



LDR Restructure & Administrative Procedure Update

Table of Changes updated 9/4/14

Below is a summary of the substantive changes made to the Land Development Regulations through the restructuring and update to the administrative procedures. This document has been updated since its original release to include an explanation of staff's rationale for the proposed changes to the existing regulations. The table is not meant to identify every change, but is provided in-lieu of a redlined comparison of the draft and old regulations, consistent with industry best practice, because the reorganization of the regulations made a redline version infeasible to produce. In general, the most significant changes were made to the content now found in Article 1-General Provisions, Article 8-Administrative Procedures, and Division 6.1-Allowed Uses. While other sections of the LDRs look very different staff limited changes to those needed to remedy inconsistencies. Please refer to the comparison between the draft organization and old organization to compare content. If you have further questions please contact Town or County Planning Staff. Staff has highlighted changes that only apply to the Town in blue, and changes that only apply to the County in Red.

Draft Organization	Old Organization	Content Changes	Change Rationale
Article 1			
1.1: Title	•1000: Title and Citation		
1.2: Authority	•1100: Authority		
1.3: Purpose and Intent	•1200: Purpose	Updated to reflect 2012 Comp Plan	The current purpose and intent division reflects the guiding principles and organization of the 1994 Comp Plan, which were updated in 2012.
1.4: Organization of LDRs	•n/a	New Division describes LDR organization and philosophy	A description of the organization and philosophy of the LDRs should ensure greater consistency and functionality of the LDRs as they are amended in the future. The new organization by zone reflects the Comp Plan's vision of character based planning. The new organization by physical development, use, and development options and subdivision is intended to make the LDRs more user-friendly and facilitate the reuse and redevelopment envisioned in the Comp Plan.

Draft Organization	Old Organization	Content Changes	Change Rationale
1.5: Applicability	<ul style="list-style-type: none"> •1300: Applicability •1500: Repealer 	Updated with relevant dates	Reflects new adoption
		New requirements added that federal, state, and local governments meet LDRs	The Town and County should be required to meet the LDRs to set and example and other governmental entities should also meet the LDRs unless unable by law to do so.
1.6: Relation to Other Regulations	•n/a	New Division establishes that regulations adopted by reference update automatically	Eliminates confusion as to whether to apply a referenced regulation as amended or as it existed at the time of adoption, if the Town and County want local control over the regulation it should be adopted without reference.
		That a more specific regulations trumps a general regulation	This allows or stricter regulations and more lenient allowances that achieve the desired future character identified in the Comp Plan rather than always defaulting to the more restrictive standard.
		That all federal, state, private regulations apply independently of the LDRs	Codifies the practiced policy that the LDRs are independent of other regulations on the same topic and do not substitute for or imply approval of other required permits.
1.7: Establishment of Zoning	<ul style="list-style-type: none"> •2000: Establishment of Zoning •2100: Purpose of Zoning 	Updated to reflect 2012 Comp Plan	Zoning district organization had to be updated to reflect the Complete Neighborhood and Rural Area organization of desired future character identified in the Comp Plan from the Comprehensive Plan.
		New provision added to clarify the location of zoning boundaries	Existing LDRs are unclear that the zoning district boundaries should be scaled off the map if no other method for determining their location is applicable.
1.8: Transitional Provisions	•1400: Effect on Existing Development	Applies to all amendments, not just initial adoption, establishing the LDRs in place at sufficiency of the application (not including any pre-application procedures) as standard for review	Because the adopted LDR update approach is a series of amendments, a single date delineating old and new LDRs does not serve the traditional purpose, it clarifies applicability of all amendments.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Identifies all vested special projects and PUDs	Clarifies which projects have PUD type approvals and are not considered nonconforming, this is an expanded list that codifies existing recognition. This is key to clarifying how to review amendments to old projects.
		Requires that amendments to existing approvals meet current LDRs	Existing approvals are recognized, however in order to focus on desired future character identified in the Comp Plan as envisioned by the Comp Plan, changes to existing approvals should meet the current LDRs.
		Clarifies that violations continue	Codifies existing practice.
1.9: Nonconformities	<ul style="list-style-type: none"> Article VII: Nonconformities 4615 4640: Nonconforming Signs 6300: Adjusting Nonconforming Lots 	Entire division updated. Organized based on physical development, use, development options, and signs to be all inclusive and consolidate all nonconforming standards	Current LDRs only discuss nonconforming structures and use leaving application of nonconforming policy to other situations up to individual interpretation, this organization is all inclusive to clarify the standards for all situations.
		Clarifies that nonconformity is tied to the land and the burden of proof is on landowner	Codifies existing practice.
		Clarifies that nonconformity cannot be created by eminent domain	If the government creates a situation of non-compliance with the LDRs, the landowner should not be held to the standards for nonconformities.
		Less accommodating of continuation of nonconformities	This change covers a number of small changes all intended to implement the Comp Plan to focus on desired future character identified in the Comp Plan. By being less accommodating of continuation of nonconformities that do not represent desired future character identified in the Comp Plan the community is more likely to see the desired future character identified in the Comp Plan realized.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Subdivision of all nonconformities prohibited	Subdivision of nonconformities perpetuates their existence by increasing the number of parties involved in the remedy of the nonconformity. As a result, subdivision of nonconformities decreases the likelihood that the community will achieve its desired future character identified in the Comp Plan.
		Defines lack of a CUP as a nonconforming use	Sets a policy that a conditional use without a CUP shall be treated as a nonconforming use until a CUP is approved, which is unclear today; and sets thresholds for when a CUP application must be submitted in order to get in line with desired future character identified in the Comp Plan.
		clarifies ability to develop a nonconforming lot of record	Codifies existing practice.
1.10: Severability	• 1600: Severability		
Article 2	•		
2.1: All CN Zones	• n/a	New division explains organization; reserves location for future standards applicable to all complete neighborhood zones	Zoning is organized by Complete Neighborhood, Rural Area, and Special Purpose zones to implement the desired future character identified in the Comp Plan described in the Comp Plan.
2.2: CN Character Zones	• n/a	Reserved for new zones	This is the location for new zoning districts that will be created to implement the Comp Plan later in the LDR Update process
2.3: CN Legacy Zones	<ul style="list-style-type: none"> • 2100: Purpose of Zoning • 2370: ARU Standards • 2380: Institutional Residential • 2410: Dimensional Limitations • 2426: Imp. Surface Setbacks • 2440: Lot Coverage • 2450: Max. Scale of 	The listed standards from the old organization were moved only into zone to which they apply. Many other standards are “previewed” in the zone to help the user, but full standard exists elsewhere and is cross-referenced. All standards applicable in the zone are cross-referenced, even if there is no “previewed” content. Language and format in each zone matches new LDR format.	The intent is that all regulations applicable to a particular zone are found or referenced in one place. Most LDR users have a property in mind so this provides a zone specific “Table of Contents” for using the LDRs. Organization by zone focuses on character based regulation as envisioned by the Comp Plan as opposed to the impact based organization of 1994.

Draft Organization	Old Organization	Content Changes	Change Rationale
	Dev. •4260: Parking Setbacks •4400: Res. Arch. Standards •4510 4560: Non-Res. Arch. •51200: Dev. Permit Thresholds	Standards are organized into physical development, use, and development options/subdivision.	This mirrors the structure of the general standards, permitting procedures, and nonconforming standards to clarify applicable regulations and facilitate the redevelopment and reuse envisioned in the Comp Plan rather than the greenfield development assumed by the 1994 regulations.
		Parking and impervious surface setbacks clarified into single site development setback based on parking setback.	Existing regulations have multiple standards for the setback of non-structural site development that can conflict and/or be confusing; this consolidates and simplifies into a single standard.
		Fencing standards applied to all uses not just residential.	Existing fencing standards are organized under the heading of “Residential Standards” making it unclear what, if any, standards apply to a fence on a non-residential property. Staff believes the same rules should apply.
		Accessory structure setbacks simplified.	The existing regulations contain 3 different accessory structure setback regulations. This consolidation eliminates confusion about which applies.
		Cache Creek setback clarified.	This codifies the current practice of only applying the Cache Creek setback above ground.
2.3.1: TS	•See general 2.3 list •3600: Town Square Overlay •4740: Pedestrian Amenities	Town Square Overlay made its own zone because there is only one zone under the overlay.	The overlay concept is unnecessary because the rules do not span multiple zones.
		Accessory Residential Unit added as a basic use	Allowing ARUs is consistent with other zoning and Comp Plan goals for housing, within character of Town Square.
		Home occupation added as a basic use	Home occupation is allowed in zones where residential uses and ARUs are allowed so it is added with the ARU allowance.
		Bed and breakfast prohibited	Detached single-family is prohibited and a bed and breakfast must be accessory to a detached-single family unit.

Draft Organization	Old Organization	Content Changes	Change Rationale
2.3.2: UC	<ul style="list-style-type: none"> •See general 2.3 list •4740: Pedestrian Amenities 	Outfitter/Tour Operator made a conditional rather than basic use;	The storage aspects of an outfitter or tour operator should be a conditional use, given the desired future character identified in the Comp Plan for areas zoned UC and the vehicle-basis of the use.
		Outdoor recreation prohibited;	Outdoor recreation is provided by the Town in the UC and is not consistent with the desired future character identified in the Comp Plan as a private use.
		Education made a basic use;	Grouping education with daycare rather than assembly makes it a basic use. This does not affect home daycare.
		Wireless added as a conditional use;	Wireless is broken out from Utility which is a conditional use
		Temporary Real Estate Sales Office removed as an allowed use	Office is allowed so there is no need to have the temporary use.
2.3.3: UC-2	<ul style="list-style-type: none"> •See general 2.3 list •4740: Pedestrian Amenities 	Mini-storage warehouse added as a conditional use;	Mini-storage warehouse is broken out from Heavy retail/service which is a conditional use
		Outfitter/Tour Operator made a conditional rather than basic use;	The storage aspects of an outfitter or tour operator should be a conditional use, given the desired future character identified in the Comp Plan for areas zoned UC-2 and the vehicle-basis of the use.
		Outdoor recreation prohibited;	Outdoor recreation is provided by the Town in the UC-2 and is not consistent with the desired future character identified in the Comp Plan as a private use.
		Education made a basic use;	Grouping education with daycare rather than assembly makes it a basic use. This does not affect home daycare.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Light industry prohibited;	Light industry is inconsistent with the desired future character identified in the Comp Plan of areas zoned UC-2.
		Temporary Real Estate Sales Office removed as an allowed use	Office is allowed so there is no need to have the temporary use.

Draft Organization	Old Organization	Content Changes	Change Rationale
2.3.4: UR	•See general 2.3 list	Attached single-family unit and apartment added as basic uses;	Allows for multifamily residential consistent with the desired future character identified in the Comp Plan of areas zoned UR
		Education prohibited;	Grouping education with daycare rather than assembly makes it prohibited. This does not affect home daycare.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Outdoor recreation prohibited	Outdoor recreation is provided by the Town in the UR and is not consistent with the desired future character identified in the Comp Plan as a private use.
2.3.5: AC-TOJ	•See general 2.3 list •4740: Pedestrian Amenities	Mini-storage warehouse added as a conditional use;	Mini-storage warehouse is broken out from Heavy retail/service which is a conditional use
		Outfitter/Tour Operator made a conditional rather than basic use;	The storage aspects of an outfitter or tour operator should be a conditional use, given the desired future character identified in the Comp Plan for areas zoned AC.
		Education made a basic use;	Grouping education with daycare rather than assembly makes it a basic use. This does not affect home daycare.
		Parking added as a conditional use	Parking as a conditional use is consistent with the character of the AC
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Temporary Real Estate Sales Office removed as an allowed use	Office is allowed so there is no need to have the temporary use.
2.3.6: AR-TOJ	•See general 2.3 list	Agriculture added as a basic use	With agriculture no longer requiring 70 acres by definition, this allows town-scale agriculture as the sole use of a residential lot.
		Education prohibited	Grouping education with daycare rather than assembly makes it prohibited. This does not affect home daycare.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Temporary Christmas Tree Sales prohibited	Retail, even temporary is inconsistent with the character of AR.

Draft Organization	Old Organization	Content Changes	Change Rationale
2.3.7: OP-TOJ	<ul style="list-style-type: none"> • See general 2.3 list • 2360: Retail in OP 	Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Temporary Shelter added as a basic use	Temporary shelter is allowed in all other zones where residential use is allowed
2.3.8: OP-2	<ul style="list-style-type: none"> • See general 2.3 list • 2365: Retail, etc. in OP-2 	Education prohibited	Grouping education with daycare rather than assembly makes it prohibited. This does not affect home daycare.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Temporary Real Estate Sales Office removed as an allowed use	Office is allowed so there is no need to have the temporary use.
2.3.9: BP-R	<ul style="list-style-type: none"> • See general 2.3 list • 2368: Restricted Uses BP 	Made a separate zoning district rather than a subset of BP	This subarea of the BP zone has its own use and dimensional standards and should be identified on the zoning map not just in the text of the LDRs.
		Attached single-family and apartment made basic uses instead of conditional	Attached single-family and apartment replaced mixed use residential, they were made a basic use because they are consistent with the character of the zone.
		Mini-storage warehouse added as a basic use;	Mini-storage warehouse is broken out from Heavy retail/service which is a basic use
		Daycare/Education added as a conditional use	Consistent with existing use.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Home occupation allowed as a basic use	Home occupation is allowed in zones where residential uses and ARUs are allowed
		Home business prohibited	Detached single-family is not allowed, so home business cannot be allowed.
		Temporary shelter prohibited	Detached single-family is not allowed, so temporary shelter is inappropriate.
2.3.10: BP-TOJ	<ul style="list-style-type: none"> • See general 2.3 list • 4540: Industrial Standards 	Attached single-family and apartment made basic uses instead of conditional	Attached single-family and apartment replaced mixed use residential, they were made a basic use because they are consistent with the character of the zone.
		Mini-storage warehouse added as a basic use;	Mini-storage warehouse is broken out from Heavy retail/service which is a basic use

Draft Organization	Old Organization	Content Changes	Change Rationale
		Daycare/Education added as a conditional use	Consistent with existing use.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Home occupation allowed as a basic use	Home occupation is allowed in zones where residential uses and ARUs are allowed
		Home business prohibited	Detached single-family is not allowed, so home business is not allowed.
		Temporary shelter prohibited	Detached single-family is not allowed, so temporary shelter is inappropriate.
2.3.11: BC-TOJ	<ul style="list-style-type: none"> •See general 2.3 list •2430: Standards in BC 	Agriculture added as a conditional use	Agriculture may be appropriate as a principal use in the BC depending on the surrounding uses
		Mini-storage warehouse added as a conditional use	Mini-storage warehouse is broken out from Heavy retail/service which is a conditional use
		Campground prohibited	Campgrounds are inconsistent with the desired future character identified in the Comp Plan for Town.
		Education prohibited	Grouping education with daycare rather than assembly makes it prohibited. This does not affect home daycare.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Temporary Real Estate Sales Office removed as an allowed use	Office is allowed so there is no need to have the temporary use.
2.3.12: RB	<ul style="list-style-type: none"> •See general 2.3 list •4550: RB 	Mini-storage warehouse added as a conditional use	Mini-storage warehouse is broken out from Heavy retail/service which is a conditional use
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Temporary Real Estate Sales Office removed as an allowed use	Office is allowed so there is no need to have the temporary use.
2.3.13: MHP-TOJ	•See general 2.3 list	NC-MHP and MHP combined into one zone with NC-MHP standards applying to existing mobile home parks and the MHP development option applying to new parks.	With no undeveloped land zoned MHP it is unclear why there are currently two zoning districts, or even which one applied to the properties designated MHP on the zoning map
		S-TOJ dimensional limitations applied to all uses other than mobile home	The MHP zone is generally surrounded by Suburban zoned properties

Draft Organization	Old Organization	Content Changes	Change Rationale
		clarifies that a mobile home must be in a park	Current regulations only specify this requirement through the use table.
		NC-ToJ physical development standards otherwise applied	Consistent with legacy of NC-MHP zoning
		use limited to Mobile Home (B), Utility Facility (C), Wireless Facility (C), Home Occupation (B), Temporary Shelter (B), and Temporary Gravel Extraction (B)	The allowed uses are limited to mobile homes, utilities that are allowed in all zones, and temporary uses that are allowed in most zones. To permit other uses the site should be rezoned to provide new direction consistent with Comp Plan.
		Subdivision prohibited.	Subdividing mobile home sites is inconsistent with desired future character identified in the Comp Plan. Mobile home parks seeking to redevelop or subdivide should be rezoned to provide new direction consistent with Comp Plan.
2.3.14: NC-TOJ	<ul style="list-style-type: none"> •See general 2.3 list •2420: Standards in NC 	Agriculture added as a basic use;	With agriculture no longer requiring 70 acres by definition, this allows town-scale agriculture as the sole use of a residential lot.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
2.3.15: NC-2	<ul style="list-style-type: none"> •See general 2.3 list •2420: Standards in NC 	Agriculture added as a basic use	With agriculture no longer requiring 70 acres by definition, this allows town-scale agriculture as the sole use of a residential lot.
		Attached single-family unit and apartment added as basic use	This is the method for permitting duplexes, which are the intent of the zone, the current LDRs provide no method.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
2.3.16: S-TOJ	<ul style="list-style-type: none"> •See general 2.3 list 	Agriculture added as a basic use;	With agriculture no longer requiring 70 acres by definition, this allows town-scale agriculture as the sole use of a residential lot.
		Education prohibited	Grouping education with daycare rather than assembly makes it prohibited. This does not affect home daycare.
		Wireless added as a conditional use	Wireless is broken out from Utility which is a conditional use
2.3.1: AC-TC	<ul style="list-style-type: none"> •See general 2.3 list •4520: Architecture in 	References to lodging uses and Lodging Overlay deleted	There is no LO in County

Draft Organization	Old Organization	Content Changes	Change Rationale
	AC	Parking added as a conditional use	Parking as a conditional use is consistent with the character of the AC
		Drive-in made Conditional from Basic	Drive-in uses are allowed but need special conditions to ensure they are consistent with the desired future character identified in the Comp Plan.
		Mini-storage warehouse added as a conditional use	Mini-storage warehouse is broken out from Heavy retail/service which is a conditional use
		Outfitter/Tour Operator added as a Conditional Use	Outfitter/Tour Operator is broken out from Outdoor Recreation which is a conditional use
		Temporary Real Estate Sales Office removed as an allowed use	Office is allowed so there is no need to have the temporary use.
		Ski Slope use prohibited	Not applicable to any AC property
2.3.2: AR-TC	• See general 2.3 list	Daycare/School prohibited	Consistent with Town use provisions for AR. This does not affect home daycare.
		Temporary Christmas Tree Sales prohibited	Retail, even temporary is inconsistent with the character of AR.
2.3.3: WC-TC	• See general 2.3 list • 2560: Standards in the WC	AC sign standards added because no sign standards exist	Fixes an omission from the creation of the WC zone
		Condominium standards applied to all zones	Condominium and townhouse standards developed for the WC are now applied to all zones and so no longer needed in the WC specifically
		Resultant Base Site Area changed to Lot Size for consistency	Consistent with the structure of every other zone.
		Apartment added as an allowed use	Attached single-family already allowed, allowing rental of those units is consistent with desired future character identified in the Comp Plan.
		Mini-storage warehouse added as a conditional use	Mini-storage warehouse is broken out from Heavy retail/service which is a conditional use
		Parking added as a Conditional Use	Off-site shared parking is a goal of the zone, allowing parking as principal conditional use achieves the goal consistent with desired future character identified in the Comp Plan.
		Temporary Real Estate Sales Office removed as an allowed use	Office is allowed so there is no need to have the temporary use.

Draft Organization	Old Organization	Content Changes	Change Rationale
2.3.4: OP-TC	•See general 2.3 list	PRD standards organized with individual lot standards determined by PRD approval.	Clarifies how the PRD would apply in the OP consistent with how PRD is treated in all other zones.
		Education made a conditional use;	Grouping education with daycare rather than assembly makes it a conditional use.
		Temporary Shelter added as a Basic use	Detached single-family is an allowed use so temporary shelter is appropriate
		Nursery use prohibited	Nursery is now defined as the retail sale of plants rather than the agricultural production and is therefore prohibited like other retail
2.3.5: BP-TC	•See general 2.3 list •4530: Architecture in BP	Mini-storage warehouse added as a basic use	Mini-storage warehouse is broken out from Heavy retail/service which is a basic use
		Developed Recreation made a conditional use from basic	Developed recreation uses should be reviewed individually to ensure they are consistent with the character of the BP in order to protect its intent. This is consistent with current Town regulation.
		Outfitter/Tour Operator added as a Conditional Use	Outfitter/Tour Operator is broken out from Outdoor Recreation which is a conditional use
		Home occupation allowed as a basic use	Home occupation is allowed in zones where residential uses and ARUs are allowed
		Home business prohibited	Detached single-family is not allowed, so home business is not allowed.
		Temporary shelter prohibited	Detached single-family is not allowed, so temporary shelter is inappropriate.
		Agriculture prohibited	Agricultural principal use of the BP is inconsistent with desired future character identified in the Comp Plan
Article 3			
3.1: All Rural Area Zones	•n/a	New division explains organization; reserves location for future standards applicable to all rural area zones	Zoning is organized by Complete Neighborhood, Rural Area, and Special Purpose zones to implement the desired future character identified in the Comp Plan described in the Comp Plan.

Draft Organization	Old Organization	Content Changes	Change Rationale
3.2: RA Character Zones	•n/a	Reserved for new zones	This is the location for new zoning districts that will be created to implement the Comp Plan later in the LDR Update process
3.3: RA Legacy Zones	•See general 2.3 list	The listed standards from the old organization were moved only into zone to which they apply. Many other standards are “previewed” in the zone to help the user, but full standard exists elsewhere and is cross-referenced. All standards applicable in the zone are cross-referenced, even if there is no “previewed” content. Language and format in each zone matches new LDR format.	The intent is that all regulations applicable to a particular zone are found or referenced in one place. Most LDR users have a property in mind so this provides a zone specific “Table of Contents” for using the LDRs. Organization by zone focuses on character based regulation as envisioned by the Comp Plan as opposed to the impact based organization of 1994.
		Standards are organized into physical development, use, and development options/subdivision.	This mirrors the structure of the general standards, permitting procedures, and nonconforming standards to clarify applicable regulations and facilitate the redevelopment and reuse envisioned in the Comp Plan rather than the greenfield development assumed by the 1994 regulations.
		Parking and impervious surface setbacks clarified into single site development setback based on impervious surface setbacks.	Existing regulations have multiple standards for the setback of non-structural site development that can conflict and/or be confusing; this consolidates and simplifies into a single standard.
		Fencing standards applied to all uses not just residential.	Existing fencing standards are organized under the heading of “Residential Standard” making it unclear what, if any, standards apply to a fence on a non-residential property. Staff believes the same rules should apply.
		Accessory structure setbacks simplified.	The existing regulations contain 3 different accessory structure setback regulations. This consolidation eliminates confusion about which applies.
		Cache Creek setback clarified.	This codifies the current practice of only applying the Cache Creek setback above ground.
3.3.1: R-TOJ	•See general 2.3 list	Agriculture added as a basic use	Agriculture as a principal use is consistent with the desired future character for Rural in Town.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Dude/Guest Ranch prohibited	There are no 70 acre parcels in Town.
		Campground prohibited	There are no Rural parcels in the Lodging Overlay. As an accessory use to agriculture a campground would require 70 acres; there are no 70 acre parcels in Town
		Education prohibited	Grouping education with daycare rather than assembly makes it prohibited.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Bed and Breakfast prohibited	There are no Rural parcels in the Lodging Overlay. As an accessory use to agriculture a bed and breakfast would require 70 acres; there are no 70 acre parcels in Town
		Heliport and Balloon Operation prohibited	These uses are inconsistent with the desired future character identified in the Comp Plan of Town.
3.3.1: BC-TC	<ul style="list-style-type: none"> • See general 2.3 list • 2530: Standards in the BC • 2421: Max. Floor Area • 2425: Max. Site Development 	Change of use standards deleted	The current regulations have standards for how to determine intensity, but no standard for change of use being less intense. The other standards for change of use are covered by the requirement of a CUP for all non-residential uses in the BC
		NC/Rural floor area and site development standards applied to detached single-family development	The current regulations have no standards for detached single-family and the BC is generally surrounded by NC or Rural properties.
		4-acre minimum lot size established	Consistent with the implied standard in the current LDRs
		condo/townhouse subdivision prohibited	The purpose of the BC is to allow existing non-residential use without expanding the area into a commercial node; allowing for condominium/townhouse subdivision introduces new owner and multiplies the tenant spaces inconsistent with the purpose of the zone.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Prohibit any expansion of the zone	Expansion of the BC to remedy a nonconformity as currently allowed is inconsistent with the desired future character identified in the Comp Plan for rural areas
		Mini-storage warehouse added as a conditional use	Mini-storage warehouse is broken out from Heavy retail/service which is a conditional use
		Outfitter/Tour Operator added as a Conditional Use	Outfitter/Tour Operator is broken out from Outdoor Recreation which is a conditional use
		Parking added as a conditional use	Parking as a principal use may be consistent with the intent of the BC if conditioned appropriately
		Conventional Lodging, Short-Term Rental, and Bed and Breakfast prohibited and reference to Lodging Overlay removed	There is no Lodging Overlay in the County
		Temporary Real Estate Sales Office removed as an allowed use	Office is allowed so there is no need to have the temporary use.
3.3.2: MHP-TC	<ul style="list-style-type: none"> • See general 2.3 list • 2520: Standards in the NC 	NC-MHP and MHP combined into one zone with NC-MHP standards applying to existing mobile home parks and the MHP development option applying to new parks	With no undeveloped land zoned MHP it is unclear why there are currently two zoning districts, or even which one applies to the properties designated MHP on the zoning map
		R-TC dimensional limitations applied to all uses other than mobile home	The MHP zone is generally surrounded by Rural zoned properties
		Clarifies that a mobile home must be in a park	Current regulations only specify this requirement through the use table.
		NC-TC physical development standards otherwise applied	Consistent with legacy of NC-MHP zoning.
		Use limited to Mobile Home (B), Utility Facility (C), Wireless Facility, Home Occupation (B), Temporary Shelter (B), and Temporary Gravel Extraction (B) – to do other uses must change zoning;	The allowed uses are limited to mobile homes, utilities that are allowed in all zones, and temporary uses that are allowed in most zones. To permit other uses the site should be rezoned to provide new direction consistent with Comp Plan.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Subdivision prohibited.	Subdividing mobile home sites is inconsistent with desired future character identified in the Comp Plan. Mobile home parks seeking to redevelop and subdivide should be rezoned to provide new direction consistent with Comp Plan.
3.3.3: NC-TC	<ul style="list-style-type: none"> • See general 2.3 list • 2520: Standards in the NC • 2421: Max. Floor Area • 2425: Max. Site Development 	NC-SF is now just called NC, other iterations of NC have their own names	Makes standards more user friendly than existing zoning of NC with subsets and multiple levels of applicability
		Landscaping exemption deleted, general fencing standard applied to the NC, NC trash shed regulations replaced by general trash shed regulations	Generally moving toward treating NC like any other zone with a focus on desired future character identified in the Comp Plan rather than treating it with special status trying to preserve 1978 vision.
		Stream/lake setback clarified as 50 feet with no variability for riparian vegetation, applicability of wetland setback clarified, general natural resource buffer standards otherwise referenced	Clarifies applicability of the general and NC specific natural resource standards consistent with existing practice
		Discussion of structures less than 4 feet tall in setback deleted	Unnecessary, covered by general standards and definitions
		Rural non-residential lighting standards applied, Rural landscaping requirement for parking applied	Non-residential uses are allowed in the NC, but no standards exist, Rural standards pulled for clarity
		Use of multiple lots constituting lot combination deleted	This provision has not been implemented so it was deleted
		Outdoor Recreation allowed as a conditional use	Allowing parks and trails at a neighborhood scale in rural neighborhoods is consistent with the goals of the Comprehensive Plan and general best practice
3.3.4: S-TC	<ul style="list-style-type: none"> • See general 2.3 list • 2385: Institutional Uses 	Outfitter/Tour Operator added as a Conditional Use	Outfitter/Tour Operator is broken out from Outdoor Recreation which is a conditional use
		Education prohibited	Grouping education with daycare rather than assembly makes it prohibited.
		Golf Course prohibited	A golf course is inconsistent with the purpose of the Suburban zone.

Draft Organization	Old Organization	Content Changes	Change Rationale
3.3.5: R-TC	<ul style="list-style-type: none"> • See general 2.3 list • 2421: Max. Floor Area • 2425: Max. Site Development • 2385: Institutional Uses 	Outfitter/Tour Operator added as a Conditional Use	Outfitter/Tour Operator is broken out from Outdoor Recreation which is a conditional use
Article 4			
4.1: All Special Purpose Zones	• n/a	New division explains organization; reserves location for future standards applicable to all special purpose zones	Zoning is organized by Complete Neighborhood, Rural Area, and Special Purpose zones to implement the desired future character identified in the Comp Plan described in the Comp Plan.
4.2.1: P/SP-TOJ	• See general 2.3 list	Clarifies that only environmental, scenic, natural hazard, grading, erosion, and stormwater physical development standards are applicable	All other standards are reviewed for consistency with surrounding development, but public/semi-public development varies in the required design
		Agriculture allowed without a permit	Consistent with other zones and would be an appropriate public use.
		Mini-storage warehouse added as a conditional use	Mini-storage warehouse is broken out from Heavy retail/service which is a conditional use
		Outdoor Recreation and Developed Recreation allowed as conditional use	This allows for the development of a park or similar facility on public land
		Daycare made a conditional use rather than basic	All principal uses are conditional in the P/SP to allow for public review of their operation.
		Parking added as a conditional use	Parking is an appropriate use of public land
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Heliport added as a conditional use	A heliport may be an appropriate use of public land, for example to provide emergency services
		Accessory Residential Unit added as a basic use	Providing accessory housing to a public use is consistent with the workforce housing goals of the community
		Home occupation added as a basic use	Home occupation is allowed in zones where residential uses and ARUs are allowed so it is added with the ARU allowance

Draft Organization	Old Organization	Content Changes	Change Rationale
		Home business prohibited	Detached single-family is not allowed, so home business is not allowed.
4.2.2: P-TOJ	•See general 2.3 list	Clarifies that only environmental, scenic, natural hazard, grading, erosion, and stormwater physical development standards are applicable	All other standards are reviewed for consistency with surrounding development, but park development varies in the required design
		Agriculture allowed without a permit	Consistent with other zones and would be an appropriate public use.
		Downhill ski area and outdoor recreation made a conditional use rather than basic	All principal uses are conditional in the Park zone to allow for public review of their operation
		Campground prohibited	Campground use is inconsistent with the intent of the Park zone.
		Wireless added as a conditional use	Wireless is broken out from Utility which was a conditional use
		Home business prohibited	Detached single-family is not allowed, so home business is not allowed.
4.2.1: P/SP-TC	•See general 2.3 list	Clarifies that only environmental, scenic, natural hazard, grading, erosion, and stormwater physical development standards are applicable.	All other standards are reviewed for consistency with surrounding development, but public/semi-public development varies in the required design
		Agriculture allowed without a permit	Consistent with other zones and would be an appropriate public use.
		Mini-Storage added as a conditional use consistent with Heavy Service allowance	Mini-storage warehouse is broken out from Heavy retail/service which is a conditional use
		Campgrounds prohibited	Lodging is not a use that the Comp Plan indicates the public should provide
		Parking added as a conditional use	Parking is an appropriate use of public land
		Airport and Landing Strip added as conditional use	Consistent with Heliport allowance
		Home Occupation added as a basic use	Home occupation is allowed in all other zones where residential uses and/or ARUs are allowed
4.2.2: P-TC	•See general 2.3 list	Clarifies that standards for maximum Scale of Development and Building Design only apply to ARUs	All other standards are reviewed for consistency with surrounding development, but park development varies in the required design

Draft Organization	Old Organization	Content Changes	Change Rationale
		Agriculture allowed without a permit	Consistent with other zones and would be an appropriate public use.
		Downhill Ski Area now requires a conditional instead of basic permit	All principal uses are conditional in the Park zone to allow for public review of their operation
		Detached single-family home allowance changed to accessory residential unit allowance to better match requirements;	Amendments to the Park zone to allow a caretaker unit seem more appropriately applied as accessory use standards, because a detached single-family home is inconsistent with the intent of the Park zone.
		Home occupation permitted a basic use	Home occupation is allowed in all other zones where residential uses and/or ARUs are allowed
		Home business prohibited	Detached single-family is not allowed, so home business is not allowed.
		Temporary Farm Stand allowed as a basic use	A temporary farm stand is consistent with the intent of the Park zone
		Campground prohibited	Campground use is inconsistent with the intent of the Park zone.
4.3.1: All Planned Resort Zones	<ul style="list-style-type: none"> •2500: Planned Resort District •2550: PUD-Planned Resort •2551: Density Increase Limited to Affordable and Employee Housing 	County repeal language incorporated into applicability statement	Applicability references the date of repeal of the provision to prohibit new resorts
		Clarifies that a Planned Resort designation is a legislative act subject to the PUD review procedure	Consistent with the overall clarification that all PUDs are legislative acts and subject to the PUD procedure developed, also allows for simplification through reliance on general PUD procedure standards instead of repeating them in multiple locations.
		Condensed references to individual master plans	Each master plan is organized into its own section and then that section is referenced rather than discussing applicability of general standards to each master plan throughout the division
4.3.2: Snow King	•2500: Snow King	Minor edits to clarify name	The master plan is referred to by multiple names in the current regulations
		Reference zoning map for boundaries	The PR zone boundaries should be delineated on the zoning map not in the LDRs

Draft Organization	Old Organization	Content Changes	Change Rationale
		Distinguish an EA from a visual resources analysis	EAs used to be used to evaluate visual resources, there is now a separate visual resource analysis so the references to EAs that only had a scenic component were updated.
4.3.3: Teton Village I	•2550: Teton Village	Minor edits to clarify name	The master plan is referred to by multiple names in the current regulations
		Reference zoning map for boundaries	The PR zone boundaries should be delineated on the zoning map not in the LDRs
		Distinguish an EA from a VRA given new organization	EAs used to be used to evaluate visual resources, there is now a separate visual resource analysis so the references to EAs that only had a scenic component were updated.
		Make organization consistent	In the current regulations the organization of each resort varies, making it difficult to find information
4.3.4: Teton Village II	•2550: Teton Village	Minor edits to clarify name	The master plan is referred to by multiple names in the current regulations
		Reference zoning map for boundaries	The PR zone boundaries should be delineated on the zoning map not in the LDRs
		Distinguish an EA from a VRA given new organization	EAs used to be used to evaluate visual resources, there is now a separate visual resource analysis so the references to EAs that only had a scenic component were updated.
		Make organization consistent	In the current regulations the organization of each resort varies, making it difficult to find information
4.3.5: Jackson Hole Golf and Tennis	•2550: Jackson Hole Golf and Tennis	Minor edits to clarify name	The master plan is referred to by multiple names in the current regulations
		Reference zoning map for boundaries	The PR zone boundaries should be delineated on the zoning map not in the LDRs
		Distinguish an EA from a VRA given new organization	EAs used to be used to evaluate visual resources, there is now a separate visual resource analysis so the references to EAs that only had a scenic component were updated.

Draft Organization	Old Organization	Content Changes	Change Rationale
4.3.6: Snake River Canyon Ranch	•2550: Snake River Canyon Ranch	Minor edits to clarify name	The master plan is referred to by multiple names in the current regulations
		Reference zoning map for boundaries	The PR zone boundaries should be delineated on the zoning map not in the LDRs
		Distinguish an EA from a VRA given new organization	EAs used to be used to evaluate visual resources, there is now a separate visual resource analysis so the references to EAs that only had a scenic component were updated.
		Reference new permit types	References to certain requirements and thresholds had to be updated to be consistent with the new permit types and procedures.
4.3.7: Grand Targhee	•2550: Grand Targhee	Minor edits to clarify name	The master plan is referred to by multiple names in the current regulations
		Reference zoning map for boundaries	The PR zone boundaries should be delineated on the zoning map not in the LDRs
		Fix reference errors	The current section for Targhee erroneously references the LDRs when it should reference the Master Plan.
		Make organization consistent	In the current regulations the organization of each resort varies, making it difficult to find information
4.4.1: All PUD Zones	•n/a	New Section establishes general purpose and standards for PUD options.	Creates an overall category for all PUD development options to clarify that they are all legislative and have certain standards applicable to all PUDs
4.4.2: PUD-Town	•2170: PUD	Zones specific development option standards moved to zones in the Development Options subsection	The zone specific standards are moved to the zoning district consistent with the overall organization to be more character/zone focused as envisioned in the Comp Plan.
Article 5			
5.1: General Env. Stds.	•3000: Purpose •3210: Nat. Res. Findings	Division purpose statement aligned with Comp Plan	The 2012 Comprehensive Plan has updated language about the goals for natural resource protection.

Draft Organization	Old Organization	Content Changes	Change Rationale
	<ul style="list-style-type: none"> •3220: Nat. Res. Standards •3230: Wild Animal Feeding •49220: Wildlife Friendly Fence •49320: Air Contaminants •49330: Water Quality 	10-Year Floodplain deleted	There is no map of the 10-year floodplain to act as a basis for the regulations and many of the regulations themselves do not make sense given how the 10-year floodplain and the floodway are calculated.
		Mesic/non-mesic references deleted	They are unnecessary because they do not create any standard.
		County updates to buffer development incorporated	Updates made by the County over the years to clarify development of natural resource buffers and improve protection should be made by the Town.
5.2: Env. Stds. for Specific Areas	<ul style="list-style-type: none"> •2160: NRO •3000: Purpose •3211: Vegetative Cover Types •3240: NRO Findings •3250: Establishment of NRO •3260: NRO Applicability •3270: NRO Standards •49700: Bear Conflict Areas 	Division purpose statement aligned with Comp Plan	The 2012 Comprehensive Plan has updated language about the goals for natural resource protection.
		Vegetative cover types only applied in NRO per practice	The County's current practice is to only require compliance with the vegetative cover type provisions in the NRO, the new organization clarifies this applicability.
		County updates to NRO definitions and standards incorporated, except habitat enhancement	Updates made by the County over the years to clarify and improve NRO definitions and standards, such as responding to the de-listing of the Bald Eagle, had not been made by Town.
		County wildlife friendly fencing standards applied in NRO	Town NRO currently references wildlife friendly fencing, but has no standards, so the County standards are proposed to apply.
5.3: Scenic Standards	<ul style="list-style-type: none"> •49370: Exterior Lighting •2160: SRO •3000: Purpose •3300: SRO 	Division purpose statement aligned with Comp Plan	The 2012 Comprehensive Plan has updated language about the goals for scenic resource protection.
		Gas station exterior lighting exemption deleted	The gas station exemption for exterior lighting is inconsistent with the Comp Plan vision for scenic protection.
		CUP to vary exterior lighting height deleted in favor of variance	A CUP is not the proper public hearing process to alter a physical development standard in the new organization.
		Clarifies that skylining standards apply everywhere as viewed from highways, spring gulch, south park, alta county road – regardless of mapping in SRO	This is consistent with practice and the way natural resource protection is approached and implements the scenic goals of the Comp Plan.

Draft Organization	Old Organization	Content Changes	Change Rationale
		County distinction of visual resource analysis from EA added	The County updated its standards to distinguish between the process for an environmental and visual resource analysis, the Town should make the change.
5.4: Natural Hazard Protection	<ul style="list-style-type: none"> •49160: Steep Slopes •49160: Unstable Soils •49190: Hillside Areas •49240: WUI •49310: Fault Areas 	Division purpose statement aligned with Comp Plan	The 2012 Comprehensive Plan has updated language about the goals for protection from natural hazards.
		County language regarding manmade slopes used	The County's language regarding development of manmade slopes takes into account more scenarios and better provides the protection envisioned in the Comp Plan
		New floodplain section added to direct LDR users to floodplain resolution ordinance	Clarifies applicability of floodplain protection, which is related to development, but not located in the LDRs.
		WUI reference added for Town	The Town has adopted the International Wildland Urban Interface Code along with the other building codes, but it was not previously referenced in the LDRs
5.5: Landscaping Standards	•4100: Landscaping	Aligned Town and County standards	Town and County standards varied slightly in terms of terminology and requirements, the most clear and logical requirements were used.
		Clarified substitution standards and reference administrative adjustment procedure for varying standards	When plant units can be substituted was unclear so policy was codified. The new administrative adjustment procedure should be used to substitute plant units.
		NC exemption deleted	Generally moving toward treating NC like any other zone with a focus on desired future character identified in the Comp Plan rather than treating it with special status trying to preserve 1978 vision.
		landscaping for LSA and parking required	Deletes either-or standard that did not achieve intent of regulation, instead the cumulative standard used by County, should be used.
		landscaping objectives added from Town	The current regulation references landscaping objectives but does not define them, so the Town definition was used to clarify.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Plant units distinguished from landscaping and standards reorganized for clarity	The term “landscaping” is used in the current regulations to mean plant unit and landscape area, Staff tried to unpack to clarify which standards apply to which types of landscaping
5.6: Sign Standards	•4600: Signs	Reorganized for clarity	The current sign regulations are not organized very intuitively, making it difficult to understand how the regulations apply.
		Procedure deleted	The process for reviewing and issuing a sign permit is located with the other procedures in Article 8
		Definitions moved to Article 9	All definitions are located in Article 9 for consistency
5.7: Grading, Erosion, Stormwater	•4900: Stormwater •49100: Grading and Erosion	Stormwater and grading combined into one section and permit	Practically speaking this is how the standards are often applied and the combination should better implement the stormwater provisions by making them a part of the grading permit.
		Clarified that Town County Engineer may require stormwater management plan even if exempt from grading permit	As part of combining stormwater permitting with grading, this provision is needed to preserve the standard implied in the past by the separation of the standards.
		Required permit descriptions consolidated	The current regulations repeat the applicability standards in multiple places in different ways.
		Thresholds lowered to be Town applicable, Grading Plan required to grade in yards	The County grading thresholds do not make sense in the Town context of smaller lots, in Town grading, erosion, and stormwater impacts to neighboring lots needs to be the focus of the permitting thresholds.
		Cut-fill setback replaced with requirement that top/toe be on-site	The standards for final grade and retaining walls ensure that grading does not create a barrier at the property line and the existing standard was providing more administrative burden than protection of character.
5.8: Design Guidelines	•4520: Design Review		

Draft Organization	Old Organization	Content Changes	Change Rationale
Article 6			
6.1: Allowed Uses	<ul style="list-style-type: none"> •2200: Use Schedule •2300: Standards for Particular Uses 	For all uses definitions and standards consolidated, new organization introduced that applies general standards and definitions	The definitions and standards are consolidated to make them more user-friendly. Each use now has a definition as well as list of subuses included in the definition. Greater rigor in defining and grouping may allow for simplification of use specific standards in the future.
		development options no longer regulated as uses	Development options such as the PRD and PUD are development options found in Article 7 rather than uses because they more permanently alter the development potential on a property
6.1.1: Use Schedule	<ul style="list-style-type: none"> •2210: General •2230: Use Schedule 	“By-Right” replaced by either “Y” for allowed without permit or “B” for allowed with basic use permit. See zones for changes to allowed uses.	Current regulations are unclear that that by-right uses still require a permit in most cases, this clarifies that question and an administrative use permit is established in Article 8 to define the review procedure.
6.1.2: Classification of Uses	<ul style="list-style-type: none"> •2220: Definitions of Use •2240: Similar Use •8300: Use Definitions 	Organizes use classification definitions into one place	The current regulations define various use classifications in multiple locations which cause a loss of rigor and reduces the utility of having the classifications because they are not consistently used
		Incidental use distinguished from accessory use	The current regulations do not do a good job of identifying that some uses have components that are integral to operation and are not separate uses so long as they do not stand alone, these are incidental uses, not accessory uses.
		Principal use definition focused on independence rather than primacy	Discussion of primary use is contrary to allowing multiple uses on a single site, principal uses can be independent or occurring with other principal uses without getting caught up in the definition. This allows the mix of uses envisioned in the Comp Plan.
		Standards for change of use added	The current County regulations reference a change of use permit, but do not have standards, a change of use permit is not needed with the new requirement that you obtain the proper permit for the proposed use.

Draft Organization	Old Organization	Content Changes	Change Rationale
6.1.3: Open Space Uses	<ul style="list-style-type: none"> • 2220 & 3400: Agriculture • 2220: Ski Slopes • 2220 & 23450 8300: Golf Course • 2220 & 23300: Dude Ranch 	70 acre minimum removed from agriculture definition, applied as appropriate to certain exemptions and accessory uses	Agriculture as a principal use may be appropriate on parcels less than 70 acres, it is the exemptions and accessory uses intended to preserve agricultural open space that should be limited to 70 acres so the 70 acre limit is moved there.
		Agriculture added back to the Town	There are some zones where agriculture at a Town scale may be an appropriate principal use.
		Golf course definition a combination of Town and County definitions	Town definition of golf course included some good subcategories and distinctions that improve the County definition
		Golf courses removed from Town	Golf course is not consistent with the desired future character identified in the Comp Plan for Town.
6.1.4: Residential Uses	<ul style="list-style-type: none"> • 2250 23350: Res. Use Limitation • 2200 & 8300: Detached Conventional Single-Family • 2200 & 8300: Attached Single-Family • 8300: Apartment • 2200 & 2330: Mobile Home • 2200: Institutional Res. • 2220: Mixed Use Residential • 2220 & 231400: Live/Work 	Short-term rental prohibition applied generally to all residential uses here and distinguished from a lodging use	Clarifies the applicability of the prohibition to all residential uses through the reorganization and makes it clear that short-term rental is a lodging use subject to specific standards.
		Distinguishes an apartment as a separate use based on ownership, which allows for the regulating of residential use types in zones	This is an evolution of the Town work on condominium conversion and allows for future regulation of the type of residential units allowed in zoning districts in order to achieve the Comp Plan goals for rental housing.
		Mixed-use residential replaced by attached/apartment	Allowing attached single-family and/or apartment as principal uses achieves the same purpose of the mixed-use residential use, with more flexibility to define on a zone-by-zone basis how a mix of uses should occur, or leave the mix of uses up to the developer. The first floor non-residential requirement is maintained in the zones where mixed-use residential is currently allowed.
		Institutional Residential split into Dormitory and Group Home	Splitting the two applications of this use allows for flexibility in modifying the standards for each application independently of the other.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Update to County definition of mobile home	The County updated its definition of mobile home to be consistent with the building code definition, the Town had not.
6.1.5: Lodging Uses	<ul style="list-style-type: none"> •2220: Commercial Lodging •2220 & 2250 23350: Residential Short-term Rental •2220 & 23400: Campgrounds •3000: Purpose •3500: Lodging Overlay 	Lodging Overlay established here zone specific provisions moved to zones	The lodging overlay is established here to organize it with the uses to which it is applicable, zone specific provisions for lodging are moved to the zones to put them in the context of the desired future character identified in the Comp Plan.
		Crescent H Lots 7 and 32 deleted from short-term rental list	Building permits pulled since 1994 have voluntarily abandoned the right to short-term rental
		Campground removed from Town	Campgrounds are inconsistent with the desired future character identified in the Comp Plan for Town.
6.1.6: Commercial Uses	<ul style="list-style-type: none"> •2220: Office •2220: Commercial Retail •2220: Service •2220: Restaurant/Bar •2220: Heavy retail/service •8300: Mini-warehouse •2220: Nursery •2220 & 23370: Ag Support/Service •23150: Ancillary RE Office 	Mini-warehouse created as its own use	Mini-warehouse currently has standards that are located in the Definitions Article.
		Office Overlay established here	The office overlay currently depicted on the zoning map and referenced in the use schedule is not currently established anywhere in the LDRs
		Ag support/service deleted and the sub-uses distributed to appropriate other definitions	Most of the uses under the classification of ag support/service are heavy retail/service that should not be allowed as principal uses except where heavy retail/service is allowed.
		Ancillary Real Estate Sales Office deleted	Use is unnecessary given the existence of temporary real estate office use.
		Greenhouse moved from nursery to agriculture	Nursery is now classified based on its retail characteristics rather than its potential plant growing characteristics and so the sub-use of greenhouse is more appropriate back in the agriculture definition that includes production of vegetation.

Draft Organization	Old Organization	Content Changes	Change Rationale
6.1.7: Amusement & Rec. Uses	<ul style="list-style-type: none"> •2220: Amusement •2220 & 23500: Outdoor Rec •2220: Indoor Rec •2220: Tour Operation •2220 & 231100: Balloon Op. 	Indoor recreation expanded to include all recreation reliant on physical development and appropriate uses from Outdoor Rec. moved to Developed Rec.	Given the Comp Plan goals for protection of natural resources distinguishing recreation uses based on whether they require permanent physical development is more appropriate than distinguishing them by whether they have a roof.
		Outdoor Rec. standards aligned with County standards	A reclamation plan for the cessation of the use is not needed because standards for maintenance of vacant lots apply and it cause confusion with the requirement for a mitigation plan for natural resource impacts if applicable.
		Balloon operations removed from Town	Balloon operations are not consistent with the desired future character identified in the Comp Plan for Town.
		Outfitter/Tour Operation new to County from Town	Distinguishes the operation headquarters, which is a retail or service type use from actual outdoor recreation use
6.1.8: Institutional Uses	<ul style="list-style-type: none"> •2220: Institutional •2220 & 23100: Daycare Center 	Schools combined into daycare center into one use definition with daycare standards applied with deference to the State;;	This operational characteristics and impacts of a school are far more similar to a daycare center than a church or museum so schools and daycares are grouped together. This change effects non-home daycares and non-home schools. Changes to home daycares and schools are in Section 6.1.11.
		Remaining institutional uses retitled Assembly broad inclusion of public uses deleted in favor of other definitions and similar use determination	Without school included the other institutional use are more similar in character and generally have an assembly nature, which is a common use name in many codes, the blanket inclusion of other public uses is confusing if the other public use meets the definition of another use
6.1.9: Industrial Uses	<ul style="list-style-type: none"> •2220: Light Industry •2220: Heavy Industry •2220 & 23520: 	Junkyard removed from Town	Junkyards are not consistent with the desired future character identified in the Comp Plan for Town.

Draft Organization	Old Organization	Content Changes	Change Rationale
	Disposal • 2220 & 23530: Junkyard • 2220 & 231200: Gravel Processing and Extraction	Updated Gravel Extraction approved location and DEQ permit references	The River Springs gravel site SUP has expired so it was removed from the list of approved sites. The DEQ 10 acre exemption was changed to a 15 acre exemption so references were changed to reflect the change.
6.1.10: Transportation Uses	• 2220 & 2390: Utilities • 2220 & 2395: Wireless Facility • 2220 & 231000: Heliport • 2220: Airport • 2220 & 23900: Landing Strip	Parking as a standalone use added	Parking as a principal use exists currently without a permitting option, identifying it allows for delineating in what zones it is appropriate.
		Utility permitting focused on large facilities; utility distribution deleted as a use	Large utilities uses such as a sewage treatment plant require use permit review; utility distribution within easements does not. With the new use permitting rigor this distinction needed to be clearer.
		Wireless standards separated as their own use	Wireless facilities have unique standards that do not apply to other utilities, the County has already separated them as their own use for this reason.
		Prohibition of commercial air tours added to heliport standards	The County has already adopted this prohibition to implement the Comp Plan vision to avoid amusement type recreation and tourism.
6.1.11: Accessory Uses	• 2220 & 2370: ARU • 2220: Guesthouse • 2220: Bed and Breakfast • 2220 & 23600: Home Occ. • 2220 & 23700: Home Business • 2220 & 23200: Drive-In • 2220 & 2310: Ag. Emp. House • 2220 & 23800: Cottage Ind. • 2220 & 23460: Receptions • 2220 & 23100: Home Daycare Family • 2220 & 23100: Home Daycare Center	Standards for all accessory use established; all uses that require another primary use organized into the accessory use category	Accessory uses are currently organized into many different use categories, with inconsistent standards for their relationship to a primary use. By organizing them all under a single heading there are a single, clear set of standards that apply to all accessory uses.
		Primary uses with which the accessory use is allowed established for each use	Some accessory uses clearly define which primary uses to which they may be accessory, others don't, this format clarifies for all accessory uses what primary use must exist in order to permit the accessory use.
		Zone specific standards moved to zones	Many accessory uses have standards that vary by zone; such standards are moved to the individual zones, to promote character based regulation as envisioned by the Comp Plan.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Guesthouse incorporated into ARU definition	The Town does not currently enforce the use of ARUs as guesthouses, as a result the County approach of allowing an ARU to be occupied by guests, family members, or those employed in Teton County is applied.
		Home day care deleted in favor of using Home Occupation and Home Business standards, Education added as allowed home occupation and home business	Home daycare is currently categorized separately from home occupation and home business. In consolidating the uses staff combined the basic home daycare with the home occupation and the conditional home daycare with the home business, relying on the number of employees allowed by a home occupation or home business in conjunction with State limitations to regulate size. Staff carried forward the differences in the allowances, for example the allowance for the use of an entire home as a daycare, and added education as an allowed use by virtue of the combination of daycare and education as primary uses. The review of home daycare and education should be based on the same standards as other home uses.
		Light industry and heavy service added as allowed home businesses	The current regulations allow contracting business (light industry or heavy service depending on the contractor) and art studios (some of which are light industry). Past applications for home business CUPs have included a determination if other light industry and heavy service uses were similar to a contracting business. Staff believes it is clearer to use definitions already in the regulations and conditionally allow all light industry and heavy services as home business if some are to be allowed.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Focused home business standards on on-site impacts	The purpose of home business standards is to limit the impact on neighboring residential character, limiting off-site impacts such as overall number of off-site employees is not needed.
6.1.12: Temporary Uses	<ul style="list-style-type: none"> •2220: Temp. Xmas Tree Sale •2220: Contractor's Office •2220: Special Event •2220: Temp. RE Sales Office •2220: Temp. Shelter •2220: Farm Stand •2220: Temp. Gravel Extraction •2220: Heli-Tree Removal •231300: Temporary Uses 	Contractor's Office deleted.	Not necessary due to clarification of incidental use.
		Special Event deleted	No longer a use permit, now being handled by the County Clerk.
		Temporary Gravel extraction DEQ permit exemptions updated and County standards added for watercourses where referenced standards no longer exist	The DEQ 10 acre exemption was changed to a 15 acre exemption so references were changed to reflect the change. The Town LDRs currently reference watercourse protections that have been deleted from the Town LDRs, so they are replaced with the equivalent language from the County LDRs.
6.2: Parking Standards	<ul style="list-style-type: none"> •4200: Parking •4130: Parking Lot Design 	Reorganized for clarity	Current organization makes it difficult to find relevant information.
		Added Planning Director relief to parking granted through administrative adjustment	The current County regulations allow the Planning Director to lessen a parking requirement on good evidence, this allowance is extended to the Town in order to achieve the pedestrian vision for Town in the Comp Plan, and in both cases the process for the adjustment is now the administrative adjustment permit.
		New language on change of use and credit for existing parking	Language from housing borrowed to clarify policy on credit for existing use and parking that the redeveloper is only responsible for providing parking for the net increase in requirement.
		Uses in parking table consolidated to match use schedule	This eliminates this issue of parking requirements changing without the requirement of a new use permit, with one parking requirement per use, parking will only have to be reviewed upon a change of use that requires a new use permit.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Added Town approach to general shared parking determination and independent calculation for any mix of uses	The Town has clarified how shared parking should be evaluated and has expanded its considerations beyond apartments sharing parking with various uses. This approach is more consistent with the Comp Plan vision to use transportation infrastructure more efficiently and is adopted by the County and clarified in all cases.
		Loading specifics deleted in favor of simple off-street requirement	The current specifics on loading bay design are often contrary to design that will achieve desired future character identified in the Comp Plan, the requirement to provide loading is retained, but the specifics for loading bay design are removed to allow for better integration.
		Off-site parking allowed within 1,000 feet in all zones	In an effort to clarify where parking may be provided and implement the Comp Plan vision of reducing vehicle infrastructure, off-site parking allowances are explicitly allowed in all zones. They are allowed in all zones now, but only explicitly discussed in some zones.
		Zones specific standards moved to zones; setback standards moved to zones	As is done for many standards the zone specific alterations to the parking standards are moved to the zone. The parking setback standards are combined with impervious surface standards zone by zone and located with other site development standards in each zone so all site development standards are in one place.
		Bicycle parking requirement from Town added	The Town's bicycle parking requirement is consistent with the Comp Plan goals for accommodating alternate modes of transportation and therefore added to the County regulations.
6.3: Employee Housing	• 49500 49600: Employee Housing	Institutional residential and ag employee housing deleted from exemptions	By definition, these uses are residential or accessory uses that do not need to be exempted because the regulation doesn't apply to them.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Home use exemption changed to non-residential accessory use exemption	Based on consolidation of accessory uses the reference needed to change.
		Uses in employee housing requirement aligned with uses in use schedule	The use consolidation and terminology need to be referenced here.
		Flex space deleted, second floor office requirement applied to all office	The issues that led to flex space are addressed through the basic use permit and the separation of use and physical development standards, as a result the new procedures better implement the Comp Plan housing goals than the flex space allowance.
6.4: Operational Standards	<ul style="list-style-type: none"> • 4450: Storage/Use of Yards • 4450 & 4560 49230: Refuse Recycling • 49380: Noise • 49390: Vibration • 493100: Electrical Disturbance • 493200: Fire/Explosive Hazard • 49340: Heat and Humidity • 493300: Radioactivity • 4530: Public Restrooms 	Zone specific standards moved to zones	All zones specific standards are moved to the zones in an effort to focus on character based regulation.
		Town storage and use of yard standards applied to County	The County has struggled with outdoor storage and use of yards given the Comp Plan vision for lack of development and use, but no regulation, therefore the Town regulations were applied to the County.
		All trash and recycling standards combined into a single section	Trash and recycling standards are currently spread throughout the regulations.
Article 7	•		
7.1.1: Dev. Option Schedule	<ul style="list-style-type: none"> • 2230: Use Schedule • 2220 & 2350: Working Ranch • 2600: PSCD District 	Condominium/ townhouse subdivision added	Added to clarify whether a condominium or townhouse subdivision is allowed in the zoning district and distinguish that type of subdivision from conventional land division.
		Working ranch subdivision deleted	The option has been only rarely used and recent use had not met the intent.
		Planned Sub-Center Development deleted	The option has not been used and is not consistent with the Comp Plan vision for predictable base zoning.
7.1.2: PRD	• 2220 & 2320: PRD		

Draft Organization	Old Organization	Content Changes	Change Rationale
7.1.3: UCD	•2220 & 2320: PRD	Town PRD renamed Urban Cluster Development	Renamed in order to avoid confusion between options with the same name but different purposes and standards
7.1.4: Mobile Home Park	•2220 & 2340: MHP		
7.2: Subdivision Standards	<ul style="list-style-type: none"> •2220: Conventional S-F S/D •2220: Res & Nonres S/D •6130: Standards •2220, 2315 & 6400: Condo/ Townhome •6140: SIAs •6150: Completing Improvements •2560: Wilson Commercial 	Condominium/ townhouse standards from WC generally applied	In the Wilson Commercial zone the County developed standards for condominium and townhouse subdivision that clarify the relationship of that type of division to minimum lot size and other requirements, these clarifications are now applied to all zones.
		Subdivision standards from 6130 deleted	Unnecessary due to regulations in other sections of the LDRs.
7.3: Open Space Standards	•4300: Open Space Standards	County standards added back due to references from other standards	The Town deleted the open space standards because they did not apply to the Town PRD, however they are referenced in other sections of the LDRs so the County standards were added back.
7.4: Affordable Housing Stds.	•49400: Affordable Housing	Agriculture and Home use exemptions deleted	These are not residential uses so the division does not apply to them and they don't need to be exempted
		Working ranch subdivision exemption deleted	Development option deleted
		Ag employee housing exemption added	Exemption previously, errantly placed in employee housing section
		4 to 1 requirement instead of 25% requirement clarified	The Town policy is to mitigate at a rate of one person housed in affordable housing for every four housed in market housing, this is function of historic confusion over the calculation of the 25% requirement. While the 1 to 4 calculation is not the same as the 1 of 4 calculation called for by the 25% requirement, Staff codified the current practice to be content neutral.
7.5: Development Exactions	<ul style="list-style-type: none"> •49500: Development Exactions •49600: Park Exactions •49700: School Exactions 		

Draft Organization	Old Organization	Content Changes	Change Rationale
7.6: Transportation Facilities	•4700: Transportation Facilities	Zone specific pedestrian facility standards moved to zones	This standard was little known and rarely applied because it was hidden, moving it also focuses on character based regulation.
7.7: Required Utilities	•4800: Utilities •49200: Irrigation Ditches •4450: Fuel Storage		
Article 8	•		
8.1: General	•5000: Duties •5110: Purpose •5110: Review Procedures	Purpose updated to match new format and Comp Plan new section to describe organization of Article	The Comp Plan focus on predictability, redevelopment and reuse is a shift from the 1994 approach and requires a different approach to permitting, this new introduction improves description of how the procedures are organized to improve understanding of their purpose and how they should be administered. The overall organization is an evolution of the current organization with common procedures followed by specific permits, but it is expanded to include all permits and better distinguish between general and specific standards. Rigor is applied to each permit, ensuring applicability, process and findings are defined for each.
		Established administrative manual	The administrative manual is a better location for submittal requirements and templates than the LDRs because such documents are administrative and can be updated without going through a legislative process of LDR amendment.
		Duties and Responsibilities moved to Administrative Manual	While the duties and responsibilities are established by the Council and Board, they are not legislative and do not need to be in the LDRs.

Draft Organization	Old Organization	Content Changes	Change Rationale
8.2: Common Procedures	•5120: General Procedures	Common procedures grouped into stages of the process	All common procedures are grouped here so that procedures do not have to be borrowed from one permit type for another, they are organized by the same heading used in the flow charts for each permit.
8.2.1: Pre-application Conference	•5120: Pre-application Conference	Purpose clarified	The purpose of a pre-ap is to identify the submittal requirements, answer preliminary questions and introduce the project.
		Detail of discussion matches detail of submittal clarified	The answers provided by staff at the pre-application conference can only be as detailed as the information provided
		expiration clarified	A pre-application conference fulfills a pre-application conference requirement if it is held within 1 year of application submittal.
		Conference within 60 days regardless of type	To simplify administration pre-applications for all permit types have the same timeframe.
8.2.2: Environmental Analysis	•3100: Environmental Analysis	Reorganized for clarity	Current organization does not walk the reader through a clear process and is separated from the other review procedures.
		Standards moved to NRO/SRO from recommendation	Standards for natural and scenic resource protection belong in their respective section not in the description of the procedure for documenting those
		Exemptions updated to reflect other changes to LDRs	Updated to reflect the move of the vegetative covertype standards to only apply in the NRO
		Planning Director allowed to require new EA if there is a change in circumstances prior to the expiration	With upcoming changes to the regulations, this provision is needed in case a new EA is needed to evaluate a new desired future character based on the Comp Plan.
		Process for selecting County hired consultant moved to administrative manual	How the County selects the County hired EA consultant is an administrative decision, not legislative

Draft Organization	Old Organization	Content Changes	Change Rationale
		Updated to County standards except for County hired EA consultant	The County has updated a number of its EA review standards over the years to improve implementation of the community's natural resource goals, the Town should adopt these improvements except the requirement for a Town hired EA consultant, as the process and concerns are not as relevant to the desired future character identified in the Comp Plan of Town.
8.2.3: Neighborhood Meeting	•n/a	New section requiring a neighborhood meeting be held by the applicant prior to submittal of complex applications	The neighborhood meeting requires the applicant for the most complex projects to present to the neighbors prior to submittal so that the notice of public hearing, when the application is finalized is not the first the neighbors hear of the proposal and not the first the applicant hears of the neighbors' concerns.
8.2.4: Application Submittal	<ul style="list-style-type: none"> •5120: Initiation •5120: Fees •5120: Submission •5120: Application Forms •5120: Examination of App •5120: Consolidation 	More detail added on who has standing to submit	Clarifies the need of a property interest and the requirement for all property owners to consent to the application.
		Fee schedule and submittal requirements moved to Administrative Manual	The fee schedule is already maintained outside of the LDRs, the submittal requirements are an administrative policy that should not be adopted legislatively, the current laundry list of possible submittal requirements does not provide any benefit.
		Allowance for examination of an application now applies to all applications	All applications have always been available for examination, but the current regulations only reference the allowance in reference to some applications.
8.2.5: Determination of Sufficiency	•5120: Determination of Sufficiency		
8.2.6: Staff Review & Rec.	<ul style="list-style-type: none"> •5120: Staff Review •51200: Review by Staff 	Staff review requirements for various processes consolidated	Current permits have slightly different staff review requirements for various permit types, this consolidates and standardizes the requirement.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Plan Review Committee review, review standards, and staff report requirements clarified	The content of the staff review is clarified as well as the timing and content of the staff report to provide consistency in record keeping and permit processing.
		requirement for staff report in 30 days deleted	Timing requirements are handled more clearly elsewhere in the regulations eliminating the need for the staff report time limit
8.2.7: PC & DRC Recommendation	<ul style="list-style-type: none"> •5120: Public Hearing •51200: PC Review 	Recommendation findings and timing added	Based on practice the regulations now read that the PC and/or DRC will provide their recommendation at the hearing. The LDRs now clarify that the recommendation should be based on the same findings to be reviewed for approval.
		Appropriate public hearing standards applied	By reference to the standards for all public hearings it is clear the noticing and procedural requirements apply to recommendation hearings.
		Application to DRC clarified	DRC hearings are clarified as public hearings subject to the same standards of all public hearings.
8.2.8: All Decisions	<ul style="list-style-type: none"> •5120: Findings for Decision •5120: Timing •5120: Notification of Decision •5120 51200: Conditions •5120 51200: Effect of Approval •5120 51200: Expiration •5200: Extra Time Extension •5120: Successive Applications 	Decision requirements for various processes consolidated	Decision requirements are currently stated differently for various permits or not discussed.
		Specific expiration timing moved to individual permit types	Expiration of permits is unique to each permit so it is organized with the individual permit
		Limitation on successive applications only applied to decisions requiring public hearing	Current LDRs require a year for successive application of any denied permit; however some administrative review is more efficient through a denial and re-submittal than a series of application amendments. This still protects the public's time by limiting successive public hearings.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Extraordinary circumstances time extensions deleted	This amendment has already been made by the Town. By clarifying expiration standards and specifying them by permit there should be no need for an extraordinary time extension. In the past extensions and amendments have been used to keep approvals alive for over 10-years, in such a time period the community's vision for the future as identified in the Comp Plan can change.
8.2.9: PD & Eng. Decisions	<ul style="list-style-type: none"> •5120: Admin. Decisions •5120: Mailed Notice •51200: Reclassification 	Staff review moved to its own section	Staff review applies to all decisions so it was separated.
		Timeframes moved to individual applications	Individual administrative permits have different timeframes so the timeframes were moved to the individual permits.
		Planning Director ability to elevate applied to any decision	Current regulations only allow the Planning Director to elevate a development plan from administrative review to PC and elected review. A development plan no longer covers as many permits as it used to and all administrative decisions should be allowed to be elevated.
		Neighbor notice at discretion of Planning Director	The purpose of a neighbor notice is to invite comment. The purpose of an administrative approval is that the public policy decisions have already been made and there is not a need for public dialogue on the individual application. Asking for public comment on an administrative decision confuses the purpose of an administrative decision in most cases.
8.2.10: BOA/Council/BCC Decisions	<ul style="list-style-type: none"> •5120: Public Hearing •51200: FDP Action 	Decision required at hearing	All decisions are currently made at a hearing; this clarifies that practice, rather than giving the body 30 days to make its decision upon the close of the hearing.
		No limit that decision hearing must wait 28 days in deference to staff report timing requirements	With a requirement that the PC recommendation be made at the hearing there is no longer any need for a requirement that the BCC meeting not be scheduled for 28 days following the PC hearing.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Remand provision added	This provision allows for a remand to the PC, consistent with the PCs ability to remand to Staff.
		Findings of fact, conclusions of law added	For the County this codifies the current practice with regard to findings of fact and conclusions of law, for the Town this introduces findings of fact and conclusions of law as a way to establish the record of a decision and be sure all findings and conditions for approval are clear.
8.2.11: Performance Bonds	•5120 51200: Performance Bond	Various performance bond standards, including subdivision improvement agreement contract standards and undocumented policies, are consolidated and clarified	Current standards have many references to performance bonds, each with slightly different language. This consolidates and standardizes all bonding requirements.
8.2.12: Issuance and Filing	•n/a	New section clarifying current practice	The current regulations are not clear about permit issuance or filing of final documents.
8.2.13: Amendment of Approvals	•5120 51200: Dev. Plan Amend •6200: Plat Corrections •6200: Plat Vacations	Standards for amendment of all types of approvals are consolidated in one place	The current regulations have some general standards, standards for some permits, and no standards for others. The amendment standards are general enough that they can be in one place rather than the individual permits.
		Clarifies that review of amendment only applies to change not original approval	Current practice when reviewing amendments is to only look at the net change proposed, in determining the appropriate review process and the review itself.
		standards for partial vacation without replat added from County	Consistent with the County this adds a provision consistent with state statute that exempts an applicant from filing a new plat, for certain partial vacations that are just removing items from the plat.
		New standards for PUD amendment established	Original PUD approvals should continue to be recognized, but if a change to the approval is desired the change must move in the direction of desired future character identified in the Comp Plan instead of being reviewed under a revised vision from a past Plan and LDRs.
8.2.14: All Public Hearings	•5120: Public Hearing		

Draft Organization	Old Organization	Content Changes	Change Rationale
8.3: Physical Dev. Permits	•n/a	New organization to group physical development permits and describe their purpose;	The new grouping of all physical development permits allows for a discussion of their purpose, appropriate conditions, and separates them from use permits.
		minor/intermediate/major deleted in favor of sketch plan, development plan, or building permit as appropriate	The current regulations establish thresholds based on definitions of combinations of permits, this adds an additional level of complication that can be removed by just discussing the required permits.
8.3.1: Sketch Plan	<ul style="list-style-type: none"> •5120: Expiration •51200: Sketch Plan 	Requirement for hearing within 60 days of PC recommendation added	The current regulations only have a limit on the number of days to the first hearing this ensures the process keeps progressing
		findings of fact/conclusions of law requirement added	Current practice is to do this in the County, but it is added to the Town and clarified
		County objectives and effect of approval added	Consistent with the County this adds language about the objective of a Sketch Plan and effective approval that provides good clarification
		Expiration standards expanded	The expiration standards are expanded to better address the full range of ways in which sketch plan approval may be utilized prior to expiration, including phased approval.
8.3.2: Development Plan	<ul style="list-style-type: none"> •4020: General Standards •5120: Expiration •51200: Development Plan 	Requirement for hearing within 60 days of PC recommendation added	The current regulations only have a limit on the number of days to the first hearing this ensures the process keeps progressing
		findings of fact/conclusions of law requirement added	Current practice is to do this in the County, but it is added to the Town and clarified
		Town finding used as template	The County findings were moved to a different location and have not been used for years, in providing findings for all permits the Town findings were used as the template.
		Expiration standards expanded	The expiration standards are expanded to better address the full range of ways in which development plan approval may be utilized prior to expiration including phased approval

Draft Organization	Old Organization	Content Changes	Change Rationale
8.3.3: Building Permit	•n/a	Minor development plan no longer required if all that is needed is Planning review of a building permit.	Reviewing a minor development plan at the same time as a building permit is redundant; the planning review of the building permit serves the same purpose.
8.3.4: Grading Permit	•49100: Grading Review Process and Permit		
8.3.5: Sign Permit	•4600: Permit Required		
8.4: Use Permits	•n/a	New organization to group use permits and describe their purpose	Separating the permitting of physical development and use facilitates the redevelopment and reuse envisioned in the Comp Plan.
8.4.1: Basic Use Permit	•n/a	Replaces minor development plan for a by-right use	The current regulations require a development plan for a use that does not require physical development and sets review thresholds even when there are no standards for a use. The thresholds should be whether the use is basic or conditional not the size of the use, this allows for the permitting of by-right uses and separates use permits from physical development permits.
8.4.2: Conditional Use Permit	•5140: Conditional Uses	Requirement for hearing within 60 days of PC recommendation added	The current regulations only have a limit on the number of days to the first hearing this ensures the process keeps progressing
		findings of fact/conclusions of law requirement added	Current practice is to do this in the County, but it is added to the Town and clarified
		expiration standards expanded	The expiration standards are expanded to better address the full range of ways in which CUP approval may be utilized prior to expiration
8.4.3: Special Use Permit	•5140: Special Uses	Requirement for hearing within 60 days of PC recommendation added	The current regulations only have a limit on the number of days to the first hearing this ensures the process keeps progressing
		findings of fact/conclusions of law requirement added	Current practice is to do this in the County, but it is added to the Town and clarified

Draft Organization	Old Organization	Content Changes	Change Rationale
		expiration standards expanded	The expiration standards are expanded to better address the full range of ways in which SUP approval may be utilized prior to expiration
		findings updated to include review of communitywide study	There is currently a requirement that a communitywide study of any special use be used to evaluate proper locations, however the study is not referenced in the findings, Staff believes it should be a finding given the definition of a special use that they are incompatible with all areas but have to go somewhere.
8.5: Dev. Option/ Subdivision Permits	• n/a	New organization to group development option and subdivision permits and describe their purpose	This distinguishes development option and subdivision permits from other permits and identifies the types of conditions that are most appropriate.
8.5.1: General	• 6040 6050: Sale of Land		
8.5.2: Minor Development Plan	• 5120: Expiration • 51200: Development Plan	Adapted from development plan for non-subdivision development options such as the PRD	The only application of this process in the current LDRs is for nonsubdivision PRDs of 4 units or less, but it is an important to retain this option to facilitate the dedication of open space for better rural area design.
		Decision moved to 90 days following sufficiency	In current practice the decision deadline often is extended by the applicant because 60 days does not allow enough time for response to review comments.
		Expiration standards expanded	The expiration standards are expanded to better address the full range of ways in which a minor development plan approval may be utilized prior to expiration
8.5.3: Subdivision Plat	• 6000: Purpose/ Applicability • 6100: Final Plat	Distinguishes between state exemptions that are not considered subdivisions and state exemptions that are subdivisions exempt from plat requirements	The current state statute exemption language lumps the two types of exemptions, this separates the two in order to provide a process for those that are subdivisions, but exempt from the platting process.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Kept Subdivision Improvement Agreement standards here, but move subdivision improvement standards to Division 7.2	The current regulations place subdivision improvement standards in the platting procedure, they are better organized as development standards.
8.5.4: Exempt Land Division	<ul style="list-style-type: none"> •6040: Plat Exemptions •6041: Family Exemptions 	Standards applied to all exempt land division not just Family exemptions	The standards developed for documenting family exemptions are applied to all exemptions in order to keep records of the divisions and ensure the owners attest to their intent with regard to the exempt division.
		distinguishes between state exemptions that are not considered subdivisions and state exemptions that are subdivisions exempt from plat requirements	The current state statute exemption language lumps the two types of exemptions, this separates the two in order to provide a process for those that are subdivisions, but exempt from the platting process.
8.5.5: Boundary Adjustment	<ul style="list-style-type: none"> •6200: Vacations to Plats •6300: Minor Boundary Adj. 	Platted and unplatted boundary adjustment processes consolidated	To a member of the general public a boundary adjustment is a boundary adjustment regardless of the nature of the lots.
8.6: Interpretations	•n/a	New organization to group interpretations and describe their purpose	Groups interpretations and zoning compliance verifications which are very similar in character but aren't currently grouped.
8.6.1: Formal Interpretation	•5130: Interpretations	Exceptions for when an interpretation cannot be requested added	Clarifies, consistent with the findings for an interpretation, that an interpretation cannot be used to modify certain allowances or prohibitions such as density.
		Finding update to reflect Comp Plan direction	Flexibility is no longer a guiding principle of the Comp Plan.
		Clarifies that everyday decisions are not formal interpretations	An everyday decision or answer over the counter is not a formal interpretation, nor is it an amendment to the regulations.
		Applicability to specific circumstances clarified	Clarifies that an interpretation only applies to the specific circumstances reviewed, it may be used in the future, but its use on future projects is subject to the context of the original interpretation.
		Decision within 60 days of sufficiency	30 days has not been enough time for Staff and the Planning Director to do all of the research necessary to issue a formal interpretation.

Draft Organization	Old Organization	Content Changes	Change Rationale
8.6.2: Zoning Compliance Verification	•5170: ZCV	Clarifies that ZCV only applies to circumstances reviewed at that specific point in time;	A ZCV does not vest a certain set of LDRs or pre-approve any proposed development.
		Examples added to guide use of ZCV process for reviews such as wetlands delineations and visual resource analyses	The ZCV should be used for reviews of specific portions of the regulations that can be evaluated independent from a full development proposal, such evaluations don't need their own permits or processes.
8.7: Amendments to the LDRs	•n/a	New organization to group amendments and establish their legislative nature	It is important to distinguish the legislative approvals from the administrative and quasi-judicial approvals.
8.7.1: LDR Text Amendment	•5150: Text Amendment	Findings consolidated, clarified as considerations due to legislative nature, and updated to Comp Plan direction;	The current regulations break amendment findings into two sets, they are consolidated and updated to meet the new Comp Plan language. It is also clarified that because an amendment is at the legislative discretion of the Council or BCC findings are not required they are suggested as considerations.
		requirement for hearing within 60 days of PC recommendation added	The current regulations only have a limit on the number of days to the first hearing this ensures the process keeps progressing
8.7.2: Zoning Map Amendment	•5150: Zoning Map Amendment	Findings consolidated, clarified as considerations due to legislative nature, and updated to Comp Plan direction;	The current regulations break map amendment findings into two sets, they are consolidated and updated to meet the new Comp Plan language. It is also clarified that because a map amendment is at the legislative discretion of the Council or BCC findings are not required they are suggested as considerations.
		requirement for hearing within 60 days of PC recommendation added	The current regulations only have a limit on the number of days to the first hearing this ensures the process keeps progressing

Draft Organization	Old Organization	Content Changes	Change Rationale
8.7.3: Planned Unit Development	•n/a	New section establishes legislative nature of PUD and characterizes a PUD approval as essentially a combination of a text and map amendment	A PUD is a zoning map amendment and an LDR text amendment that creates unique LDRs for the area of the PUD, as a result the approval should be classified as a legislative decision and the process and findings should reflect that nature, this process consolidates and standardizes the processes in the various PUD options that exist.
8.8: Relief from the LDRs	•n/a	New organization to group all relief options and describe their purpose	Grouping all of the relief provisions clarifies their purpose and when each one might be appropriate.
8.8.1: Administrative Relief	•n/a	New section pulling from variance standards that allows Planning Director to minimally vary dimension standards without public hearing under certain circumstances	There are certain adjustments to the standards of the regulations that improve implementation of the Comp Plan and do not require public review because the improvement can be determined by the Planning Director under a set of findings, this process will allow for better implementation of the Comp Plan with fewer procedural requirements.
8.8.2: Variance	•5160: Variance	Removed “reasonable use” finding;	The current regulation has essentially a choice between a “reasonable use” finding and a hardship finding, the hardship finding is a better review standard so the reasonable use standard was removed for clarity.
		Expiration language updated consistent with other expiration standards	All permits and approvals have a consistent format for expiration language.
		Requirement for BCC hearing within 60 days of PC recommendation added	The current regulations only have a limit on the number of days to the first hearing this ensures the process keeps progressing
		findings of fact/conclusions of law requirement added	A variance is neither a contested case nor a legislative act so findings of fact and conclusions of law are required like any other administrative review. This is new to the Town.

Draft Organization	Old Organization	Content Changes	Change Rationale
8.8.3: Appeal	•5180: Appeal	Standards for review, findings, and review process all created or expanded	The appeal process has largely been defined through practice, with little guidance in the current regulations. The current practice is codified to provide clarity.
8.8.4: Beneficial Use Determination	•5190: Beneficial Use Determination	Incentives added to options for granting relief	Update is based on the case law created out of the Wilson BUD case in Hog Island.
8.9: Enforcement	•Article 9: Enforcement	Applicability of enforcement provisions and examples of violations added;	The examples will help people understand when they are in violation of the LDRs and when the enforcement actions may apply.
		Abatement findings added	The current regulations do not provide findings for abatement.
Article 9	•		
9.1: Purpose	•8000: Purpose		
9.2: Rules of Construction	•8100: Word Usage •5120: Delegation of Duties		
9.3: Abbreviations	•8200: Abbreviations	Abbreviations added	Abbreviations used in the LDRs that were not in the list were added.
9.4: Rules of Measurement	•5120: Counting Days •2400: Key to Table 2400 •2425: Adjusted Site Area •2440: Lot Coverage •2450: Max Scale of Dev •2460: Gross/Base Site Area •2460: Max. Density •2470: Setbacks and Yards •8300: Height	Rules for measurement of standards that apply in multiple zones or sections consolidated in one place	With the move of dimensional limitations, density limits, etc. to the zones, the keys to various tables need to be consolidated in a single place.
		standards for rounding consolidated	Instead of discussing how to round in specific to each calculation a general standard makes for consistent application.
		Adjusted site area added from County for calculation of lot coverage	The Town currently uses a similar calculation to adjusted site area, but it doesn't have a name, so for simplicity and consistency adjusted site area is used in the Town.
		Setback and yard definitions consolidated	Throughout the current LDRs, definitions and standards for measuring yards and setbacks vary slightly, this consolidates and standardizes the language.
9.5: Definitions	•8300: Definitions	A number of unnecessary definitions deleted	Terms not used in the LDRs were deleted from the definitions to avoid confusion.
		Definitions consolidated where possible	Multiple definitions of the same idea were consolidated into the core definition to avoid confusion.

Draft Organization	Old Organization	Content Changes	Change Rationale
		Definitions that were actually standards moved into standards	If the definition was only applicable in the context of refining a standard, the definition was incorporated into the standard.
		Definition of development broken into physical development, use, development option, and subdivision	The current definition of development is written to include anything governed by the LDRs, with the reorganization of the LDRs the different pieces needed to be defined separately.
		Definitions of floor area and basement updated to sync with building code	This will make design and record keeping more simple because floor area and basement will be measured the same by planning and building.
		Added back lost definitions from U to Z	At some point the County accidentally deleted definitions from U to Z from the LRDs, using the Town definitions they are added back.