

Teton County Rural Area Land Development Regulations

Public Review Draft

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Article 1. General Provisions

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J. Map Scale

Where the location of a zone boundary cannot be determined by one or more of the methods provided in this Section, it shall be determined by use of the map scale shown on the Official Zoning Map.

1.7.5. Sites in Multiple Zones (1/1/15)

A site in more than one zone may be used and developed as a single site.

A. Minimum Site Area

The entire site may be used to meet minimum site area requirements in either zone.

B. Maximum Density/Intensity

The density or intensity calculation shall be based on the acreage existing in each zone.

C. Location

In general, the majority of development shall be located in the area that is designated for higher intensity use. This standard may be deviated from if it can be demonstrated that the location proposed will improve scenic views and lessen adverse environmental impacts.

1.7.6. Change of Jurisdiction (7/13/15)

When land changes jurisdiction by transfer, trade, or sale from state or federal agencies to a private landowner, the land shall be assigned to an appropriate zone the R-TC zone, and the NRO and SRO as applicable, pursuant to the procedure of Sec. 8.7.2., prior to any physical development, use, development option, or subdivision of the land.

Div. 1.8. Transitional Provisions

This Division establishes standards for how the current LDRs apply to existing applications and approvals. The standards of this Division apply to applications and approvals made under previous LDRs. The standards of this Division also apply to applications and approvals made before these LDRs were amended.

1.8.1. Applicable LDRs for Review Determined at Sufficiency

(1/1/15)

An application shall be processed in good faith under the standards and procedures of the LDRs in place at the time the application is determined sufficient. An application that is substantially changed following being determined sufficient, or an application that fails to comply with the required time frames or any terms or conditions of its approval, shall expire and future applications shall be subject to the current LDRs.

1.8.2. Approved Permits and Approvals [\(7/13/15\)](#)

A. Approvals Valid Until Expiration

1. A permit or approval shall remain valid until its expiration date and may be carried out in accordance with the terms and conditions of the approval. If the permit or approval is completed, expires, or is revoked (e.g. for failure to comply with the terms and conditions of approval), any subsequent application shall be subject to the current LDRs.
2. A pre-application conference, zoning compliance verification, environmental analysis, neighborhood meeting, or other review or action completed prior to submittal of an application shall not constitute an approval that may be carried out in exception to [Sec. 1.8.1](#).

B. Nonconformities

A lawfully established physical development, use, development option or subdivision that does not comply with these LDRs is nonconforming and subject to the provisions of [Div. 1.9](#).

C. PUDs and Other Special Projects

The following projects shall remain valid and shall not be considered nonconforming regardless of their compliance with these LDRs; however, references to previous LDRs in a project's approval shall be construed to reference the equivalent standard in these LDRs.

1. Planned Unit Developments (PUDs) with PUD zoning.
 - a. [For Planned Unit Developments with PUD-NC zoning](#); The standards of the [NC-TC underlying zone](#) shall apply unless they are in conflict with the approval agreement of the PUD, in which case the allowance established by the PUD shall apply.

1.9.3. Nonconforming Uses [\(7/13/15\)](#)

A. Applicability

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

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

B. Enlargement or Expansion

1. A nonconforming use may only be enlarged or expanded a cumulative total of 20% in the floor area and site area occupied and/or the daily and annual duration of operation. The cumulative total is the sum of all enlargements or expansions from the date the use became nonconforming, including all expansions under prior LDRs if the use became nonconforming under prior LDRs and remains nonconforming.
2. An enlargement or expansion of a nonconforming use shall not create or increase nonconformity with use-based standards such as parking and employee housing.
3. An enlargement or expansion of a nonconforming use shall comply with all physical development, development option, and subdivision standards of these LDRs.
4. An enlargement or expansion of a use that is nonconforming because it does not have an approved CUP or SUP shall require the approval of a CUP or SUP *if the upon 20% expansion or enlargement meets the threshold to require a Development Plan.*

C. Change in Use

A nonconforming use may be changed to another nonconforming use provided the following standards are met.

1. The new use is a materially less intense nonconforming use. The determination of the level of intensity shall include consideration of traffic generated (amounts and type), impacts on access, parking demand, proposed level of activity, operational characteristics, and other potentially adverse impacts on neighboring lands.
2. The new use shall not create or increase nonconformities with use-based standards such as parking and employee housing.

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1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
Commercial					
Office (6.1.6.B.)	B	30,000 sf	n/a	3.3/1,000 sf	0.05/1,000 sf
Retail (6.1.6.C.)	B	30,000 sf	n/a	4.5/1,000 sf	0.56/1,000 sf
Service (6.1.6.D.)	B	30,000 sf	n/a	3/1,000 sf	0.20/1,000 sf
Restaurant/Bar (6.1.6.E.)	B	30,000 sf	n/a	1/55 sf dining area + 1/30 sf bar area	1.35/1,000 sf
Heavy Retail/Service (6.1.6.F.)	C	30,000 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	0.06/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	C	30,000 sf	n/a	1/10 storage units + 1/employee	independent calculation
Nursery (6.1.6.H.)	B	30,000 sf	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	0.37/1,000 sf + 1.51/ac
Amusement/Recreation					
Amusement (6.1.7.B.)	C	30,000 sf	n/a	1/30 sf seating area	independent calculation
Developed Recreation (6.1.7.D.)	B	30,000 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	30,000 sf	n/a	independent calculation	independent calculation
Institutional		30,000 sf			
Assembly (6.1.8.B.)	B	30,000 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	B	30,000 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	C	30,000 sf	n/a	1/1,000 sf + 1/company vehicle	0.03/1,000 sf
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	30,000 sf	n/a	n/a	independent calculation
Utility Facility (6.1.10.C.)	C	30,000 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	30,000 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Aviation (6.1.10.E.)	C	0 sf	n/a	independent calculation	independent calculation
Heliport (6.1.10.E.)	C	30,000 sf	n/a	7/daily aircraft movement	independent calculation

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

Fire and Explosive Hazards	(Sec. 6.4.6.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

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

1. Allowed Subdivision and Development Options							
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options							
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development		(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development		(Sec. 7.2.4.)
Allowed Development Options							
Planned Residential Development (PRD)							
Planned Residential I	30,000 sf	n/a	11.7 du/ae	40%	0.40	28	
Planned Residential II	60,000 sf	n/a	30.0 du/ae	35%	0.50	28	
2. Residential Subdivision Requirements							
Affordable Housing							
Required Affordable Housing							25% of new units
Schools and Parks Exactions							
Development Exaction							0.03 acres of land per housing unit or lot
3. Infrastructure							
Transportation Facilities							
Access							required
Right-of-way for a Minor Local Road (min)							60'
Travel lane width for a Minor Local Road (min)							10'
Road and driveway design							also subject to Fire Protection Resolution
Required Utilities							
Water							Connection to public supply, installation of central supply, or evidence of individual well required
Sewer							
Connection to a public sanitary sewer required							within 500'

3. Maximum Scale of Use

Individual Use (floor area) (max)

Single family unit (detached)

Habitable floor area excluding basement 8,000 sf

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

Accessory residential unit 500 sf habitable

4. Operational Standards

Outside Storage

(Sec. 6.4.1.)

Refuse and Recycling

(Sec. 6.4.2.)

Trash and recycling enclosure required >4 DUs and all nonresidential

Noise

(Sec. 6.4.3.)

Max sound level at property line 65 DBA

Vibration

(Sec. 6.4.4.)

Electrical Disturbances

(Sec. 6.4.5.)

Fire and Explosive Hazards

(Sec. 6.4.6.)

Heat and Humidity

(Sec. 6.4.7.)

Radioactivity

(Sec. 6.4.8.)

D. Development Options

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

1. Allowed Subdivision and Development Options

Option	BSA (min)	Lot Area (min)	Density (max)	OSR (min)	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options							
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development		(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development		(Sec. 7.2.4.)

Allowed Development Options

Planned Residential Development (PRD)							(Sec. 7.1.2.)
Planned Residential I	30,000 sf	n/a	11.7 du/ae	40%	0.40	28	
Planned Residential II	60,000 sf	n/a	30.0 du/ae	35%	0.50	28	

3. Maximum Scale of Use

Individual Use (floor area) (max)

Single family unit (detached)

Habitable floor area excluding basement 8,000 sf

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

Accessory residential unit

Primary use residential 1,000 sf gross

Primary use nonresidential 850 sf habitable

4. Operational Standards

Outside Storage

(Sec. 6.4.1.)

Refuse and Recycling

(Sec. 6.4.2.)

Trash and recycling enclosure required >4 DUs and all nonresidential

Noise

(Sec. 6.4.3.)

Max sound level at property line 55 DBA

Vibration

(Sec. 6.4.4.)

Electrical Disturbances

(Sec. 6.4.5.)

Fire and Explosive Hazards

(Sec. 6.4.6.)

Heat and Humidity

(Sec. 6.4.7.)

Radioactivity

(Sec. 6.4.8.)

D. Development Options

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

1. Allowed Subdivision and Development Options

Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options							
Land Division	n/a	7,500 sf	n/a	n/a	determined by physical development		(Sec. 7.2.3.)
Townhouse/Condominium Subdivision	n/a	n/a	n/a	n/a	determined by physical development		(Sec. 7.2.4.)
Allowable Development Options							
Planned Residential Development (PRD)	80,000 sf	n/a	3.64 du/ ac	25%	0.30	24	(Sec. 7.1.2.)

C. Use Standards

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

1. Allowed Uses			2. Use Requirements		
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
<u>Open Space</u>					
Outdoor Recreation (6.1.7.C.)	C	0 sf	n/a	independent calculation	independent calculation
<u>Commercial</u>					
Heavy Retail/Service (6.1.6.F.)	B	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	0.06/1,000 sf
Mini-Storage Warehouse (6.1.6.G.)	B	0 sf	n/a	1/10 storage units + 1/employee	independent calculation
<u>Amusement/Recreation</u>					
Developed Recreation (6.1.7.D.)	C	0 sf	n/a	4.5/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	0 sf	n/a	independent calculation	independent calculation
<u>Institutional</u>					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	exempt
<u>Industrial</u>					
Light Industry (6.1.9.B.)	B	0 sf	n/a	1/1,000 sf + 1/company vehicle	0.03/1,000 sf
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf	0.03/1,000 sf
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	0.03/1,000 sf
Junkyard (6.1.9.E.)	C	0 sf	n/a	1/employee	0.03/1,000 sf
<u>Transportation/Infrastructure</u>					
Utility Facility (6.1.10.C.)	B	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Aviation (6.1.10.E.)	C	0 sf	n/a	independent calculation	independent calculation
Heliport (6.1.10.E.)	E	0 sf	n/a	7/daily aircraft movement	independent calculation
Airport (6.1.10.F.)	E	0 sf	n/a	7/daily aircraft movement	independent calculation

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

Article 3. Rural Area Zones

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Div. 3.1. All Rural Area Zones [\(7/13/15\)](#)

Rural area zones are intended to preserve wildlife habitat, habitat connections, scenic vistas, and undeveloped open spaces to the extent possible, given existing development patterns. There are 2 types of rural area zones.

3.1.1. Character Zones [\(7/13/15\)](#)

Character zones, established in Div. 3.2, are character-based and established to implement the Comprehensive Plan. [The character zones include:](#)

- A. [Rural-1 \(R-1\)](#)
- B. [Rural-2 \(R-2\)](#)
- C. [Rural-3 \(R-3\)](#)

3.1.2. Legacy Zones [\(7/13/15\)](#)

Legacy zones, established in Div. 3.3, are carried forward from the previous LDRs, and it is the intent that they will be phased out over time as character zones are adopted and applied. [The legacy zones include:](#)

- A. [Business Conservation - County \(BC-TC\)](#)
- B. [Mobile Home Park - County \(MHP-TC\)](#)
- C. [Neighborhood Conservation - County \(NC-TC\)](#)
- D. [Suburban - County \(S-TC\)](#)
- E. [Rural - County \(R-TC\)](#)

Div. 3.2. Rural Area Character Zones [\(7/13/15\)](#)

3.2.1. Rules Applicable to All Rural Area Character Zones [\(7/13/15\)](#)

[Reserved for future standards]

3.2.2. Rural-1 (R-1) (7/13/15)

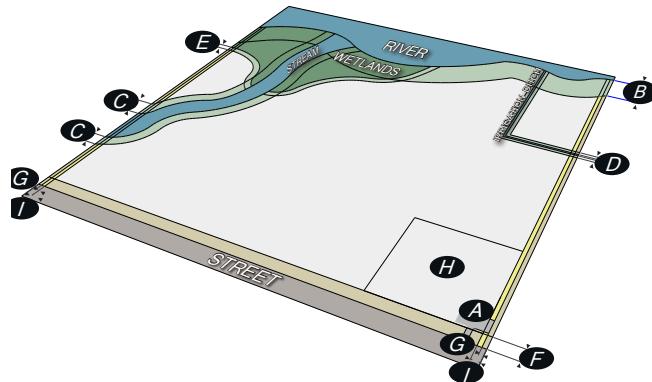
1. Site Development Standards

A. Intent

1. Purpose. The purpose of the zone is to preserve existing undeveloped open space and agricultural character through active stewardship, including agriculture; and to encourage development and use that retains a large amount of open space relative to the amount of development or use.
2. Location. The zone is generally located away from Complete Neighborhoods and much of the zone is already under conservation easement.
3. Lot Size. The zone is characterized by large, contiguous open spaces that remain mostly undeveloped.
4. Comp Plan. The zone is based primarily on the vision for Preservation subareas.

B. Physical Development

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



Site Development Amount

Site Development Ratio (max) .05 A

Site Development Location

Wildlife Habitat See NRO 5.2.1

Scenic Viewsheds See SRO 5.3.2

Waterbodies/Wetlands 5.1.1

River Setback(min) 150' B

Stream/Lake/Pond Setback(min) 50' - 150' C

Wetland Setback (min) 30' D

Irrigation Ditch 7.7.4.D

Irrigation Ditch Setback (min) 15' E

Street Setback (min) 25' F

Non-Street Setback (min) 5' G

Development Areas

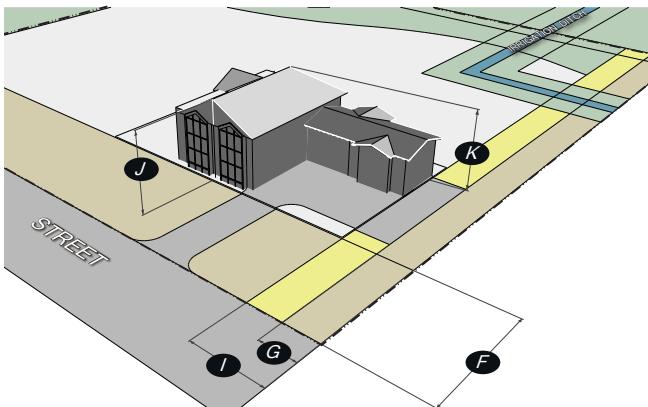
Per lot of record (max) 1

When utilizing larger site (max) 1 per 70 ac.

Landscaping

Plant units (min) n/a

2. Structure Standards



Structure Location

Street Setback(min)	25'	F
Non-Street Setback(min)	10'	I

Scale of Development

Floor area ratio (max)	.007
Single building (max)	10,000 sf

Structure Height

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

Scenic Standards

RE: Scenic viewsheds	See SRO	5.3.2
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Fencing

Wildlife Friendly Fencing	Required	5.1.2
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Exterior Materials

Colors	Earth tones
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3. Environmental

Wild animal feeding	5.1.3
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Bear proof trash	5.2.2
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4. Exterior Lighting

Total cut off angle (max)	90°
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Illumination (max)	0.5 fc
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Light Height (max)	15'
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5. Natural Hazards to Avoid

Steep Slopes	5.4.1
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Development prohibited	Slopes >25%
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Unstable Soils	5.4.2
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Fault Areas	5.4.3
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Floodplains	5.4.4
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Wildland Urban Interface	5.4.5
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6. Signs

Allowed Signs (max)	Area (max)	Height (max)
1 rustic freestanding or wall	16 sf	10'
1 wall per home occupation	2 sf	n/a

7. Grading, Erosion, Stormwater

Grading	5.7.2
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Erosion Control	5.7.3
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Erosion shall be controlled at all times	
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Stormwater Management	5.7.4
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No increase in peak flow rate or velocity across property lines	
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8. Required Physical Development Permits

Physical Development	Sketch Plan (8.3.1)	Development Plan (8.3.2)	Building Permit (8.3.3)	Sign Permit (8.3.5)	Grading Permit (8.3.4)	Other
Site Disturbance					see 5.7.1	
Structure			X		see 5.7.1	
Fence					see 5.7.1	see 5.1.2
Sign				X	see 5.7.1	

C. Use

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

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Employees to be Housed (min) (6.3)	
<u>Open Space</u>						
<u>Agriculture</u>	Y	0 ac.	n/a	n/a	n/a	exempt
<u>Outdoor Recreation</u>	C	140 ac.	1/140 ac.	see E.1	independent calculation	independent calculation
<u>Dude/Guest Ranch</u>	C	140 ac.	see 6.1.3.E		1/u	0.82/guest
<u>Residential</u>						
<u>Detached Single-Family</u>	Y	0 ac.	1/35 ac.	8,000 sf habitable/du	2/du	n/a
<u>Commercial</u>						
<u>Heavy Retail/Service</u>	C (A)	140 ac.	1/140 ac.	see E.2	independent calculation	exempt
<u>Nursery</u>	C	140 ac.	1/140 ac.	see E.1	2/1,000 sf + 1/4,000 sf outdoor display area + 1/ company vehicle + 1/employee	0.37/1,000 sf + 1.51/ac.
<u>Amusement/Recreation</u>						
<u>Developed Recreation</u>	C	140 ac.	1/140 ac.	see E.1	independent calculation	independent calculation
<u>Outfitter/Tour Operator</u>	C	140 ac.	1/140 ac.	see E.1	independent calculation	independent calculation
<u>Industrial</u>						
<u>Light Industry</u>	C (A)	140 ac.	1/140 ac.	see E.2	independent calculation	exempt
<u>Gravel Extraction</u>	S	see 6.1.9.F			1/employee	0.03/1,000 sf
<u>Transportation/Infrastructure</u>						
<u>Utility Facility</u>	C	0 ac.	n/a	n/a	1/employee + 1/ stored vehicle	independent calculation
<u>Wireless Communications</u>		see 6.1.10.D			1/employee + 1/ stored vehicle	independent calculation
<u>Aviation</u>	C	140 ac.	1/140 ac.	see E.1	independent calculation	independent calculation

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use
 B=Basic Use Permit (8.4.1) C=Conditional Use Permit (8.4.2) S=Special Use Permit (8.4.3)

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Parking (min) (6.2)	Employees to be Housed (min) (6.3)
Accessory Uses						
Accessory Residential Unit	B	0 ac.	see 6.1.11.B, E.1		1.25/du	n/a
Bed and Breakfast	C	140 ac.	1/140 ac.	see 6.1.11.C		
Home Occupation	B	0 ac.	1/du	25% of du's habitable sf	n/a	exempt
Home Business	C	0 ac.	1/du	25% of du's habitable sf	1/du	exempt
Family Home Daycare	B	0 ac.	1/du	care for 3-6 persons	1/employee + 1 off-street pick-up/drop-off	exempt
Temporary Uses						
Christmas Tree Sales	Y	0 ac.	n/a	n/a	1/1,000 sf outdoor display area + 1/ employee	exempt
Real Estate Sales Office	C	0 ac.	n/a	n/a	3.3/1,000 sf	exempt
Temporary Shelter	B	0 ac.	1/lot	n/a	2	n/a
Farm Stand	B	0 ac.	n/a	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction	B	0 ac.	n/a	15 ac.	1/employee	exempt

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use
 B=Basic Use Permit (8.4.1) C=Conditional Use Permit (8.4.2) S=Special Use Permit (8.4.3)

3. Operational Standards	
Outside Storage	6.4.1
Refuse and Recycling	6.4.2
Trash and recycling enclosure required	
Noise	6.4.3
Max sound level at property line	55 DBA
Vibration	6.4.4
Electrical Disturbances	6.4.5
Fire and Explosive Hazards	6.4.6
Heat and Humidity	6.4.7
Radioactivity	6.4.8

D. Development Options and Subdivision

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

1. <u>Allowed Development and Subdivision Options</u>						
<u>Option</u>	<u>Lot Size (min)</u>	<u>Cons. Area (min)</u>	<u>Dev. Area : Cons. Area (max)</u>	<u>Density (max)</u>	<u>Additional Floor Area (max)</u>	<u>Option Standards</u>
<u>Subdivision Options</u>						
Land Division	35 ac.	n/a	n/a	n/a	n/a	7.2.3
<u>Development Options</u>						
Floor Area Option	n/a	See 7.1.5	n/a	2 additional ARU/35 ac.	10,000 sf/35 ac.	7.1.5
Rural PRD	n/a	105 ac.	1 ac : 3 ac	2 du/ 35 ac.	n/a	7.1.2
Complete Neighborhood PRD	n/a	70 ac.			n/a	7.1.6
CN Development Area	n/a		1 ac : 19 ac	1 du/ 4 ac. Cons.	n/a	
Reserved Rural Dev. Area	n/a		n/a	1 du/ 35 ac. Cons.	n/a	

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

4. Permits Required

Physical Development	Planned Unit Development (8.7.3)	Sketch Plan (8.3.1)	Development Plan (8.3.2)	Development Option Plan (8.5.2)	Subdivision Plat (8.5.3)
Any Subdivision			X		X
Floor Area Option				X	
Rural PRD		optional	X		X
Complete Neighborhood PRD		X	X		X

E. Additional Zone-specific Standards

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

1. Outdoor Recreation, Nursery, Developed Recreation, Outfitter/Tour Operator, and Aviation Uses

- a. Compatibility. In evaluating whether a particular use is appropriate, the Board shall consider the following:
 - i. The extent to which the proposed use promotes or sustains the site's open space values; and
 - ii. The cumulative impact of all permitted uses on the site's open space values.
- b. Maximum Scale and Intensity of Use. In order to ensure compatibility with rural character and minimize adverse impacts to neighboring properties, the actual scale and intensity of the proposed use shall be established through the Conditional Use Permit process and may be limited by conditions imposed by the Board based on site-specific considerations.
 - i. Seasonal Limitations. The Board may limit a use to a particular season or time period.

EXAMPLE: On a property with crucial wildlife winter range, the Board might limit the use to times when winter range is not in use.

- ii. Occurrences. If the proposed use involves discrete occurrences, the Board may limit the number of overall occurrences in a year, or the number and frequency of occurrences during a specific season or time period.

EXAMPLE: The Board might choose to limit the number of events held at an athletic field in order to reduce the frequency and duration of adverse impacts to neighbors.

- iii. Hours of Operation. The Board may limit the hours of operation for the use.

EXAMPLE: For an outdoor recreation use, the Board may choose to limit the hours of operation to match dawn and dusk, or to ensure the use does not operate past 9:00 p.m. to minimize noise impacts to neighboring properties at night.

- iv. Maximum Occupancy. The Board may establish a maximum occupancy or number of guests, customers, or attendees for the use as well as a period for the occupancy.

EXAMPLE: An Outfitter/Tour Operator use may be limited to a certain number of guests based on traffic or parking considerations, or the Board might establish a lower number of guests in the winter season, to avoid impacts to crucial wildlife winter range.

- c. Physical Development

- i. Total floor area devoted to the use shall not exceed 5,000 square feet.
- ii. Total site development devoted to the use shall not exceed 30,500 square feet.

- d. Setbacks and Location

- i. Uses shall be clustered against an existing ranch compound or physical development, unless the applicant can demonstrate to the satisfaction of the Board that either,
 - a). The proposed use is dependent on or requires location adjacent to a natural feature; or
 - b). An alternate location on the property better sustains or promotes the primary open space use/open space values of the property.

EXAMPLE: A boat ramp is a water dependent use that must be located adjacent to the river to be functional, thus it could be permitted in a location that is not clustered against existing physical development.

- ii. Setbacks for the use shall be established through the CUP process.

EXAMPLE: For an Outdoor Recreation use, the Board might establish a 300' setback from a property line shared with a residential use to minimize impacts, but allow a 0' setback from a property line shared with public lands.

- e. Use areas. Proposed outdoor or temporary storage or use areas, such as tents, shall be evaluated as part of the CUP process, and conditions may be imposed to minimize impacts.

EXAMPLE: The Board might impose a condition that limits the number of hours or days during which a reception tent can be on site.

- f. Access
 - i. All standards of Division 7.6 shall apply, except that the nonresidential uses subject to this Subsection shall be exempt from Subsection 7.6.2.C.1, provided the road has a minimum access easement of 60 feet and is approved by the Fire Marshal.
 - ii. A traffic management plan shall be provided for evaluation by the Board as part of the CUP process.
- g. Parking. All standards of Division 6.2 shall apply, except that uses subject to this Subsection shall be exempt from Subsection 6.2.5.A.1.

2. Heavy Retail/Service and Light Industrial Uses. Heavy Retail/Service and Light Industrial uses are permitted in the R-1 zone subject to the following:

- a. The proposed use must meet the definition of an Accessory Use, as defined in Section 6.1.11.A.
- b. The proposed use must be accessory to a principal agricultural use.
- c. The proposed use must comply with the standards in 3.2.2.E.1, above.

3. Accessory Residential Units

- a. Primary use residential
 - i. Maximum Scale. 1,000 sf of gross floor area including basement floor area.
- b. Primary use agriculture
 - i. Unit Type. The following residential uses are permitted as unit types for an ARU associated with a primary agriculture use:
 - a). Detached single-family
 - b). Apartment
 - c). Mobile Home
 - d). Dormitory
 - ii. Density.
 - a). A maximum of 1 ARU per 35 acres of gross site area in active agricultural use is permitted.
 - b). Residential density accessory to an agricultural use is in addition to the base density of allowed principal residential use.
- iii. Occupancy

- a). The occupant of the agricultural accessory residential unit shall be employed by the operator of the agricultural operation and work in the agricultural operation at least 20 hours per week for a minimum of 3 months a year. In addition, the immediate family of the occupant may also reside in the residential unit.
- b). When not occupied by an employee of the agricultural operation, the residential unit may be rented to others. Such rental shall be for a period of at least 31 days.
- c. Other primary use
 - i. Maximum Scale. 850 sf of habitable floor area including basement floor area.

3.2.3. Rural-2 (R-2) (7/13/15)

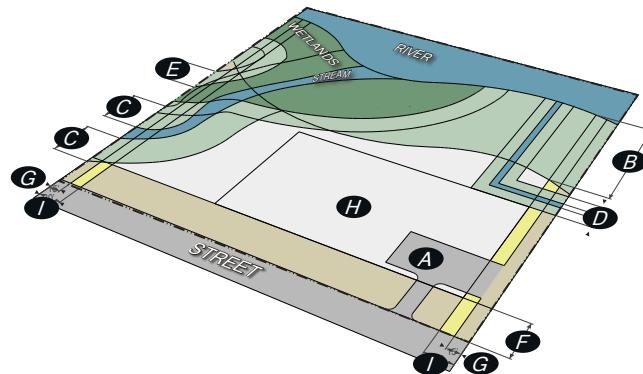
1. Site Development Standards

A. Intent

- Purpose.** The purpose of the zone is to conserve already divided land to the extent possible and encourage development design that provides the highest quality habitat and connectivity function possible.
- Location.** The zone is generally located away from Complete Neighborhoods.
- Lot Size.** The zone is characterized by parcels of 3 to 35 acres that cannot be divided by State exemption. Subdivision is not desired in this zone, but combination of lots and clustering of development is encouraged.
- Comp Plan.** The zone is based primarily on the vision for Conservation subareas.

B. Physical Development

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

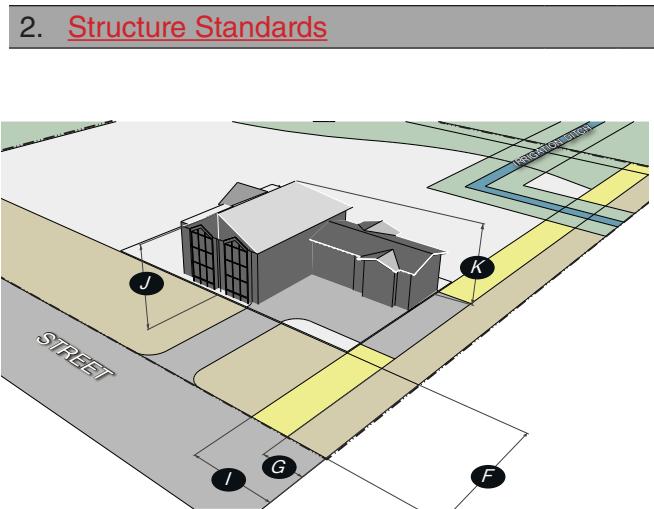


Site Development Amount

Site Development (max) GSA(.04) + 14,720 sf (E.1) **A**

Site Development Location

Wildlife Habitat	See NRO	5.2.1
Scenic Viewsheds	See SRO	5.3.2
Waterbodies/Wetlands		5.1.1
River Setback(min)	150'	B
Stream/Lake/Pond Setback(min)	50' - 150'	C
Wetland Setback (min)	30'	D
Irrigation Ditch		7.7.4.D
Irrigation Ditch Setback (min)	15'	E
Street Setback (min)	25'	F
Non-Street Setback (min)	5'	G
Development areas (max)	1	H
Landscaping		5.5
Plant units (min)	n/a	



Structure Location		
Street Setback (min)	25'	F
Non-Street Setback (min)	10'	I
Scale of Development		
Floor area (max)	10,000 sf	
Single building (max)	10,000 sf	
Structure Height		
Height: Any point (max)	30'	J
Height: Overall (max)	37.5'	K
Scenic Standards		
RE: Scenic viewsheds	See SRO	5.3.2
Fencing		
Wildlife Friendly Fencing	Required	5.1.2
Exterior Materials		
External surfaces	Non-reflective	
Colors	Earth tones	

8. Required Physical Development Permits

Physical Development	Sketch Plan (8.3.1)	Development Plan (8.3.2)	Building Permit (8.3.3)	Sign Permit (8.3.5)	Grading Permit (8.3.4)	Other
Site Disturbance					see 5.7.1	
Structure			X		see 5.7.1	
Fence					see 5.7.1	see 5.1.2
Sign				X	see 5.7.1	

3. Environmental

Wild animal feeding 5.1.3

Bear proof trash 5.2.2

4. Exterior Lighting

Total cut off angle (max) 90°

Illumination (max) 0.5 fc

Light Height (max) 15'

5. Natural Hazards to Avoid

Steep Slopes 5.4.1

Development prohibited Slopes >25%

Unstable Soils 5.4.2

Fault Areas 5.4.3

Floodplains 5.4.4

Wildland Urban Interface 5.4.5

6. Signs

Allowed Signs (max)	Area (max)	Height (max)
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1 rustic freestanding or wall 4 sf 4'

1 wall per home occupation 2 sf n/a

7. Grading, Erosion, Stormwater

Grading 5.7.2

Erosion Control 5.7.3

Erosion shall be controlled at all times

Stormwater Management 5.7.4

No increase in peak flow rate or velocity across property lines

C. Use

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

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Parking (min) (6.2)	Employees to be Housed (min) (6.3)
<u>Open Space</u>						
<u>Agriculture</u>	Y	0 ac.	n/a	n/a	n/a	exempt
<u>Residential</u>						
<u>Detached Single-Family</u>	Y	0 ac.	1/lot	8,000 sf habitable/du	2/du	n/a
<u>Industrial</u>						
<u>Gravel Extraction</u>	S	see 6.1.9.F			1/employee	0.03/1,000 sf
<u>Transportation/Infrastructure</u>						
<u>Utility Facility</u>	C	0 ac.	n/a	n/a	1/employee + 1/ stored vehicle	independent calculation
<u>Wireless Communications</u>		see 6.1.10.D			1/employee + 1/ stored vehicle	independent calculation
<u>Accessory Uses</u>						
<u>Accessory Residential Unit</u>	B	0 ac.	see 6.1.11.B, E.2		1.25/du	n/a
<u>Home Occupation</u>	B	0 ac.	1/du	25% of du's habitable sf	n/a	exempt
<u>Home Business</u>	C	0 ac.	1/du	25% of du's habitable sf	1/du	exempt
<u>Family Home Daycare</u>	B	0 ac.	1/du	care for 3-6 persons	1/employee + 1 off-street pick-up/ drop-off	exempt
<u>Temporary Uses</u>						
<u>Temporary Shelter</u>	B	0 ac.	1/lot	n/a	2	n/a
<u>Temp. Gravel Extraction</u>	B	0 ac.	n/a	15 ac.	1/employee	exempt

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use
 B=Basic Use Permit (8.4.1) C=Conditional Use Permit (8.4.2) S=Special Use Permit (8.4.3)

3. Operational Standards

<u>Outside Storage</u>	<u>6.4.1</u>
<u>Refuse and Recycling</u>	<u>6.4.2</u>
<u>Trash and recycling enclosure required</u>	
<u>Noise</u>	<u>6.4.3</u>
<u>Max sound level at property line</u>	<u>55 DBA</u>
<u>Vibration</u>	<u>6.4.4</u>
<u>Electrical Disturbances</u>	<u>6.4.5</u>
<u>Fire and Explosive Hazards</u>	<u>6.4.6</u>
<u>Heat and Humidity</u>	<u>6.4.7</u>
<u>Radioactivity</u>	<u>6.4.8</u>

D. Development Options and Subdivision

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

1. Allowed Development and Subdivision Options

<u>Option</u>	<u>Lot Size (min)</u>	<u>Cons. Area (min)</u>	<u>Dev. Area : Cons. Area (max)</u>	<u>Density (max)</u>	<u>Additional Floor Area (max)</u>	<u>Option Standards</u>
<u>Subdivision Options</u>						
<u>Land Division</u>	<u>35 ac.</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>7.2.3</u>
<u>Development Options</u>						
<u>Floor Area Option</u>	<u>n/a</u>	<u>See 7.1.5</u>	<u>n/a</u>	<u>2 additional ARU/35 ac.</u>	<u>10,000 sf/35 ac.</u>	<u>7.1.5</u>

2. Residential Subdivision Requirements

<u>Affordable Housing</u>	<u>7.4</u>
<u>Affordable housing (min)</u>	<u>25% of new units</u>

Schools and Parks Exactions

<u>Exaction land (min)</u>	<u>0.03 acres per housing unit or lot</u>
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3. Infrastructure

<u>Transportation Facilities</u>	<u>7.6</u>
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<u>Access</u>	<u>Required</u>
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<u>Right-of-way for a minor local road (min)</u>	<u>60'</u>
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<u>Travel lane width for minor local road</u>	<u>10'</u>
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<u>Road and driveway design</u>	<u>Also subject to Fire Protection Resolution</u>
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<u>Required Utilities</u>	<u>7.7</u>
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<u>Water (required)</u>	<u>Connection to public supply, installation of central supply, or evidence of individual well</u>
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<u>Sewer (required)</u>	
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<u>0-500' from public sanitary sewer</u>	<u>Connect to public sanitary sewer</u>
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<u>> 500' from public sanitary sewer</u>	<u>Small wastewater (septic) facility</u>
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4. Permits Required

Physical Development	Planned Unit Development (8.7.3)	Sketch Plan (8.3.1)	Development Plan (8.3.2)	Development Option Plan (8.5.2)	Subdivision Plat (8.5.3)
Any Subdivision			X		X
Floor Area Option				X	

E. Additional Zone-specific Standards

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

1. Maximum Site Development Exemptions. Up to 32,000 sf of site development may be exempt from the calculation of maximum site development if it meets the following standards.
 - i. The site development is an outdoor riding arena or other pervious surface used for ancillary recreational enjoyment of a residential site
 - ii. Outdoor riding arenas shall have 12 foot wide gates at 2 ends that must remain open to allow for wildlife movement when the arena is not in use.
2. Maximum Scale of an ARU
 - a. Primary use residential. 1,000 sf of gross floor area including basement floor area.
 - b. Primary use non-residential. 850 sf of habitable floor area including basement floor area.

3.2.4. Rural-3 (R-3) (7/13/15)

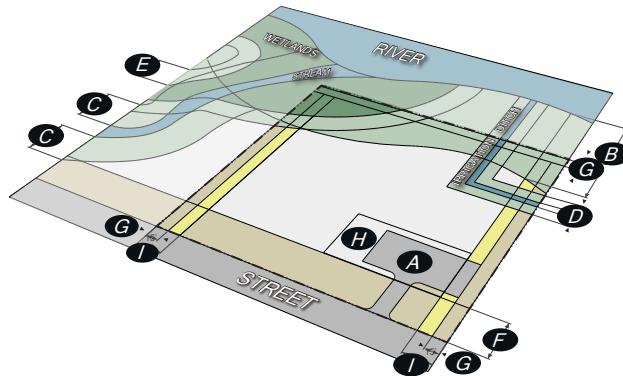
A. Intent

- Purpose.** The purpose of this zone is to encourage improved management and design to increase wildlife permeability and open space; while providing for evolution of these existing rural neighborhoods.
- Location.** The zone is generally located near or adjacent to Complete Neighborhoods, but still isolated enough from the services of a complete neighborhood that vehicle travel is required.
- Lot Size.** The zone is characterized by lots of 1-6 acres, many of which were created consistent with the zoning allowances of 1978 to 1994. The intent is not to create additional lots of this size. Instead, the intent is to combine lots and cluster existing development potential to the extent possible while continuing to acknowledge existing property rights.
- Comp Plan.** The zone is based primarily on the vision for Conservation subareas.

B. Physical Development

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

1. Site Development Standards



Site Development Amount

Site Development (max) GSA(.11) + 9,260 sf A

Site Development Location

Wildlife Habitat See NRO 5.2.1

Scenic Viewsheds See SRO 5.3.2

Waterbodies/Wetlands 5.1.1

River Setback(min) 150' B

Stream/Lake/Pond Setback(min) 50' - 150' C

Wetland Setback (min) 30' D

Irrigation Ditch 7.7.4.D

Irrigation Ditch Setback (min) 15' E

Street Setback (min) 25' F

Non-Street Setback (min) 5' G

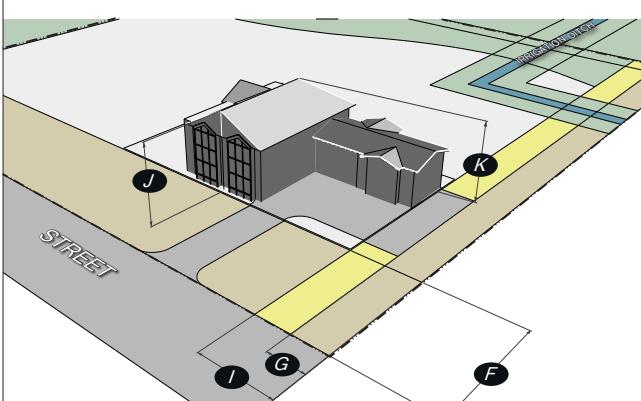
Landscaping

Plant units (min) (additive)

per 10,000 sf floor area 1 pu

per 8 parking lot spaces 1 pu

2. Structure Standards



Structure Location

Street Setback (min)	25'	F
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Non-Street Setback (min)	10'	I
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Scale of Development

Floor area		
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Maximum	GSA(.032) + 3,900 sf	
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Not to exceed	10,000 sf	
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Single building (max)	10,000 sf	
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Structure Height	9.4.9	
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Height: Any point (max)	30'	J
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Height: Overall (max)	37.5'	K
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Scenic Standards

RE: Scenic viewsheds	See SRO	5.3.2
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Fencing

Wildlife Friendly Fencing	Required	5.1.2
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Exterior Materials

External surfaces	Non-reflective	
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Colors	Earth tones	
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8. Required Physical Development Permits

Physical Development	Sketch Plan (8.3.1)	Development Plan (8.3.2)	Building Permit (8.3.3)	Sign Permit (8.3.5)	Grading Permit (8.3.4)	Other
Site Disturbance					see 5.7.1	
Structure			X		see 5.7.1	
Fence					see 5.7.1	see 5.1.2
Sign				X	see 5.7.1	

3. Environmental

Wild animal feeding	5.1.3
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Bear proof trash	5.2.2
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4. Exterior Lighting

Total cut off angle (max)	90°
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Illumination (max)	0.5 fc
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Light Height (max)	15'
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5. Natural Hazards to Avoid

Steep Slopes	5.4.1
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Development prohibited	Slopes >25%
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Unstable Soils	5.4.2
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Fault Areas	5.4.3
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Floodplains	5.4.4
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Wildland Urban Interface	5.4.5
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6. Signs

Allowed Signs (max)	Area (max)	Height (max)
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1 rustic freestanding or wall	4 sf	4'
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1 wall per home occupation	2 sf	n/a
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7. Grading, Erosion, Stormwater

Grading	5.7.2
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Erosion Control	5.7.3
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Erosion shall be controlled at all times	
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Stormwater Management	5.7.4
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No increase in peak flow rate or velocity across property lines	
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C. Use

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

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Parking (min) (6.2)	Employees to be Housed (min) (6.3)
<u>Open Space</u>						
<u>Agriculture</u>	Y	0 ac.	n/a	n/a	n/a	exempt
<u>Outdoor Recreation</u>	C	0 ac.	n/a	see E.1	independent calculation	independent calculation
<u>Residential</u>						
<u>Detached Single-Family</u>	Y	0 ac.	1/lot	8,000 sf habitable	2/du	n/a
<u>Dormitory</u>	C	0 ac.	1 kitchen	8,000 sf habitable	1/bed	n/a
<u>Group Home</u>	C	0 ac.	1 kitchen	8,000 sf habitable	0.5/bed	n/a
<u>Amusement/Recreation</u>						
<u>Developed Recreation</u>	C	0 ac.	n/a	see E.1	independent calculation	independent calculation
<u>Institutional</u>						
<u>Assembly</u>	C	0 ac.	n/a	see E.2	independent calculation	exempt
<u>Daycare/Education</u>	C	0 ac.	n/a	see E.2	independent calculation	exempt
<u>Industrial</u>						
<u>Gravel Extraction</u>	S	see 6.1.9.F			1/employee	0.03/1,000 sf
<u>Transportation/Infrastructure</u>						
<u>Utility Facility</u>	C	0 ac.	n/a	n/a	1/employee + 1/ stored vehicle	independent calculation
<u>Wireless Communications</u>	see 6.1.10.D				1/employee + 1/ stored vehicle	independent calculation
<u>Accessory Uses</u>						
<u>Accessory Residential Unit</u>	B	0 ac.	see 6.1.11.B, E.2		1.25/du	n/a
<u>Home Occupation</u>	B	0 ac.	1/du	25% of du's habitable sf	n/a	exempt
<u>Home Business</u>	C	0 ac.	1/du	25% of du's habitable sf	1/du	exempt
<u>Family Home Daycare</u>	B	0 ac.	1/du	care for 3-6 persons	1/employee + 1 off-street pick-up/ drop-off	exempt
<u>Home Daycare Center</u>	C	0 ac.	1/du	care for 7-11 persons	1/employee + 2 off-street pick-up/ drop-off	exempt

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use
 B=Basic Use Permit (8.4.1) C=Conditional Use Permit (8.4.2) S=Special Use Permit (8.4.3)

1. Allowed Uses					2. Use Requirements	
Use	Permit	GSA (min)	Density (max)	Scale (max)	Parking (min) (6.2)	Employees to be Housed (min) (6.3)
<u>Temporary Uses</u>						
Temporary Shelter	B	0 ac.	1/lot	n/a	2	n/a
Temp. Gravel Extraction	B	0 ac.	n/a	15 ac.	1/employee	exempt

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use
B=Basic Use Permit (8.4.1) C=Conditional Use Permit (8.4.2) S=Special Use Permit (8.4.3)

3. Operational Standards	
<u>Outside Storage</u>	<u>6.4.1</u>
<u>Refuse and Recycling</u>	<u>6.4.2</u>
<u>Trash and recycling enclosure required</u>	
<u>Noise</u>	<u>6.4.3</u>
<u>Max sound level at property line</u>	<u>55 DBA</u>
<u>Vibration</u>	<u>6.4.4</u>
<u>Electrical Disturbances</u>	<u>6.4.5</u>
<u>Fire and Explosive Hazards</u>	<u>6.4.6</u>
<u>Heat and Humidity</u>	<u>6.4.7</u>
<u>Radioactivity</u>	<u>6.4.8</u>

D. Development Options and Subdivision

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

1. Allowed Development and Subdivision Options						
Option	Lot Size (min)	Cons. Area (min)	Dev. Area : Cons. Area (max)	Additional Density (max)	Floor Area (max)	Option Standards
Subdivision Options	subdivision prohibited					
Development Options	none					
2. Residential Subdivision Requirements						
<u>Affordable Housing</u>	<u>7.4</u>					
<u>Affordable housing (min)</u>	<u>25% of new units</u>					
<u>Schools and Parks Exactions</u>	<u>7.5</u>					
<u>Exaction land (min)</u>	<u>0.03 acres per housing unit or lot</u>					

3. Infrastructure

Transportation Facilities		7.6
Access		Required
Right-of-way for a minor local road (min)		60'
Travel lane width for minor local road		10'
Road and driveway design	Also subject to Fire Protection Resolution	
Required Utilities		7.7
Water (required)	Connection to public supply, installation of central supply, or evidence of individual well	
Sewer (required)		
0-500' from public sanitary sewer	Connect to public sanitary sewer	
> 500' from public sanitary sewer	Small wastewater (septic) facility	

4. Permits Required

Physical Development	Planned Unit Development (8.7.3)	Sketch Plan (8.3.1)	Development Plan (8.3.2)	Development Option Plan (8.5.2)	Subdivision Plat (8.5.3)
Any Subdivision			x		x

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the R-3 zone.

1. Outdoor Recreation and Developed Recreation Uses. Outdoor Recreation and Developed Recreation Uses in the R-3 zoning district shall be subject to the following:

- a. Purpose. The primary purpose of outdoor recreation or developed recreation uses in the R-3 zoning district is to serve residents living in and around the area without attracting traffic to the use.
- b. Parking. The Board may limit the amount of parking to manage the traffic attracted to the area.

EXAMPLE: A park developed for use by the subdivision may have a maximum number of parking spaces to manage occupancy.

- c. Hours of Operation. The Board may limit the hours of operation for the use.

EXAMPLE: The Board might limit the hours of operation to match sunrise and sunset. The hours of operation might be varied by season.

- d. Seasonal Limitations. The Board may limit a use to a particular season or time period, or limit the number of discrete occurrences of a use during a particular season.

EXAMPLE: On a property with crucial wildlife winter range, the Board might limit the use to times when winter range is not in use. Alternately, the Board might choose to limit the number of events held at an athletic field in order to reduce the frequency and duration of adverse impacts to neighbors.

- e. Lighting. The Board may limit lighting associated with the use.

EXAMPLE: On a property located adjacent to a residential use, the Board might prohibit lighting that reflects into the residential use, or might limit the hours during which the use may be lit.

- 2. Assembly Uses. Assembly Uses in the R-3 zoning district shall be subject to the following:

- a. Purpose. The primary purpose of allowing assembly use in the R-3 zoning district is to provide for assembly uses that require greater area than can be found in a complete neighborhood, but are compatible with the character of R-3 neighborhoods.
- b. Occurrences. If appropriate, the Board may limit the number and frequency of occurrences during a specific season or time period.

EXAMPLE: The Board might choose to limit the number of public events held at a subdivision community center.

- c. Maximum Occupancy. The Board may establish a maximum occupancy.

EXAMPLE: A community center may be limited in occupancy to ensure it is a compatible size with the neighborhood.

- d. Hours of Operation. The Board may limit the hours of operation for the use.

EXAMPLE: The Board might extend the hours of operation for a community center to allow neighbors to use the facility for weekend events.

- e. Access. All pick-up and drop-off activities associated with the use shall be accommodated on-site. Parking or idling on local streets (e.g. carpool lines) is prohibited.

- 3. Daycare/Education Uses. Daycare/Education Uses in the R-3 zoning district shall be subject to the following:

- a. Purpose. The primary purpose of daycare/education uses in the R-3 zoning district is to serve residents in and around the area without attracting traffic to the use.

- b. Maximum Occupancy. Assembly or Daycare/Education uses shall serve a maximum of 15 students, guests, members, or attendees.

- c. Hours of Operation. The Board may limit the hours of operation for the use.

EXAMPLE: The Board might limit the hours of operation for a school to avoid impacts to neighbors and increases in peak hour traffic.

- d. Access. All pick-up and drop-off activities associated with the use shall be accommodated on-site. Parking or idling on local streets (e.g. carpool lines) is prohibited.

4. Maximum Scale of an ARU

- a. Primary use residential. 1,000 sf of gross floor area including basement floor area.

- b. Primary use non-residential. 850 sf of habitable floor area including basement floor area.

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	0.03/1,000 sf
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	0 sf	n/a	n/a	independent calculation
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Aviation (6.1.10.E)	C	0 sf	n/a	independent calculation	independent calculation
Heliport (6.1.10.E.)	E	0 sf	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	1 unit per lot	1.25/DU	n/a
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 sf	n/a	1/DU	exempt
Family Home Daycare (6.1.11.F.)	C	0 sf	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 sf	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Drive-In Facility (6.1.11.H.)	C	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Temporary Shelter (6.1.12.D.)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 sf	n/a	1/employee	exempt

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

3. Maximum Scale of Use		
Individual Use (floor area) (max)		
Single family unit (detached)		
Habitable floor area excluding basement		8,000 sf
Gross floor area excluding basement		10,000 sf + 100 sf non-habitable FA per acre BSA over 10 acres. Not to exceed 15,000sf
Individual retail use excluding basement		12,500 sf habitable
Accessory residential unit		
Primary use residential		1,000 sf gross
Primary use nonresidential		850 sf habitable

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
Open Space					
Agriculture (<u>6.1.3.B.</u>)	Y	0 sf	n/a	n/a	exempt
Outdoor Recreation (<u>6.1.7.C.</u>)	C	0 sf	n/a	Independent calculation	independent calculation
Residential					
Detached Single-Family Unit (<u>6.1.4.B.</u>)	Y	0 sf	1 unit per lot	2/DU	n/a
Transportation/Infrastructure					
Utility Facility (<u>6.1.10.C.</u>)	C	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communication Facilities (<u>6.1.10.D.</u>)	<u>6.1.10.D.</u>	0 sf	n/a	1/employee + 1/stored vehicle	independent calculation
Accessory Uses					
Accessory Residential Unit (<u>E.3.</u>) (<u>6.1.11.B.</u>)	B	0 sf	1 per du	1.25/DU	n/a
Home Occupation (<u>6.1.11.D.</u>)	B	0 sf	n/a	n/a	exempt
Home Business (<u>6.1.11.E.</u>)	C	0 sf	n/a	1/DU	exempt
Family Home Daycare (<u>6.1.11.F.</u>)	B	0 sf	n/a	1/employee + 1 off-street pick-up/ drop-off	exempt
Home Daycare Center (<u>6.1.11.G.</u>)	C	0 sf	n/a	1/employee + 2 off-street pick-up/ drop-off	exempt
Temporary Uses					
Temporary Shelter (<u>6.1.12.D.</u>)	B	0 sf	1 unit per lot	2/DU	exempt
Temp. Gravel Extraction and Processing (<u>6.1.12.E.</u>)	B	0 sf	n/a	1/employee	exempt
<u>Helicopter Tree Removal</u> (<u>6.1.12.G.</u>)	B	0 sf	n/a	n/a	exempt

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

Subdivision	Multiplier
Bar B-Bar Meadows PUD (lots < 10 ac)	1.05
Crescent H Ranch PUD	1.4
Eagle Southfork PUD	1.35
Ellen Creek	1.35
Forest Edge	1.35
Indian Springs Ranch (lots < 10 ac)	1.1
Jackson Hole Golf and Tennis Club	1.15
Lake Creek Acres II	1.42
Lake Creek Ranch	1.1
R-G	1.36
River Meadows 1st and 3rd Filings	1.6
NC-TVSF	1.4
Block S Ranch	1.37
Melody Ranch	see PUD
Spring Creek Ranch	see PUD
Teton Pines (JH Racquet Club Resort)	see PUD

2. **Maximum Site Development.** The maximum site development of a single-family unit, including associated accessory structures, shall be calculated using the appropriate formula below.
 - a. **Exemptions.** The following shall be exempt from the calculation of maximum site development.
 - i. Public and neighborhood pathways, flood control levees, ponds, and
 - ii. Outdoor riding arenas on properties 6 acres or larger. In order to be exempt from maximum site development calculations the riding arena shall be an uncovered area no larger than 160 feet by 200 feet that is constructed of natural materials. Outdoor riding arenas may not have bleachers, and must be constructed of wood fencing or livestock panels no higher than 52 inches. Outdoor riding arenas shall have 12 foot wide gates at 2 ends that must remain open to allow for wildlife movement when the arena is not in use.

b. Formula

ASA	Maximum Site Development (sf)
≤ 0.1 ac	(ASA)(0.6)(43,560)
0.1-0.5 ac	(ASA-0.1)(0.31)(43,560)+2,614
0.5-3 ac	(ASA-0.5)(0.11)(43,560)+8,015
3-35 ac	(ASA-3)(0.040344)(43,560)+19,994
> 35 ac	(ASA)(0.05)(43,560)

c. **Specially Named Subdivisions.** In the following named subdivisions, the result of the above calculation shall be further multiplied by the factor identified below to determine the maximum site development.

Subdivision	Multiplier
Bar B Bar Meadows PUD	1.17
Crescent H Ranch PUD	1.17
Eagle Southfork PUD	1.39
Ellen Creek	1.23
Forest Edge	1.39
Indian Springs Ranch Hillside Lots	1.23
Jackson Hole Golf and Tennis Club	1.17
Lake Creek Acres II	1.34
Lake Creek Ranch	1.19
R-G	1.34
River Meadows 1st and 3rd Filings	1.5
NC-TVSF	1.44
Bleek S Ranch	1.40
Melody Ranch	see PUD
Spring Creek Ranch	see PUD
Teton Pines (JH Racquet Club Resort)	see PUD

3. **Accessory Residential Units.** Accessory residential units are only allowed in association with a primary residential use.

4. Subdivision

a. **Combination to Increase Density.** Lots of record may not be combined with other lots of record for the purpose of subdividing to increase density. However, subdivision for other purposes where overall existing densities are retained or reduced shall be permitted.

D. Development Options

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

1. Allowed Subdivision and Development Options							
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options							
Land Division	n/a	12,000 sf	n/a	n/a	determined by phys. development		(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by phys. development		(Sec. 7.2.4.)
	Cons. Area (min)	Lot Size (min)	Density (max)	Dev. Area : Cons. Area (max)	Additional Floor Area (max)		
Allowed Development Options							
<u>Planned Residential Development (PRD)</u>							(Sec. 7.1.2.)
Planned Residential I	80,000 sf	n/a	3.64 du/ae	25%	0.35	24	
Planned Residential II	80,000 sf	n/a	4.0 du/ae	35%	0.35	24	
Complete Neighborhood PRD	70 ac.	n/a			n/a		7.1.6
<u>CN Development Area</u>			1 du/ 4 ac. Cons.	1 ac : 19 ac	n/a		
<u>Reserved Rural Dev. Area</u>			1 du/ 35 ac. Cons.	n/a	n/a		
2. Residential Subdivision Requirements							
Affordable Housing							(Div. 7.4.)
Required Affordable Housing							25% of new units
Schools and Parks Exactions							(Div. 7.5.)
Development Exaction							0.03 acres of land per housing unit or lot
3. Infrastructure							
Transportation Facilities							(Div. 7.6.)
Access							required
Right-of-way for a Minor Local Road (min)							60'
Travel lane width for a Minor Local Road (min)							10'
Road and driveway design							also subject to Fire Protection Resolution

Required Utilities	(Div. 7.7.)
Water	Connection to public supply, installation of central supply, or evidence of individual well required
Sewer	
Connection to a public sanitary sewer required	within 500'
Small Wastewater Facility (septic) approval required	otherwise

4. Required Subdivision and Development Option Permits

Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Any Subdivision					
≤ 10 units			X		X
> 10 units		X	X		X
Non-subdivision PRD					
0-4 units				X	
5-10 units			X		
>10 units	X		X		
Complete Neighborhood PRD		X	X		X

E. Additional Zone-specific Standards

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

1. **Dormitory, Group Home, and Assembly Use.** Structures containing dormitory, group home, and assembly uses shall be set back 300 feet from all property lines, except property lines that are internal to a development that contains other uses in addition to the dormitory, group home, or assembly use.

C. Use Standards

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	Y	0 ac	n/a	n/a	exempt
Outdoor Recreation (6.1.7.C.)	C	35 ac	n/a	independent calculation	independent calculation
Downhill Ski Area (6.1.3.C.)	E	35 ac	n/a	1/7 carrying capacity + 1/2 employees	independent calculation
Golf Courses (6.1.3.D.)	E	35 ac	n/a	3/hole + as required for incidental uses	independent calculation
Dude/Guest Ranch (6.1.3.E.)	C	35 ac	6.1.3.E.	1/LU	0.82/guest
Residential					
Detached Single-Family Unit (6.1.4.B.)	Y	0 ac	1 unit per lot	2/DU	n/a
Dormitory (E.3.) (6.1.4.F.)	C	35 ac	7 rooms per acre	1/bed	n/a
Group Home (E.3.) (6.1.4.G.)	C	35 ac	7 rooms per acre	0.5/bed	n/a
Lodging					
Campground (6.1.5.D.)	C	35 ac	15 sites per acre	1/campsite + 1/7.5 campsites	0.58/1,000 sf of commercial floor area + 1.75 per ac
Commercial					
Nursery (6.1.6.H.)	C	35 ac	n/a	2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee	0.37/1,000 sf + 1.51/ac
Amusement/Recreation					
Outfitter/Tour Operator (6.1.7.E.)	C	35 ac	n/a	independent calculation	independent calculation
Balloon Operation (6.1.7.F.)	E	35 ac	n/a	independent calculation	independent calculation
Institutional					
Assembly (E.3) (6.1.8.B.)	C	35 ac	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	C	35 ac	n/a	independent calculation	exempt

Y=Use allowed, no use permit required B=Basic Use Permit (Sec. 8.4.1.)

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
Industrial					
Gravel Extraction and Processing (6.1.9.F.)	S	35 ac	n/a	1/employee	0.03/1,000 sf
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	35 ac	n/a	1/employee + 1/stored vehicle	independent calculation
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	35 ac	n/a	1/employee + 1/stored vehicle	independent calculation
Aviation (6.1.10.E.)	C	0 sf	n/a	independent calculation	independent calculation
Heliport (6.1.10.E.)	E	35 ac	n/a	7/daily aircraft movement	independent calculation
Landing Strip (6.1.10.G.)	E	35 ac	n/a	7/daily aircraft movement	independent calculation
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 ac	1 unit per lot	1.25/DU	n/a
Bed and Breakfast (6.1.11.C.)	C	70 ac	n/a	0.75/LU	exempt
Home Occupation (6.1.11.D.)	B	0 ac	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	0 ac	n/a	1/DU	exempt
Family Home Daycare (6.1.11.F.)	B	0 ac	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	0 ac	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Ag Employee Housing (6.1.11.I.)	B	70 ac	1 unit per 35 acres	2/DU	exempt
Cottage Industry (6.1.11.J.)	E	70 ac	n/a	1/employee + 1/company vehicle	exempt
Receptions/Events (6.1.11.K.)	E	70 ac	n/a	1/3 attendees	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 ac	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Real Estate Sales Office (6.1.12.C.)	B	0 ac	n/a	3.3/1,000 sf	exempt
Temporary Shelter (6.1.12.D.)	B	0 ac	1 unit per lot	2/DU	exempt
Farm Stand (6.1.12.E.)	B	0 ac	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 ac	n/a	1/employee	exempt
Helicopter Tree Removal (6.1.12.G.)	B	0 ac	n/a	n/a	exempt

Y=Use allowed, no use permit required

B=Basic Use Permit (Sec. 8.4.1.)

C=Conditional Use Permit (Sec. 8.4.2.)

S=Special Use Permit (Sec. 8.4.3.)

D. Development Options

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

1. Allowed Subdivision and Development Options							
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options							
Land Division	n/a	35 ac	n/a	n/a	determined by phys. development		(Sec. 7.2.3.)
	<u>Cons. Area (min)</u>	<u>Lot Size (min)</u>	<u>Density (max)</u>	<u>Dev. Area : Cons. Area (max)</u>	<u>Additional Floor Area (max)</u>		
Allowed Development Options							
Planned Residential Development (PRD) (Sec. 7.1.2.)							
1 per 35	35 ac	n/a	.029 du/ae	50%	determined by phys. development		
2 per 35 east of Tetons	121 ac	n/a	.057 du/ae	50%	determined by phys. development		
2 per 35 west of Tetons	70 ac	n/a	.057 du/ae	50%	determined by phys. development		
3 per 35	23.33 ac	n/a	.086 du/ae	70%	determined by phys. development		
6 per 35 east of Tetons	121 ac	n/a	.171 du/ae	70%	determined by phys. development		
6 per 35 west of Tetons	70 ac	n/a	.171 du/ae	70%	determined by phys. development		
9 per 35	360 ac	n/a	.257 du/ae	85%	determined by phys. development		
Floor Area Option	<u>See 7.1.5</u>	n/a	<u>2 additional ARU/35 ac.</u>	n/a	<u>10,000 sf/35 ac.</u>		<u>7.1.5</u>
Rural PRD	105 ac	n/a	2 du/35 ac.	1 ac : 3 ac	n/a		7.1.2
Complete Neighborhood PRD	70 ac	n/a			n/a		7.1.6
CN Development Area			<u>1 du/4 ac. Cons.</u>	<u>1 ac : 19 ac</u>	n/a		
Reserved Rural Dev. Area			<u>1 du/35 ac. Cons.</u>	n/a	n/a		
2. Residential Subdivision Requirements							
Affordable Housing (Div. 7.4.)							
Required Affordable Housing						25% of new units	
Schools and Parks Exactions (Div. 7.5.)							
Development Exaction					0.03 acres of land per housing unit or lot		

3. Infrastructure

Transportation Facilities		(Div. 7.6.)
Access		required
Right-of-way for a Minor Local Road (min)		60'
Travel lane width for a Minor Local Road (min)		10'
Road and driveway design	also subject to Fire Protection Resolution	
Required Utilities		(Div. 7.7.)
Water	Connection to public supply, installation of central supply, or evidence of individual well required	
Sewer		
Connection to a public sanitary sewer required	within 500'	
Small Wastewater Facility (septic) approval required	otherwise	

4. Required Subdivision and Development Option Permits

Option	Planned Unit Development (Sec. 8.7.3.)	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Development Option Plan (Sec. 8.5.2.)	Subdivision Plat (Sec. 8.5.3.)
Any Subdivision			X		X
≤ 10 units					
> 10 units		X	X		X
Non-subdivision PRD					
0-4 units				X	
5-10 units			X		
≥10 units	X		X		
Floor Area Option				X	
Rural PRD	optional		X		X
Complete Neighborhood PRD	X		X		X

E. Additional Zone-specific Standards

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

1. **Maximum Floor Area.** The maximum floor area of a single-family unit, including associated accessory structures, shall be calculated using the appropriate formula below. Basements are excluded from maximum floor area calculations. Maximum Scale of Development standards still apply.

BSA	Maximum Floor Area (sf)
≤ 0.11 ac	(BSA)(0.43)(43,560)
0.11-0.172 ac	(BSA-0.11)(0.2833)(43,560)+2,060
0.172-0.5 ac	(BSA-0.172)(0.124)(43,560)+2,825
>0.5 ac	(BSA-0.5)(0.032)(43,560)+4,596

a. **Specially Named Subdivisions.** In the following named subdivisions, the result of the above calculation shall be further multiplied by the factor identified below to determine the maximum floor area.

Subdivision	Multiplier
3 Creek Ranch	see FDP
PRDs	see FDP

2. **Maximum Site Development.** The maximum site development of a single-family unit, including associated accessory structures, shall be calculated using the appropriate formula below.

a. **Exemptions.** The following shall be exempt from the calculation of maximum site development.

- Public and neighborhood pathways, flood control levees, ponds, and
- Outdoor riding arenas on properties 6 acres or larger. In order to be exempt from maximum site development calculations the riding arena shall be located outside the NRO and shall be an uncovered area no larger than 160 feet by 200 feet that is constructed of natural materials. Outdoor riding arenas may not have bleachers, and must be constructed of wood fencing or livestock panels no higher than 52 inches. Outdoor riding arenas shall have 12 foot wide gates at 2 ends that must remain open to allow for wildlife movement when the arena is not in use.

b. **Formula**

ASA	Maximum Site Development (sf)
≤ 0.1 ac	(ASA)(0.6)(43,560)
0.1-0.5 ac	(ASA-0.1)(0.31)(43,560)+2,614
0.5-3 ac	(ASA-0.5)(0.11)(43,560)+8,015
3-35 ac	(ASA-3)(0.040344)(43,560)+19,994
> 35 ac	(ASA)(0.05)(43,560)

c. **Specially Named Subdivisions.** In the following named subdivisions, the result of the above calculation shall be further multiplied by the factor identified below to determine the maximum site development.

Subdivision	Multiplier
3 Creek Ranch	see FDP
PRDs	see FDP

3. **Dormitory, Group Home, and Assembly Use.** Structures containing dormitory, group home, and assembly uses shall be set back 300 feet from all property lines, except property lines that are internal to a development that contains other uses in addition to the dormitory, group home, or assembly use.

Article 4. Special Purpose Zones

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12. Required Physical Development Permits

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

C. Use Standards

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

1. Allowed Uses			2. Use Requirements		
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	Y	0 sf	n/a	n/a	exempt
Outdoor Recreation (6.1.7.C.)	C	0 sf	n/a	independent calculation	exempt
Golf Courses (6.1.3.D.)	C	0 sf	n/a	3/hole + as required for incidental uses	exempt
Residential					
Dormitory (6.1.4.F.)	C	0 sf	n/a	1/bed	exempt
Group Home (6.1.4.G.)	C	0 sf	n/a	0.5/bed	exempt
Commercial					
Office (6.1.6.B.)	C	0 sf	n/a	3.3/1,000 sf	exempt
Service (6.1.6.D.)	C	0 sf	n/a	3/1,000 sf	exempt
Heavy Retail/Service (6.1.6.F.)	C	0 sf	n/a	2/1,000 sf + 3/repair bay + 1/wash bay	exempt

Y=Use allowed, no [use](#) permit required B=Basic Use Permit ([Sec. 8.4.1.](#)) C=Conditional Use Permit ([Sec. 8.4.2.](#))

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
Mini-Storage Warehouse (6.1.6.G.)	C	0 sf	n/a	1/10 storage units + 1/employee	exempt
Amusement/Recreation					
Developed Recreation (6.1.7.D.)	C	0 sf	n/a	4.5/1,000 sf	exempt
Institutional					
Assembly (6.1.8.B.)	C	0 sf	n/a	independent calculation	exempt
Daycare/Education (6.1.8.C.)	C	0 sf	n/a	independent calculation	exempt
Industrial					
Light Industry (6.1.9.B.)	C	0 sf	n/a	1/1,000 sf + 1/company vehicle	exempt
Heavy Industry (6.1.9.C.)	C	0 sf	n/a	2/1,000 sf	exempt
Disposal (6.1.9.D.)	C	0 sf	n/a	1/employee	exempt
Junkyard (6.1.9.E.)	C	0 sf	n/a	1/employee	exempt
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	0 sf	n/a	n/a	exempt
Utility Facility (6.1.10.C.)	C	0 sf	n/a	1/employee + 1/stored vehicle	exempt
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	0 sf	n/a	1/employee + 1/stored vehicle	exempt
Aviation (6.1.10.E.)	C	0 sf	n/a	independent calculation	independent calculation
Heliport (6.1.10.E.)	E	0 sf	n/a	7/daily aircraft movement	exempt
Airport (6.1.10.F.)	E	0 sf	n/a	7/daily aircraft movement	exempt
Landing Strip (6.1.10.G.)	E	0 sf	n/a	7/daily aircraft movement	exempt
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	0 sf	n/a	1.25/DU	exempt
Home Occupation (6.1.11.D.)	B	0 sf	n/a	n/a	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 sf	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Farm Stand (6.1.12.E.)	B	0 sf	n/a	5/1,000 sf display area	exempt

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

12. Required Physical Development Permits

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

C. Use Standards

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

1. Allowed Uses			2. Use Requirements		
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	Y	0 ac	n/a	n/a	exempt
Outdoor Recreation (6.1.7.C.)	C	0 ac	n/a	independent calculation	exempt
Downhill Ski Area (6.1.3.C.)	E	0 ac	n/a	1/7 carrying capacity + 1/2 employees	exempt
Golf Courses (6.1.3.D.)	E	0 ac	n/a	3/hole + as required for incidental uses	exempt
Amusement/Recreation					
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	0 ac	n/a	1/employee + 1/stored vehicle	exempt
Wireless Communication Facilities (6.1.10.D.)	6.1.10.D.	0 ac	n/a	1/employee + 1/stored vehicle	exempt
Accessory Uses					
Accessory Residential Unit (E.1.) (6.1.11.B.)	C	30 ac	1 unit per lot	2/DU	n/a
Home Occupation (6.1.11.D.)	B	0 ac	n/a	n/a	exempt

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	BSA (min)	Density (max)	Parking (min) (Div. 6.2.)	Employees Required to be Housed (min) (Div. 6.3.)
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	0 ac	n/a	1/1,000 sf outdoor display area + 1/employee	exempt
Farm Stand (6.1.12.E.)	B	0 ac	n/a	5/1,000 sf display area	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	0 ac	n/a	1/employee	exempt

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

3. Maximum Scale of Use	
Individual Use (floor area) (max)	
Accessory residential unit	
Habitable floor area	1,500 sf
Gross floor area	2,000 sf
4. Operational Standards	
Outside Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash and recycling enclosure required	>4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Max sound level at property line	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)
Heat and Humidity	(Sec. 6.4.7.)
Radioactivity	(Sec. 6.4.8.)

D. Development Options

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

1. Allowed Subdivision and Development Options							
Option	BSA (min)	Lot Size (min)	Density (max)	OSR (min)	FAR (max)	Height (max)	Option Standards
Allowed Subdivision Options							
Land Division	n/a	n/a	n/a	n/a	determined by physical development		(Sec. 7.2.3.)
Condominium/Townhouse	n/a	n/a	n/a	n/a	determined by physical development		(Sec. 7.2.4.)

in accordance with the approved phasing plan. Notwithstanding, alternate time frames for expiration of a Planned Resort master plan may be established in an approved phasing plan.

- ii. **Effect.** Upon expiration, approval of a Planned Resort master plan and all rights that are established by the master plan shall lapse and the County shall amend the Official Zoning Map from the Planned Resort Zone to the appropriate zone based on the direction of the Comprehensive Plan zone that existed on the property prior to the Planned Resort master plan approval.
- c. **Extension.** A Planned Resort master plan approval may be extended by the Board of County Commissioners provided a written request for extension is received at least 30 days prior to expiration of the Planned Resort master plan.
 - i. **Procedure.** The request for extension shall be reviewed by the Board of County Commissioners at a regularly scheduled meeting, by which time a public hearing notice shall be advertised and any necessary information pertinent to the extension request can be made available. The Planned Resort master plan shall be deemed extended until the Board of County Commissioners acts upon the request for extension.
 - ii. **Grounds for Extension.** The grounds for extending a Planned Resort master plan approval shall be specified by the Board and shall include, but not be limited to, the following:
 - a). **No Change in Conditions.** Conditions in the community have not substantially changed since the original Planned Resort master plan approval. No extension shall be granted if the Board finds that changes in the community result in the resort plan being inconsistent with the community's land use patterns, these LDRs, or the community's ability to provide infrastructure and services to accommodate the resort.
 - b). **Good Faith Efforts.** Activities and investments on the part of landowners within the Planned Resort demonstrate good faith efforts in pursuing the development permitted by the Planned Resort master plan.
- d. **Reconsideration.** If development within a Planned Resort fails to proceed in general accordance with the approved phasing plan, the Board of County Commissioners may require reconsideration of the Planned Resort master plan and either amend the phasing plan or revoke the master plan, as appropriate.
 - i. **Amendment.** Amendment of the phasing plan shall be appropriate if either an acceptable alternative phasing plan that meets the standards of this Section or a development schedule acceptable to the County Commissioners for regaining compliance with the original phasing plan is presented.

- ii. **Revocation.** Revocation of the master plan shall have the effect of forfeiting all rights within the Planned Resort to any further development according to the Planned Resort master plan and shall be appropriate if:
 - a). no material progress has been made in development of the resort for 10 consecutive years, or
 - b). there is substantial noncompliance with the performance objectives specified in the conditions of approval, or the monitoring program, and no agreement can be reached between representatives of the landowners within the Planned Resort or applicant of record and the Board of County Commissioners for bringing the resort development into compliance with the standards of this Section.
- iii. **Procedure.** The Board of County Commissioners shall hold a public hearing, in accordance with Sec. 8.2.10, for the purpose of examining the development that has occurred within the Planned Resort and its consistency with the Planned Resort master plan. The Board of County Commissioners shall issue a determination as to whether amendment or revocation of the master plan is appropriate, in accordance with the above specified standards. Revocation of the master plan shall be accomplished by amending the resort area on the Official Zoning Map from Planned Resort Zone to ~~an appropriate zone based on the direction of the Comprehensive Plan the zone that existed prior to approval of the Planned Resort master plan.~~

F. Standards Applying to All Planned Resorts

1. **Consistency with Comprehensive Plan.** Planned Resort master plans shall be consistent with the goals and objectives of the Jackson/Teton County Comprehensive Plan.
2. **Compliance with LDRs.** A Planned Resort master plan shall comply with the standards of these LDRs. Notwithstanding, the applicant for a Planned Resort master plan may propose, and the Board of County Commissioners may approve, alternative standards for development that are consistent with the purpose and intent of this Section. It is fully consistent with this Section that Planned Resorts may have dimensional, design, and other development standards different from those described in other sections of these LDRs due to the unique circumstances of, and community objectives for, resort development. All standards and regulations of the prior zone not altered pursuant to an approved Planned Resort master plan shall apply.
3. **Statement of Purpose.** The Planned Resort master plan shall have a Statement of Purpose which describes the applicant's rationale for resort expansion and the design theme of the resort development. The Statement also shall describe how the resort master plan fulfills the intents of this Section, as specified in 4.3.1.A.

E. Establishment of a New PUD

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

F. Amendment of an Existing PUD or Other Special Project

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

G. PUD Option Schedule

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

County Character Zones - PUD Options			
Complete Neighborhood Zones	Rural Area Zones		
<u>n/a</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>

No PUD options are allowed in the County

County Legacy Zones - PUD Options											
Complete Neighborhood Zones					Rural Area Zones					Civic Zones	
AC-TC	AR-TC	WC	OP-TC	BP-TC	BC-TC	MHP-TC	NC-TC	S-TC	R-TC	P/SP-TC	P-TC

No PUD options are allowed in the County

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- e. **Wetlands.** Wetlands mean an area where water is at, near, or above the land surface long enough to support aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. Determination of wetlands shall be according to the 1989 Army Corps of Engineers definition of jurisdictional wetlands. This definition excludes irrigation induced wetlands.

D. No Development, Setbacks/Buffers Required

Due to the risk of severe negative impacts on the community at large if waterbodies and wetlands are wholly or partially developed, and the necessity to protect the natural functions of these resources, physical development and use of these resources is prohibited in most cases and a setback/buffer is required. Demonstration of compliance with wetland standards must be provided by a qualified professional.

1. **Development Prohibited.** Physical development and use in waterbodies and wetlands is prohibited except for essential facilities as specified below.
2. **Setback/Buffer Required.** All physical development and use is required to be setback from specified resources as follows:
 - a. **Rivers.** 150 feet.
 - b. **Streams.** Along streams, physical development and use shall be located out of the riparian plant community, but in no case shall the required setback be less than 50 feet or more than 150 feet.
 - c. **Natural Lake/Pond.** Adjacent to natural lakes or ponds, physical development and use shall be located out of the riparian plant community, but in no case shall the required setback be less than 50 feet or more than 150 feet.
 - d. **Wetlands.** 30 feet.
 - e. **Measurement.** Setbacks shall be measured from the mean high water or top of bank, whichever is farthest from the thread of the watercourse or the center of the waterbody.
 - f. **Buffer.** The area protected by the setback is the “buffer” and shall remain free from physical development and use, parking, and open storage of vehicles, refuse, or any other material. Terrain disturbance for bona fide agricultural purposes as defined in Section 6.1.3.B, flood protection, wildlife habitat enhancement, or public pathways are permitted in the buffer upon receipt of applicable permits.
 - g. **Land Protected by a Conservation Easement.** Land protected by a conservation easement, where proposed development density is one unit per 70 acres or less and the total acreage subject to the easement is 320 acres or more, shall be exempt from certain stream setbacks required by this Subsection. The stream setback for land under a conservation easement may vary based upon the wildlife, agricultural, and scenic

- b). **On-Site Mitigation Wherever Practicable.** On-site mitigation shall be provided wherever practicable. Where it is demonstrated that on-site mitigation is not practicable, off-site mitigation shall be permitted. All mitigation shall be at a ratio of 2 acres of new wetland for every one acre of wetland impacted. The new wetlands shall restore lost wetland functions and values. A wetland scientist or other professional with experience in wetland creation shall prepare the Habitat Enhancement Plan, pursuant to 5.2.1.E.2.b., and shall be responsible for implementation of the plan as approved.
- c). **Encroachment Into the Buffer.** Encroachment into the buffer is permitted in accordance with this Section and does not require wetland mitigation for impacts to the buffer.
- d). **Wetland Replanting.** The new wetland area shall be planted with a hydric tolerant mix of seeds in suitable areas, wetland plants, and suitable seed bank soils. A wetlands biologist, or other professional with experience in wetland creation, shall certify the planting plan.
- e). **Persistence.** It shall be demonstrated that the created or restored wetland will be at least as persistent as the impacted wetland system it replaces.
- f). **Buffer.** Buffers in accordance with this Section shall be provided around wetlands that are created pursuant to this Subsection.

5.1.2. Wildlife Friendly Fencing (7/13/15)

A. Findings

Fencing is a structural element that can create an impediment for wildlife movement, resulting in both injuries to wildlife and damage to the fencing.

B. Applicability

New fences erected after September 12, 2006 shall comply with the standards of this Section. If over 50% of the linear feet of an existing fence is replaced, the fence shall be considered "new" and shall abide by the standards of this Section. Except that the following shall be exempt from the provision of this Section:

1. Repair, or relocation of prior or existing fences associated with agricultural uses meeting the standards for exemption outlined in Section 6.1.3.B agricultural fences; and
2. Fences built for new riding arenas, as defined in these LDRs.

5. Respecting the wild essence of the animals' nature.

C. Prohibition

No person shall knowingly or intentionally provide supplemental feed attractants to the following animals, unless specifically authorized by an agency of either the State of Wyoming or the United States of America: antelope, bighorn sheep, deer, elk, moose, mountain goats, bobcats, black bears, grizzly bears, mountain lions, lynx, wild bison, wolves, coyotes, foxes and raccoons.

1. **Supplemental Feed Attractants.** Supplemental attractants are any human food, pet food, hay, forage product or supplement, grain, seed or birdseed, garbage, or other attractant made available to the following animals: antelope, bighorn sheep, deer, elk, moose, mountain goats, bobcats, black bears, grizzly bears, mountain lions, lynx, wild bison, wolves, coyotes, foxes and raccoons.

D. Exemptions

A person engaged in any of the following activities is not subject to liabilities under this Section:

1. The normal feeding of livestock and/or the practice of raising crops and crop aftermath, including hay, alfalfa and grains, produced, harvested, stored or fed to domestic livestock in accordance with normal agricultural practices as defined in Section 6.1.3.B; or
2. The cultivation of a lawn or garden, or the feedings of birds where the bird food is made unavailable to the animals specified in the prohibition of this regulation.
3. A finding that the land was taxed as agricultural land shall create a presumption that the alleged feeding is exempt from this regulation.

5.1.4. Air Quality (1/1/15)

Protection of clean air resources is a goal of the County, in order to protect the public health, welfare and general safety of the residents, the visibility in the valley and the scenic beauty of Teton County.

A. Particulate Matter

For the purposes of this Section, particulate matter is any material other than water, which is suspended in or discharged into the atmosphere in finely divided form as a liquid or solid capable of being airborne or gasborne, including dust. All uses shall conform with the following standards:

1. **Emission Rate of Particulate Matter and Dust/General.** The total emission rate of particulate matter and dust from all sources within the boundaries of a site shall meet the requirements of the Wyoming Department of Environmental Quality, the provisions of Article 2 of the Wyoming Environmental Quality Act of 1973, Wyoming Statutes, Chapter 9.1, the requirements of the U.S. Environmental

- h. **Spring, Summer, and Fall Habitat Occurs in Riparian Areas.** During spring, summer, and fall, bald eagles forage primarily in riparian areas for fish, waterfowl, and other prey items.
- i. **Winter Habitat Is Important.** During winter, heavy snow accumulation and freezing water surfaces reduces the availability of spring, summer, and fall habitat. At these times, bald eagles forage on wild ungulate and livestock carrion, supplemented by fish and waterfowl carcasses. Ungulate carrion is readily available but sparsely distributed on ungulate winter ranges, meaning that in addition to its nesting habitat, the crucial ungulate winter ranges also become critical to the bald eagle's survival.
- j. **Additional Crucial Winter Habitat Essential to Survival.** It is vital that bald eagle crucial winter habitat be protected to ensure the survival of this species in Teton County.

D. Applicability of NRO Standards

In addition to all other standards required by these LDRs, all physical development, use, development options and subdivision within the NRO shall comply with all standards of this Section, unless exempted below. Demonstration of compliance with the standards of this Section shall come from a qualified professional, even if an EA is exempt.

- 1. **Alterations and Additions.** Structural alterations and additions to existing structures shall be exempt from the standards of this Section.
- 2. **NC-TC and R-3 Zoned Lands.** All physical development, use, and development options, except new subdivisions, within the NC-TC and R-3 zones shall be exempt from the standards of this Section, except that G.4., G.6., and Sec. 5.1.2. shall apply.
- 3. **Agricultural Operations.** Agricultural operations and uses meeting the standards for exemption outlined in Section 6.1.3.B shall be exempt from the standards of this Section.
- 4. **Land in Conservation Easement.** Land protected by a conservation easement where proposed development density is one house per 70 acres or less and the total acreage subject to the easement is 320 acres or more, shall be exempt from the standards of this Section, except that G.4. and G.6., shall apply.

E. Impacting the NRO

The base site area shall not be reduced because a portion of the lot of record is in the NRO. When conflicts exist between the NRO and SRO, the standards of this Section shall have priority and be achieved to the maximum extent practical. The requirements of Sec. 5.3.2. shall receive second priority. Where densities/intensities permitted cannot be achieved by locating development outside of the NRO, then lands protected by the NRO may be impacted pursuant to the standards of this Subsection.

Div. 5.3. Scenic Standards

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

5.3.1. Exterior Lighting Standards (7/13/15)

The purpose of this Section is to allow necessary and reasonable lighting of public and private property for the safety, security, and convenience of occupants and the general public, while eliminating or reducing the nuisance and hazards of excessive light and glare.

A. Standards

Exterior lighting shall meet the below standards.

1. **Total Cut-off Luminaires and Fixtures.** Luminaires and other light fixtures shall have a total cut-off of light at an angle less than 90 degrees and shall be located so that the bare light bulb, lamp, or light source is completely shielded from direct view from a vantage point 5 feet above the ground at the perimeter of the lighted area. The light, furthermore, shall be contained entirely on-site. The maximum permitted illumination and mounting height of the luminaire or fixture shall be as set forth in the table below.

Maximum Luminaire Illumination and Height (Cut-Off Less Than 90°)		
Use and Zone	Max. Illumination (in footcandles)	Max. Height
Residential uses in the S-TC, AR-TC, AC-TC, UC and UR zones	1.0	15 ft
Residential use in all other zones and in NRO	0.5	15 ft
<u>All uses in the R-1, R-2, and R-3 zones</u>	<u>0.5</u>	<u>15 ft</u>
Nonresidential uses in R-TC, S-TC, OP-TC, and RB zones, and NRO	1.0	18 ft
Nonresidential uses BP-TC	2.0	18 ft
Nonresidential uses in all other zones	1.5	18 ft

2. **Flag Poles.** Flagpole lighting is permitted for United States and State of Wyoming flags only, provided the flagpole is ground mounted and does not exceed the maximum height for a structure in the zone in which the flagpole is located, and the following standards are met: lighted flagpole(s) shall only be permitted at essential government facilities, to be defined as post offices, fire and police stations and local, state and federal government administrative offices.

B. Exempt Uses

1. [Agricultural uses. Agricultural uses meeting the standards for exemption outlined in Section 6.1.3.B shall be exempt from the maximum height for exterior lighting. All other standards of this Section shall apply.](#)
2. [Outdoor recreation.](#) Because ball diamonds, playing fields, outdoor rinks, ski areas, and tennis courts have unique requirements for nighttime visibility and generally may have limited hours of operation, they shall be exempted from the Total Cut-Off Luminaries and Fixtures standards of this Section, if the below standards are met.
 - a. **Complies with Requirements.** The proposed use meets all other requirements of these LDRs.
 - b. **Do Not Exceed Maximum Height.** Exterior light sources do not exceed a maximum post height of 40 feet.
 - c. **Luminaire Shielded.** If the luminaire is shielded in either its orientation or by landscaping to prevent light and glare spill-over to adjacent residential property, then the luminaire may exceed a total cut-off angle of 90 degrees. The maximum permitted illumination at the nearest interior setback line for a principal residential structure shall not exceed 1.5 footcandles.

C. Prohibited Lights

Notwithstanding any other provision of this Section, the following lighting is prohibited for all uses in all zones.

1. **Flickering or Flashing Lights.** No flickering or flashing lights shall be permitted.
2. **Searchlights.** No searchlights, laser lights, or holograms are permitted.
3. **Strings of Lights.** Strings or strands of lights used to highlight a sign, perimeter of a sign, or any portion of a building are not permitted, except for Christmas-type decorative lighting displayed between November 15 and January 10.

5.3.2. Scenic Resources Overlay (SRO) Standards (7/13/15)

A. Purpose

The purpose of the Scenic Resources Overlay (SRO) is to preserve and maintain the County's most frequently viewed scenic resources that are important to both its character and economy. This is done through the establishment of several Scenic Areas within the SRO, within which the location, design, and landscaping of physical development and use is regulated to maintain and/or complement the County's important scenic resources.

h. **Buffalo Valley Scenic Area.** The Buffalo Valley Scenic Area extends along the northern and southern sides of US 26/287 from Moran to the Blackrock ranger station. It is an important County-wide scenic resource because it provides a classic mountain valley setting framed by the Teton range. The Buffalo Valley Scenic Area provides monumental views of the entire Teton range, as viewed across very broad, open meadows dotted with small ranch buildings. These vistas foreshadow the views which are again encountered within Grand Teton National Park, thereby integrating the Buffalo Valley Scenic Area with the image of the National Park.

C. Findings for the SRO

1. An essential component of the physical environment for which Teton County is internationally known is the scenic vistas of jagged mountains rising from broad, open meadows, which set an image of the County's rural and western ranching heritage. These scenic resources are important to both the County and Town because they serve as a cornerstone to the local economy by attracting tourists and other visitors. The scenic resources which are instrumental in the creation of the County's unique character are the vistas to the Teton, Gros Ventre, Wyoming and Snake River mountain ranges that are frequently seen by residents and travelers across wide pastures and meadows from the major public roads that enter the Town of Jackson, Wilson, Grand Teton National Park, Teton Village, Alta, and Teton Pass.

D. Applicability

1. **Foreground Standards.** All physical development, use, development options, and subdivision within the Foreground of the Scenic Areas described above shall comply with the foreground standards of 5.3.2.G.
2. **Development in Skyline.** All physical development, use, development options, and subdivision within the Skyline of the SRO shall comply with the skyline standards of 5.3.2.H.
3. **Exemptions**
 - a. **NC-TC and R-3 Zone.** All physical development, use, and development options, except new subdivisions, within the NC-TC and R-3 zones shall be exempt from the foreground standards of 5.3.2.G.
 - b. **Remodeling or Expansion of Existing Structures.** Remodeling or expansion of structures that existed prior to May 9, 1994, shall be exempt from the foreground standards of 5.3.2.G.
 - c. **Agricultural Operations.** Agricultural operations and uses meeting the standards for exemption outlined in Section 6.1.3.B shall be exempt from all standards of this Section.
 - d. **Land in Conservation Easement.** Land protected by a conservation easement where proposed development density is one house per 70 acres or less and the total acreage subject to the easement is 320 acres or more, shall be exempt from the foreground standards of 5.3.2.G.

b. **All Other Development.** For all other residential development the location of the plant units shall be anywhere within the development lot of record pursuant to the purpose of this Division.

EXAMPLE: The plant units may be located along the periphery of a cluster of units and not necessarily on the individual lots, or it may be located around a potentially high use open space or park within the subdivision.

C. Nonresidential Requirements

For nonresidential development, plant units shall be provided at a rate of one plant unit per 1,000 square feet of required landscaped surface area, except in the R-TC zone where landscaping shall be provided at a rate of one plant unit per 1,000 square feet of gross floor area.

D. Parking Lot Requirements

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

Zone	Use			
	Agriculture	Residential	Institutional	All Other Uses
R-3	--	--	--	<u>1 per 8 spaces</u>
R	0	--	--	1 per 8 spaces
S	--	1 per 12 spaces	--	1 per 8 spaces
OP-TC	--	1 per 12 spaces	--	1 per 8 spaces
MHP-TC	--	--	--	1 per 8 spaces
AR-TC	--	1 per 12 spaces	1 per 12 spaces	1 per 8 spaces
AC-TC	--	--	1 per 12 spaces	1 per 8 spaces
BP-TC	--	--	--	1 per 16 spaces
BC-TC	--	--	--	1 per 12 spaces

2. **Existing Trees Can Be Counted.** Existing trees that can be preserved by leaving the area under their canopy substantially undisturbed shall count towards the plant unit requirement for parking lots.

3. **Landscape Objectives.** The primary objectives of parking lot plant units shall be:

- To avoid large, unbroken expanses of asphalt;
- To screen or soften parked vehicles as viewed from off site;
- To provide attractive, pleasing streetscapes; and
- To better define and organize vehicular and pedestrian spaces.

2. **Plan Level Grading Permit.** All plan level grading permit applications shall be prepared by a professional engineer or landscape architect registered in the State of Wyoming. Prior to submittal of a plan level grading permit the applicant shall have a pre-application conference pursuant to Sec. 8.2.1. A plan level grading permit application for a ditch alteration shall be prepared by a professional engineer registered in the State of Wyoming or by both a land surveyor and landscape architect registered in the State of Wyoming in accordance with 7.7.4.D.
3. **Geotechnical Report.** A geotechnical report shall be submitted with a plan level grading permit application for construction sites with existing slopes greater than 25% or when considered necessary by the County Engineer in consideration of soil type and stability and the proposed structure; the report may be waived by the County Engineer, when applicable. The report shall be prepared by a professional engineer registered in the State of Wyoming.
4. **Required Permit.** The table below establishes the type of grading permit required for various grading proposals. The required permit shall be the most rigorous requirement that applies to the proposal.

EXAMPLE: A proposal that would result in 41% impervious surface coverage or more requires a Grading Plan regardless of the amount of disturbance or slope.

Grading Proposal	Required Grading Permit Submittal		
	Exempt	Statement Level	Plan Level
Proposed impervious surface	See below	See below	$\geq 41\%$
Total land disturbance	See below	$\geq 12,000 \text{ sf and } < 1 \text{ ac}$	$\geq 1 \text{ ac}$
Disturbance of slopes $\leq 5\%$	$< 12,000 \text{ sf}$	$\geq 12,000 \text{ sf and } < 1 \text{ ac}$	$\geq 1 \text{ ac}$
Disturbance of slopes $> 5\% \text{ & } \leq 15\%$	$< 1,000 \text{ sf}$	$\geq 1,000 \text{ sf and } < 1 \text{ ac}$	$\geq 1 \text{ ac}$
Disturbance of slopes $> 15\%$	n/a	$\leq 3,000 \text{ sf}$	$> 3,000 \text{ sf}$

5. **Permit Exemptions.** Grading proposals exempt below or in the table above shall be exempt from the requirements to obtain a Grading Permit; however, all activities shall comply with the standards of this Division regardless of whether or not a permit is required. Exemptions do not apply to ditch alterations, which are required to meet the standards of 7.7.4.D. In addition to the exemptions established in the table above, the following activities shall be exempt from the requirement to obtain a Grading Permit:
 - a. **Agricultural Activities.** Earthmoving operations occurring on natural slopes that are less than 25%, which are associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B commonly

~~associated with agricultural use, construction and maintenance of field access improvements, and construction and maintenance of irrigation systems.~~

- b. **Emergency Flood Control Work.** A grading permit is not required prior to earthmoving operations occurring as emergency flood control measures; however, an after-the-fact grading permit is required to document the grading completed.
6. **Stormwater Management Plan.** Regardless of the grading permit requirement or exemption, the County Engineer may require submittal of a stormwater management plan, prepared by an engineer or landscape architect licensed in the State of Wyoming, if it is necessary to determine compliance with [Sec. 5.7.4](#). The stormwater management plan shall be approved by the County Engineer prior to any physical development.

5.7.2. Grading Standards (1/1/15)

A. General Standards

The following general standards shall be met before a grading permit is issued.

1. **Avoid Risk of Landslides.** The grading shall avoid the risk of landslides or other forms of slope failure, rock-falls, and avalanches.
2. **Not Significantly Increase Rate of Stormwater or Snowmelt Runoff.** The grading shall not significantly change the rate of stormwater or snowmelt runoff, and shall avoid or minimize the erosion of natural or constructed slopes and sediment accumulation in natural drainage channels or watercourses.
3. **Not Significantly Alter Drainage Patterns.** The grading shall not significantly alter natural drainage patterns.
4. **Conforms to General Natural Forms.** The grading shall preserve and conform to the general natural form and contours of the land surface.
5. **Preserves Natural or Established Vegetation.** The grading shall be designed to preserve natural or established vegetation as much as is practically possible.
6. **Provides for Revegetation.** The affected site area shall be revegetated as is necessary for the stabilization of disturbed surfaces with the exception of areas covered by impervious surfaces and/or structures.
7. **Allows Most Rapid Possible Recovery of Disturbed Lands.** The grading shall allow for the most rapid possible recovery of disturbed lands to natural or introduced vegetation.
8. **Stabilizes Slope.** The revegetation shall stabilize the slope and shall be compatible with native vegetation.

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Div. 6.1. Allowed Uses

6.1.1. Use Schedule (7/13/15)

The Use Schedule establishes the principle, accessory, and temporary uses allowed in each zone. The definitions and standards for each use are established in Sec. 6.1.2.-Sec. 6.1.12. and referenced in the table. Additional uses may be allowed in a zone as part of an allowed development option as specified in Div. 7.1. The permit required for each allowed use is designated using the following symbols.

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

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

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

County Character Zones - Allowed Uses					
USE CATEGORY	Complete Neighborhood Zones	Rural Area Zones			Def/ Stds
Specific Use	n/a	R-1	R-2	R-3	
<u>Open Space</u>					6.1.2.
<u>Agriculture</u>	—	Y	Y	Y	6.1.3.B.
<u>Outdoor Recreation</u>	—	C	—	C	6.1.7.C.
<u>Dude/Guest Ranch</u>	—	C	—	—	6.1.3.E.
<u>Residential</u>					6.1.4.
<u>Detached Single-Family Unit</u>	—	Y	Y	Y	6.1.4.B.
<u>Attached Single-Family Unit</u>	—	—	—	—	6.1.4.C.
<u>Apartment</u>	—	—	—	—	6.1.4.D.
<u>Mobile Home</u>	—	—	—	—	6.1.4.E.
<u>Dormitory</u>	—	—	—	C	6.1.4.F.
<u>Group Home</u>	—	—	—	C	6.1.4.G.
<u>Lodging</u>					6.1.5.
<u>Conventional Lodging</u>	—	—	—	—	6.1.5.B.
<u>Short-Term Rental Unit</u>	—	—	—	—	6.1.5.C.
<u>Campground</u>	—	—	—	—	6.1.5.D.
<u>Commercial</u>					6.1.6.
<u>Office</u>	—	—	—	—	6.1.6.B.
<u>Retail</u>	—	—	—	—	6.1.6.C.
<u>Service</u>	—	—	—	—	6.1.6.D.
<u>Restaurant/Bar</u>	—	—	—	—	6.1.6.E.
<u>Heavy Retail/Service</u>	—	C (A)	—	—	6.1.6.F.
<u>Mini-Storage Warehouse</u>	—	—	—	—	6.1.6.G.
<u>Nursery</u>	—	C	—	—	6.1.6.H.
<u>Amusement/Recreation</u>					6.1.7.
<u>Amusement</u>	—	—	—	—	6.1.7.B.
<u>Developed Recreation</u>	—	C	—	C	6.1.7.D.
<u>Outfitter/Tour Operator</u>	—	C	—	—	6.1.7.E.
<u>Institutional</u>					6.1.8.
<u>Assembly</u>	—	—	—	C	6.1.8.B.
<u>Daycare/Education</u>	—	—	—	C	6.1.8.C.

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

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

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

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

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

County Legacy Zones - Allowed Uses													
USE CATEGORY	Complete Neighborhood Zones					Rural Area Zones				Civic Zones		Def/ Stds	
	AC- TC	AR- TC	WC	OP- TC	BP- TC	BC- TC	MHP- TC	NC- TC	S-TC	R-TC	P/SP- TC	P-TC	
Open Space													6.1.2.
Agriculture	Y	--	--	Y	--	Y	--	Y	Y	Y	Y	Y	6.1.3.B.
<u>Outdoor Recreation</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	6.1.7.C.
<u>Downhill Ski Area</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>E</u>	<u>--</u>	<u>E</u>	6.1.3.C.
<u>Golf Courses</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>E</u>	<u>E</u>	<u>E</u>	6.1.3.D.
Dude/Guest Ranch	--	--	--	--	--	--	--	--	--	C	--	--	6.1.3.E.
Residential													6.1.4.
Detached Single-Family Unit	Y	Y	Y	Y	--	Y	--	Y	Y	Y	--	--	6.1.4.B.
Attached Single-Family Unit	--	--	B	--	--	--	--	--	--	--	--	--	6.1.4.C.
Apartment	--	--	B	--	--	--	--	--	--	--	--	--	6.1.4.D.
Mobile Home	--	--	--	--	--	--	B	--	--	--	--	--	6.1.4.E.
Dormitory	B	C	--	--	--	--	--	--	C	C	C	--	6.1.4.F.
Group Home	B	C	--	--	--	--	--	--	C	C	C	--	6.1.4.G.
Lodging													6.1.5.
Conventional Lodging	--	--	--	--	--	--	--	--	--	--	--	--	6.1.5.B.
Short-Term Rental Unit	--	--	--	--	--	--	--	--	--	--	--	--	6.1.5.C.
Campground	--	--	--	--	--	C	--	--	--	C	--	--	6.1.5.D.
Commercial													6.1.6.
Office	B	--	B	B	--	C	--	--	--	C	--	--	6.1.6.B.
Retail	B	--	B	--	--	C	--	--	--	--	--	--	6.1.6.C.
Service	B	--	B	B	--	C	--	--	--	C	--	--	6.1.6.D.
Restaurant/Bar	B	--	B	--	--	C	--	--	--	--	--	--	6.1.6.E.
Heavy Retail/Service	C	--	C	--	B	C	--	--	--	C	--	--	6.1.6.F.
Mini-Storage Warehouse	C	--	C	--	B	C	--	--	--	C	--	--	6.1.6.G.
Nursery	B	--	B	--	--	C	--	--	--	C	--	--	6.1.6.H.
Amusement/Recreation													6.1.7.
Amusement	C	--	C	--	--	--	--	--	--	--	--	--	6.1.7.B.
<u>Outdoor Recreation</u>	<u>E</u>	<u>E</u>	<u>-</u>	<u>-</u>	<u>E</u>	<u>E</u>	<u>-</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	6.1.7.C.
Developed Recreation	B	--	B	--	C	C	--	--	--	C	--	--	6.1.7.D.
Outfitter/Tour Operator	C	--	--	--	C	C	--	--	C	C	--	--	6.1.7.E.
<u>Balloon Operation</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>E</u>	<u>--</u>	<u>--</u>	6.1.7.F.

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

County Legacy Zones - <u>Allowed Uses</u>													
USE CATEGORY	Complete Neighborhood Zones					Rural Area Zones				Civic Zones		Def/ Stds	
	AC- TC	AR- TC	WC	OP- TC	BP- TC	BC- TC	MHP- TC	NC- TC	S-TC	R-TC	P/SP- TC	P-TC	
Specific Use													
Institutional													6.1.8.
Assembly	B	C	B	--	C	C	--	--	C	C	C	--	6.1.8.B.
Daycare/Education	B	--	B	C	C	C	--	--	--	C	C	--	6.1.8.C.
Industrial													6.1.9.
Light Industry	C	--	C	--	B	C	--	--	--	--	C	--	6.1.9.B.
Heavy Industry	--	--	--	--	C	--	--	--	--	--	C	--	6.1.9.C.
Disposal	--	--	--	--	C	--	--	--	--	--	C	--	6.1.9.D.
Junkyard	--	--	--	--	C	--	--	--	--	--	C	--	6.1.9.E.
Gravel Extraction and Processing													6.1.9.F.
Transportation/Infrastructure													6.1.10.
Parking	C	--	C	--	--	C	--	--	--	--	C	--	6.1.10.B.
Utility Facility	C	C	C	C	B	C	C	C	C	C	C	C	6.1.10.C.
Wireless Communication Facilities													6.1.10.D.
Heliport	E	--	--	--	E	E	--	--	--	E	E	--	6.1.10.E.
Airport	--	--	--	--	E	--	--	--	--	--	E	--	6.1.10.F.
Landing Strip	--	--	--	--	--	--	--	--	--	E	E	--	6.1.10.G.
Aviation	C	--	--	--	C	C	--	--	--	C	C	--	6.1.10.E.
Accessory Uses													6.1.11.
Accessory Residential Unit	B	B	B	B	B	B	--	B	--	B	B	C	6.1.11.B.
Bed and Breakfast	--	--	--	--	--	--	--	--	--	C	--	--	6.1.11.C.
Home Occupation	B	B	B	B	B	B	B	B	B	B	B	B	6.1.11.D.
Home Business	C	C	--	C	--	C	--	C	C	C	--	--	6.1.11.E.
Family Home Daycare	B	B	B	B	B	C	B	B	B	B	--	--	6.1.11.F.
Home Daycare Center	C	C	B	C	B	C	C	C	C	C	--	--	6.1.11.G.
Drive-In Facility	C	--	--	--	--	C	--	--	--	--	--	--	6.1.11.H.
Ag Employee Housing	--	--	--	--	--	--	--	--	--	B	--	--	6.1.11.I.
Cottage Industry	--	--	--	--	--	--	--	--	--	E	--	--	6.1.11.J.
Receptions/Events	--	--	--	--	--	--	--	--	--	E	--	--	6.1.11.K.

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County Legacy Zones - <u>Allowed Uses</u>													
USE CATEGORY	Complete Neighborhood Zones					Rural Area Zones				Civic Zones			Def/ Stds
	AC- TC	AR- TC	WC	OP- TC	BP- TC	BC- TC	MHP- TC	NC- TC	S-TC	R-TC	P/SP- TC	P-TC	
Temporary Uses													<u>6.1.12.</u>
Christmas Tree Sales	Y	--	Y	--	Y	Y	--	--	--	Y	Y	Y	<u>6.1.12.B.</u>
Real Estate Sales Office	--	B	--	--	B	--	--	--	B	B	--	--	<u>6.1.12.C.</u>
Temporary Shelter	B	B	B	B	--	B	B	B	B	B	--	--	<u>6.1.12.D.</u>
Farm Stand	B	--	B	--	--	--	--	--	--	B	B	B	<u>6.1.12.E.</u>
Temp. Gravel Extraction and Processing	B	B	B	B	B	B	B	B	B	B	B	B	<u>6.1.12.F.</u>
Helicopter Tree Removal	--	--	--	--	--	--	--	B	--	B	--	--	<u>6.1.12.G.</u>

Key: Y = Use allowed, no use permit required without a permit (A) = Use only allowed as an accessory use -- = Use not allowed
 B = Basic Use Permit required C = Conditional Use Permit required S = Special Use Permit required

D. Use Not Listed

Any use not specifically listed in the Use Schedule is expressly prohibited unless a similar use determination is made.

E. Similar Use Determination

A use not specifically listed in the Use Schedule may be considered an allowed use if the Planning Director determines the proposed use is sufficiently similar to one of the uses defined in this Division. The Planning Director's determination shall be made based upon the findings for a formal interpretation ([Sec. 8.6.1.](#)) but may be made as part of the review of a use permit application. If a use is determined to be similar, it shall be an allowed use with the same permissions and restrictions as the use to which it was determined to be similar.

F. Change of Use

A change of use consists of changing the use from a use classified in a particular row of the Use Schedule to a use classified in a different row of the Use Schedule. Except as provided elsewhere in these LDRs, the proposed use shall meet all standards of these LDRs. The required permit for the proposed use shall be obtained pursuant to the relevant procedure.

6.1.3. Open Space Uses ([7/13/15](#))**A. All Open Space Uses**

1. **Definition.** An open space use is the enjoyment or maintenance of land that occurs predominately outside of any structure.

B. Agriculture

1. **Definition.** Agriculture is the farming or ranching of land.

- a. **Includes:**

- i. cultivation of the soil;
- ii. production of forage, crops, or timber;
- iii. growing of ornamental or landscaping plants;
- iv. greenhouses; and
- v. rearing, feeding, and management of livestock.

2. **Standards**

- a. **Purpose.** The purpose of these standards is to:

- i. protect and maintain the existing and potential agricultural lands in Teton County for the purpose of perpetuating agriculture;

- ii. minimize conflicts between agricultural operations and neighboring developments by encouraging protection of large, contiguous blocks of open space; and
- iii. to preserve agricultural open space which is crucial to the wildlife, scenic and community values of Teton County, as outlined in the Comprehensive Plan.

- b. Active. Agricultural land shall be actively farmed or ranched.
- c. Ancillary retail prohibited. Retail sale of agricultural products on-site is prohibited unless permitted as a separate use.
- d. Exemptions on sites greater than 140 Acres. The following exemptions and preservation mechanisms apply to agricultural uses on sites of 140 acres or more:
 - i. Permit Exemptions. Agricultural uses are exempt from obtaining the following permit types. Exemption from the requirement to obtain a permit above does not grant exemption from any regulations.
 - a). Environmental Analysis
 - b). Use Permits
 - c). Grading Permits except on natural slopes of 25% or greater (Sec 5.7.1)
 - ii. Regulation Exemptions. Agricultural uses are exempt from certain provisions of the regulations listed below. Refer to the referenced LDR section for specifics of the exemption.
 - a). Maximum Scale of Development for an individual building (applicable zone)
 - b). Maximum Building Height (applicable zone)
 - c). Natural Resource Buffers (Sec 5.1.1)
 - d). Wildlife Friendly Fencing (Sec 5.1.2)
 - e). Wild Animal Feeding (Sec 5.1.3)
 - f). Natural Resource Overlay (NRO) Standards (Sec 5.2.1)
 - g). Exterior Lighting (Sec 5.3.1)
 - h). Scenic Resource Overlay (SRO) Standards (Sec 5.3.2)
 - i). Landscaping (Div 5.5)
 - j). Grading, Erosion Control, and Stormwater except on natural slopes of 25% or greater (Sec 5.7.2-5.7.4)
 - k). Temporary Gravel Extraction (6.1.12.F)

3. **Preservation**

- a. **Findings.** Ranching and farming are agricultural uses that formed the original basis for the communities in Teton County. A large part of the private lands in Teton County is still used in agriculture. Agriculture is crucial to the wildlife and scenic qualities, and western atmosphere of Teton County, and therefore to the tourist-based economy. Every major wildlife species in Teton County is dependent on habitat provided by ranch lands. Any view of a major scenic vista in Teton County from highways or roads encompasses an agricultural scene in the foreground. Maintaining agricultural lands is the most efficient and inexpensive method to preserve open space which is crucial to the wildlife and scenic resources. The ranchers will keep their land undeveloped and unpopulated, control trespassing and poaching, maintain waterways and water rights, and manage vegetation, all without any expense to the public. In all areas of the County, the agricultural industry is threatened with extinction by residential and second home development due to the current basis of Teton County's economy – tourism. Ironically, the attraction for visitors in Teton County is the scenic and wildlife benefits of open space created by agricultural operations; the very operations that are threatened by increasing tourism and development. The County must protect agriculture in order to preserve the very foundation of the communities in Teton County as well as their precious wildlife and scenic resources.
- b. **Purpose.** The purpose of these preservation provisions is to protect and maintain the existing and potential agricultural lands in Teton County for the purpose of perpetuating agriculture in Teton County and preserving agricultural open space which is crucial to the wildlife, scenic and community values of Teton County. This is particularly done through the mechanisms in these LDRs that have been adopted for the purpose of promoting agricultural preservation.
- c. **Agricultural Assessment.** By Wyoming Statute, agricultural uses in Teton County do not pay property taxes on the market value of land upon which they are located. If they did, agriculture in Teton County would have disappeared long ago. Agricultural assessments are a conscious decision in order to retain agriculture for as long as possible.
- d. **R-TC Zone Open Space.** Developments in the R-TC zone are required to provide either 50% or 70% open space. If the property proposed for development has an existing agricultural operation, or a land owner wishes to establish an agricultural operation, on the portion of the property proposed as open space, agriculture is an accepted and encouraged use of the required open space. It is an objective of these LDRs that developments in the R-TC zone preserve as much open space as practicable. The open space shall be configured to maximize continued or future agricultural use.

- e. **R-TC Zone Density.** Developments in the R-TC zone are kept at a low density for mainly two reasons. One is that residential development and agriculture are generally incompatible. New neighbors harass a rancher's livestock or leave a gate open, and the rancher's livestock sometimes graze on a neighbor's yard or are otherwise considered a nuisance. The more the permitted form of development can either prevent or mitigate such conflicts, the more likely it is that agricultural operations can continue. Developments in the R-TC zone shall be compatible with agricultural operations. The County will minimize the conflicts between agricultural operations and neighboring developments by (among other things):
 - i. encouraging protection of contiguous open space;
 - ii. encouraging the protection of large blocks of open space; and
 - iii. development of an aggressive program to educate Teton County residents about ranching operations and ways to minimize potential conflicts.
- f. **R-TC Zone Permitted Land Uses.** Certain uses generally compatible with agricultural uses have been permitted in the R-TC zone in order to provide opportunities for agricultural families to diversify their income base, yet retain their primary way of life—agriculture. The following uses have been permitted in the R-TC zone, in many cases, specifically to promote agriculture:
 - i. Dude ranches
 - ii. Campgrounds
 - iii. Nursery
 - iv. Outdoor recreation
 - v. Bed and breakfasts
 - vi. Home business
 - vii. Agricultural employee housing
 - viii. Cottage industry
 - ix. Receptions/events
- g. **Exemption of Regulations for Agricultural Uses.** Agricultural uses, unlike other nonresidential uses, need no development permits to operate. Agricultural uses are also exempt from grading regulations, except on natural slopes in excess of 30%.

- h. ~~Stated Policy to Encourage Agriculture.~~ Ranching is an important part of the local setting, and provides a critical background to tourism. Teton County shall adopt a policy on the significant public values of agriculture in Teton County and shall further foster, promote and encourage agriculture and defend and protect agricultural operations from encroaching development.
- i. ~~Ensure Retention of Grazing and Access to USFS Lands.~~ The County will work with the Forest Service to ensure retention of grazing leases and access rights for ranchers in Teton County.

C. Outdoor Recreation ~~Downhill Ski Area~~

- 1. **Definition.** Outdoor recreation is the use of land for passive or active recreational or athletic purposes that requires minimal permanent physical development relative to the open space.
 - a. **Includes:**
 - i. parks
 - ii. arboretums
 - iii. athletic fields not in stadiums
 - iv. equestrian centers
 - v. nordic ski trails
 - vi. downhill ski areas
 - vii. golf courses
 - viii. outdoor receptions
 - b. **Does Not Include:**
 - i. ~~Golf course~~
 - ii. ~~Downhill Ski Slopes~~

2. Standards

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

- iii. Integrated pest management and best practices for nutrient application and control;
- iv. Hours of operation; and
- v. A monitoring program for periodic review of compliance by federal, state or local agencies, as applicable.

EXAMPLE: A golf course operations plan may include annual review of water quality and other indicators of ecological health by the Wyoming Department of Environmental Quality or the Teton Conservation District.

- b. **All Zones.** In all zones, outdoor recreation uses shall only be permitted subject to a use management plan. The use management plan shall ensure that outdoor recreational uses are designed to minimize any glare from night lighting into residential areas, and that the hours of operation of potentially noisy uses which might disrupt a residential area are limited.
- c. **NRO.** For land within the Natural Resources Overlay, the use management plan shall comply with the following:
 - i. **Limitation of Access During Eagle Nesting.** Access to the protective radius around a bald eagle nest shall be limited to times of the year when eagles are not nesting.
 - ii. **River and Stream Bank Buffers for Trumpeter Swans.** River and stream bank buffers for trumpeter swans shall be 2 times that required in Sec. 5.1.1. and Sec. 5.2.1.

3. **Definition.** A downhill ski area is a slope used for downhill skiing for a fee.

- a. **Includes:** facilities associated with the downhill ski area that may be located on a mountain such as:
 - i. lifts and trams;
 - ii. operational and maintenance facilities;
 - iii. trails;
 - iv. restaurants or warming areas, and
 - v. ski schools.

D. Golf Course [subsection deleted]

1. **Definition.** A golf course is a site used for the playing of golf.

- a. **Includes:**
 - i. Pitch-and-putt courses
 - ii. driving ranges

- iii. nine and eighteen hole golf courses
- iv. executive courses
- v. "par three" courses
- vi. Incidental golf course clubhouse facilities such as a pro shop, lounge, food/service/bar, health and exercise rooms, and locker rooms.

b. **Does Not Include:**

- i. Miniature golf or putt-putt courses.
- ii. Planned Residential Developments that are integrally designed with golf courses (they are considered as a separate development option).

2. **Standards**

a. **Purpose.** The purposes of these standards are to:

- i. Establish and describe the types of information that must be provided by the applicant to allow assessment of the proposed golf course development.
- ii. Provide conditional use findings and general evaluation criteria to determine if a golf course proposal is a compatible land use at the proposed site.
- iii. Provide a set of development standards to ensure that new golf course development is designed, constructed and operated to sustain site-specific community values.
- iv. Provide protection of the ecosystem and the ecological health and quality of life.

b. **Exemptions**

- i. Existing golf courses developed prior to March 22, 2002 shall be exempt from these golf course standards, except when the golf play areas are expanded into new land outside the boundary of the previously existing golf play areas, in which case these standards shall apply to the expansion areas.
- ii. Notwithstanding the exemption established above, golf courses existing prior to March 22, 2002 shall prepare regular reports on water quality and submit said reports to the Teton Conservation District and participate in a countywide water quality program.

c. **Application Requirements.** In addition to all other applicable sections of these LDRs, development applications for golf courses shall include the following information:

- i. **Environmental Analysis.** An Environmental Analysis pursuant to Sec. 8.2.2., as applicable, shall be submitted with a Sketch Plan.

- ii. **Conceptual Natural Resource Management Plan. A Sketch Plan**
submittal shall include a Natural Resource Management Plan (NRMP). It shall specify and demonstrate how agronomic, maintenance and other management practices will protect wetlands, ground water and surface water quality, and geomorphology. Furthermore, it shall demonstrate the use of integrated pest management, explain the control of nutrient applications, designate turf grass planting locations and treatments, and provide mitigation for any wildlife or fishery habitats. The conceptual NRMP will set forth a monitoring program that will ensure regular monitoring of key indicators of ecological health, to be reviewed by Wyoming DEQ, plan review committee and the Director of the Teton Conservation District.
- iii. **Final Natural Resource Management Plan.** In conjunction with a Final Development Plan submittal, a Final Natural Resource Management Plan shall be submitted that builds on the conceptual NRMP submitted with the Sketch Plan by providing more detailed information and any additional information requested by the federal, state, or local agencies based on their review of the conceptual NRMP. Revisions may be subsequently required in the NRMP as site-specific conditions that are identified during construction may require additional information or mitigation..
- iv. **Guidelines for Natural Resource Management Plan. A Golf Course**
Natural Resource Management Plan Guidance Document is available in the Teton County Planning Department. Consulting this document is encouraged, as it will provide guidance to the County on such management plans. Said Plan, as amended from time to time administratively by the Planning Director, is non-regulatory and provides guidance only.
- v. **Grading and Construction Management plans.** Grading and construction management plans shall be submitted with the Final Development Plan application.
- vi. **Requirements in Addition to Existing Requirements.** The submittal requirements listed above for golf courses are in addition to all requirements for any Planned Residential Development when such development is proposed with a golf course. All elements of the residential development shall be included in the Environmental Analysis and Development Impact Assessment required for the associated golf course.

d. **Required Findings.** In order to assess whether the proposed site is appropriate for a golf course and if a golf course on the proposed site is generally compatible to the community's land use goals and objectives, the Planning Commission shall provide their recommendations, and the Board of County Commission shall affirm that all of the findings below are true..

- i. The natural and pre-development lay of the land is conducive to the layout of a golf course and does not require substantial alteration to the natural landscape.
- ii. The location and general layout of the golf course, including the placement of associated buildings and residences, preserve significant open vistas and create deep setbacks as viewed from the public travel corridors defined in 5.3.2.B., and any adjoining rivers.
- iii. The golf course and any associated residential development will not overload the existing or proposed roadway system.
- iv. The proposed golf course is located and the layout is configured to minimize land clearing, tree cutting and grading. Land clearing, tree cutting and grading may not have a significant negative impact on wildlife, wildlife habitat, aquatic or scenic values. Mitigation shall be required to offset any identified negative impacts.
- v. The best scientific data shall demonstrate that wildlife migration corridors, nests, spawning substrates, and crucial winter habitats will be functionally sustainable within one year of the completion of golf course grading activities. Also, in relation to impacts to threatened and endangered species, any necessary authorizations have been obtained.
- vi. Golf course development shall not degrade ecological functions and values present at the site of the proposed golf course or on adjacent land.

e. **Development Standards:** In order to ensure that the adopted goals for environmental protection and the preservation of community-character values are maintained, the following standards shall apply:

- i. **Base Site Area.** Land area devoted to golf playing surfaces such as putting greens, fairways, tee boxes, roughs, sand traps, and areas between and surrounding these features, and land supporting golf facilities such as club house, parking lots and maintenance structures, shall be counted toward the Base Site Area of the golf course, with the exception of functional wildlife habitat areas either natural or created. The land devoted to a golf course shall not be used in calculating the base site area or density for accompanying residential development.
- ii. **Open Space.** The putting greens, fairways, tee boxes, sand traps, roughs, and other mowed areas and areas between and surrounding these features within a golf course do not satisfy the open space requirement for a Planned Residential Development, with the exception of functional wildlife habitat areas that are either natural or created. Functional wildlife habitat areas within the perimeter of the golf course may be counted as open space upon the approval of the Planning Director. These areas designated as wildlife habitat must be designed or designated by a qualified wildlife biologist and/or ecologist and

ensured by a financial bond in an amount sufficient to cover the cost of preservation or creation of functional wildlife habitat for two growing seasons.

iii. **Building Standards**

- a). The Clubhouse and any other golf course related building shall not exceed 30,000 square feet of gross floor area in any single structure.
- b). When any building is designed to exceed 5,000 square feet gross floor area above grade, all elevations facing public view corridors or existing residential areas shall employ varied roof heights and lines and structural articulations to visually reduce the bulk and scale of the building.
- c). All buildings shall have exterior surfaces and windows that use non-reflective materials and appear as natural wood or stone.
- d). Maintenance and storage buildings shall be located on the property that have low visibility from public view corridors and adjoining residential areas, or shall be designed to look like farm or ranch buildings, or shall be effectively screened from view using native vegetation.

iv. **Landscaping for Buildings and Parking Lots**

- a). An individual Landscape Plan shall be submitted for the areas immediately around all buildings and parking lots.
- b). Landscaping shall be in accordance with Div. 5.5.

v. **Waterbody and Wetland Setback/Buffers**

- a). Putting greens, tee boxes, fairways and sand traps are prohibited within the setback/buffers for streams, and rivers.
- b). Putting greens, fairways, tee boxes, or sand traps may be permitted within wetland setback/buffer where it can be demonstrated that a USACOE 404 Permit would be issued to dredge or fill the buffered wetland for the purpose of locating said golf course features. The setback encroachment is permitted to avoid or significantly reduce the filling of the wetland and is therefore permitted provided the applicant demonstrates the avoidance or significant reduction in wetland filling is achieved. Under no circumstances shall a wetland setback/buffer be reduced by more than 15 feet for a putting green or tee box surface.
- c). Elevated cart paths over wetlands and non-elevated cart paths providing direct access to bridges shall be allowed to encroach in the waterbody or wetland buffer/setback.

- d). ~~Cart-path areas not required for direct wetland or watercourse crossings shall not be permitted within the standard buffer area.~~
- e). ~~No grading or vegetation disturbance shall occur within standard river and stream setback/buffers except for restoration or mitigation planting as approved under a development permit, or as permitted per this Subsection of the LDRs.~~
- f). ~~Site-specific factors such as sloping ground, porous soil texture, and high percolation rates may require tee boxes and putting greens be located further than 50 feet from streams, even in the absence of riparian vegetation, to protect water quality.~~
- g). ~~No setback is required from man-made ponds, lakes, streams and wetlands unless said man-made features were constructed to satisfy mitigation requirements. In event of such requirement the standard setback/buffer shall apply.~~
- h). ~~During the construction phase there shall be no construction activity or land disturbance within any designated setback/buffer, except as permitted pursuant to this Section.~~

vi. **Annual Operation Plan and Monitoring Program**

- a). ~~An Annual Operation Plan and Monitoring Program shall be prepared by the operators of the golf course and submitted to the Teton County Planning Department, by January 31st of each year, for review.~~
- b). ~~Said Plan and Program shall summarize the operations of the previous year and identify any proposed changes from past years concerning agronomic practices, wildlife use, or any other biological or physiographic changes proposed to occur on the property.~~
- c). ~~These records shall be available to the Director of the Teton Conservation District for his inspection in connection with a countywide water quality monitoring program.~~

E. Dude/Guest Ranch

1. **Definition.** A dude or guest ranch is a ranch that provides multi-night accommodations for guests; provides a recreational activity or immediate access to recreational activities; has dining facilities on-site; and has barns, associated outbuildings, corrals, pastures, and livestock related to a working ranch and/or the recreational activity available to guests.
 - a. **Does Not Include:**
 - i. restaurant or bar catering to the general public
 - ii. active solicitation of one night accommodations.

2. Standards

- a. **Minimum Site Size.** A dude or guest ranch-site shall have a minimum of 70 acres of privately owned Gross **Base** Site Area. ~~Lands restricted by a conservation easement or deed restricted lands, however, may be counted as part of the Base Site Area provided the restricted land has not been counted as the required open space for another development.~~
- b. **Maximum Number of Guests.** The maximum number of guests permitted at a dude or guest ranch is equal to 1 guest per 5 acres accessible to the ranch, not to exceed 75 guests. Accessible acreage shall meet the following standards.
 - i. It shall be owned, leased or subject to a recreational permit issued by a government agency.
 - ii. The conservation area of another development may be considered if its conservation easement permits recreational activities.
 - iii. The acreage shall be a part, or within one mile, of the ranch and guests shall have legal, non-vehicular access to the acreage.
 - iv. The use permit for the dude or guest ranch shall run concurrently with any lease or recreational permit. If the lease or recreational permit is renewed or extended, the use permit shall be reviewed for any effects resulting from changes to the lease or permit.

EXAMPLE: A ranch with access to 80 acres would permit no more than 16 guests ($80/5=16$). A ranch with access to 400 acres would permit no more than 75 guests ($400/5=80$; maximum occupancy of 75 applies).

- c. **Recreational Activities.** Dude ~~ranches and~~ or guest ranches shall provide outdoor recreational activities for their guests:
 - i. Activities may include, but are not limited to:
 - a). Horseback riding or horsepacking trips;
 - b). Guided hunting trips;
 - c). Fishing or rafting trips;
 - d). Cook-outs;
 - e). Hay-rides;
 - f). Cross-country skiing; and
 - g). Snowmobiling.
 - ii. Outdoor activities shall be approved as part of the Use Permit and may be restricted both in location and the time of year during which they may be conducted.

EXAMPLE: If winter recreation activities are proposed, and the property contains crucial winter range for moose, the Board may impose a condition limiting winter use to a certain area of the property based on information provided in an Environmental Analysis.

- d. Structures and Accommodations.
 - i. **Lodging.** Permanent buildings for lodging all guests shall be provided either in separate cabins or a main lodge. Lodging in temporary facilities, such as tents, is permitted as part of overnight recreational activities, but shall not be the primary type of accommodation.
 - ii. **Dining Facilities.** A dining facility capable of accommodating the maximum number of guests permitted at the ranch may be provided. If a common dining facility is not provided, cooking facilities shall be provided to guests as part of the lodging accommodations. ~~Typically the dude/guest ranch provides all meals to the guests.~~
 - iii. **Employee Housing.** Accessory residential units to provide employee housing may be permitted.
 - iv. **Agricultural and Accessory Buildings.** ~~Other~~ buildings associated with a dude or guest ranch shall be actively used for the care and management of livestock kept on the property ~~or for maintenance and operation associated with the recreational activities provided to guests.~~ Agricultural buildings shall be exempt from plant unit requirements. Accessory structures such as maintenance buildings are permitted.
 - v. **Events.** ~~Dude or guest ranches may host receptions or special events for guests of the ranch as an ancillary use without separate permit, provided the size of the event does not exceed the permitted number of guests of the ranch.~~
- e. **Agricultural History.** ~~The land serving as Base Site Area for a dude/guest ranch shall have been in active agricultural use for at least 15 years prior to the commencement of the dude/guest ranch or has been legally operating as an active dude/guest ranch upon the enactment of this ordinance.~~
- f. **Acreage Formula.** ~~The total acreage accessible to a dude/guest ranch via ownership, lease, or recreational permits issued by a government agency, shall equate to no less than 5 acres per guest.~~

EXAMPLE: A ranch with access to 80 acres would permit no more than 16 guests ($80/5=16$). This calculation includes the Base Site Area and may include acreage that serves as open space in a planned residential development provided the easement protecting said open space permits recreational activities and legal access to the guests of the dude/guest ranch. In no case, however, shall a dude/guest ranch private acreage fall below the minimum site size required.

- i. **Required Renewal of Approval.** If a dude/guest ranch is dependent upon leased private land or recreational permit issued by a governmental agency to comply with the acreage formula requirement, the dude/guest ranch Conditional Use Permit (CUP) shall run concurrently with the land lease and/or recreational permit. If the lease or permit is renewed or extended, the CUP shall be reviewed by the Board of County Commissioners and may be renewed or extended. The Board of County Commissioners' review shall be limited to reviewing only the affects that may result from any changes in the lease or permit.
- ii. **Contiguous Leased Land and Permitted Land.** When leased private land or land accessible via a permit issued by a government agency is required to comply with the acreage formula requirement, said leased private land or permitted land shall be contiguous to or within one mile of the dude/guest ranch that possesses the lease or permit. If the leased land or permitted land is not contiguous but rather within one mile of the dude/guest ranch, legal access shall exist that permits guests of the ranch to access the leased land or permitted land via a route that is no longer than one mile in length.

- g. **Maximum Occupancy.** Dude/guest ranches shall be limited to a maximum occupancy of 75 guests. In addition to guests, housing for employees shall be permitted.
- h. **Recreational Activities.** Dude ranches and guest ranches shall provide outdoor recreational activities for their guests:
 - i. **Dude Ranch.** Dude ranches shall, at a minimum, provide facilities, horses and horseback riding activities to accommodate guests. A dude ranch shall have on-site or readily available at least one horse per guest and organized horseback riding activities for guests. In addition to horseback riding activities, other recreational activities may occur as part of the dude ranch provided they are approved as part of the Conditional Use Permit (CUP). These additional activities may include, but are not limited to, the recreational activities allowed for a guest ranch and described below.
 - ii. **Guest Ranch.** Guest ranches shall provide recreational activities or immediate access to recreational activities for guests. They may include, but are not limited to, day and overnight horseback trips, guided hunting trips, fishing trips, rafting trips, cook-outs, hay rides, cross-country skiing, and snowmobiling. Outdoor activities shall be approved as part of the Conditional Use Permit (CUP) and may be restricted both in location and the time of year during which they may be conducted in accordance with the wildlife protection guidelines provided by the Wyoming Game & Fish Department.

D. Campground

1. **Definition.** A campground is an establishment providing campsites for ~~overnight or short-term accommodations wherein customers camp in recreational vehicles, trailers, campers, or tents, or in Recreational Park Trailers (RPTs).~~ accommodations such as tents, recreational vehicles, campers, or trailers that are brought to the campground for overnight or short-term use.

- a. Does not include:

- i. Lodging units
 - ii. Recreational Park Trailers (RPTs)
 - iii. Cabins
 - iv. Wall tents with permanent platforms
 - v. Any other permanent or semi-permanent structures or sleeping units owned by the owner or operator of the campground and provided to visitors

2. **Standards**

- a. Purpose. The purpose of these standards is:

- i. to preserve Teton County's unique community character and site-specific community values by ensuring that campgrounds are compatible with surrounding land uses in terms of design, construction, and operations; and
 - ii. to ensure that a variety of camping experiences are available in Teton County for visitors so that visitor services are enhanced in a manner that emphasizes the area's unique outdoor attributes

- b. Applicability

- i. Any existing campground that changes use or develops in any manner requiring a physical development permit or conditional use permit, shall come into compliance with all standards of these LDRs, except as provided in this Subsection.
 - ii. The addition of any RPT unit beyond that which was approved prior to April 16, 2012 is considered expansion and requires a physical development permit and CUP or amendment to an existing CUP. However, previously approved RPT units shall not be required to be upgraded, retrofitted, or replaced to meet the standards of this Section. No changes can be made to existing RPT units that increase any violation of these standards.
 - iii. Those campgrounds approved for RPT units prior to April 16, 2012 are permitted to retain the existing LSR in place in 1994 or the LSR permitted at the time of the physical development permit or CUP application, whichever is less.

iv. A campground in existence prior to April 16, 2012 is allowed to retain the number of campsites permitted by any CUP or Development Permit for the campground. In the event a campground in existence on April 16, 2012 does not have a CUP or Development Permit, the campground is allowed to retain the number of campsites existing on site April 16, 2012.

a. **Permanent Structures.** The campground shall be limited to the following permanent structures, which shall be solely for the occupants of the campground.

- i. a management office,
- ii. a small grocery, restaurant, or sundries store no larger than 4,000 sf,
- iii. laundry facilities,
- iv. storage facilities,
- v. sanitary facilities, or
- vi. other existing amenities that shall be solely for the occupants of the campground.

b. **Site Requirements**

- i. **Bear Proof Storage.** Each campsite in the campground shall contain bear proof boxes or other bear proof storage, where appropriate.
Amenities. Each campsite in the campground shall consist of a camp pad, a fire ring or barbecue, a table, a pole for hanging food stores or bear proof boxes where appropriate, and a surrounding active recreational area.
- ii. **Landscape Surface Area.** Landscape Surface Area in a campground includes all undisturbed areas, including grass camp pads, but does not include gravel or paved camp pads, roads, drives, buildings, structures or RPTs, including porches, decks, terraces or patios, or gravel, paved or grass parking spaces. Grass campsites for tent camping shall be counted toward the required LSR.
- iii. **Design.** No external additions such as rooms, carports, decks or porches, may be placed on a campsite except as specified for Recreational Park Trailers. Non-combustible, at-grade improvements such as stone or sand-set terraces are permitted on campsites, but shall not be counted as part of the required LSR.

c. **Facilities.** Restroom and shower facilities shall be required for all campgrounds based on the number of campsites and utility hook-ups at the campground. Campsites containing RPTs shall not be included in the total number of campsites for the purpose of calculating the number of required restroom and shower facilities. When the determination of the number of

~~required restroom and shower facilities results in a fractional number, the requirement shall be rounded up to the next whole number. In no case shall less than one facility be provided.~~

Number of Sites	Toilets		Lavatories		Showers	
	Men	Women	Men	Women	Men	Women
30 Full Hook-up	1	1	1	1	1	1
15 Partial Hook-up or Tent	1	1	1	1	1	1

- d. **Occupancy.** Campsite occupancy, ~~including RPT occupancy~~, is limited to short-term use of less than 31 days in any 90-day period. ~~While RPTs may be on the property for longer than 30 days, the occupancy of any campsite or RPT shall be limited to less than 30 days in any 90-day period by any individual or group of individuals.~~ Campground employees may be permitted to occupy a ~~Conventional Camping Unit or tent~~ campsite for longer than 31 days. The maximum number of campsites that may be used by employees shall be determined ~~in the campground use permit in the CUP~~.
- e. **Seasonal Limitations.** The Board may limit a campground use to a particular season or time period.

EXAMPLE: On a property with crucial wildlife winter range, the Board might limit the use to times when the winter range is not in use, based on recommendations in an Environmental Analysis.

- i. **Seasonal Closure.** Campgrounds shall be closed between November 30 and April 1 if winter use at the campground would have negative impacts on animal species protected by 5.2.1.G., as determined by the Board of Commissioners upon consideration of a habitat/wildlife report submitted by a certified biologist. A lesser time frame for seasonal closure may be approved by the Board through the CUP review where it is demonstrated that winter use of the site would have minimal negative impacts to animal species protected by 5.2.1.G.
- f. **Ownership.** Each of the campsites ~~and RPT units~~ located at a campground shall be owned by the same entity that owns the campground. No fractional ownership, timeshares or memberships of campsites ~~or RPT units~~ is permitted.
- i. **Monitoring Program.** An annual monitoring report, capable of audit, shall be prepared by the operator of the campground and submitted to the Teton County Planning Department, by January 31st of each year. The report shall summarize the operations of the previous year, and shall include, at a minimum, each campsite's rental history for the previous year with arrival and departure dates. Additional records shall be provided by the owner of the campground if necessary to determine whether campsite occupancy was in compliance with the short-term use requirement of this Section. Records shall be made available

during normal business hours for review by the Planning Department. Any noncompliance with the LDRs or the conditions of a Conditional Use or Development Permit may result in the suspension or revocation of such permit. Other appropriate remedies may be pursued by the County as set forth in Div. 8.9, and/or as permitted by statute.

- ii. **Recreational Park Trailers.** RPTs shall be allowed at campgrounds located within the BC-TC zone provided a CUP is issued for such use. The following additional standards are applicable to RPT units:
 - a). **Location.** RPTs are only permitted at campgrounds located within the BC-TC zone. Where a campground is in more than one zone, the campground may be designed and developed as a single development with RPT placement in either zone if it can be demonstrated that the location proposed improve scenic views and lessen adverse environmental impacts as stated in Sec. 1.6.6.
 - b). **Ratio.** Of the total number of campsites allowed in the BC-TC zone, no more than 40% shall be used for RPTs. A final number of campsites that are eligible for RPT sites shall be determined through the CUP process.
 - c). **Set-Up Mode.** RPTs are to be located on the site in such a way that the units can be removed if deemed necessary. Permanent foundations shall not be used. Tongues may be removed if not located within a special flood hazard area and removal is approved by the Building Official. All RPTs are to be skirted. RPTs shall comply with any additional requirements, including anchoring systems, deemed necessary by the Building Official.
 - d). **Design Standards**
 - 1). RPT units shall be covered with nonreflective materials.
 - 2). Earth-tone colors that blend the units into the terrain shall be used.
 - 3). Covered or uncovered porches built as part of the trailer on the chassis are permitted and are limited to 100-square-feet per trailer. No after-market external additions such as expandable rooms, carports, decks or porches, other than external stairs with a landing essential for safe ingress and egress as determined by the Building Official, may be attached or placed on a campsite. Non-combustible, at-grade improvements such as stone or sand-set terraces are permitted at campsites, but shall not be counted as part of the required LSR.
 - 4). All RPTs shall have a minimum insulation of R-19 walls, R-38 roofs, and R-19 floors. Doors and windows shall meet a minimum U-factor of .35 or better. Documentation confirming

~~compliance with insulation requirements shall be submitted to the Planning Department for approval prior to the placement of such units.~~

- 5). ~~All RPTs shall meet the minimum snow load requirements for structures as defined in the current Teton County Building Codes Resolution. Documentation confirming compliance with snow load requirements shall be submitted to the Planning Department for approval prior to the placement of such units.~~
- 6). ~~RPTs may be no higher than 16 feet in height as measured from any point on the exterior of the RPT to the nearest point of finished grade.~~
- e). ~~Setbacks. Each RPT unit shall be setback a minimum of 30 feet from the front, street right-of-way, roadway, or vehicular access easement; 30 feet from the rear lot lines; and 10 feet from the side lot lines. A minimum separation distance of 10 feet between RPTs shall be required.~~
- f). ~~Utilities. RPT sites are required to be connected to adequate water, electrical, and septic or sewer system in accordance with all applicable State and County codes and requirements. RPTs may be connected to quick-disconnect hook-ups upon approval by the Building Official.~~

6.1.6. Commercial Uses (1/1/15)

A. All Commercial Uses

1. Definition. A commercial use is the sale of goods or services.

B. Office

1. Definition. Office use is a professional service or other activity customarily provided in an office environment where appointments are scheduled.
 - a. Includes:
 - i. legal, accounting, investment, and financial services
 - ii. medical, dental, and other health services
 - iii. engineering, architectural, and other design services
 - iv. counseling and social services
 - v. insurance and real estate
 - vi. broadcast studios for television and radio
 - vii. administrative and sales offices for business, industry, and government, provided that only administrative, bookkeeping, and clerical types of activities are conducted on site.

a. **Includes:**

- i. bowling alleys
- ii. movie theaters
- iii. music halls
- iv. video arcades
- v. miniature or putt-putt golf course
- vi. pool and billiard halls
- vii. shooting arcades

C. Outdoor Recreation [subsection deleted]

1. **Definition.** ~~Outdoor recreation is the use of land for passive or active recreational or athletic purposes that requires minimal permanent physical development relative to the open space.~~

a. **Includes:**

- i. parks
- ii. arboretums
- iii. athletic fields not in stadiums
- iv. equestrian centers
- v. nordic ski trails

b. **Does Not Include:**

- i. Golf course
- ii. Downhill Ski Slopes

2. **Standards**

a. **All Zones.** ~~In all zones, outdoor recreation uses shall only be permitted subject to a use management plan. The use management plan shall ensure that outdoor recreational uses are designed to minimize any glare from night lighting into residential areas, and that the hours of operation of potentially noisy uses which might disrupt a residential area are limited.~~

b. **NRO.** ~~For land within the Natural Resources Overlay, the use management plan shall comply with the following:~~

- i. **Limitation of Access During Eagle Nesting.** ~~Access to the protective radius around a bald eagle nest shall be limited to times of the year when eagles are not nesting.~~

- ii. **River and Stream Bank Buffers for Trumpeter Swans.** River and stream-bank buffers for trumpeter swans shall be 2 times that required in Sec. 5.1.1. and Sec. 5.2.1.

D. Developed Recreation

- 1. **Definition.** Developed recreation is the use of a physical development for active recreation or athletic purposes.
 - a. **Includes:**
 - i. gymnasiums
 - ii. swimming pools
 - iii. tennis
 - iv. skateboarding
 - v. rodeos
 - vi. skating rinks
 - vii. racquetball
 - viii. handball courts
 - ix. rock climbing practice facilities
 - x. health and exercise clubs

E. Outfitter/Tour Operator

- 1. **Definition.** The base of operations for providing guides, materials, supplies, and equipment for outdoor activities.
 - a. **Includes:**
 - i. rafting/boat trips
 - ii. fishing or hunting guide operations
 - iii. raft and boat rental
 - iv. snowmobile tours
 - v. mountain bike tours
 - vi. horseback trail rides and pack trips

F. **Balloon Operation**

- 1. **Definition.** A balloon operation is the provision of hot air balloon flights for hire.
- 2. **Standards**

- a. ~~Balloon operations require securing both launching and landing rights for balloons.~~
- b. ~~Balloon operations shall have launching facilities on their own land, or shall have leases or signed agreements from other landowners giving them sufficient launching facilities for operation.~~
- c. ~~Balloon operations shall have landing rights based on ownership, leases, or signed agreements to provide for adequate landings under all normal operating conditions.~~
- d. ~~A balloon operation Conditional Use Permit may be revoked if adequate launching and landing facilities are not continuously available to the permittee.~~
- e. ~~Any complaints about unauthorized landings shall be investigated. During each calendar year, should more than 4 incidents of unauthorized landings occur for which documented complaints are reported, the Conditional Use Permit shall be reviewed by the Teton County Planning Director, and if deemed appropriate, the matter passed on to the Board of County Commissioners, which may impose additional conditions on the Permit, or revoke the Permit. Balloon companies shall keep their own records of unauthorized landings and shall file reports of those landings with the Teton County Planning Office within 3 business days of the event.~~

6.1.8. Institutional Uses (7/13/15)

A. All Institutional Uses

1. **Definition.** An institutional use is the provision of a public or semi-public service by a public or private entity.

B. Assembly

1. **Definition.** An assembly use is an institutional use typically characterized by a public or semi-public gathering area.

- a. **Includes:**
 - i. cemeteries
 - ii. churches
 - iii. community centers
 - iv. libraries
 - v. museums
 - vi. hospitals
 - vii. reception halls

a third party expert, the costs of which shall be borne by the applicant and be in addition to other applicable fees. Schedules of current fees are listed in the Teton County Fee Schedule.

- ii. Based on the results of the expert review, the approving authority may require changes to the applicant's application or submittals.
- iii. The supplemental review may address any or all of the following:
 - a). The accuracy and completeness of the application and any accompanying documentation.
 - b). The applicability of analysis techniques and methodologies.
 - c). The validity of conclusions reached.
 - d). Whether the proposed communications facility complies with the provisions set forth in this Section.
 - e). Whether the proposed facility is designed to meet the minimum height requirement necessary for effective functioning of the provider's network.

i. Abandonment (Discontinued Use)

- i. Towers, antennas, and the equipment compound shall be removed, at the owner's expense, within 180 days of cessation of use.
- ii. An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The Planning Director may extend the time for removal or reactivation up to 60 additional days upon a showing of good cause. If the tower or antenna is not removed within this time, the County may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, the County may cause removal of the tower with costs being borne by the owner.
- iii. Upon removal of the tower, antenna, and equipment compound, the development area shall be returned to its natural state and topography and vegetated consistent with the natural surroundings or consistent with the current uses of the surrounding or adjacent land at the time of removal, excluding the foundation, which shall be reduced to below finished grade.

E. Heliport Aviation

1. Definition. An aviation use is an area, facility, or establishment engaged in accommodating air transportation.
 - a. Includes:
 - i. Airports:
 - ii. Heliports:

- iii. Landing Strips; and
- iv. Balloon operations providing hot air balloon flights.

2. Standards.

a. Permanent Aviation Uses

- i. Commercial aviation shall be located at the Jackson Hole Airport, and commercial air tours shall be prohibited, with the following exceptions.
 - a). High Mountain Heliskiing (located within the Teton Village 2 Resort and the Snake River Canyon Ranch) and Hawkins and Powers (located on Spring Gulch Road), which existed on private land on September 4, 2001, are permitted to maintain their historic volume of commercial air tours. The historic volume of commercial air tours shall be transferable to new heliport locations, provided said locations are properly approved and permitted.
 - b). Balloon operations for hire are permitted at locations other than the Jackson Hole Airport when permitted as a Conditional Use.
- ii. Unlike other ancillary or incidental uses, private ancillary or incidental aviation uses associated with a principal residential use require a permit.
- iii. Permanent aviation uses shall be separated from residential uses to the extent practical.
- iv. Typical flight paths shall be identified, and must not cross residential areas or places of assembly such as schools or churches. Approaches shall be free of towers or other hazards.
- v. Providers of overhead utilities shall be given an opportunity to review the approach corridors and plans. Any marking of utility lines in the area requested by the providers shall be done at the applicant's expense.
- vi. Aviation shall be exempt from the noise standards in Section 6.4.3.
- vii. When evaluating an application for a conditional use permit for Aviation, the Board of County Commissioners should consider conditions related to the operational characteristics of the use, in order to minimize impacts on neighboring properties.

EXAMPLE: The Board might impose a condition limiting the hours of operation for the aviation use, or might limit the times of year during which an aviation use is permitted, in order to avoid impacts to winter wildlife habitat.

viii. Any complaints about unauthorized landings of an aviation use shall be investigated. During each calendar year, should more than 4 incidents of unauthorized landings occur for which documented complaints are reported, the Use Permit shall be reviewed by the Teton County Planning Director, and if deemed appropriate, the matter passed on to the Board of County Commissioners, which may impose additional conditions on the Permit, or revoke the Permit. Aviation companies shall keep their own records of unauthorized landings and shall file reports of those landings with the Teton County Planning Office within 3 business days of the event.

b. Temporary Aviation Uses.

- i. Aviation may be temporarily permitted for the following purposes:
 - a). Construction or staging of construction in remote location to avoid the need to create a permanent access road
 - b). Tree removal operations necessary to accomplish fuels mitigation as approved by Jackson Hole Fire/EMS

3. Definition. A heliport is the area or buildings necessary for landing, takeoff, and/or refueling of helicopters or other aircraft capable of hovering.

a. Includes:

- i. helicopter pads

4. Standards

- a. The use shall be removed from residential areas to the extent practical.
- b. Typical flight paths shall be identified, and must not cross residential areas or places of assembly such as schools or churches. Approaches shall be free of towers or other hazards.
- c. Providers of overhead utilities shall be given an opportunity to review the approach corridors and plans. Any marking of utility lines in the area requested by the providers shall be done at the developer's expense.
- d. In order to minimize noise and other negative impacts on the general public, commercial air tour operations are prohibited. Notwithstanding Div. 1.9, helicopter operators and their respective heliports (High Mountain Heliskiing on the Snake River Ranch and the Snake River Canyon Ranch, and Hawkins & Powers on Spring Gulch Road) existing on private land on September 4, 2001 shall be entitled to maintain their historic volume of "commercial air tours." The historic volume of "commercial air tours" shall be transferable to future buyers of the existing operators and shall be transferable to new heliport locations provided said locations are properly approved and permitted.

F. **Airport**

1. **Definition.** An airport is an establishment primarily engaged in furnishing air-transportation over regular routes, on regular schedules for passengers and air-freight.
 - a. **Includes:**
 - i. servicing, repairing, maintaining, and storing of aircraft
2. **Standards.** All commercial aviation activities shall be located at the Jackson Hole Airport where adequate safety facilities are present.

G. **Landing Strip**

1. **Definition.** A landing strip is an establishment primarily engaged in accommodating nonscheduled air transportation.
2. **Standards**
 - a. **Landing strips shall not be used for commercial purposes.**
 - b. **Typical flight paths shall be identified, and must not cross residential areas or places of assembly such as schools or churches. Approaches shall be free of towers or other hazards.**
 - c. **Providers of overhead utilities shall be given an opportunity to review the approach corridors and plans. Any marking of utility lines in the area requested by the providers shall be completed at the developer's expense.**

6.1.11. Accessory Uses [\(7/13/15\)](#)

A. All Accessory Uses

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

- d. Restaurant
- 3. Standards
 - a. Off-site parking is prohibited.
 - b. If adjoining land is in residential use the drive-in facility shall provide a fence, wall, or evergreen hedge at least 6 feet in height; structures shall be set back from the property line at least 5 feet; and 1.5 plant units per 100 linear feet of property boundary shall be provided. Said evergreen hedge and 1.5 plant units shall be in addition to landscaping required in Div. 5.5.
 - c. If adjoining land, including land separated by an alley, is in residential use, the operating time of the drive-in facility shall be limited to the hours of 6 a.m. to 10 p.m.

I. Agricultural Employee Housing

- 1. **Definition.** Agricultural employee is a dwelling unit provided for persons employed on a working ranch or farm.
- 2. **Primary Uses**
 - a. Agriculture
- 3. **Standards**
 - a. ~~The occupant of the agricultural employee housing shall be employed by the operator of the agricultural operation and work in the agricultural operation at least 20 hours per week for a minimum of 3 months a year. In addition, the immediate family of the occupant may also reside in the agricultural employee housing.~~

- b. When not occupied by an employee of the agricultural operation, agricultural employee housing may be rented to others. Such rental shall be for a period of at least 30 days.
- c. A mobile home may be used for agricultural employee housing provided it meets the standards of 6.1.4.E. and is screened at least 50% by landscaping or is located on the property to be unseen, as viewed from neighboring property and roads, and the color of the mobile home blends the structure into the site.
- d. Agricultural employee housing shall not result in a density of more than one residence per 35 acres of actively farmed or ranched land. Agricultural employee housing is in addition to the allowed base density of principle residential use.

J. Cottage Industry

- 1. **Definition.** A cottage industry is a light industry or heavy service use conducted as a secondary use in connection with an agricultural use.
 - a. **Includes:**
 - i. Light industry
 - ii. Heavy service
 - b. **Does Not Include:**
 - i. Heavy retail
- 2. **Primary Uses:**
 - a. Agriculture
- 3. **Standards**
 - a. Cottage industry shall be businesses related to agriculture, landscaping, snow plowing, trucking, small automotive repair, septic system service, well service, carpentry, upholstery, and woodworking.
 - b. No more than 5 persons residing off-site may be employed on-site by the cottage industry. Additional persons may be employed, but shall not visit or work on the site on a daily basis.
 - c. Outdoor storage areas may be permitted but shall be screened.
 - d. The cottage industry use shall have no more than one free-standing rustic sign not exceeding 16 square feet in area and 10 feet in height, on site.

K. Receptions/Events

- 1. **Definition.** A reception or event is a public or private gathering held at an indoor or outdoor site rented on a regular or seasonal basis.

a. **Purpose.** The purpose of allowing Reception/Event sites on large open tracts of land is to support and encourage continued agricultural conservation of open space, while providing standards to mitigate potential negative impacts to neighboring property owners. Protecting open space via agriculture preserves the County's scenic, wildlife and agricultural values. The repurposing of existing agricultural buildings to be used for indoor Reception/Event sites is encouraged to protect the historic western character of the community and is consonant with the goal of limiting development in the rural areas of the County.

b. **Includes:**

- i. weddings
- ii. corporate events
- iii. retreats
- iv. community events
- v. private parties
- vi. family gatherings/reunions

c. **Does Not Include:**

- i. private parties hosted at a private home not renting their property to a third party specifically for the use of the reception/event site.

2. **Primary Uses:**

a. Agriculture

3. **Standards**

a. **Use Management Plan.** A use management plan, subject to Board approval, shall be required. At a minimum, the use management plan shall include information relevant to, and demonstrate compliance with, these standards.

b. **Approval Considerations.** When analyzing the site for compatibility under the Conditional Use Standards, the Board shall consider the following in addition to the Conditional Use standards:

- i. Size of the parcel(s) where the use is being proposed.
- ii. Proximity of the reception/event site to neighboring properties.
- iii. Wildlife, open space, and natural resource values on the site.
- iv. Types of events being proposed. The Board may limit the type and character of events permitted at any proposed reception/event site.
- v. Maximum number of attendees.

- vi. Adequacy and safety of access to and from the reception/event site, and possible maintenance and repair impacts to County Roads.
- c. **New Structure Prohibition.** Indoor sites are limited to structures existing as of December 31, 2012, to which the Board may allow minor alterations and expansions for public health, safety, and code compliance requirements. Any additional uses proposed on the site that diminish the open space values of the property (e.g. residential density exceeding one dwelling unit per 70 acres, additional nonresidential uses, etc.), as determined by the Board, may cause revocation of the Conditional Use Permit for the reception/event site.
- d. **Year-Round/Seasonal Use.** Reception/event sites may be used either year-round or seasonally.
 - i. **Maximum Number of Events.** Maximum number of events shall be established by the Board of County Commissioners, but in no instance shall there be more than two events permitted per week, and no more than 15 events permitted per summer or winter season, totaling no more than 30 events per year. The frequency of events (such as number of events per month) may be restricted at the discretion of the Board based upon the Conditional Use Standards and reception/event approval considerations. An "event" shall be defined as being no more than one calendar day in duration. Each season shall be defined as April 15 – October 15 and October 16 – April 14.
 - ii. **Tents.** Tents used for any event may only be set up 48 hours in advance and shall be taken down within 48 hours after each event.
- e. **Total Number of Attendees.** The maximum number of attendees shall be limited to 300 per event, but a lesser maximum number may be established by the Board of County Commissioners. The maximum number of attendees shall be dependent upon available parking, building size and/or occupancy load, property size, any additional safety concerns expressed by the Fire Marshal or Building Official, as well as any concerns expressed by the Board.
- f. **Natural Resources Protection.** All proposals for a Reception/Event Conditional Use Permit shall require the preparation of an Environmental Analysis, unless specifically exempted under 8.2.2.B. If an exemption is warranted, a Natural Resources Review shall be required. The Environmental Analysis and Natural Resources Review shall discuss how the location of existing structures, and proposed temporary structures such as tents, support goals to preserve agriculture and open space, as well as provide an analysis of the uses proposed on the site and their potential impacts on wildlife, vegetation, wetlands, and waterbodies. Reception/event uses shall only be permitted subject to a use management plan, which complies with the requirements of Div. 5.1. and Div. 5.2.

- g. **Proposed Location.** A site plan is required that is to scale and depicts the proposed location of the reception/event use, parking, cooking/eating, and restroom facilities.
- h. **Setbacks.** The following minimum setbacks shall apply to all reception/event sites. The Board of County Commissioners may require increased setbacks in order to mitigate impacts to neighboring properties.
 - i. **Indoor Event Site Setbacks.** Event site structures shall be set back a minimum of 300 feet from all property lines and from all public road rights-of-way.
 - ii. **Outdoor Event Site Setbacks.** The area designated as the event site, including tents, restrooms, cooking areas, and eating areas shall be set back a minimum of 300 feet from all property lines and from all public road rights-of-way. This setback may be increased at the discretion of the Board due to site-specific conditions, including, but not limited to those listed in the reception/event approval considerations. Setbacks may be reduced to less than 300 feet by the Board if the property is adjacent to a river, in which case the river setback of 150 feet would apply. If the property is adjacent to public lands, or in other instances where the setback is not achieving the goal of mitigating impacts to neighboring property owners, the Board may also adjust the setback.
 - iii. **Parking Setbacks.** Parking may be permitted within the 300 foot setback, with permission from the Board of County Commissioners, but in no instance shall parking be located within 300 feet of any residences. Parking shall be required to meet all required parking setbacks for the zone.
 - iv. **Natural Resource Protection Setbacks.** All natural resource protection setbacks, as set forth in Div. 5.1. and Div. 5.2. shall apply to reception/event sites.
- i. **Transportation.** A transportation plan shall be required to mitigate transportation impacts. The following standards shall apply to all reception/event sites:
 - i. **Access.** The reception/event site shall have direct access to a State Highway or County Road or the site shall have a minimum access easement width of 60 feet.
 - ii. **Access Drives and Bridges.** The designated access to the event site shall be accessible by fire trucks and other emergency vehicles, and shall be approved by the Fire Marshal.
 - iii. **Directional Signage.** If the reception/event site is not visible from a public road, the applicant may be required to post directional signage the day of each event to provide adequate notification for emergency vehicle access. Signage shall be removed within 48 hours of each event.

- iv. **Idling.** No vehicles shall be permitted to idle under any circumstances, except emergency vehicles.
- v. **Parking.** Parking is prohibited along access drives. Unless otherwise noted in this Section, parking is required to meet the standards of Div. 6.2. A parking plan shall be required for all reception/event sites. The parking plan shall include the following:
 - a). **Location.** The location of proposed parking shall be shown on a site plan drawn to scale.
 - b). **Configuration.** A detailed site plan shall depict the number of parking spaces, dimension of spaces and drive aisles, and parking configuration.
 - c). **Surface.** The parking plan shall include the type of surface that is being used for parking, such as pavement, gravel, or agricultural meadow. A surety may be required by the Board of County Commissioners for reclamation of surfaces that are not pavement or gravel.
 - d). **Valet Parking/Shuttles.** Valet parking or shuttles may be required by the Board and/or proposed by the applicant. If valet parking or shuttles are used, the Board may approve a deviation from the requirement for on-site parking. If shuttles or valet parking is used, pick-up and drop-off areas shall be shown on the site plan. If off-site parking is proposed, it shall be reviewed and approved by the Board, and an agreement shall be required with the landowner whose property is being used as the alternate parking location.

j. **Services and Facilities**

- i. **Food and Beverage Service.** All food and beverage service shall be conducted in accordance with Wyoming and Teton County Public Health requirements.
 - a). **Food Preparation.** All caterers and on-site food preparers shall be licensed by the WY Dept of Agriculture through the Public Health office.
 - b). **Beverages.** In the event any alcoholic beverage is served at a reception/event, adherence to all relevant provisions of Wyoming Statutes Title 12, Alcoholic Beverages, shall be required.
- ii. **Refuse and Recycling.** All refuse and recycling shall be removed from the site on a daily basis when events are in session and immediately following each event, and all refuse shall be stored in bear-proof canisters if left unattended on site at any time.
- iii. **Restroom Facilities.** Restroom facilities shall be provided at a rate dependent on the maximum number of attendees, to be reviewed and approved by the County Engineer.

- k. **Hours of Operation for Events with Music.** Amplified music may be prohibited by the Board due to proximity to residential properties and neighboring uses. All music, both amplified and unamplified, associated with the event shall end no later than 10:00 p.m. The event shall end no later than 11:00 p.m.
- l. **Noise.** Noise levels measured at the property line shall be in accordance with Sec. 6.4.3, and shall not exceed the maximum permitted sound level for the R-TC zone, which is 55 DBA.
- m. **Exterior Lighting.** All exterior lighting shall comply with Sec. 5.3.1.
- n. **Annual Review.** An annual report shall be submitted to the Planning Director by January 31st. This report shall at a minimum include the number of events that took place and noise decibel readings at the property boundary closest to the nearest residential development during each event. The report may also include transportation, parking monitoring, and any additional information as required by the Board. For the first three years, the report shall be reviewed at a public hearing with the Board of County Commissioners, following the mailing of neighbor notice letters to all property owners within 1,300 feet. After the third year, the Board may allow the report to be reviewed administratively by the Planning Director. If new issues of negative impacts to neighbors arise due to unanticipated consequences associated with this use, or if the standards or conditions of the Conditional Use Permit have not been met, the annual review shall be brought before the Board where mitigation measures and/or additional conditions may be required in association with the Conditional Use Permit. The Conditional Use Permit may be subject to revocation proceedings for failure to comply with the conditions of approval.

6.1.12. Temporary Uses (7/13/15)

A. All Temporary Uses

- 1. **Definition.** A temporary use is a use established for a fixed period of time.
- 2. **Standards**
 - a. **Entrance and Exit/Adequate Sight Distances.** The entrance and exit locations shall have adequate sight distances to ensure safe entry and exit based on the speed of the road, as specified in Div. 7.6.
 - b. **Electrical and Sanitary Inspections.** The temporary use shall pass electrical and sanitary inspections before being opened to the public.
 - c. **Bond.** A bond for the cleanup and restoration of the temporary use area may be required in an amount sufficient to restore the area to its prior condition or to the condition specified by reclamation standards in this Section.

will be inundated during the high water period to a degree which makes reclamation moot, or a reclamation plan designed to ensure the watercourse/river suffers no negative impacts, such as bank degradation or channelization, from the extraction operations.

G. ~~Helicopter Tree Removal~~

1. ~~Definition.~~ ~~Helicopter tree removal is a forest thinning project completed for fuels reduction, forest health improvement, and public safety purposes.~~
2. ~~Standards~~
 - a. ~~Helicopter operations permitted under this Subsection must be completed within 10 days within an overall project period of 4 weeks or less. The Planning Director may extend the project period due to weather or mechanical delays beyond the applicant's control, not to exceed a total of 6 weeks from start to finish.~~
 - b. ~~The application shall justify why helicopter tree removal (as opposed to other methods, such as ground-based tree removal) is needed.~~
 - c. ~~In those cases where the helicopter will land and/or refuel on the subject property, the helicopter operation shall follow best management practices for safe landing and refueling.~~
 - d. ~~In those cases where the helicopter will land on the subject property, designated helicopter landing locations shall meet all required resource setbacks, and any associated disturbed areas shall be reclaimed using native plants.~~
 - e. ~~If the purpose of the tree removal is for fuels reduction, then the proposed project shall be approved as a valid fuels reduction project by the Teton County Fire Department.~~
 - f. ~~The applicant shall provide a statement prepared by a wildlife biologist as to the impacts of the project on the existing wildlife habitat on the property subject to the tree removal, and the immediate vicinity of said property. Mitigation measures may be required.~~
 - g. ~~The Board of County Commissioners shall approve a helicopter operation under this Subsection only after public hearing. The Planning Director shall send written notice of said hearing to property owners within 1300 feet of the property subject to the tree removal at least 15 days prior to said hearing.~~
 - h. ~~The Board of County Commissioners shall condition its approval under this Subsection to protect the health, safety and welfare of the public. Conditions may include but shall not be limited to hours of operation and days of operation.~~
 - i. ~~A helicopter operation under this Subsection shall be exempt from the Noise standards in Sec. 6.4.3.~~

Div. 6.2. Parking and Loading Standards

6.2.1. Purpose (1/1/15)

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

6.2.2. Required Parking and Loading (7/13/15)

A. Required Parking

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

Required Parking		
Use	Parking Spaces	Queuing Spaces
Open Space Uses		
Agriculture	n/a	
Outdoor recreation	independent calculation	
Downhill ski area	1 per 7 carrying capacity + 1 per 2 employees	
Golf course	3 per hole + as required for incidental uses	
Dude/Guest ranch	1 per LU	
Residential Uses		
Detached single-family unit	2 per DU	
Attached single-family unit	2 per DU + 0.5 per DU if ≥ 3 units served by lot	
Apartment	2 per DU + 0.5 per DU if ≥ 3 units served by lot	
Mobile home	2 per DU	
Dormitory	1 per bed	
Group home	0.5 per bed	
Lodging Uses		
Conventional lodging	0.75 per LU + 1 per 150 sf assembly area	
Short-term rental	2 per LU	
Campground	1 per campsite + 1 per 7.5 campsites	
Commercial Uses		
Office	3.3 per 1,000 sf	
Retail	4.5 per 1,000 sf	
Service	3 per 1,000 sf	
Restaurant/Bar	1 per 55 sf dining area + 1 per 30 sf bar area	
Heavy retail/Service	2 per 1,000 sf + 3 per repair bay + 1 per wash bay	2 per wash bay
Mini-storage warehouse	1 per 10 storage units + 1 per employee	
Nursery	2 per 1,000 sf + 1 per 4,000 sf outdoor display area + 1 per employee	

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

to be the most appropriate screening type and it is impossible for the earth berm, fence, or wall to meet the required setbacks without unnecessarily constraining the owner's property.

- b. **Bear Resistant Enclosure.** A bear resistant outdoor enclosure may be designed and constructed to also function as screening.
- 4. **Temporary Dumpsters at Construction Sites.** Temporary dumpsters placed at active construction sites are exempt from the standards outlined in Sec. 5.2.2. provided only construction materials are placed in the dumpster.
- 5. **Locations of Dumpsters and Enclosures.** Dumpsters and outdoor enclosures shall be located to:
 - a. Not impair vehicular access, parking or loading areas;
 - b. Not interfere with clear visibility at site entrances and exits;
 - c. Not interfere with snow removal operations or snow storage areas;
 - d. Provide adequate access for collection equipment;
 - e. Not encroach into easements for utilities, vehicular or pedestrian access, or designated open space or conservation areas; and
 - f. Allow shared use by multiple businesses, tenants or owners when placed in developments containing multiple occupants.
- 6. **Compactors.** Outdoor trash compactors shall be fully compliant with the definition of bear resistant refuse container or enclosure as stipulated in Sec. 5.2.2. No trash is to be exposed, doors must be kept closed at all times when not in use, and the area around the compactor shall be clean and free of debris.

6.4.3. Noise (7/13/15)

All uses shall conform with the following standards.

A. Maximum Noise

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

Noise Level Restrictions	
Zone	Maximum Permitted Sound Level
<u>R-1, R-2, R-3, R-TC, S-TC, NC-TC, OP-TC</u>	55 DBA
All other zones	65 DBA

B. Exceptions

1. **General.** Noises of vehicles, home appliances, and chain saws in private use, occasionally used safety signals, warning signals, emergency pressure relief valves, and temporary construction operations shall be exempt from the requirements of this Section.
2. **Limited Exception/Limited Interval of Time/One Day.** The maximum permitted sound level may be exceeded by 10 DBA for a single period, not to exceed 15 minutes, in any one day.
3. **Impact Noises.** For the purposes of this Section, impact noises are those noises whose peak values are more than 6 DBA higher than the values indicated on the sound level meter, and are of short duration, such as the noise of a forging hammer or punch press. For impact noises, the maximum permitted sound level may be exceeded by 10 DBA.

C. Measurement

Noise shall be measured with a sound level meter meeting the standards of the American National Standards Institute (ANSI S1.4-1961) "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale and the meter to the slow response. Measurements shall be conducted in accord with ANSI S1.2-1962 "American Standard Method for the Physical Measurement of Sound" (or most current standards). Measurements may be made at any point along a zone boundary or site boundary line.

6.4.4. Vibration (1/1/15)

All uses shall conform with the following standards:

A. General

Vibration shall be measured at the site boundary line. Except for temporary construction operations, agricultural activities, and blasting for avalanche control, no activity shall cause or create a displacement for the frequencies prescribed in the table below.

Maximum Permitted Steady State Vibration Displacement	
Frequency (cycles per second)	Vibration Displacement (inches)
10 and below	0.0008
10-20	0.0005
20-30	0.0003
30-40	0.0002
40 and over	0.0001

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Div. 7.1. Development Option Standards

7.1.1. Development Options Schedule (7/13/15)

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

County Character Zones - Development Options						
Option	Complete Neighborhood Zones				Rural Area Zones	
	n/a	R-1	R-2	R-3		
<u>Rural PRD (7.1.2)</u>	—	DEV*	—	—		
<u>Mobile Home Park (7.1.4)</u>	—	—	—	—		
<u>Floor Area Option (7.1.5)</u>	—	DOP	DOP	—		
<u>CN-PRD (7.1.6)</u>	—	SKC	—	—		

Key: SKC = Sketch Plan required DEV = Development Plan require DOP = Development Option Plan (8.5.2) required

— = Development option prohibited * = Sketch Plan optional

County Legacy Zones - Development Options														
Option	Complete Neighborhood Zones					Rural Area Zones				Civic Zones				
	AC	TCAR	TC	WC	OP	TCBP	TC	MHP-	NC-TC	S-TC	R-TC	P/SP-	TC	P
<u>Rural PRD (7.1.2)</u>	P—	P—	—	—	P—	—	—	—	P—	PDEV*	—	—	—	—
<u>Mobile Home Park (7.1.4)</u>	—	—	—	—	—	—	—	P	—	—	—	—	—	—
<u>Floor Area Option (7.1.5)</u>	—	—	—	—	—	—	—	—	—	DOP	—	—	—	—
<u>CN-PRD (7.1.6)</u>	—	—	—	—	—	—	—	—	SKC	SKC	—	—	—	—

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

SKC = Sketch Plan required DEV = Development Plan require DOP = Development Option Plan (8.5.2) required

* = Sketch Plan optional

7.1.2. Rural Area Planned Residential Development (Rural PRD) (7/13/15)

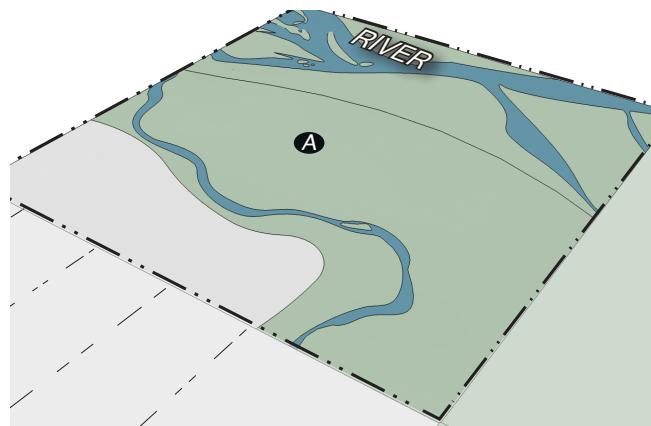
A. Intent

1. Purpose. The purpose of the Rural PRD is to encourage conservation of open space and clustering of development by granting more density in exchange for clustering and permanently conserved open space. The goal of the Rural PRD is to provide a rural area landowner with a subdivision option that is better for wildlife than just selling individual 35 acre tracts. Each Rural PRD contains conserved area and one or more development areas.
2. Location. The Rural PRD is the appropriate tool when locating conserved open space and clustered development in the rural areas of the community identified in the Comprehensive Plan as appropriate for conservation and preservation.
3. Comp Plan. The Rural PRD is primarily based on the Comp Plan direction of Policy 1.4.c.

B. Conserved Area

The open space conserved shall meet the standards of Division 7.3 in addition to the standards of this Section.

1. Scale



Minimum Gross Site Area

GSA permanently conserved (min) 105 ac.

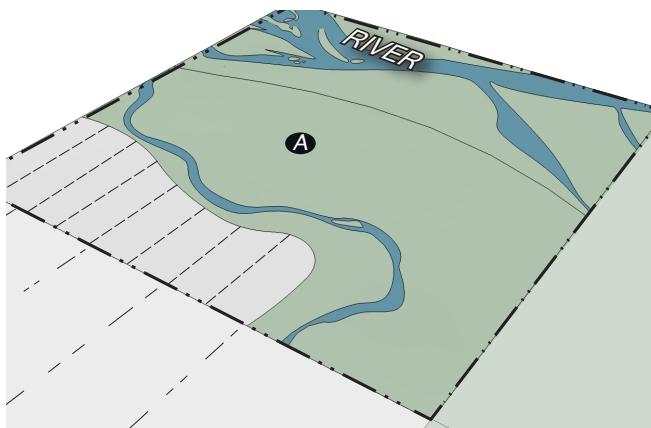
A

2. Configuration

- a. Location. The conserved area shall be located in an area identified in the Comprehensive Plan as appropriate for conservation or preservation.
- b. Separate Lot. The conserved area shall not be included on any lot with the allowance for residential use.
3. Principal Conservation Value. The conservation values listed below may be the principal conservation value. A value not listed shall not be the principal conservation value.
 - a. Wildlife
 - b. Scenic
 - c. Agriculture
4. Prohibitions. The conserved area may not be used to entitle another development option or density beyond the original Rural PRD approval with which the conserved area is associated.

C. Development Area Standards

1. Scale



Development Area

Dev. area GSA :	1 : 3	B	A
Conserved area GSA (max)			
# of Dev. Areas :	1 : 105 ac.		
Conserved GSA (max)			
Dwelling units : PRD GSA (max)	2 : 35 ac		
<u>Lot Within a Rural PRD Development Area</u>			
Floor area (max)	10,000 sf		
Site Development (max)	38,115 sf		
Street setback (min)	25'		
Non-street setback (min)			
Structure	10'		
Site Development	5'		

2. Location. The development area shall be located adjacent to existing development when existing development abuts the Rural PRD site.
3. Physical Development Standards. Except as modified in this Section, the physical development standards applicable in the zone shall apply in a Rural PRD development area.
4. Use Standards. Except as modified in this Section, the use standards applicable in the zone shall apply in a Rural PRD development area.
 - a. Allowed Uses. In addition to the uses allowed in the zone of the Rural PRD, on lots in the development area of a Rural PRD all residential uses are allowed.

EXAMPLE: A Rural PRD with 105 acres of conservation area and 35 acres of development area would be permitted 8 principle residential units ($2 * (105+35)/35$). The units could be any combination of residential uses defined in Section 6.1.4. so long as each unit has only one kitchen.

- b. Maximum Scale of Residential Use. A residential unit shall not exceed 8,000 square feet of habitable floor area.
5. Development Option Standards. Except as modified in this subsection, the development option and subdivision standards applicable in the zone shall apply in a Rural PRD development area.
 - a. Condominium/Townhouse. Condominium or townhouse subdivision is a permitted subdivision option as part of a Rural PRD.
 - b. Method for Providing Affordable Housing. A Rural PRD shall be exempt from the provision of Section 7.4.1.F requiring an applicant to first provide the house on-site. Required housing may be provided on the site of the Rural PRD, but is also permitted off-site, without demonstration that on-site housing is impractical.

D. Purpose and Intent

The purpose of Planned Residential Development is to permit development that will result in improved living and working environments, promote more efficient development, encourage a variety of types of residential dwellings, encourage ingenuity and originality in total development and individual site design, allow for denser clustering of development and preserve open space to serve wildlife, scenic, agricultural, and recreational purposes all within the densities established for the zone. The site, lot, and building standards for Planned Residential Developments are given added flexibility in order to permit and encourage compact development, affordable housing, preservation of open space, and innovative site planning and design, in concurrence with the Comprehensive Plan. Planned Residential Development proposals shall meet the following standards:

E. Deviation from Structure Setbacks

Deviation from the zone standards for minimum yards is permitted on the interior of the project where such deviation provides for a more compact footprint of development or greater setback from natural resources.

F. Minimum Perimeter Setback

All structures shall be set back from the project perimeter a minimum distance equivalent to the zone required front yard.

G. Permitted Types of Dwelling Units

Planned Residential Developments shall be permitted to provide a variety of dwelling unit types, in order to allow more compact footprint of development. Single-family homes, townhouses, condominiums, apartments and mobile homes are all permitted dwelling unit types.

H. Open Space Required

All Planned Residential Developments shall provide the required open space as designated for the zone in which the PRD is proposed. The required open space shall meet the requirements of Div. 7.3.

I. Arrangement and Design

The configuration of lots or units within the project shall provide each lot, unit, or building with a building site that is suitable when considering the topography of the site, any other natural resource features located on the site, and existing and probable future public improvements to the area.

J. Access

Safe and adequate access shall be provided to all areas of the proposed project, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way, or a commonly owned easement.

K. Limitation of Access to Arterial Streets and Highways

Where a proposed project is contiguous to a major local collector, arterial road or highway, direct access to such road or highway from individual lots, units, or buildings in the project is prohibited.

L. Double or Reverse Frontage

Double frontage or reverse frontage lots or buildings shall be prohibited, except where necessary to limit vehicular access to arterial roads and highways; or to provide separation of development from through traffic; or to overcome specific disadvantages of topography or other natural features of the site.

M. Circulation

Circulation for the project shall be designed in accordance with the following:

1. **Principal Access.** Principal vehicular access points shall be designed to provide smooth traffic flow, minimizing hazards to vehicular, pedestrian, or bicycle traffic.
2. **Street Connections.** Minor streets shall not be directly connected with streets outside the development in such a way as to encourage use of such minor streets by substantial amounts of through traffic.
3. **Access by Emergency Vehicles.** Access to all structures and uses by emergency vehicles shall be provided.
4. **Efficient Circulation System.** The circulation system shall be designed to provide adequate access to all areas of the development using the minimum linear footage of roadway.
5. **Pathways.** Provision shall be made for pedestrian and bicycle travel in accordance with the Pathways Master Plan — The Town of Jackson & Teton County, Wyoming, March 2007. Linkages to schools, parks, public lands, and pathways existing on adjacent properties shall be provided.

N. Parking Lots

Parking lots, if proposed, shall be set back from the perimeter of the project a minimum of the required front yard for the zone in which the project is located. A minimum separation of 10 feet shall be provided between parking lots and inhabited structures.

O. Pedestrian System

Walkways shall form a logical, safe, and convenient system for pedestrian access to all dwelling units, appropriate project facilities, and principal off-site pedestrian destinations.

P. Adequate Facilities

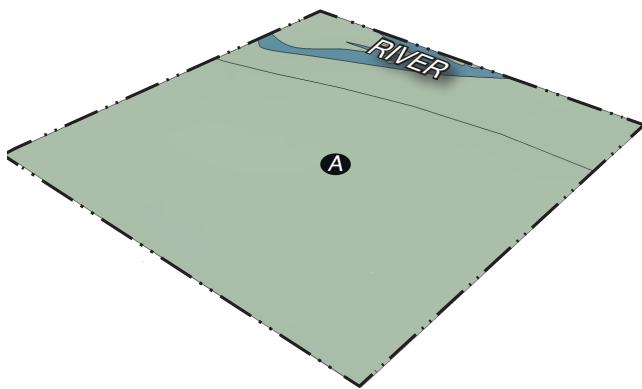
There shall be a demonstration that the development proposed is provided with adequate potable water, sewage treatment, solid waste disposal, electrical, park, school, police, and fire-fighting facilities.

A. Intent

1. **Purpose.** The purpose of the Floor Area Option is to achieve conservation and stewardship of rural parcels on which landscape level clustering is not achievable. The intent of the Floor Area Option is that the stewardship, permanence, and additional limitations on development and use of the conservation area are of greater benefit to the conservation goals of the community than the impacts of the additional floor area.
2. **Location.** The Floor Area Option is designed for use on properties that cannot be subdivided but are large enough to provide conservation value to the community.
3. **Comp Plan.** The Floor Area Option is primarily based on the Comp Plan direction of Policy 1.4.c.

B. Required Conservation Area

The open space conserved shall meet the standards of Division 7.3 in addition to the standards of this Section.

1. Scale**Minimum Gross Site Area**

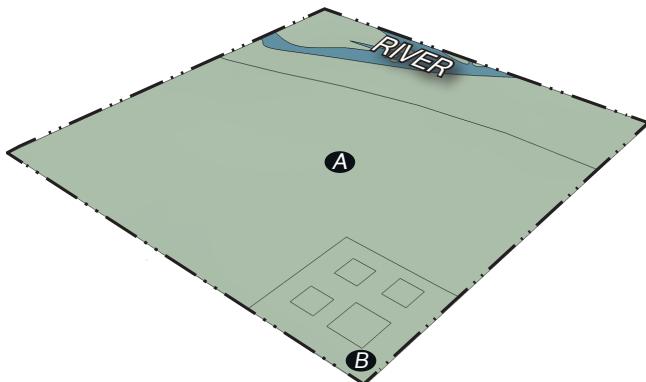
Principal Cons. Value	GSA permanently conserved (min)	A
Wildlife	35 ac.	
Scenic	70 ac.	
Agriculture	140 ac.	

2. Configuration

- a. **Development Area Included.** The reserved development area shall be included in the conservation easement. However, the standards of Division 7.3 shall only apply outside of the development area. Allowances within the development area are established in Subsection C, below.
3. **Principal Conservation Value.** The conservation values listed below may be the principal conservation value. A value not listed shall not be the principal conservation value.
 - a. **Wildlife**
 - b. **Scenic**
 - c. **Agriculture**
4. **Prohibitions.** The conserved area may not be used to entitle another development option or physical development or use beyond the original Floor Area Option approval with which the conserved area is associated. The conserved area shall not be subdivided.

C. Development Area Standards

1. Scale



Development Area	
Development area GSA (max)	3.5 ac.
# of development areas (max)	1.
Additional Physical Development	
Additional floor area (max)	10,000 sf per 35 ac. GSA
Additional ARUs	
Additional ARUs (max)	2 ARUs per 35 ac. GSA

2. Physical Development Allowance. Except as modified in this Section, the physical development standards applicable in the zone shall apply to the Floor Area Option development.

a. Additional Floor Area. Allowed additional floor area is in addition to the floor area allowed on the site in the absence of an approved Floor Area Option.

EXAMPLE. A 40 acre site in the R-2 zone is allowed 10,000 sf of floor area by-right. With approval of a Floor Area Option the same site would be allowed 21,428 sf ($10,000 + 10,000 * 40/35$).

b. Construction. Best practices shall be utilized to minimize the impact of construction within the development area on the principal conservation value of the conserved area.

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

a. Allowed Uses. Allowed uses in a Floor Area Option development are listed in this Subsection; all other uses are prohibited.

- i. Agriculture
- ii. Detached Single-Family Unit
- iii. Accessory Residential Unit
- iv. Home Occupation

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

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

EXAMPLE. A 40 acre site in the R-2 zone is allowed 1 ARU, which may not exceed 1,000 sf, within an allowance of 10,000 sf of gross floor area of which 8,000 may be habitable. With approval of a Floor Area Option the same site would be allowed 3 ARUs ($1 + 2 * 40/35$), none of which may exceed 5,000 sf, within an allowance of 21,428 sf of gross floor area.

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

a. Affordable Housing. An ARU of greater than 1,000 square feet of habitable floor area shall be subject to the affordable housing requirements of Subsection 7.4.1.F.3.c.v.

7.1.6. Complete Neighborhood Planned Residential Development (CN-PRD) (7/13/15)

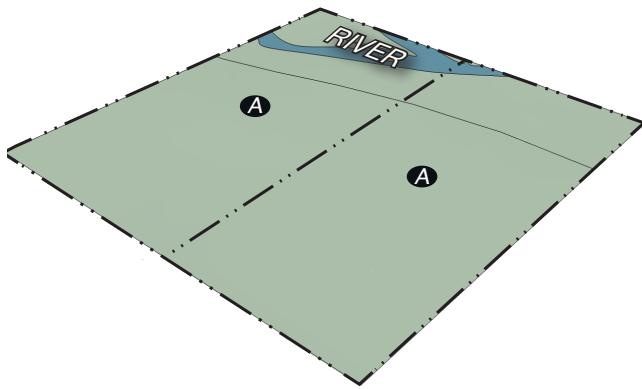
A. Intent

- Purpose.** The purpose of the CN-PRD is to encourage conservation and preservation of rural areas of the community in exchange for additional development in complete neighborhood areas identified as appropriate for growth. The goal of the CN-PRD is to provide a conservation incentive that conserves rural areas while also reducing the amount of development potential in those areas.
- Location.** Each CN-PRD contains conservation area in a rural area, which may include reserved development areas; and one or more development areas in a complete neighborhood.
- Comp Plan.** The CN-PRD is primarily based on the Comp Plan direction of Policies 1.4.a. and 1.4.c.

B. Required Conservation Area

The open space conserved shall meet the standards of Division 7.3 in addition to the standards of this Section.

1. Scale



Minimum Gross Site Area

GSA permanently conserved (min) 70 ac.

A

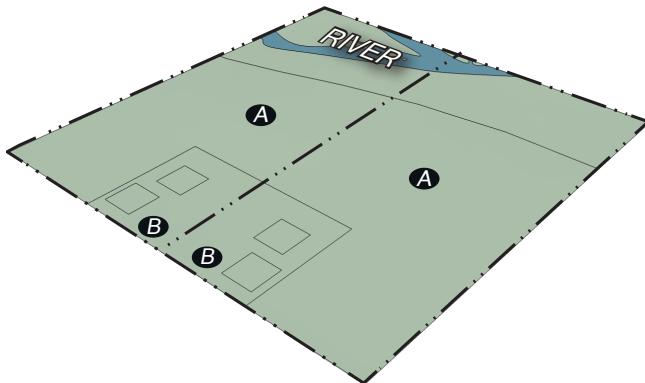
2. Configuration

- Location.** The conservation area shall be located in an area identified in the Comprehensive Plan as appropriate for conservation or preservation.
- Development areas included.** Any development area reserved in the conservation area shall be included in the conservation easement. However, the standards of Division 7.3 shall only apply outside of the reserved development area. Allowances within the reserved development area are established in Subsection C, below.
- Principal Conservation Value.** The conservation values listed below may be the principal conservation value. A value not listed shall not be the principal conservation value.
 - Wildlife**
 - Scenic**
 - Agriculture**
- Prohibitions.** The conserved area may not be used to entitle another development option or density beyond the original CN-PRD approval with which the conserved area is associated.

C. Reserved Rural Development Area

The following standards apply to development areas reserved within the conservation area of a CN-PRD.

1. Scale



EXAMPLE. A CN-PRD with 350 acres of conservation area would be allowed to reserve development areas for 10 units (350/35) in the conservation area. The 10 units could be distributed among 10 lots of record, or all included within a single lot of record. The location of the reserved development areas would be designed as a whole to provide better functioning conservation area than development of each of the 10 units individually.

6. **Development Option Standards.** Except as modified in this Section, the development option and subdivision standards applicable in the zone shall apply to the reserved development area.

<u>Reserved Rural Development Areas</u>		B
Reserved dev. area GSA (max)	3.5 ac.	
# of reserved dev. areas :		
Conserved area GSA (max)	1 area : 35 ac	

Allowed Density in Reserved Rural Dev. Areas

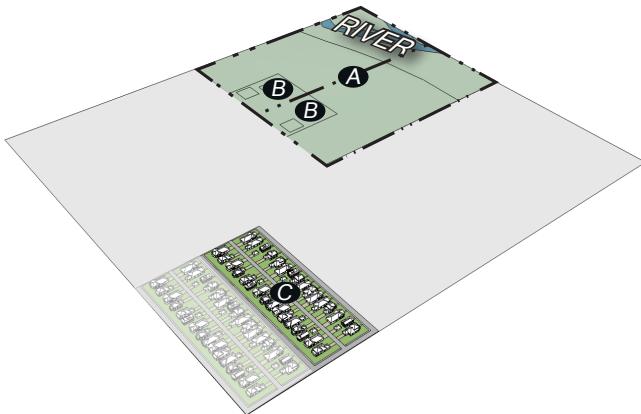
Detached single-family unit (max) 1 : dev. area

2. **Clustering.** Development areas do not have to be on the same lot of record, but shall be located to maximize the conservation value of the conserved area as a whole.
3. **Physical Development Allowance.** The physical development standards applicable in the zone shall apply in a reserved rural development area.
4. **Use Allowance.** Except as modified in this subsection, the use standards applicable in the zone shall apply in a reserved rural development area.
 - a. **Allowed Uses.** Allowed uses in a reserved rural development area are listed in this subsection: all other uses are prohibited.
 - i. Agriculture
 - ii. Detached Single-Family Unit
 - iii. Accessory Residential Unit
 - iv. Home Occupation

D. Complete Neighborhood Development Area

The following standards apply to development areas located in a complete neighborhood as part of a CN-PRD.

1. Scale of CN Development Area



Complete Neighborhood Development Areas

CN development area GSA :
Conserved area GSA (max)

1 : 19 C : A

CN residential units :
Conserved area GSA (max)

1 du : 4 ac.

2. Location. The complete neighborhood development area shall be located in an area identified in the Comprehensive Plan as appropriate for stable or transitional development.
3. Assurance. Concurrent with the recording of the conservation easement for the associated conservation area of the CN-PRD, an assurance shall be filed that ensures that the complete neighborhood development area is entitled at least the density approved through the CN-PRD regardless of future zoning.

E. Sketch Plan.

The Sketch Plan application required for a CN-PRD shall meet the following standards.

1. Conservation design. It shall include conceptual design of the conservation area, including the location of any reserved rural development areas.
2. Development area location. It shall identify the boundaries of the complete neighborhood development area.

3. Density. It shall identify the density assigned to the development area(s) as a result of the CN-PRD.
4. CN development area design. It may, but does not have to, include conceptual design of the complete neighborhood development area.
 - a. If it does not, a separate Sketch Plan for the complete neighborhood development area shall be required prior to submittal of a Development Plan for that area.
 - b. Whenever the Sketch Plan application for development of the complete neighborhood development area is submitted it shall meet the following standards.
 - i. The applicant shall concurrently propose a rezone of the development area, pursuant to Section 8.7.2., to a zone that currently exists in the Town or County or a new zone proposed pursuant to Section 8.7.1. as an amendment to the text of the LDRs.
 - ii. Future physical development, use, development options, and subdivision in the complete neighborhood development area will be reviewed subject to the standards of the proposed zone. The zone shall be consistent with the density of the complete neighborhood development area.

Div. 7.2. Subdivision Standards

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

7.2.1. Subdivision Types Schedule [\(7/13/15\)](#)

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

County Character Zones - Subdivision Types						
	Complete Neighborhood Zones		Rural Area Zones			
	n/a		R-1	R-2	R-3	Standards
<u>Land Division</u>		--	P	P	--	7.2.3.
<u>Condominium/Townhouse</u>		--	--	--	--	7.2.4.

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

County Legacy Zones - Subdivision Types												
	Complete Neighborhood Zones					Rural Area Zones				Civic Zones		
	AC	TC	AR	TC	WC	OP	TC	BC	TC	MHP-	P/SP-	
	P	P	P	P	P	P	P	TC	TC	P-TC	P-TC	
<u>Land Division</u>	P	P	P	P	P	P	P	--	P	P	P	7.2.3.
<u>Condominium/Townhouse</u>	P	P	P	P	P	P	P	--	--	P	P	7.2.4.

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

Div. 7.3. Conservation Area Open Space Standards

7.3.1. Purpose and Applicability (7/13/15)

A. Purpose and Intent

The purpose of this Division is to establish standards for required conservation areas.
The intent is to require certain best practices to ensure that a required conservation area achieves the community's goals for ecosystem stewardship identified in the Comprehensive Plan.

B. Applicability

This Division shall apply to any physical development, use, or development option that requires a conservation area.

C. Environmental Analysis (EA)

An EA shall be completed pursuant to Sec. 8.2.2. for any physical development, use, or development option that requires a conservation area.

D. Coordination

The organization that will permanently steward the conservation area should be involved in the preparation of the habitat inventory and identification of development alternatives to ensure that the EA and conservation area meet the standards of all parties involved.

7.3.2. Conservation Area Configuration (7/13/15)

A. Principal Conservation Value

A principal conservation value shall be identified from the list below for all required conservation areas.

1. Value Prioritization. When identifying the principal conservation value, the following prioritization shall apply.
 - a. Wildlife. Where wildlife habitats protected by Sec. 5.2.1. or Sec. 5.1.1. exist in the conservation area, protection of wildlife, wildlife habitat, and wildlife permeability shall be the principal conservation value.
 - b. Scenic. Unless a higher priority exists on the site, where scenic vistas protected by Sec. 5.3.2. exist in the conservation area, protection of those scenic vistas shall be the principal conservation value.
 - c. Agriculture. Unless a higher priority exists on the site, where active agriculture exists in the conservation area, protection of agricultural use of the site shall be the principal conservation value.
 - d. Recreation/Access. Unless a higher priority exists, provision of public access and recreation shall be the principal conservation value.

2. Secondary Values. Secondary conservation values from the list below may be identified, but shall be protected only to the extent compatible with the principal conservation value.

B. Contiguous and Unfragmented

A conservation area, and the associated development areas, shall be configured to meet the following standards.

1. Contiguity. The perimeter to area ratio of the conservation area shall be minimized to avoid conservation areas with decreased conservation value because they are small, isolated, fragmented, and/or extend into a development area.
2. Clustering. Development areas, should not be surrounded by conservation area on all sides, and should be located adjacent to existing development if possible. Where possible access should not cross conservation area.

EXAMPLE : A square development area located adjacent to a developed neighboring property so only 3 sides border the conservation area, is an obvious example of a regular shape that is not entirely surrounded and provides a clean delineation between development area and conservation area. A star shaped development area would have 5 fingers extending into the conservation area with no possibility of avoiding the conservation area surrounding the entire development area while also bringing 5 fingers of conservation area into the development area, which would limit the conservation value of those portions of the conservation area. The star shaped development area adds 3 times more perimeter to the conservation area than the square shaped development area.

C. Connect Conservation Areas

A conservation area shall be configured based on the following prioritization.

1. A conservation area shall first be configured to ensure connection to any adjacent, existing conservation areas.
2. Second, the conservation area shall be configured to maximize the protection of the principal conservation value.
3. The final consideration in configuring a conservation area shall be maximizing potential value that might result from future conservation of adjacent property.

EXAMPLE : A property with value as a north-south migration corridor is subject to a development option that requires conservation area. To the north is a property under conservation easement, to the south is a property that is not. The required conservation area shall be configured first to connect to the existing conservation easement, second to maximize wildlife value and the migration corridor, and third, to link that corridor to the point on the south boundary that best facilitates wildlife movement should the property to the south be placed under conservation easement in the future.

D. Deviation

1. Applicability. Deviation from the following standards is permitted to meet the standards of this Section in order to allow improved landscape level conservation across property lines.
 - a. Divisions 5.1
 - b. Division 5.2
 - c. Subsection 7.3.2.A.2
2. Process. The deviation shall be approved through the Administrative Adjustment process identified in Section 8.8.1.

7.3.3. Conservation Area Allowances (7/13/15)

A. Stewardship and Restoration

Stewardship and restoration that enhances the conservation value of the conservation area shall be allowed.

B. Consistent with Conservation Value

Any physical development, use, development option, or subdivision allowed in a conservation area shall be consistent with the principal conservation value identified for the conservation area.

1. Physical Development
 - a. Construction Schedule. Physical development activities that are allowed in the conservation area shall be scheduled to limit impacts to the principal conservation value of the conservation area.
 - b. Limit Temporary Impacts. Physical impacts from temporary physical development or use shall be avoided to the extent practical through use of areas planned for permanent physical development or use. A temporary impact that cannot be avoided shall be restored consistent with the principal conservation value of the conservation area.

EXAMPLE: Construction access across a conservation area to a development area shall follow the planned permanent access, rather than a secondary or alternate route. However, where burying of utilities cannot be accomplished under an area of permanent development the temporary physical development shall be reclaimed to the native state that existed prior to the disturbance.

- c. Fencing. When wildlife is the principal conservation value, no new fencing shall be constructed in the conservation area and existing fencing shall be replaced to meet the standards of Section 5.1.2.
2. Use

- a. Principal value wildlife. When wildlife is the principal conservation value the following standards shall apply.
 - i. Domestic Pets. Free-roaming domestic pets shall be prohibited.
 - ii. Chemical Use. Chemical use shall be limited to activities related to control of non-native species and ecological restoration.
 - iii. Motorized Vehicles. Motorized vehicle use shall be limited to travel on designated access-ways.
- b. Grazing. Conservation area with a principal conservation value of scenic or agriculture may allow grazing. Such grazing shall be managed to maintain vegetation for wildlife foraging and avoid overgrazing.
- c. Recreation. Recreation shall be managed to minimize the impact to the principal conservation value.

EXAMPLE: In a conservation area prone to erosion horse-back riding and mountain biking should be restricted seasonally and require trail maintenance techniques to minimize erosion.

7.3.4. Record of Conservation Area Restriction (7/13/15)

A required conservation area shall be restricted in perpetuity through a real property right, recorded with the County Clerk, granted to an organization qualified and dedicated to preserving the conservation values of the conservation area in perpetuity. (Such organizations often have instrument templates or samples) At minimum, the restriction shall contain the following:

- A. A legal description of the conservation area.
- B. Quantification of the additional development potential achieved as a result of the required conservation area.
- C. Statement of the principal conservation value of the conservation area and any secondary conservation values; as well as the public benefit provided by the conservation area.
- D. An inventory of the conservation area condition, features, and character from which the conservation values was established.
- E. Establishment of a stewardship plan including active monitoring of conservation values to ensure those values are successfully protected and maintained over time.
- F. Specification of the physical development, use, development options, and subdivision allowed in the conservation area; which shall comply with these LDRs, but may be less permissive.
- G. Prohibition of all physical development, use, development options, and subdivision not specifically allowed; and specification of other rights relinquished by the restriction.

- H. The affirmative right of the grantee to monitor the conservation area and enforce the restriction.
- I. Planning Director approval of any amendment to the restriction.

7.3.1. Purpose (1/1/15)

The purpose of this Division is to establish standards for open space that is required for approval of a physical development, use, development option or subdivision. This includes Planned Residential Development options that permit higher density in conjunction with greater amounts of open space. In return for higher density, a landowner must set aside open space that contributes to community goals as set forth in the Jackson/Teton County Comprehensive Plan.

7.3.2. Applicability (1/1/15)

This Division applies to all physical development, use, development options and subdivision for which an open space ratio (OSR) is specified or for which open space is otherwise required. All open space provided to satisfy an open space requirement shall comply with the standards of this Division. An Environmental Analysis shall be prepared pursuant to Sec. 8.2.2. to demonstrate compliance with this Division. If the open space proposed as part of an application subject to this Division does not meet the standards of this Division, the application associated with the proposed open space may be denied.

7.3.3. Configuration and Location of Required Open Space

(1/1/15)

Open space required in return for higher density shall be configured and located to protect, or provide space for, the Areas of Public Benefit on the subject property. The following are the Areas of Public Benefit: 1) wildlife habitat and migration corridors; 2) scenic vistas and natural skylines; 3) natural waterbodies (rivers, streams, lakes, ponds), floodplains, and wetlands; 4) agricultural activities; 5) public pathways as depicted in the Pathways Master Plan – The Town of Jackson & Teton County, Wyoming, March 2007; and 6) public parks and accesses to public lands.

J. Identifying the Areas of Public Benefit on the Subject Property

The following shall be used to identify the Areas of Public Benefit on the subject property:

1. Character Defining Features Maps;
2. Natural Resources Overlay and Scenic Resources Overlay;
3. 100-year floodplain as depicted on the Federal Emergency Management Agency maps;
4. Land Development Regulations:
 - a. Natural resources as defined in Sec. 5.1.1.;
 - b. Land used for bona fide agricultural activities;
 - c. Priority 6 to Priority 10 habitats as described in 5.2.1.F.;

5. ~~Environmental Analysis of the subject property;~~
6. ~~Pathways Master Plan — The Town of Jackson & Teton County, Wyoming, March 2007; and~~
7. ~~Maps and information on the existing conditions of the subject property.~~

K. Order of Priority for Protecting the Areas of Public Benefit

1. Open space set-asides shall be configured and located to protect or provide Areas of Public Benefit in the following order of priority from "1" to "6" with "1" being the highest priority and "6" being the lowest priority:
 - a. ~~1—Wildlife habitat and migration corridors~~
 - b. ~~2—Scenic vistas and natural skylines~~
 - c. ~~3—Waterbodies (rivers, streams, lakes, ponds), floodplains, and wetlands~~
 - d. ~~4—Agricultural activities~~
 - e. ~~5—Public pathways as depicted in Pathways Master Plan — The Town of Jackson & Teton County, Wyoming, March 2007~~
 - f. ~~6—Public parks and accesses to public lands~~
2. When all Areas of Public Benefit have been protected, or there are no Areas of Public Benefit on the subject property, and an additional amount of open space is required, the additional required open space shall be configured and located to expand the protection of the Areas of Public Benefit, or expand an existing open space area. The Areas of Public Benefit or the existing open space could be on the subject property or on adjacent properties. The purpose of this standard is to maximize the benefit of open space, when there are no Areas of Public Benefit to be protected, by locating the open space in large, unfragmented areas.

L. Map of Required Open Space and Areas of Public Benefit

The applicant shall submit a map that shows how the configuration and location of the required open space protects the Areas of Public Benefit, and shows how the Areas of Public Benefit are protected in priority order.

M. Residential Lots of Record

Open space is permitted to include a portion of a residential lot of record provided it:

1. ~~is not fenceed apart from, or otherwise visually or functionally separated from, the required open space;~~
2. ~~protects or provides Areas of Public Benefit as identified and prioritized in this Section; and,~~
3. ~~complies with Sec. 7.3.4., Sec. 7.3.4. and Sec. 7.3.4. of this Division.~~

N. Noncontiguous Open Space

Required open space may be provided at a noncontiguous location, pursuant to 9.4.4.A.1., and provided that the open space meets the standards of this Division.

O. Acreage in Rivers

Acreage within rivers shall not be eligible to satisfy required open space acreage.

7.3.4 Use of Open Space (1/1/15)**P. Permitted Uses in Open Space**

Required open space shall be restricted to uses consistent with the protection of the Areas of Public Benefit on the subject property.

EXAMPLE: If the open space protects a designated wildlife habitat area, the uses and activities permitted on open space lands shall be consistent with protecting and maintaining the habitat value of the property. Uses of the required open space shall not reduce or diminish the Areas of Public Benefit being preserved by the required open space.

Q. Prohibited Uses in Open Space

Notwithstanding the permitted uses, areas devoted to building envelopes, parking areas, road and driveway easements, cut or fill slopes, or other permanently disturbed areas that are part of a development are prohibited in required open space, except for recreational uses. Also any commercial or industrial use, or physical development activity not related to bona fide agricultural uses, recreational uses, wildlife habitat improvement projects, or other uses permitted pursuant to 7.3.4.P. are prohibited in required open space.

R. Separate from Exaction Requirements

Open space set aside in return for higher density, which provides public pathways or parks pursuant to this Division, shall not be credited toward land exactions required in Div. 7.5.

7.3.5 Physical Development Permitted in Open Space (1/1/15)

The following physical development may be permitted in open space if deemed consistent with the Areas of Public Benefit on the subject property:

- S. Nonresidential structures, land disturbances, corrals, fencing, etc., for bona fide agricultural uses.**
- T. Outdoor recreation facilities, such as cross-country ski trails and pathways identified as implementing the Pathways Master Plan—The Town of Jackson & Teton County, Wyoming, March 2007.**
- U. In the S-TC, AR-TC, and AC-TC zones, structures and other land disturbing activities for active recreation facilities; however, evening or night facilities which require obtrusive lighting are prohibited.**

- V. ~~Creation of ecologically functioning wetlands for wastewater and stormwater treatment.~~
- W. ~~Wildlife habitat improvements that are primarily enhancing existing wildlife habitat or are restoring existing, but degraded, habitat.~~

7.3.6 Record of Restriction (1/1/15)

Required open space shall be duly restricted, in perpetuity, by recorded instrument in a form acceptable to the County Attorney and the Board of County Commissioners. The instrument shall not be amended or varied without first obtaining approval by the Board of County Commissioners. Refer to a sample easement, which may be obtained from the Planning Department, for guidance. At minimum, the instrument shall contain the following:

- X. ~~A legal description of the property and its location;~~
- Y. ~~The purpose of the restriction on the property;~~
- Z. ~~Conveyance of rights to enforce the restrictions to an organization qualified and dedicated to preserving the values intended by the restrictions;~~
- AA. ~~Specification of the uses and physical development permitted and prohibited on the property under restriction;~~
- AB. ~~Enforcement procedures;~~
- AC. ~~Documentation of the existing uses and condition of the property under restriction;~~
- AD. ~~Specification that notice be given 15 days prior to any transfer of ownership, and that such notice be in a written form to the qualified organization holding the easement;~~
and
- AE. ~~A granting of the restrictions in perpetuity.~~

7.3.7 Ownership of Open Space (1/1/15)

An individual landowner, a homeowners association, or nonprofit organization may retain ownership of the required open space. Ownership does not affect the terms of the easement.

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

E. Calculation of Affordable Housing Standards for Residential Development

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

Div. 7.5. Development Exaction Standards

7.5.1. Development Exactions [\(7/13/15\)](#)

A development exaction is a requirement that a developer dedicate land for public use or improvements, or pay a fee in-lieu of dedication, with such fee being used to purchase land for public facilities or to construct public improvements needed to serve a proposed residential development.

A. Mandatory Dedication of Land

The Board of County Commissioners shall require a mandatory dedication of land for parks, playgrounds, schools and other public purposes for all divisions of land. This dedication is in addition to any open space conservation area provided for the purpose of receiving a density bonus.

1. The location of dedicated land shall be shown on the development plan and other documents deemed appropriate by the Board of County Commissioners.
2. The land to be dedicated shall be of suitable size and shape, topography and geology, and offer proper locations and adequate road access, as determined by the Board of County Commissioners.
3. The amount of land to be dedicated shall be 0.03 acres per housing unit or lot.

B. Fee In-Lieu of Land Dedication

1. If the Board of County Commissioners determines that suitable sites for public facilities cannot be dedicated, payment of a fee in-lieu of land dedication shall be required.
2. The purpose of the fee in-lieu of land dedication is to provide sufficient funds to purchase land for parks, schools and other public facilities, such facilities being needed to serve the proposed residential development. Accordingly, the fee in-lieu must be sufficient to cover the actual costs of purchasing a site at the time of the creation of new sites for dwelling units. Thus the amount of the fee in-lieu shall be based on the average market value of unimproved land in the vicinity at or immediately prior to recording of the plat or other instrument creating the proposed residential development. In the absence of agreement between the Planning Director and the applicant, this amount shall be determined by a county appointed appraiser with the cost of the appraisal to be paid for by the developer.

C. Time of Payment for Subdivisions

The land or fees in-lieu of land required under this Division shall be dedicated or paid to the County prior to Subdivision Plat and signature by the Board of County Commissioners provided that the developer may deliver to the County a letter of credit in the amount of the fee to be paid so long as the letter of credit is callable one year from issuance and is otherwise compliant with Sec. 8.2.11.

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- c. **NC-TC and R-3**. All development located in the NC-TC and R-3 zone, except new subdivision.
- d. **Detached Single-Family Dwelling**. Physical development of a detached single-family dwelling if:
 - i. The proposed location is not within the NRO;
 - ii. It is the only dwelling unit on the lot of record, or the density on the site is less than or equal to one dwelling unit per 35 acres of base site area; and
 - iii. Compliance with all setback and buffer standards in Div. 5.1. and Div. 5.2. is demonstrated.
- e. **Expansion**. Expansion of an existing building or the addition of an accessory structure within the impact area of the existing building.
- f. **Conservation Easement**. Land subject to a conservation easement held by a formal land trust that has a mandate to protect conservation values, for which a rigorous review and study of the conservation values of the land has been performed as a basis for establishing the easement, if the applicant demonstrates that the review and study satisfies the objectives of the EA. In such instances the review and study completed for the conservation easement may be substituted for the EA.
- g. **Helicopter Tree Removal**. ~~Helicopter tree removal, except that the Planning Director or Board of County Commissioners may require compliance with certain standards in Div. 5.1. and Div. 5.2.~~
- h. **Other**. The Planning Director may waive the requirement for an EA if the development complies with the following:
 - i. The lot of record is outside the NRO and the application demonstrates compliance with all setback and buffer standards in Div. 5.1. and Div. 5.2., or
 - ii. The lot of record is in the NRO but is also in an area that has well-documented habitat information where additional physical development, use, development options and subdivision is anticipated to have minimal additional negative impacts to animal species protected by Sec. 5.2.1. While an EA is not required for lands meeting this exemption, development on such lands shall still be subject to certain standards for development determined appropriate by the Planning Director or the Board of County Commissioners.

C. Professional Preparation

An EA shall be prepared by an environmental professional with expertise in the subject of environmental sciences based on education, professional certifications, experience in the field, and their understanding of these LDRs, the Jackson/Teton County Comprehensive Plan, and the goals and objectives thereof.

1. For the following applications the environmental professional shall be hired by the applicant:

B. Physical Development Permit, Use Permit, and Development Option Plan**Amendment**

1. **General.** All changes to an approved physical development permit, use permit, or development option plan not qualifying as minor deviations shall be considered amendments and shall be reviewed subject to the current procedures and standards of these LDRs.
 - a. The threshold for review of the amendment shall be based on the net change of density or intensity, not the gross intensity of the initial approval. However, the Planning Director may elevate the threshold for review in the case of incremental amendments that total a larger change.
 - b. A condition of approval placed on a permit or approval by a decision-making body shall be amended by that body at a public hearing held pursuant to Sec. 8.2.14.
 - c. Review of an amendment shall be limited to the proposed change. Nonchanging portions of the approval shall only be affected as explicitly required by Div. 1.9. or another portion of these LDRs.
2. **Minor Deviations.** Authorized minor deviations from an approved physical development permit, use permit, or development option plan are changes that appear necessary in light of technical or engineering considerations first discovered during development or use that were not reasonably anticipated during the initial approval process. A minor deviation may be approved by the Planning Director pursuant to the process for a Zoning Compliance Verification (Sec. 8.6.2.) upon finding that it:
 - a. Complies with the standards of the current LDRs;
 - b. Does not include reductions in the amount of open space conservation area set aside or required resource protection; and
 - c. Does not include increases in the amount of building floor area.

C. Subdivision Plat Amendment

1. **Applicability.** A recorded plat may be amended through the vacation process as authorized by state statute. Any vacation or amendment to a recorded plat shall be subject to the standards of this Subsection. This includes the following corrections.
 - a. **Incorrect or Erroneous Survey.** Where the exterior boundaries of the subdivision must be changed due to an incorrect or erroneous survey, or an omission of a strip of land between the subdivision boundary and an aliquot part or right-of-way line, an amended plat is required.
 - b. **Omission of Easements.** Where the approved plat omits easements for sewer, water, or utility lines, or access easements to the subdivision or to lots of the subdivision, or through the subdivision to adjoining lands, an amended plat is required.
2. **Exemptions.** The following plat amendments shall be exempt from the standards of this Section.

8.3.2. Development Plan (7/13/15)

A. Purpose

The purpose of a development plan is to review a physical development or development option that is large and complex enough to benefit from a public review at a sufficient level of detail to determine compliance with these LDRs prior to preparation of final construction or plat documents.

B. Applicability

Physical development and development options that require a development plan are identified in the standards for each zone. See [Article 2](#)-[Article 4](#), for zone standards.

C. Findings for Approval

A development plan shall be approved upon finding the application:

1. Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan;
2. Achieves the standards and objective of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO), if applicable;
3. Does not have significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMS facilities;
4. Complies with all relevant standards of these LDRs and other County Resolutions; and
5. Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.

D. Effect of Approval

Approval of a development plan permits submittal of a building permit, subdivision plat, or other application to complete the proposed development; it does not permit actual physical development or constitute subdivision of land.

E. Expiration

A development plan shall expire 18 months after the date of approval except under one of the following circumstances. The applicable circumstances shall be established in the notice of decision on the application.

1. In the case of physical development, a building permit for the entire development is issued and the certificate of occupancy for the building permit is issued within 3 years of issuance of the building permit;
2. In the case of a subdivision, a subdivision plat has been recorded with the County Clerk;
3. In the case of a development option, the action required to entitle the development option, such as the recording of a conservation easement for a development option requiring [open-space_conservation area](#), has been taken;
4. In the case of a phased development, all phases are in compliance with the approved phasing plan, or not more than 18 months has passed since completion of the previous phase and the current phase is in compliance with an applicable above criteria; or
5. An alternate expiration is set through the approval of the development plan.

F. Review Process

All steps and deadlines in the following chart are required unless noted otherwise. An applicant must complete the each step before moving to the step below.

8.5.2. Development Option Plan (7/13/15)

A. Purpose

The purpose of a development option plan is to review a development option that requires a determination of compliance with these LDRs prior to preparation of physical development, use, or subdivision permit applications, but does not require public review.

B. Applicability

Development options that require a development option plan are identified in the standards for each zone. See Article 2.-Article 4. for zone standards.

C. Findings for Approval

A development option plan shall be approved upon finding the application:

1. Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan;
2. Achieves the standards and objectives of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO), if applicable;
3. Complies with all relevant standards of these LDRs and other County Resolutions; and
4. Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.

D. Effect of Approval

Approval of a development option plan permits submittal of a building permit, use permit, subdivision plat, or other application to complete the proposed development; it does not permit actual physical development or constitute subdivision of land.

E. Expiration

A development plan shall expire 18 months after the date of approval except under one of the following circumstances. The applicable circumstances shall be established in the notice of decision on the application.

1. In the case of a subdivision, a subdivision plat has been recorded with the County Clerk;
2. In the case of a development option, the action required to entitle the development option, such as the recording of a conservation easement for a development option requiring open space conservation area, has been taken; or
3. An alternate expiration is set through the approval of the development plan.

F. Review Process

All steps and deadlines in the following chart are required unless noted otherwise. An applicant must complete the each step before moving to the step below.

8.8.1. Administrative Adjustment [\(7/13/15\)](#)

A. Purpose

The purpose of an administrative adjustment is to allow minor adjustments to certain requirements and numerical standards in these LDRs based on specific review standards. The intent is to provide relief when application of a standard creates practical difficulties in advancement of Comprehensive Plan goals or zoning district purposes.

B. Applicability

An application may be made for administrative adjustment of the following standards of the LDRs.

1. Landscape Surface Ratio may be adjusted up to 20%.
2. Structure setbacks, not including setbacks from natural resources, may be adjusted up to 20%.
3. Site development setbacks, not including setbacks from natural resources, may be adjusted up to 20%.
4. Fencing height and setbacks may be adjusted up to 20%.
5. Grade of developable slopes may be adjusted up to 20%.
6. Wildlife friendly fencing may be adjusted as allowed by [5.1.2.E.](#)
7. Standard plant units may be adjusted as allowed by [5.5.3.F.3.](#)
8. Parking requirement may be adjusted as allowed by [6.2.2.A.1.](#)
9. [Conservation area configuration may be adjusted as allowed by 7.3.2.D.](#)
10. Street and road standards may be adjusted as allowed by [7.6.4.C.](#)

C. Findings

An administrative adjustment shall be approved upon finding the application:

1. Complies with the applicability standards of this Section;
2. Either:

- a. Compensates for some unusual constraint of the site or proposal that is not shared by landowners generally, or
- b. Better protects natural and scenic resources, or
- c. Better supports the purpose of the zone;
3. Is consistent with the purpose of the zone and the desired future character for the area described in the Comprehensive Plan;
4. Will not pose a danger to the public health or safety; and
5. The site is not subject to a series of incremental administrative adjustments that circumvent the purpose of this Section.

D. Effect

Issuance of an administrative adjustment shall not ensure the approval of any other application. The decision on an administrative adjustment cannot be reversed by the Board of County Commissioners through review of an associated permit application. The decision on an administrative adjustment can only be reversed through an appeal pursuant to [Sec. 8.8.3.](#)

E. Expiration

An administrative adjustment shall expire one year after the date of approval except under one of the following circumstances:

1. The physical development, use, development option, or subdivision enabled by the administrative adjustment is in review or implementation; or
2. An alternate expiration is set through the approval of the administrative adjustment.

F. Review Process

All steps and deadlines in the following chart are required unless noted otherwise. An applicant must complete the each step before moving to the step below.

8.8.2. Variance (7/13/15)

A. Purpose

The purpose of a variance is to allow a specific deviation from these regulations that is not contrary to the desired future character for the site when, due to special circumstances of the land, strict application of these regulations would result in undue and unique hardship.

B. Applicability

A variance may be sought for any standard of these LDRs unless the variance would:

1. Increase maximum density, FAR, or maximum scale of development;
2. Allow a prohibited sign;
3. Allow a prohibited use or allow additional expansion of a nonconforming use;
4. Reduce the requirements of a development option (e.g. required [open space conservation area](#), minimum lot size, unit type mix);
5. Reduce a requirement where an option for independent calculation of the requirement exists (e.g. housing, development exactions); or
6. Reduce the threshold for review of an application.

C. Findings for Approval

A variance shall be approved upon finding:

1. There are special circumstances or conditions which are peculiar to the land or building for which the variance is sought that do not apply generally to land or buildings in the neighborhood;
2. The special circumstances and conditions have not resulted from any willful modification of the land or building;
3. The special circumstances and conditions are such that the strict application of the regulation sought to be varied would create a hardship on the applicant far greater than the protection afforded to the community;

4. The variance sought is the minimum variance necessary to provide balance between the purpose of the regulation sought to be varied and its impact on the applicant;
5. The granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed, and is otherwise not detrimental to the public welfare; and
6. The granting of the variance is consistent with the general purpose and intent of these LDRs.

D. Effect

Issuance of a variance shall not ensure the approval of any other application. A variance is unique to the special circumstances identified in the findings and does not create precedent. A variance approved for a specific development or use shall only apply to that development or use.

E. Expiration

A variance shall expire one year after the date of approval except under one of the following circumstances:

1. The use, physical development, development option, or subdivision permit enabled by the variance is under review or implementation; or
2. Another expiration has been set through the approval of the variance.

F. Review Process

All steps and deadlines in the following chart are required unless noted otherwise. An applicant must complete the each step before moving to the step below.