



# Teton County Rural Area Land Development Regulations

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BCC Proposed 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 (4/1/16)**

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 (4/1/16)

#### 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 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~~ except where the PUD is silent, in which case the standards of the underlying zoning shall apply.

### 1.9.3. Nonconforming Uses [\(4/1/16\)](#)

#### 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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# Article 2. Complete Neighborhood Zones

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## Div. 2.3. Complete Neighborhood Legacy Zones

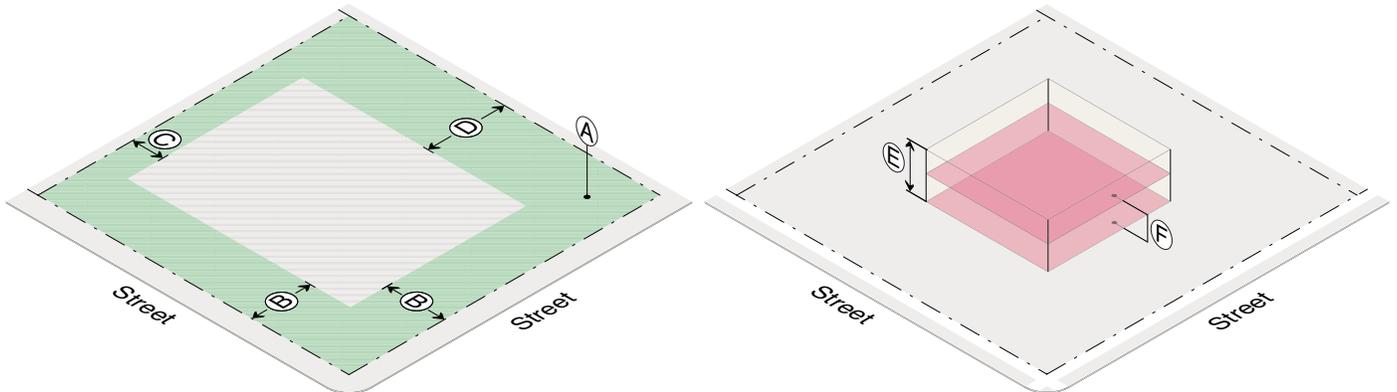
### 2.3.1. Auto Urban Commercial - County (AC-TC) Zone (4/1/16)

#### A. Intent

The purpose of the Auto-Urban Commercial - County (AC-TC) Zone is to provide for commercial development that is oriented to the street and is easily accessed by automobiles, with adequate parking and pedestrian connections to adjoining developments in order to promote non-vehicular movement between buildings in commercial areas. Uses in the AC-TC zone primarily serve residents' commercial needs, and some tourist service uses. The AC-TC zone is intended to be applied to community-serving commercial areas.

#### B. Physical Development

Standards applicable to physical development 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 physical development standards applicable in the AC-TC zone, however, all standards in Article 5, are applicable in the AC-TC zone, unless stated otherwise.



| 1. Structure Location and Mass |   |                      |                    |                    |              |           |
|--------------------------------|---|----------------------|--------------------|--------------------|--------------|-----------|
|                                | (A)   | (B)                  | (C)                | (D)                | (E)          | (F)       |
|                                | LSR (min)   | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max) |
| Detached Single-family unit    | .50   | 20'                  | 10'                | 30'                | 24'          | .38       |
| with 1 attached accessory unit | .48   | 20'                  | 10'                | 20'                | 24'          | .40       |
| with 1 detached accessory unit | .48   | 20'                  | 10'                | 6'                 | 24'          | .40       |
| with 2 accessory units         | .45   | 20'                  | 10'                | 6'                 | 24'          | .43       |
| Dormitory or Group home        | .27   | 50'                  | 20'                | 20'                | 26'          | .35       |
| Other principal use            | .27   | 50'                  | 20'                | 20'                | 26'          | .35       |
| Accessory use                  | See standards for primary use with which associated |                      |                    |                    |              |           |
| Temporary use                  | n/a   | 50'                  | 20'                | 20'                | 26'          | n/a       |
| Individual lot within a PRD    | Standards established through PRD approval          |                      |                    |                    |              |           |

#### Exceptions

Residential Side/Rear Yard Projections. Fire escapes may extend into a side or rear yard by not more than 4 feet.

FAR Exemption. The floor area of an accessory residential unit that is accessory to a nonresidential use shall be exempt from the FAR calculation for the site

| 9. Natural Hazards to Avoid              |  |
|--|--|
| <b>Steep Slopes</b>                      | (Sec. 5.4.1.)  |
| Development prohibited                   | Slopes > <del>30%</del> 25%  |
| <b>Areas of Unstable Soils</b>           | (Sec. 5.4.2.)  |
| <b>Fault Areas</b>                       | (Sec. 5.4.3.)  |
| <b>Floodplains</b>                       | (Sec. 5.4.4.)  |
| <b>Wildland Urban Interface</b>          | (Sec. 5.4.5.)  |
| 10. Signs (Div. 5.6.)                    |  |
| Allowable Signage                        |  |
| Nonresidential uses                      |  |
| Freestanding Sign                        | 1 per building or complex  |
| Wall Sign                                | 1 per street frontage for each building or storefront                    |
| Monument or Entry Sign                   | 1 per entrance other than street frontage                                |
| Residential uses                         |  |
| Single-family and multi-family < 8 units | 1 unlighted wall sign  |
| Multi-family ≥ 8 units                   | 1 freestanding or 1 wall sign  |
| Home occupation/business                 | 1 unlighted wall sign  |
| Sign Area (max)                          |  |
| Nonresidential                           |  |
| Freestanding Sign                        | 1 sf per linear foot of building facing the street not to exceed 40 sf   |
| Wall Sign                                | 1 sf per 2 linear feet of building facing the street not to exceed 24 sf |
| Monument or Entry Sign                   | 6 sf   |
| Residential                              |  |
| Single-family and multi-family < 8 units | 3 sf   |
| Multi-family ≥ 8 units                   | 6 sf   |
| Home occupation/business                 | 2 sf   |

| Sign Height (max)   |               |
|---|---------------|
| Nonresidential  |               |
| Freestanding Sign   | 8'            |
| Monument or Entry   | 4'            |
| Residential   |               |
| Home occupation/business  | n/a           |
| 11. Grading, Erosion Control, Stormwater                        |               |
| <b>Grading</b>  | (Sec. 5.7.2.) |
| <b>Erosion Control</b>  | (Sec. 5.7.3.) |
| Erosion shall be controlled at all times                        |               |
| <b>Stormwater Management</b>                                    | (Sec. 5.7.4.) |
| No increase in peak flow rate or velocity across property lines |               |

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

\* Not required for physical development associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B

**C. Use Standards**

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

| 1. Allowed Uses                        |        |           |                   | 2. Use Requirements       |   |
|--|--------|-----------|-------------------|---------------------------|---|
| Use                                    | Permit | BSA (min) | Density (max)     | Parking (min) (Div. 6.2.) | 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      | 30,000 sf | n/a               | independent calculation   | independent calculation                           |
| Residential                            |        |           |                   |                           |   |
| Detached Single-Family Unit (6.1.4.B.) | Y      | 0 sf      | 1 unit per lot    | 2/DU                      | n/a   |
| Dormitory (6.1.4.F.)                   | B      | 30,000 sf | 30 rooms per acre | 1/bed                     | n/a   |
| Group Home (6.1.4.G.)                  | B      | 30,000 sf | 30 rooms per acre | 0.5/bed                   | n/a   |

Y=Use allowed, no 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.) |
| <b>Commercial</b>                             |           |                  |               |  |   |
| 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 +<br>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 +<br>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 +<br>1/employee   | independent calculation                           |
| Nursery (6.1.6.H.)                            | B         | 30,000 sf        | n/a           | 2/1,000 sf + 1/4,000 sf<br>outdoor display area +<br>1/company vehicle +<br>1/employee | 0.37/1,000 sf<br>+ 1.51/ac                        |
| <b>Amusement/Recreation</b>                   |           |                  |               |  |   |
| 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                           |
| <b>Institutional</b>                          |           | 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  |
| <b>Industrial</b>                             |           |                  |               |  |   |
| Light Industry (6.1.9.B.)                     | C         | 30,000 sf        | n/a           | 1/1,000 sf +<br>1/company vehicle  | 0.03/1,000 sf                                     |
| <b>Transportation/Infrastructure</b>          |           |                  |               |  |   |
| 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 +<br>1/stored vehicle   | independent calculation                           |
| Wireless Communication Facilities (6.1.10.D.) | 6.1.10.D. | 30,000 sf        | n/a           | 1/employee +<br>1/stored vehicle   | independent calculation                           |
| <u>Aviation (6.1.10.E.)</u>                   | <u>C</u>  | <u>0 sf</u>      | <u>n/a</u>    | <u>independent calculation</u>   | <u>independent calculation</u>                    |
| <u>Heliport (6.1.10.E.)</u>                   | <u>C</u>  | <u>30,000 sf</u> | <u>n/a</u>    | <u>7/daily aircraft movement</u>   | <u>independent calculation</u>                    |

Y=Use allowed, no 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.)            |
| <del>Allowed Development Options</del>           |                      |                |                       |  |  |                  |                          |
| <del>Planned Residential Development (PRD)</del> |                      |                |                       |  |  |                  | <del>(Sec. 7.1.2.)</del> |
| <del>Planned Residential I</del>                 | <del>30,000-sf</del> | <del>n/a</del> | <del>11.7-du/ae</del> | <del>40%</del>   | <del>0.40</del>                            | <del>28</del>    |                          |
| <del>Planned Residential II</del>                | <del>60,000-sf</del> | <del>n/a</del> | <del>30.0-du/ae</del> | <del>35%</del>   | <del>0.50</del>                            | <del>28</del>    |                          |
| 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'      |                          |

- c. The flexibility shall be achieved by allowing an individual commercial building to exceed the 6,000 square foot maximum floor area above ground by up to 20%, if such commercial building or addition is designed to be compatible, as well as in scale, with the character of the other commercial buildings in the AC-TC zone.
  - d. At its discretion, the Board of County Commissioners may allow, in the AC-TC zone not contiguous to the Town of Jackson, individual nonresidential buildings to exceed by up to 20% the 6,000 square feet maximum floor area above ground for an individual commercial building, upon finding that all of the following standards are met:
    - i. The resultant building shall be compatible with the bulk and scale of the other commercial buildings in the adjacent commercial area.
    - ii. The resultant building shall have the appearance of being two or more small attached buildings rather than a single building 6,000 to 7,200 square feet in size. It is encouraged that the building components be designed in modules of 2,500 to 3,500 square feet in size, using different roof lines, facade offsets, variation in building materials and other design techniques to achieve the desired attached small building character.
    - iii. The component parts of the commercial building shall have a traditional western character through the creative use of materials and building design elements and shall contribute, with surrounding commercial buildings, to a sense of scale and character consistent with the goals of the County Comprehensive Plan.
    - iv. All other applicable requirements of the LDRs (e.g. FAR, off-street parking, LSR/~~OSR~~ requirements, etc.) shall be met.
2. **Accessory Residential Units.** Accessory residential units are only permitted accessory to a nonresidential primary use.

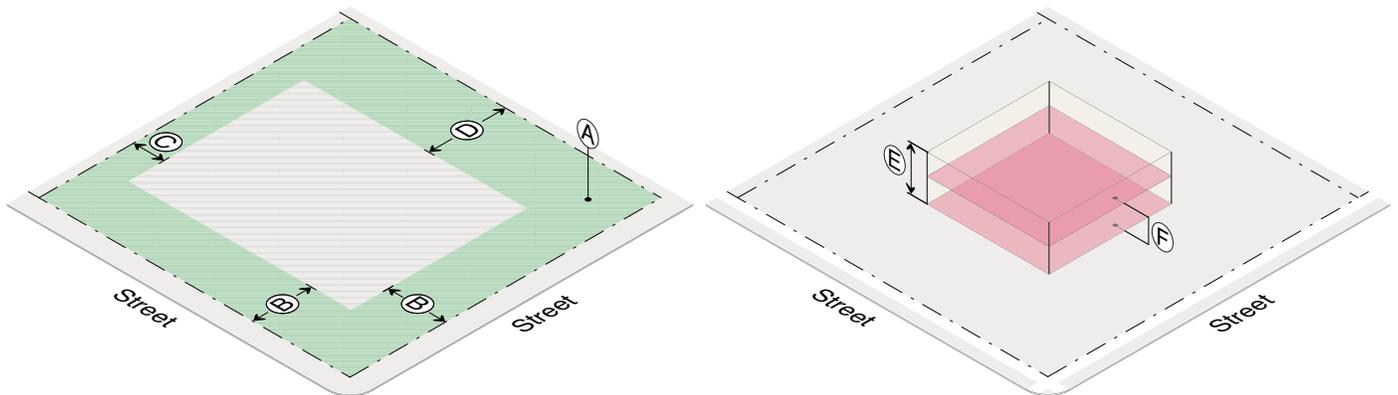
### 2.3.2. Auto Urban Residential - County (AR-TC) Zone (4/1/16)

#### A. Intent

The purpose of the Auto-Urban Residential - County (AR-TC) zone is to maintain the character and cohesiveness of residential neighborhoods while allowing for a wide range of residential types, including affordable housing.

#### B. Physical Development

Standards applicable to physical development 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 physical development standards applicable in the AR-TC zone, however, all standards in [Article 5](#), are applicable in the AR-TC zone unless stated otherwise.



| 1. Structure Location and Mass |   |                      |                    |                    |              |           |
|--------------------------------|---|----------------------|--------------------|--------------------|--------------|-----------|
|                                | Ⓐ   | Ⓑ                    | Ⓒ                  | Ⓓ                  | Ⓔ            | Ⓕ         |
|                                | LSR (min)   | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max) |
| Detached Single-family unit    | .50   | 20'                  | 10'                | 30'                | 24'          | .38       |
| with 1 attached accessory unit | .48   | 20'                  | 10'                | 20'                | 24'          | .40       |
| with 1 detached accessory unit | .48   | 20'                  | 10'                | 6'                 | 24'          | .40       |
| with 2 accessory units         | .45   | 20'                  | 10'                | 6'                 | 24'          | .43       |
| Dormitory or Group home        | .27   | 50'                  | 20'                | 20'                | 26'          | .35       |
| Other principal use            | .27   | 50'                  | 20'                | 20'                | 26'          | .35       |
| Accessory Use                  | See standards for primary use with which associated |                      |                    |                    |              |           |
| Temporary Use                  | n/a   | 50'                  | 20'                | 20'                | 26'          | n/a       |
| Individual lot within a PRD    | Standards established through PRD approval          |                      |                    |                    |              |           |

#### Exceptions

Residential Side/Rear Yard Projections. Fire escapes may extend into a side or rear yard by not more than 4 feet. Cornices, canopies, eaves, decks, porches, bay windows, chimneys, patios, and similar architectural features may encroach into a side or rear yard not more than 4 feet.

Residential Front Yard Projections. Covered and uncovered decks, porches, and balconies may encroach into a front yard by not more than 6 feet.

| 2. Maximum Scale of Development  |                                  |
|--|----------------------------------|
| Individual Building (gross floor area, max)  |                                  |
| Part of single-family unit   | 10,000 sf                        |
| 3. Building Design   |                                  |
| Residential Building Materials   |                                  |
| External surfaces shall be non-reflective  |                                  |
| Colors shall blend into terrain using muted colors and earthy hues - additions matching existing colors are exempt |                                  |
| 4. Site Development  |                                  |
| Site Development Setbacks (min)  |                                  |
| Side/rear  | 5'                               |
| Front  |                                  |
| 40% of lineal lot frontage   | 0'                               |
| 60% of lineal lot frontage   | structure setback                |
| 5. Landscaping (Div. 5.5.)   |                                  |
| Plant Units (min)  |                                  |
| Residential  | 1 per du                         |
| Nonresidential   | 1 per 1,000 sf of landscape area |
| Parking lot  |                                  |
| Residential uses   | 1 per 12 parking spaces          |
| Institutional uses   | 1 per 12 parking spaces          |
| All other uses   | 1 per 8 parking spaces           |
| 6. Fencing (Sec. 5.1.2.)   |                                  |
| Wildlife Friendly Fencing  |                                  |
| Special Purpose Fencing Height (max)   |                                  |
| In street yard   | 4'                               |
| In side or rear yard   | 6'                               |
| Special Purpose Fencing Setback  |                                  |
| Any yard   | 0'                               |

| 7. Environmental Standards                             |  |
|--|--|
| Natural Resource Setbacks (min) (Sec. 5.1.1.)          |  |
| Rivers   | 150'   |
| Streams  | 50' or edge of riparian plant community up to 150' |
| Natural lakes or ponds                                 | 50' or edge of riparian plant community up to 150' |
| Wetland  | 30'  |
| Irrigation Ditch Setback (min) (7.7.4.D.)              |  |
| Irrigation ditch                                       | 15'  |
| Wild Animal Feeding (Sec. 5.1.3.)                      |  |
| Wild animal feeding prohibited                         |  |
| Natural Resource Overlay (NRO) Standards (Sec. 5.2.1.) |  |
| Bear Conflict Area Standards (Sec. 5.2.2.)             |  |
| Bear proof trash required in Conflict Priority Area 1  |  |
| 8. Scenic Standards                                    |  |
| Exterior Lighting (Sec. 5.3.1.)                        |  |
| Total cut off angle (max)                              | 90°  |
| Illumination in footcandles                            |  |
| Residential use  | 1.00   |
| Residential use in NRO                                 | 0.50   |
| Nonresidential use                                     | 1.50   |
| Height (max)   |  |
| Residential use  | 15'  |
| Nonresidential use                                     | 18'  |
| Scenic Resource Overlay (SRO) Standards (Sec. 5.3.2.)  |  |
| 9. Natural Hazards to Avoid                            |  |
| Steep Slopes (Sec. 5.4.1.)                             |  |
| Development prohibited                                 | Slopes > <del>30%</del> 25%                        |
| Areas of Unstable Soils (Sec. 5.4.2.)                  |  |
| Fault Areas (Sec. 5.4.3.)                              |  |
| Floodplains (Sec. 5.4.4.)                              |  |
| Wildland Urban Interface (Sec. 5.4.5.)                 |  |

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

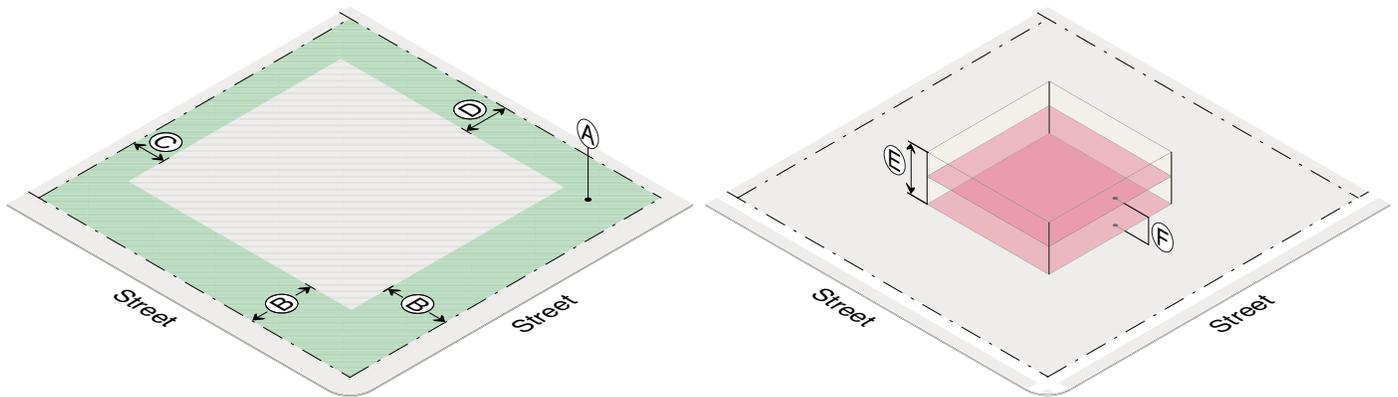
### 2.3.3. Wilson Commercial (WC) Zone (4/1/16)

#### A. Intent

The purpose of the Wilson Commercial (WC) Zone is to perpetuate and promote the development of nonresidential uses that serve the local population of the Wilson area, or compliment the use of Wilson for other purposes. The WC zone is pedestrian oriented, adequately accommodating parking, but encouraging users of the zone to walk between individual properties. Nonresidential uses in the WC zone may be mixed with residential uses that enhance the idea of a symbiotic local resident and local service relationship.

#### B. Physical Development

Standards applicable to physical development in the WC zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the WC zone. This Subsection is intended to indicate all of the physical development standards applicable in the WC zone, however, all standards in Article 5, are applicable in the WC zone unless stated otherwise.



| 1. Structure Location and Mass |           |                      |                    |                    |              |           |
|--------------------------------|-----------|----------------------|--------------------|--------------------|--------------|-----------|
|                                | Ⓐ         | Ⓑ                    | Ⓒ                  | Ⓓ                  | Ⓔ            | Ⓕ         |
|                                | LSR (min) | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max) |
| Allowed use                    | .27       | 20'                  | 10'                | 15'                | 26'          | .35       |
| <b>Exceptions</b>              |           |                      |                    |                    |              |           |

See Subsections E.1 and E.2 for additional standards

Projection Into Any Setback. Cornices, canopies, eaves, decks, chimneys and similar architectural projections that are cantilevered off of the building and clear more than 9' above finished grade may project not more than 2' into any setback.

Side/Rear Setback Projection. Fire escapes may extend into a side or rear setback not more than 2'.

FAR Exemption. The floor area of a single-family unit within a category 1, 2, or 3 affordable housing unit shall be exempt from the calculation of FAR.

FAR Exemption. The floor area of an accessory residential unit that is accessory to a nonresidential use shall be exempt from the FAR calculation for the site

Height. No building shall exceed 26' in height, except where the second story is at least 50% residential use, in which case such building shall not exceed 30' in height.

| 9. Natural Hazards to Avoid              |   |
|--|---|
| <b>Steep Slopes</b>                      | (Sec. 5.4.1.)   |
| Development prohibited                   | Slopes > <del>30%</del> 25%                           |
| <b>Areas of Unstable Soils</b>           | (Sec. 5.4.2.)   |
| <b>Fault Areas</b>                       | (Sec. 5.4.3.)   |
| <b>Floodplains</b>                       | (Sec. 5.4.4.)   |
| <b>Wildland Urban Interface</b>          | (Sec. 5.4.5.)   |
| 10. Signs (Div. 5.6.)                    |   |
| Allowable Signage                        |   |
| Nonresidential uses                      |   |
| Freestanding Sign                        | 1 per building or complex                             |
| Wall Sign                                | 1 per street frontage for each building or storefront |
| Monument or Entry Sign                   | 1 per entrance other than street frontage             |
| Residential uses                         |   |
| Single-family and multi-family < 8 units | 1 unlighted wall sign                                 |
| Multi-family ≥ 8 units                   | 1 freestanding or 1 wall sign                         |
| Home occupation/business                 | 1 unlighted wall sign                                 |
| Sign Height (max)                        |   |
| Nonresidential                           |   |
| Freestanding Sign                        | 8'  |
| Monument or Entry                        | 4'  |
| Residential                              |   |
| Home occupation/business                 | n/a   |

| Sign Area (max)   |  |
|---|--|
| Nonresidential  |  |
| Freestanding Sign   | 1 sf per linear foot of building facing the street not to exceed 40 sf   |
| Wall Sign   | 1 sf per 2 linear feet of building facing the street not to exceed 24 sf |
| Monument or Entry Sign  | 6 sf   |
| Residential   |  |
| Single-family and multi-family < 8 units                        | 3 sf   |
| Multi-family ≥ 8 units  | 6 sf   |
| Home occupation/business  | 2 sf   |
| 11. Grading, Erosion Control, Stormwater                        |  |
| <b>Grading</b>  | (Sec. 5.7.2.)  |
| <b>Erosion Control</b>  | (Sec. 5.7.3.)  |
| Erosion shall be controlled at all times                        |  |
| <b>Stormwater Management</b>                                    | (Sec. 5.7.4.)  |
| No increase in peak flow rate or velocity across property lines |  |

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

#### D. Development Options

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

| 1. Allowed Subdivision and Development Options   |           |                |  |           |  |                  |                  |
|--|-----------|----------------|--|-----------|--|------------------|------------------|
| Option   | BSA (min) | Lot Size (min) | Density (max)  | OSR (min) | FAR (max)                                  | Height (max)     | Option Standards |
| Allowed Subdivision Options  |           |                |  |           |  |                  |                  |
| Land Division  | n/a       | 30,000 sf      | n/a  | n/a       | determined by physical development         |                  | (Sec. 7.2.3.)    |
| Condominium/Townhouse  | 30,000 sf | n/a            | n/a  | n/a       | determined by physical development         |                  | (Sec. 7.2.4.)    |
| 2. Residential Subdivision Requirements  |           |                |  |           |  |                  |                  |
| Affordable Housing (Div. 7.4.)   |           |                |  |           |  |                  |                  |
| Required Affordable Housing  |           |                |  |           |  | 25% of new units |                  |
| Required Housing shall be provided on-site except for fractional requirements  |           |                |  |           |  |                  |                  |
| Only category 1, 2, or 3 housing is exempt from requirement  |           |                |  |           |  |                  |                  |
| 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         |
| Shared access  |           |                |  |           | accommodated whenever practical            |                  |                  |
| Pedestrian connectivity encouraged   |           |                |  |           |  |                  |                  |
| A delineated Highway 22 crossing shall be visible from the main entrance to a business fronting Highway 22             |           |                |  |           |  |                  |                  |
| Neighboring properties are encouraged to provide boardwalk, sidewalk, or pathway connection between building entrances |           |                |  |           |  |                  |                  |
| Road and driveway design   |           |                |  |           | also subject to Fire Protection Resolution |                  |                  |
| Required Utilities (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        |                  |

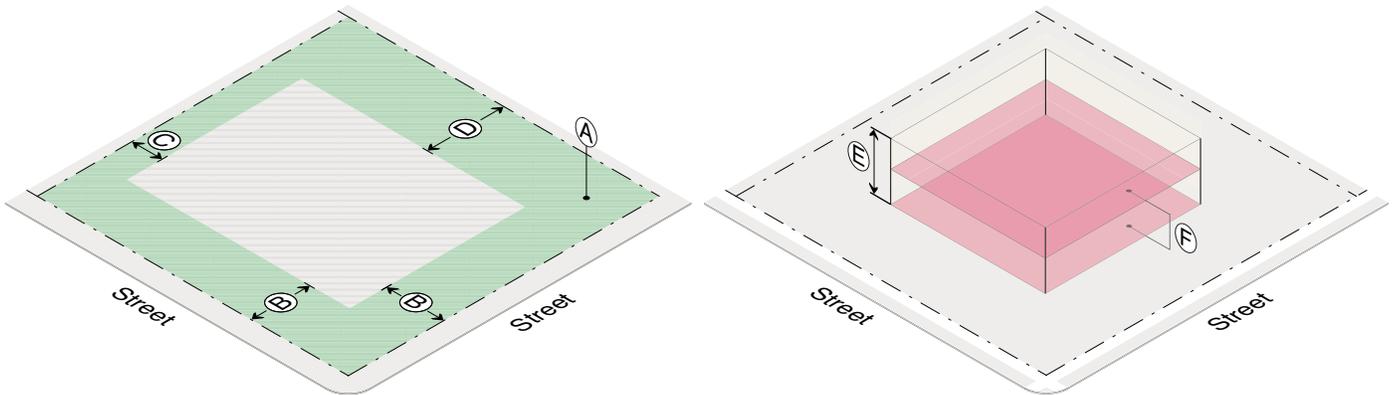
### 2.3.4. Office Professional - County (OP-TC) Zone (4/1/16)

#### A. Intent

The purpose of the Office Professional - County (OP-TC) Zone is to provide for the development of office uses and a limited array of service uses separate from the commercial zones where office uses often cannot compete with retail uses for space. The OP-TC zone may be mixed with residential uses that include the conversion of single-family residences to office or service uses, the development or continuation of residential uses, and the conduct of limited business uses from a home.

#### B. Physical Development

Standards applicable to physical development 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 physical development standards applicable in the OP-TC zone, however, all standards in Article 5. are applicable in the OP-TC zone unless stated otherwise.



| 1. Structure Location and Mass |   |                      |                    |                    |              |           |
|--------------------------------|---|----------------------|--------------------|--------------------|--------------|-----------|
|                                | (A)   | (B)                  | (C)                | (D)                | (E)          | (F)       |
|                                | LSR (min)                                     | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max) |
| Detached Single-family unit    |   |                      |                    |                    |              |           |
| Lot ≤ 15,000 sf                | .30   | 25'                  | 10'                | 30'                | 24'          | .46       |
| Lot > 15,000 sf                | .30   | 25'                  | 10'                | 30'                | 24'          | .30       |
| Other principal use            |   |                      |                    |                    |              |           |
| Lot ≤ 15,000 sf                | .30   | 25'                  | 10'                | 25'                | 26'          | .46       |
| Lot > 15,000 sf                | .30   | 25'                  | 10'                | 25'                | 26'          | .30       |
| Accessory use                  | Same as for primary use with which associated |                      |                    |                    |              |           |
| Temporary use                  | n/a   | 25'                  | 10'                | 25'                | 26'          | n/a       |
| Individual lot within a PRD    | Standards established through PRD approval    |                      |                    |                    |              |           |

#### Exceptions

Residential Side/Rear Yard Projections. Fire escapes may extend into a side or rear yard by not more than 4 feet.

FAR Exemption. The floor area of an accessory residential unit that is accessory to a nonresidential use shall be exempt from the FAR calculation for the site

| 2. Maximum Scale of Development  |                                  |
|--|----------------------------------|
| Individual Building (gross floor area) (max)   |                                  |
| Part of single-family unit   | 10,000 sf                        |
| Nonresidential (agricultural buildings exempt)   | 6,000 sf                         |
| 3. Building Design   |                                  |
| Residential Building Materials   |                                  |
| External surfaces shall be non-reflective  |                                  |
| Colors shall blend into terrain using muted colors and earthy hues - additions matching existing colors are exempt |                                  |
| 4. Site Development  |                                  |
| Site Development Setbacks (min)  |                                  |
| Side/Rear  | 5'                               |
| Front  |                                  |
| 40% of lineal lot frontage   | 0'                               |
| 60% of lineal lot frontage   | structure setback                |
| 5. Landscaping (Div. 5.5.)   |                                  |
| Plant Units (min)  |                                  |
| Residential  | 1 per du                         |
| Nonresidential   | 1 per 1,000 sf of landscape area |
| Parking lot  |                                  |
| Residential  | 1 per 12 parking spaces          |
| All other uses   | 1 per 8 parking spaces           |
| 6. Fencing (Sec. 5.1.2.)   |                                  |
| Wildlife Friendly Fencing  |                                  |
| Special Purpose Fencing Height (max)   |                                  |
| In street yard   | 4'                               |
| In side or rear yard   | 6'                               |
| Special Purpose Fencing Setback  |                                  |
| Any yard   | 0'                               |

| 7. Environmental Standards                             |  |
|--|--|
| Natural Resource Buffers (min) (Sec. 5.1.1.)           |  |
| Rivers   | 150'   |
| Streams  | 50' or edge of riparian plant community up to 150' |
| Natural lakes or ponds                                 | 50' or edge of riparian plant community up to 150' |
| Wetland  | 30'  |
| Irrigation Ditch Setback (min) (7.7.4.D.)              |  |
| Irrigation ditch                                       | 15'  |
| Wild Animal Feeding (Sec. 5.1.3.)                      |  |
| Wild animal feeding prohibited                         |  |
| Natural Resource Overlay (NRO) Standards (Sec. 5.2.1.) |  |
| Bear Conflict Area Standards (Sec. 5.2.2.)             |  |
| Bear proof trash required in Conflict Priority Area 1  |  |
| 8. Scenic Standards                                    |  |
| Exterior Lighting (Sec. 5.3.1.)                        |  |
| Total cut off angle (max)                              | 90°  |
| Illumination in footcandles                            |  |
| Residential use  | 0.50   |
| Nonresidential use                                     | 1.50   |
| Height (max)   |  |
| Residential use  | 15'  |
| Nonresidential use                                     | 18'  |
| Scenic Resource Overlay (SRO) Standards (Sec. 5.3.2.)  |  |
| 9. Natural Hazards to Avoid                            |  |
| Steep Slopes (Sec. 5.4.1.)                             |  |
| Development prohibited                                 | Slopes > <del>30%</del> 25%                        |
| Areas of Unstable Soils (Sec. 5.4.2.)                  |  |
| Fault Areas (Sec. 5.4.3.)                              |  |
| Floodplains (Sec. 5.4.4.)                              |  |
| Wildland Urban Interface (Sec. 5.4.5.)                 |  |

| 10. Signs (Div. 5.6.)                    |   |
|--|---|
| Allowable Signage                        |   |
| Nonresidential uses                      |   |
| Freestanding Sign                        | 1 per building or complex                             |
| Wall Sign                                | 1 per street frontage for each building or storefront |
| Monument or Entry Sign                   | 1 per entrance other than street frontage             |
| Residential uses                         |   |
| Single-family and multi-family < 8 units | 1 unlighted wall sign                                 |
| Multi-family ≥ 8 units                   | 1 freestanding or 1 wall sign                         |
| Home occupation/business                 | 1 unlighted wall sign                                 |
| Sign Height (max)                        |   |
| Nonresidential                           |   |
| Freestanding Sign                        | 8'  |
| Monument or Entry                        | 4'  |
| Residential                              | 6'  |
| Home occupation/business                 | n/a   |

| Sign Area (max)   |  |
|---|--|
| Nonresidential  |  |
| Freestanding Sign   | 1 sf per linear foot of building facing the street not to exceed 40 sf   |
| Wall Sign   | 1 sf per 2 linear feet of building facing the street not to exceed 24 sf |
| Monument or Entry Sign  | 6 sf   |
| Residential   |  |
| Single-family and multi-family < 8 units                        | 3 sf   |
| Multi-family ≥ 8 units  | 6 sf   |
| Home occupation/business  | 2 sf   |
| 11. Grading, Erosion Control, Stormwater                        |  |
| Grading   | (Sec. 5.7.2.)  |
| Erosion Control   | (Sec. 5.7.3.)  |
| Erosion shall be controlled at all times                        |  |
| Stormwater Management   | (Sec. 5.7.4.)  |
| No increase in peak flow rate or velocity across property lines |  |

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

\* [Not required for physical development associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B](#)

| 3. Maximum Scale of Use                  |  |
|--|--|
| <b>Individual Use (floor area) (max)</b> |  |
| 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.)    |
| <b>Allowable Development Options</b>           |           |                |                |           |                                    |              |                  |
| Planned Residential Development (PRD)          | 80,000-sf | n/a            | 3.64-du/<br>ac | 25%       | 0.30                               | 24           | (Sec. 7.1.2.)    |

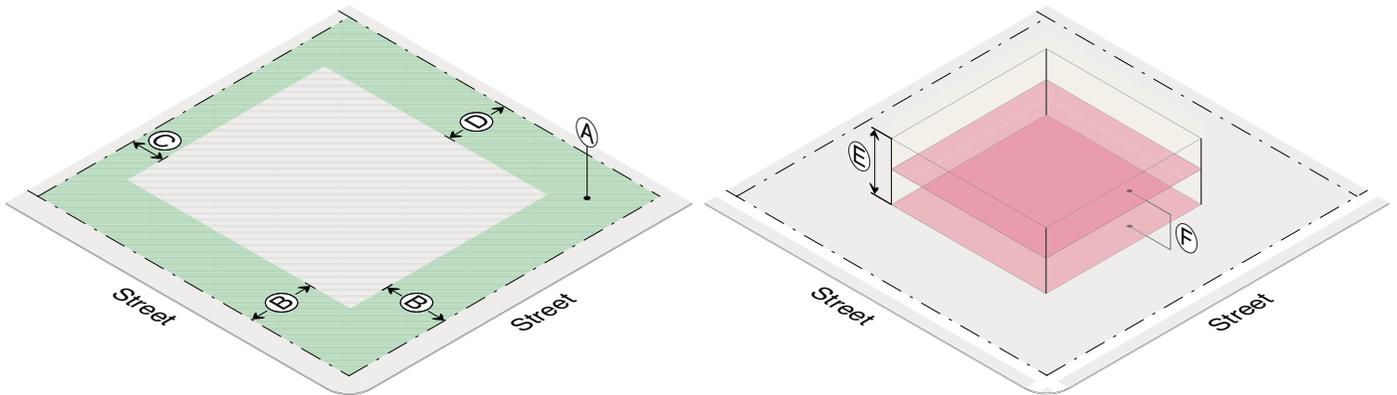
### 2.3.5. Business Park - County (BP-TC) Zone (4/1/16)

#### A. Intent

The purpose of the Business Park - County (BP-TC) Zone is to provide suitable locations and environs for a variety of industrial, wholesaling, distribution and service commercial types of uses to meet general community needs.

#### B. Physical Development

Standards applicable to physical development in the BP-TC zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the BP-TC zone. This Subsection is intended to indicate all of the physical development standards applicable in the BP-TC zone, however, all standards in [Article 5](#), are applicable in the BP-TC zone unless stated otherwise.



| 1. Structure Location and Mass |           |                      |                    |                    |               |           |
|--------------------------------|-----------|----------------------|--------------------|--------------------|---------------|-----------|
|                                | Ⓐ         | Ⓑ                    | Ⓒ                  | Ⓓ                  | Ⓔ             | Ⓕ         |
|                                | LSR (min) | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Stories (max) | FAR (max) |
| Allowed use                    | .15       | 20'                  | 10'                | 20'                | 35'           | .60       |
| <b>Exceptions</b>              |           |                      |                    |                    |               |           |

Residential Side/Rear Yard Projections. Fire escapes may extend into a side or rear yard by not more than 4 feet.

FAR Exemption. The floor area of an accessory residential unit that is accessory to a nonresidential use shall be exempt from the FAR calculation for the site

| 2. Maximum Scale of Development   |                                  |
|---|----------------------------------|
| Individual Building (max gross FA)  |                                  |
| Nonresidential (agricultural buildings exempt)  | 15,000 sf                        |
| In compliance with specific standards (E.1.)  | 25,000 sf                        |
| 3. Building Design  |                                  |
| Residential Building Materials  |                                  |
| External surfaces shall be non-reflective   |                                  |
| Colors shall blend into terrain using muted colors and earthy hues - additions matching existing colors are exempt  |                                  |
| Nonresidential Building Materials   |                                  |
| External surfaces shall be non-reflective - except that glass for displays and transparency is permitted  |                                  |
| For external surfaces visible from a state highway, county road, or scenic road, colors shall blend into terrain using muted colors and earthy hues - additions matching existing colors are exempt |                                  |
| 4. Site Development   |                                  |
| Site Development Setbacks   |                                  |
| Side/Rear   | 5'                               |
| Front   |                                  |
| 40% of lineal lot frontage  | 0'                               |
| 60% of lineal lot frontage  | structure setback                |
| 5. Landscaping (Div. 5.5.)  |                                  |
| Plant Units (min)   |                                  |
| Residential   | 1 per du                         |
| Nonresidential  | 1 per 1,000 sf of landscape area |
| Parking lot   | 1 per 16 parking spaces          |
| 6. Fencing (Sec. 5.1.2.)  |                                  |
| Wildlife Friendly Fencing   |                                  |
| Special Purpose Fencing Height (max)  |                                  |
| In street yard  | 4'                               |
| In side or rear yard  | 6'                               |
| Special Purpose Fencing Setback   |                                  |
| Any yard  | 0'                               |

| 7. Environmental Standards                             |  |
|--|--|
| Natural Resource Buffers (min) (Sec. 5.1.1.)           |  |
| Rivers   | 150'   |
| Streams  | 50' or edge of riparian plant community up to 150' |
| Natural lakes or ponds                                 | 50' or edge of riparian plant community up to 150' |
| Wetland  | 30'  |
| Irrigation Ditch Setback (min) (7.7.4.D.)              |  |
| Irrigation ditch                                       | 15'  |
| Wild Animal Feeding (Sec. 5.1.3.)                      |  |
| Wild animal feeding prohibited                         |  |
| Natural Resource Overlay (NRO) Standards (Sec. 5.2.1.) |  |
| Bear Conflict Area Standards (Sec. 5.2.2.)             |  |
| Bear proof trash required in Conflict Priority Area 1  |  |
| 8. Scenic Standards                                    |  |
| Exterior Lighting (Sec. 5.3.1.)                        |  |
| Total cut off angle (max)                              | 90°  |
| Illumination in footcandles                            |  |
| Residential use  | 0.50   |
| Nonresidential use                                     | 2.00   |
| Nonresidential use in NRO                              | 1.00   |
| Height (max)   |  |
| Residential use  | 15'  |
| Nonresidential use                                     | 18'  |
| Scenic Resource Overlay (SRO) Standards (Sec. 5.3.2.)  |  |
| 9. Natural Hazards to Avoid                            |  |
| Steep Slopes (Sec. 5.4.1.)                             |  |
| Development prohibited                                 | Slopes > <del>30%</del> 25%                        |
| Areas of Unstable Soils (Sec. 5.4.2.)                  |  |
| Fault Areas (Sec. 5.4.3.)                              |  |
| Floodplains (Sec. 5.4.4.)                              |  |
| Wildland Urban Interface (Sec. 5.4.5.)                 |  |

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                           |
| Commercial                                    |                  |             |               |  |   |
| 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                           |
| Amusement/Recreation                          |                  |             |               |  |   |
| 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                           |
| 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.)                     | 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                                     |
| Transportation/Infrastructure                 |                  |             |               |  |   |
| 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.) | <u>6.1.10.D.</u> | 0 sf        | n/a           | 1/employee + 1/stored vehicle          | independent calculation                           |
| <u>Aviation (6.1.10.E.)</u>                   | <u>C</u>         | <u>0 sf</u> | <u>n/a</u>    | <u>independent calculation</u>         | <u>independent calculation</u>                    |
| <u>Heliport (6.1.10.E.)</u>                   | <u>E</u>         | <u>0 sf</u> | <u>n/a</u>    | <u>7/daily aircraft movement</u>       | <u>independent calculation</u>                    |
| <u>Airport (6.1.10.F.)</u>                    | <u>E</u>         | <u>0 sf</u> | <u>n/a</u>    | <u>7/daily aircraft movement</u>       | <u>independent calculation</u>                    |

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

**D. Development Options**

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

| 1. Allowed Subdivision and Development Options         |  |                           |                                |                                       |  |                  |                  |
|--|--|---------------------------|--------------------------------|---------------------------------------|--|------------------|------------------|
| Option   | BSA (min)                              | Lot Size (min)            | Density (max)                  | OSR (min)                             | FAR (max)  | Height (max)     | Option Standards |
| Allowed Subdivision Options                            |  |                           |                                |                                       |  |                  |                  |
| Land Division  | n/a                                    | 10,000 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.)    |
| 2. Residential Subdivision Requirements                |  |                           |                                |                                       |  |                  |                  |
| <b>Affordable Housing</b>                              |  |                           |                                |                                       |  |                  | (Div. 7.4.)      |
| Required Affordable Housing                            |  |                           |                                |                                       |  | 25% of new units |                  |
| <b>Schools and Parks Exactions</b>                     |  |                           |                                |                                       |  |                  | (Div. 7.5.)      |
| Development Exaction                                   |  |                           |                                |                                       | 0.03 acres of land per housing unit or lot   |                  |                  |
| 3. Infrastructure                                      |  |                           |                                |                                       |  |                  |                  |
| <b>Transportation Facilities</b>                       |  |                           |                                |                                       |  |                  | (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   |                  |                  |
| <b>Required Utilities</b>                              |  |                           |                                |                                       |  |                  | (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  |                  |                  |

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# Article 3. Rural Area Zones

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## Div. 3.1. All Rural Area Zones

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 (4/1/16)

Character zones, established in Div. 3.2, are character-based and established to implement the Comprehensive Plan. As described in the Comprehensive Plan, rural areas provide: wildlife habitat, scenery, open space, an abundance of landscape, limited detached single-family development, and minimal nonresidential development. The rural area character zones represent a continuum of rural character as follows:

- A. Rural-1 (R-1) generally encompasses the largest holdings with the most potential for use as sites of greater than 70 acres that provides undeveloped habitat, scenery, and open space
- B. Rural-2 (R-2) generally encompasses large parcels that are not in larger holdings, mostly in the 3-70 acre range, where site design is the focus of habitat, scenery and open space conservation efforts.
- C. Rural-3 (R-3) generally encompasses rural subdivisions and neighborhoods with lots sizes of 6 acres and less where rural character is defined by single-family neighborhoods and conservation is focused on wildlife permeability.

### 3.1.2. Legacy Zones (4/1/16)

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

### 3.2.1. Rules Applicable to All Rural Area Character Zones (4/1/16)

#### A. Rules of Measurement

1. Gross Site Area. All measurements in the rural character zones shall use Gross Site Area instead of Base Site Area or Adjusted Site Area.
2. Minimum Site Area. In rural character zones Gross Site Area shall only apply to a single use's minimum Gross Site Area. Calculation of minimum Gross Site Area to allow a use is independent from calculation of maximum physical development, and does not affect the maximum scale of a single use.

**EXAMPLE:** An R-1 site seeking permits for a campground (min. GSA of 70 ac) and an outdoor reception site (min GSA of 140 ac) and a detached single-family home would require at least 210 acres of Gross Site Area ( $70+140+0=210$ ). On a 210 acre R-1 site 64,033 sf of floor area are allowed. How the campground, reception, and single-family home use that allowed floor area is governed by the maximum density, intensity, and scale for each use irrespective of the minimum Gross Site Area calculation.

#### B. Sites with Multiple Lots of Record

Sites comprised of multiple lots of record in the rural character zones shall meet the following standards.

1. Agriculture Exempt. These standards shall not apply to agriculture use, physical development associated with agriculture use, and utilization of agriculture exemptions.
2. Design as a single site. A site comprised of multiple lots of record shall be reviewed as a whole for purposes of determining the most appropriate location for development or use.
3. Restriction Required. Area required to entitle physical development or use that is on a lot of record other than the primary lot of record of the physical development or use shall meet the following standards.
  - a. It shall be restricted through an instrument approved by the County Attorney and recorded against the lot of record.
  - b. The restriction shall terminate if the physical development is removed or the use is abandoned.

**3.2.2. Rural-1 (R-1) (4/1/16)**

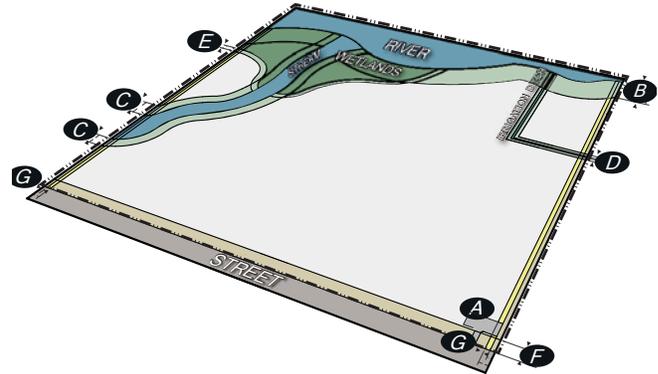
**A. Intent**

1. Desired Future Character. Development, use, and conservation that occurs in the R1 should be located and designed to allow for property rights in a way that substantially protects, has minimal impact on wildlife habitat, habitat connections, and scenery, and preserves the historic western character of the community by supporting the continuation of agriculture. Development and use that result in better conservation of wildlife habitat and scenery than can be achieved by single-family development of 35 acre parcels is encouraged.
2. Existing Character. The R1 zone generally consists of large holdings outside of complete neighborhoods where the opportunity exists for use of property in sites that are greater than 70 acres even if property rights allow use of the property as multiple smaller sites.
3. Comprehensive Plan. The R1 zone is based primarily on the vision for preservation subareas identified in the Illustration of Our Vision chapter of the Comprehensive Plan.

**B. Physical Development**

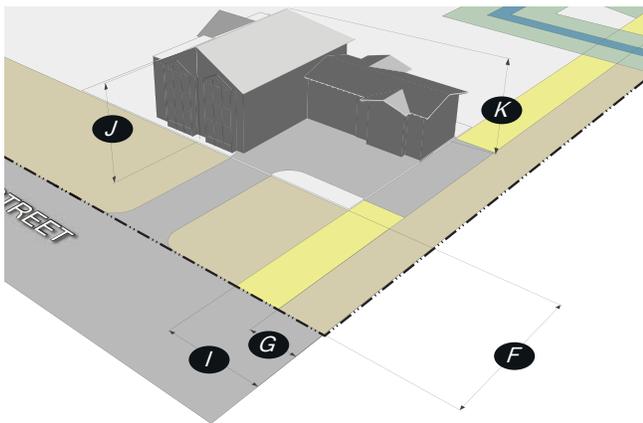
Standards applicable to physical development are provided in this subsection. Where a cross-reference is listed see the referenced division or section for additional standards. All standards in Article 5 are applicable unless stated otherwise.

**1. Site Development Standards**



| Site Development Amount   |                       |         |
|---|-----------------------|---------|
| Site Development (max)  |                       | A       |
| GSA < 35 ac   | GSA(0.04) + 15,007 sf |         |
| GSA ≥ 35 ac   | GSA(0.05)             |         |
| 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. except drive-way across street yard)       | 25'                   | F       |
| Public Road   | 50'                   |         |
| Private Road  | 30'                   |         |
| Non-Street Setback (min)  | 15'-5'                | G       |
| Development areas (max. except agriculture pursuant to 6.1.3.B) | 1 per site            | H       |
| Landscaping   |                       |         |
| Plant units (min)   | n/a                   | 5.5     |

**2. Structure Standards**



**Structure Location**

|                          |        |   |
|--------------------------|--------|---|
| Street Setback (min)     | 25'    | F |
| Public Road              | 50'    |   |
| Private Road             | 30'    |   |
| Non-Street Setback (min) | 30'+0' | I |

Eaves, canopies, decks, and other architectural projection that clear 9' above finish grade may extend 5' into a setback

**Scale of Development**

|                        |            |         |
|------------------------|------------|---------|
| Floor Area Ratio (max) |            |         |
| GSA < 35 ac            | 10,000 sf  |         |
| GSA ≥ 35 ac            | GSA(0.007) |         |
| Single building (max)  | 10,000 sf  | see E.1 |

**Structure Height** 9.4.9

|                         |       |   |
|-------------------------|-------|---|
| 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**

|        |             |
|--------|-------------|
| 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** 5.3.1

|                           |        |
|---------------------------|--------|
| 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 >30%-25% |
| Unstable Soils           | 5.4.2           |
| Fault Areas              | 5.4.3           |
| Floodplains              | 5.4.4           |
| Wildland Urban Interface | 5.4.5           |

**6. Signs** 5.6.2

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

Y=Use allowed, no use permit required (A)=Use only allowed as an accessory use  
B=Basic Use Permit (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>Transportation/Infrastructure</u>              |        |              |                    |                                  |   |                                    |
| <u>Utility Facility (6.1.10.C, E.2)</u>           | C      | n/a          | n/a                | see E.2                          | 1/employee + 1/<br>stored vehicle                   | independent<br>calculation         |
| <u>Wireless Communications (6.1.10.D)</u>         |        | see 6.1.10.D |                    |                                  | 1/employee + 1/<br>stored vehicle                   | independent<br>calculation         |
| <u>Aviation (out of NRO) (6.1.10.E, E.2, E.5)</u> | C      | 140 ac       | n/a                | see E.2                          | independent<br>calculation                          | independent<br>calculation         |
| <u>Accessory Uses</u>                             |        |              |                    |                                  |   |                                    |
| <u>Accessory Residential Unit (6.1.11.B, E.6)</u> | B      | n/a          | see 6.1.11.B & E.6 |                                  | 1.25/du   | n/a                                |
| <u>Bed and Breakfast (6.1.11.C)</u>               | C      | 140 ac       | n/a                | see<br>6.1.11.C                  | 0.75 per LU   | exempt                             |
| <u>Home Occupation (6.1.11.D)</u>                 | B      | n/a          | 1/du               | 25% of<br>du's habit-<br>able sf | n/a   | exempt                             |
| <u>Home Business (6.1.11.E)</u>                   | C      | n/a          | 1/du               | 25% of<br>du's habit-<br>able sf | 1/du  | exempt                             |
| <u>Family Home Daycare (6.1.11.F)</u>             | B      | n/a          | 1/du               | care for<br>3-6 per-<br>sons     | 1/employee + 1<br>off-street pick-up/<br>drop-off   | exempt                             |
| <u>Temporary Uses</u>                             |        |              |                    |                                  |   |                                    |
| <u>Christmas Tree Sales (6.1.12.B)</u>            | Y      | n/a          | n/a                | n/a                              | 1/1,000 sf outdoor<br>display area + 1/<br>employee | exempt                             |
| <u>Real Estate Sales Office (6.1.12.C)</u>        | C      | n/a          | n/a                | n/a                              | 3.3/1,000 sf  | exempt                             |
| <u>Temporary Shelter (6.1.12.D)</u>               | B      | n/a          | 1/lot              | n/a                              | 2   | n/a                                |
| <u>Farm Stand (6.1.12.E)</u>                      | B      | n/a          | n/a                | n/a                              | 5/1,000 sf display<br>area                          | exempt                             |
| <u>Temp. Gravel Extraction (6.1.12.F)</u>         | B      | n/a          | n/a                | 15 ac                            | 1/employee  | exempt                             |

Y=Use allowed, no use permit required (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)

|   |               |
|---|---------------|
| <b>3. Operational Standards</b>               |               |
| <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.

| <b>1. Allowed Development and Subdivision Options</b>         |                       |                               |  |                                   |                                    |                                    |               |
|---|-----------------------|-------------------------------|--|-----------------------------------|------------------------------------|------------------------------------|---------------|
| <u>Option</u>   | <u>Lot Size (min)</u> | <u>Rural Area (min)</u>       | <u>Conserv. Area (min)</u>                     | <u>Develop. Area (max)</u>        | <u>Density (max)</u>               | <u>Additional Floor Area (max)</u> | <u>Strds.</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>n/a</u>                         | <u>7.2.3</u>  |
| <u>Development Options</u>                                    |                       |                               |  |                                   |                                    |                                    |               |
| <u>Floor Area Option</u>                                      | <u>n/a</u>            | <u>35 ac</u>                  | <u>90% of Rural GSA See 7.1.5</u>              | <u>n/a</u>                        | <u>2 additional ARU per 35 ac</u>  | <u>10,000 sf per 35 ac</u>         | <u>7.1.5</u>  |
| <u>Rural PRD</u>  | <u>n/a</u>            | <u>n/a</u>                    | <u>Greater of: 70% of Rural GSA OR 4970 ac</u> | <u>34 ac per 72 ac conserved</u>  | <u>3 du per 35 ac</u>              | <u>n/a</u>                         | <u>7.1.2</u>  |
| <u>CN-PRD*</u>  | <u>n/a</u>            | <u>JH: 105 ac Alta: 70 ac</u> | <u>90% of Rural GSA 70 ac</u>                  | <u>=</u>                          | <u>=</u>                           | <u>n/a</u>                         | <u>7.1.6</u>  |
| <u>CN Development Area</u>                                    | <u>n/a</u>            | <u>=</u>                      | <u>=</u>                                       | <u>1 ac per 19 ac conserved</u>   | <u>1 du per 4.375 ac conserved</u> | <u>n/a</u>                         |               |
| <u>Reserved Rural Development Area</u>                        | <u>n/a</u>            | <u>=</u>                      | <u>=</u>                                       | <u>3.5 ac per 35 ac conserved</u> | <u>1 du per 35 ac conserved</u>    | <u>n/a</u>                         |               |
| <u>* (JH): East of the Tetons. (Alta): West of the Tetons</u> |                       |                               |  |                                   |                                    |                                    |               |

|  |   |
|--|---|
| <b>2. Residential Subdivision Requirements</b> |   |
| <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> |

|   |   |
|---|---|
| <b>3. Infrastructure</b>                  |   |
| <b>Transportation Facilities</b>          | <b>7.6</b>  |
| 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  |
| <b>Required Utilities</b>                 | <b>7.7</b>  |
| 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  |

| <b>4. Permits Required</b> |                                  |                     |                          |                                 |                          |
|----------------------------|----------------------------------|---------------------|--------------------------|---------------------------------|--------------------------|
| 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                        |                                 | if subdivided            |
| Complete Neighborhood PRD  |                                  | X                   | X                        |                                 | if subdivided            |

**E. Additional Zone-specific Standards**

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

1. **Maximum scale of an equestrian center.** A single building that is part of an equestrian center maintained for the purpose of accommodating, training or competing horses shall meet the following standards.
  - a. The equestrian center shall be an outdoor recreation as defined in Section 6.1.3.C
  - b. At least half of the hours the equestrian center is open shall be available for public reservation or open public use.
  - c. A single building shall not exceed 50,000 square feet.
  - d. The equestrian center shall still be subject to the Floor Area Ratio maximum.
2. **Conditional principal uses**
  - a. **Compatibility.** The compatibility of one or more principal conditional uses on a site shall be defined through the CUP review. In evaluating whether a particular use is appropriate, the Board shall consider the following:
    - i. The required gross site area shall not already be under conservation easement; and

- ii. The extent to which the proposed use promotes or sustains the site's open space values; and
  - iii. The cumulative impact of all permitted uses on the site's open space as compared to the use of the site at its base residential density values.
- b. Prohibited in the NRO. The following conditional uses permitted in the R-1 zone are prohibited within the NRO:
- i. Outdoor Recreation
  - ii. Campground
  - iii. Assembly
  - iv. Daycare/Education
  - v. Aviation
- c. Maximum Intensity of Use. The intensity of the use shall be limited to maintain the rural character of the area and the State or County road from which access is taken. If the proposed use is of a continuous nature, the intensity shall be limited by restricting the maximum occupancy. If the proposed use involves discrete occurrences, the intensity shall be limited by restricting the frequency of occurrence. Depending on the nature of the use, the Board shall impose conditions based on one or both of the standards below:
- i. Maximum Occupancy. The Board shall establish a maximum occupancy to protect community character.
    - a). The maximum occupancy shall not result in a change in the classification of the road from which access is taken.
    - b). The maximum occupancy may be exceeded for discrete occurrences, pursuant to the standards of Subsection E.2.c.ii. below.
    - c). The Board may impose a maximum occupancy restriction that is stricter than the limits established in the standards above to mitigate potential impacts other than traffic, such as impacts to wildlife. Stricter standards may be imposed on a seasonal or periodic basis.

**EXAMPLE:** An Education/Daycare use that takes access from a major collector road may be limited to a certain number of students based on projected traffic counts to ensure the additional traffic does not result in a change in classification of the road to an arterial. In another case the Board might establish a lower number of guests for an Outfitter/Tour Operator in the winter season, to avoid impacts to crucial wildlife winter range.

- ii. Frequency. If the proposed use involves discrete occurrences, the Board shall limit the frequency of occurrence to protect community character. 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.
  - a). Total Occurrences. The total number of discrete events or occurrences, defined as being no more than one calendar day in duration, shall not exceed 30 per year.

**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.

- b). Traffic Demand Management. The applicant shall demonstrate traffic demand management to maintain the rural character of the area and the access to the use.
- iii. Seasonal Limitations. The Board may limit a use to a particular season or time period. If an Environmental Analysis was prepared in advance of the project, the Board shall consider the recommendations of the EA in establishing seasonal limitations.

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

- iv. 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.

d. Setbacks and Location

- i. Uses shall be clustered adjacent to 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 or minimizes potential impacts to neighboring properties.

**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, and may vary for daily staff functions and public events, and between indoor and outdoor activities.

**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. Hours of Operation. The Board may limit the hours of operation for the use.
  - i. Outdoor use setback less than 300 feet. An outdoor public event use that is located less than 300 feet from a property line, which is adjacent to an occupied or vacant residential site that is not part of the conditional use, shall be limited to hours of operation of 9:00 a.m. to 9:00 ~~6:00~~ p.m. Hours of staff activities shall be established through the CUP process.
  - ii. Other use. Uses other than those regulated by Subsection e.i. above, shall be limited to hours of operation of 9:00 a.m. to 11:00 p.m. Hours for staff activities shall be established through the CUP process.
  - iii. Music. All music shall end no later than 10:00 p.m.
  - iv. The Board may establish separate hours of operation that are more strict for amplified music or sound associated with the use.
  - v. The Board may impose hours of operations that are more strict than those established above should site-specific or neighborhood conditions warrant additional limitations.

**EXAMPLE:** For an outdoor recreation use that involves outdoor receptions, the Board may choose to limit the hours of operation to 9:00 a.m. to 10:00 p.m. for the use, but condition that amplified music or sound end earlier, at 9:00 p.m.

- f. Parking. All standards of Division 6.2 shall apply, except that Commercial uses subject to this Subsection shall be exempt from Subsection 6.2.5.A.1.
  - g. Access. Uses subject to the standards of this Subsection shall be exempt from Section 7.6.2.C.1, provided all other standards of Division 7.6 are met and the access is approved by the Fire Marshal.
3. Campgrounds. In addition to the standards applicable to all campgrounds established in Section 6.1.5.D, campgrounds in the R-1 district are subject to the following:

- a. Ratio of Site Types. In order to maintain a variety of camping options, the ratio of tent sites to RV sites shall be at least 1:3.
4. Accessory 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 shall be accessory to a primary agriculture use pursuant to the definition in Section 6.1.11.A.
    - b. The proposed use shall comply with the standards in 3.2.2.E.2. above.
  5. Existing Landing Strips. The existing Fall Creek Ranch and Melody Ranch landing strips shall be considered conforming without a CUP. A CUP shall only be required upon 20% expansion of the use that existed on January 1, 2015.
  6. Accessory Residential Units
    - a. Primary use residential
      - i. Maximum Scale. An ARU accessory to a residential use shall not exceed 1,000 sf of gross floor area including basement floor area.
    - b. Primary use not residential
      - i. Unit Type. The following residential uses are permitted as unit types for an ARU associated with a primary nonresidential use:
        - a). Detached single-family
        - b). Apartment
        - c). Mobile Home
        - d). Dormitory
      - ii. Density/Intensity
        - a). 850 sf Units. The number of ARUs with habitable floor area of 850 sf or less is limited only by the requirement that the ARUs be accessory to the principal use.
        - b). Larger Units. A maximum of 1 ARU larger than 850 sf of habitable floor area is allowed per 35 acres of gross site area of nonresidential use is permitted. This allowed ARU Residential density accessory to a non-residential use is in addition to the base density of allowed principal residential use.
        - c). Floor Area Exempt. Floor area in an ARU accessory to a non-residential use is exempt from FAR and maximum floor area calculations.

**EXAMPLE:** A 140 acre site in agriculture is entitled to 4 detached single-family units ( $140/35=4$ ) as well as 4 ARUs accessory to the agriculture use ( $140/35=4$ ) that are greater than 850 sf of habitable floor area. The site would also be allowed 2 ARUs less than 850 sf of habitable floor area, so long as they were accessory to the agriculture use. The floor area in the 6 ~~4~~ ARUs would not count against the maximum floor area of 42,688 sf allowed on 140 acres.

iii. Occupancy

- a). The occupant of the ARU accessory to a non-residential use shall be employed by the operator of the non-residential use and work in the non-residential use 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 nonresidential use, the residential unit may be rented to others. Such rental shall be for a period of at least 31 days.

**3.2.3. Rural-2 (R-2) (4/1/16)**

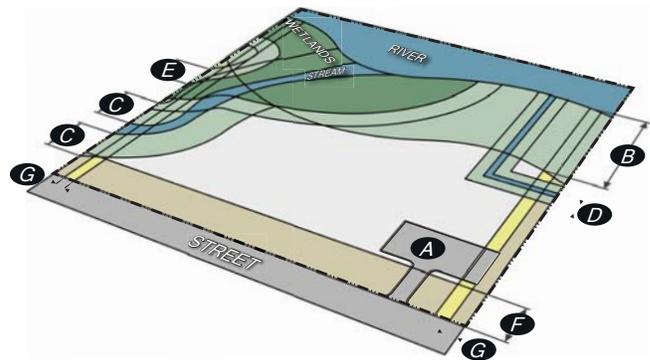
**A. Intent**

1. Desired Future Character. Development, use, and conservation that occurs in the R2 should be located and designed to allow for property rights in a way that substantially protects, minimizes impacts to wildlife habitat, habitat connectivity, and scenery, and preserves the historic western character of the community by supporting the continuation of agriculture. Existing property rights define the maximum density of the R2 and clustering of development and combination of lots is encouraged. Residential and/or agricultural use is preferred, but institutional uses with a rural character that require a large site may be compatible.
2. Existing Character. The R2 zone generally encompasses large parcels, not in larger holdings, mostly in the 3-70 acre range, used for a single-family dwelling.
3. Comprehensive Plan. The R2 zone is based primarily on the vision for conservation subareas identified in the Illustration of Our Vision chapter of the Comprehensive Plan.

**B. Physical Development**

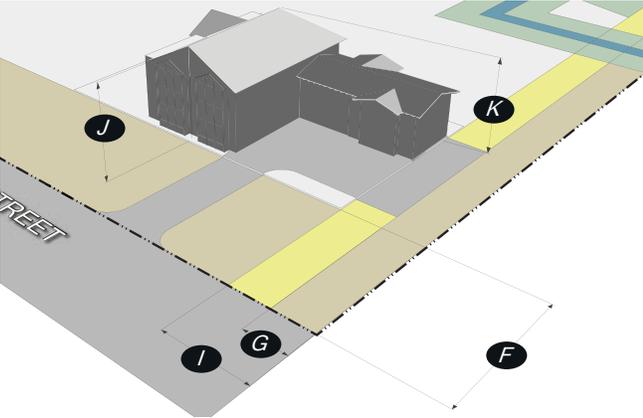
Standards applicable to physical development are provided in this subsection. Where a cross-reference is listed see the referenced division or section for additional standards. All standards in Article 5 are applicable unless stated otherwise.

**1. Site Development Standards**



| Site Development Amount                                  |                       |         |
|--|-----------------------|---------|
| Site Development (max) (E.1)                             | GSA(0.04) + 15,007 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, except driveway across street yard) | 25'                   | F       |
| Public Road  | 50'                   |         |
| Private Road   | 30'                   |         |
| Non-Street Setback (min)                                 | 15'-5'                | G       |
| Development areas (max)                                  | +                     | H       |
| Landscaping  |                       |         |
| Plant units (min)  | n/a                   |         |

**2. Structure Standards**



| Structure Location   |                                 |       |
|--|---------------------------------|-------|
| Street Setback (min)   | 25'                             | F     |
| Public Road  | 50'                             |       |
| Private Road   | 30'                             |       |
| Non-Street Setback (min)   |                                 |       |
|  | 30'-10'                         | I     |
| Eaves, canopies, decks, and other architectural projection that clear 9' above finish grade may extend 5' into a setback |                                 |       |
| Scale of Development   |                                 |       |
| Floor area (max)   | 10,000 sf                       |       |
| GSA < 10 ac  | 10,000 sf                       |       |
| GSA ≥ 10 ac  | (GSA ac - 10)100 sf + 10,000 sf |       |
| Not to Exceed  | 15,000 sf                       |       |
| Single building (max)  | 10,000 sf                       |       |
| 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    |

**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 >30%-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) |
|-------------------------------|------------|--------------|
| 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 |       |

**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. <u>Allowed Uses</u>                               |               |                  |                          |                                 | 2. <u>Use Requirements</u>                         |   |
|--|---------------|------------------|--------------------------|---------------------------------|--|---|
| <u>Use</u>   | <u>Permit</u> | <u>GSA (min)</u> | <u>Density (max)</u>     | <u>Scale (max)</u>              | <u>Parking (min) (6.2)</u>                         | <u>Employees to be Housed (min) (6.3)</u> |
| <u>Open Space</u>                                    |               |                  |                          |                                 |  |   |
| <u>Agriculture (6.1.3.B)</u>                         | <u>Y</u>      | <u>n/a</u>       | <u>n/a</u>               | <u>n/a</u>                      | <u>n/a</u>   | <u>exempt</u>                             |
| <u>Residential</u>                                   |               |                  |                          |                                 |  |   |
| <u>Detached Single-Family (6.1.4.B)</u>              | <u>Y</u>      | <u>n/a</u>       | <u>1/lot</u>             | <u>8,000 sf habitable/du</u>    | <u>2/du</u>  | <u>n/a</u>                                |
| <u>Institutional</u>                                 |               |                  |                          |                                 |  |   |
| <u>Assembly (out of NRO) (6.1.8.B. E.2)</u>          | <u>C</u>      | <u>35 ac</u>     | <u>n/a</u>               | <u>see E.2</u>                  | <u>independent calculation</u>                     | <u>exempt</u>                             |
| <u>Daycare/Education (out of NRO) (6.1.8.C. E.2)</u> | <u>C</u>      | <u>35 ac</u>     | <u>n/a</u>               | <u>see E.2</u>                  | <u>independent calculation</u>                     | <u>exempt</u>                             |
| <u>Industrial</u>                                    |               |                  |                          |                                 |  |   |
| <u>Gravel Extraction/Processing (6.1.9.F)</u>        | <u>S</u>      |                  | <u>see 6.1.9.F</u>       |                                 | <u>1/employee</u>                                  | <u>0.03/1,000 sf</u>                      |
| <u>Transportation/Infrastructure</u>                 |               |                  |                          |                                 |  |   |
| <u>Utility Facility (6.1.10.C. E.2)</u>              | <u>C</u>      | <u>n/a</u>       | <u>n/a</u>               | <u>see E.2</u>                  | <u>1/employee + 1/ stored vehicle</u>              | <u>independent calculation</u>            |
| <u>Wireless Communications</u>                       |               |                  | <u>see 6.1.10.D</u>      |                                 | <u>1/employee + 1/ stored vehicle</u>              | <u>independent calculation</u>            |
| <u>Accessory Uses</u>                                |               |                  |                          |                                 |  |   |
| <u>Accessory Residential Unit (6.1.11.B. E.3)</u>    | <u>B</u>      | <u>n/a</u>       | <u>see 6.1.11.B. E.3</u> |                                 | <u>1.25/du</u>                                     | <u>n/a</u>                                |
| <u>Home Occupation (6.1.11.D)</u>                    | <u>B</u>      | <u>n/a</u>       | <u>1/du</u>              | <u>25% of du's habitable sf</u> | <u>n/a</u>   | <u>exempt</u>                             |
| <u>Home Business (6.1.11.E)</u>                      | <u>C</u>      | <u>n/a</u>       | <u>1/du</u>              | <u>25% of du's habitable sf</u> | <u>1/du</u>  | <u>exempt</u>                             |
| <u>Family Home Daycare (6.1.11.F)</u>                | <u>B</u>      | <u>n/a</u>       | <u>1/du</u>              | <u>care for 3-6 persons</u>     | <u>1/employee + 1 off-street pick-up/ drop-off</u> | <u>exempt</u>                             |
| <u>Temporary Uses</u>                                |               |                  |                          |                                 |  |   |
| <u>Temporary Shelter (6.1.12.D)</u>                  | <u>B</u>      | <u>n/a</u>       | <u>1/lot</u>             | <u>n/a</u>                      | <u>2</u>   | <u>n/a</u>                                |
| <u>Temp. Gravel Extraction (6.1.12.F)</u>            | <u>B</u>      | <u>n/a</u>       | <u>n/a</u>               | <u>15 ac</u>                    | <u>1/employee</u>                                  | <u>exempt</u>                             |

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)

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

**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.

| <b>1. Allowed Development and Subdivision Options</b> |                                |  |   |  |   |   |                        |
|---|--------------------------------|--|---|--|---|---|------------------------|
| <a href="#">Option</a>                                | <a href="#">Lot Size (min)</a> | <a href="#">Rural Area (min)</a>           | <a href="#">Conserv. Area (min)</a>                   | <a href="#">Develop. Area (max)</a>        | <a href="#">Density (max)</a>               | <a href="#">Additional Floor Area (max)</a> | <a href="#">Strds.</a> |
| <a href="#">Subdivision Options</a>                   |                                |  |   |  |   |   |                        |
| <a href="#">Land Division</a>                         | <a href="#">35 ac</a>          | <a href="#">n/a</a>                        | <a href="#">n/a</a>                                   | <a href="#">n/a</a>                        | <a href="#">n/a</a>                         | <a href="#">n/a</a>                         | <a href="#">7.2.3</a>  |
| <a href="#">Development Options</a>                   |                                |  |   |  |   |   |                        |
| <a href="#">Floor Area Option</a>                     | <a href="#">n/a</a>            | <a href="#">35 ac</a>                      | <a href="#">90% of Rural GSA See 7-1-5</a>            | <a href="#">n/a</a>                        | <a href="#">2 additional ARU per 35 ac</a>  | <a href="#">10,000 sf per 35 ac</a>         | <a href="#">7.1.5</a>  |
| <a href="#">Rural PRD</a>                             | <a href="#">n/a</a>            | <a href="#">n/a</a>                        | <a href="#">Greater of: 70% of Rural GSA OR 49 ac</a> | <a href="#">3 ac per 7ac conserved</a>     | <a href="#">3 du per 35 ac</a>              | <a href="#">n/a</a>                         | <a href="#">7.1.2</a>  |
| <a href="#">CN-PRD*</a>                               | <a href="#">n/a</a>            | <a href="#">JH: 105 ac<br/>Alta: 70 ac</a> | <a href="#">90% of Rural GSA 70-ac</a>                | <a href="#">=</a>                          | <a href="#">=</a>                           | <a href="#">n/a</a>                         | <a href="#">7.1.6</a>  |
| <a href="#">CN Development Area</a>                   | <a href="#">n/a</a>            | <a href="#">=</a>                          | <a href="#">=</a>                                     | <a href="#">1 ac per 19 ac conserved</a>   | <a href="#">1 du per 4.375 ac conserved</a> | <a href="#">n/a</a>                         |                        |
| <a href="#">Reserved Rural Development Area</a>       | <a href="#">n/a</a>            | <a href="#">=</a>                          | <a href="#">=</a>                                     | <a href="#">3.5 ac per 35 ac conserved</a> | <a href="#">1 du per 35 ac conserved</a>    | <a href="#">n/a</a>                         |                        |

[\\* \(JH\): East of the Tetons. \(Alta\): West of the Tetons](#)

|  |   |
|--|---|
| <b>2. Residential Subdivision Requirements</b> |   |
| <b>Affordable Housing</b>                      | <b>7.4</b>  |
| Affordable housing (min)                       | 25% of new units  |
| <b>Schools and Parks Exactions</b>             | <b>7.5</b>  |
| Exaction land (min)                            | 0.03 acres per housing unit or lot  |
| <b>3. Infrastructure</b>                       |   |
| <b>Transportation Facilities</b>               | <b>7.6</b>  |
| 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  |
| <b>Required Utilities</b>                      | <b>7.7</b>  |
| 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  |

| <b>4. Permits Required</b> |                                  |                     |                          |                                 |                          |
|----------------------------|----------------------------------|---------------------|--------------------------|---------------------------------|--------------------------|
| 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                               |                          |
| Complete Neighborhood PRD  |                                  | X                   | X                        |                                 | if subdivided            |

**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. Institutional and infrastructure uses
  - a. Compatibility. The compatibility of one or more principal conditional uses on a site shall be defined through the CUP review. In evaluating whether a particular use is appropriate, the Board shall consider the following:

- i. The required gross site area shall not already be under conservation easement; and
  - ii. The extent to which the proposed use promotes or sustains the site's open space values; and
  - iii. The cumulative impact of all permitted uses on the site's open space as compared to the use of the site at its base residential density values.
- b. Prohibited in the NRO. Institutional uses are prohibited within the NRO.
- c. Maximum Intensity of Use. The intensity of the use shall be limited to maintain the rural character of the area and the State or County road from which access is taken. If the proposed use is of a continuous nature, the intensity shall be limited by restricting the maximum occupancy. If the proposed use involves discrete occurrences, the intensity shall be limited by restricting the frequency of occurrence. Depending on the nature of the use, the Board shall impose conditions based on one or both of the standards below:
- i. Maximum Occupancy. The Board shall establish a maximum occupancy to protect community character.
    - a). The maximum occupancy shall not result in a change in the classification of the road from which access is taken.
    - b). The maximum occupancy may be exceeded for discrete occurrences, pursuant to the standards of Subsection E.2.c.ii. below.
    - c). The Board may impose a maximum occupancy restriction that is stricter than the limits established in the standards above to mitigate potential impacts other than traffic, such as impacts to wildlife. Stricter standards may be imposed on a seasonal or periodic basis.

**EXAMPLE:** An Education/Daycare use that takes access from a major collector road may be limited to a certain number of students based on projected traffic counts to ensure the additional traffic does not result in a change in classification of the road to an arterial.

- ii. Frequency. If the proposed use involves discrete occurrences, the Board shall limit the frequency of occurrence to protect community character. 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.
  - a). Total Occurrences. The total number of discrete events or occurrences, defined as being no more than one calendar day in duration, shall not exceed 30 per year.

**EXAMPLE:** The Board might choose to limit the number of events held at a community center in order to reduce the frequency and duration of adverse impacts to neighbors.

- b). Traffic Demand Management. The applicant shall demonstrate traffic demand management to maintain the rural character of the area and the access to the use.
- iii. Seasonal Limitations. The Board may limit a use to a particular season or time period. If an Environmental Analysis was prepared in advance of the project, the Board shall consider the recommendations of the EA in establishing seasonal limitations.

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

- iv. 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 tent auxiliary to an assembly hall can be on site.

d. Setbacks and Location

- i. Uses shall be clustered adjacent to 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 or minimizes potential impacts to neighboring properties.
- ii. Setbacks for the use shall be established through the CUP process, and may vary for daily staff functions and public events, and between indoor and outdoor activities.

**EXAMPLE:** For a busy library, 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. Hours of Operation. The Board may limit the hours of operation for the use.

- i. Outdoor use setback less than 300 feet. An outdoor public event use that is located less than 300 feet from a property line, which is adjacent to an occupied or vacant residential site that is not part of the conditional use, shall be limited to hours of operation of 9:00 a.m. to 9:00 ~~6:00~~ p.m. Hours of staff activities shall be established through the CUP process.
- ii. Other use. Uses other than those regulated by Subsection e.i. above, shall be limited to hours of operation of 9:00 a.m. to 11:00 p.m. Hours for staff activities shall be established through the CUP process.
- iii. Music. All music shall end no later than 10:00 p.m.
- iv. The Board may establish separate hours of operation that are more strict for amplified music or sound associated with the use.
- v. The Board may impose hours of operations that are more strict than those established above should site-specific or neighborhood conditions warrant additional limitations.

**EXAMPLE:** For a reception hall, the Board may choose to limit the hours of operation to 9:00 a.m. to 10:00 p.m. for the use, but condition that amplified music or sound end earlier, at 9:00 p.m.

- f. Parking. All standards of Division 6.2 shall apply, except that Commercial uses subject to this Subsection shall be exempt from Subsection 6.2.5.A.1.
  - g. Access. Uses subject to the standards of this Subsection shall be exempt from Section 7.6.2.C.1, provided all other standards of Division 7.6 are met and the access is approved by the Fire Marshal.
3. Maximum Scale of an ARU
- a. Primary use residential. An ARU accessory to a residential use shall not exceed 1,000 sf of gross floor area including basement floor area
  - b. Primary use non-residential.
    - i. Unit Type. The following residential uses are permitted as unit types for an ARU associated with a primary nonresidential use:
      - a). Detached single-family
      - b). Apartment
      - c). Mobile Home
      - d). Dormitory
    - ii. Density/Intensity. An ARU accessory to a non-residential use-in shall not exceed 850 sf of gross floor area including basement floor area. The floor area of an ARU accessory to a non-residential use shall be exempt from FAR and maximum floor area calculations.

**3.2.4. Rural-3 (R-3) (4/1/16)**

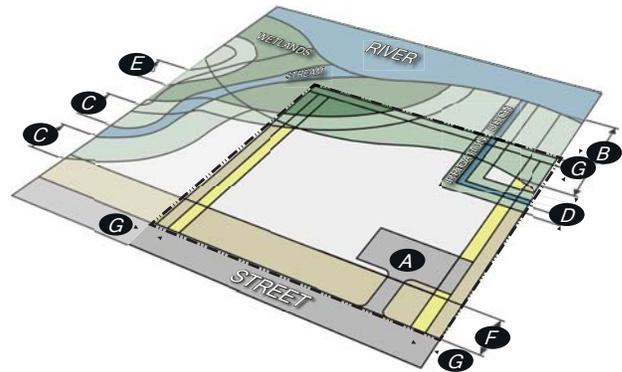
**A. Intent**

1. Desired Future Character. Development, use, and conservation that occurs in the R3 should be located and designed to allow for property rights in a way that allows for wildlife permeability and preserves scenic viewsheds. Existing property rights define the maximum density of the R3 and residential use is preferred.
2. Existing Character. The R3 zone generally encompasses rural subdivisions and neighborhoods with lots of 6 acres and less that are used for a single-family dwelling.
3. Comprehensive Plan. The R3 zone is based primarily on the vision for conservation subareas identified in the Illustration of Our Vision chapter of the Comprehensive Plan.

**B. Physical Development**

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

**1. Site Development Standards**



**Site Development Amount**

|                        |                       |
|------------------------|-----------------------|
| Site Development (max) | A                     |
| GSA < 0.5 ac           | GSA(0.31) + 1,263 sf  |
| GSA = 0.5 - < 3 ac     | GSA(0.11) + 5,619 sf  |
| GSA ≥ 3 ac             | GSA(0.04) + 15,007 sf |

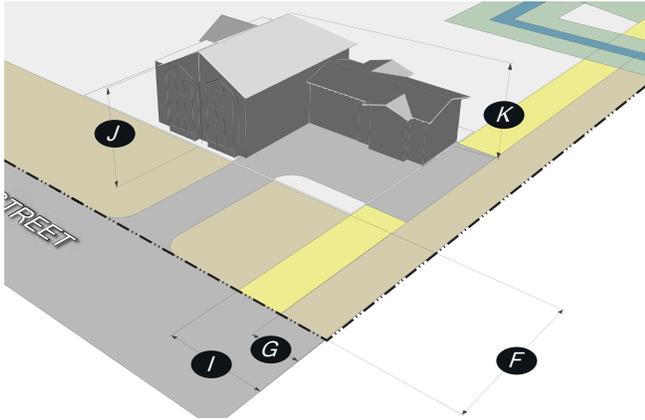
**Site Development Location**

|   |            |         |
|---|------------|---------|
| 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, except drive-way across street yard) | 25'        | F       |
| Non-Street Setback (min)                                  | 5'         | G       |

**Landscaping** 5.5

|                          |      |
|--------------------------|------|
| per 10,000 sf floor area | 1 pu |
|--------------------------|------|

**2. Structure Standards**



| <u>Structure Location</u>   |                       |       |
|---|-----------------------|-------|
| Street Setback (min)  | 25'                   | F     |
| Non-Street Setback (min)  | 10'                   | I     |
| <u>Eaves, canopies, decks, and other architectural projection that clear 9' above finish grade may extend 4' into a setback</u> |                       |       |
| <u>Scale of Development</u>   |                       |       |
| Floor area  |                       |       |
| Maximum   | GSA(0.032) + 3,900 sf |       |
| Not to exceed   | 10,000 sf             |       |
| Single building (max)   | 10,000 sf             |       |
| <u>Structure Height</u> 9.4.9   |                       |       |
| Height: Any point (max)   | 30'                   | J     |
| Height: Overall (max)   | 37.5'                 | K     |
| <u>Scenic Standards</u>   |                       |       |
| RE: Scenic viewsheds  | See SRO               | 5.3.2 |
| <u>Fencing</u>  |                       |       |
| Wildlife Friendly Fencing   | Required              | 5.1.2 |
| <u>Exterior Materials</u>   |                       |       |
| 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** 5.3.1

|                           |        |
|---------------------------|--------|
| Total cut off angle (max) | 90°    |
| Illumination (max)        | 0.5 fc |
| Light Height (max)        | 15'    |

**5. Natural Hazards to Avoid**

|                                       |                 |
|---------------------------------------|-----------------|
| <u>Steep Slopes</u> 5.4.1             |                 |
| Development prohibited                | Slopes >30%-25% |
| <u>Unstable Soils</u> 5.4.2           |                 |
| <u>Fault Areas</u> 5.4.3              |                 |
| <u>Floodplains</u> 5.4.4              |                 |
| <u>Wildland Urban Interface</u> 5.4.5 |                 |

**6. Signs** 5.6.2

| Allowed Signs (max)           | Area (max) | Height (max) |
|-------------------------------|------------|--------------|
| 1 rustic freestanding or wall | 4 sf       | 4'           |
| 1 wall per home occupation    | 2 sf       | n/a          |

**7. Grading, Erosion, Stormwater**

|  |       |
|--|-------|
| <u>Grading</u>   | 5.7.2 |
| <u>Erosion Control</u>   | 5.7.3 |
| Erosion shall be controlled at all times                               |       |
| <u>Stormwater Management</u>   | 5.7.4 |
| <u>No increase in peak flow rate or velocity across property lines</u> |       |

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. <u>Allowed Uses</u>                            |               |                  |                               |                                 | 2. <u>Use Requirements</u>                         |   |
|---|---------------|------------------|-------------------------------|---------------------------------|--|---|
| <u>Use</u>  | <u>Permit</u> | <u>GSA (min)</u> | <u>Density (max)</u>          | <u>Scale (max)</u>              | <u>Parking (min) (6.2)</u>                         | <u>Employees to be Housed (min) (6.3)</u> |
| <u>Open Space</u>                                 |               |                  |                               |                                 |  |   |
| <u>Agriculture (6.1.3.B)</u>                      | <u>Y</u>      | <u>n/a</u>       | <u>n/a</u>                    | <u>n/a</u>                      | <u>n/a</u>   | <u>exempt</u>                             |
| <u>Residential</u>                                |               |                  |                               |                                 |  |   |
| <u>Detached Single-Family (6.1.4.B)</u>           | <u>Y</u>      | <u>n/a</u>       | <u>1/lot</u>                  | <u>8,000 sf habitable</u>       | <u>2/du</u>  | <u>n/a</u>                                |
| <u>Industrial</u>                                 |               |                  |                               |                                 |  |   |
| <u>Gravel Extraction/Processing (6.1.9.F)</u>     | <u>S</u>      |                  | <u>see 6.1.9.F</u>            |                                 | <u>1/employee</u>                                  | <u>0.03/1,000 sf</u>                      |
| <u>Transportation/Infrastructure</u>              |               |                  |                               |                                 |  |   |
| <u>Utility Facility (6.1.10.C)</u>                | <u>C</u>      | <u>n/a</u>       | <u>n/a</u>                    | <u>n/a</u>                      | <u>1/employee + 1/ stored vehicle</u>              | <u>independent calculation</u>            |
| <u>Wireless Communications</u>                    |               |                  | <u>see 6.1.10.D</u>           |                                 | <u>1/employee + 1/ stored vehicle</u>              | <u>independent calculation</u>            |
| <u>Accessory Uses</u>                             |               |                  |                               |                                 |  |   |
| <u>Accessory Residential Unit (6.1.11.B, E.1)</u> | <u>B</u>      | <u>n/a</u>       | <u>see 6.1.11.B &amp; E.1</u> |                                 | <u>1.25/du</u>                                     | <u>n/a</u>                                |
| <u>Home Occupation (6.1.11.D)</u>                 | <u>B</u>      | <u>n/a</u>       | <u>1/du</u>                   | <u>25% of du's habitable sf</u> | <u>n/a</u>   | <u>exempt</u>                             |
| <u>Home Business (6.1.11.E)</u>                   | <u>C</u>      | <u>n/a</u>       | <u>1/du</u>                   | <u>25% of du's habitable sf</u> | <u>1/du</u>  | <u>exempt</u>                             |
| <u>Family Home Daycare (6.1.11.F)</u>             | <u>B</u>      | <u>n/a</u>       | <u>1/du</u>                   | <u>care for 3-6 persons</u>     | <u>1/employee + 1 off-street pick-up/ drop-off</u> | <u>exempt</u>                             |
| <u>Home Daycare Center (6.1.11.G, E.2)</u>        | <u>E</u>      | <u>n/a</u>       | <u>1/du</u>                   | <u>care for 7-11 persons</u>    | <u>1/employee + 2 off-street pick-up/ drop-off</u> | <u>exempt</u>                             |
| <u>Temporary Uses</u>                             |               |                  |                               |                                 |  |   |
| <u>Temporary Shelter (6.1.12.D)</u>               | <u>B</u>      | <u>n/a</u>       | <u>1/lot</u>                  | <u>n/a</u>                      | <u>2</u>   | <u>n/a</u>                                |
| <u>Temp. Gravel Extraction (6.1.12.F)</u>         | <u>B</u>      | <u>n/a</u>       | <u>n/a</u>                    | <u>15 ac</u>                    | <u>1/employee</u>                                  | <u>exempt</u>                             |

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)

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

**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.

| <b>1. <a href="#">Allowed Development and Subdivision Options</a></b> |                                |   |                                     |                                     |  |   |                          |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|--|---|--------------------------|
| <a href="#">Option</a>  | <a href="#">Lot Size (min)</a> | <a href="#">Rural Area (min)</a>  | <a href="#">Conserv. Area (min)</a> | <a href="#">Develop. Area (max)</a> | <a href="#">Density (max)</a>                              | <a href="#">Additional Floor Area (max)</a> | <a href="#">Strds.</a>   |
| <a href="#">Subdivision Options</a>                                   |                                |   |                                     |                                     |  |   |                          |
| <a href="#">Land Division</a>   | <a href="#">35 ac</a>          | <a href="#">n/a</a>   | <a href="#">n/a</a>                 | <a href="#">n/a</a>                 | <a href="#">n/a</a>  | <a href="#">n/a</a>                         | <a href="#">7.2.3</a>    |
| <a href="#">Development Options</a>                                   |                                |   |                                     | <a href="#">none</a>                |  |   |                          |
| <b>2. <a href="#">Residential Subdivision Requirements</a></b>        |                                |   |                                     |                                     |  |   |                          |
| <a href="#">Affordable Housing</a>                                    |                                |   |                                     |                                     |  |   | <a href="#">7.4</a>      |
| <a href="#">Affordable housing (min)</a>                              |                                |   |                                     |                                     |  | <a href="#">25% of new units</a>            |                          |
| <a href="#">Schools and Parks Exactions</a>                           |                                |   |                                     |                                     |  |   | <a href="#">7.5</a>      |
| <a href="#">Exaction land (min)</a>                                   |                                |   |                                     |                                     | <a href="#">0.03 acres per housing unit or lot</a>         |   |                          |
| <b>3. <a href="#">Infrastructure</a></b>                              |                                |   |                                     |                                     |  |   |                          |
| <a href="#">Transportation Facilities</a>                             |                                |   |                                     |                                     |  |   | <a href="#">7.6</a>      |
| <a href="#">Access</a>  |                                |   |                                     |                                     |  |   | <a href="#">Required</a> |
| <a href="#">Right-of-way for a minor local road (min)</a>             |                                |   |                                     |                                     |  |   | <a href="#">60'</a>      |
| <a href="#">Travel lane width for minor local road</a>                |                                |   |                                     |                                     |  |   | <a href="#">10'</a>      |
| <a href="#">Road and driveway design</a>                              |                                |   |                                     |                                     | <a href="#">Also subject to Fire Protection Resolution</a> |   |                          |
| <a href="#">Required Utilities</a>                                    |                                |   |                                     |                                     |  |   | <a href="#">7.7</a>      |
| <a href="#">Water (required)</a>                                      |                                | <a href="#">Connection to public supply, installation of central supply, or evidence of individual well</a> |                                     |                                     |  |   |                          |
| <a href="#">Sewer (required)</a>                                      |                                |   |                                     |                                     |  |   |                          |
| <a href="#">0-500' from public sanitary sewer</a>                     |                                |   |                                     |                                     | <a href="#">Connect to public sanitary sewer</a>           |   |                          |
| <a href="#">&gt; 500' from public sanitary sewer</a>                  |                                |   |                                     |                                     | <a href="#">Small wastewater (septic) facility</a>         |   |                          |

| 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. **Maximum Scale of an ARU**

- a. **Primary use residential.** An ARU accessory to a residential use shall not exceed 1,000 sf of gross floor area including basement floor area
- b. **Primary use non-residential.** An ARU accessory to a non-residential use ~~in~~ shall not exceed 850 sf of gross floor area including basement floor area. The floor area of an ARU accessory to a non-residential use shall be exempt from FAR and maximum floor area calculations.

2. **Home Daycare Centers.** Home Daycare Centers in the R-3 zoning district shall be subject to the following:

- a. **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.
- b. **Proximity to Roads.** The property of a home daycare center shall be within 1/4 miles of an arterial or collector road.

## Div. 3.3. Rural Area Legacy Zones

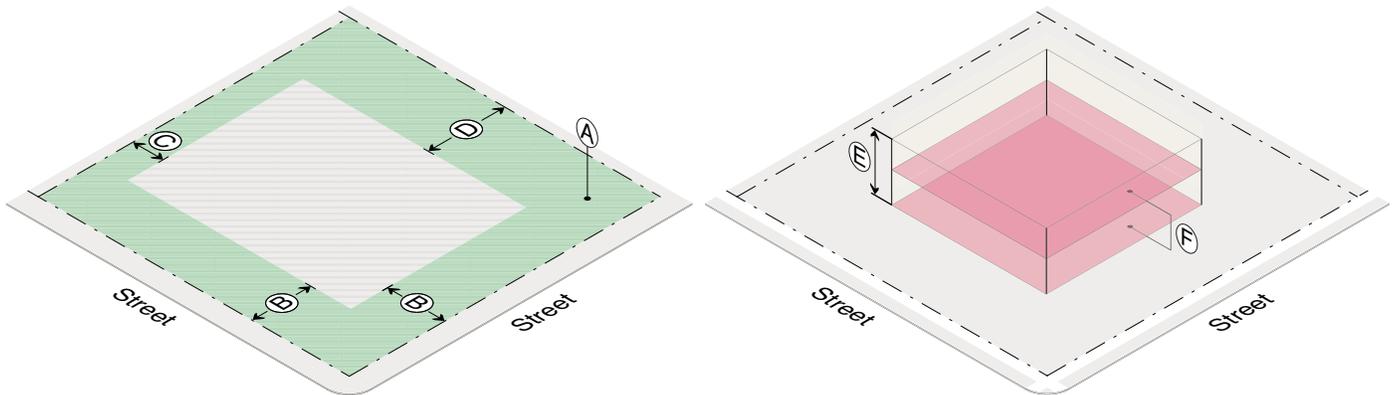
### 3.3.1. Business Conservation - County (BC-TC) Zone (4/1/16)

#### A. Intent

The purpose of the Business Conservation - County (BC-TC) zone is to provide for the continuation of existing commercial development where the expansion of nonresidential use into a commercial node is considered inappropriate. The BC-TC zone recognizes existing business uses as conforming, but requires a Conditional Use Permit for any change to another nonresidential use. The BC-TC zone shall not be expanded.

#### B. Physical Development

Standards applicable to physical development in the BC-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 BC-TC zone. This Subsection is intended to indicate all of the physical development standards applicable in the BC-TC zone, however, all standards in [Article 5](#) are applicable in the BC-TC zone, unless stated otherwise.



| 1. Structure Location and Mass |   |                      |                    |                    |              |                      |
|--------------------------------|---|----------------------|--------------------|--------------------|--------------|----------------------|
|                                | (A)   | (B)                  | (C)                | (D)                | (E)          | (F)                  |
|                                | LSR (min)   | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max)            |
| Detached single-family unit    |   |                      |                    |                    |              |                      |
| Lot of record < 3 acres        | see E.3.  | 25'                  | 10'                | 25'                | 30'          | see E.2.             |
| Lot of record ≥ 3 acres        | see E.3.  | 50'                  | 30'                | 40'                | 30'          | see E.2.             |
| Other principal use            |   |                      |                    |                    |              |                      |
| Lot of record ≤ 15,000 sf      | .30   | 20'                  | 10'                | 20'                | 26'          | .30 or 20% expansion |
| Lot of record ≤ 4 acres        | .30   | 20'                  | 10'                | 20'                | 26'          | .10 or 20% expansion |
| Lot of record > 4 acres        | .30   | 20'                  | 10'                | 20'                | 26'          | .05 or 20% expansion |
| Accessory use                  | See standards for primary use with which associated |                      |                    |                    |              |                      |
| Temporary use                  | n/a   | 20'                  | 10'                | 20'                | 26'          | n/a                  |
| <b>Exceptions</b>              |   |                      |                    |                    |              |                      |

Residential Side/Rear Yard Projections. Fire escapes may extend into a side or rear yard by not more than 4 feet.

FAR. Notwithstanding the maximum FAR, a minimum of 4,500 square feet is allowed on lots of record less than or equal to 4 acres; a minimum of 17,424 square feet is allowed on lots of record greater than 4 acres.

FAR Exemption. The floor area of an accessory residential unit that is accessory to a nonresidential use shall be exempt from the FAR calculation for the site

| 2. Maximum Scale of Development  |                                  |
|--|----------------------------------|
| Individual Building (gross floor area) (max)   |                                  |
| Part of single-family unit   | 10,000 sf                        |
| Nonresidential (agricultural buildings exempt)   | 6,000 sf                         |
| 3. Building Design   |                                  |
| Residential Building Materials   |                                  |
| External surfaces shall be non-reflective  |                                  |
| Colors shall blend into terrain using muted colors and earthy hues - additions matching existing colors are exempt |                                  |
| 4. Site Development  |                                  |
| Site Development Setbacks (min)  |                                  |
| Side/Rear  | 1/2 the structure setback        |
| Front  |                                  |
| 40% of lineal lot frontage   | 1/2 the structure setback        |
| 60% of lineal lot frontage   | structure setback                |
| Exemptions   |                                  |
| Driveways providing access across a street yard; and shared parking and driveways                                  |                                  |
| 5. Landscaping (Div. 5.5.)   |                                  |
| Plant Units (min)  |                                  |
| Residential  | 1 per du                         |
| Nonresidential   | 1 per 1,000 sf of landscape area |
| Parking lot  | 1 per 12 parking spaces          |
| 6. Fencing (Sec. 5.1.2.)   |                                  |
| Wildlife Friendly Fencing  |                                  |
| Special Purpose Fencing Height (max)   |                                  |
| In street yard   | 4'                               |
| In side or rear yard   | 6'                               |
| Special Purpose Fencing Setback  |                                  |
| All yards  | 0'                               |

| 7. Environmental Standards                             |  |
|--|--|
| Natural Resource Buffers (min) (Sec. 5.1.1.)           |  |
| Rivers   | 150'   |
| Streams  | 50' or edge of riparian plant community up to 150' |
| Natural lakes or ponds                                 | 50' or edge of riparian plant community up to 150' |
| Wetland  | 30'  |
| Irrigation Ditch Setback (min) (7.7.4.D.)              |  |
| Irrigation ditch                                       | 15'  |
| Wild Animal Feeding (Sec. 5.1.3.)                      |  |
| Wild animal feeding prohibited                         |  |
| Natural Resource Overlay (NRO) Standards (Sec. 5.2.1.) |  |
| Bear Conflict Area Standards (Sec. 5.2.2.)             |  |
| Bear proof trash required in Conflict Priority Area 1  |  |
| 8. Scenic Standards                                    |  |
| Exterior Lighting (Sec. 5.3.1.)                        |  |
| Total cut off angle (max)                              | 90°  |
| Illumination in footcandles                            |  |
| Residential use  | 1.00   |
| Residential use in NRO                                 | 0.50   |
| Nonresidential use                                     | 1.50   |
| Nonresidential use in NRO                              | 1.00   |
| Height (max)   |  |
| Residential use  | 15'  |
| Nonresidential use                                     | 18'  |
| Scenic Resource Overlay (SRO) Standards (Sec. 5.3.2.)  |  |
| 9. Natural Hazards to Avoid                            |  |
| Steep Slopes (Sec. 5.4.1.)                             |  |
| Development prohibited                                 | Slopes > <del>30%</del> 25%                        |
| Areas of Unstable Soils (Sec. 5.4.2.)                  |  |
| Fault Areas (Sec. 5.4.3.)                              |  |
| Floodplains (Sec. 5.4.4.)                              |  |
| Wildland Urban Interface (Sec. 5.4.5.)                 |  |

| 10. Signs <span style="float: right;">(Div. 5.6.)</span> |  |
|--|--|
| <b>Allowable Signage</b>                                 |  |
| Nonresidential uses                                      |  |
| Freestanding Sign  | 1 per building or complex  |
| Wall Sign  | 1 per street frontage for each building or storefront                  |
| Monument or Entry Sign                                   | 1 per entrance other than street frontage                              |
| Residential uses   |  |
| Single-family and multi-family < 8 units                 | 1 unlighted wall sign  |
| Multi-family ≥ 8 units                                   | 1 freestanding or 1 wall sign  |
| Home occupation/business                                 | 1 unlighted wall sign  |
| <b>Sign Area (max)</b>                                   |  |
| Nonresidential   |  |
| Freestanding Sign  | 1 sf per linear ft of building facing the street not to exceed 40 sf   |
| Wall Sign  | 1 sf per 2 linear ft of building facing the street not to exceed 24 sf |
| Monument or Entry Sign                                   | 6 sf   |
| Residential  |  |
| Single-family and multi-family < 8 units                 | 3 sf   |
| Multi-family ≥ 8 units                                   | 6 sf   |
| Home occupation/business                                 | 2 sf   |

| Sign Height (max)   |               |
|---|---------------|
| Nonresidential  |               |
| Freestanding Sign   | 8'            |
| Monument or Entry   | 4'            |
| Residential   |               |
| Home occupation/business  | n/a           |
| <b>11. Grading, Erosion Control, Stormwater</b>                 |               |
| <b>Grading</b>  | (Sec. 5.7.2.) |
| <b>Erosion Control</b>  | (Sec. 5.7.3.) |
| Erosion shall be controlled at all times                        |               |
| <b>Stormwater Management</b>                                    | (Sec. 5.7.4.) |
| No increase in peak flow rate or velocity across property lines |               |

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

\* Not required for physical development associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B

### C. Use Standards

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

| 1. Allowed Uses                                    |          |             |                   | 2. Use Requirements   |  |
|--|----------|-------------|-------------------|---|--|
| Use  | Permit   | BSA (min)   | Density (max)     | Parking (min) (Div. 6.2.)   | 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  |
| <u>Attached Single-Family Unit (6.1.4.C., E.5)</u> | <u>C</u> | <u>0 sf</u> | <u>n/a</u>        | <u>2/DU + 0.5/DU if ≥ 3 units served by lot</u>                               | <u>n/a</u>   |
| <u>Apartment (6.1.4.D., E.5)</u>                   | <u>C</u> | <u>0 sf</u> | <u>n/a</u>        | <u>2/DU + 0.5/DU if ≥ 3 units served by lot</u>                               | <u>n/a</u>   |
| <u>Dormitory (6.1.4.F., E.5)</u>                   | <u>C</u> | <u>0 sf</u> | <u>n/a</u>        | <u>1/bed</u>  | <u>n/a</u>   |
| <u>Group Home (6.1.4.G., E.5)</u>                  | <u>C</u> | <u>0 sf</u> | <u>n/a</u>        | <u>0.5/bed</u>  | <u>n/a</u>   |
| Lodging  |          |             |                   |   |  |
| Campground ( <u>6.1.5.D.</u> )                     | C        | 0 sf        | 15 sites per acre | 1/campsite + 1/7.5 campsites  | 0.58/1,000 sf of commercial floor area + 1.75 per ac |
| Commercial   |          |             |                   |   |  |
| Office ( <u>6.1.6.B.</u> )                         | C        | 0 sf        | n/a               | 3.3/1,000 sf  | 0.05/1,000 sf  |
| Retail ( <u>6.1.6.C.</u> )                         | C        | 0 sf        | n/a               | 4.5/1,000 sf  | 0.56/1,000 sf  |
| Service ( <u>6.1.6.D.</u> )                        | C        | 0 sf        | n/a               | 3/1,000 sf  | 0.20/1,000 sf  |
| Restaurant/Bar ( <u>6.1.6.E.</u> )                 | C        | 0 sf        | n/a               | 1/55 sf dining area + 1/30 sf bar area  | 1.35/1,000 sf  |
| Heavy Retail/Service ( <u>6.1.6.F.</u> )           | C        | 0 sf        | n/a               | 2/1,000 sf + 3/repair bay + 1/wash bay  | 0.06/1,000 sf  |
| Mini-Storage Warehouse ( <u>6.1.6.G.</u> )         | C        | 0 sf        | n/a               | 1/10 storage units + 1/employee   | independent calculation                              |
| Nursery ( <u>6.1.6.H.</u> )                        | C        | 0 sf        | n/a               | 2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee | 0.37/1,000 sf + 1.51/ac                              |

Y=Use allowed, no 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.) |
| Amusement/Recreation                               |           |           |                |  |   |
| 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                           |
| 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               | 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.)                               | C         | 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 permit required B=Basic Use Permit (Sec. 8.4.1.) C=Conditional Use Permit (Sec. 8.4.2.)

| 3. Maximum Scale of Use                  |   |
|--|---|
| <b>Individual Use (floor area) (max)</b> |   |
| 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.<br>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  |
| 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 BC-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 BC-TC zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the BC-TC zone, however, all standards in Article 7. are applicable in the BC-TC zone, unless stated otherwise.

| 1. Allowed Subdivision and Development Options |                 |                |               |           |                                    |              |                  |
|--|-----------------|----------------|---------------|-----------|------------------------------------|--------------|------------------|
| Option   | Site Area (min) | Lot Size (min) | Density (max) | OSR (min) | FAR (max)                          | Height (max) | Option Standards |
| Allowed Subdivision Options                    |                 |                |               |           |                                    |              |                  |
| Land Division                                  | n/a             | 4 ac           | 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.)    |

| 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)               |

4. **Lodging.** A 20% expansion of existing lodging is permitted. Notwithstanding the FAR, new lodging or expansion exceeding 20% of existing lodging is prohibited.
5. Residential Use. Change of use to a conditional residential use shall meet the following standards.
  - a. Nonresidential use abandoned. Conditional residential use shall be the only use permitted on the BC site; all nonresidential use shall be abandoned.
  - b. Density/Intensity. The conditional residential use shall have an intensity less than the intensity of the existing non-residential use. the determination of the level of intensity shall include consideration of traffic generated (amounts and type), impact on access, parking demand, proposed level of activity, operational characteristics, and other potentially adverse impacts on neighboring lands.

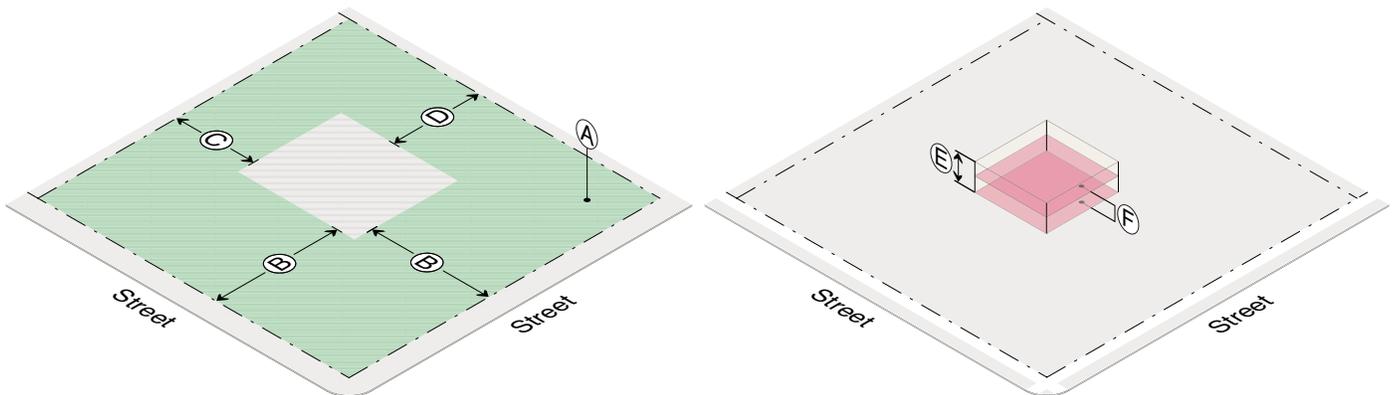
### 3.3.2. Mobile Home Park - County (MHP-TC) Zone [\(4/1/16\)](#)

#### A. Intent

The purpose of the Mobile Home Park - County (MHP-TC) Zone is to provide locations for mobile homes in a park-like setting and to provide for the continuation and redevelopment of existing mobile homes.

#### B. Physical Development

Standards applicable to physical development in the MHP-TC zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the MHP-TC zone. This Subsection is intended to indicate all of the physical development standards applicable in the MHP-TC zone, however, all standards in [Article 5](#), are applicable in the MHP-TC zone, unless stated otherwise.



| 1. Structure Location and Mass  |   |   |                    |                          |              |           |
|---------------------------------|---|---|--------------------|--------------------------|--------------|-----------|
|                                 | Ⓐ   | Ⓑ   | Ⓒ                  | Ⓓ                        | Ⓔ            | Ⓕ         |
|                                 | LSR (min)   | Street Setback (min)                                    | Side Setback (min) | Rear Setback (min)       | Height (max) | FAR (max) |
| Mobile home                     |   |   |                    |                          | 18'          |           |
| in an existing mobile home park |   |   |                    | see <a href="#">E.1.</a> |              |           |
| in a new mobile home park       |   | Standards established through Mobile Home Park approval |                    |                          |              |           |
| Other principal use             | .95   | 50'   | 30'                | 40'                      | 30'          | .007      |
| Accessory use                   | See standards for primary use with which associated |   |                    |                          |              |           |

| 4. Operational Standards               |                               |
|--|-------------------------------|
| Outside Storage                        | (Sec. 6.4.1.)                 |
| Refuse and Recycling                   | (Sec. 6.4.2.)                 |
| Trash and recycling enclosure required | >4 DUs and all nonresidential |
| Noise                                  | (Sec. 6.4.3.)                 |
| Max sound level at property line       | 55 DBA                        |
| Vibration                              | (Sec. 6.4.4.)                 |
| Electrical Disturbances                | (Sec. 6.4.5.)                 |
| Fire and Explosive Hazards             | (Sec. 6.4.6.)                 |
| Heat and Humidity                      | (Sec. 6.4.7.)                 |
| Radioactivity                          | (Sec. 6.4.8.)                 |

**D. Development Options**

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

| 1. Allowed Subdivision and Development Options |  |                                      |               |           |           |              |                  |
|--|--|--------------------------------------|---------------|-----------|-----------|--------------|------------------|
| Option   | BSA (min)                                  | Lot Size (min)                       | Density (max) | GSR (min) | FAR (max) | Height (max) | Option Standards |
| Allowed Subdivision Options                    | subdivision prohibited                     |                                      |               |           |           |              |                  |
| Allowed Development Options                    |  |                                      |               |           |           |              |                  |
| Mobile Home Park                               | n/a  | see <u>Sec. 7.1.4.</u> for standards |               |           |           | 18'          | (Sec. 7.1.4.)    |
| 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 |                                      |               |           |           |              |                  |

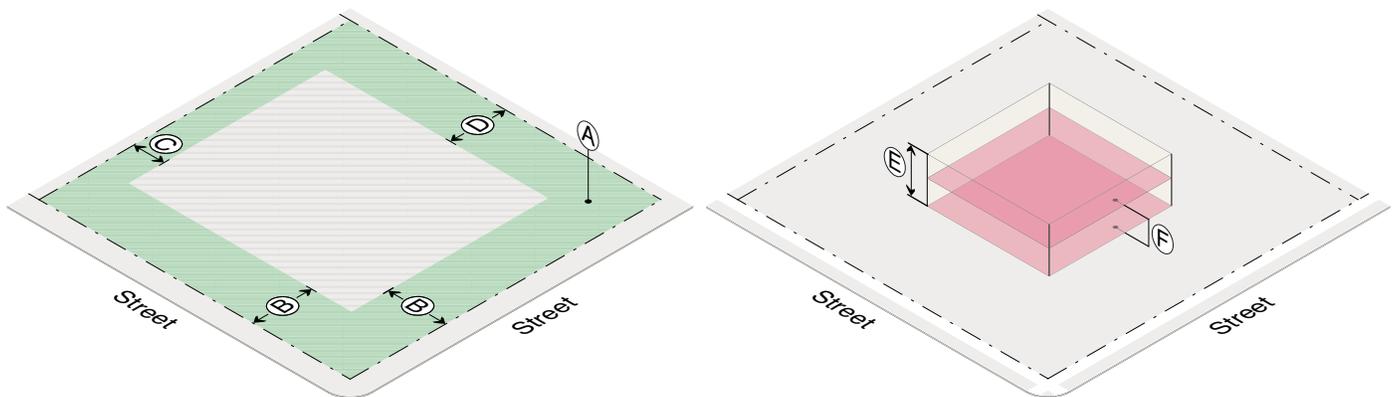
### 3.3.3. Neighborhood Conservation - County (NC-TC) Zone [\(4/1/16\)](#)

#### A. Intent

The purpose of the Neighborhood Conservation - County (NC-TC) zone is to recognize existing residential neighborhoods and subdivisions, and allow development to continue in a way that is consistent with the existing neighborhood character. The NC-TC zone shall not be applied to vacant land, except to allow for in-fill development; and shall not be permitted to expand beyond its original boundaries.

#### B. Physical Development

Standards applicable to physical development in the NC-TC zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NC-TC zone. This Subsection is intended to indicate all of the physical development standards applicable in the NC-TC zone, however, all standards in [Article 5.](#) are applicable in the NC-TC zone, unless stated otherwise.



| 1. Structure Location and Mass |   |                      |                    |                    |              |                          |
|--------------------------------|---|----------------------|--------------------|--------------------|--------------|--------------------------|
|                                | (A)   | (B)                  | (C)                | (D)                | (E)          | (F)                      |
|                                | LSR (min)   | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max)                |
| Detached single-family unit    |   |                      |                    |                    |              |                          |
| Lot of record < 3 acres        | see <a href="#">E.2.</a>                            | 25'                  | 10'                | 25'                | 30'          | see <a href="#">E.1.</a> |
| Lot of record ≥ 3 acres        | see <a href="#">E.2.</a>                            | 50'                  | 30'                | 40'                | 30'          | see <a href="#">E.1.</a> |
| Other principal use            | .95   | 50'                  | 30'                | 40'                | 40'          | .007                     |
| Accessory use                  | See standards for primary use with which associated |                      |                    |                    |              |                          |
| Temporary use                  | n/a   | 25'                  | 10'                | 25'                | 30'          | n/a                      |
| <b>Exceptions</b>              |   |                      |                    |                    |              |                          |

Projections. Architectural projections of buildings such as chimneys, eaves, outside stairways, covered balconies, uncovered decks, and uncovered porches may extend into a required setback by not more than 6 feet.

| 10. Signs <span style="float: right;">(Div. 5.6.)</span> |   |
|--|---|
| <b>Allowable Signage</b>                                 |   |
| Nonresidential uses                                      | 1 rustic freestanding or<br>1 wall sign                     |
| Residential uses   |   |
| Lot of record < 3 acres                                  | 1 unlighted wall sign                                       |
| Lot of record ≥ 3 acres                                  | 1 unlighted rustic freestanding<br>or 1 unlighted wall sign |
| Home occupation/business                                 | 1 unlighted wall sign                                       |
| <b>Sign Area (max)</b>                                   |   |
| Nonresidential   | 12 sf   |
| Residential  |   |
| Lot of record < 3 acres                                  | 3 sf  |
| Lot of record ≥ 3 acres                                  | 4 sf  |
| Home occupation/business                                 | 2 sf  |

| Sign Height (max)   |               |
|---|---------------|
| Nonresidential  | 6'            |
| Residential   | 4'            |
| Home occupation/business  | n/a           |
| 11. Grading, Erosion Control, Stormwater                        |               |
| <b>Grading</b>  | (Sec. 5.7.2.) |
| <b>Erosion Control</b>  | (Sec. 5.7.3.) |
| Erosion shall be controlled at all times                        |               |
| <b>Stormwater Management</b>                                    | (Sec. 5.7.4.) |
| No increase in peak flow rate or velocity across property lines |               |

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

**C. Use Standards**

Standards applicable to uses in the 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 (E.3.) ( <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.F.</u> ) | B                | 0 sf            | n/a            | 1/employee                                 | exempt  |
| <del>Helicopter Tree Removal (<u>6.1.12.G.</u>)</del>       | <del>B</del>     | <del>0 sf</del> | <del>n/a</del> | <del>n/a</del>                             | <del>exempt</del>                                 |

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

## D. Development Options

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

| 1. Allowed Subdivision and Development Options   |           |                |               |           |  |                  |                  |
|--|-----------|----------------|---------------|-----------|--|------------------|------------------|
| Option   | BSA (min) | Lot Size (min) | Density (max) | OSR (min) | FAR (max)                                  | Height (max)     | Option Standards |
| Allowed Subdivision Options  |           |                |               |           |  |                  |                  |
| Land Division  |           |                |               |           |  |                  | (E.4.)           |
| Hillside lands with slopes $\geq$ 10%  | n/a       | (E.5.)         | (E.5.)        | n/a       | determined by physical development         |                  | (E.5.)           |
| RA-20 Zone   | n/a       | 20 ac          | n/a           | n/a       | determined by physical development         |                  |                  |
| RA-10 Zone   | n/a       | 10 ac          | n/a           | n/a       | determined by physical development         |                  |                  |
| RA-7.5 Zone  | n/a       | 7.5 ac         | n/a           | n/a       | determined by physical development         |                  |                  |
| RA-6 Zone  | n/a       | 6 ac           | n/a           | n/a       | determined by physical development         |                  |                  |
| RA-6/3 (variable) Zone   |           |                |               |           |  |                  | (E.6.)           |
| Groundwater within 3'  | n/a       | 6 ac           | n/a           | n/a       | determined by physical development         |                  |                  |
| Groundwater deeper than 3'   | n/a       | 3 ac           | n/a           | n/a       | determined by physical development         |                  |                  |
| RA-5 Zone  | n/a       | 5 ac           | n/a           | n/a       | determined by physical development         |                  |                  |
| RA-3 Zone  | n/a       | 3 ac           | n/a           | n/a       | determined by physical development         |                  |                  |
| Exceptions   |           |                |               |           |  |                  |                  |
| Within the boundaries of the Teton Village Planned Resort the minimum lot size shall be as platted on May 9, 1994. |           |                |               |           |  |                  |                  |
| 2. Residential Subdivision Requirements  |           |                |               |           |  |                  |                  |
| Affordable 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 |                  |                  |

| Subdivision  | Multiplier         |
|--|--------------------|
| <del>Bar-B-Bar Meadows PUD<br/>(lots &lt; 10 ac)</del> | <del>1.05</del>    |
| <del>Crescent H Ranch PUD</del>                        | <del>1.4</del>     |
| <del>Eagle Southfork PUD</del>                         | <del>1.35</del>    |
| Ellen Creek  | 1.35               |
| <del>Forest Edge</del>                                 | <del>1.35</del>    |
| <del>Indian Springs Ranch<br/>(lots &lt; 10 ac)</del>  | <del>1.1</del>     |
| Jackson Hole Golf and Tennis Club                      | 1.15               |
| <del>Lake Creek Acres II</del>                         | <del>1.42</del>    |
| <del>Lake Creek Ranch</del>                            | <del>1.1</del>     |
| R-G  | 1.36               |
| <del>River Meadows 1st and 3rd Filings</del>           | <del>1.6</del>     |
| NC-TVSF  | 1.4                |
| <del>Block S Ranch</del>                               | <del>1.37</del>    |
| <del>Melody Ranch</del>                                | <del>see PUD</del> |
| Spring Creek Ranch                                     | see PUD            |
| Teton Pines<br>(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         |
|---|--------------------|
| <del>Bar-B-Bar Meadows PUD</del>              | <del>1.17</del>    |
| <del>Crescent H Ranch PUD</del>               | <del>1.17</del>    |
| <del>Eagle Southfork PUD</del>                | <del>1.39</del>    |
| Ellen Creek                                   | 1.23               |
| <del>Forest Edge</del>                        | <del>1.39</del>    |
| <del>Indian Springs Ranch Hillside Lots</del> | <del>1.23</del>    |
| Jackson Hole Golf and Tennis Club             | 1.17               |
| <del>Lake Creek Acres II</del>                | <del>1.34</del>    |
| <del>Lake Creek Ranch</del>                   | <del>1.19</del>    |
| <del>R-G</del>                                | <del>1.34</del>    |
| <del>River Meadows 1st and 3rd Filings</del>  | <del>1.5</del>     |
| NC-TVSF                                       | 1.44               |
| <del>Block S Ranch</del>                      | <del>1.40</del>    |
| <del>Melody Ranch</del>                       | <del>see PUD</del> |
| Spring Creek Ranch                            | see PUD            |
| Teton Pines<br>(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.

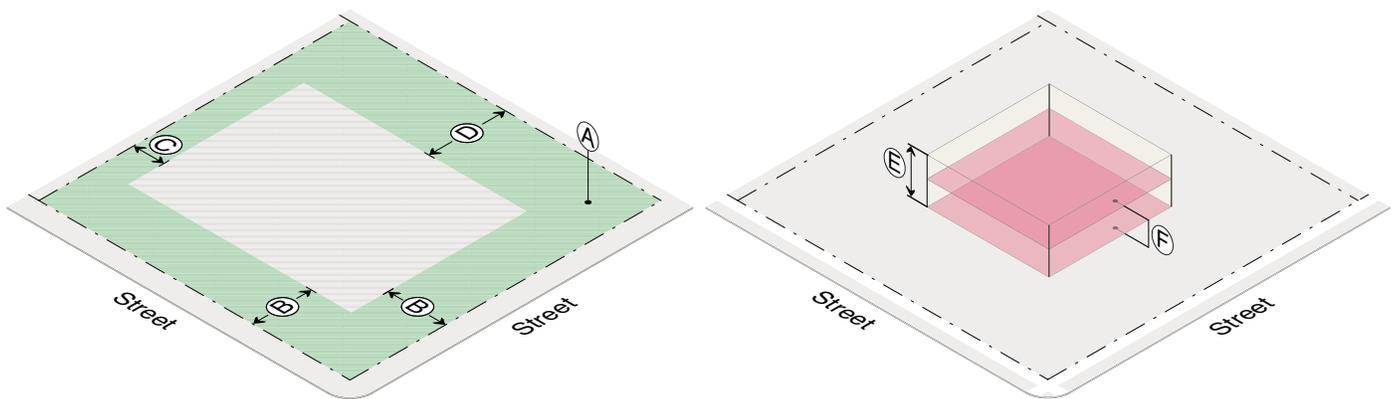
### 3.3.4. Suburban - County (S-TC) Zone (4/1/16)

#### A. Intent

The purpose of the Suburban - County (S-TC) zone is to provide for places with enough open space and sufficient lot size to provide a moderate predominance of landscape over buildings, where there is less human interaction than in the Urban Zones, where a stronger sense of privacy is maintained through building orientation and landscaping, and where shared open space is provided. The intent is to provide for low to moderate density residential development with a range of residential uses, and uses associated with residential uses.

#### B. Physical Development

Standards applicable to physical development 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 physical development standards applicable in the S-TC zone, however, all standards in [Article 5](#) are applicable in the S-TC zone, unless stated otherwise.



| 1. Structure Location and Mass |   |                      |                    |                    |              |           |
|--------------------------------|---|----------------------|--------------------|--------------------|--------------|-----------|
|                                | (A)   | (B)                  | (C)                | (D)                | (E)          | (F)       |
|                                | LSR (min)   | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max) |
| Agriculture                    | .95   | 25'                  | 15'                | 40'                | 40'          | .007      |
| Any Residential use            | .60   | 25'                  | 15'                | 40'                | 24'          | .35       |
| Other principal use            | .60   | 25'                  | 15'                | 40'                | 24'          | .30       |
| Accessory use                  | See standards for primary use with which associated |                      |                    |                    |              |           |
| Temporary use                  | n/a   | 25'                  | 15'                | 40'                | 24'          | n/a       |
| Individual lot within a PRD    | Standards established through PRD approval          |                      |                    |                    |              |           |

#### Exceptions

Front Yard Projections. Covered and uncovered decks, porches, and balconies may encroach into a front yard by not more than 6 feet.

Residential Side/Rear Yard Projections. Cornices, canopies, eaves, decks, porches, bay windows, chimneys, patios, and similar architectural features may encroach into a side or rear yard not more than 4 feet. Fire escapes may extend into a side or rear yard by not more than 4 feet.

| 2. Maximum Scale of Development  |                                  |
|--|----------------------------------|
| Individual Building (max gross FA)   |                                  |
| Part of single-family unit   | 10,000 sf                        |
| 3. Building Design   |                                  |
| Residential Building Materials   |                                  |
| External surfaces shall be non-reflective  |                                  |
| Colors shall blend into terrain using muted colors and earthy hues - additions matching existing colors are exempt |                                  |
| 4. Site Development  |                                  |
| Site Development Setbacks (min)  |                                  |
| Side/Rear  | 1/2 the structure setback        |
| Front  |                                  |
| 40% of lineal lot frontage   | 1/2 the structure setback        |
| 60% of lineal lot frontage   | structure setback                |
| Exemptions   |                                  |
| Driveways providing access across street yards; and shared parking and driveways                                   |                                  |
| 5. Landscaping (Div. 5.5.)   |                                  |
| Plant Units (min)  |                                  |
| Residential  | 1 per du                         |
| Nonresidential   | 1 per 1,000 sf of landscape area |
| Parking lot  |                                  |
| Residential  | 1 per 12 parking spaces          |
| All other uses   | 1 per 8 parking spaces           |
| 6. Fencing (Sec. 5.1.2.)   |                                  |
| Wildlife Friendly Fencing  |                                  |
| Special Purpose Fencing Height (max)   |                                  |
| In street yard   | 4'                               |
| In side or rear yard   | 6'                               |
| Special Purpose Fencing Setback  |                                  |
| Any yard   | 0'                               |

| 7. Environmental Standards                             |  |
|--|--|
| Natural Resource Buffers (min) (Sec. 5.1.1.)           |  |
| Rivers   | 150'   |
| Streams  | 50' or edge of riparian plant community up to 150' |
| Natural lakes or ponds                                 | 50' or edge of riparian plant community up to 150' |
| Wetland  | 30'  |
| Irrigation Ditch Setback (min) (7.7.4.D.)              |  |
| Irrigation ditch                                       | 15'  |
| Wild Animal Feeding (Sec. 5.1.3.)                      |  |
| Wild animal feeding prohibited                         |  |
| Natural Resource Overlay (NRO) Standards (Sec. 5.2.1.) |  |
| Bear Conflict Area Standards (Sec. 5.2.2.)             |  |
| Bear proof trash required in Conflict Priority Area 1  |  |
| 8. Scenic Standards                                    |  |
| Exterior Lighting (Sec. 5.3.1.)                        |  |
| Total cut off angle (max)                              | 90°  |
| Illumination in footcandles                            |  |
| Residential use  | 1.00   |
| Residential use in NRO                                 | 0.50   |
| Nonresidential use                                     | 1.50   |
| Height (max)   |  |
| Residential use  | 15'  |
| Nonresidential use                                     | 18'  |
| Scenic Resource Overlay (SRO) Standards (Sec. 5.3.2.)  |  |
| 9. Natural Hazards to Avoid                            |  |
| Steep Slopes (Sec. 5.4.1.)                             |  |
| Development prohibited                                 | Slopes > <del>30%</del> 25%                        |
| Areas of Unstable Soils (Sec. 5.4.2.)                  |  |
| Fault Areas (Sec. 5.4.3.)                              |  |
| Floodplains (Sec. 5.4.4.)                              |  |
| Wildland Urban Interface (Sec. 5.4.5.)                 |  |

| 10. Signs (Div. 5.6.)    |  |
|--------------------------|--|
| Allowable Signage        |  |
| Nonresidential uses      | 1 rustic freestanding or 1 wall sign                     |
| Residential uses         |  |
| Lot of record < 3 acres  | 1 unlighted wall sign                                    |
| Lot of record ≥ 3 acres  | 1 unlighted rustic freestanding or 1 unlighted wall sign |
| Home occupation/business | 1 unlighted wall sign                                    |
| Sign Area (max)          |  |
| Nonresidential           | 12 sf  |
| Residential              |  |
| Lot of record < 3 acres  | 3 sf   |
| Lot of record ≥ 3 acres  | 4 sf   |
| Home occupation/business | 2 sf   |

| Sign Height (max)   |               |
|---|---------------|
| Nonresidential  | 6'            |
| Residential   | 4'            |
| Home occupation/business  | n/a           |
| 11. Grading, Erosion Control, Stormwater                        |               |
| Grading   | (Sec. 5.7.2.) |
| Erosion Control   | (Sec. 5.7.3.) |
| Erosion shall be controlled at all times                        |               |
| Stormwater Management   | (Sec. 5.7.4.) |
| No increase in peak flow rate or velocity across property lines |               |

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

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. <u>Allowed Development and Subdivision Options</u>         |                |                                   |                                      |                                   |  |  |              |
|---|----------------|-----------------------------------|--------------------------------------|-----------------------------------|--|--|--------------|
| Option  | Lot Size (min) | <u>BSA (min)-Rural Area (min)</u> | <u>OSR (min) Conserv. Area (min)</u> | <u>Develop. Area (max)</u>        | Density (max)                          | <u>FAR-(max)+ Height-(max) Additional Floor Area (max)</u> | Strds.       |
| Subdivision Options   |                |                                   |                                      |                                   |  |  |              |
| Land Division   | 12,000 sf      | n/a                               | n/a                                  | <u>n/a</u>                        | n/a                                    | <u>deter- mined by- phys. de- velopment n/a</u>            | 7.2.3        |
| Condominium/ Townhouse  | n/a            | n/a                               | n/a                                  | <u>n/a</u>                        | n/a                                    | <u>deter- mined by- phys. de- velopment n/a</u>            | 7.2.4        |
| Development Options   |                |                                   |                                      |                                   |  |  |              |
| <u>Planned Residential Development (PRD)</u>                  |                |                                   |                                      |                                   |  |  | 7.1.2        |
| <u>Planned Residen- tial H</u>                                | <u>n/a</u>     | <u>80,000-sf</u>                  | <u>25%</u>                           |                                   | <u>3.64 du/ac</u>                      | <u>0.35+24'</u>  |              |
| <u>Planned Residen- tial H</u>                                | <u>n/a</u>     | <u>80,000-sf</u>                  | <u>35%</u>                           |                                   | <u>4.0 du/ac</u>                       | <u>0.35+24'</u>  |              |
| <u>CN-PRD*</u>  | <u>n/a</u>     | <u>JH: 105 ac Alta:70 ac</u>      | <u>90% of Rural GSA 70 ac</u>        | <u>=</u>                          | <u>=</u>                               | <u>n/a</u>   | <u>7.1.6</u> |
| <u>CN Development Area</u>                                    | <u>n/a</u>     | <u>=</u>                          | <u>=</u>                             | <u>1 ac per 19 ac conserved</u>   | <u>1 du per 4.375 4-ac con- served</u> | <u>n/a</u>   |              |
| <u>Reserved Rural Development Area</u>                        | <u>n/a</u>     | <u>=</u>                          | <u>=</u>                             | <u>3.5 ac per 35 ac conserved</u> | <u>1 du per 35 ac conserved</u>        | <u>n/a</u>   |              |
| <u>* (JH): East of the Tetons, (Alta): West of the Tetons</u> |                |                                   |                                      |                                   |  |  |              |

| 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                                    |  |
|--|--|
| <b>Transportation Facilities</b> (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   |
| <b>Required Utilities</b> (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                              |
| <del>Non-subdivision PRD</del>                         |  |                           |                                |                                       |                                |
| <del>0-4 units</del>                                   |  |                           |                                | X                                     |                                |
| <del>5-10 units</del>                                  |  |                           | X                              |                                       |                                |
| <del>&gt;10 units</del>                                |  | X                         | X                              |                                       |                                |
| CN-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.

- 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.

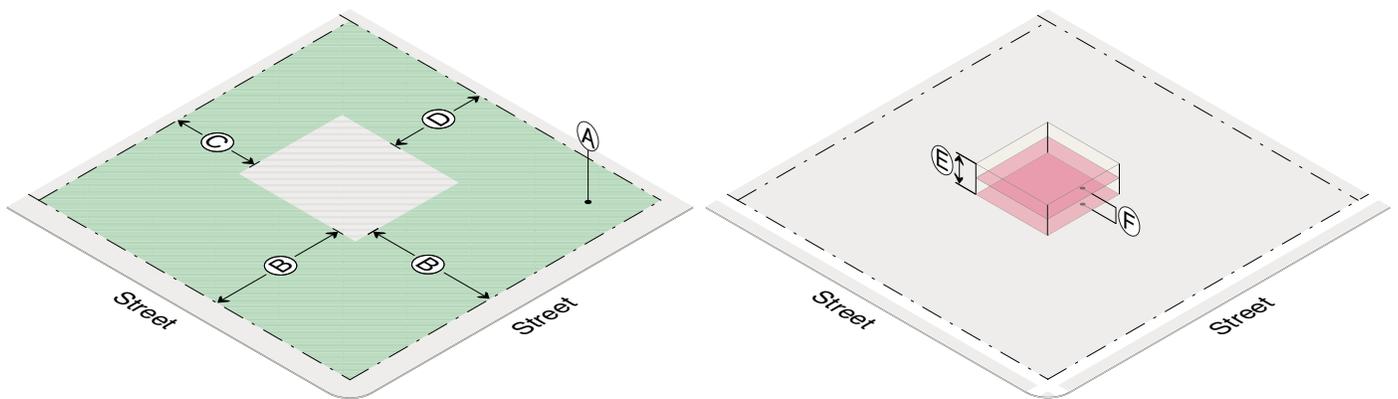
### 3.3.5. Rural - County (R-TC) Zone (4/1/16)

#### A. Intent

The purpose of the Rural - County (R-TC) Zone is to provide lands for the continuation of agriculture, as well as compatible related uses, and to preserve rural character by encouraging forms of development that protect large tracts of agricultural land and natural and scenic areas.

#### B. Physical Development

Standards applicable to physical development 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 physical development standards applicable in the R-TC zone, however, all standards in Article 5, are applicable in the R-TC zone, unless stated otherwise.



| 1. Structure Location and Mass |   |                      |                    |                    |              |             |
|--------------------------------|---|----------------------|--------------------|--------------------|--------------|-------------|
|                                | Ⓐ   | Ⓑ                    | Ⓒ                  | Ⓓ                  | Ⓔ            | Ⓕ           |
|                                | LSR (min)   | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max)   |
| Golf course                    | .90   | 50'                  | 30'                | 40'                | 35'          | .007        |
| Detached single-family unit    |   |                      |                    |                    |              |             |
| Lot of record < 1 ac           | <u>E.2.</u>   | 25'                  | 10'                | 25'                | 30'          | <u>E.1.</u> |
| Lot of record ≥ 1 ac           | <u>E.2.</u>   | 50'                  | 30'                | 40'                | 30'          | <u>E.1.</u> |
| Other principal use            | .95   | 50'                  | 30'                | 40'                | 35'          | .007        |
| Accessory use                  | See standards for primary use with which associated |                      |                    |                    |              |             |
| Temporary use                  | n/a   | 50'                  | 30'                | 40'                | 30'          | n/a         |
| Individual lot within a PRD    | Standards established through PRD approval          |                      |                    |                    |              |             |

#### Exceptions

Residential Side/Rear Yard Projections. Cornices, canopies, eaves, decks, porches, bay windows, chimneys, patios, and similar architectural features may encroach into a side or rear yard not more than 4 feet. Fire escapes may extend into a side or rear yard by not more than 4 feet.

FAR Exemption. The floor area of an accessory residential unit that is accessory to a nonresidential use shall be exempt from the FAR calculation for the site

| 2. Maximum Scale of Development  |                                    |
|--|------------------------------------|
| Individual Building (gross floor area, max)  |                                    |
| Part of single-family unit   | 10,000 sf                          |
| 3. Building Design   |                                    |
| Residential Building Materials   |                                    |
| External surfaces shall be non-reflective  |                                    |
| Colors shall blend into terrain using muted colors and earthy hues - additions matching existing colors are exempt |                                    |
| 4. Site Development  |                                    |
| Site Development Setbacks (min)  |                                    |
| Side/Rear  | 1/2 the structure setback          |
| Front  |                                    |
| 40% of lineal lot frontage   | 1/2 the structure setback          |
| 60% of lineal lot frontage   | structure setback                  |
| Exemptions   |                                    |
| Driveways providing access across a street yard; and shared parking and driveways                                  |                                    |
| 5. Landscaping (Div. 5.5.)   |                                    |
| Plant Units (min)  |                                    |
| Residential  | 1 per du                           |
| Nonresidential   | 1 per 1,000 sf of gross floor area |
| Parking lot  |                                    |
| Agriculture  | exempt                             |
| All other uses   | 1 per 8 parking spaces             |
| 6. Fencing (Sec. 5.1.2.)   |                                    |
| Wildlife Friendly Fencing  |                                    |
| Special Purpose Fencing Height (max)   |                                    |
| In street yard   | 4'                                 |
| In side or rear yard   | 6'                                 |
| Special Purpose Fencing Setback  |                                    |
| Any yard   | 0'                                 |

| 7. Environmental Standards                             |  |
|--|--|
| Natural Resource Buffers (min) (Sec. 5.1.1.)           |  |
| Rivers   | 150'   |
| Streams  | 50' or edge of riparian plant community up to 150' |
| Natural lakes or ponds                                 | 50' or edge of riparian plant community up to 150' |
| Wetland  | 30'  |
| Irrigation Ditch Setback (min) (7.7.4.D.)              |  |
| Irrigation ditch                                       | 15'  |
| Wild Animal Feeding (Sec. 5.1.3.)                      |  |
| Wild animal feeding prohibited                         |  |
| Natural Resource Overlay (NRO) Standards (Sec. 5.2.1.) |  |
| Bear Conflict Area Standards (Sec. 5.2.2.)             |  |
| Bear proof trash required in Conflict Priority Area 1  |  |
| 8. Scenic Standards                                    |  |
| Exterior Lighting (Sec. 5.3.1.)                        |  |
| Total cut off angle (max)                              | 90°  |
| Illumination in footcandles                            |  |
| Residential use  | 0.50   |
| Nonresidential use                                     | 1.00   |
| Height (max)   |  |
| Residential use  | 15'  |
| Nonresidential use                                     | 18'  |
| Scenic Resource Overlay (SRO) Standards (Sec. 5.3.2.)  |  |
| 9. Natural Hazards to Avoid                            |  |
| Steep Slopes (Sec. 5.4.1.)                             |  |
| Development prohibited                                 | Slopes > <del>30%</del> 25%                        |
| Areas of Unstable Soils (Sec. 5.4.2.)                  |  |
| Fault Areas (Sec. 5.4.3.)                              |  |
| Floodplains (Sec. 5.4.4.)                              |  |
| Wildland Urban Interface (Sec. 5.4.5.)                 |  |

| 10. Signs <span style="float: right;">(Div. 5.6.)</span> |   |
|--|---|
| <b>Allowable Signage</b>                                 |   |
| Nonresidential uses                                      | 1 rustic freestanding sign                                    |
| Residential uses   | 1 unlighted rustic freestanding sign or 1 unlighted wall sign |
| Home occupation/business                                 | 1 unlighted wall sign   |
| <b>Sign Area (max)</b>                                   |   |
| Nonresidential   | 16 sf   |
| Residential  | 4 sf identifying owner and/or name of property                |
| Home occupation/business                                 | 2 sf  |

| Sign Height (max)   |               |
|---|---------------|
| Nonresidential  | 10'           |
| Residential   | 4'            |
| Home occupation/business  | n/a           |
| <b>11. Grading, Erosion Control, Stormwater</b>                 |               |
| <b>Grading</b>  | (Sec. 5.7.2.) |
| <b>Erosion Control</b>  | (Sec. 5.7.3.) |
| Erosion shall be controlled at all times                        |               |
| <b>Stormwater Management</b>                                    | (Sec. 5.7.4.) |
| No increase in peak flow rate or velocity across property lines |               |

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

[\\* Not required for physical development associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B](#)

### C. Use Standards

Standards applicable to uses in the 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 ( <u>6.1.3.B.</u> )                 | Y            | 0 ac             | n/a               | n/a   | exempt   |
| Outdoor Recreation ( <u>6.1.7.C.</u> )          | C            | 35 ac            | n/a               | independent calculation   | independent calculation                              |
| <del>Downhill Ski Area (<u>6.1.3.C.</u>)</del>  | <del>E</del> | <del>35 ac</del> | <del>n/a</del>    | <del>1/7 carrying capacity + 1/2 employees</del>                              | <del>independent calculation</del>                   |
| <del>Golf Courses (<u>6.1.3.D.</u>)</del>       | <del>E</del> | <del>35 ac</del> | <del>n/a</del>    | <del>3/hole + as required for incidental uses</del>                           | <del>independent calculation</del>                   |
| Dude/Guest Ranch ( <u>6.1.3.E.</u> )            | C            | 35 ac            | <u>6.1.3.E.</u>   | 1/LU  | 0.82/guest   |
| Residential                                     |              |                  |                   |   |  |
| Detached Single-Family Unit ( <u>6.1.4.B.</u> ) | Y            | 0 ac             | 1 unit per lot    | 2/DU  | n/a  |
| Dormitory ( <u>E.3.</u> ) ( <u>6.1.4.F.</u> )   | C            | 35 ac            | 7 rooms per acre  | 1/bed   | n/a  |
| Group Home ( <u>E.3.</u> ) ( <u>6.1.4.G.</u> )  | C            | 35 ac            | 7 rooms per acre  | 0.5/bed   | n/a  |
| Lodging   |              |                  |                   |   |  |
| Campground ( <u>6.1.5.D.</u> )                  | 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 ( <u>6.1.6.H.</u> )                     | C            | 35 ac            | n/a               | 2/1,000 sf + 1/4,000 sf outdoor display area + 1/company vehicle + 1/employee | 0.37/1,000 sf + 1.51/ac                              |
| Amusement/Recreation                            |              |                  |                   |   |  |
| Outfitter/Tour Operator ( <u>6.1.7.E.</u> )     | C            | 35 ac            | n/a               | independent calculation   | independent calculation                              |
| <del>Balloon Operation (<u>6.1.7.F.</u>)</del>  | <del>E</del> | <del>35 ac</del> | <del>n/a</del>    | <del>independent calculation</del>  | <del>independent calculation</del>                   |
| Institutional                                   |              |                  |                   |   |  |
| Assembly ( <u>E.3.</u> ) ( <u>6.1.8.B.</u> )    | C            | 35 ac            | n/a               | independent calculation   | exempt   |
| Daycare/Education ( <u>6.1.8.C.</u> )           | C            | 35 ac            | n/a               | independent calculation   | exempt   |

Y=Use allowed, no 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 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 Development and Subdivision Options |                |                                |  |                            |                                 |   |        |
|--|----------------|--------------------------------|--|----------------------------|---------------------------------|---|--------|
| Option   | Lot Size (min) | BSA (min)-<br>Rural Area (min) | OSR (min)<br>Conserv. Area (min)           | Develop. Area (max)        | Density (max)                   | FAR- (max)+<br>Height- (max)<br>Additional Floor Area (max) | Strds. |
| Subdivision Options                            |                |                                |  |                            |                                 |   |        |
| Land Division                                  | 35 ac          | n/a                            | n/a  | n/a                        | n/a                             | deter-<br>mined-by-<br>phys. de-<br>velopment<br>n/a        | 7.2.3  |
| Development Options                            |                |                                |  |                            |                                 |   |        |
| Planned Residential Development (PRD)          |                |                                |  |                            |                                 |   | 7.1.2  |
| 1-per-35                                       | n/a            | 35 ac                          | 50%  |                            | .029 du/ac                      | determined-by-<br>phys. development                         |        |
| 2-per-35 east of Tetons                        | n/a            | 121 ac                         | 50%  |                            | .057 du/ac                      | determined-by-<br>phys. development                         |        |
| 2-per-35 west of Tetons                        | n/a            | 70 ac                          | 50%  |                            | .057 du/ac                      | determined-by-<br>phys. development                         |        |
| 3-per-35                                       | n/a            | 23-33 ac                       | 70%  |                            | .086 du/ac                      | determined-by-<br>phys. development                         |        |
| 6-per-35 east of Tetons                        | n/a            | 121 ac                         | 70%  |                            | .171 du/ac                      | determined-by-<br>phys. development                         |        |
| 6-per-35 west of Tetons                        | n/a            | 70 ac                          | 70%  |                            | .171 du/ac                      | determined-by-<br>phys. development                         |        |
| 9-per-35                                       | n/a            | 360 ac                         | 85%  |                            | .257 du/ac                      | determined-by-<br>phys. development                         |        |
| Floor Area Option                              | n/a            | 35 ac                          | 90% of Rural GSA See 7.1.5                 | n/a                        | 2 additional ARU per 35 ac      | 10,000 sf per 35 ac   | 7.1.5  |
| Rural PRD                                      | n/a            | n/a                            | Greater of:<br>70% of Rural GSA OR 4970 ac | 3+ ac per 72- ac conserved | 3 du per 35 ac                  | n/a   | 7.1.2  |
| CN-PRD*  | n/a            | JH: 105 ac<br>Alta: 70 ac      | 90% of Rural GSA 70 ac                     | =                          | =                               | n/a   | 7.1.6  |
| CN Development Area                            | n/a            | =                              | =  | 1 ac per 19 ac conserved   | 1 du per 4.375 4 ac con- served | n/a   |        |
| Reserved Rural Development Area                | n/a            | =                              | =  | 3.5 ac per 35 ac conserved | 1 du per 35 ac conserved        | n/a   |        |

\* (JH): East of the Tetons. (Alta): West of the Tetons

| 2. Residential Subdivision Requirements              |  |
|--|--|
| <b>Affordable Housing</b>                            | (Div. 7.4.)  |
| Required Affordable Housing                          | 25% of new units   |
| <b>Schools and Parks Exactions</b>                   | (Div. 7.5.)  |
| Development Exaction                                 | 0.03 acres of land per housing unit or lot   |
| 3. Infrastructure                                    |  |
| <b>Transportation Facilities</b>                     | (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   |
| <b>Required Utilities</b>                            | (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                              |
| <b>Non-subdivision PRD</b>                             |  |                           |                                |                                       |                                |
| <del>0-4 units</del>                                   |  |                           |                                | X                                     |                                |
| <del>5-10 units</del>                                  |  |                           | X                              |                                       |                                |
| <del>&gt;10 units</del>                                |  | 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.
  - 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 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         |
|--------------------------|--------------------|
| <del>3-Creek-Ranch</del> | <del>see FDP</del> |
| 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

|  |             |
|--|-------------|
| <b>Div. 4.1. All Special Purpose Zones</b> (1/1/15) .....                          | <b>4-2</b>  |
| <b>Div. 4.2. Civic Zones</b> .....   | <b>4-2</b>  |
| 4.2.1. Public/Semi-Public - County (P/SP-TC) Zone ( <a href="#">4/1/16</a> ) ..... | 4-3         |
| 4.2.2. Park and Open Space - County (P-TC) Zone ( <a href="#">4/1/16</a> ) .....   | 4-9         |
| <b>Div. 4.3. Planned Resort Zones</b> .....  | <b>4-14</b> |
| 4.3.1. All Planned Resort Zones ( <a href="#">4/1/16</a> ) .....                   | 4-14        |
| 4.3.2. Snow King (1/1/15) .....  | 4-30        |
| 4.3.3. Teton Village I (1/1/15) .....  | 4-31        |
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| <b>Div. 4.4. Planned Unit Development Zones</b> .....                              | <b>4-46</b> |
| 4.4.1. All PUD Zones ( <a href="#">4/1/16</a> ) .....                              | 4-46        |

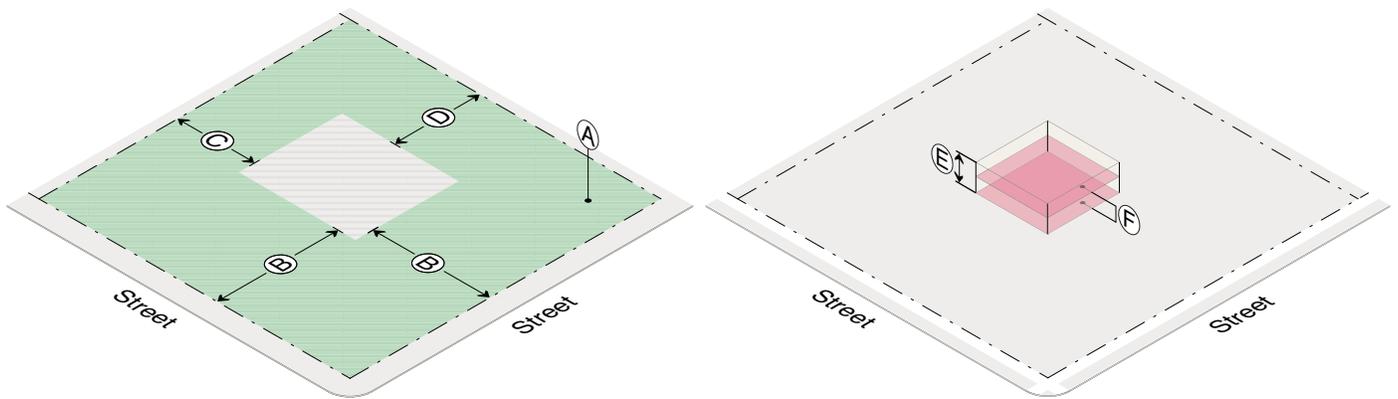
### 4.2.1. Public/Semi-Public - County (P/SP-TC) Zone [\(4/1/16\)](#)

#### A. Intent

The purpose of the Public/Semi-Public - County (P/SP-TC) zone is to provide locations for new and existing uses and facilities of a public or semi-public nature. Land in the P/SP-TC zone and/or facilities operated therein shall be under the control of federal, state, or local governments, or other governmental entities such as a school district or hospital district.

#### B. Physical Development

Standards applicable to physical development in the P/SP-TC zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the P/SP-TC zone. This Subsection is intended to indicate all of the physical development standards applicable in the P/SP-TC zone, however, all standards in [Article 5](#), are applicable in the P/SP-TC zone, unless stated otherwise.



| 1. Structure Location and Mass |           |                      |                    |                    |              |           |
|--------------------------------|-----------|----------------------|--------------------|--------------------|--------------|-----------|
|                                | (A)       | (B)                  | (C)                | (D)                | (E)          | (F)       |
|                                | LSR (min) | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max) |
| Allowed use                    | n/a       | n/a                  | n/a                | n/a                | n/a          | n/a       |

|   |  |
|---|--|
| <b>2. Maximum Scale of Development</b>                |  |
| not applicable  |  |
| <b>3. Building Design</b>                             |  |
| not applicable  |  |
| <b>4. Site Development</b>                            |  |
| not applicable  |  |
| <b>5. Landscaping</b>                                 | (Div. 5.5.)  |
| not applicable  |  |
| <b>6. Fencing</b>                                     |  |
| <b>Wildlife Friendly Fencing</b>                      | (Sec. 5.1.2.)                                      |
| <b>7. Environmental Standards</b>                     |  |
| <b>Natural Resource Buffers (min)</b>                 | (Sec. 5.1.1.)                                      |
| Rivers  | 150'   |
| Streams   | 50' or edge of riparian plant community up to 150' |
| Natural lakes or ponds                                | 50' or edge of riparian plant community up to 150' |
| Wetland   | 30'  |
| <b>Irrigation Ditch Setback (min)</b>                 | (7.7.4.D.)   |
| Irrigation ditch                                      | 15'  |
| <b>Wild Animal Feeding</b>                            | (Sec. 5.1.3.)                                      |
| Wild animal feeding prohibited                        |  |
| <b>Natural Resource Overlay (NRO) Standards</b>       | (Sec. 5.2.1.)                                      |
| <b>Bear Conflict Area Standards</b>                   | (Sec. 5.2.2.)                                      |
| Bear proof trash required in Conflict Priority Area 1 |  |
| <b>8. Scenic Standards</b>                            |  |
| <b>Exterior Lighting</b>                              | (Sec. 5.3.1.)                                      |
| Total cut off angle (max)                             | 90°  |
| Illumination in footcandles                           |  |
| Residential use                                       | 0.50   |
| Nonresidential use                                    | 1.50   |
| Nonresidential use in NRO                             | 1.00   |
| Height (max)  |  |
| Residential use                                       | 15'  |
| Nonresidential use                                    | 18'  |
| <b>Scenic Resource Overlay (SRO) Standards</b>        | (Sec. 5.3.2.)                                      |

|   |                             |
|---|-----------------------------|
| <b>9. Natural Hazards to Avoid</b>                              |                             |
| <b>Steep Slopes</b>   | (Sec. 5.4.1.)               |
| Development prohibited  | Slopes > <del>30%</del> 25% |
| <b>Areas of Unstable Soils</b>                                  | (Sec. 5.4.2.)               |
| <b>Fault Areas</b>  | (Sec. 5.4.3.)               |
| <b>Floodplains</b>  | (Sec. 5.4.4.)               |
| <b>Wildland Urban Interface</b>                                 | (Sec. 5.4.5.)               |
| <b>10. Signs</b>  |                             |
| (Div. 5.6.)   |                             |
| not applicable  |                             |
| <b>11. Grading, Erosion Control, Stormwater</b>                 |                             |
| <b>Grading</b>  | (Sec. 5.7.2.)               |
| <b>Erosion Control</b>  | (Sec. 5.7.3.)               |
| Erosion shall be controlled at all times                        |                             |
| <b>Stormwater Management</b>                                    | (Sec. 5.7.4.)               |
| No increase in peak flow rate or velocity across property lines |                             |

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

\* Not required for physical development associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B

### C. Use Standards

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

| 1. Allowed Uses                   |        |           |               | 2. Use Requirements                      |   |
|-----------------------------------|--------|-----------|---------------|--|---|
| Use                               | Permit | BSA (min) | Density (max) | Parking (min) (Div. 6.2.)                | 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.)           | E      | 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  |
| Mini-Storage Warehouse (6.1.6.G.) | C      | 0 sf      | n/a           | 1/10 storage units + 1/employee          | exempt  |

Y=Use allowed, no 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.) |
| 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.)                               | C         | 0 sf      | n/a           | 7/daily aircraft movement                    | exempt  |
| Airport (6.1.10.F.)                                | C         | 0 sf      | n/a           | 7/daily aircraft movement                    | exempt  |
| Landing Strip (6.1.10.G.)                          | C         | 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  |
| Temp. Gravel Extraction and Processing (6.1.12.F.) | B         | 0 sf      | n/a           | 1/employee                                   | exempt  |

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

|  |                               |
|--|-------------------------------|
| <b>3. Maximum Scale of Use</b>         |                               |
| not applicable                         |                               |
| <b>4. Operational Standards</b>        |                               |
| Outside Storage                        | (Sec. 6.4.1.)                 |
| Refuse and Recycling                   | (Sec. 6.4.2.)                 |
| Trash and recycling enclosure required | >4 DUs and all nonresidential |
| Noise                                  | (Sec. 6.4.3.)                 |
| Max sound level at property line       | 65 DBA                        |
| Vibration                              | (Sec. 6.4.4.)                 |
| Electrical Disturbances                | (Sec. 6.4.5.)                 |
| Fire and Explosive Hazards             | (Sec. 6.4.6.)                 |
| Heat and Humidity                      | (Sec. 6.4.7.)                 |
| Radioactivity                          | (Sec. 6.4.8.)                 |

**D. Development Options**

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

| <b>1. Allowed Subdivision and Development Options</b> |           |                |               |           |  |                  |                  |
|---|-----------|----------------|---------------|-----------|--|------------------|------------------|
| 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.)    |
| <b>2. Residential Subdivision Requirements</b>        |           |                |               |           |  |                  |                  |
| <b>Affordable Housing</b>                             |           |                |               |           |  |                  | (Div. 7.4.)      |
| Required Affordable Housing                           |           |                |               |           |  | 25% of new units |                  |
| <b>Schools and Parks Exactions</b>                    |           |                |               |           |  |                  | (Div. 7.5.)      |
| Development Exaction                                  |           |                |               |           | 0.03 acres of land per housing unit or lot |                  |                  |

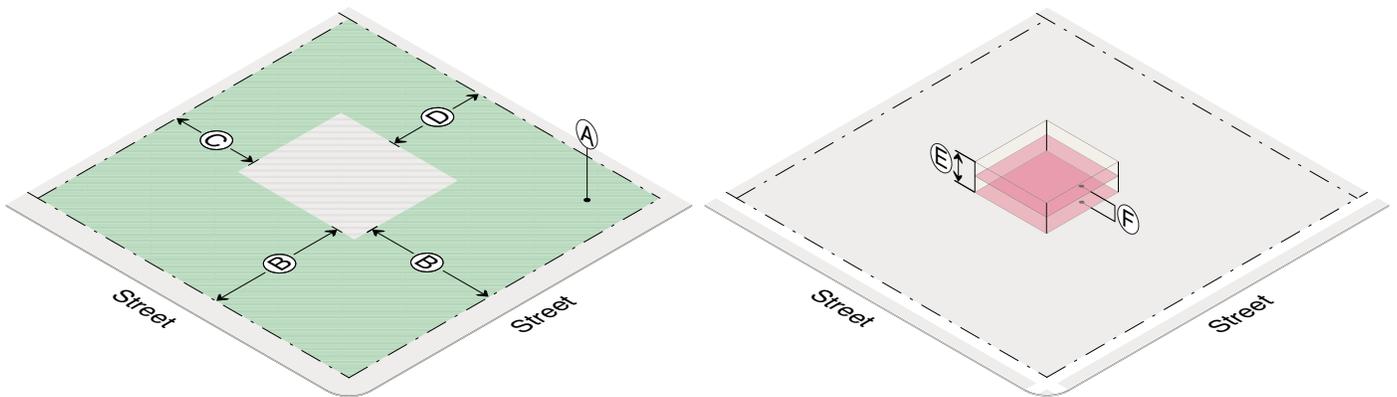
### 4.2.2. Park and Open Space - County (P-TC) Zone (4/1/16)

#### A. Intent

The purpose of the Park and Open Space - County (P-TC) zone is to designate land which is owned by the County, State or Federal agencies, special districts, or private not-for-profit corporations (as recognized under Section 501(c)(3) of the Internal Revenue Code), and whose primary purpose is to provide public recreational opportunities for residents, tourists and visitors. The P-TC zone provides for active recreational facilities or open space opportunities in these areas.

#### B. Physical Development

Standards applicable to physical development 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 physical development standards applicable in the P-TC zone, however, all standards in Article 5. are applicable in the P-TC zone, unless stated otherwise.



| 1. Structure Location and Mass |           |                      |                    |                    |              |           |
|--------------------------------|-----------|----------------------|--------------------|--------------------|--------------|-----------|
|                                | (A)       | (B)                  | (C)                | (D)                | (E)          | (F)       |
|                                | LSR (min) | Street Setback (min) | Side Setback (min) | Rear Setback (min) | Height (max) | FAR (max) |
| Accessory residential unit     | n/a       | 50'                  | 30'                | 40'                | 30'          | n/a       |
| Other use                      | n/a       | n/a                  | n/a                | n/a                | n/a          | n/a       |

|  |  |
|--|--|
| <b>2. Maximum Scale of Development</b>   |  |
| not applicable   |  |
| <b>3. Building Design</b>  |  |
| <b>Residential Building Materials</b>  |  |
| External surfaces shall be nonreflective   |  |
| Colors shall blend into terrain using muted colors and earthy hues - additions matching existing colors are exempt |  |
| <b>4. Site Development</b>   |  |
| not applicable   |  |
| <b>5. Landscaping</b> (Div. 5.5.)  |  |
| not applicable   |  |
| <b>6. Fencing</b>  |  |
| <b>Wildlife Friendly Fencing</b> (Sec. 5.1.2.)   |  |
| <b>7. Environmental Standards</b>  |  |
| <b>Natural Resource Buffers (min)</b> (Sec. 5.1.1.)  |  |
| Rivers   | 150'   |
| Streams  | 50' or edge of riparian plant community up to 150' |
| Natural lakes or ponds   | 50' or edge of riparian plant community up to 150' |
| Wetland  | 30'  |
| <b>Irrigation Ditch Setback (min)</b> (7.7.4.D.)   |  |
| Irrigation ditch   | 15'  |
| <b>Wild Animal Feeding</b> (Sec. 5.1.3.)   |  |
| Wild animal feeding prohibited   |  |
| <b>Natural Resource Overlay (NRO) Standards</b> (Sec. 5.2.1.)  |  |
| <b>Bear Conflict Area Standards</b> (Sec. 5.2.2.)  |  |
| Bear proof trash required in Conflict Priority Area 1  |  |

|   |                             |
|---|-----------------------------|
| <b>8. Scenic Standards</b>                                      |                             |
| <b>Exterior Lighting</b> (Sec. 5.3.1.)                          |                             |
| Total cut off angle (max)                                       | 90°                         |
| Illumination in footcandles                                     |                             |
| Residential use   | 0.50                        |
| Nonresidential use  | 1.50                        |
| Nonresidential use in NRO                                       | 1.00                        |
| Height (max)  |                             |
| Residential use   | 15'                         |
| Nonresidential use  | 18'                         |
| <b>Scenic Resource Overlay (SRO) Standards</b> (Sec. 5.3.2.)    |                             |
| <b>9. Natural Hazards to Avoid</b>                              |                             |
| <b>Steep Slopes</b> (Sec. 5.4.1.)                               |                             |
| Development prohibited  | Slopes > <del>30%</del> 25% |
| <b>Areas of Unstable Soils</b> (Sec. 5.4.2.)                    |                             |
| <b>Fault Areas</b> (Sec. 5.4.3.)                                |                             |
| <b>Floodplains</b> (Sec. 5.4.4.)                                |                             |
| <b>Wildland Urban Interface</b> (Sec. 5.4.5.)                   |                             |
| <b>10. Signs</b> (Div. 5.6.)                                    |                             |
| not applicable  |                             |
| <b>11. Grading, Erosion Control, Stormwater</b>                 |                             |
| <b>Grading</b> (Sec. 5.7.2.)                                    |                             |
| <b>Erosion Control</b> (Sec. 5.7.3.)                            |                             |
| Erosion shall be controlled at all times                        |                             |
| <b>Stormwater Management</b> (Sec. 5.7.4.)                      |                             |
| No increase in peak flow rate or velocity across property lines |                             |

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

\* Not required for physical development associated with an agricultural use meeting the standards for exemption outlined in Section 6.1.3.B

### C. Use Standards

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

| 1. Allowed Uses                               |           |           |                | 2. Use Requirements                      |   |
|---|-----------|-----------|----------------|--|---|
| Use   | Permit    | BSA (min) | Density (max)  | Parking (min) (Div. 6.2.)                | 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 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 permit required B=Basic Use Permit (Sec. 8.4.1.) C=Conditional Use Permit (Sec. 8.4.2.)

| 3. Maximum Scale of Use                  |                               |
|--|-------------------------------|
| <b>Individual Use (floor area) (max)</b> |                               |
| 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.)    |

## Div. 4.3. Planned Resort Zones

The Planned Resort Zones provide for and guide the creation or continuation of planned development configured around a major recreational activity.

### 4.3.1. All Planned Resort Zones [\(4/1/16\)](#)

#### A. Purpose and Intent

The purpose of the Planned Resort Zone is to provide for a mix of recreational, retail, and service-oriented activities which has a high degree of self-containment and provides economic and other benefits to the community. The Planned Resort Zone is intended to guide the creation or continuation of a planned development configured around a major recreational activity. The intent of this development type is to:

1. Encourage recreational activities that rely on indigenous natural attributes of the area, contribute to the community's character and economy and have a long-standing, beneficial role in the community; and
2. Provide flexibility for planning and developing recreational resort facilities in a creative, efficient and coordinated manner in order to provide quality visitor experiences; and
3. Create a process in which Teton County and the Town of Jackson collaborate with landowners in planning and designing resort master plans that meet community goals and respond to the unique circumstances of the resort area; and
4. Permit resort development that contributes to expanding the winter and shoulder economic seasons; and
5. Ensure that resort plans incorporate a mix of land uses, promote alternative modes of transportation, and provide a pedestrian-oriented community in order to alleviate traffic-related impacts; and
6. Ensure resort plans are consistent with the Comprehensive Plan, and therefore, are beneficial to the community; and
7. Enable long-range planning for infrastructure, capital facilities, and community land use patterns by establishing a level of predictability in the maximum potential size and character of each resort area; and
8. Ensure a balance is maintained between tourism and community that promotes social diversity but does not cause undesired shifts away from rural, western community character; and
9. Produce resort plans that make significant contributions toward protecting attributes of the community that are considered critical to the community's long-term health, welfare, and well being.

- 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.

### I. Environmental or Visual Analysis

If land within Teton Village Area 2 is within the Scenic Resources Overlay, an EA with a visual component or a Visual Resources Analysis dealing with maintenance of the scenic corridor shall be required, pursuant to the standards in Sec. 5.3.2.

### J. Relationship to Grand Teton National Park

Programs and facilities shall be established that encourage non-motorized access into GTNP, in conjunction with National Park Service planning efforts and goals.

### K. Administration

The Owners Associations set up through the adoption and recordation of Covenants, Conditions and Restrictions shall administer the Planned Resort area. Services shall be administered by the Teton Village Improvement and Service District and other similar public service entities as designated by the approved Area 2 Resort Master Plan.

## 4.3.5. Jackson Hole Golf and Tennis Club (4/1/16)

### A. Area Description

The Jackson Hole Golf and Tennis Club Planned Resort Zone consists of those lands designated PR-GT on the Official Zoning Map.

### B. Master Plan

Golf and Tennis is governed by the Planned Unit Development-Planned Resort Master Plan, titled "2002 Amendment to the 1998 Jackson Hole Golf and Tennis Club Planned Unit Development District for Planned Resort Master Plan." Throughout this Section, the master plan shall be referred to as Golf and Tennis Resort Master Plan.

### C. Character and Design

The vision of the Jackson Hole Golf and Tennis Club is for a suburban, residential character resort development. Important characteristics are:

1. residential buildings are low and relatively small in scale;
2. residential buildings have a similar scale and character to integrate with the surrounding residential development;
3. commercial buildings will be designed to integrate well with the surrounding neighborhood and will be modest in size relative to their proposed uses;
4. clustering techniques are utilized to further reduce the density and visibility of the cabin units from existing residences;
5. incorporate land planning and landscape techniques that help screen the public's view of the cabins;

3. **Dimensional Limitation Plan.** The dimensional limitation plan is intended to control the physical characteristics of the proposed development is a follows:

| Development Type                 | <del>OSR/</del><br>LSR (1)<br>(min) | FAR (2)<br>(max) | APO's<br>(3)<br>(max) | Meeting<br>Space<br>(max) | Lot Size<br>(min) | Height<br>(max) | Street<br>Yard<br>(min) | Side<br>Yard<br>(min) | Rear<br>Yard<br>(min) |
|----------------------------------|-------------------------------------|------------------|-----------------------|---------------------------|-------------------|-----------------|-------------------------|-----------------------|-----------------------|
| Resort Lodging                   |                                     |                  |                       |                           |                   |                 |                         |                       |                       |
| Clubhouse                        | n/a                                 | n/a              | n/a                   | 4000 sf                   | n/a               | 34 ft. (6)      | n/a                     | n/a                   | n/a                   |
| Cabins (4)                       | n/a                                 | n/a              | 240                   | n/a                       | n/a               | 24 ft.          | 20 ft.                  | 10 ft.                | 10 ft.                |
| Residential Lots                 |                                     |                  |                       |                           |                   |                 |                         |                       |                       |
| Employee and Affordable Housing  | 0.25                                | n/a              | n/a                   | n/a                       | n/a               | 24 ft.          |                         | (5)                   |                       |
| Single-Family (Market) Lots      | 0.59                                | 0.14             | n/a                   | n/a                       | 0.80 ac           | 18 ft.          | 25 ft.                  | 20 ft.                | 25 ft.                |
| Additional Uses                  |                                     |                  |                       |                           |                   |                 |                         |                       |                       |
| Utility and Wastewater Treatment | 0.40                                | n/a              | n/a                   | n/a                       | n/a               | 18 ft.          |                         |                       |                       |
| Maintenance/Admin. Building      | 0.25                                | n/a              | n/a                   | n/a                       | n/a               | 24 ft.          |                         | (5)                   |                       |
| Exaction                         |                                     |                  |                       |                           |                   |                 |                         | (5)                   |                       |

- (1) Min. ~~OSR/~~LSR or ~~Open Space Ratio/~~Landscape Surface Area Ratio reflects the required ~~open space or~~ landscaped area for each lot, and is calculated by multiplying the ratio by the base site area of the lot.
- (2) Max. FAR or Floor Area Ratio is calculated by dividing the sum of the gross floor areas of all buildings, excluding basements, by the base site area of the lot.
- (3) APO determines the capacity for guest accommodations and pertains only to short-term rental of these units. It is the average number of people housed in short-term rentals at peak occupancy.
- (4) Yard setbacks to apply only to the perimeter of each cabin cluster.
- (5) To be determined at Final Development Plan Approval for each of these development types.
- (6) The clubhouse height limitation is 34' measured per Teton County LDRs EXCEPT for those portions of the lower level of the building that will daylight because of a walk out design; said portions of the building shall not exceed 25% of the total building foundation perimeter.

**E. Landscape Surface Area**

The minimum landscape surface area provided within the Planned Resort shall be 50%, exclusive of the platted residential lands that existed upon enactment of this Section (the Jackson Hole Golf and Tennis Club Estates 1st, 2nd and 3rd filings.) Notwithstanding, the Board of County Commissioners may reduce the minimum landscape surface area to no less than 40% upon demonstration by the applicant that the following objectives are achieved with a reduced landscape surface area:

1. the landscape surface area enhances a suburban character, residential scale and sense of spaciousness within the Planned Resort, such that the space is not shaped by buildings;
2. the landscape surface area creates attractive garden-like pedestrian ways throughout the resort; and
3. the landscape surface area integrates the Planned Resort with the adjoining residential neighborhoods.

**F. Environmental or Visual Analysis**

An EA shall be performed that specifies any action necessary to mitigate impacts to wildlife, especially along the Gros Ventre River corridor, and wetlands. Notwithstanding the resort area being outside the SRO, a visual component shall be included in the EA or a Visual Resources Analysis prepared, which specifies necessary action to mitigate negative visual impacts of new development from Spring Gulch Road and surrounding residential developments. The visual component shall be prepared pursuant to the procedures and standards in Sec. 5.3.2.

**G. Golf Course**

The Golf Course shall remain intact as a recreational facility open to the public.

**4.3.6. Snake River Canyon Ranch (4/1/16)****A. Area Description**

The Snake River Canyon Ranch Planned Resort Zone consists of those lands designated PR-SR on the Official Zoning Map.

**B. Master Plan**

The Snake River Canyon Ranch Planned Resort Zone is governed by the Planned Unit Development—Planned Resort Master Plan titled, “Snake River Canyon Ranch Planned Unit Development for Planned Resort.” Throughout this Section, the master plan shall be referred to as Snake River Canyon Ranch Resort Master Plan.

**C. Character**

The character objectives for Snake River Canyon Ranch are that it shall have a western character reminiscent of the great mountain lodges of the west, but of smaller scale, and:

- b. the recreation and preserved area protects and highlights the natural features, wildlife habitat, and environmentally sensitive areas on, and adjacent to, the property.

2. **Definitions.** The recreation and preserved area definition has 2 parts, as follows:

- a. **Recreation Area.** Recreation area shall meet the definition of landscape surface area. Recreation area shall apply to any lands included to meet the recreation and preserved area amount required by this Subsection that are located north and west of the Hoback Junction South Road.
- b. **Preserved Area.** Preserved area shall meet the definition of ~~required open-space conservation area~~. Notwithstanding, ~~an open-space-a conservation~~ easement shall not be required to preserve these lands. Preserved area shall apply to any lands included to meet the recreation and preserved area amount required by this Subsection that are located south and east of the Hoback Junction South Road.

#### F. Environmental and Visual Analysis

An EA shall be provided pursuant to Sec. 8.2.2., and a Visual Resources Analysis pursuant to Sec. 5.3.2. The EA and VRA shall specify any action necessary to mitigate negative visual impacts of new development from Highway 26/191.

#### G. Procedures

If a submitted Physical Development or Use Permit application is consistent with the approved sketch plan, a public hearing will not be required prior to review or approval of the physical development or use. The Teton County Planning Director shall have the authority to approve the physical development or use if the plan is consistent with the approved sketch plan and with all provisions of the Teton County LDRs and the Snake River Canyon Ranch Resort Master Plan.

### 4.3.7. Grand Targhee (1/1/15)

#### A. Area Description

The Grand Targhee Planned Resort Zone consists of those lands designated PR-TG on the Official Zoning Map. The following areas, as depicted on the “Land Use Districts” map within the Grand Targhee Resort Master Plan, comprise the Grand Targhee Planned Resort Zone:

- 1. **Resort Center Plan Area.** The Resort Center Plan Area includes retail, food and beverage uses, resort services and amenities, support and services, and residential and accommodation units. There will be parking spaces for day guests and below grade parking garages associated with accommodation buildings. The Resort Center Plan Area is comprised of 36 acres.

## Div. 4.4. Planned Unit Development Zones

### 4.4.1. All PUD Zones [\(4/1/16\)](#)

#### A. Purpose

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

#### B. Applicability

The standards of this Section apply to:

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

#### C. Content of a PUD

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

1. a surveyed map of the area to which the PUD applies;
2. a master plan that establishes the general configuration and relationship of the principal elements of the proposed development, including uses, general building types, density/intensity, resource protection, pedestrian and vehicular circulation, open space, public facilities, and phasing; and
3. a certificate of standards document specifying terms and conditions defining development parameters, providing for environmental mitigation, and outlining how public facilities will be provided to serve the PUD.

#### D. Development of a PUD

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

**E. Establishment of a New PUD**

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

**F. Amendment of an Existing PUD or Other Special Project**

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

**G. PUD Option Schedule**

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

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

No PUD options are allowed in the County

| <u>County Legacy Zones - PUD Options</u> |       |    |       |       |                         |        |       |      |      |                    |      |
|--|-------|----|-------|-------|-------------------------|--------|-------|------|------|--------------------|------|
| <u>Complete Neighborhood Zones</u>       |       |    |       |       | <u>Rural Area Zones</u> |        |       |      |      | <u>Civic Zones</u> |      |
| 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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# Article 5. Physical Development Standards Applicable in All Zones

|  |             |
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## Div. 5.1. General Environmental Standards

The purpose of this Division is to maintain healthy populations of native species and preserve and enhance water and air quality. Wildlife and natural resources are an essential component of the character of the community.

### 5.1.1. Waterbody and Wetland Buffers (4/1/16)

#### A. Purpose

This Section establishes the protection standards for waterbodies and wetlands. In order to protect the community as a whole from potential negative impacts caused by physical development and use that may affect these resources or their functions, this Section prohibits physical development and use on and within a certain distance of these resources.

#### B. Findings

Waterbodies and wetlands provide critical functions in controlling flood waters, providing wildlife habitat, cleansing the water resources, and contributing to the special scenic quality of Teton County.

#### C. Resource Definitions

1. **Waterbodies.** Waterbodies are natural features (i.e., rivers, streams, lakes) that convey or contain surface water.
  - a. **River.** River means the Snake River, the Gros Ventre River, the Hoback River, or the Buffalo River.
  - b. **Stream.** Stream means a body of running water that is neither one of the identified rivers nor an irrigation ditch, and has one or more of the following characteristics:
    - i. **Flow Level.** Has an average annual flow of 3 cfs. or greater including return water from subirrigation practices.
    - ii. **Habitat.** Provides a winter habitat for trumpeter swans or serves as a cutthroat trout spawning area.
  - c. **Natural Lake/Pond.** A natural lake/pond means a body of standing water, usually at least 6 feet deep, which was created by natural processes.
  - d. **Riparian Plant Community.** Riparian plant communities associated with watercourses shall be delineated using Youngblood, A.P., Padgett, W.G. and Winward, A.K., "Riparian Community Type Classification of Eastern Idaho-Western Wyoming," USDA Forest Service, Intermtn. Reg., R4-Ecol-85-01, Ogden, UT, 1985, and the U.S. Department of Interior Fish and Wildlife Service publication: "National List of Plant Species that Occur in Wetlands: Northwest (Region 9)," Biol. Rept. 88 (26.9), May 1988.

- 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 ([4/1/16](#))

### 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.

3. **Height in yards.** Special purpose fencing located in a street yard shall not exceed 4 feet in height. Special purpose fencing located in a side or rear yard shall not exceed 6 feet in height.
4. **Setback.** Special purpose fencing is not subject to a setback from property lines.

### 5.1.3. Wild Animal Feeding (4/1/16)

#### A. Findings

The feeding of those animals listed below by humans creates one or more of the following risks:

1. Attracts ungulates to residential areas, which poses a significant threat to human safety and domestic pets;
2. Attracts large predators to residential areas, which poses a significant threat to human life or domestic pets;
3. Promotes unnaturally high concentrations of animals, which in turn:
  - a. Increase the potential for disease transmission,
  - b. Promote overuse of certain habitats,
  - c. Disrupt natural animal migration;
4. Promotes unnatural wildlife behavior, which can result in nuisance animals, which have to be relocated or destroyed, often at public expense, when they frequent residential areas or otherwise come into harmful or threatening contact with humans; and
5. Detracts from the wild spirit of the animals.

#### B. Intent

The intent of this Section is to protect and promote the public health, safety and welfare by:

1. Reducing the attraction of ungulates to residential areas, and thereby lessening the significant threat to human safety and domestic pets;
2. Reducing the attraction of large predators to residential areas, and thereby lessening the significant threat to human life and domestic pets;
3. Reducing unnaturally high concentrations of animals, thereby reducing the potential for disease transmission, the overuse of certain habitats, the disruption of natural animal migration, and the domestication of wild animals;
4. Discouraging unnatural wildlife behavior, thereby reducing the number of nuisance animals that have to be relocated or destroyed when they frequent residential areas or otherwise come into harmful or threatening contact with humans; and

5.1.4. Air Quality (1/1/15)

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

## Div. 5.2. Environmental Standards Applicable in Specific Areas

The purpose of this Division is to maintain healthy populations of native species by protecting crucial habitats and avoiding bear conflicts. Wildlife and natural resources are an essential component of the character of the community.

### 5.2.1. Natural Resources Overlay (NRO) Standards [\(4/1/16\)](#)

#### A. Purpose of the NRO

The purpose of the Natural Resources Overlay (NRO) is to provide protection to the most important and sensitive natural areas throughout the Town and County that provide critical winter habitat and migration routes that are essential for survival of the elk, mule deer, moose, and trumpeter swans; nesting habitat that is essential to the survival of the bald eagle and trumpeter swan; spawning areas that are essential to the survival of the cutthroat trout; and the natural resources and bio-diversity that support wildlife populations. This is done through the establishment of the NRO, which protects these areas through standards, mitigation, and habitat enhancement.

#### B. Establishment of the NRO

There is hereby established the Natural Resources Overlay (NRO), which, in areas where it applies, shall overlay all zones established by these LDRs.

1. **Included within the NRO.** Included within the NRO are:
  - a. the migration routes and crucial winter ranges of elk;
  - b. the migration routes and crucial winter ranges of mule deer;
  - c. the crucial winter habitat of moose;
  - d. the nesting areas and winter habitat of trumpeter swans;
  - e. the spawning areas of cutthroat trout; and
  - f. the nesting areas and crucial winter habitat of bald eagles.
2. **Map of the NRO / Site Specific Analysis Is Required.** The NRO shown on the Official Zoning Map identifies, on a general scale, the locations of those areas protected by the NRO. Its purpose is to place a landowner on notice that land may be within the NRO and to assist in the general administration of this Section. A site-specific analysis of whether land is included within the NRO is required pursuant to [Sec. 8.2.2.](#)
3. **NRO Definitions.** The following definitions shall apply in the NRO.
  - a. **Crucial Elk Migration Routes.** Crucial elk migration routes are the migration routes used by elk 8 out of every 10 years to migrate from summer ranges to winter ranges. Elk migration occurs over a few days or may span several weeks, depending upon the weather and other factors.

- 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 Zoned Lands ~~Small and Platted Lots~~.** All physical development, use, and development options, except new subdivisions, within the NC-TC zone, or within the R-1, R-2 or R-3 zones on land zoned NC-TC on March 31, 2016, on a lot of record of 6 acres or less or a platted lot 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 (4/1/16)

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<br>(Cut-Off Less Than 90°) |                                       |              |
|--|---------------------------------------|--------------|
| Use and Zone   | Max. Illumination<br>(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 [\(4/1/16\)](#)

### 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 zone, 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.

## Div. 5.4. Natural Hazard Protection Standards

The purpose of this Division is to limit development in naturally hazardous areas. Development in hazardous areas threatens the health, safety and welfare of human inhabitants, steep slopes, poor soils, avalanche chutes, floodplains, dense forest and areas along fault lines offer unique opportunities for interaction with the environment, but when natural events do occur in these areas the results can be disastrous.

### 5.4.1. Steep Slopes (4/1/16)

#### A. Slopes in Excess of ~~30%~~ 25%

No physical development shall be permitted on natural slopes in excess of ~~30%~~ 25%, except to provide essential access for vehicles and/or utilities when no other alternative access exists, ~~and except in the NC-TC Zone.~~

#### B. ~~NC-TC Zone~~

~~In the NC-TC Zone, no physical development shall be permitted on natural slopes in excess of 30%, except to provide essential access for vehicles and/or utilities when no other alternative access exists.~~

#### C. Manmade Slopes

Physical development on manmade slopes is permitted, provided that the proposed finish grade complies with all other applicable standards of these LDRs.

### 5.4.2. Unstable Soils (1/1/15)

No physical development, use, development option, or subdivision shall be permitted on unstable soil as determined by the County Engineer except under the following conditions:

#### A. Potential for Movement Only in Shallow Surface Area that Can Be Controlled

When the potential for soil movement is only in a shallow surface area and risk to the physical development can be prevented with appropriate anchoring to a solid substrate; or

#### B. Instability Limited

The instability is limited to localized slumpage at cuts or foundations and appropriate revegetation, drainage, and structural devices can prevent increased instability; and

#### C. Not in an Avalanche Chute

The proposed developed area is not in an avalanche chute.

## Div. 5.6. Sign Standards

### 5.6.1. Town Sign Standards (1/1/15)

[Section number reserved, standards only apply in Town]

### 5.6.2. County Sign Standards (4/1/16)

#### A. Purpose

The purpose of this Section is to allow for the reasonable display of signage to identify and advertise products, services, and business establishments for the information and convenience of the general public. This Section sets forth standards and criteria for the fabrication, erection, and use of signs, symbols, markings, and other advertising devices in Teton County. These standards and criteria are designed to protect and promote the public health, safety, and general welfare of persons within the community. They are also designed to aid in the development and promotion of business and industry by providing sign regulations which encourage aesthetic creativity, effectiveness, and flexibility in the display and use of signs, while protecting and enhancing community character as described in the Jackson/Teton County Comprehensive Plan.

#### B. Applicability

1. **Sign Permit.** No person shall erect, alter, or relocate any sign without first obtaining a Sign Permit and meeting the standards set forth in this Section. Signs conforming to the requirements of this Section which identify a seasonal business may be removed for the seasons during which the business is not in operation, and may be reinstalled without a new sign permit.
2. **Maintenance and Repainting Exempt.** The repainting, changing of parts, and maintenance of signs located on the site shall not be deemed alterations requiring a Sign Permit, except for nonconforming signs as set forth in Sec. 1.9.5.
3. **Exempted Signs.** The following signs are not regulated by this Section and do not require a Sign Permit:
  - a. **Traffic Signs.** All signs erected in a public right-of-way by a public agency or in a private road right-of-way for controlling or directing traffic.
  - b. **Political Signs.** Political signs pertaining to a specific election, which are displayed not earlier than 30 days prior to the election and which are removed by the candidate or property owner who placed the sign within 5 days after the election.
  - c. **Time and Temperature Signs.** The moving or changing portion of time and/or temperature signs allowed pursuant to C.3.c., providing they are kept in good repair at all times and providing that any sign containing such features conforms with all other requirements of this code.

- o. **Gate or Arch Sign.** A gate or arch sign situated over the primary entry of a ~~subdivision or agricultural operation in the R-1, R-2, or R-TC ranch or other agricultural operation exceeding 200 acres in total contiguous area;~~ provided that the sign face does not exceed 8 square feet and that the sign provides a clearance of at least 13.5 feet from the driving surface.
- p. **Minor Residential Signs.** Wall signs not to exceed 1 square foot in area that identify the occupants or owners of a residential property. Larger residential signs shall comply with the provisions of this Division.
- q. **Be Bear Aware Signs.** Signs cautioning proper storage of attractants, garbage, etc. for the purpose of raising awareness and maintaining human safety in areas possessing moderate and high risks of bear conflicts (Conflict Priority Area 1), as stipulated in Sec. 5.2.2.

### C. Allowable Signage

#### 1. Allowable Signage by Zone

##### a. R-TC Zone

- i. **Nonresidential Uses.** Each freestanding nonresidential building or complex of buildings is allowed 1 rustic freestanding sign, not to exceed 16 square feet in area or 10 feet in height.
- ii. **Residential Uses.** 1 unlighted rustic freestanding sign not to exceed 4 feet in height; or, 1 unlighted wall sign, neither of which may exceed 4 square feet in area, identifying the owner and/or the name of the property is allowed.
- iii. **Home Occupations/Businesses.** 1 unlighted wall sign, which may not exceed 2 square feet, identifying legal home occupations shall be allowed.

##### b. S-TC and NC-TC Zones

- i. **Nonresidential Uses.** Each freestanding building or complex of buildings is allowed 1 rustic freestanding sign not to exceed 6 feet in height and 12 square feet in area, or, 1 wall sign not to exceed 12 square feet in area.
- ii. **Residential Uses**
  - a). **3 Acres or More.** For a residential use on a lot of record of 3 acres or more, 1 unlighted rustic freestanding sign not to exceed 4 feet in height and 4 square feet in area; or, 1 unlighted wall sign, not to exceed 4 square feet in area, identifying the owner and/or name of the property is allowed.
  - b). **Less Than 3 Acres.** For a residential use on a lot of record less than 3 acres, 1 unlighted wall sign identifying the name of the owner and/or property, not to exceed 3 square feet, is allowed.

## Div. 5.7. Grading, Erosion Control, and Stormwater Management

### 5.7.1. Purpose and Applicability (4/1/16)

#### A. Purpose

It has been determined that runoff from construction sites carries a significant amount of sediment and other pollutants to the waters of the State of Wyoming and the County. Therefore, it is the purpose of this Division to preserve natural resources; to protect the quality of the waters of the State of Wyoming and the County; and to protect and promote the health, safety, and welfare of the people to the extent practicable by minimizing the amount of sediment and other pollutants carried by runoff or discharged from construction sites to lakes, streams, and wetlands. In addition, this Division is also intended to protect the health, safety and welfare of the citizens of the County from geologic hazards which may result through improper grading practices.

#### B. Applicability

This Division shall apply to all land disturbing activity and all excavations unless explicitly exempted.

**EXAMPLE:** Examples of land disturbing activities include, but are not limited to, grading, topsoil removal, filling, road or drive cutting, altering or enlargement of a stream or channel, removal of streambed materials, channel clearing, ditching, drain tile laying, dredging, lagoon construction, soil and water conservation structures, and the extraction or placement of rock, sand, or gravel. Grading permits shall be reviewed and approved pursuant to [Sec. 8.3.4](#). Also refer to the Teton Conservation District's Stormwater Pollution Prevention Plan Guide.

#### C. Varied Standards for Levee Construction and Maintenance

The standards of this Division may be varied as necessary to allow for construction and maintenance of flood control structures, such as levees.

#### D. Grading Permit Required

A grading permit shall be submitted to describe the site grading, erosion controls, and stormwater management that will be used to meet the requirements of this Division. A grading permit is required for all land disturbing activities unless explicitly exempted. There are 2 levels of grading permit.

1. **Statement Level Grading Permit.** The purpose of the statement level grading permit is to allow the County Engineer to review land disturbances that, while small in area, may impact other landowners and the environment. A statement 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](#).

5.7.1. Purpose and Applicability (4/1/16)

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 30%-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.

| Required Grading Permit Submittal  |                         |                        |            |
|------------------------------------|-------------------------|------------------------|------------|
| Grading Proposal                   | Required Grading Permit |                        |            |
|                                    | Exempt                  | Statement Level        | Plan Level |
| Proposed impervious surface        | See below               | See below              | ≥ 41%      |
| Total land disturbance             | See below               | ≥ 12,000 sf and < 1 ac | ≥ 1 ac     |
| Disturbance of slopes ≤ 5%         | < 12,000 sf             | ≥ 12,000 sf and < 1 ac | ≥ 1 ac     |
| Disturbance of slopes > 5% & ≤ 15% | < 1,000 sf              | ≥ 1,000 sf and < 1 ac  | ≥ 1 ac     |
| Disturbance of slopes > 15%        | n/a                     | ≤ 3,000 sf             | > 3,000 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 30%-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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# Article 6. Use Standards Applicable in All Zones

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## Div. 6.1. Allowed Uses

### 6.1.1. Use Schedule (4/1/16)

The Use Schedule establishes the principal, accessory, and temporary uses allowed in each zone. The definitions and standards for each use are established in Sec. 6.1.2.-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 |           |  |
| <b>Open Space</b>                     |                             |                  |     |     | 6.1.2.    |  |
| Agriculture                           | --                          | Y                | Y   | Y   | 6.1.3.B.  |  |
| Outdoor Recreation                    | --                          | C                | --  | --  | 6.1.7.C.  |  |
| Dude/Guest Ranch                      | --                          | C                | --  | --  | 6.1.3.E.  |  |
| <b>Residential</b>                    |                             |                  |     |     | 6.1.4.    |  |
| Detached Single-Family Unit           | --                          | Y                | Y   | Y   | 6.1.4.B.  |  |
| Attached Single-Family Unit           | --                          | --               | --  | --  | 6.1.4.C.  |  |
| Apartment                             | --                          | --               | --  | --  | 6.1.4.D.  |  |
| Mobile Home                           | --                          | --               | --  | --  | 6.1.4.E.  |  |
| Dormitory                             | --                          | --               | --  | --  | 6.1.4.F.  |  |
| Group Home                            | --                          | --               | --  | --  | 6.1.4.G.  |  |
| <b>Lodging</b>                        |                             |                  |     |     | 6.1.5.    |  |
| Conventional Lodging                  | --                          | --               | --  | --  | 6.1.5.B.  |  |
| Short-Term Rental Unit                | --                          | --               | --  | --  | 6.1.5.C.  |  |
| Campground                            | --                          | C                | --  | --  | 6.1.5.D.  |  |
| <b>Commercial</b>                     |                             |                  |     |     | 6.1.6.    |  |
| Office                                | --                          | --               | --  | --  | 6.1.6.B.  |  |
| Retail                                | --                          | --               | --  | --  | 6.1.6.C.  |  |
| Service                               | --                          | --               | --  | --  | 6.1.6.D.  |  |
| Restaurant/Bar                        | --                          | --               | --  | --  | 6.1.6.E.  |  |
| Heavy Retail/Service                  | --                          | C (A)            | --  | --  | 6.1.6.F.  |  |
| Mini-Storage Warehouse                | --                          | --               | --  | --  | 6.1.6.G.  |  |
| Nursery                               | --                          | C                | --  | --  | 6.1.6.H.  |  |
| <b>Amusement/Recreation</b>           |                             |                  |     |     | 6.1.7.    |  |
| Amusement                             | --                          | --               | --  | --  | 6.1.7.B.  |  |
| Developed Recreation                  | --                          | C                | --  | --  | 6.1.7.D.  |  |
| Outfitter/Tour Operator               | --                          | C                | --  | --  | 6.1.7.E.  |  |
| <b>Institutional</b>                  |                             |                  |     |     | 6.1.8.    |  |
| Assembly                              | --                          | C                | C   | --  | 6.1.8.B.  |  |
| Daycare/Education                     | --                          | C                | 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 |           |  |
| <b>Industrial</b>                      |                             |                  |     |     | 6.1.9.    |  |
| Light Industry                         | --                          | C (A)            | --  | --  | 6.1.9.B.  |  |
| Heavy Industry                         | --                          | --               | --  | --  | 6.1.9.C.  |  |
| Disposal                               | --                          | --               | --  | --  | 6.1.9.D.  |  |
| Junkyard                               | --                          | --               | --  | --  | 6.1.9.E.  |  |
| Gravel Extraction and Processing       | S                           |                  |     |     | 6.1.9.F.  |  |
| <b>Transportation/Infrastructure</b>   |                             |                  |     |     | 6.1.10.   |  |
| Parking                                | --                          | --               | --  | --  | 6.1.10.B. |  |
| Utility Facility                       | --                          | C                | C   | C   | 6.1.10.C. |  |
| Wireless Communication Facilities      |                             |                  |     |     | 6.1.10.D. |  |
| Aviation                               | --                          | C                | --  | --  | 6.1.10.E. |  |
| <b>Accessory Uses</b>                  |                             |                  |     |     | 6.1.11.   |  |
| Accessory Residential Unit             | --                          | B                | B   | B   | 6.1.11.B. |  |
| Bed and Breakfast                      | --                          | C                | --  | --  | 6.1.11.C. |  |
| Home Occupation                        | --                          | B                | B   | B   | 6.1.11.D. |  |
| Home Business                          | --                          | C                | C   | C   | 6.1.11.E. |  |
| Family Home Daycare                    | --                          | B                | B   | B   | 6.1.11.F. |  |
| Home Daycare Center                    | --                          | --               | --  | E   | 6.1.11.G. |  |
| Drive-In Facility                      | --                          | --               | --  | --  | 6.1.11.H. |  |
| <b>Temporary Uses</b>                  |                             |                  |     |     | 6.1.12.   |  |
| Christmas Tree Sales                   | --                          | Y                | --  | --  | 6.1.12.B. |  |
| Real Estate Sales Office               | --                          | C                | --  | --  | 6.1.12.C. |  |
| Temporary Shelter                      | --                          | B                | B   | B   | 6.1.12.D. |  |
| Farm Stand                             | --                          | B                | --  | --  | 6.1.12.E. |  |
| Temp. Gravel Extraction and Processing | --                          | 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 |
| Specific Use                       | AC-TC                       | AR-TC         | WC            | OP-TC         | BP-TC         | BC-TC            | MHP-TC        | NC-TC         | S-TC          | R-TC         | P/SP-TC       | P-TC          |           |
| <b>Open Space</b>                  |                             |               |               |               |               |                  |               |               |               |              |               |               | 6.1.2.    |
| Agriculture                        | Y                           | --            | --            | Y             | --            | Y                | --            | Y             | Y             | Y            | Y             | Y             | 6.1.3.B.  |
| <del>Outdoor Recreation</del>      | <del>C</del>                | <del>C</del>  | <del>--</del> | <del>--</del> | <del>C</del>  | <del>C</del>     | <del>--</del> | <del>C</del>  | <del>C</del>  | <del>C</del> | <del>C</del>  | <del>C</del>  | 6.1.7.C.  |
| <del>Downhill Ski Area</del>       | <del>--</del>               | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del>    | <del>--</del> | <del>--</del> | <del>--</del> | <del>E</del> | <del>--</del> | <del>E</del>  | 6.1.3.C.  |
| <del>Golf Courses</del>            | <del>--</del>               | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del>    | <del>--</del> | <del>--</del> | <del>--</del> | <del>E</del> | <del>E</del>  | <del>E</del>  | 6.1.3.D.  |
| Dude/Guest Ranch                   | --                          | --            | --            | --            | --            | --               | --            | --            | --            | C            | --            | --            | 6.1.3.E.  |
| <b>Residential</b>                 |                             |               |               |               |               |                  |               |               |               |              |               |               | 6.1.4.    |
| Detached Single-Family Unit        | Y                           | Y             | Y             | Y             | --            | Y                | --            | Y             | Y             | Y            | --            | --            | 6.1.4.B.  |
| Attached Single-Family Unit        | --                          | --            | B             | --            | --            | <del>C</del>     | --            | --            | --            | --           | --            | --            | 6.1.4.C.  |
| Apartment                          | --                          | --            | B             | --            | --            | <del>C</del>     | --            | --            | --            | --           | --            | --            | 6.1.4.D.  |
| Mobile Home                        | --                          | --            | --            | --            | --            | --               | B             | --            | --            | --           | --            | --            | 6.1.4.E.  |
| Dormitory                          | B                           | C             | --            | --            | --            | <del>C</del>     | --            | --            | C             | C            | C             | --            | 6.1.4.F.  |
| Group Home                         | B                           | C             | --            | --            | --            | <del>C</del>     | --            | --            | C             | C            | C             | --            | 6.1.4.G.  |
| <b>Lodging</b>                     |                             |               |               |               |               |                  |               |               |               |              |               |               | 6.1.5.    |
| Conventional Lodging               | --                          | --            | --            | --            | --            | --               | --            | --            | --            | --           | --            | --            | 6.1.5.B.  |
| Short-Term Rental Unit             | --                          | --            | --            | --            | --            | --               | --            | --            | --            | --           | --            | --            | 6.1.5.C.  |
| Campground                         | --                          | --            | --            | --            | --            | C                | --            | --            | --            | C            | --            | --            | 6.1.5.D.  |
| <b>Commercial</b>                  |                             |               |               |               |               |                  |               |               |               |              |               |               | 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.  |
| <b>Amusement/Recreation</b>        |                             |               |               |               |               |                  |               |               |               |              |               |               | 6.1.7.    |
| Amusement                          | C                           | --            | C             | --            | --            | --               | --            | --            | --            | --           | --            | --            | 6.1.7.B.  |
| <del>Outdoor Recreation</del>      | <del>E</del>                | <del>E</del>  | <del>--</del> | <del>--</del> | <del>E</del>  | <del>E</del>     | <del>--</del> | <del>E</del>  | <del>E</del>  | <del>E</del> | <del>E</del>  | <del>E</del>  | 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.  |
| <del>Balloon Operation</del>       | <del>--</del>               | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del>    | <del>--</del> | <del>--</del> | <del>--</del> | <del>E</del> | <del>--</del> | <del>--</del> | 6.1.7.F.  |

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

| 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          |                      |
| Specific Use                         |                             |               |               |               |               |                  |               |               |               |               |               |               |                      |
| <b>Institutional</b>                 |                             |               |               |               |               |                  |               |               |               |               |               |               | 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.             |
| <b>Industrial</b>                    |                             |               |               |               |               |                  |               |               |               |               |               |               | 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     |                             |               |               |               |               |                  | S             |               |               |               |               |               | 6.1.9.F.             |
| <b>Transportation/Infrastructure</b> |                             |               |               |               |               |                  |               |               |               |               |               |               | 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.            |
| <del>Heliport</del>                  | <del>€</del>                | <del>--</del> | <del>--</del> | <del>--</del> | <del>€</del>  | <del>€</del>     | <del>--</del> | <del>--</del> | <del>--</del> | <del>€</del>  | <del>€</del>  | <del>--</del> | <del>6.1.10.E.</del> |
| <del>Airport</del>                   | <del>--</del>               | <del>--</del> | <del>--</del> | <del>--</del> | <del>€</del>  | <del>--</del>    | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del> | <del>€</del>  | <del>--</del> | <del>6.1.10.F.</del> |
| <del>Landing Strip</del>             | <del>--</del>               | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del>    | <del>--</del> | <del>--</del> | <del>--</del> | <del>€</del>  | <del>€</del>  | <del>--</del> | <del>6.1.10.G.</del> |
| <del>Aviation</del>                  | <del>C</del>                | <del>--</del> | <del>--</del> | <del>--</del> | <del>C</del>  | <del>C</del>     | <del>--</del> | <del>--</del> | <del>--</del> | <del>C</del>  | <del>C</del>  | <del>--</del> | <del>6.1.10.E.</del> |
| <b>Accessory Uses</b>                |                             |               |               |               |               |                  |               |               |               |               |               |               | 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.            |
| <del>Ag-Employee Housing</del>       | <del>--</del>               | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del>    | <del>--</del> | <del>--</del> | <del>--</del> | <del>B</del>  | <del>--</del> | <del>--</del> | <del>6.1.11.I.</del> |
| <del>Cottage Industry</del>          | <del>--</del>               | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del>    | <del>--</del> | <del>--</del> | <del>--</del> | <del>€</del>  | <del>--</del> | <del>--</del> | <del>6.1.11.J.</del> |
| <del>Receptions/Events</del>         | <del>--</del>               | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del>    | <del>--</del> | <del>--</del> | <del>--</del> | <del>€</del>  | <del>--</del> | <del>--</del> | <del>6.1.11.K.</del> |

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

| County Legacy Zones - Allowed Uses     |                             |               |               |               |               |                  |               |              |               |              |               |               |                             |
|--|-----------------------------|---------------|---------------|---------------|---------------|------------------|---------------|--------------|---------------|--------------|---------------|---------------|-----------------------------|
| USE CATEGORY                           | Complete Neighborhood Zones |               |               |               |               | Rural Area Zones |               |              |               |              | Civic Zones   |               | Def/ Stds                   |
| Specific Use                           | AC-TC                       | AR-TC         | WC            | OP-TC         | BP-TC         | BC-TC            | MHP-TC        | NC-TC        | S-TC          | R-TC         | P/SP-TC       | P-TC          |                             |
| <b>Temporary Uses</b>                  |                             |               |               |               |               |                  |               |              |               |              |               |               | <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>            |
| <del>Helicopter Tree Removal</del>     | <del>--</del>               | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del> | <del>--</del>    | <del>--</del> | <del>B</del> | <del>--</del> | <del>B</del> | <del>--</del> | <del>--</del> | <del><u>6.1.12.G.</u></del> |

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 ([4/1/16](#))****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 70 ~~140~~ Acres.** The following exemptions and preservation mechanisms apply to agricultural uses on sites of 70 ~~140~~ acres or more:
  - i. **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 number of development areas (applicable zone)
    - b). Maximum Scale of Development for an individual building (applicable zone)
    - c). Maximum Building Height (applicable zone)
    - d). Natural Resource Buffers (Sec 5.1.1)
    - e). Wildlife Friendly Fencing (Sec 5.1.2)
    - f). Wild Animal Feeding (Sec 5.1.3)
    - g). Natural Resource Overlay (NRO) Standards (Sec 5.2.1)
    - h). Exterior Lighting (Sec 5.3.1)
    - i). Scenic Resource Overlay (SRO) Standards (Sec 5.3.2)
    - j). Landscaping (Div 5.5)
    - k). Grading, Erosion Control, and Stormwater except on natural slopes of ~~30%-25%~~ or greater (Sec 5.7.2-5.7.4)
    - l). Temporary Gravel Extraction (6.1.12.F)
    - m). Operational Standards (Div 6.4)
  - ii. **Permit Exemptions.** Agricultural uses are exempt from obtaining the following permits. However, exemption from the requirement to obtain a permit does not grant exemption from any regulations. See subsection 2.d.i. above for applicable regulation exemptions.
    - a). Environmental Analysis

- b). [Use Permits](#)
- c). [Grading Permits except on natural slopes of 30%-25% or greater \(Sec 5.7.1\)](#)
- d). [Sketch Plan for physical development](#)
- e). [Development Plan for physical development](#)

### 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-TG Zone Open Space.** Developments in the R-TG 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

6.1.3. Open Space Uses (4/1/16)

~~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 (4 or more events per year, excluding non-profit events)
  - 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.

6.1.3. Open Space Uses (4/1/16)

- i. Strategies or mitigation measures to minimize glare from night lighting;
- ii. How agronomic, maintenance and other management practices associated with the use will avoid impact to 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. Outdoor Receptions. In order to constitute outdoor recreation use an outdoor reception shall have over 50 guests on site at one time or amplified music. Private and non-profit receptions do not constitute outdoor recreation regardless of their size.
  - c. ~~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.~~
  - d. ~~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.
- c. **Recreational Activities.** Dude ~~ranches and~~ 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;

**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). 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.~~

## 6.1.4. Residential Uses (1/1/15)

### A. All Residential Uses

1. **Definition.** A residential use is a living facility that includes permanent provision for living, sleeping, eating, cooking, and sanitation.
2. **Standards.**
  - a. No residential unit or portion of a residential unit may be rented such that occupancy is limited to less than 31 days. Short-term rental of less than 31 days shall be considered a lodging use subject to the standards of Sec. 6.1.5. A time-share condominium is considered a residential use as long as the ownership intervals are 31 days or longer. Any ownership intervals of less duration shall be considered a lodging use.
  - b. A residential unit shall have a maximum of one kitchen.

### B. Detached Single-Family Unit

1. **Definition.** A detached single-family unit is a single residential unit occupied by not more than one family having no roof, wall, or floor in common with any other residential unit or nonresidential unit, except as modified below.
  - a. **Includes:**
    - i. Single-family units attached to accessory residential units
    - ii. Detached townhouse units

### C. Attached Single-Family Unit

1. **Definition.** An attached single-family unit is a residential unit occupied by not more than one family, which is connected to at least one other dwelling unit or nonresidential unit by one or more common walls.
  - a. **Includes:**
    - i. Attached townhouse unit
    - ii. Condominium
  - b. **Does Not Include:**

- a. **Includes:**
  - i. boarding houses or rooming houses
  - ii. residential facilities for students and staff of schools
  - iii. residential facilities associated with other types of instruction, education, training, and religious activity

## 2. Standards

- a. **Maximum density.** For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

## G. Group Home

- 1. **Definition.** A group home is a residential unit occupied by more than 6 unrelated individuals, which typically offers shelter, medical and mental health services, and other care-related services to residents.

- a. **Includes:**
  - i. nursing homes and various assisted living centers
  - ii. group living facilities with related sheltered care facilities
  - iii. residential facilities for the developmentally disabled including on-site training facilities

## 2. Standards

- a. **Maximum density.** For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

## 6.1.5. Lodging Uses (4/1/16)

### A. All Lodging Uses

- 1. **Definition.** A lodging use is a sleeping unit or residential unit rented such that occupancy is limited to less than 31 days.
- 2. **Establishment of Lodging Overlay (LO)**

There is hereby established the Lodging Overlay (LO) which, in areas where it applies, shall overlay all other base zones established by these LDRs.

- a. **Findings.** As a resort and residential community, a balance must be maintained between the amount of lodging available to visitors and concomitant visitor and resident services. The balance between these uses is necessary if the community is to retain its resident population and its attraction to visitors.

- vi. Spring Creek Ranch (up to 200 units of the 301 dwelling units permitted); and,
- vii. Crescent H "Fish Lodges" (Crescent H lot 8).

#### 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.~~

6.1.5. Lodging Uses (4/1/16)

- ~~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
  - vi. outdoor or developed recreation facilities such as parks or playgrounds, or
  - vii. other existing amenities ~~that shall be solely for the occupants of the campground.~~
- b. **Site Requirements**
  - i. Campsite. A campground campsite consists of a gravel, paved, or grass area where a Conventional Camping Unit or tent is parked or located, and includes associated amenities and parking.
  - ii. Bear Proof Storage. Each campsite in the campground shall contain bear proof boxes or other bear proof storage.
  - iii. **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.
  - iv. **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.

- v. ~~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-foot 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:**

## H. Nursery

1. **Definition.** Nursery means an establishment primarily engaged in the retail or wholesale sale of horticultural specialties such as flowers, shrubs and trees, intended for ornamental or landscaping purposes.

## 6.1.7. Amusement and Recreation Uses (4/1/16)

### A. All Amusement and Recreation Uses

1. **Definition.** An amusement and recreation use is the provision of entertainment.

### B. Amusement

1. **Definition.** Amusement is the provision of non-recreation entertainment.
  - 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

6.1.8. Institutional Uses (4/1/16)

- 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** (4/1/16)

**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**

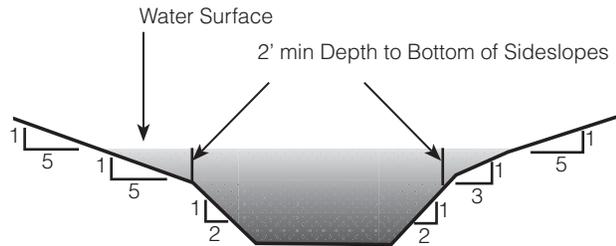
1. **Definition.** An assembly use is an institutional use typically characterized by a public or semi-public gathering area.
  - a. **Includes:**
    - i. cemeteries

- ii. churches
- iii. community centers
- iv. libraries
- v. museums
- vi. hospitals
- vii. reception halls

### C. Daycare/Education

1. **Definition.** A daycare or education use is the provision of educational instruction and/or care for part of the day.
  - a. **Includes:**
    - i. schools
    - ii. childcare centers
2. **Standards**
  - a. **Wyoming Statutes.** Each daycare or education use shall comply with the relevant provisions of the Wyoming Statutes and with local health, safety and fire codes.

there being no reasonable expectation that the pond will be used by waterfowl and upon demonstration that the design shall not pose a safety hazard. All other side slopes shall be no steeper than 3:1. All side slopes shall be maintained into the pond/water feature for the length necessary to reach a depth of 2 feet; thereafter, side slopes shall be no steeper than 2:1. Shorelines shall receive a minimum six inches of topsoil until the side slope reaches a depth of 2 feet.



- iv. **Shallows.** Sufficient shallows to allow the water feature to effectively function as wildlife habitat shall be provided if the cumulative pond/water feature areas on a site are over 1 acre in size. The design shall be reviewed, at the applicant's expense, by a wildlife biologist or by Wyoming Game and Fish, to ensure that shallows are designed to provide functional wildlife habitat.
- v. **Supplemental Water Supply.** A supplemental water supply, e.g., water from the Snake River or any other watercourse and conveyed irrigation ditches, shall be developed, if necessary, to stabilize water levels and prevent steeper grades from becoming exposed.
- f. **Existing Watercourses/River.** Extraction areas in any watercourse covered by the Restoration Study shall be reclaimed, if necessary, in accordance with the reclamation specifications in the Restoration Study. If the Restoration Study is not completed and approved by the County, or the watercourse/river in which the gravel extraction is proposed is not covered by the Restoration Study, then the applicant shall employ a Hydrologist, Fisheries Biologist, or both, as appropriate, to submit either evidence that reclamation is unnecessary since it 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. **State/Federal Requirements.** Compliance with the standards of this Section and these LDRs shall not be construed to replace, supersede, or override any State or Federal requirements that may apply.

## 6.1.10. Transportation and Infrastructure Uses [\(4/1/16\)](#)

### A. All Transportation and Infrastructure Uses

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

- v. **Concealed and Non-concealed Towers.** New freestanding towers are permitted in the following zones: AC-TC, BC-TC, BP-TC, NC-TC, P, PR, P/SP-TC, [R-1](#), [R-2](#), [R-3](#), R-TC, S-TC, and WC. All new freestanding towers are required to be concealed unless it can be clearly demonstrated to the satisfaction of the Board of County Commissioners that a non-concealed tower will more effectively minimize visual impacts than a concealed tower. New freestanding towers are prohibited in the AR-TC, MHP-TC, OP-TC, and PUD-AH zones. All new communications towers shall be subject to the following standards:
- a). **Performance Criteria for Concealed Towers.** To encourage facilities that blend well with Teton County's landscape, concealed towers that meet the following performance criteria may be processed as a Basic Use Permit. Performance criteria:
- 1). The concealed tower is designed to resemble the surrounding landscape and other natural features. Flagpoles or new light stanchions, or other similar man-made structures, will be processed as a Conditional Use facility.
  - 2). A minimum of 70% of the concealed tower is screened from view by existing vegetation, topography, or other existing structures from any State Highway and all County Roads designated a Scenic Areas pursuant to [5.3.2.B](#).
  - 3). Viewsheds are not significantly impacted by the proposed concealed facility.
  - 4). The concealed tower does not extend higher than the dominant background where it is located or otherwise penetrate the skyline as defined in [5.3.2.H](#).
  - 5). For proposals with a height of less than 75 feet tall that meet the performance criteria, the Planning Director shall review a photosimulation, site plan, and elevation of the proposed tower, and staff shall approve or deny a Basic Use Permit review process within two weeks after the Preapplication Conference meeting.
  - 6). For proposals with a height of 75 feet or greater that meet the performance criteria, the final determination shall be made by the Board, at a regularly scheduled meeting within 30 days after the Preapplication Conference meeting, as to whether the application is processed as Basic Use or Conditional Use.
- b). **Determination of Need.** No new concealed or non-concealed tower shall be permitted unless the applicant demonstrates that no existing structure or tower can accommodate the applicant's proposed use without increasing the height of the existing tower or structure or otherwise creating a greater visual impact; or that

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 Helisking (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 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. Aviation may be temporarily permitted for the following purposes:
  - i. Construction or staging of construction in remote location to avoid the need to create a permanent access road
  - ii. 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 Helisking 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** (4/1/16)**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 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.~~

6.1.11. Accessory Uses (4/1/16)

- 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 principal 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/catering, 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 [\(4/1/16\)](#)

### 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 (4/1/16)

#### 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 |
| <b>Open Space Uses</b>      |   |                |
| Agriculture                 | n/a   |                |
| <u>Outdoor recreation</u>   | <u>independent calculation</u>  |                |
| <u>Downhill ski area</u>    | <u>1 per 7 carrying capacity + 1 per 2 employees</u>                  |                |
| <u>Golf course</u>          | <u>3 per hole + as required for incidental uses</u>                   |                |
| Dude/Guest ranch            | 1 per LU  |                |
| <b>Residential Uses</b>     |   |                |
| 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   |                |
| <b>Lodging Uses</b>         |   |                |
| 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                                  |                |
| <b>Commercial Uses</b>      |   |                |
| 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           |
| <b>Amusement/Recreation Uses</b>        |  |                          |
| Amusement                               | 1 per 30 sf seating area or independent calculation  |                          |
| <del>Outdoor recreation</del>           | <del>independent calculation</del>                   |                          |
| Developed recreation                    | 4.5 per 1,000 sf                                     |                          |
| Outfitter/Tour operator                 | independent calculation                              |                          |
| <del>Balloon operation</del>            | <del>independent calculation</del>                   |                          |
| <b>Institutional Uses</b>               |  |                          |
| Assembly                                | independent calculation                              |                          |
| Daycare/Education                       | independent calculation                              |                          |
| <b>Industrial Uses</b>                  |  |                          |
| 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                                       |                          |
| <b>Infrastructure Uses</b>              |  |                          |
| Parking                                 | n/a  |                          |
| Utility facility                        | 1 per employee + 1 per stored vehicle                |                          |
| Wireless communication facility         | 1 per employee + 1 per stored vehicle                |                          |
| <del>Aviation</del>                     | <del>independent calculation</del>                   |                          |
| <del>Heliport</del>                     | <del>7 per daily aircraft movement</del>             |                          |
| <del>Airport</del>                      | <del>7 per daily aircraft movement</del>             |                          |
| <del>Landing strip</del>                | <del>7 per daily aircraft movement</del>             |                          |
| <b>Accessory Uses</b>                   |  |                          |
| 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       |
| <del>Agriculture employee housing</del> | <del>2 per DU</del>                                  |                          |
| <del>Cottage industry</del>             | <del>1 per employee + 1 per company vehicle</del>    |                          |
| <del>Reception/Event</del>              | <del>1 per 3 attendees</del>                         |                          |
| <b>Temporary Uses</b>                   |  |                          |
| 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                                       |                          |
| <del>Helicopter tree removal</del>      | <del>n/a</del>                                       |                          |

[Rural LDR Update, Nov. 20, 2015]

## Div. 6.4. Operational Standards

### 6.4.1. Outside Storage (4/1/16)

[All uses shall conform with the following standards; except that, agricultural operations meeting the standards for exemption outlined in Section 6.1.3.B shall be exempt from all standards of this Division.](#)

#### A. Use of Front Yards

The use of the front yard (street yard) of a residential use for the storage of boats, snowmobiles, trailers, RVs, and similar motor vehicles and equipment is prohibited.

#### B. Storage of Structures

The storing of structures of any kind is not permitted in any residential zone.

#### C. Vehicle and Equipment Storage - Vacant Property

The storage of any vehicle on vacant property in a residential zone for more than 3 consecutive days is prohibited. This includes boats, rafts, trailers, snowmobiles, campers, RVs and similar vehicles, and equipment. This also includes heavy equipment, construction equipment, and construction materials. Nothing herein shall be construed to prohibit the storage of vehicles and equipment for temporary construction, provided the storage area is fenced, well marked, and posted. For purposes of this provision, lots which are normally kept and maintained as yard area for an adjacent residence shall not be considered vacant property, provided the vehicles, equipment, and materials stored thereon are owned, supervised, and controlled by an occupant of the adjacent residence.

#### D. Outdoor Display

The organized outdoor display of goods for sale in association with a nonresidential use is allowed, provided it is contained on private property.

### 6.4.2. Refuse and Recycling (4/1/16)

[All uses shall conform with the following standards; except that, agricultural operations meeting the standards for exemption outlined in Section 6.1.3.B shall be exempt from all standards of this Division.](#)

#### A. Refuse and Recycle Facilities

1. **Refuse and Recycle Storage Facilities.** Residential and nonresidential uses shall provide containers or dumpsters to store all refuse and recyclable items accumulated between regularly scheduled transfers from the site.
2. **Containers and Dumpsters to be Bear Resistant.** Containers and dumpsters used to store refuse and recyclable items shall comply with [Sec. 5.2.2.](#)

### 6.4.3. Noise (4/1/16)

All uses shall conform with the following standards: [except that, agricultural operations meeting the standards for exemption outlined in Section 6.1.3.B shall be exempt from all standards of this Division.](#)

#### 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 |
| <a href="#">R-1, R-2, R-3</a> , R-TC, S-TC, NC-TC, OP-TC | 55 DBA                        |
| All other zones  | 65 DBA                        |

#### B. Exceptions

- 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.
- 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.
- 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 [\(4/1/16\)](#)

All uses shall conform with the following standards: [except that, agricultural operations meeting the standards for exemption outlined in Section 6.1.3.B shall be exempt from all standards of this Division.](#)

##### 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<br>Steady State Vibration Displacement |                                    |
|--|------------------------------------|
| Frequency<br>(cycles per second)                         | Vibration Displacement<br>(inches) |
| 10 and below   | 0.0008                             |
| 10-20  | 0.0005                             |
| 20-30  | 0.0003                             |
| 30-40  | 0.0002                             |
| 40 and over  | 0.0001                             |

##### B. Impact Vibrations

For impact vibrations, the maximum permitted vibration displacement shall be twice that permitted for steady state vibrations.

##### C. Temporary Construction Operations

For temporary construction operations occurring between the hours of 7:00 a.m. and 7:00 p.m., steady state vibrations and impact vibrations shall not exceed 2 times that permitted for permanent operations.

##### D. Maximum Vibration Frequency

In no instance, except for temporary construction operations, shall an activity be permitted which creates a vibration beyond the boundaries of the site of the activity sufficient to cause a displacement of 0.003 inches.

##### E. Measurement

For the purposes of this Section, vibration refers to ground transmitted oscillations. Earthborne vibrations are measured with a seismograph or accelerometer. With the portable seismograph, the earth vibrations are measured in 3 mutually perpendicular directions (1 vertical and 2 horizontal). The 3 motions are added vertically, and the resultant maximum vibration given as a single number. Steady state vibrations are earthborne oscillations that are continuous, with discrete pulses that occur at or more

6.4.5. Electrical Disturbances (4/1/16)

frequently than 100 times per minute. The frequency is the number of oscillations per second of vibration. Impact vibrations are earthborne oscillations occurring in discrete pulses at less than 100 pulses per minute.

### 6.4.5. Electrical Disturbances (4/1/16)

- A. No use or activity shall be permitted which creates electrical disturbances (electromagnetic radiation) that affect the operation of any equipment, such as radio and television interference, beyond the boundaries of the site; except that, agricultural operations meeting the standards for exemption outlined in Section 6.1.3.B shall be exempt from all standards of this Division.

### 6.4.6. Fire and Explosive Hazards (1/1/15)

#### A. Compliance with Fire Codes

All manufacture, possession, storage, transportation and use of hazardous materials which include explosives and blasting agents, flammable and combustible liquids, liquified petroleum gas, and hazardous chemicals shall be required to comply with the fire codes adopted by the State of Wyoming and the County.

#### B. Structural Storage Facilities

Structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids and gases, or other toxic materials which could be hazardous to public health or safety, shall be located at elevations above maximum possible flood levels in 100-year flood areas and in the Flat Creek winter flood area.

### 6.4.7. Heat and Humidity (4/1/16)

All uses shall conform with the following standards: except that, agricultural operations meeting the standards for exemption outlined in Section 6.1.3.B shall be exempt from all standards of this Division.

#### A. Intense Heat Conducted within Enclosed Building

Any activity producing intense heat shall be conducted within an enclosed building in such a manner as not to raise the temperature of the air, soil, groundwater, or surface water beyond any property boundary line.

#### B. Humidity From Cooling Towers Controlled so Not Create Ice Hazard

Increases in humidity in the form of steam or moist air from cooling towers shall be controlled so that they do not create an ice hazard. Cooling towers shall be controlled by either reheating the plume or using a closed system.

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

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## Div. 7.1. Development Option Standards

### 7.1.1. Development Options Schedule (4/1/16)

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

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

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

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

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

**7.1.2. Rural Area Planned Residential Development (Rural PRD) (4/1/16)**

**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. Each Rural PRD includes a conservation area and one or more development areas that are entirely outside the conservation area. The Rural PRD is the appropriate tool when locating both the conservation area conserved open space and clustered development area(s) in a rural area of the community, as identified in the Illustration of Our Vision chapter of the Comprehensive Plan.
3. Comprehensive Plan. The Rural PRD is primarily based on the Comprehensive Plan direction of Policy 1.4.c.
4. Applicable Zones. The Rural PRD may be used in the R-1, R-2, and R-TC zones.

**B. Required Conservation-Conserved Area**

The conservation area 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**

|   |             |   |
|---|-------------|---|
| Conservation area GSA permanently conserved (min) | Greater of: | A |
| Conservation area GSA                             | 4970 ac     |   |
| PRD GSA in conservation area                      | 70%         |   |

2. Principal Conservation Value. At least one of the conservation values listed below shall be a protected the principal conservation value identified pursuant to Subsection 7.3.2.A.
  - a. Wildlife
  - b. Scenic
  - c. Agriculture
3. Noncontiguous PRD. The site of a Rural PRD may be noncontiguous pursuant to the rules for measurement in Section 9.4.4.
4. Area Already Conserved-Prohibitions. Land already under conservation easement shall not count toward meeting required conservation area GSA except as provided below. Conserved area, whether previously conserved or proposed to be conserved, shall not be used to entitle more than one development option or density/intensity increase under these or past LDRs:
  - a. Land already under conservation easement may be counted as conservation area to permit the density allowed by the existing

[conservation easement or the density approved by the County in association with the conservation.](#)

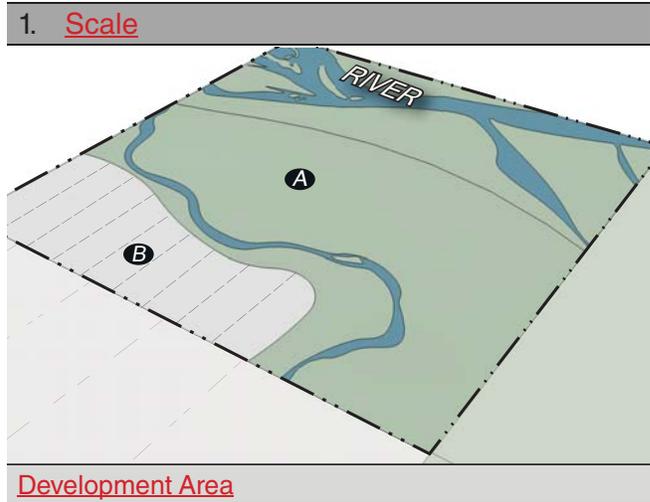
**EXAMPLE:** A 1970s conservation easement reserves 2, 3-acre homesites on 55 acres. The base R1 zoning does not allow 2 units without approval of a PRD. The existing conservation easement may be used in a PRD application for the 2 units allowed by the easement, but may not be used to propose more than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

- b. [Where approved density is proposed to be transferred from an existing PRD to another PRD or proposed PRD, land already under conservation easement may be counted toward the minimum required conservation area provided that:](#)
  - i. [The area counted as conservation area is the minimum amount required for the density to be transferred;](#)
  - ii. [The density to be transferred is permanently removed from the existing PRD by conservation easement;](#)
  - iii. [The land already under conservation easement is not included in the calculation of new density allowance; and](#)
  - iv. [The land already under conservation easement is not included in the calculation of the ratio of conservation area to development area for new development area.](#)

**EXAMPLE:** The owner of an existing 2-unit PRD on 35 acres with 25 acres of conservation area has only built one unit and wants to transfer the other to another 45 acre site. To accomplish this, the 45 acre site must be subject to a PRD. The 45 acre site may count 8.167 acres ( $70\% * 3 / 35 = 8.167$ ) of the existing conservation area toward the minimum required conservation area for the new PRD, but 40.833 acres ( $49 - 8.167 = 40.833$ ) of the 45 acres would have to be placed in conservation. The allowed density in the development area would be 4 units, with 3 resulting from the new PRD and 1 having been transferred ( $3 * 45 / 35 = 3.86 + 1 = 4.86$ ).

**C. Development Area Standards**

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



**Development Area**

|   |               |              |
|---|---------------|--------------|
| PRD GSA in development area (max)       | 30%           | <b>B</b>     |
| Development area GSA :                  |               |              |
| Conservation area - Conserved GSA (max) | 3 : 7 + 1 : 2 | <b>B : A</b> |
| # of development areas :                | 1 : 70 ac     |              |
| PRD Conserved GSA (max)                 |               |              |
| Dwelling units : PRD GSA (max)          | 3 : 35 ac     |              |

**Dwelling Unit Within a Rural PRD**

|                        |                        |
|------------------------|------------------------|
| Floor area (max)       | 10,000 sf              |
| Site Development (max) | 25,410 sf<br>38,115 sf |

**Lot Within a Rural PRD - Development Area**

|                          |         |
|--------------------------|---------|
| Street setback (min)     | 25'     |
| Public Road              | 50'     |
| Private Road             | 30'     |
| Non-street setback (min) |         |
| Structure                | 30'-10' |
| Site Development         | 15'-5'  |

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

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

in order to propose off-site housing. The remaining provisions of Section 7.4.1.F. shall apply.

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:** The 9 units allowed in the previous example could be any combination of residential uses defined in Section 6.1.4. so long as each unit has only one kitchen.

b. Maximum Scale of Residential Use. A residential unit shall not exceed 8,000 square feet of habitable floor area.

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. Density Allowed without Subdivision. The density allowed by a Rural PRD does not have to be subdivided into separate lots. However, approval of a Development Plan for a Rural PRD shall vest permit subdivision of the allowed density once the conservation easement is recorded for as long as the conservation area is conserved.

c. Method for Providing Affordable Housing. A Rural PRD may provide required affordable housing on-site, but does not have to demonstrate that on-site housing is impractical

**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.~~

**7.1.3. Urban Cluster Development (UCD) (1/1/15)**

[Section number reserved, standards only apply in Town]

**7.1.4. Mobile Home Park (1/1/15)**

Mobile Home Parks shall meet the following standards. Mobile Home Parks may be proposed in the MHP-TC or as a Planned Residential Development. Existing Mobile Home Parks proposed for expansion or redevelopment in the MHP-TC zone, shall only be required to comply with 7.1.4.A.

- A. Existing Mobile Home Parks in the MHP-TC.** Existing mobile home parks within the MHP-TC zone shall be allowed to continue, expand, and redevelop, provided the standards in this Subsection are met.
- 1. Density.** The number of units in an existing mobile home park in the MHP-TC shall not be limited.
  - 2. Area.** Each mobile home within an expansion area or redeveloped park shall have a lot or pad land area that equals or exceeds the average size of a mobile home lot or pad in the existing mobile home park, not including open space areas clearly heretofore undeveloped. Land that typically serves as yard area between mobile homes shall be included in the existing land area per individual mobile homes, unless the area between two particular mobile homes is clearly in excess of the average, to the extent that another mobile home could be located there.
  - 3. Impervious Surface.** The impervious coverage per mobile home lot or pad in the expansion area or redeveloped park shall be equal to or less than the average amount of impervious coverage per mobile home lot or pad in the existing park.

**7.1.5. Floor Area Option (4/1/16)**

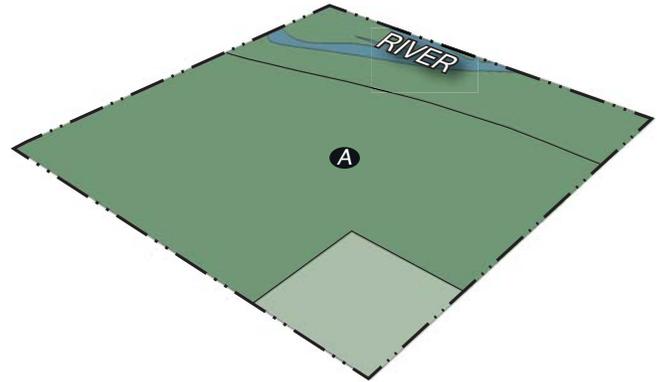
**A. Intent**

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

**B. Required Conservation Area**

The conservation area 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        |                                 |
|--------------------------------|---------------------------------|
| Project GSA (min)              | 35 ac                           |
| GSA in conservation area (min) | 90% <sup>A</sup>                |
| Principal Cons. Value          | GSA permanently conserved (min) |
| Wildlife                       | 35 ac                           |
| Scenic                         | 70 ac                           |
| Agriculture                    | 140 ac                          |

2. Principal Conservation Value. At least one of the conservation values listed below shall be a protected ~~the principal~~ conservation value identified pursuant to Subsection 7.3.2.A.
  - a. Wildlife
  - b. Scenic
  - c. Agriculture
3. Development Area Included. The reserved development area ~~may 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.
4. Area Already Conserved Prohibitions. Land already under conservation easement shall not count toward meeting required conservation area except as provided below. ~~Conserved area, whether previously conserved or proposed to~~

be conserved, shall not be used to entitle more than one development option or density/intensity increase under these or past LDRs:

- a. Land already under conservation easement may be counted as conservation area to permit the development allowed by the existing conservation easement or the development approved by the County in association with the conservation.

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

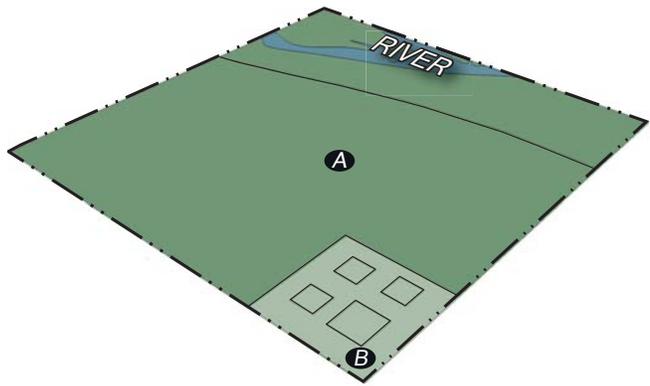
**EXAMPLE:** The owner of an existing 2-unit PRD on 35 acres with 25 acres of conservation area has only built one unit and wants to use the other unit as floor area on another 25 acre site in the R2. To accomplish this, the 25 acre site must be subject to a Floor Area Option. The 25 acre site may count 12.5 acres ( $25 / 2 = 12.5$ ) of the existing conservation area toward the minimum required area for the new Floor Area Option (35 acres), but 22.5 acres ( $25 * 90\% = 22.5$ ) of the 25 acres would have to be placed in conservation. The allowed development in the development area would be a base right of 11,500 sf and 1 ARU plus the transferred right of 10,000 sf and 1 ARU plus the new Floor Area Option right of 7,142 sf ( $10,000 * 25 / 35 = 7,142$ ) and 1 ARU ( $2 * 25 / 35 = 1.43$ ), for a total of 28,642 sf and 3 ARUs.

- b. Where approved density from an existing PRD is proposed to be converted into floor area as part of a Floor Area Option, land already under conservation easement may be counted toward the minimum required project area provided that:
- i. The area counted as conservation area is proportional to the density being converted;
  - ii. The density to be converted is permanently removed from the existing PRD by conservation easement;
  - iii. The land already under conservation easement is not included in the calculation of new floor area allowance; and
  - iv. The land already under conservation easement is not included in the calculation of the ratio of conservation area to development area for new development area.
- c. The conserved area shall not be subdivided.

**C. Development Area Standards**

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

**1. Scale**



| <u>Development Area</u>              |  |                |
|--------------------------------------|--|----------------|
| <u>GSA in development area (max)</u> | <u>10%</u>                               | <b>B</b>       |
| <u>Development area GSA :</u>        | <u>1 : 9 + 1 : 10</u>                    | <b>B : A</b>   |
| <u>Conservation area GSA (max)</u>   |  |                |
| <u># of development areas (max)</u>  | <u>4</u>                                 |                |
| <u>Additional Floor Area</u>         |  |                |
| <u>Additional floor area (max)</u>   | <u>10,000 sf per</u><br><u>35 ac GSA</u> | <u>(C.2.a)</u> |
| <u>Additional ARUs</u>               |  |                |
| <u>Additional ARUs (max)</u>         | <u>2 ARUs per</u><br><u>35 ac GSA</u>    | <u>(C.3.b)</u> |

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

**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 ( $10,000 + 10,000 \cdot 40/35$ ).

**b. Construction.** Best practices shall be utilized to minimize the impact of construction within the development area on the protected principal conservation value(s) of the conservation 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. Conditional use of additional floor area.** The amount of additional floor area that can be used by a conditional use shall be established through the CUP in order to consistently limit intensity through the use and development option permits.

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

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

**EXAMPLE.** A 40 acre site in the R-2 zone is allowed 1 ARU, which may not exceed 1,000 sf, within an allowance of 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 ( $1 + 2 \cdot 40/35$ ), 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) (4/1/16)**

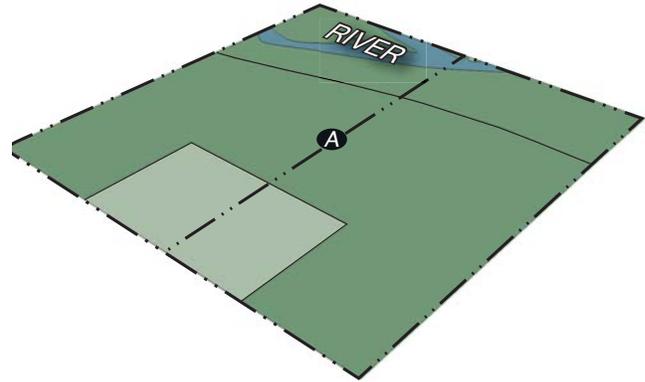
**A. Intent**

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

**B. Required Conservation Area**

The ~~conservation area~~ ~~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**

|                                       |              |
|---------------------------------------|--------------|
| Rural GSA permanently conserved (min) | 70 ac        |
| East of Teton Range (JH)              | 105 ac       |
| West of Teton Range (Alta)            | 70 ac        |
| Rural GSA in conservation area (min)  | 90% <b>A</b> |

**2. Configuration**

- a. **Location.** The ~~conservation~~ ~~conserved~~ area shall be located in the R-1, R-2, or R-TC zone.
- b. **Noncontiguous PRD.** The conservation area may be noncontiguous pursuant to the rules for measurement in Section 9.4.4.
3. **Conservation Value ~~Wildlife Conservation Value.~~** The ~~conservation~~ area shall be located in the NRO and the principal conservation value shall be wildlife. ~~At least one of the conservation values listed below shall be a protected conservation value identified pursuant to Subsection 7.3.2.A.~~
  - a. **Wildlife**
  - b. **Scenic**
  - c. **Agriculture**
4. **Area Already Conserved Prohibitions.** Land already under conservation easement shall not count toward meeting required conservation area; except

that, Where approved density is proposed to be transferred from an existing PRD to a CN-PRD, land already under conservation easement may be counted toward the minimum required rural gross site area provided that: ~~Conserved area, whether previously conserved or proposed to be conserved, shall not be used to entitle more than one development option or density/intensity increase under these or past LDRs:~~

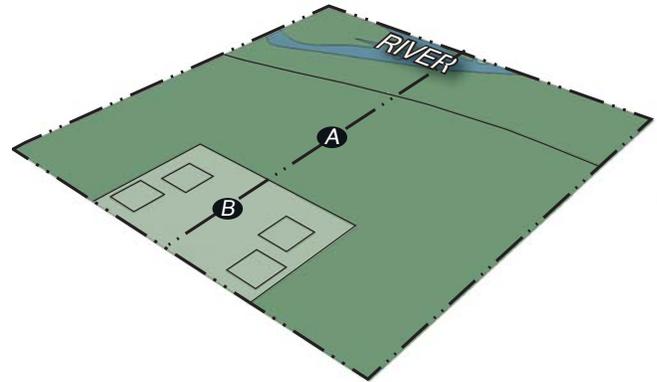
- a. The area counted as conservation area is proportional to the density being transferred:
- b. The density to be transferred is permanently removed from the existing PRD by conservation easement:
- c. The land already under conservation easement is not included in the calculation of new density allowance; and
- d. The land already under conservation easement is not included in the calculation of the ratio of conservation area to development area for new development area.

**EXAMPLE:** The owner of an existing 2-unit PRD on 35 acres with 30 acres of conservation area has only built one unit and wants to transfer the other to a complete neighborhood site as part of a CN-PRD that also incorporates an adjacent 90 acres. To accomplish this, the 90 acres and complete neighborhood site must be subject to a PRD. The 90 acre site may count 15 acres ( $30 / 2 = 15$ ) of the existing conservation area toward the minimum required rural area for the new PRD (105 acres east of the Tetons), but 81 acres ( $90 * 90\% = 81$ ) of the 90 acres would have to be placed in conservation. The allowed density on the 90 acre site would be 2 units ( $90 / 35 = 2.57$ ). The allowed density on the complete neighborhood site in addition to the base density of the site would be the 1 unit transferred plus 20 units ( $90 / 4.375 = 20.57$ ) from the conservation of the 90 acre site, for a total of 21 additional complete neighborhood units.

**C. Reserved Rural Development Area**

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

**1. Scale**



**Reserved Rural Development Areas**

|   |              |              |
|---|--------------|--------------|
| Rural GSA in development area (max)   | 10%          | <b>B</b>     |
| Rural Reserved development area<br>GSA : Conservation area Conserved<br>GSA (max) | 1 : 9.40     | <b>B : A</b> |
| Detached single-family unit :<br>Rural Conserved GSA (max)                        | 1 du : 35 ac |              |

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

- 2. **Development areas included.** Any development area reserved in the rural-conservation area may ~~shall~~ be included in the conservation easement. However, the standards of Division 7.3 shall only apply outside of the reserved rural development area. Allowances within the reserved development area are established in Subsection C:
- 3. **Clustering.** Development areas do not have to be on the same lot of record, but shall be located to maximize the conservation value of the ~~conservation-conserved~~ area as a whole.

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

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

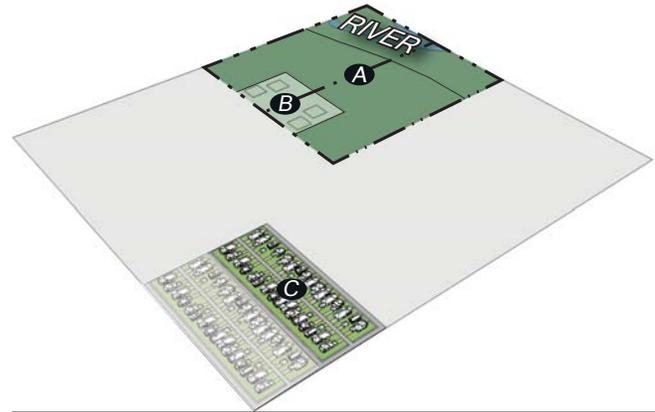
**EXAMPLE.** Each of the 19 units from the previous examples would be allowed accessory residential unit and home occupation uses consistent with the standards of the zone, but other accessory uses otherwise allowed in the zone would be prohibited.

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

**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 :             | 1 : 19            | <b>C</b> <b>A</b> |
| <u>Rural-Conserved area GSA (max)</u> |                   |                   |
| CN residential units :                | 1 du :            |                   |
| <u>Rural-Conserved area GSA (max)</u> | 4.375 <u>4 ac</u> |                   |

2. **Additional Density.** The density allowed in the complete neighborhood development area shall be in addition to the base density allowed in the complete neighborhood development area.

**EXAMPLE.** A CN-PRD with 665 acres of rural-conservation area could identify a maximum of 35 acres in a complete neighborhood ( $665/19 = 35$ ) for development of a maximum of 166 units ( $665/4 = 166.25$ ) in addition to the units allowed in the complete neighborhood by base zoning.

3. **Location.** The complete neighborhood development area shall be located in an area identified in the Illustration of Our Vision chapter of the Comprehensive Plan as a Stable or Transitional subarea.
4. **Assurance.** Concurrent with the recording of the conservation easement for the associated-conservation area of the CN-PRD, the additional density to be located in a complete neighborhood by approval of the CN-PRD shall be described and quantified in a notarized document signed by the Planning Director and filed with the County Clerk.

~~Upon recordation of such document the development rights identified therein shall become vested 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 (4/1/16)

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

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

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

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

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~~ (4/1/16)

#### A. ~~Purpose and Intent~~

~~The purpose of this Division is to establish standards for required conservation areas. The intent is to prioritize the use of 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~~ (4/1/16)

#### A. ~~Principal Conservation Value Identification and Prioritization~~

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

1. ~~Any of the conservation values listed below that are present in the conservation area shall be identified and protected by the conservation easement recorded pursuant to Sec. 7.3.4.~~
2. ~~The prioritization of values used to configure a required conservation area is not required to be included or enforced in the conservation easement recorded pursuant to Sec. 7.3.4.~~
3. ~~Value Prioritization. When configuring a required conservation area identifying the principal conservation value, the following prioritization shall apply.~~
  - a. ~~Wildlife. Where wildlife habitats identified 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 prioritized in configuring the conservation area the principal conservation value.~~
  - b. ~~Scenic. Unless a higher priority exists on the site, where scenic vistas identified protected by Sec. 5.3.2. exist in the conservation area, protection of those scenic vistas shall be prioritized in configuring the conservation area 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 prioritized in configuring the conservation area the principal conservation value.
  - d. Recreation/Access. Unless a higher priority exists on the site, provision of public access and recreation shall be prioritized in configuring the conservation area the principal conservation value. Granting of public access to a conservation area is not required when public access is not a protected the principal conservation value
4. Baseline Inventory. A baseline inventory of the conditions, features, and characteristics that define each of the identified conservation values shall be established. The baseline inventory shall be established by submittal of one of the following studies for each conservation value identified; however the options of this Section do not exempt analysis required by these LDRs. The study establishing the baseline inventory shall be submitted as part of the application requiring a conservation area.
- a. Wildlife Values. When wildlife is a conservation value:
    - i. The Environmental Analysis required by Subsection 8.2.2.B; OR
    - ii. A habitat inventory as described in Subsection 8.2.2.F.2, prepared by an environmental professional; OR
    - iii. A baseline of the wildlife values of the conservation area provided by the prospective conservation easement holder.
  - b. Scenic Values. When scenic is a conservation value:
    - i. The visual resource analysis required by Subsection 5.3.2.D; OR
    - ii. A visual resource analysis volunteered by that applicant prepared pursuant to Subsection 5.3.2.F; OR
    - iii. A baseline analysis of the scenic values of the conservation area provided by the prospective conservation easement holder.
  - c. Other Value. When agriculture or recreation/access is a conservation value: a baseline analysis of the values of the conservation area provided by the prospective conservation easement holder
5. Coordination. The prospective conservation easement holder should be involved in the process of conservation value identification and establishment of baseline inventory so that the conservation area configuration and inventory meets the needs of the easement holder as well as the requirements of these LDRs.

**EXAMPLE:** The land trust that will hold the conservation easement for a conservation area with wildlife value should be involved in the EA pre-application conference and alternatives analysis to ensure the habitat inventory and development area location meets its requirements as well as the standards of these LDRs.

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

## B. Configuration Contiguous and Unfragmented

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

1. Configuration Contiguity. The perimeter to area ratio of the conservation area shall be minimized to avoid conservation areas with decreased conservation value because the conservation area is they are small, isolated, fragmented, and/or extends into a development area.
2. Conservation on Multiple Lots. A conservation area may be cover multiple parcels or lots of record. In such a case, the conservation area on each parcel or lot of record shall meet the following standards
  - a. It shall be large enough to contribute to the conservation value of the conservation area.
  - b. Contiguous parcels making up a conservation area shall not be separated by fencing fenced apart or otherwise visually or functionally separated, except as may naturally occur or as permitted by the reserved uses set forth in the conservation easement separate from the rest of the conservation area.
  - c. The reserved use provisions in the conservation easement shall be based upon the conservation values identified and shall not vary solely according to parcel or ownership boundaries. The entire conservation area shall be subject to the same use provisions.
3. Clustering. Development areas, should not to 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 The following criteria shall be considered in the configuration of the conservation area shall be configured based on the following prioritization.

7.3.3. Conservation Area Allowances (4/1/16)

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 protected-principal conservation value(s) identified in Subsection 7.3.2.A.
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. In configuring the required conservation area the applicant shall consider: The required conservation area shall be configured first to connection to the existing conservation easement, second to maximization of the wildlife value and the migration corridor, and third, to linking 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. General Environmental Standards
  - b. Division 5.2. Environmental Standards Applicable in Specific Areas
  - c. Subsection 7.3.2.A.2. Contiguous and Unfragmented
2. Process. ~~The deviation shall be approved through the Administrative Adjustment process identified in Section 8.8.1.~~

7.3.3. Conservation Area Allowances (4/1/16)

A. Stewardship and Restoration

~~Stewardship and restoration that enhances the conservation value(s) of the conservation area shall be allowed in the reasonable discretion of the grantee of the conservation easement or as expressly reserved in the conservation easement.~~

B. Consistent with Conservation Value

~~Any physical development, use, development option, or subdivision allowed in a conservation area shall be consistent with the protected-principal conservation value(s) 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 protected-principal conservation value(s) 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 protected principal conservation value(s) 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 a the protected principal conservation value the following standards shall be considered apply.
- i. Domestic Pets. The impact of domestic pets on wildlife Free-roaming domestic pets shall be prohibited.
  - ii. Chemical Use. Chemical use shall be Limited chemical use in order to minimize unnecessary and negative side effects on wildlife. This shall not be read to restrict the use of chemicals in support of agriculture or control of noxious weeds to activities related to control of non-native species and ecological restoration.
  - iii. Motorized Vehicles. The effects on wildlife in determining off-road use of motorized vehicles use shall be limited to travel on designated accessways.
- b. Grazing. Grazing shall be managed to maintain vegetation for wildlife foraging and avoid overgrazing.
- c. Recreation. Recreation shall be managed to be consistent with, and reduce-minimize the impacts to, the protected principal conservation value(s).

**EXAMPLE:** In an 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 (4/1/16)

The physical development, use, develop options, and subdivision of a required conservation area shall be restricted in perpetuity by a conservation easement, within the meaning of the Wyoming Uniform Conservation Easement Act (Wyo. Stat. § 34-1-201 et. seq.), filed with the County Clerk, and enforceable by a 'qualified organization' within the meaning of Internal Revenue Code section 170(h)(3). The conservation easement may be in such format as the qualified organization and the landowner may agree, provided.

~~that the following restrictions and provisions are included in the conservation easement 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. Reference to the approved development permit and the additional development potential received. Quantification of the additional development potential achieved as a result of the required conservation area.~~
- ~~C. Statement of the protected principal conservation value(s) 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 conditions, features, and characteristics contributing to the identified conservation values from which the conservation values was established.~~
- ~~E. The affirmative right of the Grantee to conduct. Establishment of a stewardship plan including active monitoring of conservation values to ensure those values are successfully protected and maintained over time and to enforce those restrictions when necessary.~~
- ~~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 in the conservation area; 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. Grantor notice to the Planning Director approval of any amendment to the conservation easement 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 fenced 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 AG-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.~~

## Div. 7.4. Affordable Housing Standards

### 7.4.1. County Residential Affordable Housing Standards [\(4/1/16\)](#)

#### A. Findings

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

#### B. Purpose

The purpose of this Division is to ensure that there is a reasonable supply of affordable housing to meet the needs of the citizens of Teton County in order to restore the social, economic, and political fabric of the County and its community

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 (4/1/16)

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. Optional Conferences

A pre-application conference may be requested for any application. For applications that require public hearing, an additional pre-application conference may be requested with the Planning Commission, or Board of County Commissioners.

### D. Timing

A pre-application conference shall be held prior to the submittal of an application. A potential applicant shall initiate a request for a pre-application conference pursuant to [Sec. 8.2.4](#). The pre-application conference shall be scheduled for a date acceptable to the requester that is within 60 days of receipt of the request.

### E. Conference Focus

At the pre-application conference, the applicant and representatives of the County shall discuss the potential proposal to identify the standards and procedures that would apply to the proposal. Applicable LDR provisions not identified at the pre-application conference or amended following the pre-application conference are still applicable to the proposal. The level of detail of the County's review will match the level of detail contained in the materials submitted with the request for the pre-application conference. The pre-application conference is intended as a means of facilitating the application review process; discussions at the meeting and the written summary of the meeting are not binding on the County.

### F. Conference Summary

The pre-application conference requester shall be provided a written summary of the pre-application conference within 14 days of its completion.

### G. Expiration

A pre-application conference only satisfies a pre-application conference requirement if the application for which it is required is submitted within 12 months of the pre-application conference.

## 8.2.2. Environmental Analysis (EA) [\(4/1/16\)](#)

### A. Purpose

The purpose of an Environmental Analysis (EA) is to coordinate the application of all natural resource protection standards through identification of the natural resources on a site. An EA review does not result in application approval, it results in recommended natural resource protections for an application.

### B. Applicability

Unless exempted below, physical development, use, development options, and subdivision subject to [Div. 5.1](#), [Div. 5.2](#), or [Sec. 7.1.2](#), shall complete an EA in accordance with the requirements of this Section.

#### 1. Exemptions

- a. **Agriculture.** Activities conducted for agricultural purposes [meeting the standards for exemption in Section 6.1.3.B](#).
- b. **Previous Approval.** Physical development, use, development options, and subdivision that has received approval in accordance with the LDRs.

- c. **NC-TC ~~Small and Platted Lots~~**. All development located within the NC-TC zone, ~~or within the R-1, R-2 or R-3 zones on land zoned NC-TC on March 31, 2016, on a lot of record of 6 acres or less or a platted lot~~ 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 understating of these LDRs, the Jackson/Teton County Comprehensive Plan, and the goals and objectives thereof.

a portion or all of the assurance, provided that the amount retained for financial assurance shall not be less than 125% of the remaining cost to complete the action. The Planning Director may require that a professional engineer, landscape architect, or other professional licensed or certified to practice in the State of Wyoming certify completion of the action.

#### H. Drawing on Financial Assurance

If the Planning Director determines that the applicant will not complete any or all of the required actions, the Planning Director shall draw and expend from the financial assurance such funds as necessary to complete the required actions. This may include time and expenses incurred by County employees; in which case, each employee shall be billed at an hourly rate commensurate with the employee's skills and experience in the employee's field. In addition to, and not in-lieu of the foregoing, if an applicant defaults on its obligations under any order by or agreement with the County, the County shall be entitled to all remedies available to it by law or in equity, including but not limited to, the remedies described in these LDRs and the Financial Assurance Agreement with the applicant.

### 8.2.12. Issuance and Filing (1/1/15)

#### A. Permits Issuance

An approved physical development, use, development option, interpretation, or relief shall not commence or be acted upon until the permit is issued.

1. Within 14 days of fulfillment of all conditions of approval that must be met prior to permit issuance, the Planning Director shall issue the permit to the applicant, and make a copy available at the offices of the Planning Department for review during normal business hours.
2. The permit shall include any outstanding conditions of approval.

#### B. Filing of an Approval

An approved plat, exempt land division, boundary adjustment or amendment shall not take effect until the proper documents enacting the approval are filed with the County Clerk.

### 8.2.13. Amendment of Permits or Approvals (4/1/16)

#### A. Amendment not Applicable

1. **Application Type Cannot be Amended.** The following permits or approvals cannot be amended due to the nature of the findings for approval: Formal Interpretations; Zoning Compliance Verifications; LDR Text Amendments; Zoning Map Amendments; all Relief from the LDRs; exempt land divisions; and Boundary Adjustments. A change to one of these approvals shall be achieved through application for a new approval.
2. **Completed Permit.** A physical development permit or development option plan for which all approved development has been completed shall not be amended. Redevelopment of such a development shall be achieved through application for a new approval.

## 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 (4/1/16)

#### 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 [\(4/1/16\)](#)

### 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 [\(4/1/16\)](#)

#### 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 (4/1/16)

### 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.

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## Div. 9.3. Abbreviations

### 9.3.1. Purpose (1/1/15)

The purpose of this Division is to provide abbreviations for terms and phrases that are commonly used in these LDRs.

### 9.3.2. Common Abbreviations (4/1/16)

The abbreviations provided below have the following meanings:

|                |  |
|----------------|--|
| ac             | Acre   |
| ARU            | Accessory Residential Unit ( <a href="#">6.1.11.B.</a> )             |
| ASA            | Adjusted Site Area ( <a href="#">9.4.4.C.</a> )                      |
| BSA            | Base Site Area ( <a href="#">9.4.4.B.</a> )                          |
| BUP            | Basic Use Permit ( <a href="#">8.4.1.</a> )                          |
| CUP            | Conditional Use Permit ( <a href="#">8.4.2.</a> )                    |
| du             | Dwelling Unit  |
| EA             | Environmental Analysis ( <a href="#">8.2.2.</a> )                    |
| FA             | Floor area ( <a href="#">9.4.5.</a> )                                |
| FAA            | Federal Aviation Administration                                      |
| FAR            | Floor Area Ratio ( <a href="#">9.4.6.C.</a> )                        |
| FCC            | Federal Communications Commission                                    |
| FEMA           | Federal Emergency Management Agency                                  |
| FOF/COL        | Findings of Fact, Conclusions of Law, and Order Executing a Decision |
| ft             | Feet   |
| <b>GSA</b>     | <b><a href="#">Gross Site Area (9.4.4.A)</a></b>                     |
| HUD            | U.S. Department of Urban Housing and Development                     |
| LDRs           | Land Development Regulations   |
| LO             | Lodging Overlay ( <a href="#">6.1.5.A.2.</a> )                       |
| lu             | Lodging unit   |
| LSR            | Landscape Surface Ratio ( <a href="#">9.4.6.E.</a> )                 |
| max            | Maximum  |
| min            | Minimum  |
| NRO            | Natural Resources Overlay ( <a href="#">5.2.1.</a> )                 |
| <del>OSR</del> | <del><a href="#">Open Space Ratio (9.4.6.D.)</a></del>               |
| PRD            | Planned Residential Development ( <a href="#">7.1.2.</a> )           |
| <b>pu</b>      | <b><a href="#">plant unit (5.5.3.F)</a></b>                          |
| SRO            | Scenic Resources Overlay ( <a href="#">5.3.2.</a> )                  |

## Div. 9.4. Rules of Measurement

### 9.4.1. Purpose (1/1/15)

The purpose of this Division is to provide clear and consistent rules of measurement for development requirements and standards in these LDRs.

### 9.4.2. Timing (1/1/15)

#### A. Counting Days

The time within which an act is to be done shall be computed by excluding the first and including the last day; if the last day is a Saturday, Sunday or legal holiday observed by the County, that day shall be excluded. The end of a day shall be 5:00 P.M., local time.

1. The word "day" shall mean one calendar day, unless otherwise stated in these LDRs.
2. The word "week" shall mean 7 days.
3. The word "month" shall mean a calendar month.
4. The word "year" shall mean a calendar year.

### 9.4.3. Calculations (1/1/15)

#### A. Rounding

Calculations shall not be rounded. Fractional results of calculations shall be interpreted as set forth in this Section.

#### B. Maximums

Unless stated otherwise for a specific provision of these LDRs, maximum limits shall only allow the whole number result of a calculation.

**EXAMPLE:** A calculation of maximum density yielding 3.8 dwelling units shall permit a maximum of 3 dwelling units.

#### C. Minimums

Unless stated otherwise for a specific provision of these LDRs, minimum requirements shall require the next whole number.

**EXAMPLE:** A parking requirement of 7.8 spaces shall require 8 spaces.

### 9.4.4. Site Area (4/1/16)

#### A. Gross Site Area

Gross site area is the area of the lot of record or site as determined by a certified boundary survey.

1. **Noncontiguous Sites.** The gross site area may equal the total area of 2 or more noncontiguous sites provided the following standards are met:
  - a. The location of development that results from the transfer of density/intensity from one noncontiguous site to another shall be consistent with areas designated for development in the Comprehensive Plan;
  - b. Infrastructure shall be available, or can be constructed, to sufficiently serve the proposed development; and
  - c. Open space that results from the transfer of density/intensity from one noncontiguous site to another shall accomplish the objectives of open space preservation described in these LDRs and the Comprehensive Plan.

#### B. Base Site Area

Base site area is used to calculate many of the fundamental requirements of the LDRs, such as density, landscape surface ratio, and floor area ratio. Base site area is equal to gross site area minus the following:

1. All land within existing road easements and public road rights-of-way;
2. All land between levees or banks of rivers and streams;
3. All land within lakes or ponds, when the sum of the surface area of the ponds and/or lakes exceeds one acre;
4. All land which has been previously committed as permanent open space in accordance with the standards of these or prior LDRs; and
5. 50% of land with natural slopes greater than ~~30%~~-25%.

#### C. Adjusted Site Area

Adjusted site area is used to calculate maximum site development and lot coverage. Adjusted site area is gross site area minus the following:

1. All land within existing vehicular access easements;
2. All land between levees or banks of rivers and streams; and
3. All land within lakes or ponds, when the sum of the surface area of the ponds and/or lakes exceeds one acre.

#### D. Minimum Site Area

Minimum site area is the minimum gross site area or minimum base site area, as specified, required to permit a use or development option. On sites in more than one zone, the entire site may be used to meet minimum site area requirements in either zone. On sites with multiple uses or development options, the entire site may be used to meet minimum site area requirements for each use or development option.

### 9.4.5. Floor Area (1/1/15)

Floor area is the area of all floors interior to an enclosed building that have at least 5 feet of clearance between floor and ceiling. Floor area shall be measured to the exterior face of the structural members of the wall. Roofed architectural recesses and open covered porches are not considered interior to the building. A building with at least 50% of its perimeter open to the outside shall not be considered enclosed.

### 9.4.6. Density/Intensity (4/1/16)

The following standards shall apply to the calculation of maximum density, maximum floor area, minimum landscape surface area, and ~~required open space~~ maximum site development.

#### A. General

1. **Split Zoning.** On sites in multiple zones, calculations shall be based on the base site area, or gross site area in rural character zones (Div. 3.3), in each zone.
2. **Mixed Use.** On sites with multiple uses, the base site area, or gross site area in rural character zones (Div. 3.3), shall be prorated to determine the allowed density/intensity of each use.

**EXAMPLE:** On a base site area of 30,000 square feet with an FAR of 0.3 for a single family unit, a 3,000 square foot single family unit would occupy 10,000 square feet of the base site area ( $3,000/.3 = 10,000$ ), leaving 20,000 square feet of base site area left to calculate the remaining maximum floor area for other uses on the property.

#### B. Maximum Density

Unless stated otherwise for a specific provision of these LDRs, density is calculated by dividing the number of units by the base site area, or gross site area in rural character zones (Div. 3.3).

**EXAMPLE:** 3 units on 35 acres of base site area is a density of 0.086 units/acre ( $3/35 = .086$ ).

#### C. Floor Area Ratio (FAR)/Maximum Floor Area

The floor area ratio (FAR) is calculated by dividing the gross floor area above grade by the base site area, or gross site area in rural character zones (Div. 3.3).

**EXAMPLE:** On a base site area of 24,000 square feet a building with 8,000 square feet of gross floor area where 2,000 square feet was in the basement would have an FAR of .25 ( $(8,000-2,000)/24,000 = .25$ ). Unless otherwise defined in these LDRs, the maximum allowed floor area is calculated by multiplying the allowed FAR by the base site area (see Sec. 9.5.F for definition of Floor Area).

**D. ~~Open Space Ratio (OSR)/Minimum Required Open Space~~**

~~The open space ratio (OSR) is calculated by dividing the area of the open space by the base site area.~~

**EXAMPLE:** ~~A property that has 28 acres of open space with a base site area of 35 acres has an OSR of .8 (28/35 = .8). Unless otherwise defined in these LDRs, the minimum required amount of open space is calculated by multiplying the required OSR by the base site area (see [Sec. 9.5.O.](#) for definition of Open Space, Required).~~

**E. Landscape Surface Ratio (LSR)/Minimum Landscape Surface Area**

The landscape surface ratio (LSR) is calculated by dividing the landscape surface area by the base site area, [or gross site area in rural character zones \(Div. 3.3\)](#).

**EXAMPLE:** A property that has 6,000 square feet of landscape surface area and a base site area of 24,000 square feet has an LSR of .25 (6,000/24,000 = .25). Unless otherwise defined in these LDRs, the minimum required amount of landscape surface area is calculated by multiplying the required LSR by the base site area (see [Sec. 9.5.L.](#) for definition of Landscape Surface Area). Facilities specifically permitted in [Sec. 5.5.3.](#), public and neighborhood pathways, and flood control levees are excluded from landscape surface ratio and minimum landscape surface area calculations.

**F. Site Development Ratio (SDR)/Maximum Site Development**

~~The site development ratio (SDR) is calculated by dividing the site development by the adjusted site area, [or gross site area in rural character zones \(Div. 3.3\)](#).~~

~~**EXAMPLE:** A property that has 12,000 square feet of site development and an adjusted site area of 24,000 square feet has an SDR of .5 (12,000/24,000 = .5). Unless otherwise defined in these LDRs, the maximum allowed site development is calculated by multiplying the required SDR by the adjusted site area (see [Sec. 9.5.S](#) for definition of Site Development).~~

**9.4.7. Maximum Scale of Development (1/1/15)****A. Use**

Calculation of the maximum scale of an individual instance of a use shall include basement floor area unless otherwise stated for a specific provision of these LDRs.

**B. Building**

Calculation of the maximum scale of an individual building shall exclude basement floor area unless otherwise stated for a specific provision of these LDRs.

## Div. 9.5. Defined Terms

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

### A [\(4/1/16\)](#)

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**Accessory Residential Unit.** See [6.1.11.B.](#)

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

**Accessory Use.** See [6.1.2.B.3.](#)

**Adjoining.** See “Contiguous.”

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

~~**Agricultural Employee Housing.** See [6.1.11.I.](#)~~

**Agriculture.** See [6.1.3.B.](#)

~~**Airport.** See [6.1.10.F.](#)~~

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

**Amusement Use.** See [6.1.7.B.](#)

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

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

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

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

**Arterial Road.** See, “Road, Arterial.”

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

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

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

**Awning.** Awning means a roof-like cover that projects from and is supported by the wall of a building for the purpose of shielding a doorway or window from the elements.

# B [\(4/1/16\)](#)

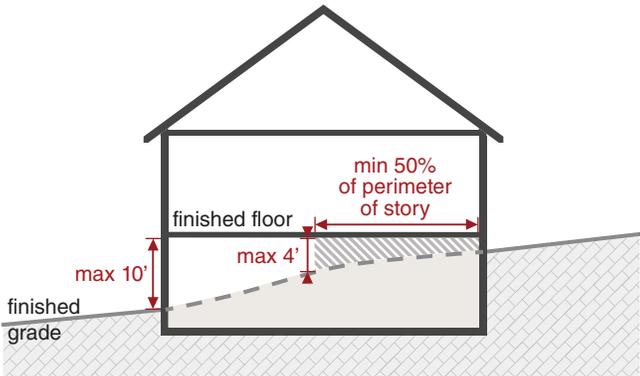
~~Balloon Operation.~~ See [6.1.7.F.](#)

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

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

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

**Basement.** A basement is any story for which the finish floor of the story above is less than 4 feet above finished grade for at least 50% of the perimeter of the story and at no point greater than 10 feet above finished grade.



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

**Bedroom.** Bedroom means a room, including a den or unfinished room, in a dwelling unit that is marketed and designed for sleeping, or otherwise has potential to function primarily for sleeping.

**Berm.** Berm means a man-made landform, typically built as an earth mound, located so as to screen a structure or property from view and/or to provide sound relief from a nearby road.

**Breakpoint Technology.** The engineering design of a monopole wherein a specified point on the monopole is designed to have stresses concentrated so that the point is at least 5% more susceptible to failure than any other point along the monopole so that in the event of a structural failure of the monopole, the failure will occur at the breakpoint rather than at the base plate, anchor bolts, or any other point on the monopole.

**Buffer (Natural Resource).** The area between a natural resource and the minimum natural resource setback extending the full length of the natural resource.

**Building Envelope.** A building envelope means the area of a lot of record within which all physical development shall occur.

**Building Face.** Building face means all window and wall areas of a building in one plane, facade, or elevation.

**Building Footprint.** The building footprint is the area of the foundation; eaves, overhangs, decks, cantilevers and other projections are not included.

**Building Frontage.** Building frontage is the linear width of the building elevation, parallel to the street lot line.

**Building.** Building means any structure having a roof supported by columns or walls; any enclosed structure, including tarpaulin structures, designed or used for the housing or enclosure of persons, animals, chattels, or property of any kind; or any attached appurtenance thereto, but not including an advertising sign board, fence, tepee, tent, or similar type of temporary structure.

**Bulk.** Bulk is a spatial dimension of magnitude and refers to the scale, height, floor area, and footprint of a building.

## C [\(4/1/16\)](#)

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**Caliper.** The diameter of a tree trunk measured 4.5 feet above the natural grade at the base of the tree.

~~**Camp Pad.** A camp pad is the area where a Conventional Camping Unit, Recreational Park Trailer or tent is parked or located at a campground. It may be gravel, paved, or grass.~~

**Campground.** See [6.1.5.D](#).

~~**Campsite.** A campground campsite consists of a gravel, paved, or grass camp pad suitable for a Conventional Camping Unit, Recreational Park Trailer or tent, meeting all requirements set forth in 6.1.5.D., including specified amenities and parking.~~

**Canopy Tree.** Canopy tree means a deciduous shade or specimen tree, such as aspen, cottonwood, golden willow, or ash.

**Canopy.** Canopy means the uppermost spreading branchy layer of trees. Canopy also means an ornamental roof-like structure, cantilevered or supported by posts or pillars and having open sides.

**Changeable Copy Sign (Manual).** See “Sign, Changeable Copy.”

**Christmas Tree Sales.** See [6.1.12.B.](#)

**Collector Road.** See, “Road, Collector.”

**Collocation.** The mounting or installation of an antenna or antennas on an existing tower, building, or structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

**Combined Antenna.** An antenna or an antenna array designed and utilized to provide services for single or multiple wireless providers utilizing more than one frequency band or spectrum, for the same or similar type of services.

**Commercial Air Tour.** A commercial air tour is any flight conducted for compensation or hire in a powered aircraft where the purpose of the flight is sightseeing.

**Commercial.** See [Sec. 6.1.6.](#)

**Common Open Area.** Common open area means land within or related to a development which is designed or intended for the common active or passive use and enjoyment of the residents of the development. Common open area shall include: (a) land which is not individually owned and is not dedicated for public use for streets and other similar common facilities, or (b) land which is individually owned, provided it is located outside of an identified building envelope and has been located adjacent to and made a part of other common open areas, to the maximum extent possible, to form a continuous area of open space. Common open area may include such complimentary structures and improvements as are necessary and appropriate for its intended use, provided that fences shall not be installed so as to divide individual and common open areas from one another.

**Concealed.** A tower, ancillary structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. There are 2 types of concealed facilities: 1) Antenna Attachments, including painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure and 2) Freestanding. Freestanding concealed towers usually have a secondary, obvious function, which may include church steeple, windmill, bell tower, clock tower, light stanchion, flagpole with or without a flag, or tree.

**Conditional Use.** See [6.1.1.C.](#)

**Condominium.** Condominium means an estate in real property consisting of an undivided interest in common in a portion of a lot of record together with a separate interest in space in a building on such real property.

**Conservation Area.** [A conservation area is land under conservation easement that meets the standards of Division 7.3.](#)

**Conservation Easement.** A conservation easement is an agreement between a landowner and a land trust or government that invests in the land trust or government the power to constrain the landowner's rights to use and develop the land in order to achieve identified conservation purposes such as preservation of habitat, scenery, or agriculture. A conservation easement is a permanent interest in real property that runs with the land.

**Construction Sign.** See, "Sign, Construction."

**Contiguous.** Contiguous means having a common border with.

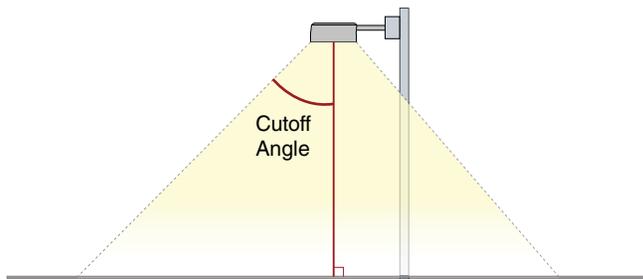
**Conventional Camping Unit.** Conventional Camping Units include recreational vehicles, campers, trailers, motorhomes or other vehicles which are: built on a single chassis; 400 square feet or less when measured at the largest horizontal projections; self-propelled or permanently towable by a light duty truck; and designed primarily not to be used as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. Conventional Camping Unit does not include Mobile/Manufactured homes or Recreational Park Trailers.

**Conventional Lodging.** See [6.1.5.B](#).

**Cottage Industry.** See [6.1.11.J](#).

**Cut Slope.** Cut slope means any slope surface in soil or bedrock material created by man by the removal of soil or bedrock materials below the natural land surface.

**Cutoff Angle.** Cutoff angle means the angle, formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source, above which no light is emitted.



## D [\(4/1/16\)](#)

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**Daycare.** See [6.1.8.C](#).

**Daycare, Family Home.** See [6.1.11.F](#).

**Daycare, Home Center.** See [6.1.11.G](#).

**Dedication.** Dedication means the transfer of property interests by the owner to another person. The transfer may be of fee simple interest or of a less than fee simple interest, including an easement. Dedication is not complete unless the party to which the interest is dedicated accepts the dedication.

**Detached Single-Family Unit.** See [6.1.4.B](#).

**Detention Basin.** A detention basin is a covered or uncovered reservoir designed to hold an excessive accumulation of stormwater or snowmelt so as to reduce peak flow in a stormwater or snowmelt drainage system.

**Developed Recreation.** See [6.1.7.D.](#)

**Developer.** Developer means a recognized legal or beneficial owner of a lot of record proposed for inclusion in a development or use, including a lessee, optionee, or contract purchaser.

**Development Area.** A development area is a contiguous area in which all physical development, utilities, and non-native landscaping is located. Driveways and utility lines may extend out of a development area to provide access to the development area.

**Development Option.** A development option is any division of a lot of record into 2 or more lots of record; adjustment of the boundaries of lots of record; entitlement of uses or densities not allowed through approval of only a physical development permit and/or use permit; and any other approval that changes the allowed physical development or use of a site.

**Development.** Development means any physical development, development option or subdivision. Development does not mean use if the use does not require any physical development or development option.

**Disposal.** See [6.1.9.D.](#)

**Ditch, Irrigation.** See, "Irrigation Ditch."

**Dormitory.** See [6.1.4.F.](#)

~~**Downhill Ski Area.** See [6.1.3.C.](#)~~

**Drainage.** Drainage means the removal of surface water or groundwater from land by drains, grading, or other means. Drainage, sometimes referred to in terms of stormwater management, also includes the control of runoff to minimize erosion and sedimentation during and after development, and includes the means necessary for water supply preservation or prevention or alleviation of flooding.

**Drainageway.** A drainageway is a watercourse identified by the presence of an intermittent flow, or a swale whose drainage area is a minimum of 5 acres.

**Drive-In Facility.** See [6.1.11.H.](#)

**Driveway.** Driveway means a private access way serving 2 or fewer single-family units or deeded lots.

**Dude Ranch.** See [6.1.3.E.](#)

**Dwelling Unit.** A dwelling unit is a unit used residentially and is also known as a residential unit. See [Sec. 6.1.4.](#) for a definition of residential use.

## E [\(4/1/16\)](#)

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

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

**Education.** See [6.1.8.C.](#)

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

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

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

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

~~Events. See [6.1.11.K.](#)~~

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

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

## F [\(4/1/16\)](#)

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**Facade.** The exterior wall and related roof elements of a building.

**Face, Building.** See, "Building Face."

**Fair Market Value.** The price that land will bring in a competitive and open market under all conditions of fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undue stimulus.

## G [\(4/1/16\)](#)

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**Garage.** Garage means a building or floor area within a building intended to be used for the parking or storage of motor vehicles.

**Glare.** Glare means the effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**Golf Courses.** See [6.1.3.D](#).

**Grade, Finished.** Finished grade means the final elevation of the ground surface after physical development that has been permitted pursuant to these LDRs. The term “finished grade” may also mean natural grade when no terrain alteration is proposed, or where otherwise applicable. Fill which is not necessary to achieve positive drainage or slope stabilization, or which is otherwise proposed clearly to manipulate the measurement of another standard of these LDRs, shall not be considered finished grade.

**Grade, Natural.** Natural grade means the elevation of the ground surface in its natural state before physical development.

**Gradient.** Gradient means the steepness, in terms of angle from the horizontal or in terms of percent, of a slope measured in a prescribed direction up or down the slope. For a road, the gradient is measured as the steepness along the centerline.

**Gravel Extraction and Processing, Temporary.** See [6.1.12.F](#).

**Gravel Extraction and Processing.** See [6.1.9.F](#).

**Gross Floor Area.** Gross floor area is the total of all habitable and non-habitable floor area in a structure on all levels. Gross floor area includes basements, and partial levels such as lofts, mezzanines, and interior balconies. It also includes foyers, hallways, restrooms, storage, and other common areas within a building.

**Groundwater.** Groundwater means any water, including hot water and geothermal steam, under the surface of the land.

**Group Home.** See [6.1.4.G](#).

**Guest Ranch.** See [6.1.3.E](#).

## H [\(4/1/16\)](#)

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**Habitable Floor Area.** Habitable floor area is the floor area that can be used for living purposes, usually having access to heat, plumbing, and electricity. Habitable floor area includes studios, exercise rooms, offices, and similar spaces. It also includes foyers, hallways, restrooms, storage, and other common areas within a building. Habitable floor area does not include barns, garages, or unfinished attic space.

**Heavy Industry.** See [6.1.9.C](#).

Heavy Retail/Service. See [6.1.6.F.](#)

~~Helicopter Tree Removal. See [6.1.12.G.](#)~~

~~Heliport. See [6.1.10.E.](#)~~

Home Business. See [6.1.11.E.](#)

Home Daycare Center. See [6.1.11.G.](#)

Home Occupation. See [6.1.11.D.](#)

## I (1/1/15)

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**Impervious surface.** Impervious surfaces mean a surface which does not absorb water.

**EXAMPLE:** Examples of impervious surfaces include, but are not limited to: buildings (including roofed areas but excluding eaves that over-hang a pervious surface), structures, parking areas, loading areas, driveways, roads, sidewalks, and any areas of concrete, asphalt, or significantly compacted material which prevents water absorption.

Industrial Use. See [Sec. 6.1.9.](#)

Industry, Heavy. See [6.1.9.C.](#)

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

Incidental Use. See [6.1.2.B.2.](#)

**Infrastructure.** Infrastructure means public facilities necessary to serve development, including, but not limited to roads, potable water supply facilities, sewage disposal facilities, drainage facilities, electric facilities, natural gas facilities, telephone facilities and cable television facilities.

Institutional Use. See [Sec. 6.1.8.](#)

**Irrigation Ditch.** An irrigation ditch is a man-made ditch constructed for the purpose of land irrigation. Irrigation ditches shall not include naturally formed drainageways.

## J (1/1/15)

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

## K (1/1/15)

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

## L (4/1/16)

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

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

~~Landing Strip. See 6.1.10.G.~~

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

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

**Light Industry.** See 6.1.9.B.

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

**Local Road.** See, “Road, Local.”

**Lodging.** See Sec. 6.1.5.

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

**Lot Frontage.** The length of the front lot line.

**Lot Line, Front.** Front lot line means the street lot line unless no street lot line exists in which case it means the lot line across which access is taken.

**Lot Line, Rear.** Rear lot line means a lot line opposite a street or front lot line. A non-rectangular lot of record or lot of record with multiple street lot lines may not have a rear lot line or may have multiple rear lot lines.

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

**Neon Sign.** See, “Sign, Neon.”

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

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

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

## O [\(4/1/16\)](#)

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

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

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

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

~~Open Space, Required. Required open space is undeveloped area that is required in order to receive approval of a development or use. Unless otherwise noted for a specific development or use, the standards for required open space are in Div. 7.3:~~

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

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

## P [\(4/1/16\)](#)

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**Parcel.** Parcel means unplatted property that is described by metes and bounds, or any public land surveys, or aliquot parts, or lot or tract designations not recognized as lawfully platted.

**Parking (Use).** See [6.1.10.B](#).

**Parking Lot.** Parking lot means 4 or more adjacent parking spaces.

**Pathway.** Pathway means a facility designed for non-motorized travel intended for the use of bicyclists, pedestrians, equestrians, and cross-country skiers.

**Performance Bond.** Performance bond means a financial guarantee to ensure that all improvements, facilities, or work required by these LDRs will be completed in compliance with these LDRs, and the approved plans and specifications of a development.

**Person.** Person means an individual or group of individuals, corporation, partnership, association, municipality, or state agency.

**Personal Wireless Service.** Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services as defined in the Telecommunications Act of 1996.

**Physical Development.** Physical development means any of the following activities that alter the natural character of the land and for which a permit may be required pursuant to the LDRs: the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings, structures, or accessory structures; any grading, clearing, excavation, dredging, filling or other movement of land; any mining, paving, or drilling operations; or the storage, deposition, or excavation of materials. Physical development does not include the use of land that does not involve any of the above listed activities.

**Planned Residential Development, Rural.** See Sec. 7.1.2.

**Planned Residential Development, Complete Neighborhood (CN).** See Sec. 7.1.6.

**Primary Use.** See 6.1.2.B.4.

**Principal Use.** See 6.1.2.B.1.

**Plat.** Plat means the legally recorded drawing depicting the subdivision of land into 2 or more lots.

**Public Sanitary Sewer.** See “Wastewater Treatment System, Public.”

**Public Water Supply.** See “Water Supply, Public.”

## R [\(4/1/16\)](#)

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**Ranch Compound.** Ranch compound means a cluster of structures built in traditional ranch forms commonly found on ranches in Teton County.

**Real Estate Sales Office.** See 6.1.12.C.

**Rear Lot Line.** See, “Lot Line, Rear.”

**Rear Yard.** See, “Yard, Rear.”

**~~Receptions.~~** See 6.1.11.K.

**Recorded.** Recorded means formally indexed and abstracted in the official records of the Teton County Clerk. Recorded does not include documents that are merely filed.

**~~Recreational Park Trailers (RPT).~~** ~~An RPT or park model, is a trailer type that is primarily designed to provide temporary living quarters for recreational, camping, travel or seasonal use that meets the following criteria: (1) built on a single chassis; (2) mounted on wheels having a gross trailer area not exceeding 400 square feet in the set-up mode; and (3) certified by the manufacturer as complying with current ANSI A119.5, which specifies standards for operating systems and construction requirements. RPTs do not include Mobile and Manufactured homes or Conventional Camping Units. Gross Trailer Area is the gross square footage of a Recreational Park Trailer measured to the maximum~~

~~horizontal projections of exterior walls including all siding, corner trims, moldings, storage areas enclosed by windows, but not the roof overhangs. Unenclosed porches are not included in the gross trailer area.~~

~~Required Open Space. See, "Open Space, Required."~~

Required Landscaping. See, "Landscaping, Required."

Residential Street. Residential street means a local road serving residential uses.

Residential. See Sec. 6.1.4.

Restaurant. See 6.1.6.E.

Retail (Use). See 6.1.6.C.

River. See Sec. 5.1.1.

**Road, Arterial.** Arterial road means a road, which is intended to provide for travel between or within communities or to and from collector roads. Access is controlled so that only significant land uses may take direct access to these streets. For the purposes of these LDRs, arterial roads are identified as arterials on the Official Town County Highway Map.

**Road, Collector.** Collector road means a road, which is intended to connect local roads to arterial roads.

**Road, Local.** Local road means a road, which is intended to provide access to contiguous lands.

**Runoff.** Runoff means the rainfall, snowmelt, or irrigation water flowing over the ground surface.

## S (1/1/15)

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**Search Ring.** A geographic area designated by a wireless provider or operator for a new base station, produced in accordance with generally accepted principles of wireless engineering.

**Sedimentation.** Sedimentation means the deposition of soil that has been transported from its site of origin by water, ice, wind, gravity, or other natural means as a result of erosion.

Service. See 6.1.6.D.

Shelter, Temporary. See 6.1.12.D.

Short-Term Rental Unit. See 6.1.5.C.

Side Lot Line. See, "Lot Line, Side."

Side Yard. See, "Yard, Side."