setback requirements for principal buildings are as follows:

- A. Front yard: thirty feet;
 - B. Back yard: thirty feet;
 - C. Side yard: fifteen feet.
- (Ord. 269 § 4 (part), 1980.)

18.16.060 Setbacks—Accessory buildings.

The minimum setback requirements for accessory buildings are as follows:

- A. Front yard: thirty feet;
- B. Side yard: five feet;
- C. Rear yard: five feet.

The setbacks described in subsections B and C of this section apply for accessory buildings up to fourteen feet in height. If higher than fourteen feet, then the setbacks for principal buildings apply. (Ord. 269 § 4 (part), 1980.)

18.16.070 Maximum height.

The maximum building height shall be twenty-eight feet. (Ord. 269 § 4 (part), 1980.)

18.16.080 Minimum floor area.

The minimum floor area is one thousand square feet per dwelling. (Ord. 269 § 4 (part), 1980.)

18.16.090 Minimum off-street parking.

The minimum off-street parking shall be two spaces per dwelling unit. Off-street parking shall be provided for all vehicles. (Ord. 269 § 4 (part), 1980.)

SR-1 SMALL SINGLE-FAMILY RESIDENTIAL DISTRICT

18.16.100 Minimum distance between buildings.

The minimum distance between buildings on adjoining properties shall be as follows:

- A. Accessory buildings: ten feet;
- B. Principal buildings: thirty feet.

(Ord. 269 § 4 (part), 1980.)

Chapter 18.18

SR-1 SMALL SINGLE-FAMILY RESIDENTIAL DISTRICT

Sections :

- 18.18.010 Allowable uses outright.
- 18.18.020 Conditional uses.
- 18.18.030 Minimum lot area.
- 18.18.040 Minimum lot width.
- 18.18.050 Setbacks—Principal buildings.
- 18.18.060 Setbacks—Accessory buildings.
- 18.18.070 Maximum height.
- 18.18.080 Minimum floor area.
- 18.18.090 Minimum off-street parking.
- 18.18.100 Minimum distance between buildings.

18.18.010 Allowable uses outright.

Within any small single-family residential district, no building, structure or premises shall be used or arranged or designed to be used, except for one or more of the following uses: All permitted uses allowed in the LR-1 district. (Ord. 269 § 5 (part), 1980.)

18.18.020 Conditional uses.

In addition to the foregoing uses, the following uses are allowed upon the condition that the property owner comply with the procedure set forth in Chapter 18.42 of this title:

- A. All conditional uses allowed in the LR-1 district;
- B. Home occupation;

SR-1 SMALL SINGLE-FAMILY RESIDENTIAL DISTRICT

- C. Cluster developments in hillside areas where the slope exceeds ten percent. The density shall not exceed one unit for each five thousand square feet.
(Ord. 269 § 5 (part), 1980.)

18.18.030 Minimum lot area.

The minimum lot area shall be seven thousand five hundred square feet, except as provided in Section 18.18.020, conditional uses. (Ord. 269 § 5 (part), 1980.)

18.18.040 Minimum lot width.

The minimum lot width shall be seventy feet. (Ord. 269 § 5 (part), 1980.)

18.18.050 Setbacks—Principal buildings.

The minimum setback requirements for principal buildings are as follows:

- A. Front yard: twenty-five feet;
 - B. Rear yard: fifteen feet;
 - C. Side yard: ten feet.
- (Ord. 269 § 5 (part), 1980.)

18.18.060 Setbacks—Accessory buildings.

The minimum setback requirements for accessory buildings are as follows:

- A. Front yard: thirty feet;
- B. Rear yard: five feet;
- C. Side yard: five feet.

The setbacks described in subsection B and C of this section apply for accessory buildings up to fourteen feet in height. If higher than fourteen feet, then the setbacks for principal buildings apply. (Ord. 269 § 5 (part), 1980.)

MR-2 MULTIFAMILY RESIDENTIAL DUPLEX DISTRICT

18.18.070 Maximum height.

The maximum building height shall be twenty-eight feet. (Ord. 269 § 5 (part), 1980.)

18.18.080 Minimum floor area.

The minimum floor area shall be eight hundred fifty square feet for a principal dwelling unit. (Ord. 269 § 5 (part), 1980.)

18.18.090 Minimum off-street parking.

The minimum off-street parking shall be two spaces per dwelling unit. Off-street parking shall be provided for all vehicles. (Ord. 269 § 5 (part), 1980.)

18.18.100 Minimum distance between buildings.

There shall be a minimum distance of ten feet between buildings on adjoining properties. (Ord. 269 § 5 (part), 1980.)

Chapter 18.20

MR-2 MULTIFAMILY RESIDENTIAL DUPLEX DISTRICT

Sections:

18.20.010 Permitted uses.

18.20.020 Conditional uses.

18.20.025 Interim development restriction regulations.

18.20.030 Minimum lot area.

18.20.040 Minimum lot width.

18.20.050 Setbacks—Principal buildings.

18.20.060 Setbacks—Accessory buildings.

18.20.070 Maximum height.

MR-2 MULTIFAMILY RESIDENTIAL DUPLEX DISTRICT

18.20.080 Minimum floor area.

18.20.090 Minimum off-street parking.

18.20.100 Minimum distance between buildings.

18.20.010 Permitted uses.

Within any multifamily residential duplex district, no building, structure or premises shall be used or arranged or designed to be used, except for one or more of the following uses:

- A. All uses allowed in LR-1 and SR-1 districts;
- B. One duplex per lot with a minimum total floor area one thousand seven hundred square feet.

(Ord. 443 § 1, 1992; Ord. 417 § 1, 1991; Ord. 275 § 2, 1981; Ord. 269 § 6(part), 1980.)

18.20.020 Conditional uses.

In addition to the foregoing uses, the following uses are allowed upon the condition that the property owner comply with the procedure set forth in Chapter 18.42 of this title:

- A. All conditional uses allowed in the LR-1 and SR-1 districts;
- B. Home occupation;
- C. One attached rental unit;
- D. Cluster developments in hillside areas where the slope exceeds ten percent. Density shall not exceed one unit for each five thousand square feet;
- E. For lots of fifteen thousand square feet or greater, one additional duplex unit for each additional seven thousand five hundred square feet of property over and above the seven thousand five hundred square feet required for the first duplex unit;
- F. Group day care home.

(Ord. 368 § 5, 1987; Ord. 275 § 4, 1981; Ord. 269 § 6(part), 1980.)

MR-2 MULTIFAMILY RESIDENTIAL DUPLEX DISTRICT

18.20.025 Interim development restriction regulations.

Anything in this code to the contrary notwithstanding, the following specific development uses, activities and procedures are prohibited from the effective date of this ordinance until such time as pending land development regulations are enacted pursuant to the proposed Jackson-Teton County Comprehensive Plan, at which time regulations set forth in this section shall become null and void:

- A. Construction of any kind totaling more than two thousand two hundred and fifty square feet of living area on platted lots of eight thousand square feet or less, including additions which would cause the total living area to exceed two thousand two hundred fifty square feet;
- B. Resubdivision, townhouse or condominium plats on platted lots of eight thousand square feet or less;
- C. Use of complete neighborhood and conditional use permits for projects which combine two or more platted lots of eight thousand square feet or less.

(Ord. 486 § 1, 1994; Ord. 484 § 1, 1994.)

18.20.030 Minimum lot area.

The minimum lot area shall be seven thousand five hundred square feet. (Ord. 269 § 6 (part), 1980.)

18.20.040 Minimum lot width.

The minimum lot width shall be seventy feet. (Ord. 269 § 6 (part), 1980.)

MR-2 MULTIFAMILY RESIDENTIAL DUPLEX DISTRICT

18.20.050 Setbacks—Principal buildings.

The minimum setback requirements for principal buildings are as follows:

- A. Front yard: twenty-five feet;
 - B. Rear yard: fifteen feet;
 - C. Side yard: ten feet.
- (Ord. 269 § 6 (part), 1980.)

18.20.060 Setbacks—Accessory buildings.

The minimum setback requirements for accessory buildings are as follows:

- A. Front yard: thirty feet;
- B. Rear yard: five feet;
- C. Side yard: five feet.

The setbacks described in subsections B and C of this section apply for accessory buildings up to fourteen feet in height. If higher than fourteen feet, then the setbacks for principal buildings apply. (Ord. 269 § 6 (part), 1980.)

18.20.070 Maximum height.

The maximum building height shall be two stories not to exceed twenty-eight feet. (Ord. 269 § 6 (part), 1980.)

18.20.080 Minimum floor area.

The minimum floor area shall be eight hundred fifty square feet for a principal dwelling unit. (Ord. 269 § 6 (part), 1980.)

18.20.090 Minimum off-street parking.

The minimum off-street parking shall be two spaces per dwelling unit. Off-street parking shall be provided for all vehicles. (Ord. 269 § 6 (part), 1980.)

18.20.100 Minimum distance between buildings.

There shall be a minimum distance of ten feet between buildings on adjoining properties. (Ord. 269 § 6 (part), 1980.)

MR-4 MULTIFAMILY RESIDENTIAL FOURPLEX DISTRICT

Chapter 18.22

MR-4 MULTIFAMILY RESIDENTIAL FOURPLEX DISTRICT

Sections:

- 18.22.010 Allowable uses outright.**
- 18.22.020 Conditional uses.**
- 18.22.025 Interim development restriction regulations.**
- 18.22.030 Minimum lot size.**
- 18.22.040 Minimum lot width.**
- 18.22.050 Setbacks—Principal buildings.**
- 18.22.060 Setbacks—Accessory buildings.**
- 18.22.070 Maximum height.**
- 18.22.080 Minimum floor area.**
- 18.22.090 Minimum off-street parking.**
- 18.22.100 Minimum distance between buildings.**
- 18.22.110 Maximum gross living area.**
- 18.22.120 Maximum lot coverage.**

18.22.010 Allowable uses outright.

Within any multifamily residential fourplex district, no building, structure or premises shall be used or arranged or designed to be used, except for one or more of the following uses:

- A. All uses allowable in the LR-1, SR-1 and MR-2 districts;
- B. All conditional uses allowable in the LR-1, SR-1 and MR-2 districts;
- C. One triplex or one fourplex unit per lot;
- D. Professional offices;
- E. Medical and dental clinics.

(Ord. 301 § 1, 1983; Ord. 275 § 3, 1981; Ord. 269 § 7(part), 1980.)

MR-4 MULTIFAMILY RESIDENTIAL FOURPLEX DISTRICT

18.22.020 Conditional uses.

In addition to the foregoing uses, the following uses are allowed upon the condition that the property owner comply with the procedure set forth in Chapter 18.42 of this title:

- A. Hospital, nursing homes;
- B. Clubs, lodges or fraternal organizations;
- C. Boardinghouses and roominghouses;
- D. Nurseries and greenhouses;
- E. Private schools;
- F. Single-building apartment complexes not to exceed twelve units on parcels of fifteen thousand square feet or more;
- G. Mortuaries;
- H. Group day care centers;
- I. For lots of thirty thousand square feet or greater, one additional building, not to exceed twelve dwelling units per building, for each additional fifteen thousand square feet of property over and above the fifteen thousand square feet required for the first building as set forth in subsection F of this section;
- J. Establishments for the instruction in and advancement of the fine arts and performing arts;
- K. Public libraries and branch libraries;
- L. Training and/or residential facilities for the developmentally disabled.

(Ord. 420 §1, 1991; Ord. 416 § 1, 1991; Ord. 275 § 5, 1981; Ord. 269 § 7(part), 1980.)

18.22.025 Interim development restriction regulations.

Anything in this code to the contrary notwithstanding, the following specific development uses, activities, and procedures are prohibited from the effective date of this ordinance until such time as pending land development regulations are enacted pursuant to the proposed Jackson-Teton County Comprehensive Plan, at which time regulations set forth in this section shall become null and void:

- A. More than three units on any platted lot of eight thousand square feet or less;

MR-4 MULTIFAMILY RESIDENTIAL FOURPLEX DISTRICT

- B. Construction of any kind totaling more than two thousand two hundred and fifty square feet of living area on platted lots of eight thousand square feet or less, including additions which would cause the total living area to exceed two thousand two hundred fifty square feet;
 - C. Resubdivision, townhouse or condominium plats on platted lots of eight thousand square feet or less;
 - D. Use of complete neighborhood and conditional use permits for projects which combine two or more platted lots of eight thousand square feet or less;
 - E. Office buildings and office uses.
- (Ord. 487 § 1, 1994; Ord. 485 § 1, 1994.)

18.22.030 Minimum lot size.

The minimum lot size shall be seven thousand five hundred square feet. (Ord. 269 § 7(part), 1980.)

18.22.040 Minimum lot width.

The minimum lot width shall be fifty feet. (Ord. 269 § 7(part), 1980.)

18.22.050 Setbacks—Principal buildings.

The minimum setback requirement for principal buildings are as follows:

- A. Front yard: twenty feet;
 - B. Rear yard: fifteen feet;
 - C. Side yard: ten feet.
- (Ord. 269 § 7(part), 1980.)

MR-4 MULTIFAMILY RESIDENTIAL FOURPLEX DISTRICT

18.22.060 Setbacks—Accessory buildings.

The minimum setback requirements for accessory buildings are as follows:

- A. Front yard: thirty feet;
- B. Rear yard: five feet (Rear yard setbacks may be two feet if the rear yard is screened by a sight obscuring fence);
- C. Side yard: five feet (Side yard setbacks may be two feet if the side yard is screened by a sight obscuring fence).

The setbacks described in subsection B and C of this section apply for accessory buildings up to fourteen feet in height. If higher than fourteen feet, then the setbacks for principal buildings apply. (Ord. 269 § 7(part), 1980.)

18.22.070 Maximum height.

The maximum building height shall be twenty-six feet. (Ord. 449 § 1, 1992: Ord. 269 § 7(part), 1980.)

18.22.080 Minimum floor area.

The minimum floor area shall be five hundred square feet. (Ord. 269 § 7(part), 1980.)

18.22.090 Minimum off-street parking.

The minimum off-street parking shall be two spaces per dwelling unit. Off-street parking shall be provided for all vehicles. (Ord. 269 § 7(part), 1980.)

18.22.100 Minimum distance between buildings.

There shall be a minimum distance of four feet between buildings on adjoining properties. (Ord. 269 § 7(part), 1980.)

MHP MOBILE HOME PARK DISTRICT

18.22.110 Maximum gross living area.

The maximum gross living area per structure constructed on lots or parcels containing eight thousand square feet or less shall be two thousand eight hundred square feet. (Ord. 449 § 2, 1992.)

18.22.120 Maximum lot coverage.

The maximum lot coverage allowed for principal and accessory structures shall be thirty five percent. (Ord. 449 § 3, 1992.)

Chapter 18.26

MHP MOBILE HOME PARK DISTRICT

Sections:

18.26.010 Permitted uses.

18.26.020 Conditional uses.

18.26.010 Permitted uses.

Within any mobile home park district, no building, structure or premises shall be used or arranged or designed to be used, except for the following uses:

- A. Mobile homes;
- B. Mobile home parks established pursuant to Chapter 5.36;
- C. Permitted uses in LR-1 and SR-1 districts, with the exception of family day care homes.

(Ord. 439 § 1, 1992; Ord. 269 § 9, 1980.)^{3a}

18.26.020 Conditional uses.

In addition to the foregoing uses, the following uses are allowed upon the condition that the owner of the mobile home, or the occu-

CC CORE COMMERCIAL DISTRICT

pant thereof with the written consent of the owner, comply with the procedures set forth in Chapter 18.42 of this title:

- A. Home occupation;
- B. Family day care homes.
- C. Group day care homes.

(Ord. 441 § 1, 1992; Ord. 422 § 1, 1991.)

Chapter 18.28

CC CORE COMMERCIAL DISTRICT

Sections:

- 18.28.010 Permitted uses.
- 18.28.020 Conditional uses.
- 18.28.030 Setbacks.
- 18.28.040 Maximum allowable height.
- 18.28.050 Off-street parking and loading requirements.
- 18.28.060 Architectural standards.

18.28.010 Permitted uses.

- A. Within any core commercial district, no building, structure or premises shall be used or arranged or designed to be used, except for one or more of the following uses:
 - 1. Any outright or conditional use set forth in the LR-1, SR-1, MR-2 and MR-4 districts with the exception of group day care centers;
 - 2. Gift shops;
 - 3. Ski shops;
 - 4. Curio shops;
 - 5. Hotels;
 - 6. Motels;
 - 7. Restaurants and tea rooms;
 - 8. Signs (Refer to Chapter 15.28, for requirements);
 - 9. Bakeries;

CC CORE COMMERCIAL DISTRICT

- 10. Personal service shops;
 - 11. Banks;
 - 12. Laundries;
 - 13. Retail sales outlets;
 - 14. Printing and publishing establishments.
- B. From the effective date of the ordinance codified in this section until such time as new land development regulations are adopted pursuant to the Jackson-Teton County Comprehensive Plan, all uses proposed for a structure or structures which as of the effective date of the ordinance codified in this section exceed ten thousand square feet of ground floor area or have a combined gross floor area, excluding basements, of fifteen thousand square feet, or which contained more than two levels above grade, or which are enlarged after the effective date of the ordinance codified in this section so that they exceed the above designated standards, or which exceed the standards designated above, and are enlarged after the effective date of the ordinance codified in this section, shall be conditional uses and the property owner shall comply with the procedures set forth in Chapter 18.42 of this title. From and after the adoption of land development regulations pursuant to Jackson-Teton County Comprehensive Plan, this subsection shall be void and be of no further force or effect.
- (Ord. 480 § 1, 1994; Ord. 455 § 1, 1993; Ord. 442 § 1, 1992; Ord. 427 §§ 1, 2, 1991; Ord. 269 § 10 (part), 1980.)

18.28.020 Conditional uses.

In addition to the foregoing uses, the following uses are allowed upon the condition that the property owner comply with the procedure set forth in Chapter 18.42 of this title:

- A. Outside eating establishments;
- B. Places of amusement or recreation;
- C. Storage facilities used in conjunction with an allowable use or an improved conditional use;

CC CORE COMMERCIAL DISTRICT

- D. Recreational vehicle parks and campgrounds, subject to the conditions and standards set forth in Chapter 5.44 of the municipal code of the town of Jackson;
- E. Group day care center.
(Ord. 368 § 6, 1987; Ord. 354 § 1, 1986; Ord. 305 § 1, 1983; Ord. 269 § 10 (part), 1980.)

18.28.030 Setbacks.

There are no minimum requirements for front yard and side yard setbacks for an outright use. The rear setback shall be ten feet, provided that the rear setback may be used for loading and garbage, trash and refuse removal and for an enclosed garbage or trash storage and removal facility. (Ord. 463 § 1, 1993; Ord. 269 § 10 (part), 1980.)

18.28.040 Maximum allowable height.

The maximum allowable building height shall be thirty-five feet. Any structure with more than two levels above existing grade shall be subject to conditional use permit under Section 18.42 of this title. (Ord. 427 § 3, 1991; Ord 269 § 10 (part), 1980.)

18.28.050 Off-street parking and loading requirements.

Every business that abuts an alley shall provide on-site spaces for the loading and unloading of merchandise, and the pickup of garbage, off from the alley. Additional parking standards within this district shall be in accordance with the supplementary regulations for parking and loading requirements. (Ord. 269 § 10 (part), 1980.)

18.28.060 Architectural standards.

Buildings constructed in this district shall conform to the architectural standards found in the supplementary regulations, Chapter 18.36 of this code. (Ord. 269 § 10 (part), 1980.)

GC GENERAL COMMERCIAL DISTRICT

Chapter 18.30

GC GENERAL COMMERCIAL DISTRICT

Sections:

- 18.30.010** Allowable uses outright.
- 18.30.020** Conditional uses.
- 18.30.030** Setbacks.
- 18.30.040** Maximum allowable height.
- 18.30.050** Off-street parking requirements.
- 18.30.060** Architectural standards.

18.30.010 Allowable uses outright.

Within any general commercial district, no building, structure or premises shall be used or arranged or designed to be used, except for one or more of the following uses: All allowable and/or conditional uses set forth for all residential districts, with the exception of group day care centers, and all allowable uses set forth for commercial core districts; provided, that all uses proposed for a structure or structures with a ground floor area of twenty thousand square feet or more, or a combined gross floor area, excluding basements, of thirty thousand square feet or more, shall be a conditional use and the property owner shall comply with the procedures set forth in Chapter 18.42 of this title. (Ord. 418 § 1, 1991: Ord. 391 § 1, 1989: Ord. 314 § 1, 1983: Ord. 269 § 11 (part), 1980.)

18.30.020 Conditional uses.

In addition to the foregoing uses, the following uses are allowed upon the condition that the property owner comply with the procedure set forth in Chapter 18.42 of this title:

- A. Outside eating establishments;
- B. Places of amusement or recreation;
- C. Welding shops;

GC GENERAL COMMERCIAL DISTRICT

- D. Light manufacturing businesses;
- E. Gasoline stations;
- F. Builders supply yards;
- G. Storage warehouses;
- H. Recreational vehicle parks and campgrounds, subject to the conditions and standards set forth in Chapter 5.44 of the municipal code of the town of Jackson;
- I. Group day care center.
(Ord. 368 § 7, 1987; Ord. 354 § 2, 1986; Ord. 314 § 2, 1983; Ord. 269 § 11 (part), 1980.)

18.30.030 Setbacks.

The minimum setback requirements are as follows:

- A. Front yard: twenty feet;
- B. Rear yard: fifteen feet;
- C. Side yard: ten feet.
(Ord. 269 § 11 (part), 1980.)

LI LIGHT INDUSTRIAL DISTRICT

18.30.040 Maximum allowable height.

The maximum allowable building height shall be thirty-five feet. (Ord. 269 § 11 (part), 1980.)

18.30.050 Off-street parking requirements.

For off-street parking requirements, see supplementary regulations, Chapter 18.36. (Ord. 269 § 11 (part), 1980.)

18.30.060 Architectural standards.

For architectural standards, see supplementary regulations, Chapter 18.36. (Ord. 269 § 11 (part), 1980.)

Chapter 18.32

LI LIGHT INDUSTRIAL DISTRICT

Sections :

18.32.010 Allowable uses outright.

18.32.020 Minimum off-street parking requirements.

18.32.010 Allowable uses outright.

Within any light industrial district, no building, structure or premises shall be used or arranged or designed to be used, except for one or more of the following uses: All uses not otherwise prohibited by law; provided, however, that the following shall be considered and allowed as conditional uses only for which the property owner shall comply with the procedure set forth in Chapter 18.42 of this title:

- A. Smelting of ores;
 - B. Manufacturing of explosives;
 - C. Junkyards;
 - D. Garbage, offal or dead animal dumping or reduction operations;
 - E. Quarry, gravel pit or mine;
 - F. Any addition to any of the foregoing uses.
- (Ord. 269 § 12 (part), 1980.)

LANDSCAPING AND SCREENING REQUIREMENTS

18.32.020 Minimum off-street parking requirements.

For minimum off-street parking requirements, see supplementary regulations, Chapter 18.36. (Ord. 269 § 12 (part), 1980.)

Chapter 18.34

LANDSCAPING AND SCREENING REQUIREMENTS

Sections:

18.34.010 Application.

18.34.020 General.

18.34.030 Screening.

18.34.040 Landscaping.

18.34.050 Plan evaluations.

18.34.060 Completion of landscaping—Security for performance required.

18.34.010 Application.

All uses or remodeling projects in excess of ten thousand dollars in value for which a building permit is required pursuant to this code from and after the first day of January, 1987, and which are located within the MR-4, MHP, CC, GC or LI zones in the town, with the exception of single-family duplex or triplex residential structures and appurtenant structures to be constructed in such zones, shall be subject to the landscaping and screening requirements of this chapter. (Ord. 359 § 1 (part), 1986.)

18.34.020 General.

All proposed uses subject to this chapter and pursuant to Section 18.34.010, shall be subject to the following general requirements:

LANDSCAPING AND SCREENING REQUIREMENTS

- A. Landscape screening and/or buffering along the property line between two separate parcels with separate uses thereon shall be required in the following situations:
 - 1. Where multifamily use of four units or more abuts single-family duplex or triplex use, except in the LI/SC zone;
 - 2. Where a commercial or industrial use abuts any established residential use, except in the core commercial zone.
- B. Unenclosed parking areas for more than six vehicles shall be screened from adjacent structures. Unenclosed parking areas containing over fifteen parking spaces shall contain at least twelve square feet of landscaped ground per parking space. Plantings shall be designed to maximize summer shading of parking areas. Such landscaped areas shall be distributed throughout the parking area but shall be sized to allow for good plant growth and maintenance. Parking structures shall provide for minimum open space as required for other buildings in the district in which they are constructed.
- C. Screening shall be accomplished by use of a solid fence or wall of stone, wood or other material in accordance with the architectural standards for the core commercial district and which is at least six feet high or by use of hedges, dense vegetation, landscaped earth berms, changes in grade or other methods approved by the planning commission.
- D. Every landscaped area shall be provided with a pressurized water supply with appropriate appurtenances for any watering of all landscaped areas and all plans for landscaping shall include provisions detailing a maintenance plan to insure continuing maintenance.
- E. Landscaping shall be in scale with the development. Small plants and saplings are not acceptable. In commercial applications, plantings shall be in conformance with these minimum sizes:

LANDSCAPING AND SCREENING REQUIREMENTS

Shade trees	3" caliper
Decorative trees	1-1/2" caliper
Coniferous trees	8' high
Shrubs (deciduous)	3' high
Shrubs (evergreen)	2' high
Ground cover	6" to 12" high (75% of mature growth height).

- F. Sufficient plant materials must be used in the landscape design: eighty percent coverage of planting beds, shade trees to shade sixty percent of the open areas, and coniferous uprights in the amount of one-half the number of shade trees.
- G. Each property owner whose property is subject to the provisions of this chapter and who owns property adjacent to a street, alley or other public way, shall be responsible for the provision and maintenance of landscaping in accordance with the requirements of this chapter for that area between the property line and the back of curb or the edge of the traveled way of any public street, alley or other public way, in a manner which provides consistency of landscaping and maintenance between the public properties to be landscaped and maintained and the adjacent private property.
- (Ord. 477 § 1, 1994; Ord. 430 § 1, 1991; Ord. 359 § 1 (part), 1986.)

LANDSCAPING AND SCREENING REQUIREMENTS

18.34.030 Screening.

Fence, wall and/or vegetative screening shall be provided to protect occupants from off-site influences, and to protect occupants of adjoining uses from similar adverse influences within the development. In either case, screening shall be designed to control the existing or potential adverse views from existing or potential first floor levels. Screening requirements may be waived by the town planning commission where terrain makes protection against overview impracticable, but where the requirement is not waived, bulk parking areas and service areas in particular shall be screened. (Ord. 359 § 1 (part), 1986.)

18.34.040 Landscaping.

The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features wherever practical. Additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen objectionable features.

- A. Existing Vegetation. Existing trees, shrubs and ground cover shall be retained to the extent that they enhance the project, are effective as a screen planting, are useful in protecting slopes and are not within the building footprint.
- B. Selection and Arrangement of Plant Materials.
 1. Plant material selected shall be in scale with the composition of the buildings, the site, and its various uses and surroundings. It shall be selected and arranged to harmonize in size, color, texture and year-round characteristics with the buildings and the development of the grounds.
 2. Plant material shall be indigenous to the area, or readily adaptable to the climate and soil conditions. It shall not be excessively weedy in habit or growth characteristics or unduly subject to noxious pests or plant diseases which would seriously impair its function or permanence or greatly increase maintenance costs. Plant material which might be injurious to local plants or agricultural products, by serving as an intermediate host to pest or plant diseases, is specifically prohibited. Plant

LANDSCAPING AND SCREENING REQUIREMENTS

material to be installed shall be true to name in accordance with the current issue "Standardized Plant Names," published by the American Joint Committee on Horticultural Nomenclature.

- C. Lawn areas shall be covered with a thick stand of permanent grass and may either be seeded with permanent and "nurse" grass or sodded.
- D. Landscaping shall be watered, replanted and maintained as necessary to preserve the original intent.

(Ord. 359 § 1 (part), 1986.)

18.34.050 Plan evaluations.

All landscaping plans shall be submitted to the town concurrently with applications for building permits and shall be reviewed by the town staff, as designated by the town administrator. Criteria for evaluation of plans shall be as follows:

- A. Consistency and compatibility with existing landscape features.
- B. Resistance of vegetative materials to environmental factors such as drought, wind, pollution, pests, etc.
- C. Adequate provisions for maintenance. Any landscaping required by this code shall be maintained in an acceptable and healthy condition. The replacement of any vegetative materials that die or are in an unhealthy condition shall be required.

(Ord. 359 § 1 (part), 1986.)

18.34.060 Completion of landscaping—Security for performance required.

All landscaping must be in place and completed within three months of the date of occupancy if the date of initial occupancy occurs in the months of April through August, and nine months of the initial date of occupancy if the initial date of occupancy occurs in the months of September through March. Each applicant for a building permit shall at the time of the issuance of the building

LANDSCAPING AND SCREENING REQUIREMENTS

permit for any building for which landscaping is required pursuant to this chapter, provide to the town a performance bond, a letter of credit or other form of security acceptable and approved by the town administrator in the amount of one hundred ten percent of the estimated cost of completion of landscaping for the purpose of securing and insuring compliance with the requirements of this section. (Ord. 437 § 1, 1991; Ord. 359 § 1 (part), 1986.)

SUPPLEMENTARY REGULATIONS

Chapter 18.36

SUPPLEMENTARY REGULATIONS⁴

Sections:

- 18.36.010 General.**
- 18.36.020 Clear vision areas.**
- 18.36.030 Architectural standards—Commercial core.**
- 18.36.035 Public restrooms required—Commercial core.**
- 18.36.040 Architectural standards—General commercial.**
- 18.36.050 Minimum lot area, minimum lot width—Small lots, reduction.**
- 18.36.060 Minimum front yard—Developed areas.**
- 18.36.070 Minimum side and rear yards—Joint use prohibited—Obstructions.**
- 18.36.080 Minimum floor area—Measurement.**
- 18.36.090 Permitted uses—Restrictions.**
- 18.36.100 Streambank setbacks—Fuel storage tanks.**
- 18.36.110 Streambank setbacks—Foundations, fill—Conditional use.**
- 18.36.120 Setbacks—Highway frontage.**
- 18.36.130 Maximum height of buildings—Measurement.**
- 18.36.140 Development in hillside areas—Requirements and procedures.**

18.36.010 General.

All regulations specified in Title 18 shall be subject to the interpretations and exceptions set out in this chapter and Chapters 15.04 and 15.28. (Ord. 269 § 13 (part), 1980.)

18.36.020 Clear vision areas.

- A. A clear vision area shall be maintained on the corners of all property at the intersection of two streets.
- B. A clear vision area shall consist of a triangular area, two sides of which are lot lines measured from the corner

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intersection of the street lot lines for a distance specified in this title, or where the lot lines have rounded corners the lot lines extended in a straight line to a point of intersection and so measured, and the third side of which is a line across the corner of the lot joining the nonintersecting ends of the other two sides.

- C. A clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction exceeding three feet in height, measured from the established street centerline grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height eight feet above grade.
- D. The following measurements shall establish clear vision areas:
 - 1. In a rural or residential zone the minimum distance shall be thirty feet; or at intersections, including an alley, ten feet.
 - 2. In all other zones where yards are required the minimum distance shall be fifteen feet; or at intersections, including an alley, ten feet, except that when the angle of intersection between streets, other than an alley, is less than thirty degrees, the distance shall be twenty-five feet.

(Ord. 269 § 13 (part), 1980.)

18.36.030 Architectural standards—Commercial core.

The following regulations shall apply to new or remodeled buildings within the commercial core district as well as buildings having frontage on Highway 187-89-22:

- A. Metal siding is not allowed on the front or sides.
- B. There shall be no exposed concrete block, painted or otherwise, on the front of any building.
- C. Concrete block elsewhere must be painted or covered in some manner. Exposed aggregate is permissible but not as a store frontage.
- D. Exposed metal roofs shall not be permitted with the exception of roofs constructed of metal which is painted or treated with a material of earth tone colors to make it nonreflective, specifically excluding white colors, and

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provided that this subsection shall not apply to solar heating devices.

- E. Exposed fronts of buildings must be stone and/or natural wood, but specifically excluding metal, concrete block and aggregate.
- F. All other exposed metal shall be painted or stained in non-reflective colors. However, copper, brass and bronze may remain natural.
- G. All walkways shall be board, except for driveways that cross walkways.
- H. Metal awnings are prohibited.

(Ord. 304 § 1, 1983; Ord. 269 § 13 (part), 1980.)

18.36.035 Public restrooms required—Commercial core.

- A. Restrooms Required. All single buildings, as that term is defined in this code, and all groups of contiguous buildings under single ownership or in a condominium, townhouse or cooperative form of ownership in excess of four thousand square feet of total floor area on the ground level floor and utilized as a gift shop, ski shop, sports shop, curio shop, hotel, motel, restaurant, tea room, bakery or laundry or any building situated within the core commercial district in excess of two thousand square feet on the ground floor level which is divided into individual shops or areas for lease or occupancy for one or more of the above noted uses, constructed after the effective date of the ordinance codified in this section or any such structures or buildings existing as of the date of this section which after the date hereof are remodeled, repaired or renovated at a cost of ten thousand dollars or more, shall be required to provide within such building or buildings public restroom facilities with separate facilities for men and women, said facilities to be maintained in a clean and sanitary condition and to be open to the public during the same hours for which the majority of the businesses within the building or structure are open to the public and shall be appropriately signed on the entrances thereto, and signs shall be placed on the building in a position which shall be visible to pedestrians on public

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sidewalks adjacent to any building in which such restrooms are required.

- B. Enforcement. No building permit may be issued for any building or structure in violation of the provisions of subsection A of this section. In addition, the provisions of this section may be enforced by an affirmative injunction requiring the provisions of the facilities set forth in this section and each day of business operation in violation of this section shall be separate offense punishable in accordance with the terms of Section 1.12.010 of this code.

(Ord. 357 § 1, 1986; Ord. 328 § 1, 1984.)

18.36.040 Architectural standards—General commercial.

All new buildings and additions to existing buildings situated or to be constructed in the general commercial zoning classification district shall comply with the architectural standards set forth below:

- A. Metal siding is not allowed on the front or sides.
- B. There shall be no exposed concrete block, painted or otherwise, on the front of any building.
- C. Concrete block elsewhere must be painted or covered in some manner. Exposed aggregate is permissible but not as a store frontage.
- D. Exposed metal roofs shall not be permitted with the exception of roofs constructed of metal which is painted or treated with a material of earth tone colors to make it non-reflective, specifically excluding white colors, and provided that this subsection shall not apply to solar heating devices.
- E. Exposed fronts of buildings must be stone and/or natural wood, but specifically excluding metal, concrete block and aggregate.
- F. All other exposed metal shall be painted or stained in nonreflective colors. However, copper, brass and bronze may remain natural.
- G. Metal awnings are prohibited.

(Ord. 390 § 1, 1989; Ord. 304 § 2, 1983; Ord. 269 § 13 (part), 1980.)

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18.36.050 Minimum lot area, minimum lot width—Small lots, reduction.

- A. Small Lots. Where an individual lot was held in separate ownership from adjoining properties, or was platted and recorded on or before August 19, 1980, and less area and/or less width than required in other sections of this title, such lot may be occupied according to the permitted uses provided for the district in which such lot is located, except in the case of multifamily residential structures

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with three or more units, which shall be treated as a conditional use.

- B. Reduction. No part of an area or width required for a lot for the purpose of complying with the provisions of this title shall be included as an area or width required for another structure.

(Ord. 269 § 13 (part), 1980.)

18.36.060 Minimum front yard—Developed areas.

Where lots comprising fifty percent or more of the frontage on one side of a street between intersecting streets have been improved with buildings as of August 19, 1980, the average front yard of existing buildings shall be the minimum front yard required for all new construction in such block. (Ord. 269 § 13 (part), 1980.)

18.36.070 Minimum side and rear yards—Joint use prohibited—Obstructions.

No part of a yard required for any building for the purpose of complying with the provisions of this title shall be included as a yard for another building, and all yards shall be open and unobstructed except as otherwise provided as follows:

- A. Architectural Features. Cornices, canopies, balconies, eaves or similar architectural features may extend into a required yard not more than four feet.
- B. Fire Escapes. Fire escapes may extend into a required yard not more than four feet.
- C. Patios and Fences. Patios and fences are permitted provided the patios are unenclosed, and the fences do not exceed six feet in height. For fences at corners, see Section 18.36.020, clear vision areas.

(Ord. 269 § 13 (part), 1980.)

18.36.080 Minimum floor area—Measurement.

In measuring the minimum floor area as required, all measurements shall be along outside walls of the living area, not including garage or carport areas. (Ord. 269 § 13 (part), 1980.)

SUPPLEMENTARY REGULATIONS

18.36.090 Permitted uses—Restrictions.

- A. No trailer house or mobile home shall be parked on a required front yard or lived in on any lot other than in a mobile home park.
- B. All service yards shall be screened from the ground to six feet from grade.
- C. Illumination Uses. Any lighting fixture or device used to illuminate signs, parking areas, or for any other purpose shall be so installed and arranged as to prohibit the offensive reflection of light on nearby residential properties and impairment of the safety of any moving vehicle and further provide that the lighting fixture or device shall be equipped with proper radio noise suppressors.

(Ord. 269 § 13 (part), 1980.)

18.36.100 Streambank setbacks—Fuel storage tanks.

- A. All fuel storage tanks shall be buried with the exception of LP gas tanks.
- B. Such fuel tanks shall not be buried closer than fifty feet from the bank of any stream or creek, excluding irrigation drainage ditches.

(Ord. 269 § 13 (part), 1980.)

18.36.110 Streambank setbacks—Foundations, fill—Conditional use.

- A. Construction or placement of footings, foundations, support structures of any kind, buildings, building overhangs, decks, canopies or other such features or any other structure is prohibited after the effective date of the ordinance codified in this section upon any property within twenty-five feet of the mean high-water mark of that portion of the stream known as Flat Creek within the corporate limits of the town, north of a westerly extension of the south right-of-way line of Hansen Street, or within fifty feet of the mean high-water mark along that portion of Flat Creek within the town south of said westerly extension of the south right-of-way line of Hansen Street, or within twenty feet of the mean high-water mark of Cache Creek.

SUPPLEMENTARY REGULATIONS

- B. Placement of fill used for any purpose and any construction, grading or change in use or elevation on any property situated within the required streambank setback set forth in subsection (A) of this section shall be subject to the issuance of a conditional use permit issued in accordance with Chapter 18.42.
(Ord. 298 § 1, 1983; Ord. 269 § 13 (part), 1980.)

18.36.120 Setbacks—Highway frontage.

All buildings in the general commercial district having frontage on Highway 187-89-22 shall be set back a minimum distance of fifty feet from the highway right-of-way. (Ord. 269 § 13 (part), 1980.)

SUPPLEMENTARY REGULATIONS

18.36.130 Maximum height of buildings—Measurement.

The maximum height of buildings shall be measured from the finished grade, being the established grade, if any, otherwise being the average ground level of the lowest and the highest level of the structure including elevator shafts, ham radio towers, water tanks and air-conditioning machinery, but not including chimneys and vents. (Ord. 269 § 13 (part), 1980.)

18.36.140 Development in hillside areas—Requirements and procedures.

- A. Definition. For purposes of this section, "hillside areas" within the town of Jackson shall be defined as any lot, tract or parcel which has an average cross-slope (in any direction) of ten percent or greater. This definition shall include any lot, tract or parcel upon which proposed development may affect any portion of the lot, tract or parcel having a slope of ten percent or greater, even though the average cross-slope of the subject property may be less than ten percent.
- B. Applicability and Exceptions. The requirements and procedures of this section shall apply when any hillside area is proposed for subdivision, lot split or development or terrain disturbance of any kind, including a building permit. The only exception shall be in the case of a single-family detached dwelling unit on a lot which has been legally platted prior to the effective date of this section.
- C. Conditional Use Permit Required. Prior to any terrain disturbance, removal of vegetation or development of any kind, a conditional use permit pursuant to the procedures set forth in Chapter 18.42 shall be required. In the case of a subdivision, the conditional user permit may be acted upon concurrently with the preliminary plat.
- D. Criteria. In addition to the criteria to be considered by the board of adjustment in Section 18.42.060(A), the board shall consider the following:

SUPPLEMENTARY REGULATIONS

1. The amount of terrain disturbance related to the otherwise allowable or conditioned uses for the property and the proposed mitigation efforts;
 2. Retention or replacement of native, existing vegetation consistent with any proposed lawful use of the property;
 3. Mitigation measures for mitigating impacts on wildlife or crucial winter range;
 4. Mitigation measures for avoiding or minimizing visual impacts subsurface, and any other natural hazards associated with hillside development.
- E. Findings. In addition to the findings set forth in Section 18.42.060(B), the board of adjustment shall make the following finding before granting a conditional use permit for any development in hillside areas:
1. That the mitigation measures identified will be effective in mitigating any adverse impacts identified in subsection D of this section and associated with the proposed development.
- F. Submittal Requirements. In addition to the required information set forth in Section 18.42.020, additional submittals and information may be required by the planning director. The purpose of such submittals and additional information shall be to assure compliance with the review criteria set forth in Section 18.42.060 and this section. Such submittals and additional information may include, but shall not be limited to the following:
1. Report summarizing wildlife use of the subject property and any potential impacts from the proposed development;
 2. Reconnaissance level soil and subsurface investigation;
 3. Visual impact analysis;
 4. Grading plan to include existing and proposed contours at a suitable interval (two feet is recommended) to include preliminary drainage information and any and all methods of stabilizing and revegetating disturbed terrain;
 5. Plan for any proposed supplemental landscaping or plant materials.

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- G. Bond for Required Improvements. Prior to the issuance of any building permit pursuant to this section, the applicant shall post a bond, letter of credit, or similar assurance with the town of Jackson in the amount of one hundred twenty-five percent of the estimated cost of all restorative and mitigative measures identified as part of the submittal or of conditions of development approval. Such assurance shall only be released by the town of Jackson at such time as all restorative and mitigative treatments are in place and found to be effective for their intended purposes.

(Ord. 478 § 1, 1994.)

Chapter 18.38

OFF-STREET PARKING AND LOADING REQUIREMENTS

Sections:

- 18.38.010 Off-street parking requirements.
- 18.38.015 Handicapped parking requirement.
- 18.38.020 Off-street loading requirements.
- 18.38.030 Off-street parking and loading—General provisions.
- 18.38.040 Payment in lieu of providing off-street parking.

18.38.010 Off-street parking requirements.

- A. At the time of erection of a new structure, or at the time of enlargement or change in use of an existing structure within any zone in the city, off-street parking shall be provided in accordance with the requirements of this section unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of property but shall ex-

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clude space devoted to off-street parking or loading. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space.

- B. Location. Off-street parking facilities shall be located as hereafter specific, such distance shall be within walking

OFF-STREET PARKING AND LOADING

distance, measured from the nearest point of the parking facility to the nearest point of the lot that such facility is required to serve.

1. One-family and Two-family Dwellings. Off-street parking is required on the same lot with the building they are required to serve.
 2. Multiple Dwellings. Off-street parking is required within one hundred feet from the building they are required to serve.
 3. Hospitals, Sanitariums, Convalescent Homes, Nursing Homes, Rest Homes, Roominghouses and Boardinghouses. Off-street parking is required within two hundred feet from the building they are required to serve.
 4. Commercial Parking and All Nonresidential Uses in Commercial Zones. The required amount of parking area shall be provided within two hundred feet.
 5. Industrial Uses. The required parking shall be provided within five hundred feet.
- C. The following general provisions shall govern requirements within the commercial core district:
1. All new structures constructed after the date of the ordinance codified in this chapter which abut an alley within the commercial core district shall provide one parking or loading space on-site for every ten feet of alley frontage.
 2. Any new structure constructed on a site of a structure which existed as of the date of the ordinance codified in this chapter shall conform to the requirements of this section.
 3. For structures built on vacant property as of the date of the ordinance codified in this chapter such structures which do not abut an alley shall provide one off-street parking space for every twenty feet of street frontage.
 4. Hotel, motels and group cottages shall provide one space for each unit and this requirement shall not be subject to the provisions of Section 18.38.040 concerning payment of a fee in lieu of providing off-street parking.

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- D. The number of spaces required for all zoning districts are as follows:

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1. Residential Uses. Dwellings: two spaces per dwelling unit except three spaces per unit for apartments containing three or more bedrooms.
2. Lodging. Timeshare units: 1.25 spaces per timeshare unit.

Motels, bed and breakfast and other commercial accommodations: one space for each guest unit.

Recreational vehicle parks and campgrounds: one space for each camping site or RV pad.

3. Sales of Goods, Merchandise and Equipment. Retail sales including banks, savings and loans and other financial institutions: one space per two hundred fifty square feet of gross floor area.

Warehousing and wholesale uses: one space per two thousand square feet of gross floor area.

4. Office, Clerical, Services Not Related to Merchandise. Offices offering professional services such as attorneys, insurance and real estate: one space per each three hundred fifty square feet of gross floor area, with a minimum of two spaces.

Office designed to attract and serve customers on the premises such as medical and dental offices: one space per each two hundred seventy-five square feet of gross floor area, with a minimum of two spaces.

5. Places of Public Assembly. Places of public assembly such as libraries, museums, fraternal or social clubs and churches: one space per four seats or if there are no fixed seats one space per three hundred square feet of gross floor area.

6. Restaurants. Restaurants with no substantial carry-out service: one space per three seats.

Restaurants with substantial carry-out service (e.g., fast-food establishments): one space per two seats.

7. Bars and Taverns. Bars and taverns: one space for each two seats.
8. Recreation, Amusement and Entertainment. Auditoriums and theaters: one space for each four seats.
9. Motor Vehicle Related Uses. Motor vehicle sales and service, including mechanical and body work, gasoline

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sales and car washes: one space per two hundred fifty square feet of gross floor area.

10. Miscellaneous Uses. Hospitals: 1.5 spaces per bed.

Nursing homes: one space per four beds.

Daycare and child-care facilities: one space for each employee plus for those facilities situated on the following named streets or avenues:

- a. Broadway (including the highway south to the town limits);
- b. Cache Drive;
- c. Willow Street;
- d. Redmond Street;
- e. Snow King Avenue;
- f. Powderhorn Lane;
- g. Flat Creek Drive;
- h. Kelly Avenue (from Redmond to Flat Creek Drive);
- i. Maple Way;
- j. Meadowlark Lane;
- k. Scott Lane;
- l. Gateway Drive;
- m. Alpine Lane;
- n. Pearl Avenue (west of Willow);
- o. South Park Loop Road;
- p. High School Road;
- q. Gregory Lane

a driveway designed for continuous flow of passenger vehicles for the purpose of loading and unloading children.

Schools: Elementary and junior high schools: five spaces plus one space for each classroom; senior high schools: one space for each five students of the design capacity plus one for each employee.

11. Other Uses. For uses not specifically listed here, parking requirements will be based on the most appropriate classification as determined by the town planner. For uses which do

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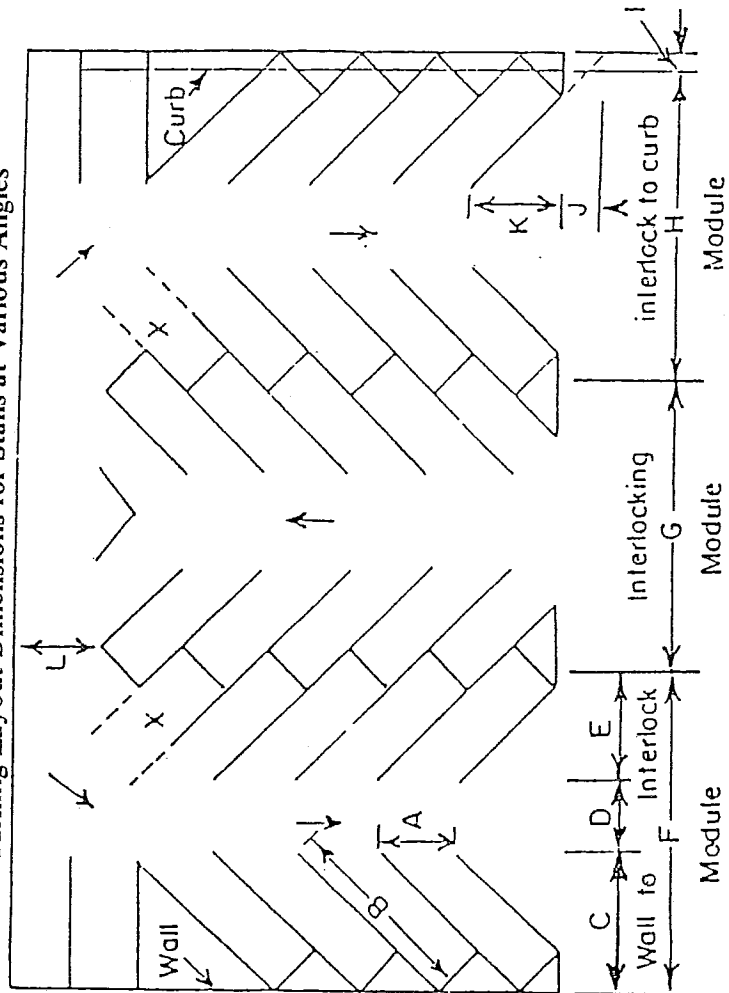
not fall into any of the above classifications, parking requirements shall be determined by the town planner based upon evidence from similar uses and similar circumstances.

12. Mixed Uses/Shared Parking. Requirements for each use are added, unless it is determined by the planning commission that a smaller number is adequate because of staggered hours.

- E. Parking Stall Dimensions and Layout. Figure 18.38.010E and Table 18.38.010E set forth in this section shall be used in the design of all parking areas. Standard stall width is nine feet. Handicapped stall width is twelve feet. All parking spaces shall be arranged in a manner such that no part of any vehicle shall extend beyond the property line except for front end overhang in a landscaped right-of-way.

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Figure 18.38.010E
Parking Layout Dimensions for Stalls at Various Angles



X = Stall not accessible in certain layout.

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TABLE 18.38.010E
Stall Layout for 9 Foot Wide Stalls

Dimension	diagram	Angle of Parking			
		45	60	75	90
Stall width, parallel to aisle	A	12.7	10.4	9.3	9.0
Stall length of line	B	25.0	22.0	20.0	18.5
Stall depth to wall	C	17.5	19.0	19.5	18.5
Aisle width between stall lines	D	12.0	16.0	23.0	26.0
Stall depth, interlock	E	15.3	17.5	18.8	18.5
Module, wall to interlock	F	44.8	52.5	61.3	63.0
Module, interlocking	G	42.6	51.0	61.0	63.0
Module, interlock to curb face	H	42.8	50.2	58.8	60.5
Bumper overhang (typical)	I	2.0	2.3	2.5	2.5
Offset	J	6.3	2.7	0.5	0.0
Setback	K	11.0	8.3	5.0	0.0
Cross aisle, one way	L	14.0	14.0	14.0	14.0
Cross aisle, two way	—	24.0	24.0	24.0	24.0

(Ord. 415 § 1, 1991; Ord. 414 § 1, 1990; Ord. 379 §§ 1, 2, 1988; Ord. 363 §§ 1, 2, 1987; Ord. 269 § 14 (part), 1980.)

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18.38.015 Handicapped parking requirement.

- A. Handicapped parking for residential uses shall be provided at the rate of one space for each dwelling unit that is designed for occupancy by the physically handicapped.
- B. Handicapped parking spaces shall be provided for all uses other than residential at the following rate:

Number of Parking Spaces Provided	Number of Handicapped Spaces Required
1-19	0
20-49	1
50-74	2
75-149	3
159-250	4
251 and above	5 + 1 for each 100 additional parking spaces provided

- C. Parking spaces for the handicapped required by this ordinance shall count toward fulfilling off-street parking requirements.
 - D. Parking spaces for the handicapped shall be designated by painted symbol on the pavement and by a sign not to exceed two square feet per parking space.
 - E. Parking spaces for the handicapped required by this ordinance shall not be less than twelve feet in width.
 - F. Parking spaces designated handicapped shall be located as close as practically possible to a handicapped accessible entrance to the building.
- (Ord. 398 § 1, 1990.)

OFF-STREET PARKING AND LOADING

18.38.020 Off-street loading requirements.

At the time of erection of a new structure, or at the time of enlargement or change in use of an existing structure within any zone in the city, off-street loading spaces shall be provided in accordance with the requirements of this section unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area primary to functioning of the particular use of the property but shall not exclude space devoted to off-street parking or loading. Fractional space requirements shall be counted as a whole space.

Use	Area (in square feet)	Loading Spaces Required
Commercial:	Under 5,000	1
	5,000 to 24,999	2
	25,000 to 59,999	3
	60,000 to 99,999	4
	100,000 to 159,999	5
	160,000 to 249,999	6
	250,000 to 369,999	7
	370,000 to 579,999	8
	580,000 to 899,999	9
	900,000 to 2,999,999	10
	Over 3,000,000	11
Hotel:	0 to 29,999	1
	30,000 to 69,999	2
	70,000 to 129,999	3
	130,000 to 219,999	4
	220,000 to 379,999	5
	380,000 to 699,999	6
	700,000 to 1,499,999	7
	Over 1,500,000	8
Manufacturing, wholesale storage or hospitals:	Under 5,000	0

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Use	Area (in square feet)	Loading Spaces Required
	5,000 to 39,999	1
	40,000 to 99,999	2
	100,000 to 159,999	3
	160,000 to 239,999	4
	240,000 to 319,999	5
	320,000 to 399,999	6
	400,000 to 489,999	7
	490,000 to 579,999	8
	580,000 to 669,999	9
	670,000 to 759,999	10
	760,000 to 849,999	11
	850,000 to 939,999	12
	940,000 to 1,029,999	13
	Over 1,030,000	14
Commercial recreation		
uses:	Same as commercial	1
Motion picture theaters:	Same as commercial	1
Offices or banks:	Same as commercial	1
Schools:	Same as commercial	1
Unspecified areas:	Any use not specifically listed in the foregoing shall have the requirements of the listed use or uses deemed equivalent by the planning commission.	

(Ord. 269 § 14 (part), 1980.)

18.38.030 Off-street parking and loading—General provisions.

A. The following general provisions shall govern the application of off-street parking and loading requirements:

1. The provision and maintenance of off-street parking and loading spaces is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street

OFF-STREET PARKING AND LOADING

parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the qualified continuance and availability of the amount of parking and loading space required by this chapter. Use of property in violation hereof shall be a violation of this chapter. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it is unlawful and a violation of this chapter to begin and/or maintain such altered use until the required increase in off-street parking or loading is provided.

2. Requirements for types of buildings and uses not specifically listed in this chapter will be based on the most appropriate classification as determined by the town planner. For uses which do not fall into any of the classifications set forth in this chapter, parking requirements shall be determined by the town planner based upon evidence from similar uses and circumstances.
3. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking and loading shall be the sum of the requirements of the several uses computed separately, unless it shall be determined by the planning commission that a smaller number of spaces is adequate because of staggered hours of operation for the mixed uses.
4. Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap; provided, that satisfactory legal evidence is presented to the city administrator in the form of deeds, leases, or contracts to establish the joint use.
5. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for parking trucks used in conducting the business or use.
6. Unless otherwise provided, required parking and loading spaces shall not be located in a required front yard or

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street side of a side yard, except that required off-street parking one-family or two-family dwellings, and triplexes or fourplexes with street frontage of greater than fifty feet.

7. Plans of proposed parking and loading areas shall be submitted to the town planning office.
 - B. The following general provisions shall govern the design requirements for parking and loading areas:
 1. Off-street parking areas shall be effectively screened on any side which adjoins or faces a premises situated in a residential zone or institutional premises, by landscaping. If owners of adjacent residential properties or the town planning commission request in writing, this screening shall be done by a solid uniformly painted fence or by coniferous vegetation, either one not less than four feet or more than six feet in height, maintained in good condition.
 2. Areas used for standing and maneuvering of vehicles shall be maintained adequately for all weather use, and be so drained as to avoid flow of water across neighboring properties.
 3. Artificial lighting which may be provided shall not create or reflect substantial glare in a residential zone or on any adjacent dwelling.
 4. Groups of four or more parking spaces shall be served by a driveway so that no backing movements or other maneuvering, within a street other than an alley, will be required.
 5. Passenger Loading. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading or unloading children shall be located on the site of any school having a capacity quota greater than or equal to twenty-five students.
- (Ord. 362 §§ 1, 2, 1987; Ord. 269 § 14 (part), 1980.)

OFF-STREET PARKING AND LOADING

18.38.040 Payment in lieu of providing off-street parking.

- A. Whenever within the core commercial zoning district of the town, off-street parking spaces are to be provided in accordance with the requirements of Section 18.38.010(A), the property owner or developer shall have the option of providing such required parking spaces in accordance with the requirements of Section 18.38.010, or may, upon written application submitted to the town administrator, pay a fee to the town in lieu of the property owner or developer providing all or any portion of such required off-street parking.
- B. The fee to be charged for each off-street parking space required which is not provided by the developer in accordance with the other requirements of this section, shall be a one-time fee of two thousand five hundred dollars per space, payable as follows:
 - 1. In full at the time of the submission of written application for payment of a fee in lieu of parking; or
 - 2. An amount equal to fifty percent of the total fee due and payable upon submission of written application for payment of a fee in lieu of parking and an amount equal to sixty percent of the total fee due and payable, such amount to be payable in three equal annual installments, payable on the anniversary date of the initial payment.
- C. All fees collected and all interest thereon under the provisions of subsections A and B of this section, shall be placed in the parking facilities fund established by the town council and shall be used only for the acquisition of land or interests in land, improvements or maintenance of municipally owned or leased off-street parking facilities for the benefit of those buildings, structures and uses in the core commercial district and the general community.

(Ord. 434 § 1, 1991; Ord. 380 § 1, 1988.)

NONCONFORMING USES

Chapter 18.40

NONCONFORMING USES^{4a}

Sections:

- 18.40.010 Continuation of nonconforming uses.
- 18.40.020 Enlargement or expansion of a nonconforming use.
- 18.40.030 Discontinuance of nonconforming use.

NONCONFORMING USES

- 18.40.040 Change of a nonconforming use.
- 18.40.050 Destruction of nonconforming use.
- 18.40.060 Completion of structure.
- 18.40.070 Maintenance and repairs.
- 18.40.080 Cessation.

18.40.010 Continuation of nonconforming uses.

Subject to the subsequent provisions of this title, a nonconforming use or structure may be continued. The extension of a nonconforming use to a portion of a structure which was arranged or designed for the nonconforming use at the time of passage of the ordinance codified in this chapter or the extension of a nonconforming use to contiguous property owned as one parcel at the time the use became nonconforming will not be considered an enlargement or expansion of a nonconforming use under this title. (Ord. 269 § 15 (part), 1980.)

18.40.020 Enlargement or expansion of a nonconforming use.

Enlargements or expansions of nonconforming uses, except as set forth in Section 18.40.010, are prohibited, except in case of practical difficulty and unnecessary hardship the board of adjustment may grant a variance for the enlargement or expansion of a nonconforming use up to twenty percent in floor area or in those cases not involving structures up to ten percent in land area as existing on the effective date of the ordinance codified in this chapter. (Ord. 269 § 15 (part), 1980.)

18.40.030 Discontinuance of nonconforming use.

Whenever a nonconforming use has been discontinued for a period of one year for a permanent structure, or six months for a temporary structure, such use shall not thereafter be reestablished and any further use shall be in conformance with the provisions of this title. (Ord. 269 § 15 (part), 1980.)

NONCONFORMING USES

18.40.040 Change of a nonconforming use.

- A. If a nonconforming use not involving a structure is replaced by another use, the new use shall conform to this chapter.
- B. If a nonconforming use involving a structure is replaced by another use, the new use shall conform to this title, unless the board of adjustment determines that such structure is suitable only for another nonconforming use no more detrimental to surrounding properties than the one to be replaced.

(Ord. 269 § 15 (part), 1980.)

18.40.050 Destruction of nonconforming use.

If a nonconforming structure or a structure containing a nonconforming use is destroyed by any cause to an extent exceeding eighty percent of its fair market value as indicated by the records of the county assessor and is not returned to use within one year from the date of destruction, a future structure or use on the site shall conform to this title. (Ord. 269 § 15 (part), 1980.)

18.40.060 Completion of structure.

Nothing contained in this chapter shall require any change in the plans, construction, alteration or designated use of a structure for which a building permit has been issued and construction work has commenced prior to the adoption of the ordinance codified in this chapter, provided the building, if nonconforming or intended for a nonconforming use, is completed and in use within two years from the time the building permit is issued. (Ord. 269 § 15 (part), 1980.)

18.40.070 Maintenance and repairs.

Ordinary repairs and maintenance of a nonconforming building shall be permitted. (Ord. 269 § 15 (part), 1980.)

CONDITIONAL USE PERMITS

18.40.080 Cessation.

All business and industrial uses located on September 1, 1980 in any residential district shall be discontinued within ten years of September 1, 1980, if such uses are detrimental and injurious to the adjoining lands because such uses create unusual and obnoxious odors, smoke, sound, dusts, vibration or traffic problems. (Ord. 269 § 15 (part), 1980.)

Chapter 18.42

CONDITIONAL USE PERMITS

Sections:

- 18.42.010 Purposes and limitations.
- 18.42.020 Application and required information.
- 18.42.030 Conditional use permit fee.
- 18.42.040 Hearing.
- 18.42.050 Action by board of adjustment.
- 18.42.060 Criteria and findings.
- 18.42.070 Action by town council.
- 18.42.080 Permit issuance and effect.
- 18.42.090 Related permits and requirements.

18.42.010 Purposes and limitations.

In order to provide the flexibility necessary to achieve the objectives of this title, specified uses are permitted in certain districts subject to the granting of a conditional use permit. Because of their unusual or special characteristics, conditional uses require review and evaluation so that they may be located properly with respect to the purposes of this title and with respect to their effects on surrounding properties. The review process prescribed in this chapter is intended to assure compatibility and harmonious development between conditional uses, and surrounding properties, and the town at large. Uses listed as conditional uses in the various districts may be permitted subject to such conditions and limitations as the town may prescribe to ensure that the location and operation of such

CONDITIONAL USE PERMITS

conditional uses will be in accord with development objectives of the town and will not be detrimental to other uses or properties. Where conditions cannot be devised to achieve these objectives, applications for conditional use permits shall be denied. (Ord. 269 § 16 (part), 1980.)

18.42.020 Application and required information.

Application for a conditional use permit shall be made upon a form provided by the town. The application shall be supported by documents, maps, plans and other material containing the following information:

- A. Name and address of the owner and/or applicant and a statement that the applicant, if not the owner, has the permission of the owner to make application and act as agent for the owner;
- B. Legal description, street address and other identifying data concerning the site;
- C. A description of the precise nature of the proposed use and its operating characteristics, and measures proposed to make the use compatible with other properties in the vicinity;
- D. A site plan showing proposed development of the site, including topography, building locations, parking, traffic circulation, usable open space, landscaped area and utilities and drainage features;
- E. Preliminary building plans and elevations sufficient to indicate the dimensions, general appearance, scale and interior plan of all buildings;
- F. Such additional material as the town or the applicant may submit pertinent to the application and to the findings prerequisite to the issuance of a conditional use permit as prescribed in Section 18.42.060.

(Ord. 269 § 16 (part), 1980.)

18.42.030 Conditional use permit fee.

The town council shall set a conditional use permit fee schedule. The fee shall be paid at the time of application, and shall not be refundable. (Ord. 269 § 16 (part), 1980.)

CONDITIONAL USE PERMITS

18.42.040 Hearing.

Upon receipt of a conditional use permit application, the board of adjustment shall set a date for hearing in accordance with Chapter 18.52. Notice shall be given to property owners within 140 feet and the hearing shall be conducted in accordance with Chapter 18.52. (Ord. 269 § 16 (part), 1980.)

18.42.050 Action by board of adjustment.

- A. Within sixty days of the application for a public hearing on a conditional use permit, the board shall act on the application. The board may approve the application as submitted or may approve the application subject to such modifications or conditions as it deems necessary to accomplish the purposes of this title, or the board may deny the application. A conditional use permit may be granted for a limited time period, or may be granted subject to such other conditions as the board may prescribe. Conditions may include, but shall not be limited to, requiring special setbacks, open spaces, fences or walls, landscaping or screening, and street dedications and improvement; regulation of vehicular access and parking, signs illumination, and hours and methods of operation; control of potential nuisances, prescription of standards for maintenance of buildings and grounds, and prescription of development schedules.
- B. A conditional use permit shall not grant variances, but action on a variance may be considered concurrently with a conditional use permit application on the same site. Variances shall be granted in accordance with the procedure prescribed in Chapters 18.48 and 18.52 of this title.

(Ord. 458 § 1, 1993; Ord. 269 § 16 (part), 1980.)

18.42.060 Criteria and findings.

- A. Before acting on a conditional use permit application, the board of adjustment shall consider the following factors with respect to the proposed use:
 - 1. Relationship and impact of the use on development objectives of the town;

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2. Effect of the use on light and air, distribution of population, transportation facilities, utilities, schools, parks and recreation facilities, and other public facilities and public facilities needed;
 3. Effect upon traffic, with particular reference to congestion, automotive and pedestrian safety and convenience, traffic flow and control, access, maneuverability, and removal of snow from the streets and parking areas;
 4. Effect upon the character of the area in which the proposed use is to be located, including the scale and bulk of the proposed use in relation to surrounding uses;
 5. Such other factors and criteria as the board deems applicable to the proposed use.
- B. The board of adjustment shall make the following findings before granting a conditional use permit:
1. That the proposed location of the use is in accordance with the purposes of this title and the purpose of the district in which the site is located;
 2. That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- (Ord. 269 § 16 (part), 1980.)

18.42.070 Action by town council.

Within ten days following action of the board of adjustment, the board of adjustment's decision shall be transmitted to the applicant and to the town council. At its next regularly scheduled meeting following receipt of the decision of the board of adjustment, the town council shall review the action of the board of adjustment, and may confirm, modify or reverse its decision. If it deems insufficient information is available to provide the basis for a sound decision, the council may postpone final action for not more than forty days, and the council may, at its option, conduct an additional hearing in accordance with the provisions of Section 18.42.040. Failure of the council to act prior to or on the postponement date it sets shall be deemed approval of the action by the board of adjustment, unless the

CONDITIONAL USE PERMITS

applicant consents to a time extension. The town council shall act in accordance with the same criteria, and shall make the same findings as prescribed in Section 18.42.060 before granting a conditional use permit. The action of the council shall become final immediately. (Ord. 458 § 2, 1993; Ord. 269 § 16 (part), 1980.)

18.42.080 Permit issuance and effect.

The town shall issue a conditional use permit when action of the town council becomes final, subject to such conditions as may be prescribed by the town council, or the board of adjustment if the council fails to act. The permit shall lapse if construction is not commenced within one year of the date of issuance and diligently pursued to completion, or if the use for which the permit is granted is not commenced within one year. (Ord. 269 § 16 (part), 1980.)

18.42.090 Related permits and requirements.

In addition to the conditions which may be prescribed pursuant to this article, a conditional use shall also be subject to all other procedures, permits and requirements of this and other applicable ordinances and regulations of the town. In event of any conflict between the provisions of a conditional use permit and any other permit or requirement, the more restrictive provision shall prevail. (Ord. 269 § 16 (part), 1980.)

BUILDING REVIEW

Chapter 18.44

BUILDING REVIEW

Sections:

18.44.010 Purpose.

18.44.020 Method.

18.44.010 Purpose.

With the purpose of conserving the value of buildings and encouraging the most appropriate use of land throughout the town, the board of adjustment shall review all building and sign permits where the character of the proposed construction might be so at variance with the established western exterior architectural appeal and functional plan of the structures already located in the neighborhood as to depreciate the value of such established buildings. The planning commission acting as the board of adjustments shall restrict its review in each case to the effect of the proposed construction on the health, safety, morals, and general welfare of the town, keeping particularly in mind the unique characteristics of existing structures which have established special land values and prosperity for the entire community. (Ord. 256 § 8, 1979: Ord. 105 Ch. 2 § 13(A), 1967.)

18.44.020 Method.

After receiving site plans, floor plans, and exterior elevations of the proposed structure, viewing the site on which such construction is proposed to be placed, and notifying the applicant of the time and place of a hearing on such subject, the planning commission acting as the board of adjustment shall either approve, disapprove, or approve subject to certain conditions, any application which may require such building review. For each case the board (when considered desirable) obtain testimony from architects or other qualified technical personnel on the effect of the proposed construction on established land values. (Ord. 256 § 9, 1979: Ord. 105 Ch. 2 § 13(B), 1967.)

BOARD OF ADJUSTMENT

Chapter 18.48

BOARD OF ADJUSTMENT^s

Sections:

- 18.48.010 Appointment—Terms.
- 18.48.020 Powers and duties.
- 18.48.030 Specific powers.
- 18.48.040 Officers.
- 18.48.050 Meeting schedule.
- 18.48.060 Variance fees.

18.48.010 Appointment—Terms.

Pursuant to authority granted in Section 15-1-707 Wyoming Statutes (1977), the town planning commission as organized and established in Chapter 2.40 is designated to act as and exercise all of the powers and duties and perform all of the obligations of the board of adjustments. It shall not be necessary for the town planning commission to give notice of any kind when it is acting as the board of adjustments, and all actions required to be taken by the board of adjustments pursuant to this code or the statutes of the state shall be exercised at regular meetings of the town planning commission or at such special meetings as shall from time to time be called. (Ord. 256 § 10, 1979; Ord. 105 Ch. 2 § 14(A), 1967.)

18.48.020 Powers and duties.

- A. The board of adjustments shall decide appeals from and review any order, requirement, decision or determination made by an administrative official charged with the enforcement of this title or Title 7, Animals. It shall also hear and decide all matters referred to it or upon which it is required to pass under this title or under Title 7.

BOARD OF ADJUSTMENT

- B. The board may adopt rules in accordance with this title, adopted pursuant to state law. No action shall be taken by the board on any case arising under this title until after public hearing and notice. The presence of five members shall constitute a quorum and the concurring vote of four of the members shall be necessary to reverse or modify any

BOARD OF ADJUSTMENT

order, requirement or decision of the administrative officer, or to decide in favor of the appellant on any matter upon which the board is required to pass or to effect any variation.

(Ord. 283 § 2, 1982; Ord. 256 § 11, 1979; Ord. 190 § 1, 1976; Ord. 105 Ch. 2 § 14(B), 1967.)

18.48.030 Specific powers.

The board of adjustment shall have power to permit exceptions to invariation from the regulations as follows:

- A. To authorize variances from the terms of this zoning code, where, by reason of exceptional shape, size or topography of the lot, or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to owners of said property from a strict enforcement of this title;
- B. Grant a permit for the erection and use of a building and accessory structures and the use of premises in any residence district for a telephone exchange, electric substation, or water supply booster pump stations, subject to such conditions and safeguards as will protect the character of the residence district;
- C. Apply the provisions of this title in such a way as to carry out the true intent and purpose where the street and alley layout on the ground differs on the layout shown on the zoning district map;
- D. To herein decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision or refusal made by the building inspector or any other administrative official in carrying out the enforcement of any provision under these regulations;
- E. To vary or adjust the strict application of any of the requirements of this title in any case specifically required by the laws of the state of Wyoming, in accordance with the requirements of such laws and the discretion of the board.

(Ord. 105 Ch. 2 § 14(C), 1967.)

BOARD OF ADJUSTMENT

18.48.040 Officers.

The officers of the board of adjustments shall be the same as the officers for the planning commission. (Ord. 256 § 12, 1979; Ord. 105 Ch. 3 § 5(2nd), 1967.)

18.48.050 Meeting schedule.

The board of adjustment shall hold regular public meetings on the second Wednesday of each month at five-thirty p.m. in the Council Chambers of the Teton County Courthouse. In addition, there shall be an alternate meeting of the board of adjustment scheduled for the fourth Wednesday of each month at five-thirty p.m. in the Council Chambers of the Teton County Courthouse, which meeting may be adjourned if there is no business to be conducted by the board of adjustment at that time. All persons desiring to conduct business before the board of adjustment shall contact the secretary of the board of adjustment no later than two p.m. on the Friday preceding the meeting at which the person wishes to appear. Special meetings of the board of adjustment may be held if proper notice of the same is published in a newspaper of general circulation within the town. (Ord. 349 § 1, 1986; Ord. 239 § 1, 1978; Ord. 166 § 1, 1974.)

18.48.060 Variance fees.

Each application for a variance (or variances, if all to be heard at the same time and apply to the same parcel or tract of property) shall be accompanied by a processing and advertising fee to be determined, set and amended from time to time by resolution of the town council. (Ord. 426 § 1, 1991.)

PROCEDURE BEFORE BOARD OF ADJUSTMENT

Chapter 18.52

PROCEDURE BEFORE BOARD OF ADJUSTMENT

Sections:

- 18.52.010** Public hearings.
- 18.52.020** Cases before the board.
- 18.52.030** Calendar.
- 18.52.040** Final disposition of appeal.
- 18.52.050** Rehearings.

18.52.010 Public hearings.

- A. Regular sessions designated as public hearings of the board of adjustments shall be held each month in conjunction

PROCEDURE BEFORE BOARD OF ADJUSTMENT

with and as part of meetings of the town planning commission.

- B. Special sessions may be called by the chairman, or at the request of three members, provided that notice of the same has been mailed to each member at least twenty-four hours before the time set, except that the announcement of a special session at any meeting at which a quorum is present shall be sufficient notice of such meeting.
- C. All hearing sessions shall be open to the public.
- D. A quorum of the board of adjustment shall consist of five members.
- E. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent, or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions. All minutes shall be filed immediately in the office of the board and are public records.
- F. The concurring vote of four members of the board is necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the application on any matter upon which it is required to pass under this title, or to affect any variation in this title.

(Ord. 283 § 3, 1982; Ord. 256 § 13, 1979; Ord. 217 § 1, 1977; Ord. 205 § 1, 1976; Ord. 105 Ch. 3 § 1, 1967.)

18.52.020 Cases before the board.

- A. Every appeal shall be made to the board of adjustment on a form to be furnished by the board, which may be secured at the town office.

This procedure of appeals shall be as follows:

- 1. A written appeal shall be filed with the town clerk or the secretary of the board by the party aggrieved by any order or decision of the building inspector or animal control officer upon forms supplied by the board. In the case of an appeal from a decision of the building inspector, the appeal shall be accompanied by accurate plans and specifications of the proposed work showing also the plat of land to be built upon, together with the

PROCEDURE BEFORE BOARD OF ADJUSTMENT

placement of the proposed building and all other existing or proposed structures.

2. Every appeal shall be taken within thirty days from the date of any refusal by the building inspector to issue a

PROCEDURE BEFORE BOARD OF ADJUSTMENT

permit or within thirty days from the date of any refusal by the animal control officer to issue a permit or thirty days from the date of issuance of a permit for the keeping of horses.

3. Any communication purporting to be an appeal shall be regarded as mere notice to seek relief and shall not be considered by the board until it is made on the form required.
4. Upon receipt of any such communication, the applicant shall be supplied with the proper forms before placing his appeal, and if he fails to file with the board of adjustment the form properly filled out and executed and to supply the required data within thirty days from the date of refusal of the permit by the building inspector or animal control officer, his case shall be dismissed for lack of prosecution.
5. Each appeal shall be accompanied with the sum of twenty dollars either in cash or certified check, payable to the board of adjustment, which amount shall be used to partly defray the cost of processing the appeal.
- B. At the public hearing of the case before the board, the appellant shall appear in his own behalf or be represented by counsel or agent. The appellant's side of the case shall be heard first and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption by the other.
- C. Every person before the rostrum shall abide by the order and direction of the chairman. Discourteous or disorderly or contemptuous conduct shall be regarded as a breach of the privileges of the board and shall be dealt with as the chairman deems proper.

(Ord. 190 § 2, 1976; Ord. 105 Ch. 3 § 2, 1967.)

18.52.030 Calendar.

- A. Each appeal, filed in proper form with the required data, shall be numbered serially, and shall be placed upon the calendar of the board of adjustment by the secretary thereof. The calendar number shall begin anew on January 1st of each year, and shall be hyphenated with the number

PROCEDURE BEFORE BOARD OF ADJUSTMENT

of the year in which the appeal is filed.

- B. Appeals will be assigned for hearing in the order in which they appear on the calendar thereof, except that an appeal may be advanced for hearing by order of the board upon good cause being shown.
- C. A legal notice of each hearing shall be published in a newspaper of general circulation in the town at least ten days before the date set for public hearing. Five days' notice of the hearing of an appeal shall be sent by mail to the appellant and all directly affected property owners, within one hundred forty feet of the property concerned. The notice to the appellant shall be sent by certified mail to the address given in the appeal. The cost of publishing the legal notice and the postage for mailing the required notices to the appellant and affected property owners shall be deducted from the twenty dollars deposit made with the board at the time of filing the appeal.

(Ord. 105 Ch. 3 § 3, 1967.)

18.52.040 Final disposition of appeal.

- A. The final disposition of any appeal to the board of adjustment shall be in the form of a resolution which shall affirm, modify or reverse the refusal of a permit by, or any order, or decision of the building inspector or animal control officer. The board may set out in such a resolution the condition or conditions upon which the permit may be issued in order to carry out the purposes and intent of this title or of Title 7.
- B. Any appellant may withdraw his appeal at any time prior to the decision of the board of adjustment thereon.

(Ord. 190 § 3, 1976; Ord. 105 Ch. 3 § 4, 1967.)

18.52.050 Rehearings.

- A. No rehearing of the decision by the board of adjustment shall be had except:
 - 1. On motion to reconsider the vote; or
 - 2. On a written request for a rehearing.
- B. If the motion to reconsider received four affirmative votes,

AMENDMENTS

the board of adjustment may vote on the motion to grant the request for a rehearing subject to such conditions as the board may by resolution in each case stipulate.

- C. No request to grant a rehearing will be entertained unless new evidence is submitted, which could not reasonably be presented at the previous hearing. If the request for a rehearing is granted, the case shall be put on the calendar for a rehearing. In all cases, the request for a rehearing shall be in writing, reciting the reasons for the request and shall be duly verified and accompanied by the necessary data and diagrams. The person requesting the rehearing shall be notified to appear before the board on a date to be set by the board.
(Ord. 105 Ch. 3 § 5(1st), 1967.)

Chapter 18.56

AMENDMENTS⁶

Sections:

18.56.010 Initiation.

18.56.020 Hearing—Notice.

18.56.010 Initiation.

Amendments to this title shall be in accordance with the laws of the state of Wyoming and the provisions of this title, and any person seeking such amendments shall proceed by filing a petition with the town clerk who shall immediately give notice thereof to the town council and the town planning commission who shall take the following action:

- A. The town planning commission shall study the proposed amendment in accordance with the special procedure outlined hereinafter, and make its recommendations to the town council.

AMENDMENTS

- B. The town council shall hold a public hearing on the proposed amendment after giving at least fifteen days' notice of the time and place of such hearing by publishing notice thereof at least once in a newspaper of general circulation within the town.
- C. For proposed amendments to the zoning district map, a fee shall be charged to cover the costs of advertising and processing which fee shall accompany the petition. In addition, a fee shall be charged for all other proposed amendments for the purpose of defraying costs of processing such proposals. The fees required in this subsection shall be set from time to time by resolution of the town council. (Ord. 423 § 1, 1991; Ord. 105 Ch. 2 § 15(A), 1967.)

18.56.020 Hearing—Notice.

Before submitting a report and recommendation on any proposed amendment to this title the town planning commission shall hold a public hearing on the proposed amendment with the following special conditions required:

- A. A notice of the hearing shall be published once in a newspaper of general circulation within the town at least

ENFORCEMENT AND PENALTIES

fifteen days prior to the hearing date, which notice may be concurrent with that required to be given by the town council of its hearing.

- B. For proposed amendments to the zoning district map a written notice of the hearing shall be sent by first class mail at least fifteen days prior to the hearing date, to property owners within the area of the proposed change, and within one hundred forty feet of the area in question.
- C. The town planning commission shall prepare written recommendations which shall be submitted to the town council for its consideration.

(Ord. 105 Ch. 2 § 15(B), 1967.)

Chapter 18.60

ENFORCEMENT AND PENALTIES

Sections:

18.60.010 Enforcement.

18.60.020 Penalties.

18.60.010 Enforcement.⁷

The building inspector or such other officer appointed by the town council shall enforce the provisions of this title. No permit shall be issued for excavation or for the construction or alteration of any sign, building, structure or part thereof, where the plans, specifications or intended use indicate that the building or use would not conform in all respects with the provisions of this title. (Ord. 105 Ch. 2 § 16 (part), 1967.)

18.60.020 Penalties.

Any person who violates any provision of this title is guilty of a misdemeanor and shall upon conviction be punished in accordance with Section 1.12.010 of this code. Each day that a violation is permitted to exist after notice has been given by the building inspector shall constitute a separate offense. In

TITLE 18 FOOTNOTES

addition to the penalties above set forth, the town may institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate or remove any building or structure in violation. (Ord. 289 § 25, 1982; Ord. 105 Ch. 2 § 17, 1967.)

TITLE 18 FOOTNOTES

1. For statutory provisions authorizing cities and towns to establish zoning regulations, see WS § 15.1-83.
2. For the statutory provisions authorizing cities and towns to divide their areas into districts for purposes of regulating the uses of land, etc., see WS § 15.1-84.
3. EDITOR'S NOTE: Current zoning maps are on file in the town clerk's office for reference.
- 3a. EDITOR'S NOTE: Ordinance 269 contained no Section 8.
4. EDITOR'S NOTE: The provisions of Section 11A of Ordinance 105 pertaining to building permits and signs are now located in Chapters 15.04 and 15.28, respectively, of this code. Prior ordinance history: Ordinance 105 Ch. 2 § 11.
- 4a. Prior ordinance history: Ordinance 105 Ch. 2 § 12.
5. For statutory provisions regarding the powers and duties of the board of adjustment, see WS § 15.1-89.
6. For statutory provisions regarding amendments to zoning regulations, see WS § 15.1-87.
7. EDITOR'S NOTE: The provisions of Section 16A of Ordinance 105 pertaining to sign permits are now located in Chapter 15.28 of this code.

RESOLUTIONS

RESOLUTIONS

Resolution

Number

- Unnumbered, Memorial library land conveyance
undated res. and deed (Special)
- 69-1 LID No. 1, street improvement (Special)
- 70-1 Land purchase (Special)
- 73-1 Board of inspectors of elections (Special).
- 73-2 Agreement for subdivision improvements (Special)
- 73-3 Town clerk and deputy town clerk (Special)
- 83-6 Adds language to schedule 11 of § 10.04.390, traffic
regulations (10.04)
- 85-1 Parking time limitations (10.04)
- 85-4 Sign permit fees (15.28)
- 85-10 Adds language to schedule 7 of § 10.04.390, traffic
regulations (10.04)
- 86-2 Adds language to schedule 9 of § 10.04.390, traffic
regulations (10.04)
- 86-6 Adds language to schedule 9 of § 10.04.390, traffic
regulations (10.04)
- 86-7 Adds language to schedule 12 of § 10.04.390, traffic
regulations (10.04)
- 87-10 Adds subsection (e) to § 15.28.035(A)(2), signs (15.28)
- 87-14 Adds language to schedule 9 of § 10.04.390, traffic
regulations (10.04)
- 87-22 Water rate adjustment (13.06)
- 88-6 Adds lanaguage to schedule 12 of § 10.04.390, traffic
regulations (10.04)
- 88-8 Adds language to schedule 9 of § 10.04.390, traffic regu-
lations (10.04)
- 88-13 Adds language to schedule 12 of § 10.04.390, traffic
regulations (10.04)
- 88-19 Waivers and partial waivers of water rate charges (13.06)
- 89-9 Amends schedule 9 of § 10.04.390, traffic regulations
(10.04)
- 89-10 Amends and reenacts schedule 9 of § 10.04.390, traffic
regulations (10.04)

RESOLUTIONS

Resolution Number

- 90-27 Amends Schedule 4 of § 10.04.390, traffic regulations (10.04)
- 90-28 Amends Schedule 12 of § 10.04.390, traffic regulations (10.04)
- 91-3 Amends conditional use permit fee schedule (Not codified)
- 91-10 Amends Schedules 1 and 3 of § 10.04.390, traffic regulations (10.04)
- 91-14 Election to apply for Home Rule Authority for enforcement of local and state fire energy efficiency and building code (Not codified)
- 91-15 Lot split permit fees (Not codified)
- 91-16 Preliminary plat application fees (Not codified)
- 91-17 Variance request fee schedule (Not codified)
- 91-18 Amends Schedule 12 of § 10.04.390, traffic regulations (10.04)
- 91-22 Amends Schedule 9 of § 10.04.390, traffic regulations (10.04)
- 91-26 Amends Schedule 9 of § 10.04.390, traffic regulations (10.04)
- 91-27 Application for a grant (Not codified)
- 92-1 Submittal of impact grant (Not codified)
- 92-2 Amends § 10.04.390(A) and (B), limited parking time (10.04)
- 92-3 Benefits for low and moderate income citizens (Not codified)
- 92-4 Policy for use of Community Development Block Grants (Not codified)
- 92-5 Fair housing policy (Not codified)
- 92-6 Subdivision improvements accepted (Not codified)
- 92-7 Acceptance of construction work (Not codified)
- 92-8 Submittal of impact grant (Not codified)
- 92-9 Submittal of impact grant (Not codified)

RESOLUTIONS

Resolution Number	
92-10	Amends Schedule 6 of § 10.04.390, stop intersections (10.04)
92-11	Amends schedule B of § 13.08.019, waste water treatment charges (Not codified)
92-12	Street name change (Not codified)
92-13	Budget amendment (Special)
92-14	Budget for 1992-93 (Special)
92-15	Application for a grant (Special)
92-16	Commendation of service (Special)
92-17	POW/MIA Recognition Day declared (Special)
92-18	Agreement for bus acquisitions (Special)
92-19	Passenger facility charge at Jackson Hole Airport (Not codified)
93-01	Commendation of service (Special)
93-02	Commendation of service (Special)
93-03	Establishes procedures for granting franchise of the Jackson, Wyoming Cable Television System (Special)
93-04	Authorizes filing of application for funding under Wyoming Transportation Enhancement Activity Program (Not codified)
93-05	Application for a grant (Special)
93-06	Amends 1992-93 budget (Special)
93-07	Declares official intent to reimbursement from tax-exempt bonds (Special)
93-08	Creates Jackson/Teton County Public Facilities Joint Powers Board (Not codified)
93-09	1993-94 budget (Special)
93-10	Amends 1993-94 budget (Special)
93-11	Jackson/Teton County Public Facilities Joint Powers Board (Not codified)
93-12	Authorizes grant application for groundwater exploration program (Special)

RESOLUTIONS

Resolution Number

- 93-13 Approves application for community development block grant for senior citizen's center (Special)
- 93-14 Supports grant application to Wyoming Community Development Authority (Special)
- 93-15 Jackson/Teton County Public Facilities Joint Powers Board (Not codified)
- 93-16 Jackson/Teton County Public Facilities Joint Powers Board (Not codified)
- 93-17 Authorizes filing of basic cable television rate certification form (Not codified)
- 93-18 Public hearing on annexation (Special)
- 93-19 Amends Schedule 9(F) of § 10.04.390, stop intersections (10.04)
- 93-20 Amends Schedule 6 of § 10.04.390, stop intersections (10.04)
- 93-21 Authorizes application for government royalty impact grant (Special)
- 93-22 Commendation of service (Special)
- 93-23 Renames street (Special)
- 93-24 Commendation of service (Special)
- 93-25 Supports water development project (Special)
- 94-01 Designates authorized signatory for wastewater plant expansion project (Special)
- 94-02 Amends § 13.08.019, Schedule B, sewerage disposal system (Not codified)
- 94-03 Lodging tax renewal (Special)
- 94-04 Commendation of service (Special)
- 94-05 Authorizes submittal of a mineral royalty impact grant application to the farm loan board (Special)
- 94-06 Water service rates (Not codified)
- 94-07 Amends § 13.08.019, Schedules A and B, sewerage disposal system (Not codified)
- 94-08 Project taxes (Special)

RESOLUTIONS

Resolution Number

- 94-09 Approves imposition of capital facilities sales and use tax (Special)
- 94-10 Authorizes filing of application for funding under the TEA-Local program (Special)
- 94-11 Amends 1993-94 budget (Special)
- 94-12 Authorizes execution of agreement for Municipal Water Well No. 6 (Special)
- 94-13 1994-95 budget (Special)
- 94-14 Supports construction of new senior citizen's center (Special)
- 94-15 Amends building permit fees (Special)
- 94-16 Sponsoring application for housing program grant (Not codified)
- 94-17 Authorizes filing of application for government royalty impact grant (Not codified)
- 94-18 Authorizes application for mineral royalty grant for sanitary sewer collection system (Not codified)
- 94-19 Adopts Jackson-Teton County comprehensive plan (Not codified)
- 94-20 Establishes procedure for receipt of process of capital facilities sales and use tax (Not codified)
- 94-21 Rodeo grounds administration and master plan (Not codified)
- 94-22 Amends § 10.04.390(F)(9), parking (10.04)
- 94-23 Amends § 10.04.390(6), parking (10.04)
- 94-24 Fee-in-lieu of parking district (Not codified)
- 94-25 Establishes policy for response to sanitary sewer back-ups (Not codified)
- 94-26 Amends 1994-95 fiscal budget (Not codified)
- 94-27 Establishes policy regarding installation and maintenance of boardwalk (Not codified)
- 94-28 Approves 1994-95 fiscal budget (Not codified)
- 94-29 Amends job description of town administrator (Not codified)

CHARTER ORDINANCES

CHARTER ORDINANCES

**Charter
Number**

1-A Adds Ch. 2.02, charter ordinance and administration
(2.02)