

Article 2. Complete Neighborhood Zones

Div. 2.1. All Complete Neighborhood Zones (1/1/15)2-2

Div. 2.2. Complete Neighborhood Character Zones..... 2-2

2.2.1. Neighborhood Residential-1(NR-1) (5/3/21)2-4

2.2.2. Workforce Home Business (WHB) (AMD2021-0008)..... 2-10

Div. 2.3. Complete Neighborhood Legacy Zones..... 2-18

2.3.1. Auto Urban Commercial - County (AC-TC) Zone (1/4/21)2-18

2.3.2. Auto Urban Residential - County (AR-TC) Zone (1/4/21)2-27

2.3.3. Wilson Commercial (WC) Zone (1/4/21)2-33

2.3.4. Office Professional - County (OP-TC) Zone (1/4/21)2-44

2.3.5. Business Park - County (BP-TC) Zone (1/4/21)2-50

Div. 2.1. All Complete Neighborhood Zones (1/1/15)

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

1. Character zones, established in [Div. 2.2.](#), are character-based and established to implement the Comprehensive Plan;
2. Legacy zones, established in [Div. 2.3.](#), are carried forward from the previous LDRs, and it is the intent that they will be phased out over time as character zones are adopted and applied.

Div. 2.2. Complete Neighborhood Character Zones

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

- A. Neighborhood Residential-1 (NR-1)
- B. [Workforce Home Business \(WHB\)](#)

2.2.2. Workforce Home Business (WHB) (AMD2021-0008)

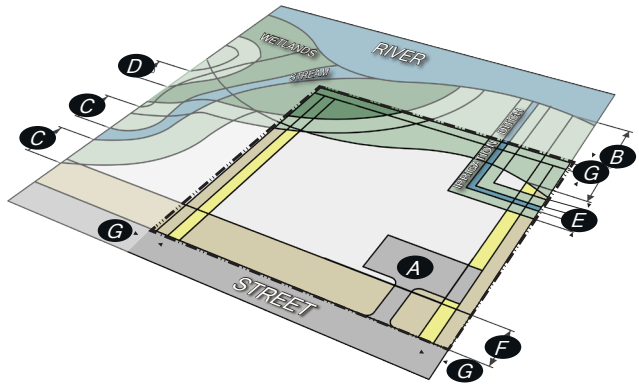
A. Intent

1. Desired Future Character. Future development and use that occurs in the Workforce Home Business (WHB) zone should allow for the exercise of property rights in a way that facilitates opportunities for workforce home businesses in a residential setting. Detached single-family residential is the preferred primary use with accessory home business uses and accessory residential units. Lots shall be large enough to accommodate more intense home business uses and accessory outbuildings while also providing for wildlife permeability and an abundance of landscape over built form.
2. Existing Character. The Workforce Home Business zone generally encompasses areas within Comprehensive Plan Subarea 7.2: Hog Island Home Business and includes a mix of developed residential lots with home businesses and larger agricultural holdings.
3. Comprehensive Plan. The Workforce Home Business zone is based primarily on Subarea 7.2 in the Comprehensive Plan.

B. Physical Development

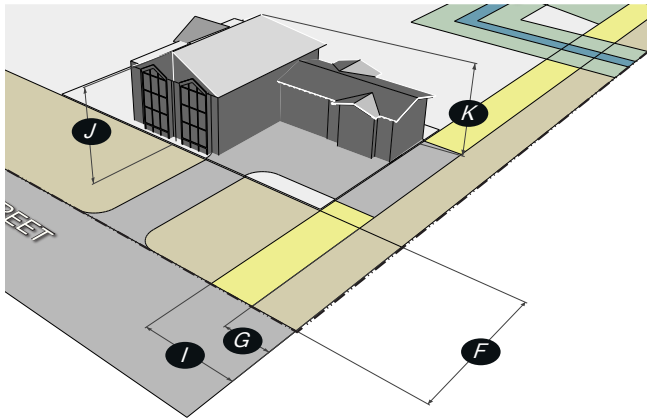
Standards applicable to physical development are provided in this subsection. Where a cross-reference is listed see the referenced division or section for additional standards. All standards in Article 5 are applicable unless stated otherwise.

1. Site Development Standards



<u>Site Development Amount</u>		
Site Development (max)	GSA(0.11) + 5,619 sf	A
<u>Site Development Location</u>		
Wildlife Habitat	See NRO	(Sec. 5.2.1.)
Scenic Viewsheds	See SRO	(Sec. 5.3.2.)
Waterbodies/Wetlands		(Sec. 5.1.1.)
River Setback(min)	150'	B
Stream/Lake/Pond Setback(min)	50' - 150'	C
Wetland Setback (min)	30'	D
Irrigation Ditch		(7.7.4.D.)
Irrigation Ditch Setback (min)	15'	E
Street Setback (min. except driveway across street yard)		F
GSA <3 ac	25'	
GSA ≥ 3 ac	50'	
Side/Rear Setback (min)		G
GSA < 3 ac	10'	
GSA ≥ 3 ac	20'	
<u>Landscaping (Div. 5.5.)</u>		
per 10,000 sf floor area	1 pu	
Parking lot	1 pu per 8 spaces	

2. Structure Standards



Structure Location

Street Setback (min)		F
GSA < 3 ac	25'	
GSA ≥ 3 ac	50'	
Side/Rear Setback (min)		I
GSA < 3 ac	25'	
GSA ≥ 3 ac	40'	

Eaves, canopies, decks, and other architectural projection that clear 9' above finish grade may extend 4' into a setback

Scale of Development

Floor area	
GSA ≤ 10 ac	GSA(0.032) + 3,900 sf
Not to Exceed	10,000 sf
GSA > 10 ac	(GSA ac - 10)100 sf + 10,000 sf
Not to Exceed	15,000 sf
Single building (max)	10,000 sf
Hospital, Religious Institution, Daycare or School	Maximum determined by CUP

Structure Height (Sec. 9.4.9.)

Height: Any point (max)	30'	J
Height: Overall (max)	37.5'	K

Scenic Standards

RE: Scenic viewsheds See SRO (Sec. 5.3.2.)

Fencing

Wildlife Friendly Fencing Required (Sec. 5.1.2.)

Exterior Materials

External surfaces	Non-reflective
Colors	Earth tones

3. Environmental

Wild animal feeding (Sec. 5.1.3.)

Bear proof trash (Sec. 5.2.2.)

4. Exterior Lighting (Sec. 5.3.1.)

Light trespass is prohibited.

All lights over 600 initial lumens shall be fully shielded.

Lumens per sf of site development (max) 1.5

Lumens per site (max)

All fixtures 60,000

Unshielded fixtures 4,000

Light Color ≤3000 Kelvin

5. Natural Hazards to Avoid

Steep Slopes (Sec. 5.4.1.)

Development prohibited Slopes >30%

Unstable Soils (Sec. 5.4.2.)

Fault Areas (Sec. 5.4.3.)

Floodplains (Sec. 5.4.4.)

Wildland Urban Interface (Sec. 5.4.5.)

6. Signs (Sec. 5.6.2.)

Allowed Signs (max)	Area (max)	Height (max)
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1 rustic freestanding or wall sign

Nonresidential 12 sf 6'

Residential (unlighted) 4 sf 4'

1 wall sign per home occupation/home business 2 sf n/a

7. Grading, Erosion, Stormwater

Grading (Sec. 5.7.2.)

Erosion Control (Sec. 5.7.3.)

Erosion shall be controlled at all times

Stormwater Management (Sec. 5.7.4.)

No increase in peak flow rate or velocity across property lines

1. <u>Allowed Uses</u>					2. <u>Use Requirements</u>	
<u>Use</u>	<u>Permit</u>	<u>GSA (min)</u>	<u>Density (max)</u>	<u>Scale (max)</u>	<u>Parking (min) (Div. 6.2.)</u>	<u>Affordable Workforce Housing Units (min) (Div. 6.3.)</u>
<u>Amusement/Recreation</u>						
<u>Outfitter/Tour Operator (6.1.7.E.)</u>	C	35 ac	n/a	n/a	independent calculation	independent calculation
<u>Institutional</u>						
<u>Assembly (out of NRO) (6.1.8.B. & E.1.)</u>	C	35 ac	n/a	n/a	independent calculation	independent calculation
<u>Daycare/Education (out of NRO) (6.1.8.C. & E.1.)</u>	C	35 ac	n/a	n/a	independent calculation	exempt (see 6.3.2.C.11 and 6.3.2.C.12)
<u>Industrial</u>						
<u>Gravel Extraction/Processing (6.1.9.F.)</u>	S		see 6.1.9.F.		1/employee	0.000107*sf
<u>Transportation/Infrastructure</u>						
<u>Utility Facility (6.1.10.C.)</u>	C	n/a	n/a	n/a	1/employee + 1/stored vehicle	0.000107*sf
<u>Wireless Communications</u>			see 6.1.10.D.		1/employee + 1/stored vehicle	0.000107*sf
<u>Accessory Uses</u>						
<u>Accessory Residential Unit (6.1.11.B., E.2.)</u>	B		see 6.1.11.B. & E.2.		1.25/du	exempt
<u>Home Occupation (6.1.11.D.)</u>	B	n/a	1/du	25% of habitable du sf	n/a	exempt
<u>Home Business (6.1.11.E. & E.3.)</u>	C	n/a	1/du	25% of habitable du sf	1/employee & E.3.	exempt
<u>Family Home Daycare (6.1.11.F.)</u>	B	n/a	1/du	care for 3-6 persons	1/employee + 1 off-street pick-up/drop-off	exempt
<u>Home Daycare Center (6.1.11.G.)</u>	C	n/a	n/a	care for 7-11 persons	1/employee + 2 off-street pick-up/drop-off	exempt
<u>Temporary Uses</u>						
<u>Christmas Tree Sales (6.1.12.B.)</u>	Y	n/a	n/a	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
<u>Real Estate Sales Office (6.1.12.C.)</u>	B	n/a	n/a	n/a	3.3/1,000 sf	exempt
<u>Temporary Shelter (6.1.12.D.)</u>	B	n/a	1/lot	n/a	2/du	exempt
<u>Farm Stand (6.1.12.E.)</u>	B	n/a	n/a	n/a	5/1,000 sf display area	exempt
<u>Temp. Gravel Extraction (6.1.12.F.)</u>	B	n/a	n/a	15 ac	1/employee	exempt

Y=Use allowed, no use permit required

B=Basic Use Permit (Sec. 8.4.1) C=Conditional Use Permit (Sec. 8.4.2.) S=Special Use Permit (Sec. 8.4.3.)

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Special Event (6.1.12.G)	Y	n/a	n/a	3 events/year	n/a	exempt

Y=Use allowed, no use permit required
 B=Basic Use Permit (Sec. 8.4.1) C=Conditional Use Permit (Sec. 8.4.2.) S=Special Use Permit (Sec. 8.4.3.)

3. Operational Standards	
Outside Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash and recycling enclosure required	
Noise	(Sec. 6.4.3.)
Max sound level at property line	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. [Development Options and Subdivision](#)

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

1. Allowed Development and Subdivision Options							
Option	Lot Size (min)	Rural Area (min)	Conserv. Area (min)	Develop. Area (max)	Density (max)	Additional Floor Area (max)	Strds.
Subdivision Options							
Land Division	35 ac	=	=	=	=	=	(7.2.3.)
Development Options							
WHB Option	3 ac	=	=	=	1 du and 2 ARU per 3 ac	=	(7.8.2 & E.4.)
CN-PRD*	n/a	JH: 105 ac Alta: 70 ac	90% of Rural GSA	=	=	n/a	(7.1.6.)
CN Development Area	n/a	=	=	1 ac per 19 ac Rural GSA	1 du per 4.375 ac Rural GSA	n/a	
Reserved Rural Development Area	n/a	=	=	1 ac per 9 ac conserved	1 du per 35 ac Rural GSA	n/a	
Floor Area Option	n/a	35 ac	90% of Rural GSA	n/a	2 additional ARU per 35 ac	10,000 sf per 35 ac	(7.1.5.)
Rural PRD	n/a	>49 ac	Greater of: 70% of Rural GSA OR 49 ac	3 ac per 7 ac conserved	3 du per 35 ac	n/a	(7.1.2)

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

2. Residential Subdivision Requirements	
Parks Exactions	(Sec. 7.5.2.)
Exaction land (min)	0.02 acres per housing unit or lot
School Exactions	(Sec. 7.5.3.)
Exaction land (min)	0.01 acres per housing unit or lot
3. Infrastructure	
Transportation Facilities	(Div. 7.6.)
Required Utilities	(Div. 7.7.)

4. Permits Required					
<u>Physical Development</u>	<u>Planned Unit Development (Sec. 8.7.3.)</u>	<u>Sketch Plan (Sec. 8.3.1.)</u>	<u>Development Plan (Sec. 8.3.2.)</u>	<u>Development Option Plan (Sec. 8.5.2.)</u>	<u>Subdivision Plat (Sec. 8.5.3.)</u>
<u>Land Division</u>			X		X
<u>Workforce Home Business Option</u>		optional	X		X
<u>Complete Neighborhood PRD</u>		X	X		if subdivided
<u>Floor Area Option</u>				X	
<u>Rural PRD</u>		optional	X		if subdivided

E. Additional Zone-specific Standards

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

1. Conditional Uses.

- a. Setbacks for the conditional use shall be established through the CUP process to ensure compatability of conditional use with surrounding context and character and to mitigate impacts of use on natural resources and/or neighboring residences.
- b. Prohibited in the NRO. Conditional institutional uses are prohibited within the NRO.

2. Accessory Residential Unit (ARU)

- a. ARU Restriction and Floor Area Exemption. Any ARU that is subject to an affordable or workforce deed restriction acceptable to the Jackson/Teton County Affordable Housing Department shall be exempt from FAR, maximum floor area calculation, and scale of use maximums associated with the primary use.
- b. Primary use residential.
 - i. Maximum Scale. An ARU accessory to a residential use shall not exceed 1,000 sf of gross floor area including basement floor area.
 - ii. Density. One ARU shall be permitted accessory to a detached single family unit. A second ARU shall be permitted accessory to a detached single-family unit provided the following standards are met.
 - a). Gross Site Area. Gross Site Area shall be at least 3 acres.
 - b). Attached. At least one of the ARUs shall be attached to another structure on the site.

- c). Restriction. One of the ARUs shall be subject to an affordable or workforce rental restriction acceptable to the Jackson/Teton County Affordable Housing Department.
 - d). Limit on Incentive. Approval of a second ARU shall not increase the amount of residential development allowed in the Town and County above the amount allowed and planned for since 1994, see Sec. 7.8.2.
 - c. Primary use non-residential.
 - i. Maximum Scale. An ARU accessory to a non-residential use shall not exceed 850 sf of gross floor area including basement floor area.
 - ii. The floor area of an ARU accessory to a non-residential use shall be exempt from FAR and maximum floor area calculations.
 - iii. Restriction. The unit shall be subject to a deed-restriction administered by the Jackson/Teton County Affordable Housing Department and recorded with the County Clerk.
 - iv. Density. The maximum number of ARUs accessory to a nonresidential use shall be determined based on the definition of Accessory Use (6.1.2.B.3.).
 - 3. Home Business. The following standards apply to accessory home business uses, in addition to the standards in 6.1.11.E. Where standards are in conflict, these zone-specific standards shall apply.
 - a. Operations Plan. A home business use shall be subject to an operations plan approved as part of its use permit. The purpose of the operations plan is to outline business operations to provide clarity and predictability regarding the impacts of the home business on neighborhood character. Amendments to an operations plan qualifying as minor deviations (8.2.13.B.2.) may be approved by the Planning Director. The operations plan shall address the following, if applicable:
 - i. How the proposed use will comply with the standards of this section (E.3.) and 6.1.11.E..
 - ii. Anticipated noise, waste and wastewater disposal, and environmental impacts and mitigation plan,
 - iii. Site plan, including locations of screening, parking, storage, business operations and water sources,
 - iv. Parking and vehicle storage.
 - v. Material storage and management, including locations, maximum quantities, types and compositions of materials, and best practices for hazardous and toxic material storage,
 - vi. Hours of operation.
 - b. Hours of Operation. Hours of operation shall be established through the CUP process and shall not exceed 7:00 am to 10:00 pm.
 - c. Storage. Vehicles and materials associated with the business shall be stored in structures or screened according to the following standards.
 - i. Materials.
 - a). Outdoor area occupied by stored materials shall not exceed 2,000 sf and shall be designated as part of the operations plan and use permit approval.
 - b). Maximum height of materials stored outdoors shall not exceed 3 feet.

- c). Materials shall not be stored within setbacks and shall be located in a way that is visually unobtrusive from the road and adjoining parcels.
 - d). Materials stored outdoors shall be screened with native landscaping.
 - e). Hazardous materials shall be stored on an impermeable surface, such as a concrete pad, to prevent spilled materials from entering groundwater.
 - f). Hazardous materials shall not be stored inside of a structure that is attached to a dwelling unit.
 - ii. Commercial Vehicles.
 - a). Passenger vehicles, including mini-vans, pick-up trucks and SUVs, may be stored in outdoor parking areas, designated as part of the operations plan, located to the rear of a structure or in another location that is visually unobtrusive.
 - b). Designated parking areas shall be screened with native landscaping.
 - c). All other commercial vehicles shall be stored inside of buildings overnight and when not in use.
4. Subdivision and Development Options
- a. Workforce Home Business Option. This incentive tool shall allow for subdivision of land to a higher density than allowed by the base land division allowance in order to produce restricted lots intended to accommodate the needs of home businesses.
 - i. Applicability. The following standards apply to any new lot created with the Workforce Home Business Option.
 - a). One designated new lot of record may be exempt from the restriction, use, scale of use, and wastewater standards below.
 - b). Additionally, except as modified in this Section, all subdivision standards and requirements of Article 7 shall apply.
 - ii. Minimum Lot Size. All new lots of record shall have a 3 acre minimum lot size.
 - iii. Restriction. New lots shall be subject to an affordable or workforce deed restriction acceptable to the Jackson/Teton County Housing Department and recorded with the County Clerk at the time of subdivision. One new lot may remain unrestricted if the lot to be subdivided is unrestricted.
 - iv. Use. The principal use shall be detached-single family residential.
 - v. Maximum Scale of Residential Use. The principal residential use shall not exceed 2,500 square feet of habitable floor area, excluding basement floor area, except that additional habitable floor area for accessory home occupation, home business, family home daycare and home daycare center uses with approved use permits shall be allowed. In all cases, the maximum habitable floor area, excluding basement floor area, shall not exceed 8,000 sf.
 - vi. Wastewater. The subdivider shall connect new lots to a public sanitary sewer or install a sewage disposal facility reviewed by the County Sanitarian or the Wyoming Department of Environmental Quality for wastewater treatment. Individual septic tanks shall be prohibited. The proposed sewage treatment system shall be submitted for initial review prior to approval of the Development Plan.
 - vii. Limits on Incentive. Approval of any new lot shall not increase the amount of residential development allowed in the Town and County above the amount allowed and planned for since 1994, see Sec. 7.8.2.

Article 4. Special Purpose Zones

Div. 4.1. All Special Purpose Zones (1/1/15)4-2

Div. 4.2. Civic Zones 4-2

 4.2.1. Public/Semi-Public - County (P/SP-TC) Zone (1/4/21)4-3

 4.2.2. Park and Open Space - County (P-TC) Zone (1/4/21).....4-9

Div. 4.3. Planned Resort Zones 4-14

 4.3.1. All Planned Resort Zones (1/4/21).....4-14

 4.3.2. Snow King (1/1/15)4-30

 4.3.3. Teton Village I (1/1/15).....4-30

 4.3.4. Teton Village II (1/5/15)4-34

 4.3.5. Jackson Hole Golf and Tennis Club (1/4/21)4-36

 4.3.6. Snake River Canyon Ranch (1/4/21)4-39

 4.3.7. Grand Targhee (1/4/21).....4-41

Div. 4.4. Planned Unit Development Zones 4-46

 4.4.1. All PUD Zones (~~5/3/21~~[AMD2021-0008](#))4-46

Div. 4.4. Planned Unit Development Zones

4.4.1. All PUD Zones (5/3/21AMD2021-0008)

A. Purpose

Planned Unit Development (PUD) zones permit variation from the strict application of the zones in order to achieve specific community goals that enhance the community's implementation of the Jackson/Teton County Comprehensive Plan. The intent of PUD zones is that large or complex developments under unified control be planned as a single, continuous project with greater design flexibility.

B. Applicability

The standards of this Section apply to:

1. Existing PUDs and other special projects listed in 1.8.2.C. of these LDRs.
2. Applications for establishment of PUD zoning.

C. Content of a PUD

A PUD is the equivalent of the zone-specific standards found in Article 2. and Article 3. A PUD is not intended to have the level of detail of a physical development plan. A PUD shall include:

1. a surveyed map of the area to which the PUD applies; and
2. a master plan that establishes the general configuration and relationship of the principal elements of the proposed development and specifies terms and conditions defining development parameters, including uses, general building types, density/intensity, resource protection, pedestrian and vehicular circulation, open space, public facilities, and phasing.

D. Development of a PUD

1. The development standards for each PUD are established by the approved PUD master plan. All physical development, use, and subdivision under the PUD shall comply with the master plan and certificate of standards.
2. Where development standards are not addressed or established in the approved PUD master plan, the development standards of the underlying zone shall apply.
3. PUD approval does not permit actual physical development or use of a site. All appropriate permits and approvals shall be obtained under the administrative procedures of these LDRs prior to any physical development, use, or subdivision of land allowed by the PUD.

E. Establishment of a New PUD

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

F. Amendment of an Existing PUD or Other Special Project

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

G. PUD Option Schedule

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

County Character Zones - PUD Options				
Complete Neighborhood Zones		Rural Area Zones		
NR-1	WHB	R-1	R-2	R-3
No PUD options are allowed in the County				

County Legacy Zones - PUD Options											
Complete Neighborhood Zones					Rural Area Zones					Civic Zones	
AC-TC	AR-TC	WC	OP-TC	BP-TC	BC-TC	MHP-TC	NC-TC	S-TC	R-TC	P/SP-TC	P-TC
No PUD options are allowed in the County											

Article 5. Physical Development Standards Applicable in All Zones

Div. 5.1. General Environmental Standards	5-2
5.1.1. Waterbody and Wetland Buffers (1/4/21)	5-2
5.1.2. Wildlife Friendly Fencing (12/8/21)	5-5
5.1.3. Wild Animal Feeding (4/1/16)	5-9
5.1.4. Air Quality (7/19/16).....	5-10
5.1.5. Water Quality (1/1/15).....	5-12
5.1.6. Manmade Features (1/4/21).....	5-12
Div. 5.2. Environmental Standards Applicable in Specific Areas	5-17
5.2.1. Natural Resources Overlay (NRO) Standards (5/3/21).....	5-17
5.2.2. Bear Conflict Area Standards (1/4/21).....	5-38
Div. 5.3. Scenic Standards	5-40
5.3.1. Exterior Lighting Standards (5/3/21 AMD2021-0008)	5-40
5.3.2. Scenic Resources Overlay (SRO) Standards (5/3/21).....	5-44
Div. 5.4. Natural Hazard Protection Standards	5-55
5.4.1. Steep Slopes (1/1/17).....	5-55
5.4.2. Unstable Soils (1/1/15).....	5-55
5.4.3. Faults (1/1/15).....	5-56
5.4.4. Floodplains (1/1/15).....	5-56
5.4.5. Wildland Urban Interface (1/1/15)	5-56
Div. 5.5. Landscaping Standards	5-57
5.5.1. Purpose (1/1/15).....	5-57
5.5.2. Landscape Plan (1/1/15)	5-57
5.5.3. Required Plant Units (5/3/21 AMD2021-0008).....	5-58
5.5.4. General Landscaping Standards (1/1/17).....	5-61
5.5.5. Installation and Maintenance (1/1/15).....	5-62
Div. 5.6. Sign Standards	5-63
5.6.1. Town Sign Standards (1/1/15).....	5-63
5.6.2. County Sign Standards (1/1/17).....	5-63
Div. 5.7. Grading, Erosion Control, and Stormwater Management	5-75
5.7.1. Purpose and Applicability (1/1/17)	5-75
5.7.2. Grading Standards (8/7/18).....	5-77
5.7.3. Erosion Control Standards (1/1/15).....	5-80
5.7.4. Stormwater Management Standards (1/1/15).....	5-81
Div. 5.8. Design Guidelines (1/1/15).....	5-85

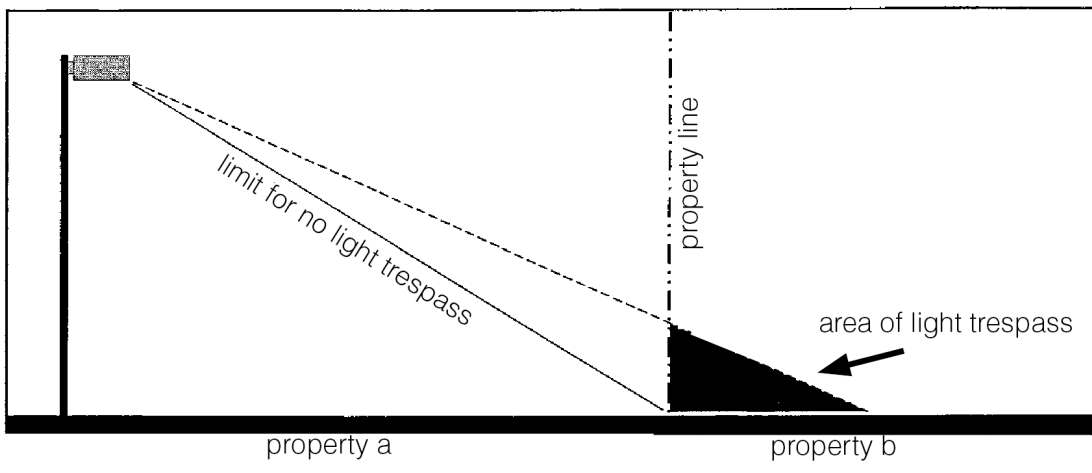
Div. 5.3. Scenic Standards

The purpose of this Division is to maintain the scenic resources of the community. Scenic resources, natural landforms, and dark skies are vital to the community's natural character. Mountains moraines, meadows, and other natural viewsheds provide residents and guests with a constant reminder of their location within the Greater Yellowstone Ecosystem. Interruption of these natural forms by the built environment detracts from Teton County's scenic character and should be avoided.

5.3.1. Exterior Lighting Standards (5/3/21AMD2021-0008)

The purpose of this Section is to allow necessary and reasonable lighting of public and private property for the safety, security, and convenience of occupants and the general public, while eliminating or reducing the nuisance and hazards of light pollution, including, but not limited to: glare, light trespass, sky glow, energy waste, and negative impacts on the nocturnal environment.

- A. Applicability. All exterior lighting, unless exempted below, shall comply with the regulations set forth in this Section. This includes, but is not limited to: lighting



attached to structures, poles, the earth, or any other location.

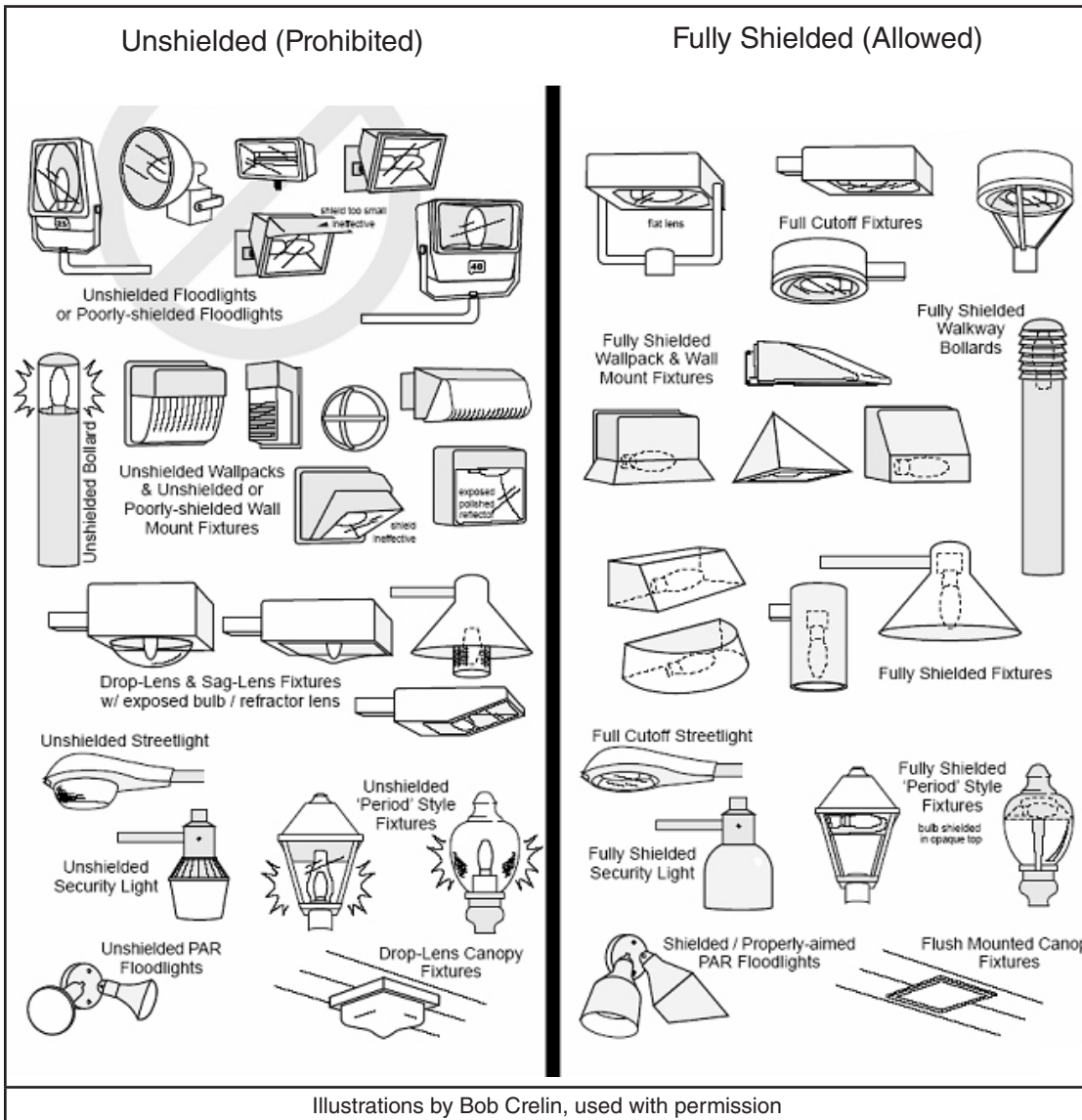
1. Exempt Lighting

- a. Lighting in the public right of way.
- b. Open flame gas lamps.
- c. Flagpole lighting that is shielded and directed downward from the top of the flagpole.
- d. Underwater lighting in swimming pools and other water features
- e. Lighting that is only used by emergency response personnel
- f. Lighting solely for signs (lighting for signs is regulated by Div. 5.6.)

- g. Lighting used primarily for agricultural purposes meeting the standards for exemption in Section 6.1.3.B.

B. Standards

1. **Fully Shielded Light Fixtures.** Any light source whose initial output exceeds 600 lumens shall be fully shielded. Any structural part of the luminaire providing full shielding shall be attached. Fixtures shall be mounted such that no light is emitted above the horizontal plane of the fixture. Light fixtures that project light above the horizontal plane of the fixture may be used where the architecture of the building restricts light above the horizontal plane. Examples of Unshielded (Prohibited) and Fully Shielded (Allowed) lights and luminaires limiting light to the horizontal plane are shown below.



5.3.1. Exterior Lighting Standards (5/3/21AMD2021-0008)

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

How much light is permitted?	All Fixtures	Unshielded Fixtures (for lights emitting fewer than 600 lumens)
Maximum lumens per sq ft of site development		
AC-TC, AR-TC, WC, OP-TC, BP-TC, BC-TC, MHP-TC, P/SP-TC, P-TC	3	Not applicable
R-1, R-2, R-3, NR-1, <u>WHB</u> , NC-TC, S-TC, R-TC	1.5	Not applicable
Maximum lumens per site		
AC-TC, AR-TC, WC, OP-TC, BP-TC, BC-TC, MHP-TC, P/SP-TC, P-TC	100,000	5,500
R-1, R-2, R-3, NR-1, <u>WHB</u> , NC-TC, S-TC, R-TC	60,000	4,000

- a. These lumen limits are upper limits and not a design goal; the design goal should be the lowest levels of lighting possible.
- b. Individuals with visual impairments and organizations that primarily serve individuals with visual impairments (e.g. retirement communities, hospices, and hospitals) may use up to 4 times the illumination allowed by this section.

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

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

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

5. **Maximum Pole Height of Light Fixture.**

Zone	Maximum Pole Height of Light Fixtures
AC-TC, AR-TC, WC, OP-TC, BP-TC, BC-TC, MHP-TC, P/SP-TC, P-TC	18 feet
R-1, R-2, R-3, NR-1, <u>WHB</u> , NC-TC, S-TC, R-TC	15 feet

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

5.5.3. Required Plant Units (5/3/21AMD2021-0008)

3. **Plant Schedule.** A plant schedule, identifying symbols, quantity, size, and type of all proposed landscaping and existing vegetation that is proposed for credit.
4. **Planting Plan.** The planting plan shall indicate the location of all proposed landscaping and existing landscaping that is proposed for credit.
5. **Irrigation Statement.** An irrigation statement describing how plant material will be irrigated for a minimum 2 year period or until plant establishment.
6. **Erosion Control.** A description of how erosion is to be controlled on-site, both permanently and during construction.
7. **Cost Estimates.** Cost estimates to implement the landscape plan.

5.5.3. Required Plant Units (5/3/21AMD2021-0008)

A. General

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

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

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

B. Requirements

1. Use or development of a site shall require provision of the following number of plant units.

Required Plant Units per Use by Zone		
Zone	Use	
	Residential	Nonresidential
R-1, R-2	n/a	
R-3, NR-1, <u>WHB</u>	1 per 10,000 sf of floor area	
R-TC	1 per DU	1 per 1,000 sf of floor area
All Others	1 per DU	1 per 1,000 sf of required LSA

2. **Location of Plant Units in Single-Family Subdivisions.** For residential development within single-family subdivisions, the plant unit required per dwelling unit shall be located on each lot of record.

C. Parking Lot Requirements

1. **General.** All parking lots shall comply with the plant unit requirements in the table below.

Required Plant Units per Parking Space by Use and Zone				
Zone	Use			
	Agriculture	Residential	Institutional	All Other Uses
R	0	--	--	1 per 8 spaces
NR-1	--	--	--	1 per 8 spaces
<u>WHB</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>1 per 8 spaces</u>
NC-TC	--	--	--	1 per 8 spaces
S	--	1 per 12 spaces	--	1 per 8 spaces
OP-TC	--	1 per 12 spaces	--	1 per 8 spaces
MHP-TC	--	--	--	1 per 8 spaces
AR-TC	--	1 per 12 spaces	1 per 12 spaces	1 per 8 spaces
AC-TC	--	--	1 per 12 spaces	1 per 8 spaces
BP-TC	--	--	--	1 per 16 spaces
BC-TC	--	--	--	1 per 12 spaces

2. **Existing Trees Can Be Counted.** Existing trees that can be preserved by leaving the area under their canopy substantially undisturbed shall count towards the plant unit requirement for parking lots.
3. **Landscape Objectives.** The primary objectives of parking lot plant units shall be:
 - a. To avoid large, unbroken expanses of asphalt;
 - b. To screen or soften parked vehicles as viewed from off site;
 - c. To provide attractive, pleasing streetscapes; and
 - d. To better define and organize vehicular and pedestrian spaces.

D. Loading Area Requirement

Two plant units per loading bay shall be provided.

E. Standard Plant Unit

This Section describes a standard landscaping element called a “plant unit.” It serves as a basic measure of plant material.

1. **Standard Plant Units.** Three standard plant unit alternatives are identified in the table below. Any one or a combination of the alternatives may be used. Some of the alternatives, however, may be required upon review of the proposed landscape plan.

Article 6. Use Standards Applicable in All Zones

- Div. 6.1. Allowed Uses 6-2**
 - 6.1.1. Use Schedule (5/3/21AMD2021-0008)6-2
 - 6.1.2. Classification of Uses (1/4/21).....6-7
 - 6.1.3. Open Space Uses (1/4/21)6-9
 - 6.1.4. Residential Uses (1/1/17) 6-14
 - 6.1.5. Lodging Uses (1/4/21)6-16
 - 6.1.6. Commercial Uses (1/1/17)..... 6-19
 - 6.1.7. Amusement and Recreation Uses (4/1/16)6-22
 - 6.1.8. Institutional Uses (1/4/21).....6-23
 - 6.1.9. Industrial Uses (1/4/21).....6-26
 - 6.1.10. Transportation and Infrastructure Uses (5/3/21AMD2021-0008)6-32
 - 6.1.11. Accessory Uses (3/9/20).....6-53
 - 6.1.12. Temporary Uses (1/4/21).....6-60
- Div. 6.2. Parking and Loading Standards 6-68**
 - 6.2.1. Purpose (1/1/15).....6-68
 - 6.2.2. Required Parking and Loading (7/18/18)6-68
 - 6.2.3. Location of Required Parking (1/1/15)6-72
 - 6.2.4. Maintenance of Off-Street Parking and Loading (1/1/15).....6-72
 - 6.2.5. Off-Street Parking and Loading Design Standards (5/3/21AMD2021-0008).....6-73
- Div. 6.3. Affordable Workforce Housing Standards 6-78**
 - 6.3.1. Purpose and Findings (7/18/18).....6-78
 - 6.3.2. Applicability (1/4/21)6-80
 - 6.3.3. Amount of Affordable Workforce Housing Required (1/5/21)6-83
 - 6.3.4. Type of Affordable Workforce Housing Required (7/18/18)6-88
 - 6.3.5. Method for Providing Required Affordable Workforce Housing (5/3/21AMD2021-0008)6-90
 - 6.3.6. Housing Mitigation Plan and Housing Mitigation Agreement (7/18/18)6-97
- Div. 6.4. Operational Standards 6-100**
 - 6.4.1. Outside Storage (1/4/21)6-100
 - 6.4.2. Refuse and Recycling (7/19/16).....6-101
 - 6.4.3. Noise (5/3/21)6-102
 - 6.4.4. Vibration (7/19/16).....6-103
 - 6.4.5. Electrical Disturbances (7/19/16)6-103
 - 6.4.6. Fire and Explosive Hazards (1/1/15)6-103
 - 6.4.7. Heat and Humidity (4/1/16).....6-103
 - 6.4.8. Radioactivity (1/1/15).....6-104
 - 6.4.9. Other Prohibitions (7/19/16)6-104

Div. 6.1. Allowed Uses

6.1.1. Use Schedule (5/3/21AMD2021-0008)

The Use Schedule establishes the principal, accessory, and temporary uses allowed in each zone. The definitions and standards for each use are established in Sec. 6.1.3.-Sec. 6.1.12. and referenced in the table. Additional uses may be allowed in a zone as part of an allowed development option as specified in Div. 7.1. The permit required for each allowed use is designated using the following symbols.

- A. “Y” denotes an allowed use that does not require a use permit. Physical development permits are still required as applicable.
- B. “B” denotes an allowed use that requires a Basic Use Permit to be obtained pursuant to Sec. 8.4.1.
- C. “C” denotes an allowed use that requires a Conditional Use Permit to be obtained pursuant to Sec. 8.4.2. A conditional use is generally compatible with the character of a zone but requires individual review of its configuration, density, and intensity in order to mitigate effects that may be adverse to the desired character of the zone.
- D. “S” denotes an allowed use that requires a Special Use Permit to be obtained pursuant to Sec. 8.4.3. Special uses are inherently incompatible with the character of the zone, but essential to the community; and therefore some provision must be made for their existence and operation. Special uses require specified locations due to common neighborhood opposition. These locations shall be determined by a comprehensive community-wide selection process designed to identify locations that best serve the special use while minimizing the negative impacts and obtrusiveness. Special uses also require individual review of their configuration, density, and intensity in order to mitigate effects that are adverse to the desired character of the zone.

E. Permit Exemption for Emergency Response

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

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

F. Use Schedule

The use schedule is established in the following tables.

County Character Zones - Allowed Uses						
USE CATEGORY	Complete Neighborhood Zones		Rural Area Zones			Def/ Stds
Specific Use	NR-1	WHB	R-1	R-2	R-3	
Open Space						<u>6.1.3.</u>
Agriculture	Y	<u>Y</u>	Y	Y	Y	<u>6.1.3.B.</u>
Outdoor Recreation	--	<u>C^z</u>	C ^z	--	--	<u>6.1.3.C.</u>
Dude/Guest Ranch	--	<u>--</u>	C ^z	--	--	<u>6.1.3.E.</u>
Residential						<u>6.1.4.</u>
Detached Single-Family Unit	Y	<u>Y</u>	Y	Y	Y	<u>6.1.4.B.</u>
Attached Single-Family Unit	--	<u>--</u>	--	--	--	<u>6.1.4.C.</u>
Apartment	--	<u>--</u>	--	--	--	<u>6.1.4.D.</u>
Mobile Home	--	<u>--</u>	--	--	--	<u>6.1.4.E.</u>
Dormitory	--	<u>--</u>	--	--	--	<u>6.1.4.F.</u>
Group Home	--	<u>--</u>	--	--	--	<u>6.1.4.G.</u>
Lodging						<u>6.1.5.</u>
Conventional Lodging	--	<u>--</u>	--	--	--	<u>6.1.5.B.</u>
Short-Term Rental Unit	--	<u>--</u>	--	--	--	<u>6.1.5.C.</u>
Campground	--	<u>--</u>	C ^z	--	--	<u>6.1.5.D.</u>
Commercial						<u>6.1.6.</u>
Office	--	<u>--</u>	--	--	--	<u>6.1.6.B.</u>
Retail	--	<u>--</u>	--	--	--	<u>6.1.6.C.</u>
Service	--	<u>--</u>	--	--	--	<u>6.1.6.D.</u>
Restaurant/Bar	--	<u>--</u>	--	--	--	<u>6.1.6.E.</u>
Heavy Retail/Service	--	<u>--</u>	C (A) ^z	--	--	<u>6.1.6.F.</u>
Mini-Storage Warehouse	--	<u>--</u>	--	--	--	<u>6.1.6.G.</u>
Nursery	--	<u>C^z</u>	C ^z	--	--	<u>6.1.6.H.</u>
Amusement/Recreation						<u>6.1.7.</u>
Amusement	--	<u>--</u>	--	--	--	<u>6.1.7.B.</u>
Developed Recreation	--	<u>--</u>	C ^z	--	--	<u>6.1.7.D.</u>
Outfitter/Tour Operator	--	<u>C^z</u>	C ^z	--	--	<u>6.1.7.E.</u>
Institutional						<u>6.1.8.</u>
Assembly	--	<u>C^z</u>	C ^z	C ^z	--	<u>6.1.8.B.</u>
Daycare/Education	--	<u>C^z</u>	C ^z	C ^z	--	<u>6.1.8.C.</u>

Y = Use allowed, no use permit required (A) = Use only allowed as an accessory use -- = Use not allowed

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

^z = Use also subject to zone specific standards

County Character Zones - Allowed Uses						
USE CATEGORY	Complete Neighborhood Zones		Rural Area Zones			Def/ Stds
Specific Use	NR-1	WHB	R-1	R-2	R-3	
Industrial						<u>6.1.9.</u>
Light Industry	--	=	C (A) ^z	--	--	<u>6.1.9.B.</u>
Heavy Industry	--	=	--	--	--	<u>6.1.9.C.</u>
Disposal	--	=	--	--	--	<u>6.1.9.D.</u>
Junkyard	--	=	--	--	--	<u>6.1.9.E.</u>
Gravel Extraction and Processing		S				<u>6.1.9.F.</u>
Transportation/Infrastructure						<u>6.1.10.</u>
Parking	--	=	--	--	--	<u>6.1.10.B.</u>
Utility Facility	C	C ^z	C ^z	C ^z	C	<u>6.1.10.C.</u>
Wireless Communication Facilities						<u>6.1.10.D.</u>
Aviation	--	=	C ^z	--	--	<u>6.1.10.E.</u>
Accessory Uses						<u>6.1.11.</u>
Accessory Residential Unit	B ^z	B ^z	B ^z	B ^z	B ^z	<u>6.1.11.B.</u>
Bed and Breakfast	--	=	C	--	--	<u>6.1.11.C.</u>
Home Occupation	B	B	B	B	B	<u>6.1.11.D.</u>
Home Business	C	C ^z	C	C	C	<u>6.1.11.E.</u>
Family Home Daycare	B	B	B	B	B	<u>6.1.11.F.</u>
Home Daycare Center	C	C ^z	--	--	--	<u>6.1.11.G.</u>
Drive-In Facility	--	=	--	--	--	<u>6.1.11.H.</u>
Temporary Uses						<u>6.1.12.</u>
Christmas Tree Sales	--	Y	Y	--	--	<u>6.1.12.B.</u>
Real Estate Sales Office	--	B	C	--	--	<u>6.1.12.C.</u>
Temporary Shelter	B	B	B	B	B	<u>6.1.12.D.</u>
Farm Stand	--	B	B	--	--	<u>6.1.12.E.</u>
Temp. Gravel Extraction and Processing	B	B	B	B	B	<u>6.1.12.F.</u>
Special Event	Y	Y	Y	Y	Y	<u>6.1.12.G.</u>

Y = Use allowed, no use permit required (A) = Use only allowed as an accessory use -- = Use not allowed
 B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required
^z = Use also subject to zone specific standards

- v. **No Negative Impact.** No extraction shall be permitted that is deemed by the County to have a negative impact on the river, or on landowners adjacent to the river with respect to bank erosion or potential flooding. If more than one river extraction site has been approved or executed within the same vicinity as the extraction site in question, the cumulative impacts of such river extraction shall also be considered when assessing potential negative impacts on the river or on landowners adjacent to the river.
 - j. **Surrounding Vegetation.** Vegetation within the setbacks from the property boundary shall be preserved and supplemented, as necessary, for mitigation of negative impacts. Existing native vegetation on the operation site shall be preserved to the maximum extent possible.
 - k. **Water Supply.** Extraction and filling of a reservoir shall not infringe on downstream appropriator's rights as established by the State Engineer's Office.
6. **State/Federal Requirements.** Compliance with the standards of this Section and these LDRs shall not be construed to replace, supersede, or override any State or Federal requirements that may apply.

6.1.10. Transportation and Infrastructure Uses (5/3/21AMD2021-0008)

A. All Transportation and Infrastructure Uses

- 1. **Definition.** A transportation or infrastructure use is the use of land or water to provide for the movement or storage of vehicles, water, sewage, power, or other utilities.

B. Parking

- 1. **Definition.** Parking is the use of a property for parking of motor vehicles that is not ancillary to another use on-site.
 - a. **Includes:**
 - i. Surface parking
 - ii. Parking structure

C. Utility Facility

- 1. **Definition.** A utility facility is a central component to the provision of a public or semi-public utility that requires a structure.
 - a. **Includes:**
 - i. substations for electrical, natural gas, and other similar utilities
 - ii. sewage treatment plants and related septic dump facilities, and substations
 - iii. water supply facilities including water tanks and treatment facilities

- iv. solid waste facilities including collection and transfer facilities
- v. broadcasting towers and dish antenna for radio and TV

b. Does Not Include:

- i. residential satellite dishes
- ii. antennas used for the reception of television broadcast signals
- iii. transformers
- iv. junction boxes
- v. standard underground utilities such as water, sewer, natural gas, power, and telephone lines
- vi. booster pumps, lift stations, and other small structures appurtenant to standard underground utilities
- vii. wireless communications facilities
- viii. pedestals
- ix. other appurtenances that do not require a structure

2. Standards

- a. Utilities listed above in 1.b. do not require a use permit, except for wireless communications facilities (see 6.1.10.D). The physical development associated with them is not required to meet structure or site development setbacks if the physical development is located within an easement or lot designated for the utility proposed.
- b. All utility facilities shall be located and designed to minimize negative impacts on natural resources, designated scenic areas, agricultural operations, and residential development and uses. A landscaping plan, pursuant to Div. 5.5. shall be submitted that is designed to screen the utility as viewed from roads and habitable structures.
- c. Utility facilities housing equipment shall be designed with as low a profile as possible. If the surrounding uses are residential, the building style shall be compatible with the surrounding land uses.

D. Wireless Communications Facilities

- 1. **Definitions.** A wireless communication facility provides communication services without physical connection.
 - a. **Wireless communications facility.** Equipment at a fixed location which enables wireless communications between user equipment and a communications network, including radio transceivers, antennas, wires, coaxial or fiber-optic cable or other cables, regular and backup power supplies, and comparable equipment, regardless of technological

configuration, and equipment associated with wireless communications. The term does not include: (i) The structure or improvements on, under, within, or adjacent to the structure on which the equipment is collocated; (ii) Wireline backhaul facilities; or (iii) Coaxial or fiber-optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

b. Includes:

- i. commercial wireless telecommunication
- ii. wireless internet access
- iii. unlicensed wireless services
- iv. common carrier wireless exchange access services
- v. temporary cell-on-wheels
- vi. distributed antenna system (DAS)
- vii. **small wireless facility.** A type of wireless facility mounted on structures not greater than 50 feet in height on which each wireless provider's individual antenna could fit within an enclosure of no more than three cubic feet in volume, and collective antenna could fit within an enclosure of no more than six cubic feet in volume, and for which all other wireless equipment associated with the wireless facility, whether ground-mounted or pole-mounted, is cumulatively no more than 28 cubic feet in volume, not including any: electric meter; concealment element; telecommunications demarcation box; grounding equipment; power transfer switch; cut-off switch; vertical cable run for the connection of power or other service; wireless provider antenna; or coaxial or fiber-optic cable that is immediately adjacent to or directly associated with a particular combined location, unless the cable is a wireline backhaul facility.

2. County Standards

- a. **Purpose.** The purpose of this Subsection is to establish general guidelines for the locating of wireless communication towers, small wireless facilities, antenna, ground equipment and related accessory structures. The purpose and intent of this Subsection are to:
 - i. Minimize the impacts of wireless communications facilities on surrounding land uses by establishing standards for location, structural integrity, and compatibility.
 - ii. Encourage the location and collocation of communications equipment on existing structures thereby minimizing new visual, aesthetic, and public safety impacts, effects upon the natural environment and wildlife, and reducing the need for additional towers.

- iii. Accommodate the growing need and demand for wireless communications services.
 - iv. Respond to the policies embodied in the Telecommunications Act of 1996 in such a manner as not to unreasonably discriminate between providers of functionally equivalent personal wireless services or to prohibit or have the effect of prohibiting personal wireless services.
 - v. Respond to the policies embodied in the Federal Communication Commission's Declaratory Ruling and Third Report and Order of September 27, 2018, in such a manner as to not effectively prohibit the provision of wireless services and to comply with the rules governing small wireless facilities.
 - vi. Establish review procedures to ensure that applications for communications facilities are reviewed for compliance with federal, state and local regulations and acted upon within a reasonable period of time as required by applicable state and federal regulations.
 - vii. Protect the character of the County while meeting the needs of its citizens to enjoy the benefits of communications services.
 - viii. The provisions of this Section are not intended to and shall not be interpreted to prohibit or to have the effect of prohibiting personal wireless services. This chapter shall not be applied in such a manner as to unreasonably discriminate between providers of functionally equivalent personal wireless services.
- b. **Exempt Facilities.** The following items are exempt from the standards for wireless communication facilities; notwithstanding any other provisions:
- i. Satellite earth stations used for the transmission or reception of wireless communications signals with satellites, that are 1 meter (39.37 inches) or less in diameter in all residential zones and 2 meters or less in all other zones.
 - ii. A temporary wireless communications facility, upon the declaration of a state of emergency by federal, state, or local government, and a written determination of public necessity by the Teton County designee; except that such facility must comply with all federal and state requirements. No communications facility shall be exempt from the provisions of this Section beyond the duration of the state of emergency.
 - iii. A government-owned communications facility erected for the purposes of installing antenna(s) and ancillary equipment necessary to provide communications for public health and safety.
 - iv. A temporary wireless communications facility for the purposes of providing coverage of a special event, and subject to federal and state requirements. Said communications facility may be exempt from the provisions of this Section up to one week before and after the duration of the special event.

- v. Amateur radio towers solely used for licensed amateur services.
- c. **Permits Required.** New antennas, small wireless facilities, and towers shall be permitted as follows:
 - i. **Basic Use Permit.** New collocations, equipment modifications (except modifications qualifying as 8.2.13.B.2.), small wireless facilities and support poles outside a public right of way, tower replacement/upgrades no more than 10% taller than the original tower, attached antennas, and concealed towers meeting the performance criteria require a basic use permit.
 - ii. **Conditional Use Permit.** Creation of a new non-concealed tower, concealed towers that do not meet the performance criteria, tower replacement/upgrades more than 10% taller than the original tower, or modifications to existing towers that constitute a substantial change require a conditional use permit.
- d. **Processing Timelines for Basic Use Permit and Conditional Use Permit**
 - i. An application for a Basic Use Permit shall be approved or denied within ninety (90) days of receipt of an application by the County, except for eligible facility request modifications and collocations, pursuant to subsection (f)ii below, and small wireless facility collocations, which shall be approved or denied within sixty (60) days of an application. The time periods herein shall be tolled while an application is incomplete. Completeness of an application and the tolling periods shall be interpreted pursuant to the Federal Communications Commission's Report and Order in Docket 13-238 released October 21, 2014, as amended and the Federal Communications Commission's Declaratory Ruling and Third Report and Order in Docket 17-79 and 17-84 released September 27, 2018 as amended.
 - ii. An application for a Conditional Use Permit shall be approved or denied within one hundred fifty (150) days of receipt of any application by the County. The time periods herein shall be tolled while an application is incomplete. Completeness of an application and the tolling periods shall be interpreted pursuant to the Federal Communications Commission's Report and Order in Docket 13-238 released October 21, 2014, as amended.
 - iii. **Tolling and Sufficiency**
 - a). **Determination of Sufficiency.** For all wireless communications facility applications, determination of sufficiency will occur within ten (10) days of submittal. The applicant shall receive written notice of incompleteness within ten (10) days of submittal.

- b). **Non-Small Wireless Facility Applications.** If an application is determined incomplete and the applicant receives written notice within ten (10) days of submittal, the processing timeline, or “shot clock”, for the application shall toll.
 - c). **Small Wireless Facility Applications.** If an application is determined incomplete and the applicant receives written notice within ten (10) days of submittal, the processing timeline, or “shot clock,” shall reset upon submittal of supplemental information. For subsequent determinations of sufficiency, the “shot clock” shall toll if the application is determined insufficient and the applicant is notified within ten (10) days of resubmittal.
- e. **General Requirements**
- i. **Location Preference of New Antenna Array & New Towers.** Locating a new antenna array and new tower shall be in accordance with the below preferred locating alternatives order. Where a lower ranked alternative is proposed, the applicant must file relevant information demonstrating that despite diligent efforts to adhere to the established hierarchy within the search area, higher ranked options are not technically feasible, practical or justified given the location of the proposed wireless communications facility:
 - a). Concealed attached antenna, collocated or combined antenna on an existing tower
 - b). Non-concealed attached antenna
 - c). Concealed freestanding tower
 - d). Substantial changes to an existing tower
 - e). Non-concealed freestanding tower
 - ii. Collocation, and other modifications to existing facilities pursuant to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. §1445(a)).
 - a). Modifications to facilities that involve the addition, removal, and/or replacement of transmission equipment that do not substantially change the physical dimensions of an existing tower, antenna support structure or base station shall be subject to the basic use permit requirements of c.i. Streamlined process for collocation approvals are subject to the procedures set forth for a Basic Use Permit.
 - b). For the purpose of this Subsection, “substantial change” means the following:

- 1). The mounting of the proposed antenna on the tower would increase the existing height of the tower by more than 10%, or by the height of one additional antenna array with separation between the top of the nearest existing antenna to the base of the proposed antenna not to exceed twenty feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to avoid interference with existing antennas; or
 - 2). The mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved (not to exceed four) or more than one new equipment shelter; or
 - 3). The mounting of the proposed antenna would involve adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or
 - 4). The mounting of the proposed antenna would involve excavation outside the current tower site, defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site.
- c). Increases to height allowed by e.ii. above the existing tower shall be based on the maximum height allowed by the original approval (if applicable), not affect any tower lighting, and shall comply with 5.3.2.H. Concealed attached antennas located on a roof top, not constructed exclusively for wireless service, shall not be considered a tower or a base station and shall be limited to the maximum height approved.
- d). Additional equipment shall maintain the appearance intended by the original facility, including, but not limited to, color, screening, landscaping, camouflage, concealment techniques, mounting configuration, or architectural treatment. Notwithstanding this provision, the Planning Director may approve a modification where maintaining the original design is not feasible, provided that the applicant provides evidence demonstrating that the modification's design or configuration is necessary, does not defeat the existing concealment technique in the view of a reasonable person, and is the least obtrusive means of accomplishing the objective.

- iii. **Tower Replacement/Upgrade.** Existing towers may be replaced or upgraded pursuant to this Section, provided that the replacement or upgrade accomplishes a minimum of one of the following: 1) reduces the number of towers; 2) reduces the number of nonconforming towers; 3) replaces an existing tower with a new tower to improve either network functionality or structural integrity; 4) replaces an existing nonconcealed tower with a concealed tower. Replacements and upgrades are subject to the following:
 - a). **Setbacks.** A replacement of an existing tower shall not be required to meet new setback standards so long as the new tower and its equipment compound are no closer to any property lines or dwelling units as the tower and equipment compound being replaced, even if the old tower had nonconforming setbacks.
 - b). **Breakpoint Technology.** A replacement tower shall use breakpoint technology in the design.
 - c). **Landscaping.** At the time of replacement or upgrade, the tower equipment compound shall be brought into compliance with any applicable landscaping requirements.
- iv. **Concealed & Non-concealed Attached Antenna.** Antennas may be mounted onto a support structure that is not primarily constructed for the purpose of holding attachment antennas, subject to the following standards:
 - a). Concealed and non-concealed attached antennas are permitted in all zones.
 - b). The top of the concealed attached antenna shall not extend more than 15 feet above the existing or proposed building or structure to which it is attached. Notwithstanding this provision, the height of the antenna shall not extend more than 8 feet above the maximum allowed height for a structure in the zone in which it is located.
 - c). Non-concealed attachments shall be allowed only on electrical transmission towers, utility poles, and existing light stanchions subject to approval by the Planning and Building Services Department and utility company. Additional height may be allowed to accommodate the minimum safety separation necessary from electrical lines, as required by the National Electrical Safety Code and the utility provider.
 - d). Except for non-concealed attached antennas, feed lines and antennas shall be designed to architecturally match the façade, roof, wall, and/or structure on which they are affixed or otherwise blend with the existing structural design, color, and texture.

- e). Where the proposed attached antennas do not meet the standards set forth by subsections B through D above, a Conditional Use Permit is required, with a neighbor notification radius of 1,300 feet, and a Wireless Adjustment (if applicable).
- f). If an equipment compound or cabinet is proposed that is not within an existing building, the standards in 6.1.10.D.2.e.v.e-f. shall apply.
- v. **Concealed and Non-concealed Towers.** New freestanding towers are permitted in the following zones: AC-TC, BC-TC, BP-TC, NC-TC, NR-1, WHB, P, PR, P/SP-TC, R-1, R-2, R-3, R-TC, S-TC, and WC. All new freestanding towers are required to be concealed unless it can be clearly demonstrated to the satisfaction of the Board of County Commissioners that a non-concealed tower will more effectively minimize visual impacts than a concealed tower. New freestanding towers are prohibited in the AR-TC, MHP-TC, OP-TC, and PUD-AH zones. All new communications towers shall be subject to the following standards:
 - a). **Performance Criteria for Concealed Towers.** To encourage facilities that blend well with Teton County's landscape, concealed towers that meet the following performance criteria may be processed as a Basic Use Permit. Performance criteria:
 - 1). The concealed tower is designed to resemble the surrounding landscape and other natural features and is designed to be contextual in size, shape, and color with the scenic content immediately adjacent to its location. Flagpoles or new light stanchions, or other similar man-made structures, will be processed as a Conditional Use facility.
 - 2). A minimum of 70% of the concealed tower is screened from view by existing vegetation, topography, or other existing structures from any State Highway and all County Roads designated a Scenic Areas pursuant to 5.3.2.B.
 - 3). Viewsheds are not significantly impacted by the proposed concealed facility.
 - 4). The concealed tower does not extend higher than the dominant background where it is located or otherwise penetrate the skyline as defined in 5.3.2.H.
 - 5). For proposals with a height of less than 75 feet tall that meet the performance criteria, the Planning Director shall review a photosimulation, site plan, and elevation of the proposed tower, and staff shall approve or deny a Basic Use Permit review process within two weeks after the Preapplication Conference meeting.

C. Display of Vehicles for Sale

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

D. Repair Work Prohibited

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

E. Snow Storage Prohibited

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

6.2.5. Off-Street Parking and Loading Design Standards

[\(5/3/21AMD2021-0008\)](#)

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

A. Surface and Drainage

1. **Compaction and Drainage.** Parking and loading areas, aisles, and access drives shall be compacted and paved or surfaced in conformity with applicable specifications to provide a durable surface, shall be graded and drained so as to dispose of surface water runoff without damage to private or public land, roads, or alleys, and shall conform with any additional standards for drainage prescribed by these LDRs, or other applicable regulations and standards.
2. **Paving Required.** Outdoor, off-street parking and loading areas, aisles and access drives shall be paved, except for the uses listed below, in which case parking areas, aisles and access drives may be gravel.
 - a. Detached single-family unit.
 - b. Uses in the BP-TC, R-1, R-2, R-3, NR-1, **WHB**, NC-TC, S-TC, and R-TC where the Planning Director determines there is no need to delineate required parking, loading or access areas.
3. **Landscape Islands.** Parking lots shall include landscaped islands to avoid large expanses of asphalt and shall be screened from off-site, or their view substantially filtered by vegetation.

B. Access and Circulation Standards

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

D. Required Components of Livability

Each required affordable or workforce housing unit shall include, at a minimum, the components of livability required by the Housing Department Rules and Regulations.

E. Compliance with Rules and Regulations

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

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

6.3.5. Method for Providing Required Affordable Workforce Housing (5/3/21AMD2021-0008)

A. Standards Applicable to All Methods

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

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

B. Preferred Methods

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

1. Construction of required affordable workforce housing on the site of the employee generating development, or off-site. Below are LDRs intended to facilitate construction of required affordable workforce housing.
 - a. **FAR exemption for affordable or workforce housing units.** Applies in the WC zone, see the applicable zone.
 - b. **FAR increases for more units.** Applies in the AR zone, see the applicable zone.
 - c. **FAR exemption for ARUs accessory to a nonresidential use.** Applies in the AC, WC, OP, BP, R-1, R-2, R-3, NR-1, WHB, BC, and R zones, see the applicable zone.

Article 7. Development Option and Subdivision Standards Applicable in All Zones

Div. 7.1. Development Option Standards	7-3
7.1.1. Development Options Schedule (5/3/21AMD2021-0008)	7-3
7.1.2. Rural Area Planned Residential Development (Rural PRD) (7/18/18AMD2021-0008)	7-5
7.1.3. Urban Cluster Development (UCD) (1/1/15).....	7-7
7.1.4. Mobile Home Park (1/4/21)	7-7
7.1.5. Floor Area Option (7/18/18AMD2021-0008)	7-11
7.1.6. Complete Neighborhood Planned Residential Development (CN-PRD) (1/4/21AMD2021-0008)	7-13
Div. 7.2. Subdivision Standards	7-16
7.2.1. Subdivision Types Schedule (5/3/21AMD2021-0008)	7-16
7.2.2. Standards Applicable to all Subdivision (1/1/15).....	7-17
7.2.3. Land Division Standards (1/1/15).....	7-19
7.2.4. Condominium and Townhouse Subdivisions (1/1/15).....	7-19
Div. 7.3. Conservation Area Standards	7-20
7.3.1. Purpose and Applicability (4/1/16)	7-20
7.3.2. Conservation Value Identification (4/1/16).....	7-20
7.3.3. Conservation Area Configuration (4/1/16).....	7-21
7.3.4. Conservation Area Allowances (4/1/16)	7-23
7.3.5. Record of Conservation Area Restriction (1/4/21)	7-24
Div. 7.4. [deleted] (7/18/18)	7-25
Div. 7.5. Development Exaction Standards.....	7-25
7.5.1. Development Exactions (1/6/20)	7-25
7.5.2. Park Exactions (1/6/20).....	7-25
7.5.3. School Exactions (1/6/20).....	7-30
Div. 7.6. Transportation Facility Standards.....	7-35
7.6.1. Purpose (1/1/15).....	7-35
7.6.2. Access to Roads, Streets and Highways (1/1/15)	7-35
7.6.3. Streets, Alleys, and Easements (1/1/15).....	7-36
7.6.4. Street and Road Standards (1/4/21)	7-36
7.6.5. Easements and Right-of-Way Dedication (1/1/15).....	7-45
7.6.6. Clear View of Intersecting Streets (1/1/15).....	7-48
Div. 7.7. Required Utilities	7-49
7.7.1. Purpose (1/1/15).....	7-49
7.7.2. Potable Water Supply (1/1/15).....	7-49
7.7.3. Sanitary Sewer Systems (1/1/15)	7-49
7.7.4. Irrigation Ditch Systems and Design (1/1/15).....	7-50
7.7.5. Other Utilities (1/4/21)	7-52
7.7.6. Fuel Storage Tanks (1/1/15)	7-53

Div. 7.8. Workforce Housing Incentive Program (~~1/1/17~~)..... 7-53

7.8.1. Intent (AMD2021-0008)7-53

7.8.2. Cumulative Limit on Incentives (AMD2021-0008)7-53

7.8.3. Deed Restricted Housing Exemption (AMD2021-0008).....7-53

7.8.4. Workforce Housing Floor Area Bonus (AMD2021-0008).....7-53

Div. 7.1. Development Option Standards

7.1.1. Development Options Schedule (5/3/21AMD2021-0008)

The tables below establish the development options allowed in each zone. The standards for each development option are established in this Division. The density and intensity requirements for each development option are located in the standards for the zone, found in [Article 2.-Article 4.](#) The thresholds for permitting allowed development options are also established by zone.

County Character Zones - Development Options					
Option	Complete Neighborhood Zones			Rural Area Zones	
	NR-1	WHB		R-1	R-2 R-3
Rural PRD (7.1.2.)	--	DEV*		DEV*	DEV* --
Mobile Home Park (7.1.4.)	--	=		--	-- --
Floor Area Option (7.1.5.)	--	DOP		DOP	DOP --
CN-PRD (7.1.6.)	--	SKC		SKC	SKC --
<u>Workforce Home Business (2.2.2.)</u>	--	DEV*		--	-- --

Key: SKC = Sketch Plan required DEV = Development Plan required DOP = Development Option Plan required
 -- = Development option prohibited * = Sketch Plan optional

County Legacy Zones - Development Options												
Option	Complete Neighborhood Zones					Rural Area Zones				Civic Zones		
	AC-TC	AR-TC	WC	OP-TC	BP-TC	BC-TC	MHP-TC	NC-TC	S-TC	R-TC	P/SP-TC	P
Rural PRD (7.1.2.)	--	--	--	--	--	--	--	--	--	DEV*	--	--
Mobile Home Park (7.1.4.)	--	--	--	--	--	--	P	--	--	--	--	--
Floor Area Option (7.1.5.)	--	--	--	--	--	--	--	--	--	DOP	--	--
CN-PRD (7.1.6.)	--	--	--	--	--	--	--	--	SKC	SKC	--	--
<u>Workforce Home Business (2.2.2.)</u>	--	--	--	--	--	--	--	--	--	--	--	--

Key: P = Development option allowed with appropriate permit -- = Development option prohibited
 SKC = Sketch Plan required DEV = Development Plan required DOP = Development Option Plan required
 * = Sketch Plan optional

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7.1.2. Rural Area Planned Residential Development (Rural PRD) (7/18/18AMD2021-0008)

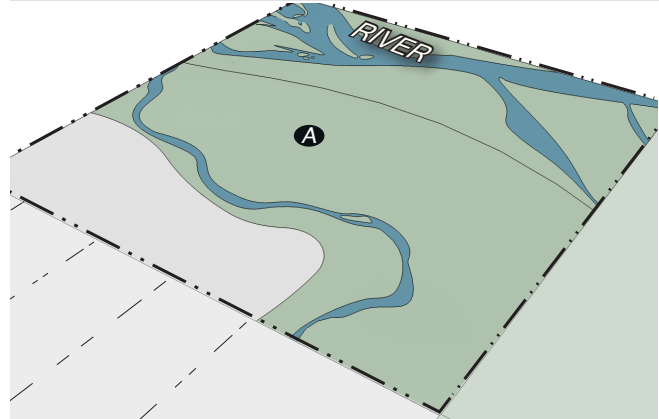
A. Intent

1. **Purpose.** The purpose of the Rural PRD is to encourage conservation of open space and clustering of development by granting more density in exchange for clustering and permanently conserved open space. The goal of the Rural PRD is to provide a rural area landowner with a subdivision option that is better for wildlife, scenery, and/or agriculture than just selling individual 35 acre tracts.
2. **Location.** Each Rural PRD includes a conservation area and one or more development areas that are entirely outside the conservation area. The Rural PRD is the appropriate tool when locating both the conservation area and clustered development area(s) in a rural area of the community, as identified in the Illustration of Our Vision chapter of the Comprehensive Plan.
3. **Comprehensive Plan.** The Rural PRD is primarily based on the Comprehensive Plan direction of Policy 1.4.c.
4. **Applicable Zones.** The Rural PRD may be used in the R-1, R-2, WHB, and R-TC zones.

B. Required Conservation Area

The conservation area shall meet the standards of Div. 7.3, in addition to the standards of this Section.

1. Scale



Minimum Gross Site Area

Conservation area GSA (min)	Greater of: A
Conservation area GSA	49 ac
PRD GSA in conservation area	OR 70%

2. **Conservation Value.** At least one of the conservation values listed below shall be a protected conservation value identified pursuant to Subsection 7.3.2.A.
 - a. Wildlife
 - b. Scenic
 - c. Agriculture
3. **Noncontiguous PRD.** The site of a Rural PRD may be noncontiguous pursuant to the rules for measurement in Section 9.4.4.
4. **Already Conserved Land.** Land already under conservation easement shall not count toward the calculation of allowed dwelling units per PRD GSA in Subsection C.1. unless the dwelling units are already allowed by the conservation easement.

EXAMPLE: A 1970s conservation easement reserves 2, 3-acre homesites on 55 acres. The base R1 zoning does not allow 2 units without approval of a PRD. The existing conservation easement may be used in a PRD application for the 2 units allowed by the easement, but may not be used to propose more than 2 units.

7.1.5. Floor Area Option (7/18/18AMD2021-0008)

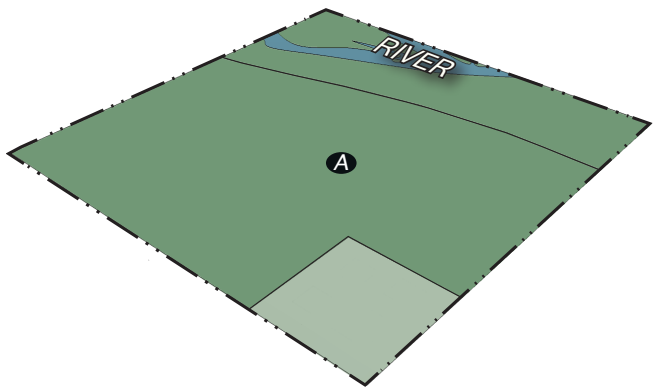
A. Intent

1. **Purpose.** The purpose of the Floor Area Option is to achieve conservation and stewardship of rural parcels on which landscape level clustering is not achievable, or whose owners are willing to relinquish subdivision rights in exchange for additional floor area. The intent of the Floor Area Option is that the stewardship, permanence, and additional limitations on development and use of the conservation area are of greater benefit to the conservation goals of the community than the impacts of the additional floor area.
2. **Location.** The Floor Area Option is primarily intended for use on properties that cannot be subdivided but are large enough to provide conservation value to the community.
3. **Comprehensive Plan.** The Floor Area Option is primarily based on the Comprehensive Plan direction of Policy 1.4.c.
4. **Applicable Zones.** The Floor Area Option may be used in the R-1, R-2, WHB, and R-TC zones.

B. Required Conservation Area

The conservation area shall meet the standards of Div. 7.3, in addition to the standards of this Section.

1. Scale



Minimum Gross Site Area	
Project GSA (min)	35 ac
GSA in conservation area (min)	90% A

2. **Conservation Value.** At least one of the conservation values listed below shall be a protected conservation value identified pursuant to Subsection 7.3.2.A.
 - a. Wildlife
 - b. Scenic
 - c. Agriculture
3. **Noncontiguous Floor Area Option.** The site of a Floor Area Option may be noncontiguous pursuant to the rules for measurement in Section 9.4.4.
4. **Development Area Included.** The reserved development area may be included in the conservation easement, as determined by the holder of the conservation easement. However, the standards of Div. 7.3 shall only apply outside of the development area. Allowances within the development area are established in Subsection C.
5. **Already Conserved Land.** Land already under conservation easement shall not count toward the calculation of additional floor area or ARUs per GSA in Subsection C.1. unless the development is already allowed by the conservation easement.

EXAMPLE: A 1970s conservation easement reserves a 8,000 sf home and 5,000 sf guesthouse on 55 acres. The base R1 zoning does not allow the reserved development without approval of a Floor Area Option. The existing conservation easement may be used in a Floor Area Option application for the development reserved by the easement, but may not be used to propose additional development.

7.1.6. Complete Neighborhood Planned Residential Development (CN-PRD)

(1/4/21AMD2021-0008)

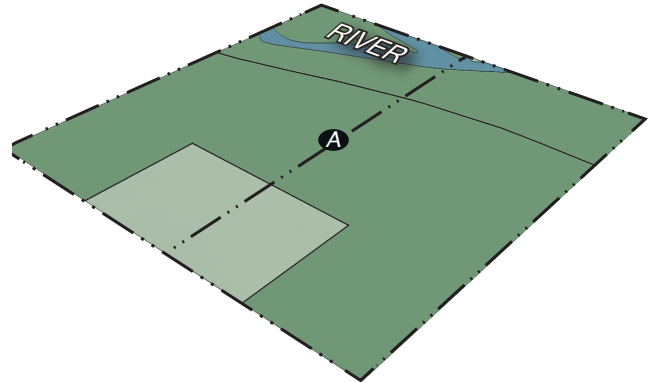
A. Intent

1. **Purpose.** The purpose of the CN-PRD is to encourage conservation and preservation of rural areas of the community in exchange for additional development in complete neighborhood areas identified as appropriate for growth. The goal of the CN-PRD is to provide a conservation incentive that conserves rural areas while also reducing the amount of development potential in those areas.
2. **Location.** Each CN-PRD contains a rural area that includes the required conservation area and may also include reserved rural development areas. Each CN-PRD also contains one or more development areas in a complete neighborhood. Rural areas and complete neighborhoods are identified in the Illustration of Our Vision chapter of the Comprehensive Plan.
3. **Comprehensive Plan.** The CN-PRD is primarily based on the Comprehensive Plan direction of Policies 1.4.a. and 1.4.c.
4. **Applicable Zones.** The CN-PRD may be used in the R-1, R-2, WHB, R-TC, S-TC, and PR zones as further defined in this Section.

B. Required Conservation Area

The conservation area shall meet the standards of Div. 7.3 in addition to the standards of this Section.

1. Scale



Minimum Gross Site Area

Rural GSA (min)	
East of Teton Range (JH)	105 ac
West of Teton Range (Alta)	70 ac
Rural GSA in conservation area (min)	90% A

2. **Location.** The conservation area shall be located in the R-1, R-2, or R-TC zone.
3. **Noncontiguous PRD.** The conservation area may be noncontiguous pursuant to the rules for measurement in Section 9.4.4.
4. **Conservation Value.** At least one of the conservation values listed below shall be a protected conservation value identified pursuant to Subsection 7.3.2.A.
 - a. Wildlife
 - b. Scenic
 - c. Agriculture
5. **Already Conserved Land.** Land already under conservation easement shall not count toward the calculation of allowed CN dwelling units per Rural GSA in Subsection D.1.; and shall not count toward the calculation of allowed Rural dwelling units per Rural GSA in Subsection C.1. unless the dwelling units are already allowed by the conservation easement.

Div. 7.2. Subdivision Standards

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

7.2.1. Subdivision Types Schedule (5/3/21AMD2021-0008)

The tables below establish the subdivision types allowed in each zone. The standards for all subdivisions and each subdivision type are established in this Division. The density and intensity requirements for each subdivision type are located in the standards for the zone, found in [Article 2.-Article 4](#). The thresholds for permitting allowed subdivision are also established by zone.

County Character Zones - Subdivision Types						
	Complete Neighborhood Zones		Rural Area Zones			Standards
	NR-1	WHB	R-1	R-2	R-3	
Land Division	P	P	P	P	P	7.2.3.
Condominium/Townhouse	--	--	--	--	--	7.2.4.

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

County Legacy Zones - Subdivision Types													
	Complete Neighborhood Zones					Rural Area Zones				Civic Zones		Standards	
	AC-TC	AR-TC	WC	OP-TC	BP-TC	BC-TC	MHP-TC	NC-TC	S-TC	R-TC	P/SP-TC		P-TC
Land Division	P	P	P	P	P	P	--	P	P	P	P	P	7.2.3.
Condominium/Townhouse	P	P	P	P	P	P	--	--	P	--	P	P	7.2.4.

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

7.7.6. Fuel Storage Tanks (1/1/15)

[Section number reserved, standards only apply in Town]

Div. 7.8. Workforce Housing Incentive Program (~~1/1/17~~)

~~[Division number reserved, standards only apply in Town]~~

7.8.1. Intent (AMD2021-0008)

This Division establishes incentives for the development of workforce housing. Because not every landowner will use the incentives, this Division manages growth by limiting the actual (rather than a projected) use of the incentives. Sec. 7.8.2. establishes the limit on the cumulative use of the incentives over time.

7.8.2. Cumulative Limit on Incentives (AMD2021-0008)

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

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

7.8.3. Deed Restricted Housing Exemption (AMD2021-0008)

[Section number reserved, standards only apply in Town]

7.8.4. Workforce Housing Floor Area Bonus (AMD2021-0008)

[Section number reserved, standards only apply in Town]