

AGENDA

Planning and Zoning Commission

September 16, 2020 – REGULAR MEETING

5:30 PM

The New Business items have been placed on the agenda in the order they were received. Please note that at 9:00 p.m., the Commission will evaluate the remainder of the agenda to determine if time constraints will permit the full agenda to be heard at this meeting. All items not heard at this meeting will be postponed to the next regularly scheduled PC/BOA meeting of October 7, 2020 or to a special meeting scheduled by the Commission.

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

1. NEW PUBLIC COMMENT OPTIONS

I Public

. Link: <https://townofjacksonwy.webex.com/townofjacksonwy/onstage/g.php?MTID=efa64051551aeefb69f47719194b8d0ab>

2. CALL TO ORDER

3. ROLL CALL

4. MATTERS FROM THE PUBLIC

5. APPROVAL OF MINUTES

I. September 2, 2020

6. OLD BUSINESS

7. NEW BUSINESS

I. **P20-042 Teton Village Master Plan Amendment:** Request request to amend the Teton Village Master Plan (TVMP) pursuant to Sections 8.7.3 and 4.3.1.D of the Teton County Land Development Regulations (LDRs), to allow dormitories to partially satisfy housing mitigation requirements.

II. **ITEM P19-95, P20-167, P20-168:** REQUEST TO AMEND TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO ESTABLISH A HISTORIC PRESERVATION PROGRAM, AMEND OFFICIAL ZONING MAP FOR TOWN SQUARE AREA, ADOPT DESIGN GUIDELINES FOR HISTORIC PRESERVATION AND WESTERN CHARACTER, AND AMEND DEMOLITION REQUIREMENTS IN JACKSON MUNICIPAL CODE.

8. BOARD OF ADJUSTMENT

9. PLANNING COMMISSION

10. MATTERS FROM THE COMMISSION

11. AGENDA FOLLOWUP

12. MATTERS FROM STAFF

13. ADJOURNMENT

Due to recommended social distancing practices the public is encouraged to view meetings online and participate remotely. Planning Commissioners, presenters, and staff members may not be physically present at the meeting and may all be participating remotely.

Your options for watching or participating in public meetings:

To just watch a meeting live: www.jacksonwy.gov/live (town's website)

3 Ways to Make Public Comment, either on items that are on the agenda or not on the agenda

1. Public comment can be sent anytime via email to planningcommission@jacksonwy.gov. These emails get sent to each Planning Commissioner and are placed in the public record.
2. Public comment can be made virtually through a Webex platform in real-time.
 - a. In brief, those wishing to make verbal public comment may do so by joining the meeting via Webex and using the 'hand raise' feature.
 - b. Instructions are below for using the Webex platform.
3. Public comment can be made in-person at the Town Hall.
 - a. Planning Commissioners may participate remotely, so don't expect an in-person audience.
 - b. You will be speaking into a microphone without the Planning Commissioners present (please consider using Webex).
 - c. Due to the Public Health Order prohibiting gatherings of 10 or more people, and for the public's safety, the Town will be managing the social distance of public in attendance.
 - d. If a large number of community members come to a council meeting, you may be asked to wait outside or in your car until the item you are interested in begins.
 - i. Additional measures may be taken to ensure distancing.

Instructions to join a meeting via Webex:

This option is intended for those who wish to participate in a meeting as the applicant or a member of the community making public comment.

1. Pull-up the meeting agenda. The Webex link is provided on the agenda and is shown as the first item.
 2. Click the link or copy the URL to your browser. The Webex password is “toj”
 - a. Remember, Webex links will change for each meeting and will be found on the agenda.
 - i. Find meeting agendas here: <http://townofjackson.com/491/Agendas-Minutes>
 3. Type in your first and last name and your email address as prompted. The password is “toj”
 - a. Those who do not provide a valid name will not be recognized and will not have the ability to speak in the meeting.
 4. Once you have joined the meeting, familiarize yourself Webex’s tools and options.
 - a. Of particular importance is the “raise hand” feature. Please locate this tool if you desire to make public comment. This is the only way we will know you want to make a comment.
 - b. As you join the meeting, your audio will automatically be muted.
 5. When public comment is open. Town staff will look for those that have “raised their hand.” Your name will be announced, and your microphone will be unmuted. At that time, you can state your name and comment.
 - a. You will be heard by all those participating in or watching the meeting. Your video will not be projected, only audio.
 - b. Please be in a place with no background noise and speak in a clear, strong voice.
- Those using only the telephone call-in feature through Webex telephone will not be recognized.
 - The Webex chat feature will not be used.
 - We encourage you to log in early for any given meeting. Generally, the Town of Jackson strives to have the Webex platform ready at least 10 minutes before a listed meeting’s start time.
 - If you’ve not used Webex before, you may be required to download Webex’s tools and/or software and apps. The Webex platform, its tools, and apps are provided by Webex directly. As these services are from a third party, we aren’t able to provide support directly to end users. If you should have trouble with the platform, please reference Webex’s help resources at <https://help.Webex.com/en-us/>

Please understand for these virtual Planning Commission meetings, just like any public meeting, uncivil discourse, threatening language, or disruptions will not be allowed from participants.

**MINUTES
SPECIAL MEETING
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
SEPTEMBER 2, 2020**

The meeting of the Planning and Zoning Commission was called to order at 5:30 p.m. on 9/02/2020, in the Town Hall Council Chambers.

ROLL CALL:

☐X Anne Schuler, ☒ David Vandenberg, ☒ Katie Wilson, ☐ Abby Petri, ☒ William Gale,
☒ Thomas Smits [Note: Quorum was lost after 7pm.]

STAFF: Paul Anthony

MATTERS FROM THE PUBLIC: None

APPROVAL OF MINUTES:

August 19, 2020

A motion was made by: Anne Schuler seconded by: David Vandenberg
Motion approved or denied by a 5 to 0 vote

OLD BUSINESS: None

PLANNING COMMISSION

1. **ITEMS P19-095:** REQUEST TO AMEND TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO ESTABLISH HISTORIC PRESERVATION PROGRAM, UPDATE TOWN SQUARE AREA ZONING, AND TO ADOPT DESIGN GUIDELINES FOR HISTORIC PRESERVATION AND WESTERN CHARACTER

STAFF PRESENTATION: Paul Anthony

APPLICANT PRESENTATION: Nore Winter, Marcia Boyle

PUBLIC COMMENT: John Holland

PC DISCUSSION: The PC had a wide-ranging conversation as facilitated by staff. The PC provided initial feedback on various aspects of the proposed LDR update, including on: the historic preservation design guidelines; the historic preservation incentives and procedures; the boundary and design guidelines for western character in the downtown area; and the zoning standards for the Town Square area. Because a quorum was lost during the course of the meeting, the meeting concluded with only PC members Wilson and Schuler providing comment. Thus, the meeting was continued to the 16th to allow a quorum of members take action.

MOTION:

Item A – Zoning Map Amendment (P20-167). Based upon the findings for an amendment to the Official Zoning Map as presented by the applicant and by the Commission for Item P20-167 related to 1) consistency with the purposes and organization of the LDRs; 2) improved implementation of the desired future character in the Comprehensive Plan; 3) need to address changing conditions or a public necessity; and 4) consistency with other adopted Town Ordinances, I move to recommend approval to the Town Council to change the zoning from Town Square (TS), Urban Commercial (UC), and Downtown Core (DC) to Town Square-1 (TS-1), Town Square-2 (TS-2), and Downtown Core-2 (DC-2) for the properties located in Character District 1; town Square and as shown in the attached proposed revised Official Zoning Map, attached to this staff report dated August 28, 2020, subject to this staff report with no conditions of approval [or with the following conditions of approval].

A motion was made by: _____ seconded by:
Motion approved or denied by a ___ to ___ vote

Item B: Amendment to LDR Text (P19-095): Based upon the findings pursuant to Section 8.7.1.C for an amendment to the text of the Land Development Regulations, as presented by the applicant and by the Commission for Item P19-095, the application: 1) Is consistent with the purposes and organization of the LDRs; 2) Improves the consistency of the LDRs with other provisions of the LDRs; 3) Provides flexibility for landowners within standards that clearly define desired character; 4) Is necessary to address changing conditions, public necessity, and/or state or federal legislation; 5) Improves implementation of the Comprehensive Plan; and 6) Is consistent with other adopted Town Ordinances, I move to recommend approval to the Town Council of the requested text amendments, which include but are not limited to, LDR Secs. 1.9.2; 2.1; 2.2; 5.8.1; 5.9. 6.3.2.C.3; 8.2.6.C; 8.5.6; 8.5.7; 8.5.8 8.8.1; 8.10.4: and 9.5, subject to this staff report, dated August 28, 2020, and subject to this staff report with no conditions of approval [or with the following conditions of approval].

Item C: Amendment to Demolition Permit (P20-168): There is no motion on this item for the Planning Commission because the Planning

Commission does not review amendments to the Town of Jackson Municipal Code.

No motion to continue was made because no quorum existed.

NEW BUSINESS: None

MATTERS FROM COMMISSION: None

AGENDA FOLLOWUP: None

MATTERS FROM STAFF: None

ADJOURN: 8:00 PM

No motion to adjourn was made because no quorum existed.

Meeting ended at 8:30pm.



TOWN OF JACKSON PLANNING COMMISSION AGENDA DOCUMENTATION

PREPARATION DATE: SEPTEMBER 11, 2020
MEETING DATE: SEPTEMBER 16, 2020

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: PAUL ANTHONY
PRESENTER: PAUL ANTHONY/ANDREW BOWEN

SUBJECT: **ITEM P20-142** A REQUEST TO AMEND THE TETON VILLAGE MASTER PLAN PURSUANT TO SECTION 8.7.3, PLANNED UNIT DEVELOPMENT (PUD) AND SECTION 4.3.1.D OF THE TETON COUNTY LAND DEVELOPMENT REGULATIONS.

APPLICANT/AGENT: BILL COLLINS

PROPERTY OWNER: JACKSON HOLE MOUNTAIN RESORT

REQUESTED ACTION

Jackson Hole Mountain Resort is requesting to amend the Teton Village Master Plan Section VII.A. Provision of Employee Housing to allow dormitories to satisfy no more than 60% of the required housing mitigation for development within Teton Village Area One.

APPLICABLE REGULATIONS

Division 4.3 Planned Resort Zones
Section 4.3.1.E.4 Joint Review by Town and County
Section 8.7.3 Planned Unit Development

LOCATION MAP

See County staff report.

BACKGROUND/PROJECT DESCRIPTION

JHMR is requesting to amend the Teton Village Master Plan to allow 'dormitory-style' housing units to be used to satisfy employee housing mitigation requirements for non-residential development in Area One of Teton Village. This request is a modified and simplified version of the amendment request the applicant made and the Planning Commission heard on November 11, 2019.

In the County Land Development Regulations (LDRs), a "dormitory" is defined as a housing unit that allows four or more unrelated people to live in the same housing unit. This type of housing avoids the limitation imposed on all other residential unit types that are limited to 'single-family' uses only, which are defined as having not more than three unrelated people living in the same residential unit.

The need for this amendment stems from the fact that the County (and Town) adopted revised affordable workforce housing mitigation requirements in 2018 that now prohibit the use of dormitories to meet housing mitigation requirements. This change has particular impact on the applicant because they have already obtained approval for and partially built a large, dormitory housing PUD project located on Powderhorn Lane in the Town of Jackson. Consequently, the applicant became concerned that their dormitory units at Powderhorn (especially the unbuilt Phase 2 dorms units) might not be allowed to be used as mitigation units for future development at Teton Village as intended. The proposed amendment is thus intended to allow dormitories to meet up to 60% of the employee housing mitigation for non-residential development in Area One of Teton Village.

Please see the County Planning staff report and applicant's submittal for more detail on the proposal.

Staff and the applicant will provide a brief presentation and opportunity for questions at the meeting.

STAFF ANALYSIS

According to Sec. 4.3.1.E.4 of the Teton County LDRs, each jurisdiction shall receive and consider recommendations from the other jurisdiction when a Planned Resort application is submitted for review or amendment. The text of Sec. 4.3.1.E.4 is as follows:

4. **Joint Review by Town and County.** The County Planning Commission and the Board of County Commissioners shall receive and consider recommendations from the Town Planning Commission and Town Council regarding any Planned Resort master plan application in the County. For the same purpose, The County Planning Commission and Board of County Commissioners shall make recommendations to the Town Planning Commission and Town Council regarding any Planned Resort master plan application within the Town of Jackson.
 - a. **Purpose.** The purpose of the County's and Town's review of any Planned Resort in the other jurisdiction is to recognize the impact of resorts on neighboring jurisdictions and to provide an opportunity for cooperation in planning and mitigation of potential impacts.
 - b. **Intent.** The intent of review is for the Town Planning Commission and Town Council to have an opportunity for review and comment on a proposed Master Plan. The Town's role is advisory only and does not include a voting participation in review of the Planned Resort master plan.

The County Planning Staff are recommending that the Teton Village Master Plan Section VII.A. Provision of Employee Housing be amended to allow dormitories to satisfy no more than 25% (not 60% as requested) of the required housing mitigation for future development within Teton Village Area One. County planning staff provide two reasons for its recommendation: 1) the requested 60% would be inconsistent with the recent decision by the County to shift to providing housing for year-round workers instead of seasonal workers, and 2) the Town just approved a 25% maximum on dormitory housing for mitigation for Snow King Resort and consistency between the two resort areas would seem fair and reasonable.

In coming to its recommendation, County Planning Staff identified and addressed the following Key Issue:

Does Jackson Hole Mountain Resort's unique employee housing characteristic, which is comprised of a majority of seasonal workers, necessitate a shift in housing policy for Teton Village Area One from an emphasis on year-round employees to seasonal employees?

In response, County staff found that its proposed recommendation and condition recognize a legitimate need of the applicant to provide some level of seasonal housing but that the primary need should still be for year-round, deed-restricted housing.

Town staff generally concur with the reasoning and conclusions of the County staff. Please see the County staff report for more detail this key issue.

Town staff further conclude that the proposed amendments should not have any significant adverse impacts on the Town of Jackson.

ATTACHMENTS

- County Staff Report
- Applicant Submittal

SUGGESTED MOTION

The LDRs state that the PC does not have a ‘voting participation’ in the review of a Resort Master Plan amendment, thus no motion is intended. However, the Town Planning Commission is expected to provide any recommendations and comments as appropriate.



Planning Commission - Staff Report

Subject: Teton Village Master Plan Area One PUD Text Amendment (Dormitories)

Agent: Bill Collins

Applicant: Jackson Hole Mountain Resort (JHMR)

Property Owner: This amendment is not tied to a single property

Presenter: Andrew Bowen, *Senior Planner*

REQUESTED ACTION SUMMARIES

JHMR seeks to amend the Teton Village Master Plan (TVMP) pursuant to Sections 8.7.3 and 4.3.1.D of the Teton County Land Development Regulations (LDRs), to allow dormitories to partially satisfy housing mitigation requirements.

PROPOSED AMENDMENT

- A. Provision of Employee Housing. Employee Housing shall be provided in conjunction with all non-residential development in ~~at~~ Teton Village Area 1 in accordance with ~~the~~ all applicable Teton County Land Development Regulations and the Jackson/Teton County Affordable Housing Department's Rules and Regulations, consistent with the following modifications and conditions: ~~Article IV, Section 49600, Employee Housing Standards for Planned Unit Development (PUD) District for Planned Resort~~
1. Unit Types Allowed. A required affordable or workforce housing unit shall be a detached single-family unit (LDR 6.1.4.B.), attached single-family unit (LDR 6.1.4.C.), apartment (LDR 6.1.4.D.), accessory residential unit (LDR 6.1.11.B.), or dormitory meeting the requirements mandated below:
 - A. Each lavatory shall be shared between a maximum of four bedrooms.
 - B. Each bedroom shall have individual lock off ability and be occupied by one individual.
 - C. Each dwelling shall have access to a kitchen area located on the same floor as the dwelling.
 - D. Dorm units shall not be fractioned (an entire dorm unit must be used to meet a housing requirement that is a fraction of a unit).
 2. No more than 60% of the total required Housing Mitigation created by development in Teton Village Area may be satisfied through the use of dormitory units.
 3. Dormitory units, including those serving as Housing Mitigation units, may be occupied by individuals who are not a "qualified household" as defined by the Jackson / Teton County Housing Authority Rules and Regulations.

As seen in the language above, JHMR is requesting that 60% of all mitigation requirements generated in Teton Village Area One can be offset with dormitory style housing. Staff is recommending that 25% of any new housing mitigation requirements generated by development in Teton Village Area One be allowed to be offset by dormitory style housing. Staff is recommending this condition for two reasons.

First, while the Board has legislative discretion to allow either 25% or 60% mitigation, setting the amount of allowed dormitory mitigation at 60% would be inconsistent with prior LDR text amendments that removed dormitories as acceptable mitigation units.

Second, a 60% mitigation allowance exceeds the recently approved amendments to the Snow King Resort Master Plan. Snow King was recently granted the ability to mitigate 25% of their housing requirements with dormitories, and the Board has previously expressed a desire to treat Planned Resort Developments similarly across the town and county. (See hyperlink for details on Snow King) <https://www.jacksonwy.gov/466/Snow-King-Engagement---Phase-2>

This change would be an amendment Teton Village Master Plan **Section VII. A: Provision of Employee Housing**. This amendment will only alter the mitigation requirements of employee housing projects required by physical development within Teton Village Area One. Per the TVMP, 20% of all housing mitigation must occur within Area One, but the other 80% of required mitigation can occur throughout Teton County and the Town of Jackson. There are no proposed LDR changes as part of this amendment.

BACKGROUND/DESCRIPTION

JHMR is requesting this amendment to the TVMP as a result of a July 2018 change to the Teton County LDRs (AMD2017-0004). Prior to July 2018, the LDRs allowed dormitories to be used to be used for housing mitigation, but a July 2018 text amendment removed that option.

In speaking with Stacy Stoker, Housing Manager with the Jackson/Teton County Affordable Housing Department, the employee housing standards were changed in July of 2018 for the purpose of ensuring that the development of affordable housing units within the county facilitated a quality of life for residents seeking to live here long-term. In doing so, the development of traditional single-family dwellings and apartments was prioritized. This change to affordable housing policy occurred during a county-wide visioning program that included all resorts including JHMR.

Prior to this LDR text amendment, however, JHMR had constructed Powderhorn Phase I, a dormitory style building which could be used to satisfy JHMR employee housing requirements. JHMR was also planning to construct Powderhorn Phase II which would provide additional dormitory style employee housing.

JHMR was concerned that due to the change in the LDRs, units within the Powderhorn Phase II project would no longer be able to be used for affordable housing mitigation. The Planning Department attempted to address this concern by issuing a Planning Director Interpretation. INT2019-0001 stated that JHMR had, in good faith, fulfilled their obligations for Phase I and in doing so had vested the right to construct Phase II under the same LDR standards.

While this interpretation grants JHMR the right to construct Powderhorn Phase II for the purposes of employee housing provision, JHMR has requested a text amendment to add an additional element of finality and formality before beginning additional construction.

JHMR originally proposed the following text amendment to the TVMP:

A. Provision of Employee Housing. Employee Housing shall be provided in conjunction with all non-residential development ~~in at~~ Teton Village **Area 1**. In accordance with the Teton County Land Development Regulations in effect at the time an development application for such development

~~permit is deemed sufficient by the Planning Department, Article IV, Section 49600. Employee Housing Standards for Planned Unit Development (PUD) District for Planned Resort. Notwithstanding the Teton County Land Regulations then in effect, employee housing requirements imposed these Standards and Conditions may be satisfied by the provision of housing units defined or referred to as dormitory units or dorms dormitory-style residential units consisting of lock-off bedrooms, bathrooms and a shared kitchen, whether such units are located in the Town of Jackson, Wyoming or Teton County, Wyoming, such units can be occupied by multiple unrelated individuals, and such units comply with the Jackson/Teton Housing Department Rules and Regulations in effect at the time such units are constructed. The Powderhorn Phase I and Phase II dormitory-style units constructed by the Jackson Hole Mountain Resort Corporation ("JHMR") in the Town of Jackson, Wyoming may specifically used by JHMR (or their assignee or designee) to satisfy employee housing obligations arising out of this standards and conditions document.~~

EARLY AMENDMENT ANALYSIS

In reviewing the amendment as submitted by the applicant (above), a staff report was created that outlined several recommended conditions of approval. Upon further consideration and discussion with the applicant, Planning Staff recommended to that a new document be drafted that better addressed Area One as a whole and eliminated the need for conditions. Thus, the Powderhorn specific language was removed.

This proposed language was presented to Plan Review Committee (PRC) and Town and County Planning Commissions. At their regularly scheduled meeting on October 28, the Planning Commission (PC) reviewed a staff report, heard from both planning staff and the applicant and deliberated upon PUD2019-0001. During this discussion, the PC spoke at length about whether dormitory-style dwellings should be allowed in the fulfillment of employee housing requirements. The primary discussion centered around whether this amendment would contradict the housing policies of the County's LDRs. While all could agree that resorts certainly had unique employment constraints, there was not consensus among the PC that resorts should be credited for housing seasonal workers, as this negated the community's policy shift made in 2018. Upon ending their discussion, the PC voted 2-to-1 to recommend the approval of the amendment, but asked planning staff to start a full review of resort housing policy for the County. The Town of Jackson Planning Commission also recommended approval.

When the application was brought to the Jackson Town Council, Tyler Sinclair, Town of Jackson Community Development Director posed a question about how the amendment would address non-qualifying residents per the Affordable Housing Rules and Regulations living within the dorms.

This question is important because under the Affordable Housing Rules and Regulations, an individual only qualifies for workforce housing if that individual "[w]orks for a local business within Teton County for 1560 hours a year (30 hours a week/annually)," and "[o]ccupies their rental unit for a minimum of 80% of a lease term, with a minimum lease term of 6 months" among other requirements.

These requirements would potentially make it difficult to rent these units to JHMR employees who only worked the winter season at JHMR. After discussing this issue with the applicant, the amendment was postponed to a date uncertain, to allow for further review and alternative exploration. The current proposed amendments are designed to address that issue.

STAFF ANALYSIS

Granting this amendment as conditioned will provide a greater palette of housing mitigation options for JHMR to choose from. This will allow JHMR the opportunity to develop housing that best suits their employees at all classification levels, including seasonal workers. It is for this reason that staff finds this amendment (as conditioned) as an appropriate and pragmatic alteration to the TVMP.

While staff does agree that JHMR has unique employee housing needs, staff does not believe that allowing 60% of Teton Village Area One's mitigation to occur through dormitories is consistent with prior policy directives from the Board of County Commissioners. Specifically, allowing the majority of mitigation would contravene the policy direction of limiting dormitory mitigation represented the in July 2018 amendments to the LDRs and treat Teton Village differently the Snow King.

JHMR has pointed out, however, that “[w]ithin the commercial core area of Teton Village over 72 employees are currently housed in required employee housing units. The majority of these employees live in units that are **now** classified as dormitory units. Including these existing housing units in computing the 25% calculation would immediately consume the 25% allotment of dormitory style units. Snow King is basically starting from a blank page with most of the development in that resort yet to occur.”

In acknowledgement of this point, staff has revised its suggested condition of approval to state: “No more than 25% of the total required Housing Mitigation created by **future** development in Teton Village Area may be satisfied through the use of dormitory units.”

Staff believes this approach accurately reflects the current policies of the Board of County Commissioners, and treats different planned resorts equally. The Board of County Commissioners does, however, have the discretion to set whatever dormitory mitigation rate it believes is appropriate.

KEY ISSUE

KEY ISSUE 1: Does Jackson Hole Mountain Resort's unique employee housing characteristic, which is comprised of a majority of seasonal workers, necessitate a shift in housing policy for Teton Village Area One from an emphasis on year-round employees to seasonal employees?

As mentioned within the Staff Analysis (page 4.), in granting this amendment as conditioned, JHMR will be provided flexibility in meeting housing mitigation requirements. Due to JHMR's labor characteristics, Staff finds that this amendment to the TVMP Area One will allow JHMR the opportunity to develop housing that best suits their employees. Insomuch, this amendment as conditioned, allows an appropriate adjustment to Teton Village Area One's localized housing policy, without conflicting with the overall goals of the County.

STAKEHOLDER ANALYSIS

Please see the attached correspondence
Stacy Stoker, Jackson/Teton Affordable Housing Department
Kathy Clay, Teton County Fire Marshal

LEGAL REVIEW

Graham

RECOMMENDATIONS

PLANNING DIRECTOR RECOMMENDATION

The Planning Director recommends that the Planning Commission recommend **APPROVAL** to the Board of County Commissioners of **PUD2019-0001** for an amendment to the Teton Village Master Plan (Area One) to allow for the usage of dormitories to satisfy housing mitigation requirements dated July 19, 2019 being able to make all nine findings of Section 8.7.3 of the Teton County Land Development Regulations with the following two conditions.

1. Section VII.A.2 of the applicants proposed amendment be replaced with the following: **“No more than 25% of the total required Housing Mitigation created by future development in Teton Village Area may be satisfied through the use of dormitory units”**
2. A Section VII.A.3 will be added to applicants proposed amendment stating **“Dormitory units, including those serving as Housing Mitigation units, may be occupied by individuals who are not a “qualified household” as defined by the Jackson / Teton County Housing Authority Rules and Regulations.”**

PLANNING DIRECTOR RECOMMENDED FINDINGS

Per Section LDR 8.7.3 Prior to approving a text amendment to the TVMP, the following findings shall be made:

1. The extent to which the PUD enhances the implementation of the desired future character for the land of the proposal beyond what could be achieved by base zoning; **CAN BE MADE**

In allowing higher flexibility of housing types within Teton Village Area One, the County can ensure that a housing stock can be generated that suits the uniqueness of JHMR.

2. The findings for the applicable PUD option found in Article 4.:
 1. Consistency with Comprehensive Plan. **CAN BE MADE**

The amendment as proposed is consistent with the goals and objectives of the Jackson/Teton County Comprehensive Plan (District 13 Teton Village).

The TVMP is currently approved and this proposed amendment is minor in scope and will not cause the Plan to fall out of compliance with the Comprehensive Plan. Tangentially, the proposed amendment may facilitate completion of the Powderhorn Employee Housing development which aids to establish a varied standard for compliance with the Comprehensive Plan. Upon completion, the Powderhorn Development will be a privately funded employee housing development which offers tenants a range of options from traditional apartments to dormitories. Said units help to create a complete neighborhood by achieving appropriate parcel densification, while being close to commerce, transit and bike/pedestrian facilities.

2. Consistency with Purpose and Intent. The Planned Resort master plan is substantially consistent with the purpose and intent of this Section, as set forth in 4.3.1.A. **CAN BE MADE**

Section 4.3.1.A of the LDR establishes a list of “purpose and intent statements” for a resort master plan. The nature and limited scope of this proposed amendment does not conflict with any of these statements and the TVMP, as amended, will remain in full compliance with the purpose and intent statements.

3. Affordable Workforce Housing. The Planned Resort master plan ensures a supply of affordable workforce housing that is in accordance with the requirements for housing created by development within the Planned Resort. **CAN BE MADE**

The proposed amendment aligns with Finding #3 and would restore for JHMR the assurance needed for the company to continue constructing employee housing that best suits their employees.

4. Design Guidelines. The Planned Resort master plan must contain design guidelines that a) establish standards for buildings, spaces, etc., b) promote design concepts set forth in the regulations, and c) establish a method of consistent implementation. **NOT APPLICABLE**

5. Transportation Element. The planned resort master plan must contain a traffic impact analysis and traffic demand management plan. **NOT APPLICABLE**

6. Capital Improvements Plan. The Planned Resort master plan must contain a capital improvements plan that ensures infrastructure and essential services will be provided. **NOT APPLICABLE**

7. Land Use Element. The Planned Resort master plan must promote land uses that support and maintain the character of the resort. **CAN BE MADE**

The proposed amendment adds variety in the types of residential development, including types of workforce housing, that are allowed in Teton Village. Furthermore, workforce housing is an essential land use for the operation of the resort. This amendment is consistent with land development regulations that state that residential land uses and other uses that are necessary in the operation of the resort shall be permitted.

8. Phasing Plan. The Planned Resort master plan must contain a phasing plan that ensures development, including amenities and public facilities, occur in a logical sequence. **NOT APPLICABLE**

9. Character Element. The Planned Resort master plan ensures the resort’s development will be in keeping with the community’s character and the planned character of the resort. **NOT APPLICABLE**

3. The applicable findings for the amendment of an existing PUD or other special project found in 8.2.13.D.; **CAN BE MADE**, see findings 4 and 5 below

4 and 5 Findings as required by LDR Sections 8.7.1. and 8.7.2

1. Is consistent with the purposes and organization of the LDRs; **CAN BE MADE**

This amendment is consistent with land development regulations that state that residential land uses and other uses that are necessary in the operation of the resort shall be permitted.

2. Improves the consistency of the LDRs with other provisions of the LDRs; **NOT APPLICABLE**
3. Provides flexibility for landowners within standards that clearly define desired character; **CAN BE MADE**

Granting this amendment as conditioned will provide a greater palette of housing mitigation options for JHMR to choose from. This will allow JHMR the opportunity to develop housing that best suits their employees at all classification levels, including seasonal workers.

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation; **NOT APPLICABLE**
5. Improves implementation of the Comprehensive Plan; and **CAN BE MADE**

This amendment offers a pragmatic approach to providing employee housing within resorts that both meets needs of the employer and the employee by offering greater flexibility of housing type.

6. Is consistent with other adopted County Resolutions. **NOT APPLICABLE**

ATTACHMENTS AND LINKS

Jackson Hole Mountain Resort's Application for a PUD Amendment

<https://tetoncountywy.sharepoint.com/sites/TetonCountyArchive/PermitDocuments/PUD2019-0001,%20Application.pdf>

INT2019-001

https://tetoncountywy.sharepoint.com/sites/TetonCountyArchive/PermitDocuments/INT2019-0001_Decision_ltr.pdf

Department Comments

SUGGESTED MOTION

I move to recommend to the Board of County Commissioners **APPROVAL** of **PUD2019-0001** for an amendment to the Teton Village Master Plan (Area One) to allow for the usage of dormitories to satisfy housing mitigation requirements dated July 19, 2019 being able to make all nine (9) findings of Section 8.7.3 of the Teton County Land Development Regulations with the following (two) 2 conditions:

1. Section VII.A.2 of the applicants proposed amendment be replaced with the following: **"No more than 25% of the total required Housing Mitigation created by development in Teton Village Area may be satisfied through the use of dormitory units"**
2. A Section VII.A.3 will be added to applicants proposed amendment stating **"Dormitory units, including those serving as Housing Mitigation units, may be occupied by individuals who are not a "qualified household" as defined by the Jackson / Teton County Housing Authority Rules and Regulations."**

DEPARTMENTAL REVIEWS

Response from Stacy Stoker



MEMORANDUM

To: Andrew Bowen
Senior Planner, Teton County Planning and Building

From: Stacy Stoker
Housing Manager, Teton County Housing Department

Re: Amendment to Teton Village Master Plan
PUD2019-0001

Date: October 9, 2019

The applicant is requesting an amendment to the Teton Village Planned Unit Development Master Plan. Jackson/Teton County Affordable Housing Department (Housing Dept.) staff's review is based on the Jackson/Teton County Housing Department Rules and Regulations.

The applicant is requesting to be allowed to use dormitories to satisfy their future housing requirements. The proposed language states, *"The Powderhorn Phase 1 and Phase II dormitory-style units constructed by the Jackson Hole Mountain Resort Corporation ("JHMR") in the Town of Jackson, Wyoming may specifically be used by JHMR (or their assignee or designee) to satisfy employee housing obligations arising out of this standards and conditions document."* The language should include that any *assignees or designees* that wish to satisfy their housing requirement using the dorms must do so within fifteen (15) years of Certificate of Occupancy. After fifteen (15) years, only JHMR may use the units to satisfy their requirement. The language should also include that the dorm units may not be fractioned. An entire unit must be used at a time.

Thank you for the opportunity to review this application. Please contact me with any questions.

Response from Kathy Clay

Hi Andrew: As time is of the essence, I will cut to the chase and omit the form letter!
Dorms will be required to follow the most current version of the IFC and NEC.
That will be good for the initial comments. Nothing further at this time.

Kathy Clay
Battalion Chief Fire Marshal
Jackson Hole Fire/EMS
Desk 307-732-8506
kclay@tetoncountwy.gov



TOWN OF JACKSON PLANNING COMMISSION AGENDA DOCUMENTATION

PREPARATION DATE: September 11, 2020
MEETING DATE: September 16, 2020

SUBMITTING DEPARTMENT: Community Development

DEPARTMENT DIRECTOR: Tyler Sinclair
PRESENTER: Paul Anthony

SUBJECT: **ITEM P19-95, P20-167, P20-168:** REQUEST TO AMEND TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO ESTABLISH A HISTORIC PRESERVATION PROGRAM, AMEND OFFICIAL ZONING MAP FOR TOWN SQUARE AREA, ADOPT DESIGN GUIDELINES FOR HISTORIC PRESERVATION AND WESTERN CHARACTER, AND AMEND DEMOLITION REQUIREMENTS IN JACKSON MUNICIPAL CODE.

APPLICANT: Town of Jackson

REQUESTED ACTION

The Town of Jackson Community Development Department is requesting the following amendments to the Town of Jackson Land Development Regulations (LDRs) and Jackson Municipal Code:

- **Item A (P20-167):** Amend the Town of Jackson Official Zoning Map for properties located in Comprehensive Plan Character District 1: Town Square;
- **Item B (P19-095):** Amend the text of the LDRs to 1) update the zoning standards in three proposed zone districts located in Character District 1: Town Square; 2) establish a historic preservation program; 3) adopt new design guidelines for historic preservation; and 4) establish a Town Center Design Overlay to protect western character. More specifically, the sections of the LDRs to be amended include, but are not limited to, Secs. 1.9.2; 2.1; 2.2; 5.8.1; 6.3.2.C.3; 8.2.6.C; 8.8.1; 8.10.4; 9.5; and Div. 15.38 Demolition Standards in the Municipal Code. A new Division 5.9 and new Sec. 8.5.6; 8.5.7; and 8.5.8 are proposed. Amendments to sections related to the above sections may also be required for organization and clarity.
- **Item C (P20-168):** Amend the Town of Jackson Municipal Code 15.38 Demolition Standards to help implement the proposed new historic preservation program in the LDRs.

[This item was continued from the Planning Commission's September 2, 2020 meeting due to a lack of quorum. This staff report is the same as the previous one except staff has added the PC's initial responses from the Sept. 2 meeting after each key question. Please review the initial responses and be prepared to confirm and/or provide additional direction as a full PC and make final motions.]

APPLICABLE REGULATIONS

Sec. 8.7.1. LDR Text Amendment
Sec. 8.7.2 Amendment to Official Zoning Map
Sec. 15.38 Municipal Code: Demolition Standards

BACKGROUND

The general purpose of this project is to 1) update the Town of Jackson's LDRs for Character District 1: Town Square; 2) consider the establishment of a new historic preservation program and associated zoning tools related to protect historic resources throughout the Town; and 3) consider adoption of a new Town Center Design Overlay to define and protect 'western character' in the Town Square area. This zoning code update is the next installment in the Town's effort to update all of the zone districts in the LDRs to be consistent with the 2012 adoption of the Jackson/Teton County Comprehensive Plan (Comprehensive Plan). With the adoption of this update, the Business Park zone in the Gregory Lane area will be the only part of town that has not been updated.

Lead consultant, Winter & Company, and subconsultant, Code Studio, along with staff, have been tasked with researching, explaining, and presenting historic preservation tools and options that focus on incentives and other strategies that respect existing property values while still resulting in meaningful preservation. Similar to the "western character" issue, the community has never really had an in-depth conversation about what type of historic preservation program it would support. Thus, a major goal of the project has been to use the public engagement process to ask relevant stakeholders and the general public for their input to help craft proposed new LDRs to address historic preservation, western character, and new zoning standards for the Town Square Area.

Character District 1: Town Square LDR Update (Map and Text Amendments)

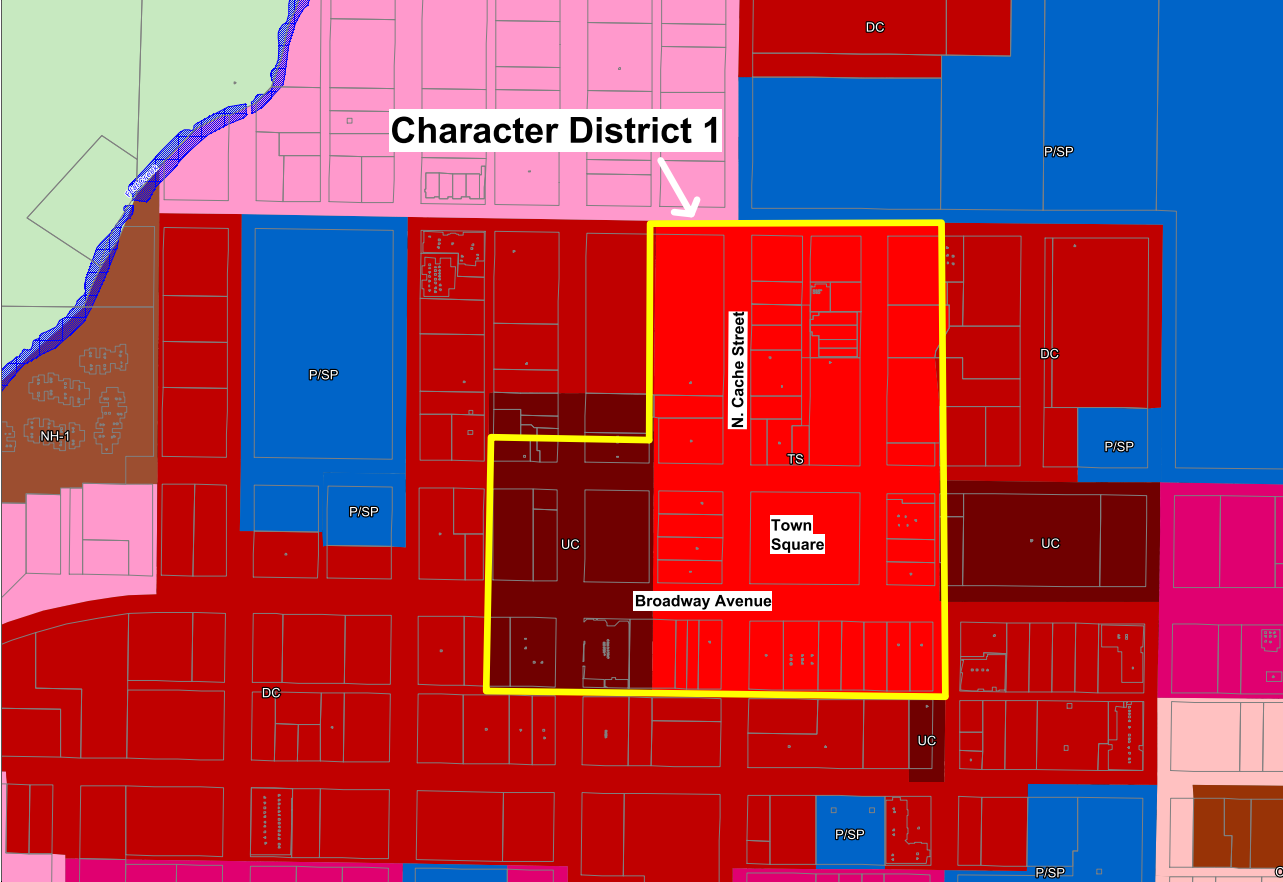
As mentioned above, one primary goal of this project is to update the zone district standards for properties located in Character District 1 that encompasses the relatively small area of the Town Square (Subarea 1.1: Inner Square) and its immediate surroundings (Subarea 1.2: Outer Square) (see map below). The main difference between the two subareas is that Subarea 1.1 is generally intended for two stories while Subarea 1.2 allows three stories and that the Inner Square has the highest level of tourist activity. Despite its small size, this area represents the commercial, tourist, and historical center of not only the Town of Jackson but the entire Jackson Hole valley. All proposed changes to the zoning standards are provided in the redline document attached to this staff report. Some key changes are summarized in the narrated powerpoint presentations available on the project website at <http://www.jacksontetonplan.com/307/Historic-Preservation-Town-Square-Zoning> and below:

- Proposed new zones: Three new zones are proposed — Town Square-1 (TS-1); Town Square-2 (TS-2); and Downtown Core-2 (DC-2);
- Floor Area Ratio (FAR): No changes to FAR is proposed in any zone, so maximum floor area potential is unchanged;
- Uses: No changes are proposed;
- Number of stories: No change to number of stories, except partial 3rd story added in TS-1 for historic preservation incentive that must be set back by at least 40' and not likely visible from street;
- Height: Height is the same in TS-1 and DC-2 but increased in TS-2 zone from 35' to 42';
- Wooden boardwalks: Added a requirement that all sidewalks in TS-1 must be covered wooden boardwalks, otherwise wooden boardwalks are optional in TS-2;
- Windows: The required amount of windows (i.e., 'transparency') in each zone is designed to be similar to existing and traditional buildings in the Town Square area (large, all-glass shopfronts not allowed in TS-1);
- 3rd story setback: Increased setback from 10' to 20' in TS-2 and DC-2 and reduced encroachment from 60% to 40%.

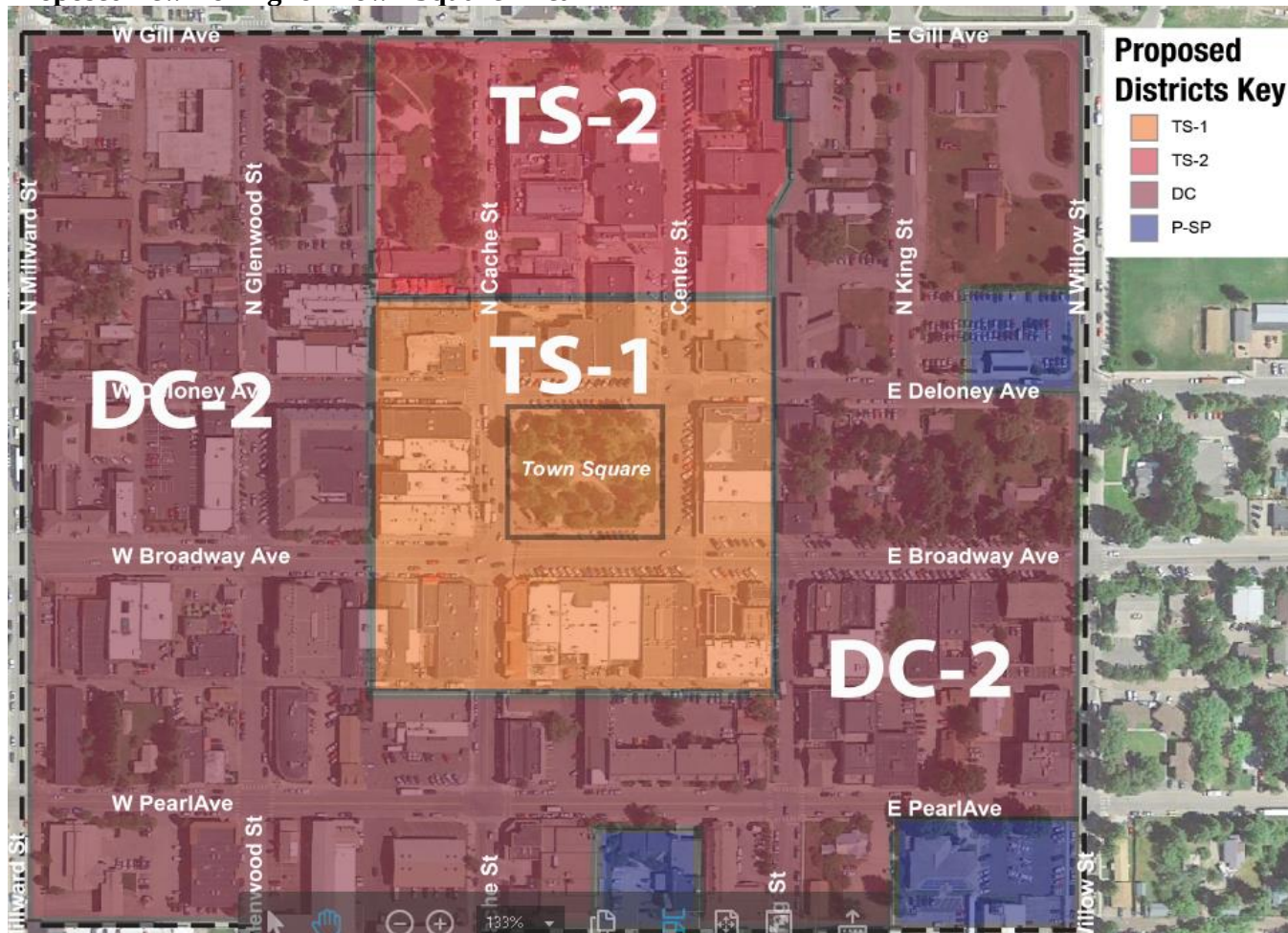
Character District 1 – Subarea 1.1: Inner Square and Subarea 1.2: Outer Square



Character District 1 – Current Zoning



Proposed new Zoning for Town Square Area



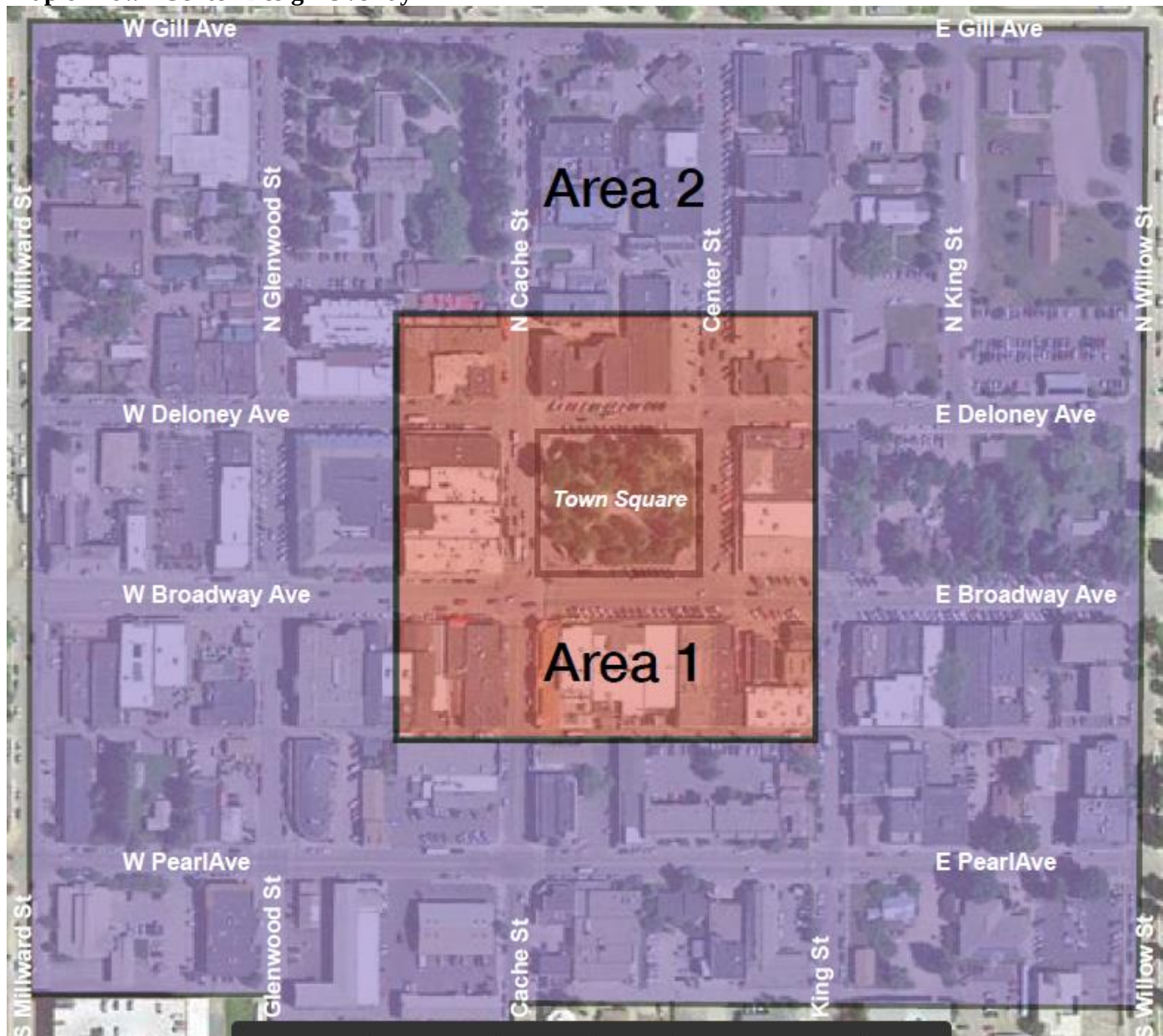
Key Questions for Town Square LDR update

1. Are the boundaries for the TS-1, TS-2, and DC-2 zones correct?
A. PC Response: Yes
2. Is increasing the height in TS-2 from 35' to 42' advisable?
A. PC Response: Yes
3. Is the partial 3rd story (stepped back 40') consistent with the Town Square's desired character?
A. PC Response: Yes (lesser stepback ok?)
4. Are the "transparency" requirements for windows consistent with the Town Square's desired character?
A. PC Response: Yes, but would like to see photos of transparency
5. Is the 3rd-story stepback of 20' with a 40% encroachment the best option in the TS-2 and DC-2 (this would increase the current step from 10' and 60% encroachment for DC-2 properties)?
A. PC Response: The PC would support a stepback less than 20' but would like to see diagrams that better show the difference between the two stepbacks

Town Center Design Overlay and ‘Western Character’ Design Guidelines

The Town Square area is known for its western character, iconic buildings, covered boardwalks, and public spaces that support a lively, pedestrian-friendly visitor experience. However, even though the Comprehensive Plan speaks to the community’s desire to protect and enhance the Town Square area’s unique character, the Plan does not define what “western character” means to the community or what it actually looks like from the perspective of building and street design. To address this need, a Town Center Design Overlay (see map below) is proposed in the LDRs that requires new development and redevelopment in the Town Square area to adhere to new design guidelines for “western character.” The overlay area is divided into two design areas. The first is “Area 1” that includes the ‘inner’ square area for properties that face the Town Square and that have the higher need for stringent design guidelines. The second is “Area 2” that includes the ‘outer’ square area for properties that are close to the Town Square but do not face it directly. This area is less visible to the public so it is proposed to have moderately less stringent design guidelines. The proposed design guidelines would be added as an appendix to the Town’s existing general Design Guidelines and would be enforced with the assistance and expertise of the Design Review Committee (DRC).

Map of Town Center Design Overlay



Key Questions for the Town Center Design Overlay

1. Is the general boundary for the overlay zone correct?
A. PC Response: Yes
2. Do the boundaries of Area 1 and Area 2 make sense and are the two different levels of design standards for western character appropriate?
A. PC Response: Yes
3. Do the proposed design guidelines for western character focus on the right issues? Are the guidelines clear?
A. PC Response: Yes

Historic Preservation LDR Update and Design Guidelines

The third primary component of the project is to propose a new LDR program to preserve historic structures. This program is intended to include zoning incentives and tools that could apply to historic resources anywhere in Town. This proposed program would first establish an official list of historic properties — the Historic Register — that would apply to any residential or commercial property in Town that meets the eligibility requirements to be designated historic. The proposed Historic Register includes two categories of protection. The first category is for ‘Landmark’ properties that are considered properties of the highest importance and may be designated either with the property owner’s consent through a voluntary nomination process or without the property owner’s consent by the Town Council. The second category is for a ‘Designated Historic Resource’ that is of lesser significance but is still important and can be designated only with the consent of the property owner. The Historic Register list would differ from the existing list of historic properties maintained by the Teton County Historic Preservation Board (TCHPB) such that any property on the TCHPB list would have to apply separately to be on the Town’s Historic Register. However, many of the historic structures on the current TCHPB list could likely make it onto the voluntary Designated Historic Resource list.

Once a property is listed on the Town’s Historic Register, it would then qualify for a number of proposed new zoning incentives designed to provide regulatory relief and financial opportunities to encourage landowners to maintain and preserve their historic resources over the long term. In addition, once listed, all historic properties must also comply with a new set of proposed historic preservation design guidelines that require additions or alterations to any listed historic property to be done in a manner that maintains the historic integrity of the structure. New design guidelines to address the relocation or repositioning of historic structure are proposed as well. These new historic preservation guidelines would be added as an appendix to the Town’s existing general Design Guidelines. One key proposed feature is the creation of a new 3-member Historic Preservation Subcommittee (HPS) that would be formed as a subset of the 7-member DRC and would be responsible for reviewing listed properties against the historic preservation design guidelines. The HPS would also advise the Planning Director and Council on the suitability of properties proposed for listing on the Historic Register.

As context for the proposed historic preservation program, it is important to note that the Town’s primary existing historic preservation tool is a temporary 90-day stay on demolition contained in the demolition permit process that is located not in the LDRs but in Division 15.38 of the Municipal Code. The TCHPB has the authority under this Division to ask the Council for a 90-day stay for a proposed demolition of a historic structure. However, the stay does not prevent the eventual demolition of the structure, it merely delays demolition for up to 90 days while options for preserving or relocating the structure are explored. A few changes are proposed to the demolition requirements related to Landmark properties (i.e., adding requirement that Landmark properties cannot be demolished) and other associated changes.

Key Questions for the Historic Preservation Program and Design Guidelines

1. Is establishing an official list of historic properties (i.e., the Jackson Historic Register) the right approach?
A. PC Response: Yes
2. Should there be two categories for listed historic Resources (Landmark and Registered Historic Resource)?
A. PC Response: Yes, the Landmark designation is important to protect our most important historic buildings
3. Do you agree that the Landmark designation should allow the most significant properties to be listed without the consent of the landowner?
A. PC Response: Yes
4. Should Landmark and Registered Historic Resource properties have different incentives (i.e., should Landmarks have more incentives)?
A. PC Response: Yes, we should try to give Landmark properties more incentives to offset costs of preservation
5. Do the proposed design guidelines for historic preservation focus on the right issues? Are the guidelines clear?
A. PC Response: Yes
6. Is the creation and role of the Historic Preservation Subcommittee (HPS) from the DRC a good idea?
7. What role should the Teton County Historic Preservation Board play in the proposed historic preservation program?
A. PC Response for #6/#7: The PC favored using the TCHPB to review most alterations/modification of historic structures and to provide recommendation to DRC
8. Are the procedures for nominating and designating historic structures clear and reasonable?
A. PC Response: Yes

Project Phasing

This LDR update is being done in four steps or phases, as shown below in the table. It is important to note that the Teton County Historic Preservation Board (TCHPB) has played an important role in financing and supporting the project. The TCHPB has contributed approximately \$46,000 (out of a total budget of \$185,000) to the project in which they paid the entire cost for Phase 1 and half of Phase 2.

To date, there has been significant public comment and participation through a public open house on June 10, 2019 (85 people attended the two sessions) and an on-line survey where a total of 303 people provided responses. This public comment was used to formulate many of the recommendations in the Strategy Report and now with the draft LDR amendments. In addition, the consultant has had multiple meetings with the TCHPB and a meeting with members of the Design Review Committee (DRC) to gather their professional insight on potential historic preservation tools and on how ‘western character’ can best be defined and represented through architectural design.

Process Phase	Includes Tasks	Timeframe
Phase 1: Existing Conditions	- Research programs in peer communities; - Meet with TCHPB to review issues and opportunities; - Review Jackson and Teton County's existing historic preservation tools; Deliverable: Prepare summary report of existing conditions and programs in peer communities <i>NOTE: Phase funded by the TCHPB</i>	Feb., 2019 - April, 2019 (COMPLETE)
Phase 2: Assess Community Options	- Identify historic resources valued by the community. - Test the community's interest in historic preservation; - Identify what "Western Character" means to the community; - Identify Character District #1 Boundaries; - Conduct on-line survey and Public Open House; Deliverable: Provide summary of community input <i>NOTE: Phase funded 50% by TCHPB and 50% Town</i>	May, 2019 – July, 2019 (COMPLETE)
Phase 3: Provide Strategy Report for Historic Preservation and District 1	Deliverable: Provide a Strategy Report with recommendations and options for defining and protecting "Western Character" and tools and incentives for historic preservation; Deliverable: An Economic Feasibility Study that analyses and tests how different historic preservation incentives would work in different local development scenarios; - Public Open House and meeting with Town Council.	July., 2019 – Nov., 2019 (COMPLETE)
Phase 4: Develop Regulatory Tools and Adoption	Deliverable: Consultant provides first draft of LDR update based on Council direction for adoption hearings; - Virtual Public Open House and public survey; - Meetings with DRC and TCHPB; - Planning Commission and Council adoption hearings; - Staff modifies draft as necessary; - Three ordinance readings.	Dec., 2019 – Dec, 2020 (IN PROGRESS)

LOCATION

The proposed amendments apply to the Town Square Area for the updated zoning map and text and for the Town Center Design Overlay. The proposed amendments apply Town-wide for the historic preservation program and historic preservation design guidelines.

PROJECT DESCRIPTION

The above sections in the staff report outline the general goals and proposed changes for this project. The specific proposed changes are found in the following documents attached to this staff report:

- Proposed zone district map and text updates to the Town Square area (District 1);

- Proposed Town Center Design Overlay that provides design guidelines to define and protect ‘western character’ in the Town Square area;
- Proposed LDR amendments to establish a new historic preservation program, including incentives; and
- Proposed new design guidelines for historic preservation.

In addition, the consultant and staff have created narrated powerpoint presentations that summarize the key changes in each of the above documents. Due to COVID, these presentations were created as part of a Virtual Public Workshop that was provided to the public in lieu of the in-person open house that the Town typically provides for large LDR updates. Staff encourages all interested people to view these presentations at <http://www.jacksontetonplan.com/307/Historic-Preservation-Town-Square-Zoning> as a good way to understand what’s included in the proposed amendments.

STAFF ANALYSIS

Staff has reviewed all the proposed changes and finds that they are consistent with the Comprehensive Plan (see Findings below).

PUBLIC COMMENT

No written public comment has been received at this time. The proposed LDR update materials have been available for about two weeks so staff expects more public comment to come soon. Staff has discussed the changes with various landowners, met with Jackson Hole Working, and will meet with the TCHPB on Monday, August 31. In addition, we are scheduled to meet with the DRC on September 9 to get their comments and thoughts on the proposed expanded role of the DRC.

STAFF FINDINGS

Item A – Zoning Map Amendment (P20-167): Pursuant to Section 8.7.2.D the advisability of amending the Official Zoning Map is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed zoning map amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs.*

Complies. Staff finds that this request to amend the Official Zone Map is intended to update and replace existing legacy zones in the Town Square area (Comprehensive Plan Character District 1) that are outdated and need to be updated to be consistent with the 2012 Comprehensive Plan. The proposed new zones are formatted to be consistent with the new format in the LDRs and so the proposed new standards will be easier to understand and locate within the context of the full LDRs.

2. *Improves implementation of the desired future character defined in the Illustration of Our Vision chapter of the Comprehensive Plan.*

District 1: Town Square: *The Town Square District is the historic center of Jackson Hole and the central gathering space for residents and visitors alike. The district is home to iconic buildings and public spaces, including the Cowboy Bar, George Washington Memorial Park (the “Town Square”), and the sawtooth building profiles surrounding the Town Square. Preserving the existing western character and heritage found in the buildings and public spaces in this district will be key to maintaining the existing*

character. The district is the center of the visitor experience in Town and plays an important role in defining our community's western heritage and overall community identity.

A future goal of the district is to have visitors and residents visit the area more often and stay longer, increasing the vitality of the area and supporting the local economy. To support this goal, commercial uses that create an active and engaging pedestrian experience, will be located on the first and second floors of buildings. Examples of these uses include restaurants, bars, a variety of retail shops and commercial amusement. In the future, the district will be the center of a Downtown Retail Shopping District, and as such office, residential and lodging uses will be predominantly located on upper floors.

Future community reinvestment in the district will create great public spaces and amenities for residents and visitors alike. This investment will not only create a positive visitor experience that supports our local economy, but will also continue the tradition of the Town Square as the gathering place for our community. The district will continue to be the center of community life, hosting a variety of events and community celebrations for residents and visitors. The temporary closure of streets, parking lots, parks and other public spaces will be encouraged to support such events. In addition, the community should consider the temporary and permanent closure of some streets to vehicles in order to create a vibrant pedestrian environment. Moving forward, the community will take great care and consideration in all future planning and redevelopment in the district.

Complies. The proposed map rezone does not propose any physical development but it does propose associated text changes that include new development standards, procedures, and design guidelines to modernize and encourage the type of development that will create a vibrant, retail-oriented, walkable, year-round Town Square. These proposed changes will simultaneously maintain and enhance the traditional western character of the area which are the reasons so many people want to visit downtown Jackson. In particular, by proposing the community's first comprehensive program to protect historic resources, the proposed amendments will help to strengthen the unique identity of Jackson's downtown and protect it against the strong redevelopment pressures that are likely to impact our community for the foreseeable future.

Common Value 1: Ecosystem Stewardship

Not Applicable.

Common Value 2: Growth Management

4.1.d: Maintain Jackson as the economic center of the region

Complies. By modernizing our standards for development and providing new design guidelines to protect historic structures and western character, the proposed zoning map amendments and associated text amendments will significantly enhance the future viability of the downtown area as the economic center of the region. The proposed amendments will clarify the rules for development and provide important incentives for landowners to maintain the historic integrity of the community in ways that will enhance our cultural assets and tourist-based economy.

4.2.c: Create vibrant walkable mixed use subareas

Complies. While there is no physical development proposed in this project, the proposed zoning map changes and incentives will provide clear and innovative tools to encourage well-designed mixed-use development that is walkable and enjoyable to experience.

4.2.d: Create a Downtown Retail Shopping District

Complies. While a formal Downtown Retail Shopping District is not proposed in this project, the proposed zoning map amendments and associated text amendments will help to increase the quality of design and function for new retail structures in the downtown area that should result in a more sustainable retail environment in the long term.

4.2.e: Protect the image and function of Town Square

Complies. By modernizing our standards for development and providing new design guidelines to protect historic structures and western character, the proposed zoning map amendments and associated text amendments will significantly enhance the unique image of Jackson that is known nationally and internationally. The proposed amendments will also clarify the rules for development within the new zones and provide important incentives for landowners to provide fully functional sidewalks and streetscape environments that will encourage tourists to have a safe and enjoyable experience visiting the Town Square area, and inspire them to come again.

4.2.f: Maintain lodging as a key component in the downtown

Complies. While lodging is not allowed in the TS-1 zone, it is allowed in the TS-2 and DC-2 and the proposed zoning map amendments and associated standards should help create a vibrant downtown visitor experience that will encourage visitors to stay downtown for the convenience and access to all the amenities and activities available in the downtown.

4.4.a: Maintain and improve public spaces

Complies. The proposed zoning map amendments and associated standards provide requirements for 'pedestrian frontages' (sidewalks) that are usually located within the Public ROW. By encouraging the development of fully functionals and safe streetscapes, the proposed amendments will significantly improve these very important public spaces.

4.4.c Continue traditions and community events

Not applicable.

4.5.a: Identify and preserve historically significant structures and sites

Complies. A central feature of the proposed zoning map amendments and associated text amendments is the creation of a new overlay to protect traditional, western character (Town Center Design Overlay) and a comprehensive historic preservation program. The program applies within the proposed new zones and establishes a new official list of historic structures, as well as regulatory and financial incentives to help protect historic structures. In addition, new design guidelines to protect listed historic properties are proposed. These changes would greatly increase the community's commitment to protecting our heritage and cultural assets.

Common Value 3: Quality of Life

6.2.a: Enhance tourism as the basis of the economy

Complies. By modernizing our standards for development and providing new design guidelines to protect historic structures and western character, the proposed zoning map amendments and associated text amendments will clearly identify and enhance the downtown as the tourist center of the region.

6.3.a: Ensure year-round economic viability

Complies. The proposed zoning map amendments and associated text amendments will significantly enhance the pedestrian experience and unique image of Jackson that is known nationally and internationally and will create a safe and functional visitor experience that can be enjoyed in all seasons by local and tourists alike.

7.1.c: Increase the capacity for use of alternative transportation modes

Complies. The proposed map amendments and associated text amendments are intended to create a more sustainable, pedestrian-friendly, and mixed-use downtown experience that includes visitor-oriented retail, lodging, restaurants, and residential to create activity throughout the day and in all seasons in ways that will support alternative transportation modes, such as buses, biking, and walking.

3. Is necessary to address changing conditions or a public necessity.

Comply. The fundamental reason for the proposed zoning map amendments and associated text amendments is to update the Town Square area zoning to be consistent with the updated vision in the Comprehensive Plan adopted in 2012. This changed vision (especially with regard to the need for historic preservation) and legal necessity are, again, the impetus for the map update.

4. Is consistent with other adopted Town Ordinances.

Complies. Staff finds that the proposed request is consistent with all other Town Ordinances.

Item B: Amendment to LDR Text (P19-095): Pursuant to Section 8.7.1.C of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;

Complies. Staff finds that the proposed text amendment request is intended to update and replace the development standard in the existing legacy zones in the Town Square area (Comprehensive Plan Character District 1) that need to be updated to be consistent with the 2012 Comprehensive Plan. The proposed text amendments are formatted to be consistent with the new format in the LDRs and so the proposed new standards will be easier to understand and locate within the context of the full LDRs.

2. Improves the consistency of the LDRs with other provisions of the LDRs;

Complies. The proposed text amendments are formatted to be consistent with the new format in the LDRs and so the proposed new standards will be easier to understand and locate within the context of the full LDRs.

3. Provides flexibility for landowners within standards that clearly define desired character;

Complies. The proposed text amendments provide a variety of zoning incentives designed to provide regulatory relief and financial opportunities to encourage landowners to maintain and preserve their historic resources over the long term. In addition, the proposed design guidelines for both historic preservation and western character provide alternative methods for compliance that try to recognize the

reality that many properties have unique factors and constraints and that design solutions need to respond appropriately to these factors in clear but flexible ways.

4. *Is necessary to address changing conditions, public necessity, and/or state or federal legislation;*

Complies. The fundamental reason for the proposed LDR amendments is to update the Town Square area zoning to be consistent with the updated vision in the Comprehensive Plan adopted in 2012. This changed vision (especially with regard to the need for historic preservation) and legal necessity are, again, the impetus for the LDR update.

5. *Improves implementation of the Comprehensive Plan; and*

Complies. Staff finds that this text amendment request is intended to update and replace the development standard in the existing legacy zones in the Town Square area (Comprehensive Plan Character District 1) that are outdated and need to be updated to be consistent with the 2012 Comprehensive Plan.

6. *Is consistent with other adopted Town Ordinances.*

Complies. The proposed text amendments do not conflict with any other Town Ordinances.

Item C: Amendment to Demolition Permit (P20-168): There are no required findings for amendments to the Jackson Municipal Code. Such amendments require proper legal notice, a public hearing by the Town Council, and three readings of the ordinance for adoption.

ATTACHMENTS

1. Town Square Zones LDR Map and Text Update Draft
2. Historic Preservation LDR Update Draft
3. Historic Preservation Design Guidelines Draft
4. Town Center Design Guidelines Draft

LEGAL REVIEW

Ongoing as needed.

RECOMMENDATION

The Planning Director recommends approval of P19-095, P20-167, and P19-168, with modifications as directed by the Planning Commission.

SUGGESTED MOTION

Item A – Zoning Map Amendment (P20-167). Based upon the findings for an amendment to the Official Zoning Map as presented by the applicant and by the Commission for Item P20-167 related to 1) consistency with the purposes and organization of the LDRs; 2) improved implementation of the desired future character in the Comprehensive Plan; 3) need to address changing conditions or a public necessity; and 4) consistency with other adopted Town Ordinances, I move to recommend **approval** to the Town Council to change the zoning from Town Square (TS), Urban Commercial (UC), and Downtown Core (DC) to Town Square-1 (TS-1), Town Square-2 (TS-2), and Downtown Core-2 (DC-2) for the properties located in Character District 1; town Square and as shown in the attached proposed revised Official Zoning Map, attached to this staff report dated August 28, 2020, subject to this staff report with no conditions of approval [or with the following conditions of approval].

Item B: Amendment to LDR Text (P19-095): Based upon the findings pursuant to Section 8.7.1.C for an amendment to the text of the Land Development Regulations, as presented by the applicant and by the Commission for Item P19-095, the application: 1) Is consistent with the purposes and organization of the LDRs; 2) Improves the consistency of the LDRs with other provisions of the LDRs; 3) Provides flexibility for landowners within standards that clearly define desired character; 4) Is necessary to address changing conditions, public necessity, and/or state or federal legislation; 5) Improves implementation of the Comprehensive Plan; and 6) Is consistent with other adopted Town Ordinances, I move to recommend **approval** to the Town Council of the requested text amendments, which include but are not limited to, LDR Secs. 1.9.2; 2.1; 2.2; 5.8.1; 5.9. 6.3.2.C.3; 8.2.6.C; 8.5.6; 8.5.7; 8.5.8 8.8.1; 8.10.4: and 9.5, subject to this staff report, dated August 28, 2020, and subject to this staff report with no conditions of approval [or with the following conditions of approval].

Item C: Amendment to Demolition Permit (P20-168): There is no motion on this item for the Planning Commission because the Planning Commission does not review amendments to the Town of Jackson Municipal Code.

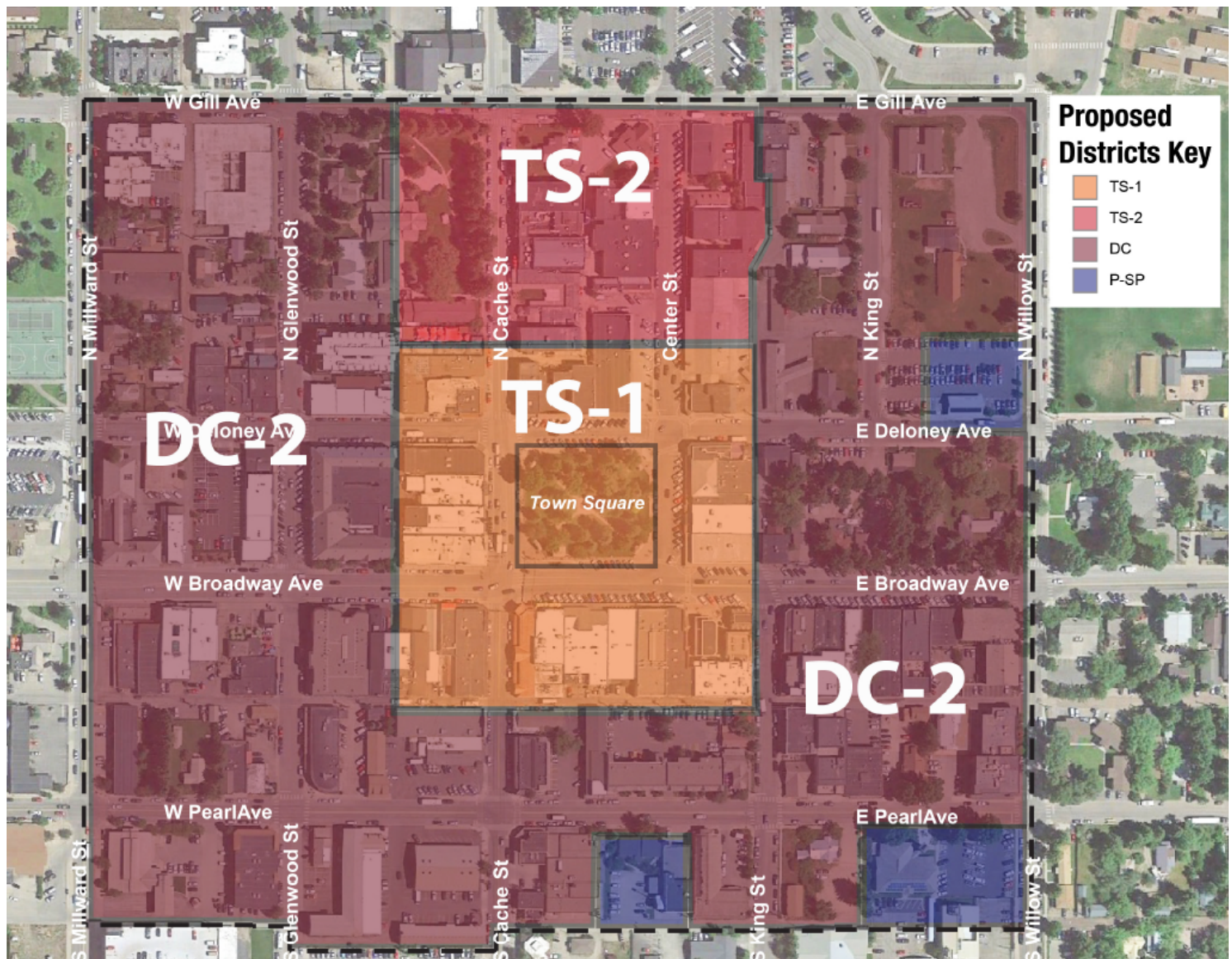
Jackson LDR update – District 1 Amendments

The Jackson Draft Neighborhood Character Zones have been updated to replace the outdated existing Legacy Zones (Town Square (TS), Urban Commercial (UC)).

The proposed new zones include **DC-2** Downtown Core-2, **TS-1** Town Square-1, & **TS-2** Town Square-2. Most of the design standards were carried over from the Legacy Zones and **DC** Downtown Core. However, a few of the key changes include:

- There is a proposed new building frontage for **TS-1**, that is named Town Square.
- **DC** was split into **DC-1** and **DC-2** character zones, based on the DC-2 being included in the Town Center Design Overlay.
- There are not any changes in **DC-1** from the original **DC** character zone.
- **DC-2** changes include: 20' 3rd floor stepback that allows a 40% encroachment to reflect western character design traditions for properties closer to the Town Square.
- There are a few new proposed standards such as a **preservation incentive** in **TS-1** to allow a small third story element significantly set back from the street.
- There are a few measurable standards that have been adjusted in **TS-1** to better reflect western character design traditions.
- **TS-2** has very similar dimensional requirements to DC-2, except TS-2 maintains a higher FAR and limits the size of a single building to 15,000 SF (same as TS-1).
- In TS-1 and TS-2, the thresholds for development review were increased for all approvals by 5,000 SF. For example, projects 10,000 SF and less will now only require Building Permit and DRC review – previously the threshold was 5,000 SF and less.

The following pages identify the changes made to the LDR. Key amendments are shown in red underline.



Article 2. Complete Neighborhood Zones

Div. 2.1. All Complete Neighborhood Zones	2-2
2.1.1. Character Zones (7/18/18, Ord. 1197)	2-2
2.1.2. Legacy Zones (7/18/18, Ord. 1197).....	2-2
Div. 2.2. Complete Neighborhood Character Zones.....	2-3
2.2.1. Rules Applicable to All Complete Neighborhood Character Zones (3/6/19, Ord. 1209)	2-3
2.2.2. NL-1: Neighborhood Low Density-1 (3/6/19, Ord. 1210).....	2-12
2.2.3. NL-2: Neighborhood Low Density-2 (3/6/19, Ord. 1211).....	2-18
2.2.4. NL-3: Neighborhood Low Density-3 (3/6/19, Ord. 1212).....	2-24
2.2.5. NL-4: Neighborhood Low Density-4 (3/6/19, Ord. 1213).....	2-30
2.2.6. NL-5: Neighborhood Low Density-5 (3/6/19, Ord. 1214).....	2-36
2.2.7. NM-1: Neighborhood Medium Density-1 (3/6/19, Ord. 1215)	2-42
2.2.8. NM-2: Neighborhood Medium Density-2 (3/6/19, Ord. 1216)	2-48
2.2.9. NH-1: Neighborhood High Density 1 (3/6/19, Ord. 1217)	2-54
2.2.10. OR: Office Residential (3/6/19, Ord. 1222)	2-60
2.2.11. CR-3: Commercial Residential-3 (3/6/19, Ord. 1221)	2-68
2.2.12. CR-2: Commercial Residential-2 (3/6/19, Ord. 1220)	2-78
2.2.13. CR-1: Commercial Residential-1 (3/6/19, Ord. 1219)	2-86
2.2.14. DC-1: Downtown Core-1 (3/6/19, Ord. 1218)	2-94
<u>2.2.15. DC-2: Downtown Core-2.....</u>	<u>2-102</u>
<u>2.2.16. TS-1: Town Square-1</u>	<u>2-110</u>
<u>2.2.17. TS-2: Town Square-2</u>	<u>2-118</u>
Div. 2.3. Complete Neighborhood Legacy Zones.....	2-126
<u>2.3.1. [TS deleted]</u>	<u>2-126</u>
<u>2.3.2. [UC deleted].....</u>	<u>2-126</u>
2.3.3. [deleted] (11/23/16, Ord. 1149)	2-126
2.3.4. [deleted] (7/18/18, Ord. 1197)	2-126
2.3.5. [deleted] (7/18/18, Ord. 1197)	2-126
2.3.6. [deleted] (7/18/18, Ord. 1197)	2-126
2.3.7. [deleted] (11/23/16, Ord. 1149)	2-126
2.3.8. [deleted] (11/23/16, Ord. 1149)	2-126
2.3.9. [deleted] (7/18/18, Ord. 1197)	2-126
2.3.10. Business Park-Town (BP-ToJ) (7/18/18, Ord. 1198).....	2-127
2.3.11. [deleted] (7/18/18, Ord. 1197)	2-133
2.3.12. [deleted] (7/18/18, Ord. 1197)	2-133
2.3.13. Mobile Home Park-Town (MHP-ToJ) (7/18/18, Ord. 1198).....	2-134
2.3.14. [deleted] (7/18/18, Ord. 1197)	2-138
2.3.15. [deleted] (7/18/18, Ord. 1197)	2-138
2.3.16. [deleted] (7/18/18, Ord. 1197)	2-138

Div. 2.1. All Complete Neighborhood Zones

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

2.1.1. Character Zones (7/18/18, Ord. 1197)

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

- A. NL-1: Neighborhood Low Density-1
- B. NL-2: Neighborhood Low Density-2
- C. NL-3: Neighborhood Low Density-3
- D. NL-4: Neighborhood Low Density-4
- E. NL-5: Neighborhood Low Density -5
- F. NM-1: Neighborhood Medium Density-1
- G. NM-2: Neighborhood Medium Density-2
- H. NH-1: Neighborhood High Density-1
- I. CR-3: Commercial Residential-3
- J. CR-2: Commercial Residential-2
- K. CR-1: Commercial Residential-1
- L. OR: Office Residential
- M. DC-1: Downtown Core-1
- N. DC-2: Downtown Core-2
- O. TS-1: Town Square-1
- P. TS-2: Town Square-2

2.1.2. Legacy Zones (7/18/18, Ord. 1197)

Legacy zones, established in Div. 2.3., are carried forward from the previous LDRs, and it is the intent that they will be phased out over time as character zones are adopted and applied. The legacy zones include:

- A. ~~Town Square (TS)~~
- B. ~~Urban Commercial (UC)~~
- C. Business Park-Town (BP-ToJ)
- D. Mobile Home Park-Town (MHP-ToJ)

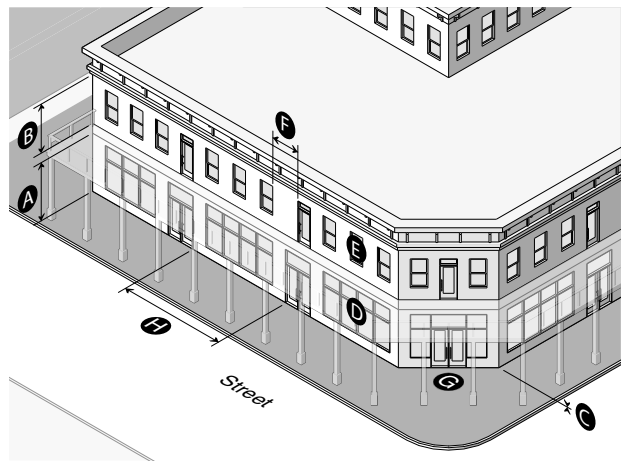
D. Building Frontages

Building frontages set standards for building facades that face streets, and are required along all primary and secondary streets. Building frontages help to ensure that buildings address each street appropriately. They play an important role in shaping the built environment and enhancing the pedestrian experience. Specific rules for each building frontage are listed below. See [Sec. 2.2.10](#) through [Sec. 2.2.17](#) to determine which options are allowed in each zone. The rules of measurement for a building frontage are in [Div. 9.4](#).

Any use allowed in the applicable zoning district is allowed in any building frontage type, provided the use meets all other zoning and building code requirements. The applicant may use multiple building frontages along the same street frontage, provided that each frontage type is allowed in the applicable zoning district.

Institutional and transportation/Infrastructure uses may be allowed to comply with the building frontages on an 'as practicable' basis with Planning Director approval.

1. Town Square



Description

In the Town Square Frontage, the main facade of the building is located at or near the public boardwalk, with at-grade entrances spaced at regular intervals. The Town Square Frontage is intended primarily for retail uses, and has glazing (windows and doors) at the sidewalk level.

<u>Story Height</u>		Sec. 9.4.13.
<u>Ground story height (min/max)</u>	<u>11'/14'</u>	A
<u>Upper story height (min)</u>	<u>9'</u>	B
<u>Ground floor elevation (min-max)</u>	<u>0' - 3'</u>	C
<u>Transparency</u>		Sec. 9.4.14.
<u>Ground story (min/max)</u>	<u>50%/75%</u>	D
<u>Upper story (min/max)</u>	<u>20%/30%</u>	E
<u>Blank Wall Area</u>		Sec. 9.4.15.
<u>Blank wall area (max)</u>	<u>15'</u>	F
<u>Pedestrian Access</u>		Sec. 9.4.16.
<u>Entrance facing street (max)</u>	<u>Required</u>	G
<u>Entrance spacing along street (max)</u>	<u>50'</u>	H

2.2.15. DC-2: Downtown Core-2

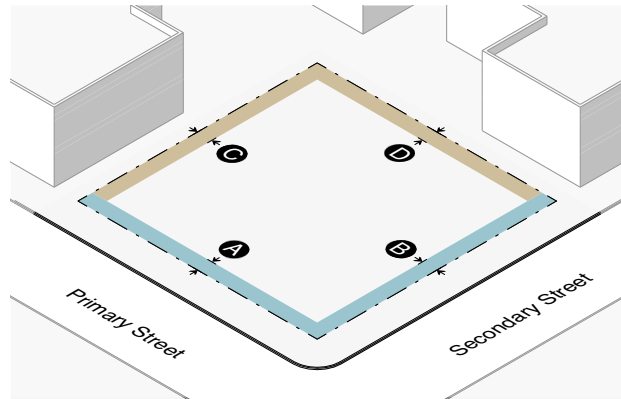
A. Intent

1. General Intent. The intent of the Downtown Core-2 (DC-2) zone is to provide for a vibrant mixed-use area with a variety of uses and amenities, consisting of wide sidewalks and buildings close to the sidewalk.
2. Buildings. Buildings can be up to 3 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Buildings are located close to the sidewalk, creating an attractive street edge. Large storefront windows, display windows, and entry features invite and encourage pedestrian activity.
3. Parking. Parking is primarily provided off-site on public lots and on-street. Parking provided on-site is underground or screened from view by buildings.
4. Land Use. Active and engaging uses are encouraged on ground floors but not required, with offices, apartments, single-family attached, and lodging primarily located on upper stories.
5. Comprehensive Plan. Based primarily on sub area 2.3 of the Comprehensive Plan.

B. Physical Development

Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in [Article 5.](#) apply unless stated otherwise.

1. Lot Standards



Building Setbacks

(Sec. 9.4.8.)

Primary street setback range (min-max)	0' - 5'	A
Secondary street setback range (min-max)	0' - 5'	B
Side interior (min)	0' or 5'	C
Rear (min)	0' or 5'	D
Abutting protected zone (min)	10'	

Landscaping

(Div. 5.5.)

Landscape surface ratio (min)	n/a
Plant units (min)	n/a

Fencing

Height in any street or side yard (max)	4'
Height in rear yard (max)	6'
Setback from pedestrian frontage (min)	1'
Setback from side or rear lot line (min)	0'

Parking Setbacks

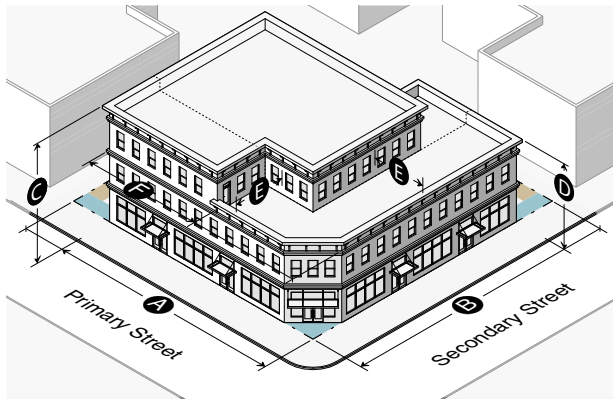
(Sec. 9.4.8.)

Primary street, above ground (min)	30'
Secondary street, surface parking (min)	30'
Secondary street, tuck-under, enclosed, or structured parking screened by bldg. (min)	0'

Access

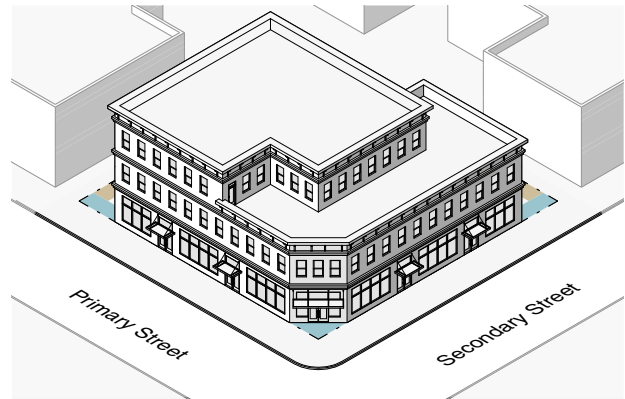
Curb cut width (max)	24'
----------------------	-----

2. Bulk Standards



Street Facade (Sec. 9.4.11.)	
Width of ground and 2nd story in primary street setback range	A
% of lot width (min)	80%
Length from street corner (min)	30'
Width of ground and 2nd story in secondary street setback range	B
% of lot width (min)	80%
Length from street corner (min)	30'
Building Height (Sec. 9.4.9.)	
Height (max) if roof pitch $\geq 5/12$	46' C
Height (max) if roof pitch $< 5/12$	42' C
Stories (max)	3 C
<u>Height (min) in any street setback range</u>	<u>16'</u> D
Building Stepback (Sec. 9.4.12.)	
<u>Stepback for any 3rd story street facade or street facade over 30' (min)</u>	<u>20'</u> E
<u>Encroachment in stepback (max % of overall facade width)</u>	<u>40%</u> F
A building with only residential use that has at least 4 units is exempt from the stepback requirement	
Scale of Development	
Floor area ratio (FAR) (max) (E.3.)	1.3
Deed restricted housing exemption	(Sec. 7.8.3.)
Workforce housing floor area bonus	(Sec. 7.8.4.)

3. Form Standards



Design Guidelines (Div. 5.8.)	
These requirements apply to all development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.	
Pedestrian Frontage	
Planning Director will establish one of the following as the pedestrian frontage	
Covered walkway	see Sec. 2.2.1.C.1
Trees in grates	see Sec. 2.2.1.C.2
Building Frontage Options	
Shopfront	see Sec. 2.2.1.D.2
Residential	see Sec. 2.2.1.D.4
Lodging	see Sec. 2.2.1.D.5
Parking Type Options	
On-street parking	see Sec. 2.2.1.E.1
Surface parking	see Sec. 2.2.1.E.2
Tuck-Under Parking	see Sec. 2.2.1.E.4
Enclosed parking	see Sec. 2.2.1.E.3
Structured parking	see Sec. 2.2.1.E.5
Underground parking	see Sec. 2.2.1.E.6

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(Sec. 7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	
(Sec. 5.2.1.)	
5. Scenic Standards	
Exterior Lighting	
(Sec. 5.3.1.)	
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	
(Sec. 5.3.2.)	
6. Natural Hazards to Avoid	
Steep Slopes	
(Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	
(Sec. 5.4.2.)	
Fault Area	
(Sec. 5.4.3.)	
Floodplains	
(Sec. 5.4.4.)	
Wildland Urban Interface	
(Sec. 5.4.5.)	

7. Signs (nonresidential)	
(Div. 5.6.)	
Number of signs (max)	3 per business per
Background color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per linear ft of street facade width up to 150 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary signs	(Sec. 5.6.1.)
8. 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	

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)	Floodplain Permit
Floor Area							
< 19,500 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
19-500 - 39,000 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 39,000 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 39,000 sf for only residential use	optional	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

C. Allowed Uses and Use Standards

Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to Sec. 6.1.2.C. All standards in Article 6. are applicable unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Residential Uses					
Attached Single-Family Unit (6.1.4.B.)	B	8,000 sf habitable excluding basement	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	0.000017*sf + (Exp(-14.17 + 1.59*Ln(sf)))/2.176
Apartment (6.1.4.D.)	B				
Dormitory (6.1.4.F.)	C	n/a	n/a	0.251/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Lodging					
Conventional Lodging (6.1.5.B.)	B (LO)	n/a	n/a	0.75/room	0.204*bedrooms
Short-term Rental Unit (6.1.5.C.)	B (LO)	n/a	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	0.204*bedrooms
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	1.65/1,000 sf	0.000493*sf
Retail (6.1.6.C.)	B	12,500 sf excluding basement storage	n/a	2.25/1,000 sf	0.000431*sf
Service (6.1.6.D.)	B		n/a	1.5/1,000 sf	0.000431*sf
Restaurant/Bar (6.1.6.E.)	B		n/a	1/110 sf dining area + 1/60 sf bar area	0.001197*sf
Amusement/Recreation					
Amusement (6.1.7.B.)	B	n/a	n/a	1/60 sf seating area or independent calculation	0.000431*sf
Developed Recreation (6.1.7.D.)	B	n/a	n/a	3.37/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E.)	C	n/a	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Day Care/Education (6.1.8.C.)	B	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Parking (6.1.10.B.)	C	n/a	n/a	n/a	0.000246*sf

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

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Utility Facility (6.1.10.C.)	C	n/a	n/a	0.5/employee + 0.5/stored vehicle	0.000246*sf
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	n/a	n/a	0.5/employee + 0.5/stored vehicle	0.000246*sf
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	n/a	n/a	1/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Family Home Daycare (6.1.11.F.)	B	n/a	n/a	0.5/employee + 0.5 off-street pick-up/drop-off	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B.)	Y	n/a	n/a	0.5/1,000 sf outdoor display area + 0.5/employee	exempt
Farm Stand (6.1.12.E.)	B	n/a	n/a	2.5/1,000 sf display area	exempt

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

3. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Outdoor Storage	Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc.) not made a permanent part of a structure	Prohibited
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure	Required
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision are provided below. Where a cross-reference is provided see the referenced division or section for additional standards. All standards in [Article 7.](#) are applicable unless stated otherwise.

1. Allowed Subdivision and Development Options				
Option	Lot Size (min)	Standards		
Allowed Subdivision Options				
Land Division	5,000 sf	Sec. 7.2.3.		
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.		
2. Residential Subdivision Requirements				
Schools and Parks Exaction				
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit			
Parks exaction	9 acres per 1,000 resident			
3. Infrastructure				
Transportation Facilities		(Div. 7.6.)		
Access	required			
Right-of-way for Minor Local Road (min)	60'			
Paved travel way for Minor Local Road (min)	20'			
Required Utilities		(Div. 7.7.)		
Water	public			
Sewer	public			
4. Required Subdivision and Development Option Permits				
Option	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.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X
Condominium/Townhouse				
				X

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

- a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:
 - i. Residential Uses (Sec. 6.1.4.);
 - ii. Lodging Uses (Sec. 6.1.5.); and
 - iii. Accessory Residential Unit (Sec. 6.1.11.).
- b. **Existing Parking Credits.** For properties with established parking credits per the Town Parking Credit Table (on reference with the Planning Department), the landowner may use such credits toward required parking. Credits are based on the amount of parking provided in 1988, as determined in 2005. Parking credits run with the land and are not transferable.
- c. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.
 - i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

- ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.
 - iii. The on-street parking shall follow the established configuration of existing on-street parking.
 - iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.
- d. **Fee-In-Lieu.** Required parking may be provided off-site through the Town's in-lieu fee program pursuant to the following standards.
 - i. **Fee.** The fee shall be a one-time fee commensurate with the cost of providing off-street parking and shall be used exclusively for such purpose. The Town Clerk shall accept fees in accordance with the parking fee schedule set forth by Resolution.
 - ii. **Assignment of Credits.** Parking credits purchased by fee-in-lieu run with the land and are not transferable.
 - iii. **Banking of Fee-in-Lieu Spaces.** Fee-in-lieu spaces may be purchased in advance and "banked" for future use.

2. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of Sec. 6.2.2.E. are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.
3. **Existing Floor Area Allowed.** Where the existing floor area on a site exceeds the allowed floor area ratio (FAR), the maximum allowed floor area shall be the lawfully existing floor area. The burden of establishing the amount of lawfully existing floor area shall be the responsibility of the landowner.

2.2.16. TS-1: Town Square-1

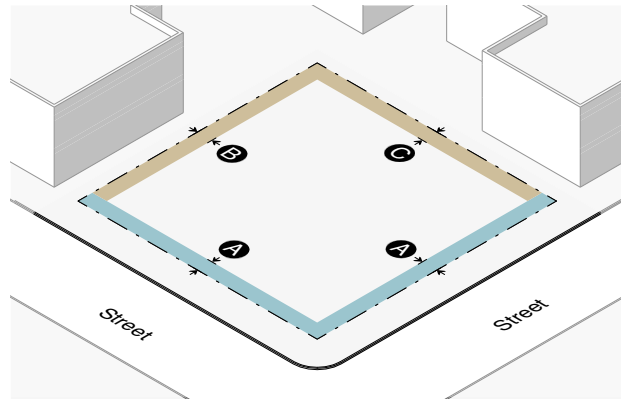
A. Intent

1. General Intent. The intent of the Town Square 1 (TC-1) zone is to preserve the western character of the Jackson Town Square and promote a pedestrian-oriented environment to support a vital downtown retail and visitor experience.
2. Buildings. New buildings can be up to 2 stories in height. Designated historic buildings may be allowed a partial 3rd story. Buildings are located close to the sidewalk and incorporate a covered boardwalk, creating an attractive street edge.
3. Parking. Parking is provided off-site on public lots and on-street. Little or no parking is provided on-site.
4. Land Use. Active and engaging uses are encouraged on ground floors, with a variety of commercial uses located on upper stories. Residential, as a principal use, is not allowed.
5. Comprehensive Plan. Based primarily on sub area 1.1 and 1.2 of the Comprehensive Plan.

B. Physical Development

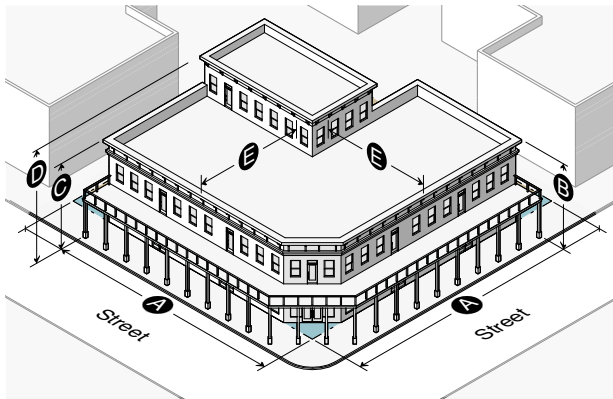
Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in [Article 5.](#) apply unless stated otherwise.

1. Lot Standards



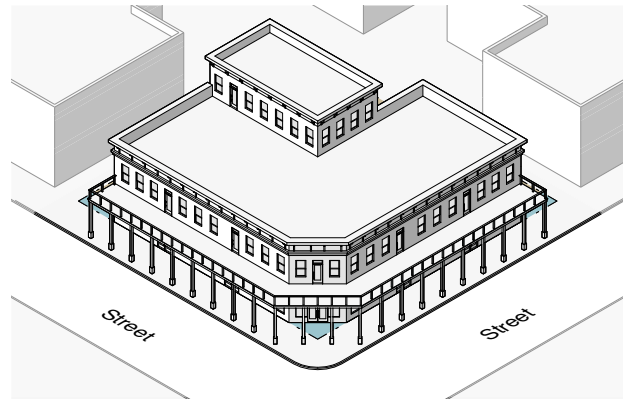
Building Setbacks (Sec. 9.4.8.)	
Street setback range (min-max)	0' A
Side interior (min)	0' or 5' B
Rear (min)	0' or 5' C
Abutting protected zone (min)	n/a
Landscaping (Div. 5.5.)	
Landscape surface ratio (min)	n/a
Plant units (min)	n/a
Fencing	
Height in any street or side yard (max)	Not allowed
Height in rear yard (max)	6'
Setback from pedestrian frontage (min)	Not allowed
Setback from side or rear lot line (min)	0'
Parking Setbacks (Sec. 9.4.8.)	
Street, surface parking (min)	30'
Access	
Curb cut width (max)	Not allowed

2. Bulk Standards



Street Facade (Sec. 9.4.11.)	
Width of ground story in street setback range	A
% of lot width (min)	90%
Building Height (Sec. 9.4.9.)	
Height (max)	35' B
Stories (max)	2 B
<u>Height (min) in street setback range</u>	<u>20'</u> C
Partial 3rd Story (Preservation Bonus) (Sec. 9.4.12.)	
<u>Height (max)</u>	<u>40'</u> D
<u>Stories (max)</u>	<u>3 (partial)</u> D
<u>Stepback for 3rd story street facade (min)</u>	<u>Greater of 40' or 50% of building depth</u> E
<u>Encroachment in stepback (max % of overall facade width)</u>	<u>0%</u>
Scale of Development	
Floor area ratio (FAR) (max) (E.3.)	1.83
Deed restricted housing exemption (Sec. 7.8.3.)	
Single building size (max)	15,000 SF

3. Form Standards



Design Guidelines (Div. 5.8.)

These requirements apply to all development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.

Pedestrian Frontage

Covered walkway see [Sec. 2.2.1.C.1](#)

Building Frontage Options

Town Square see [Sec. 2.2.1.D.1](#)

Parking Type Options

On-street parking see [Sec. 2.2.1.E.1](#)

Surface parking see [Sec. 2.2.1.E.2](#)

Tuck-Under Parking see [Sec. 2.2.1.E.4](#)

Enclosed parking see [Sec. 2.2.1.E.3](#)

Structured parking see [Sec. 2.2.1.E.5](#)

Underground parking see [Sec. 2.2.1.E.6](#)

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(Sec. 7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	
(Sec. 5.2.1.)	
5. Scenic Standards	
Exterior Lighting	
(Sec. 5.3.1.)	
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	
(Sec. 5.3.2.)	
6. Natural Hazards to Avoid	
Steep Slopes	
(Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	
(Sec. 5.4.2.)	
Fault Area	
(Sec. 5.4.3.)	
Floodplains	
(Sec. 5.4.4.)	
Wildland Urban Interface	
(Sec. 5.4.5.)	

7. Signs (nonresidential)	
(Div. 5.6.)	
Number of signs (max)	2 per business per frontage
Background color	No white or yellow
Sign Area	
Total sign area (max)	2.5 sf per ft of street facade width up to 125 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary signs	(Sec. 5.6.1.)
8. 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	

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)	Floodplain Permit
Nonresidential Floor Area							
≤ 10,000 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
10,001 - 20,000 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 20,000 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

C. Allowed Uses and Use Standards

Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to Sec. 6.1.2.C. All standards in Article 6. are applicable unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Lodging					
Conventional Lodging (6.1.5.B.)	G(LO)	n/a	n/a	0.75/LU + 1 per 150-sf assembly area	0.204*bedrooms
Short-term Rental Unit (6.1.5.C.)	G(LO)	n/a	n/a	1.5/1,000-sf, max 2	0.204*bedrooms
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	1.65/1,000 sf	0.000493*sf
Retail (6.1.6.C.)	B	12,500 sf excluding basement storage	n/a	2.25/1,000 sf	0.000431*sf
Service (6.1.6.D.)	B		n/a	1.5/1,000 sf	0.000431*sf
Restaurant/Bar (6.1.6.E.)	B		n/a	1/110 sf dining area + 1/60 sf bar area	0.001197*sf
Amusement/Recreation					
Amusement (6.1.7.B.)	C	n/a	n/a	1/60 sf seating area or independent calculation	0.000431*sf
Transportation/Infrastructure					
Wireless Communications Facilities (6.1.10.D.)				0.5/employee + 0.5/stored vehicle	0.000246*sf
Minor	B	n/a	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	n/a	n/a	1.25/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt

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

3. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Outdoor Storage	Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc.) not made a permanent part of a structure	Prohibited
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision are provided below. Where a cross-reference is provided see the referenced division or section for additional standards. All standards in [Article 7.](#) are applicable unless stated otherwise.

1. Allowed Subdivision and Development Options				
Option	Lot Size (min)	Standards		
Allowed Subdivision Options				
Land Division	5,000 sf	Sec. 7.2.3.		
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.		
2. Residential Subdivision Requirements				
Schools and Parks Exaction				
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit			
Parks exaction	9 acres per 1,000 resident			
3. Infrastructure				
Transportation Facilities	(Div. 7.6.)			
Access	required			
Right-of-way for Minor Local Road (min)	60'			
Paved travel way for Minor Local Road (min)	20'			
Required Utilities	(Div. 7.7.)			
Water	public			
Sewer	public			
4. Required Subdivision and Development Option Permits				
Option	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.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X
Condominium/Townhouse				
				X

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

- a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:
 - i. Accessory Residential Unit (Sec. 6.1.11.).
- b. **Existing Parking Credits.** For properties with established parking credits per the Town Parking Credit Table (on reference with the Planning Department), the landowner may use such credits toward required parking. Credits are based on the amount of parking provided in 1988, as determined in 2005. Parking credits run with the land and are not transferable.
- c. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.
 - i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

- ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.
 - iii. The on-street parking shall follow the established configuration of existing on-street parking.
 - iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.
- d. **Fee-In-Lieu.** Required parking may be provided off-site through the Town's in-lieu fee program pursuant to the following standards.
 - i. **Fee.** The fee shall be a one-time fee commensurate with the cost of providing off-street parking and shall be used exclusively for such purpose. The Town Clerk shall accept fees in accordance with the parking fee schedule set forth by Resolution.
 - ii. **Assignment of Credits.** Parking credits purchased by fee-in-lieu run with the land and are not transferable.
 - iii. **Banking of Fee-in-Lieu Spaces.** Fee-in-lieu spaces may be purchased in advance and "banked" for future use.

2. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of Sec. 6.2.2.E. are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.
3. **Existing Floor Area Allowed.** Where the existing floor area on a site exceeds the allowed floor area ratio (FAR), the maximum allowed floor area shall be the lawfully existing floor area. The burden of establishing the amount of lawfully existing floor area shall be the responsibility of the landowner.

2.2.17. TS-2: Town Square-2

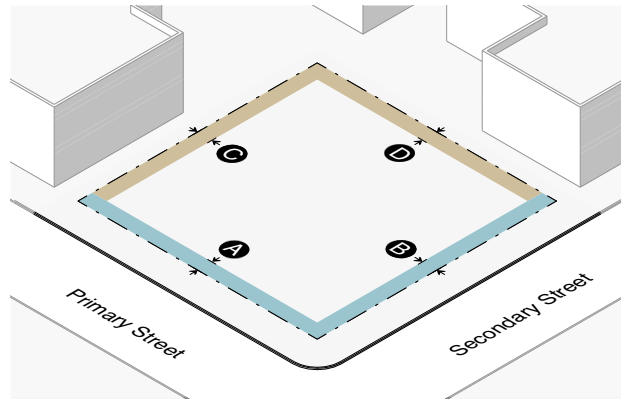
A. Intent

1. General Intent. The intent of the Town Square 2 (TC-2) zone is to provide for a vibrant mixed-use area with a variety of uses and amenities, consisting of wide sidewalks and buildings close to the sidewalk.
2. Buildings. Buildings can be up to 3 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Buildings are located close to the sidewalk, creating an attractive street edge. Large storefront windows, display windows, and entry features invite and encourage pedestrian activity.
3. Parking. Parking is primarily provided off-site on public lots and on-street. Parking provided on-site is underground or screened from view by buildings.
4. Land Use. Active and engaging uses are encouraged on ground floors but not required, with offices and lodging primarily located on upper stories. Residential, as a principal use, is not allowed.
5. Comprehensive Plan. Based primarily on sub area 1.1 and 1.2 of the Comprehensive Plan.

B. Physical Development

Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in [Article 5](#). apply unless stated otherwise.

1. Lot Standards



Building Setbacks

(Sec. 9.4.8.)

Primary street setback range (min-max)	0' - 5'	A
Secondary street setback range (min-max)	0' - 5'	B
Side interior (min)	0' or 5'	C
Rear (min)	0' or 5'	D
Abutting protected zone (min)	10'	

Landscaping

(Div. 5.5.)

Landscape surface ratio (min)	n/a
Plant units (min)	n/a

Fencing

Height in any street or side yard (max)	Not allowed
Height in rear yard (max)	6'
Setback from pedestrian frontage (min)	Not allowed
Setback from side or rear lot line (min)	0'

Parking Setbacks

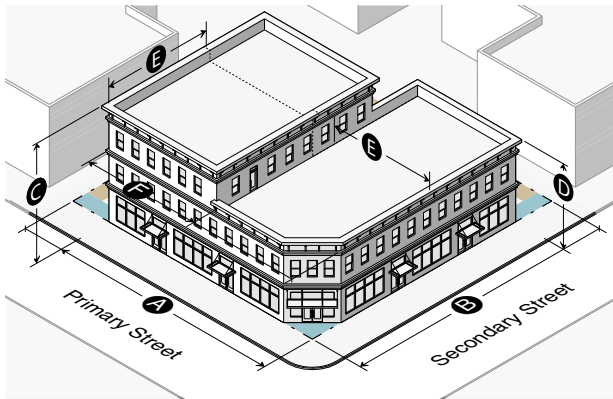
(Sec. 9.4.8.)

Primary street, above ground (min)	30'
Secondary street, surface parking (min)	30'
Secondary street, tuck-under, enclosed, or structured parking screened by bldg. (min)	0'

Access

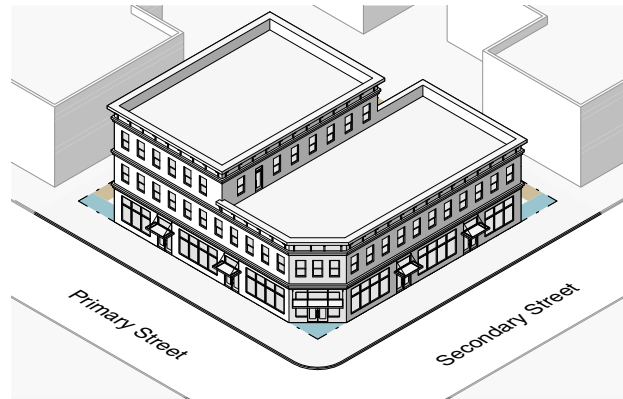
<u>Curb cut width (max)</u>	<u>Not allowed</u>
-----------------------------	--------------------

2. Bulk Standards



Street Facade (Sec. 9.4.11.)	
Width of ground and 2nd story in primary street setback range	A
% of lot width (min)	80%
Width of ground and 2nd story in secondary street setback range	B
% of lot width (min)	80%
Building Height (Sec. 9.4.9.)	
Height (max) if roof pitch $\geq 5/12$	46' C
Height (max) if roof pitch $< 5/12$	42' C
Stories (max)	3 C
<u>Height (min) in any street setback range</u>	16' D
Building Stepback (Sec. 9.4.12.)	
<u>Stepback for any 3rd story street facade (min)</u>	40' E
<u>Encroachment in stepback (max % of overall facade width)</u>	40% F
A building with only residential use that has at least 4 units is exempt from the stepback requirement	
Scale of Development	
Floor area ratio (FAR) (max) (E.3.)	1.83
Deed restricted housing exemption (Sec. 7.8.3.)	
Workforce housing floor area bonus (Sec. 7.8.4.)	
Single building size (max)	15,000 SF

3. Form Standards



Design Guidelines (Div. 5.8.)	
These requirements apply to all development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.	
Pedestrian Frontage	
Planning Director will establish one of the following as the pedestrian frontage	
Covered walkway	see Sec. 2.2.1.C.1
Trees in grates	see Sec. 2.2.1.C.2
Building Frontage Options	
<u>Town Square</u>	<u>see Sec. 2.2.1.D.1</u>
Shopfront	see Sec. 2.2.1.D.2
Lodging	see Sec. 2.2.1.D.5
Parking Type Options	
On-street parking	see Sec. 2.2.1.E.1
Surface parking	see Sec. 2.2.1.E.2
Tuck-Under Parking	see Sec. 2.2.1.E.4
Enclosed parking	see Sec. 2.2.1.E.3
Structured parking	see Sec. 2.2.1.E.5
Underground parking	see Sec. 2.2.1.E.6

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(Sec. 7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	
(Sec. 5.2.1.)	
5. Scenic Standards	
Exterior Lighting	
(Sec. 5.3.1.)	
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	
(Sec. 5.3.2.)	
6. Natural Hazards to Avoid	
Steep Slopes	
(Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	
(Sec. 5.4.2.)	
Fault Area	
(Sec. 5.4.3.)	
Floodplains	
(Sec. 5.4.4.)	
Wildland Urban Interface	
(Sec. 5.4.5.)	

7. Signs (nonresidential)	
(Div. 5.6.)	
Number of signs (max)	2 per business per frontage
Background color	No white or yellow
Sign Area	
Total sign area (max)	2.5 sf per ft of street facade width up to 125 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary signs	(Sec. 5.6.1.)
8. 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	

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.1.)	Development Plan (Sec. 8.3.2.)	Building Permit (Sec. 8.3.3.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.5.)	Grading Permit (Sec. 8.3.4.)	Floodplain Permit
Nonresidential Floor Area							
≤ 10,000 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
10,001 - 20,000 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 20,000 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

C. Allowed Uses and Use Standards

Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Div. 6.2.) (E.1.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Lodging					
Conventional Lodging (6.1.5.B.)	B (LO)	45,000 SF habitable	n/a	0.75/room	0.204*bedrooms
Short-term Rental Unit (6.1.5.C.)	B (LO)	n/a	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	0.204*bedrooms
Commercial Uses					
Office (6.1.6.B.)	B	n/a	n/a	1.65/1,000 sf	0.000493*sف
Retail (6.1.6.C.)	B	12,500 sf excluding basement storage	n/a	2.25/1,000 sf	0.000431*sف
Service (6.1.6.D.)	B		n/a	1.5/1,000 sf	0.000431*sف
Restaurant/Bar (6.1.6.E.)	B		n/a	1/110 sf dining area + 1/60 sf bar area	0.001197*sف
Amusement/Recreation					
Amusement (6.1.7.B.)	B	n/a	n/a	1/60 sf seating area or independent calculation	0.000431*sف
Institutional Uses					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Wireless Communications Facilities (6.1.10.D.)					
Minor	B	n/a	n/a	0.5/employee + 0.5/stored vehicle	0.000246*sف
Accessory Uses					
Accessory Residential Unit (6.1.11.B.)	B	n/a	n/a	1/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt

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

3. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Outdoor Storage	Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc.) not made a permanent part of a structure	Prohibited
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision are provided below. Where a cross-reference is provided see the referenced division or section for additional standards. All standards in [Article 7.](#) are applicable unless stated otherwise.

1. Allowed Subdivision and Development Options				
Option	Lot Size (min)	Standards		
Allowed Subdivision Options				
Land Division	5,000 sf	Sec. 7.2.3.		
Townhouse Condominium Subdivision	n/a	Sec. 7.2.4.		
2. Residential Subdivision Requirements				
Schools and Parks Exaction				
Schools exaction	.020 acres per 1- or 2-family unit .015 acres per multi-family unit			
Parks exaction	9 acres per 1,000 resident			
3. Infrastructure				
Transportation Facilities		(Div. 7.6.)		
Access	required			
Right-of-way for Minor Local Road (min)	60'			
Paved travel way for Minor Local Road (min)	20'			
Required Utilities		(Div. 7.7.)		
Water	public			
Sewer	public			
4. Required Subdivision and Development Option Permits				
Option	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.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X
Condominium/Townhouse				
				X

E. Additional Zone-Specific Standards

1. Provision of Nonresidential, Nonlodging Parking

- a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:
 - i. Lodging Uses (Sec. 6.1.5.); and
 - ii. Accessory Residential Unit (Sec. 6.1.11.).
- b. **Existing Parking Credits.** For properties with established parking credits per the Town Parking Credit Table (on reference with the Planning Department), the landowner may use such credits toward required parking. Credits are based on the amount of parking provided in 1988, as determined in 2005. Parking credits run with the land and are not transferable.
- c. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.
 - i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

- ii. On-street parking shall not be provided along a red curb or other no-parking area put in place by the Town or WYDOT.
 - iii. The on-street parking shall follow the established configuration of existing on-street parking.
 - iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.
- d. **Fee-In-Lieu.** Required parking may be provided off-site through the Town's in-lieu fee program pursuant to the following standards.
 - i. **Fee.** The fee shall be a one-time fee commensurate with the cost of providing off-street parking and shall be used exclusively for such purpose. The Town Clerk shall accept fees in accordance with the parking fee schedule set forth by Resolution.
 - ii. **Assignment of Credits.** Parking credits purchased by fee-in-lieu run with the land and are not transferable.
 - iii. **Banking of Fee-in-Lieu Spaces.** Fee-in-lieu spaces may be purchased in advance and "banked" for future use.

2. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of Sec. 6.2.2.E. are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.
3. **Existing Floor Area Allowed.** Where the existing floor area on a site exceeds the allowed floor area ratio (FAR), the maximum allowed floor area shall be the lawfully existing floor area. The burden of establishing the amount of lawfully existing floor area shall be the responsibility of the landowner.

[NOTE: Division 5.9. Preservation of Historic Resources is an entirely new section that establishes the historic preservation program within the Land Development Regulations (LDRs)]

Div. 5.9. Preservation of Historic Resources *[this is an entirely new section]*

5.9.1 Purpose:

The Town of Jackson has a wide range of historic properties. The Town Council and the citizens of Jackson find that these properties are worthy of protection and recognition. The purpose of this Division is to:

- A. Effect and accomplish the protection and preservation of the town's architecture, culture, and heritage as embodied in historic properties by appropriate regulations and incentives;
- B. Enhance property values and stabilize historic neighborhoods;
- C. Establish the Jackson Historic Register listing of historic buildings, structures, sites and objects; and
- D. Establish a mechanism whereby incentives for preservation may be made available.

5.9.2 Establishment of Jackson Historic Register

- A. The Town Council hereby establishes the Jackson Historic Register.
 - 1. Properties may be listed in the Jackson Historic Register only if such property has been so designated pursuant to the procedures in Sec. 8.5.6.
 - 2. All properties listed in the Wyoming State Register of Historic Properties and the National Register of Historic Places are eligible for the Jackson Historic Register but are not designated until approval, pursuant to this section, is obtained.
- B. Properties in the Jackson Historic Register shall be divided into the following two categories.
 - 1. Landmark. A Landmark property is one of the highest significance in the Town of Jackson.
 - 2. Registered Historic Resource. A Registered Historic Resource property is one of general historic significance in the Town of Jackson.

5.9.3. Applicability

This Division shall apply to all structures designated as a Landmark or Registered Historic Resource as established in this Division. More specifically, the provisions in this Division apply to historic properties as follows:

- A. Landmark properties: The provisions of this Division are mandatory, as further provided in this Division.
- B. Registered Historic Resources:
 - 1. While a landowner's decision to list a property on the Jackson Historic Register is voluntary, the provisions in this Division are mandatory for a Registered Historic Resource once listed, as specified below.
 - i. For a Registered Historic Resource that utilizes a development incentive in Section 5.9.6. or other financial incentive (e.g., state or federal), the provisions in this Division are mandatory in perpetuity or as otherwise stated in the LDRs;

- ii. For a Registered Historic Resource that does not utilize a development incentive in Section 5.9.6. or other financial incentive (e.g., state or federal), the landowner may opt out of the Registered Historic Resource designation at any time.
- C. Structures of Merit: This Division does not apply to Structures of Merit, except for Sec. 5.9.5.

5.9.4 Designation Criteria to the Jackson Historic Register

Below are the criteria to designate a property to the Jackson Historic Register. Landmark properties and Registered Historic Resources shall meet all three designation criteria (A, B, and C) listed in this section. Under Criterion B, "Historic Significance," a Landmark shall meet a minimum of three of the categories listed and a Registered Historic Resource shall meet a minimum of two of the categories listed.

- A. Age. Individual properties shall be at least 50 years old. However, a property may be exempted from the age standard if Council finds it to be exceptionally important.
- B. Historic Significance. Properties shall be found to have historic significance in these categories in order to be considered for designation:
 - 1. Association with events that have made a significant contribution to history;
 - 2. Connection with persons significant in history;
 - 3. Distinctive characteristics of a type, period, method of construction, or artisan;
 - 4. Geographic importance; and/or
 - 5. Possibility to yield important information related to prehistory of history.
- C. Integrity. In addition to having historic significance as outlined above, a property must be found to retain sufficient integrity. All properties shall be evaluated for their physical integrity using the following criteria:
 - 1. Location
 - 2. Design
 - 3. Setting
 - 4. Materials
 - 5. Workmanship
 - 6. Feeling

5.9.5 Structures of Merit

- A. General
 - 1. A list of Structures of Merit is hereby established. The purpose is to recognize properties of historic significance that have not been formally designated to the Town's Historic Register. No regulation of the property as identified for properties on the Town's Historic Register applies to these properties.
- B. Identification
 - 1. Structures of Merit are identified through professional surveys using the criteria listed above in Sec. 5.9.4.
 - 2. The Planning Director shall formally accept the survey as the listing of Structures of Merit by resolution.
- C. Classification
 - 1. If a property owner(s) wishes to nominate their Structure of Merit to the Town's Historic Register, they may do so by following the procedures outlined in Sec. 8.5.6.
- D. List of Structures of Merit

1. The Town of Jackson shall maintain an up-to-date List of Structures of Merit, which shall be made publicly available.
2. If a property on the List of Structures of Merit is subsequently designated to the Town's Historic Register, it shall then be removed from the List of Structures of Merit.

5.9.6 Incentives for Historic Preservation

In recognition that requirements in the LDRs can be a barrier to the preservation of historic resources, this section provides zoning incentives to property owners. The intent is to provide financial incentives and regulatory flexibility to avoid the demolition of historic properties and to encourage context-sensitive reinvestment in and redevelopment of historic properties. Toward this end, this section provides zoning-related incentives for Landmark and Registered Historic Resource properties. Once an incentive is used, the historic designation of the property cannot be removed unless otherwise stated in this section.

It should be noted that many of these incentives are located in other parts of the LDRs, thus only references to the appropriate sections are provided here. In addition, other incentives for historic preservation are available in Chapter 12 of the International Existing Building Code and through federal and state programs not included in the LDRs.

A. Nonconforming Structures.

1. Landmark and Registered Historic Resource properties are allowed to increase existing nonconformities on expansions by matching existing setbacks, height, and other dimensional standards (see Sec. 1.9.2.B.1. for full text).
2. Landmark and Registered Historic Resource properties are exempted from the 20% limitation on expansion of nonconforming structures (see Sec. 1.9.2.B.3.b for full text).
3. Landmark and Registered Historic Resource properties are exempted from the limitation on replacing (and expanding) nonconforming structures (see Sec. 1.9.2.B.4.a for full text).

B. Flexibility in the Applicability of Development Standards

1. Administrative Adjustment

- a. Structure Setbacks and Site Development Setbacks. The Planning Director may establish a lesser structure setback or site development setback for a Landmark or Registered Historic Resource property based on credible information from the applicant that the lesser standard is necessary to meet the goals of this Division and will protect the character of the adjacent properties and neighborhood (see Sec. 8.8.1.B.2).
- b. The protection of historic resources is one justification for approving Administrative Adjustments to provide additional flexibility for parking, LSR, setbacks) and other important standards (see Sec. 8.8.1.C.2.b for full text).

2. FAR exemption

- a. Any floor area within a Landmark or Registered Historic Resource structure does not count as floor area for the purpose of calculating the maximum allowed floor area (FAR) on a property.

- b. An addition to a Landmark or Registered Historic Resource structure does not count as floor area for the purpose of determining development review thresholds in each zone district (i.e., see subsection. B.10 in each zone district).
 - c. A residential unit(s) that is a Landmark or Registered Historic Resource structure, or that is contained within such a structure, shall not count as a dwelling unit for the purposes of maximum density.
- 3. Minimum Lot Size

The minimum lot size on a property with a structure listed on the Jackson Historic Register may be reduced by half and subdivided provided all resulting lots meet all applicable requirements of the LDRs and the historic resource is protected in perpetuity on the lot (repositioning allowed) by a deed restriction recorded in the County Clerk's office.
- 4. Workforce Housing Mitigation
 - a. Uses within a Landmark or Registered Historic Resource are exempt from the affordable workforce housing mitigation requirements in Div. 6.3 (see Sec. 6.3.2.C.3 for full text).
 - b. Landmark and Registered Historic Resources get a credit equal to twice the amount of floor area of existing historic structures if still located in original site, or has not been moved in last 50 years (see Sec. 6.3.2.C.3 for full text).

C. Transfer of Development Rights (TDR) for Historic Preservation

To encourage the preservation of historic properties, properties with Landmark and Registered Historic Resource structures may transfer or sell unused floor area to another eligible property according the standards below.

- 1. Applicability
 - a. Any property with a Landmark and Registered Historic Resource structure can transfer or sell any unused floor area to another eligible site, as provided in this section.
- 2. Requirements for 'sending' properties

A 'sending' property is one that meets all of the following criteria:

- a. The property must contain either a designated Landmark or Registered Historic Resource.
- b. The sending property may be located in any zone in the Town.
- c. The property must have unused floor area available for transfer to another property. Unused floor area is calculated by subtracting the total amount of existing floor area on the site (not including designated historic structures) from the maximum allowed floor area as determined by the base FAR.
[EXAMPLE: On a property with a 2,000 sf historic structure and 1,500 sf non-historic structure, and where a total of 5,000 sf of development is allowed by the base FAR (i.e., without the use of any floor area bonuses), the property would be eligible to transfer 3,500 sf of floor area to a qualified receiving site].

- d. A site that has already received a transfer of floor area (i.e., a receiving site) may become a sending site in cases where that the transferred floor area is transferred again to another eligible receiving site.

3. Requirements for 'receiving' properties

A 'receiving' property must meet all of the following criteria:

- a. The property must be located in the DC-1, DC-2, CR-1, CR-2, CR-3, BP, NM-2, or NH-1 zone in the Town;
- b. No variance to any development standard is required to accommodate the transferred floor area;
- c. The property must not have significant environmental or developmental constraints, such as being in the Natural Resource Overlay (NRO), having wetlands, or subject to significant geologic instability, avalanches, wildfire, or similar hazards.
- d. No additional significant public infrastructure improvements paid by the Town are needed to accommodate the transferred floor area.

4. Documentation required for transfer of floor area under TDR program

All transfers of floor area under the TDR program shall comply with the following requirements.

- a. The sale or transfer of the floor area is a private transaction to be agreed upon by the affected landowners. The Town is not involved in determining the value or price of the transferred floor area.
- b. Prior to any transfer of floor area, the owner of the sending property must apply for a Zoning Compliance Verification (ZCV) from the Town Planning Department to verify the amount and type of floor area available to be transferred from the sending site and to verify that the intended receiving site is eligible to be a receiving site.
- c. The sale or transfer of any the floor area shall include a deed restriction recorded in the County Clerk's office against both the sending and receiving property that clearly identifies the following: a) the owners of the sending and receiving properties; b) the amount and type of floor area to be transferred, c) the amount of floor area remaining on the sending site, d) the historic resource on the sending site being protected and the nature and timeframe of the protection; and e) any other information necessary to provide clear notice to future property owners and Town regarding the status of future development potential on each property. The Town may provide a template TDR deed restriction that may be used or required to meet the requirements of this section.
- d. The required TDR deed restriction shall state the designated historic resource shall be protected in perpetuity or for less period if the transferred floor area is not used and the floor area is expired or returned to the sending site.

- e. The required TDR deed restriction must be recorded prior to issuance of any building permit that includes use of transferred floor area.
 - f. The owner of the sending site shall provide a copy of the signed transfer instrument to the Town Planning Department. Failure to send this required notice to the Town may result in delay in the use of the transferred floor area.
5. General requirements and rules of TDR program
- a. Transferred floor area does not count as FAR on the receiving site.
 - b. A sending property in a residential zone can only transfer residential floor area.
 - c. A sending property in a mixed-use zone can transfer either residential or non-residential floor area provided it is allowed as a Basic Use. Floor area allowed as a Conditional Use or Special use cannot be transferred;
 - d. Floor area that has been transferred legally to an eligible receiving site may be transferred again to another eligible receiving site (i.e., the receiving site becomes a sending site) subject to the requirements of this section. This process may be repeated as many times as necessary to transfer floor area to a site intended for development.
 - e. Transferred floor area does not expire and there is no deadline by which time the floor area must be used. Purchasers of transferred floor area, however, may voluntarily expire or permanently retire the transferred development rights by filing an instrument in the County Clerk's office that clearly documents the location and rights that are to be expired.
 - f. In the CR-3 zone, a fourth story and 48' in height is allowed provided that the fourth story is equal to the amount of floor area transferred to the site using the TDR program (see Sec. 2.2.13.E.7 for full text).
 - g. The Town will track all transfers of floor areas from the TDR program and make this information available to the public.
 - h. The designated historic resource on a sending property may be repositioned on the sending site consistent with the requirements of Sec. 8.5.8, but if it is moved to another site the sending site must comply with the retroactive requirements in Sec. 5.9.6.D.
 - i. When an owner proposes to subdivide a property with unused transferred floor area from the TDR program, the applicant shall clearly allocate the unused transferred floor area to the newly created lots or units.

6. Vesting of Transferred Floor Area

Floor area that is purchased or otherwise transferred through the TDR program does not guarantee a development right or create a vested right on the receiving site. The transferred floor area is vested only after an approved development permit or building permit is issued that includes the additional transferred floor area and demonstrates that it can fit on the receiving site while complying with all applicable LDRs.

D. Retroactive Requirement

When an incentive in this Division is used for a Landmark or Registered Historic Resource but the designated historic resource is subsequently removed physically or is no longer designated on the Jackson Historic Register, the benefiting property owner will be responsible to retroactively comply with, either through payment or performance, the LDR requirement that was relaxed or exempted.

5.9.7 Maintenance

- A. The Town Council intends to preserve from deliberate or inadvertent neglect the exterior portions of historic properties and all interior portions thereof whose maintenance is necessary to prevent deterioration of any exterior portion. No owner, lessee, or occupant of any historic property shall fail to prevent significant deterioration of the exterior of the building, structure, object, or special feature beyond the condition of such historic property on the effective date of the designating ordinance.
- B. No owner, lessee, or occupant of any historic property shall fail to comply with all applicable provisions of these LDRs.
- C. Prior to beginning any enforcement action for failure to maintain the historic property, the Town shall notify the owner, lessee or occupant of the need to repair, maintain, or restore such property; shall assist the owner, lessee, or occupant in determining how to preserve such property; and shall give the owner, lessee, or occupant a reasonable time to perform such work.
- D. Unsafe or Dangerous Conditions Exempted. Nothing in this section shall be construed to prevent any measures of construction, alteration, removal, or demolition necessary to correct the unsafe or dangerous condition of any property, other feature, or parts thereof where such condition is declared unsafe or dangerous by the Town and where the proposed measures have been declared necessary by the Town to correct the condition, as long as only such work that is absolutely necessary to correct the condition is performed. Any temporary measures may be taken without first obtaining a Certificate of Appropriateness under this ordinance, but a certificate is required for permanent construction, alteration, removal, or demolition.

5.9.8 Enforcement

- A. Landmark properties are required to maintain in perpetuity, or for another period of time as approved, the integrity of the historic resource per the standards in this Division. Landmark properties that also take advantage of any of the development incentive in Sec. 5.9.6 are further required to maintain the integrity of the historic resource in perpetuity.
- B. Registered Historic Resource properties are designated only with the consent of the property owner, thus the provisions of this Division are enforced through the Design Guidelines for as long as the property is a designated historic resource. However, any Registered Historic Resource that takes advantage of any of the development incentive in Sec. 5.9.6 is required to maintain the integrity of the historic resource in perpetuity, or for another period of time as approved.

[NOTE: Sections 8.5.6 through 8.5.8 are entirely new sections that establish new procedures related to the Historic Preservation program in a different section of the Land Development Regulations (LDRs)]

Section 8.5.6 Designation Process to Jackson Historic Register

A. Purpose

The purpose of the historic preservation designation process is to review the historic significance of a particular property, structure, site, or resource to determine whether it meets the criteria for designation to the Jackson Historic Register.

B. Applicability

This process applies to any property in the Town that is properly nominated for designation as a Landmark or Registered Historic Resource in the Jackson Historic Register.

C. Nomination process

An application to designate a property as a Landmark or Registered Historic Resource shall include a nomination according to the below requirements.

- a. A nomination for a Landmark or Registered Historic Resource on the Town's Historic Register may be made:
 - i. By the owner or owners of the property to be designated;
 - ii. By a vote of the Teton County Historic Preservation Board; and/or
 - iii. By a member or members of the Town Council
- b. Owner notification or consent:
 - i. For a Landmark nomination, if not nominated with the landowner's consent, the Town shall notify the property owner(s) in writing, outlining the reasons and effects of listing in the Town's Historic Register at least 30 days prior to submission of the designation application.
 - ii. For a Registered Historic Resource nomination, written consent by the property owner(s) is required and shall be provided with the designation application.

D. Designation Criteria

To be designated as a Landmark or Registered Historic Resource the property must meet the designation criteria provided in Sec. 5.9.4. The application must specify and provide evidence to demonstrate which criteria the property meets.

E. Effect of Approval

Approval of a historic designation application will result in the designated property being added to the Jackson Historic Register within 30 days of approval. Such approval allows the owner to represent their property as being on the Town's Historic Register and potentially qualifies the

property for certain development incentives and subjects it to certain design and relocation requirements in the Design Guidelines and LDRs.

F. Expiration

A property's historic designation has no expiration date. The designation of a historic property may be revoked, however, under the procedures provide in Sec. 8.5.6.G.

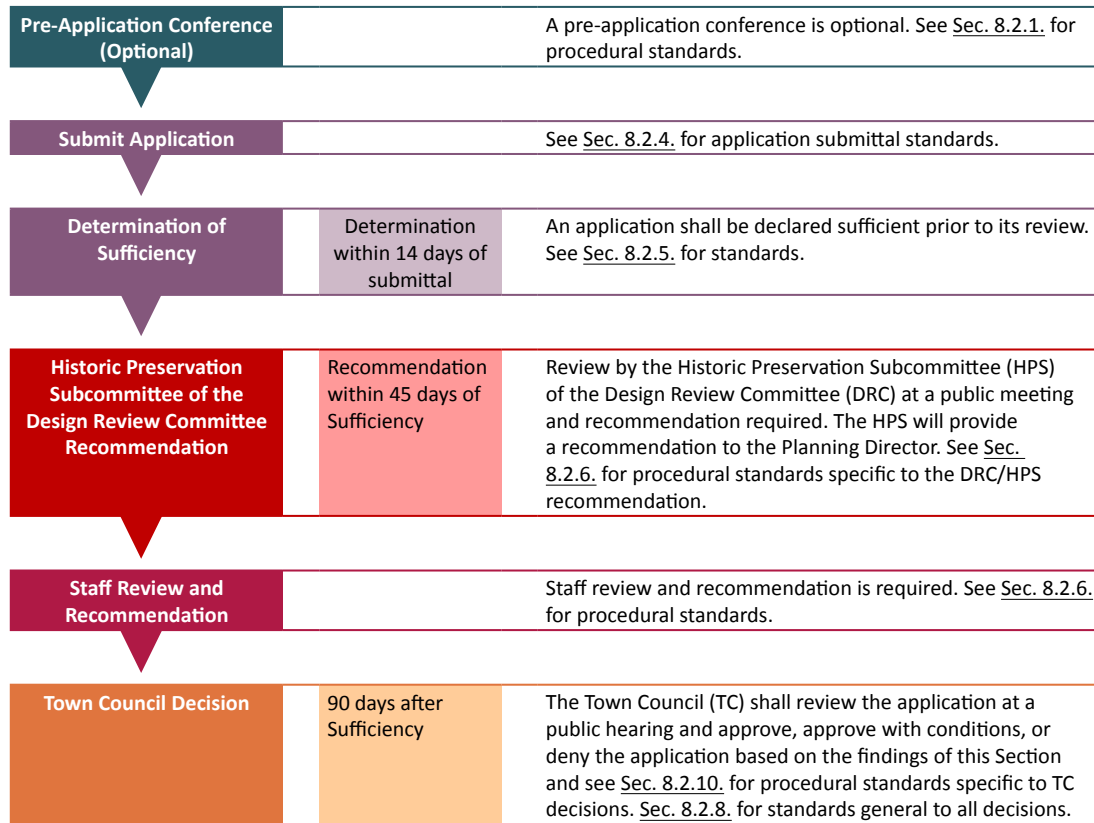
G. Revocation

If a historic property has not been properly maintained or has been altered to a degree that it no longer retains its historic integrity, the Council may recommend revocation of the designation in the case of Landmark or the Planning Director may do so in the case of a Registered Historic Resource in the absence of the owner's application according to the procedure in Sec. 8.9.3. However, an owner of a Registered Historic Resource property may request withdrawal of their historic designation for any reason by providing written notification to the Planning Director, provided that the property has not taken advantage of any development incentive(s) that requires continued preservation of the historic resource.

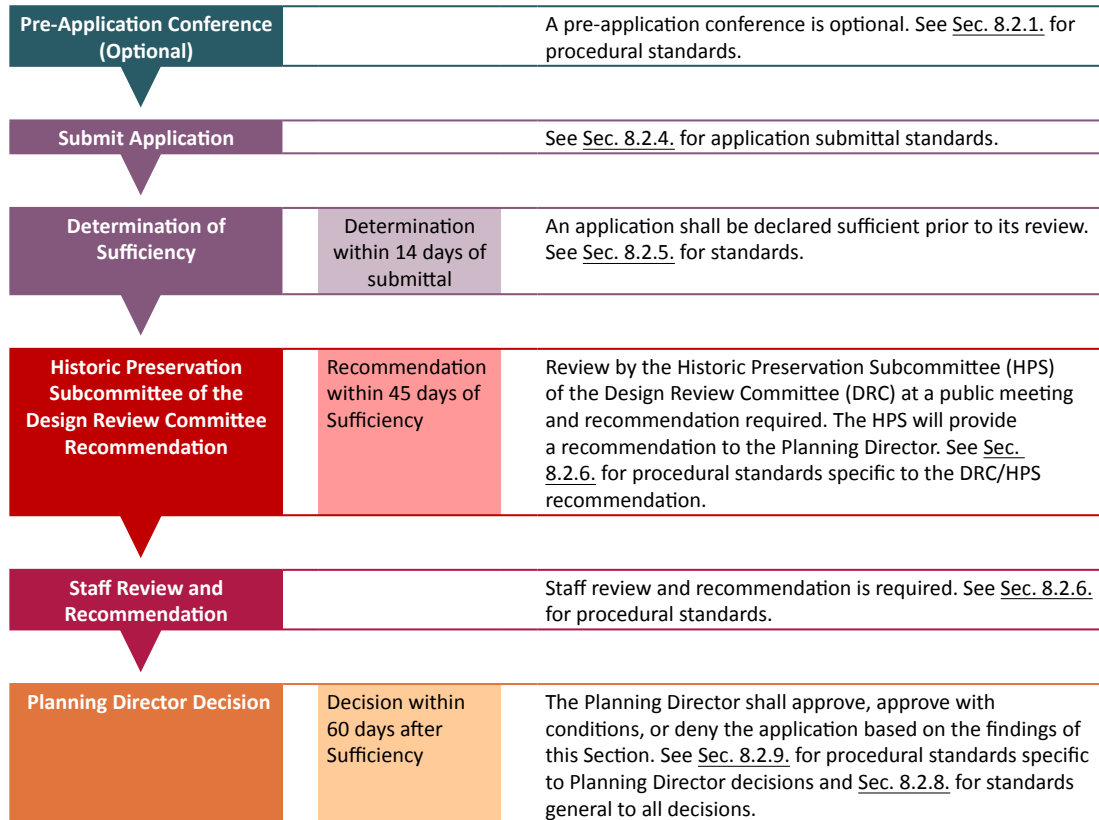
H. Review process

All steps and deadlines in the following chart are required unless noted otherwise. An applicant must complete each step before moving to the step below. The designation procedures for Land and Registered Historic Resources are different — Landmark properties require final approval by the Council while Registered Historic Resources require final approval by the Planning Director.

Designation Process for Landmark Property



Designation Process for Registered Historic Resource Property



Section 8.5.7 Exterior Alterations to Properties on the Jackson Historic Register

A. Purpose

The purpose is to allow owners to obtain a Certificate of Appropriateness (CoA) to make exterior alterations of properties listed on the Jackson Historic Register in ways that are compatible with and maintain the historic integrity of the resource consistent with the Historic Preservation Design Guidelines. The Planning Director may consult with the Historic Preservation Subcommittee (HPS) as necessary to achieve the purposes of this section.

B. Applicability

This process applies to any property in the Town listed on the Jackson Historic Register for which the landowner desires to make exterior alterations that requires a development permit or building permit, or that does not require a building permit but has the potential to negatively impact the integrity of the historic resource (e.g., exterior painting, the non-structural replacement of exterior siding, windows, or roof covering). Interior alterations are not subject to this section.

C. General Procedures

1. Review Process

Before carrying out an alteration to the exterior of any designated historic property, the owner(s) shall follow the procedures below.

a. Submission

- i. Exterior alterations to a Landmark or Registered Historic Resource that require a building permit shall be submitted to the Building Official, while all other alterations subject to this section shall be submitted to the Planning Director.
- ii. When submitted, the applicant shall mark the application as involving a designated historic property (Landmark or Registered Historic Resource).
- iii. Applicants that are unsure whether a proposed alteration requires review under this section should contact the Planning Department for guidance.

b. Certificate of Appropriateness (CoA) Required

All exterior alterations to a Landmark or Registered Historic Resource require approval of a CoA by the Planning Director as provided below:

- i. The Planning Director shall provide a final decision and CoA within 14 days of a sufficient application on the following types of applications that do not generally require consultation with the HPS:
 - a) ADA accessibility improvements to the rear or side/secondary façade.
 - b) The repair or restoration of character-defining features and architectural elements.

- c) In-kind repair/replacement work that matches the existing size, style, material, profile, color, finish, etc.
 - ii. The Planning Director shall provide a final decision and CoA within 14 days of HPS recommendation on the following types of applications that generally require consultation with the HPS:
 - a) ADA accessibility improvements located on the front/primary façade
 - b) Removal of character-defining features
 - c) A proposal that significantly changes historic materials
 - d) Additions to residential buildings
 - e) Relocation or reposition
 - f) Demolition request
- 2. Resubmittal
The applicant may resubmit an amended application or reapply for a Certificate of Appropriateness that takes into consideration the recommendations of the HPS and/or the Planning Director.
- 3. Appeal
If a Certificate of Appropriateness is denied, the applicant may appeal the denial to the Town Council per Sec. 8.8.3. Appeals of a decision of the Council may be filed in circuit court.
- 4. Whether consultation with the HPS is required or voluntary, the Planning Director may consult with the HPS either in writing or during a regular meeting at his discretion.

D. Approval Criteria

In making its determination for a Certificate of Appropriateness, Planning Director, in consultation with the HPS as appropriate, must determine that the application complies with the Historic Preservation Design Guidelines adopted by the Town, including those that specifically address alterations to historic structures.

E. Effect of Approval

Approval of an alteration by issuance of a Certificate of Appropriateness will allow the applicant to proceed with the alteration consistent with any conditions of approval from the HPS and final decision-making entity, provided all other required permit are obtained.

F. Expiration

A Certificate of Appropriateness has no uniform expiration date but expires when the associated building permit expires or when the physical alterations permitted by the CoA and associated building permit are completed, inspected by the Town, and signed off by the Town.

Section 8.5.8 Repositioning and Relocation of Properties on the Jackson Historic Register

A. Purpose

The purpose is to allow owners to obtain a Certificate of Appropriateness to reposition a designated historic property within its parcel or to relocate a designated historic property to another site in ways that are compatible with and maintain the historic integrity of the resource consistent with the Historic Preservation Design Guidelines.

B. Applicability

This process applies to any property in the Town that is listed on the Jackson Historic Register that the landowner or other qualified representative desires to reposition within its parcel or to relocate to another site. However, if a Landmark or Registered Historic Resource has made use of a development incentive, the designated historic property may not be considered for relocation to another site unless the Planning Director determines that the new site provides a similar or better setting or recalls a historic setting.

C. General Procedures

1. In addition to the criteria and procedures in Sec. 8.5.7, the Planning Director, in consultation with the HPS, will use the criteria of this section to review a proposed repositioning of a designated historic property within its parcel or relocation of a designated historic property to another site.
2. Applicants for repositioning a designated historic property within the same parcel shall:
 - a. Assure the repositioning means the historic property will be preserved on the site.
 - b. Maintain the general character as seen from the street.
 - c. Stabilize the building from further deterioration.
3. Applicants for relocation to another site shall:
 - a. Document the original building location on the current site
 - b. Provide plans to safely move the designated historic property, including the protection of building features
 - c. Ensure the relocation site provides an appropriate context to the building. Ideally the new site shall convey a character similar to that of the historic site, or the current site if the original site is unknown.
 - d. Provide plans to stabilize and rehabilitate the building so that it has a viable use on the new site.
 - i. Alterations that require a building permit shall be submitted to the Building Official. The Building Official will be final decision maker on these applications, however, the Planning Director will issue the Certificate of Appropriateness.
4. Appeal

If a Certificate of Appropriateness is denied, the applicant may appeal the denial to the Town Council per Sec. 8.8.3. Appeals of a decision of the Council may be filed in circuit court.
5. No building permit to reposition or relocate a property designated as a Landmark or Registered Historic Resource shall be issued until a Certificate of Appropriateness has been issued.

6. The Planning Director may consult with the HPS, either in writing or during a regular meeting, to review proposed alterations before the Certificate of Appropriateness and final permit or approval are issued

D. Approval Criteria

In making its determination for a Certificate of Appropriateness, the Planning Director, in consultation with the HPS as appropriate, must determine that the application complies with the Historic Preservation Design Guidelines adopted by the Town, including those that specifically address repositioning and relocating historic structures.

E. Effect of Approval

Approval to reposition or relocate an historic structure by issuance of a Certificate of Appropriateness will allow the applicant to proceed with the repositioning or relocation consistent with any conditions of approval from the HPS and final decision-making entity.

F. Expiration

A Certificate of Appropriateness has no uniform expiration date but expires when the associated building permit expires or when the physical alterations permitted by the CoA and associated building permit are completed, inspected by the Town, and signed off by the Town.

[NOTE: This section provides additional changes throughout the Town of Jackson Land Development Regulations (LDRs) that are required to be consistent with the above new material on historic preservation. Proposed new text is shown in redline]

1.9.2. Nonconforming Physical Development

A. Applicability

Nonconforming physical development is declared generally incompatible with the character of the zone or overlay in which it is located. This Section shall apply to lawful physical development (other than signs) that does not meet the physical development standards applicable to the zone or overlay. Physical development standards applicable to all zones are found in Article 5. Physical development standards applicable to specific zones are found in Subsection B of the zone-specific sections found in Article 2.- Article 4.

B. Maintenance, Alteration, Expansion, and Replacement

Maintenance, alteration, replacement, or expansion of a nonconforming physical development shall only be permitted if all 6 of the following standards are met.

1. No Increase in Nonconformity. Maintenance, alteration, replacement, or expansion shall not increase the nonconformity and shall otherwise comply with all applicable standards of these LDRs, except that maintenance, alteration, or expansion of a nonconforming Detached Single-Family Unit or property listed on the Jackson Historic Register shall not be subject this limitation (e.g., an addition to a house or designated historic structure that is nonconforming as to height may be the same height as the existing nonconforming or historic house).

2. Maintenance and Alteration. A nonconforming physical development may be maintained or altered.

3. Expansion. A nonconforming physical development shall be brought into compliance with all applicable standards of these LDRs upon cumulative expansion of greater than 20% of its floor area or site area. Cumulative expansion is the sum of all expansions from the date the physical development became nonconforming, including all expansions under prior LDRs if the physical development became nonconforming under prior LDRs and remains nonconforming. The following exceptions shall apply to this limit on expansion.

a. Detached Single-Family Unit. This standard shall not limit the expansion of a Detached Single-Family Unit.

b. Jackson Historic Register Historic Buildings. This standard shall not limit expansion of a property listed on the Jackson Historic Register ~~a building included on the Teton County Historical Preservation Board (TCHPB) list of historically significant properties, or that is otherwise deemed in writing by the TCHPB to be historically significant.~~

4. Replacement. A nonconforming physical development shall be brought into compliance with all applicable standards of these LDRs upon willful demolition of any structural support for the

portion of the physical development that is nonconforming. Except that this subsection shall not prohibit any of the following.

- a. ~~Jackson Historic Register Detached Single Family Unit~~. This standard shall not limit the ~~expansion-replacement~~ of a ~~property listed on the Jackson Historic Register Detached Single Family Unit~~.

Sec. 2.2.13.E.7

7. Additional Height and Story for Historic Preservation TDR Program

A 48' maximum height and a fourth story are allowed provided that the fourth story is equal to the amount of floor area transferred to the site per the TDR program. The transferred floor area is subject to all other applicable LDR requirements.

Div. 5.8. Design Guidelines

5.8.1. Applicability

A. General

The following applications shall be required to complete design review based upon criteria established in the Town's Design Guidelines prior to the issuance of a building permit or development plan, as established in Div. 8.3.

1. All applications for nonresidential development and redevelopment within the Town.
2. All applications within the ~~DCTS-1, TS-2, DC-1, DC-2~~, CR-1, CR-2, CR-3, and OR zones.
3. All applications for residential development that includes three or more attached units.
4. All applications for a property listed on the Jackson Historic Register, as applicable, per the procedures in Sec. 8.5.7. and 8.5.8.

Sec. 6.3.2.C.3

C. Exemptions

The following are exempt from the standards of this Division.

1. Housing Department Unit. A residential unit subject to a deed restriction administered by the Housing Department.
2. Other Workforce Housing. A residential unit subject to a deed restriction administered by the Jackson Hole Community Housing Trust or Habitat for Humanity of the Greater Teton Area; or an apartment in the NL-5 zone.

3. Historic Building. Use of a building included on the ~~Teton County Historical Preservation Board (TCHPB) list of historically significant properties, or that is otherwise deemed in writing by the TCHPB to be historically significant~~Jackson Historic Register. In addition, ~~if a historic building is used in its historic location,~~ floor area elsewhere on the site equal to the amount of historic floor area used on-site is also exempt for as long as the historic structure remains on the property.

EXAMPLE: A 2,000 square foot historic cabin being converted into a restaurant would be exempt from this Division. If the historic cabin has not been moved in last 50 years and is being used as a restaurant in its historic location, another 2,000 square feet of floor area elsewhere on the site are also exempt from this division. ~~If the historic cabin has been relocated from another location, only the cabin itself is exempt.~~

Sec. 8.2.6.C

C. Design Review Committee Review

An application subject to the Town's Design Guidelines, as established in Div. 5.8., shall be reviewed by the Design Review Committee (DRC) Historic Preservation Subcommittee (HPS).

1. Review by the DRC or HPS shall occur in a meeting open to the public. At the public meeting, the DRC shall consider the application, and any relevant support materials.
2. The DRC or HPS may confer at the meeting with the applicant on changes deemed advisable to comply with the Town's Design Guidelines established in Div. 5.8.
3. At the public meeting, the DRC or HPS shall provide a recommended decision on the application based on the Town's Design Guidelines. The recommendation shall clearly state the factors considered in making the recommendation.

8.8.1. Administrative Adjustment

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%, or for a property listed on the Jackson Historic Register structure setbacks may be adjusted as provided in Sec. 5.9.6.B.1.a.

3. Site development setbacks, not including setbacks from natural resources, may be adjusted up to 20%, or for a property listed on the Jackson Historic Register site development setbacks may be adjusted as provided in Sec. 5.9.6.B.1.a.

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, or historic resources, or
 - c. Better supports the purpose of the zone;

8.10.4. Design Review Committee

A. Establishment and Purpose

There is hereby established a Design Review Committee (DRC) and Historic Preservation Subcommittee (HPS) for the Town of Jackson, consisting of members who are qualified by experience and training to advise and provide technical assistance to the Planning Director, Planning and Zoning Commission, Board of Adjustment, and Town Council in regards to design review pursuant to Div. 5.8.

B. Powers and Duties

The Design Review Committee, including the Historic Preservation Subcommittee as appropriate, shall have the powers and duties established under the provisions of the LDRs, including:

1. To prepare or cause to be prepared Design Review Guidelines, and recommend such Design Review Guidelines for adoption by the Town Council;
2. To hear requested pre-application conferences pursuant to Sec. 8.2.1.;
3. To hear, consider, and recommend a decision to the Planning Director, the Planning and Zoning Commission, the Board of Adjustment, and the Town Council on the following applications:
 - a. sketch plan pursuant to Sec. 8.3.1.,
 - b. development plan pursuant to Sec. 8.3.2., ~~and~~
 - c. building permit pursuant to Sec. 8.3.3.; and
 - d. designation of historic resources and alterations and repositioning/relocation of historic resources.

C. Membership

1. Qualifications. Members of the DRC and HPS shall be residents of the Town of Jackson or Teton County. No member of the Town Council, Planning and Zoning Commission, Board of Adjustment, or Town Employees shall serve as a member. Although no certification is required for appointment, members shall be experienced or educated in architecture, landscape architecture, planning, and other design related fields. A diversity of members is encouraged from all professions and from a variety of design firms. In addition, members of the HPS should meet the Secretary of the Interior's Standards and Guidelines Professional Qualifications Standards for History, Archaeology, Architectural History, Architecture and/or Historic Architecture, and/or that have served on the Teton County Historic Preservation Board.

2. Appointment. The DRC shall be composed of 7 members, to be appointed by the Mayor with the consent of the Town Council. The HPS shall be composed of 3 DRC members and shall be appointed by the DRC.

E. Quorum and Voting

The presence of 4 or more members of the DRC shall constitute a quorum necessary to take action and transact business, except that the presence of 2 or more members will constitute a quorum for the HPS. All actions shall require a simple majority of affirmative votes of the quorum present.

Div. 9.5 Defined Terms

[These are all new definitions that would be added alphabetically to Sec. 9.5 in LDRs]

1. Alteration: Any act or process, except repair and light construction, that changes one or more of the architectural features of a structure or site, including, but not limited to, the erection, construction, reconstruction, relocation of, or addition to a structure.
2. Applicant – person or persons submitting a nomination for designation as a historic property, or a request for approval of work on a historic property.
3. Association – the direct link between an important historic event or person and a historic property.
4. Certificate of Appropriateness (CoA) – Certificate issued by the Community Development Director authorizing any proposed repair, preservation, restoration, reconstruction, rehabilitation, alteration, new construction on a historic property, repositioning on a historic property, relocation to another property, or demolition of a historic property pursuant to this ordinance.
5. Compatible – consistent or harmonious with location, design, setting, materials, workmanship, feeling, or association or an individual building, structure, object or site, or of surrounding properties.
6. Design – the combination of elements that create the form, plan, space, structure, and style of a property.
7. Design guideline – a criterion with which the Design Review Commission and/or Community Development Director will require compliance when it is found

- applicable to the specific proposal. A guideline is subject to some interpretation when determining compliance.
8. Eligibility criteria – the criteria by which a property is determined to be historic.
 9. Feeling – a property’s expression of the aesthetic or historic sense of a particular period of time.
 10. Historic property – a site, building, structure or object significant in American history, architecture, engineering, archaeology or culture at the national, State or local level.
 11. Historic significance – the meaning or value ascribed to a building, structure, object or site based on criteria for evaluation as identified in Section 3.
 12. Integrity – the ability of a property to convey its historic significance through its physical features.
 13. Jackson Historic Register (JHR) – the list of buildings – Landmarks and Registered Historic Resources – found to have significance in the Town of Jackson as maintained by the Planning and Building department.
 14. Landmark – a building, property or object that is determined to be of exceptional historic significance and value as part of the development, heritage or cultural characteristics of the city, state or nation, and is designated to the Jackson Historic Register pursuant to this ordinance.
 15. Location – the place where the historic property was constructed or the place where the historic event occurred.
 16. Integrity – the ability of a historic property to convey its historic significance through its physical features.
 17. Maintenance – all activities necessary to prolong the useful life and aesthetic appearance of a historic property.
 18. Materials – the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
 19. National Register of Historic Places (NRHP) – the list of significant buildings, structures, sites, objects or districts in American history, architecture, archaeology, engineering, or culture maintained by the U.S. Secretary of the Interior.
 20. Period of Significance – span of time during which significant events and activities associated with a property occurred.
 21. Owner – the person, corporation, government or other legal entity who owns or who has any legal or equitable interest in property and who is so listed as Owner on the records of the Teton County Assessor’s Office.
 22. Registered Historic Resource – a property, structure, feature or object that is determined to be of historic significance and is designated to the Jackson Historic Register pursuant to this ordinance.
 23. Relocation or Relocate – moving a building, structure, or object to a different location, either temporarily or permanently.
 24. Secretary of the Interior’s Standards for the Treatment of Historic Properties – the preservation, rehabilitation, restoration, and reconstruction standards adopted by the U.S. Department of the Interior.
 25. Setting – the physical environment of a historic property.
 26. Significant – having architectural characteristics and historical associations that make the building, structure, feature or area worthy of preservation.

27. State Historic Preservation Officer (SHPO) – means the individual appointed by the Governor to administer the Wyoming Historic Preservation Program.
28. Survey (Historic) – the process of identifying and gathering data on a community’s historic properties. A survey includes field work and may also include background research and more in-depth evaluation of the potential historic properties for designation. Survey work often culminates in an inventory of properties that are found to be significant.
29. Survey (Professional) – survey work led by a preservation professional, someone who meets the Secretary of the Interior’s Professional Qualifications in architectural history or history as outlined by the federal government in 36 CFR 61, Appendix A.
30. Property – a building, structure, site or object.
31. Workmanship – the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

[Existing Definition in Sec. 9.5 to be deleted]

~~Historic Building. Historic building means a building which: (a) is listed on or nominated by the State Historical Society for listing on the National Register of Historic Places; (b) is included in a district which is listed on or nominated by the State historical society for listing on the National Register of Historic Places; or (c) is included on a certified Town list of historic property.~~

[The below change would be made in the B.3 subsection (Bulk and Mass Standards) of every zone district where this excerpt is found (i.e., most zones)]

Design Guidelines

The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, and to properties on the Jackson Historic Register, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture

Chapter 15.38 Demolition Standards (Jackson Municipal Code)

15.38.020 Historic Buildings

A. General. The Town Council recognizes that many areas, improvements, buildings or structures have features with historic character or special historic or aesthetic interest or value representing architectural products of distinct periods in the history of Jackson. The Town Council also recognizes that the protection, enhancement and perpetuation of areas, improvements, buildings and structures with features having historic character or special historical or aesthetic interest or value is a public necessity and is required in the interest of the people of the Town.

For the purposes of this section, historic buildings or structures are those buildings, improvements or structures, which are on the Jackson Historic Register or are in excess of fifty (50) years old, or which are otherwise historically or architecturally significant.

Every applicant for a demolition permit shall state to the best of his or her knowledge whether a building or structure for which demolition is sought is either in excess of, or less than, fifty (50) years old as of the date of the application.

B. Authority to Enact. Authority for enacting this chapter to protect historic integrity is provided in Wyo. Stat. Section §15-1-601(d)(iv).

C. The Teton County Historic Preservation Board. The Teton County Historic Preservation Board ("TCHPB") shall be an advisory board to owners seeking to demolish historic buildings within the Town.

1. The TCHPB shall be an informational and advisory board only, and shall advise owners or residents of buildings or structures on the historic nature, aspects and other historic preservation issues concerning the building or structure sought for demolition.
2. The TCHPB will maintain a non-exclusive list of structures which are either in excess of fifty (50) years old or are otherwise historically or architecturally significant. This list, the TCHPB Building List, will be made publicly available and will be updated from time to time. The TCHPB Building List updated from time to time serves as a guideline to building owners and Town of Jackson officials.
3. The TCHPB may present to the Town Council its findings and recommendations about any development proposal or regulation which impacts any building or structure in excess of fifty (50) years old or which are otherwise historically or architecturally significant.

D. Demolition Permit Review

1. Upon receipt of a demolition permit application pursuant to Section 105.1 of the International Building Code, the planning and building department shall refer the demolition application to the TCHPB.
2. The TCHPB shall review demolition proposals which affect the exterior of any principal or accessory building or structure which is on the TCHPB Building List or the Jackson Historic Register for their impacts on historic resources. The TCHPB will make a recommendation to the planning and building department and/or Town Council within ~~twenty-one (21)~~ thirty (30) calendar days from initial submission of the demolition application to the TCHPB. The TCHPB will either determine that:
 - A. The building or structure is not historically or architecturally significant, ~~or~~
 - B. That the building or structure is historically or architecturally significant and recommend a ninety (90) day stay in the issuance of a demolition permit for public comment and in order for the applicant, the TCHPB and other interested parties to explore alternatives to demolition. The TCHPB shall cite the historic preservation principles upon which it is relying to make its comments or recommendations regarding the impact of such demolition on historic preservation, or-
 - C. That the building is designated as a Landmark property on the Jackson Historic Register and so should not be demolished.

Draft Historic Preservation Program Land Developments Regulations

3. All demolition permit applicants pertaining to historic buildings or structures may meet with the TCHPB, or a sub-committee thereof, to discuss the impacts of demolition on historic resources. A meeting will be scheduled during the initial ~~twenty-one (21)~~ thirty (30) day review period on applicant's request.

4. In the event the TCHPB does not make a recommendation to the planning and building department and/or Town Council within ~~twenty-one (21)~~ thirty (30) calendar days from initial submission of the demolition application, the Town will assume that the TCHPB does not have a formal recommendation, and the application shall proceed through the regular permitting process.

SECTION 2: HISTORIC PRESERVATION DESIGN GUIDELINES



27	SECTION 2: HISTORIC PRESERVATION DESIGN GUIDELINES
28	Planning a Project for a Historic Property
28	Using the Preservation Guidelines
29	Rehabilitation Principles and Preservation Best Practices
30	Accepted Treatments for Historic Resources
31	Preferred Sequence of Actions
32	Example Design Guidelines Format
33	Historic Preservation Design Guidelines
33	Character-Defining Features
36	Building and Roof Form
37	Materials
40	Windows
43	Doors
44	Additions
48	New Buildings on Historic Sites
50	Accessibility
51	Repositioning a Historic Structure Within Its Parcel
52	Relocation of a Historic Building To Another Site
53	GLOSSARY OF TERMS

These design guidelines are for the treatment of historic resources in the Town of Jackson. They address alterations and improvements to the exteriors of historic properties with the objective of preserving their historic significance. They also provide information related to new construction that may occur on a property that includes a historic resource.

Note: The Town has the regulatory authority to adopt and enforce Historic Preservation Design Guidelines. It has not been determined in the drafting of this document whether these will be voluntary, enforced or some combination of the two depending upon the type of historic resource to be reviewed. The proposed Historic Preservation Ordinance identifies two tiers of designated historic resources to be reviewed using these guidelines.

PLANNING A PROJECT FOR A HISTORIC PROPERTY

USING THE PRESERVATION GUIDELINES

The guidelines shall be applied in these ways:

- **Voluntary use:** Any property owner who owns a property that they consider to have historic significance may use these guidelines voluntarily to help plan projects that will preserve the building.
- **Use with incentives:** The town offers incentives for preservation, for which property owners may apply if they have designated their property. The town will use these guidelines to determine that the conditions have been met for providing the incentive.
- **Use with officially designated historic resources and landmarks:** Some properties may be formally designated as a Historic Resource, or Landmark by town council. A Certificate of Appropriateness (CofA) is required prior to issuing a permit for any improvements to the property.



REHABILITATION PRINCIPLES AND PRESERVATION BEST PRACTICES

When considering a rehabilitation project of a historic building for reuse, the following objectives will be met.

Respect the character of the building - Do not change the style of the building or make the structure look older than its actual age. Confusing the character by mixing elements of different styles can weaken the appearance and integrity of the structure.

Protect and maintain character-defining features - Character-defining features should be treated with sensitivity. The best practice is to maintain these features from the outset.

Repair character-defining features when possible - Use best practices when repairing character-defining features to minimize damage to the original materials.

Design an addition to respect the existing structure, and maintain its historic integrity - When constructing an addition, do not try to emulate an existing style to make the addition look older than its actual age, unless this is a *reconstruction* (see following page) of a resource. A contemporary design for an addition to an existing structure is appropriate as long as it does not destroy character-defining features, and the design is compatible with the building. Additions should relate to the original building in general massing and scale, but should appear as new.



The historic building on the left was somewhat modified inappropriately. The inappropriate modifications include: the wood shingle infill within the storefront transom; the aluminum framing; and the brick kickplate. The recent rehabilitation is an appropriate "rehabilitation" of the Jackson Drug Co. building. In this case, the altered storefront was replaced with a new storefront that represented a more traditional storefront configuration, and the contemporary canopy is a compatible replacement. The next step would be to replace the casement windows with a more traditional double-hung wood window configuration, especially in those locations that face the street.

ACCEPTED TREATMENTS FOR HISTORIC RESOURCES

The following treatments for historic properties may be considered when planning a preservation project. Much of the language addresses buildings; these treatments also apply to sites, objects and structures.

Preservation - "Preservation" is the act of applying measures to sustain the existing form, integrity and material of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

Restoration - "Restoration" is defined as the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project. This may apply to an entire building, or to restoring a particular missing feature.

Reconstruction - "Reconstruction" is the act or process of depicting, by means of new construction, the form, features and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific time and in its historic location. This has limited application, in terms of an entire building, but may apply to a missing feature on a building.

Rehabilitation - "Rehabilitation" is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural or architectural values. Rehabilitation may include a change in use of the building or the construction of an addition. This term is the broadest of the permitted treatments and applies to most work on historic properties.

Combining Treatments - For many projects a "rehabilitation" approach will be the overall strategy, because this term reflects the broadest, most flexible of the approaches. Within that, however, there may be a combination of treatments used as they relate to specific building components. For example, a cornice in good condition may be preserved, a storefront base that has been altered may be restored, and a missing kickplate may be reconstructed.

PREFERRED SEQUENCE OF ACTIONS

Preserving key, character-defining features is a fundamental precept of preservation. Therefore, selecting the appropriate treatment for a character-defining feature and cultural resource is important. The method that requires the least intervention is always preferred. By following this tenet, the highest degree of integrity will be maintained. The following treatment options appear in order of preference. When planning work, follow this sequence:

Step 1. Preserve:

If a feature is intact and in good condition, maintain it as such.

Step 2. Repair:

If the feature is deteriorated or damaged, repair it to its historic condition.

Step 3. Replace:

If it is not feasible to repair the feature, then replace it in kind, (e.g., materials, detail, finish). Replace only that portion which is beyond repair.

Step 4. Reconstruct:

If the feature is missing entirely, reconstruct it from appropriate evidence. If a portion of a feature is missing, it can also be reconstructed.

Step 5. Compatible Alterations:

If a new feature (one that did not exist historically) or an addition is necessary, design it in such a way as to minimize the impact on historic features. It is also important to distinguish a new feature on a historic building from the historic features, in subtle ways.

EXAMPLE DESIGN GUIDELINES FORMAT

The design guidelines in this document use a standard format. This format includes a series of five items, which are noted and described in the diagram below.

A Design Topic Heading

This is shown in bold, is numbered, and is always at the top of the page.

B Intent Statement

The intent statement follows the design topic heading. It explains the goal of the design guidelines that follow. If an application does not specifically meet one of the design guidelines, it can be reviewed using the intent statement.

C Design Guidelines

Design guidelines describe an intent or desired outcome. They are numbered for easy reference.

D Additional Information

This information is found in a bullet list that follows a design guideline, where applicable. This provides appropriate and inappropriate strategies for meeting the intent of the design guideline.

E Images and Illustrations

Visuals are included to clarify the intent of the guideline. Captions provide more detail about how the image is to be interpreted.



A MATERIALS

B Design Intent:

Preserve traditional materials that contribute to the overall character of the building.

Design Guidelines:

C 1.79 Preserve original building materials and their composition.

- D** → a. Building materials are often combined to define building divisions such as the base (foundation), middle (walls), and cap (roof and/or cornice). This composition should be preserved.

E

Preserve original building materials.

Appropriate and Inappropriate Solutions

In many cases, images and diagrams in the design guidelines are marked to indicate whether they represent appropriate or inappropriate solutions.

 A check indicates appropriate solutions.

 An "X" mark indicates solutions that are inappropriate.

HISTORIC PRESERVATION DESIGN GUIDELINES



CHARACTER-DEFINING FEATURES

Design Intent:

Preserving the integrity of a historic property and/or cultural resource is a fundamental objective. To do so, character-defining features should be preserved to the extent feasible.

Design Guidelines:

- 1.29 Preserve character-defining features of buildings, and cultural resources.
 - a. This includes details that define the building's architectural style as well as its materials, doors and windows.
 - b. Cultural resources can include park features, bridges and cemeteries, for example.
- 1.30 Retain a character-defining feature that is in good condition.
 - a. Repair, rather than replace a deteriorated feature, when feasible.
- 1.31 Avoid removing a damaged character-defining feature that can be repaired.
- 1.32 Patch, piece-in, splice, consolidate or otherwise upgrade existing materials, using best building practices.
- 1.33 When disassembly of a character-defining feature is necessary for its repair, use methods that minimize damage to it. Document its location so it may be repositioned accurately.

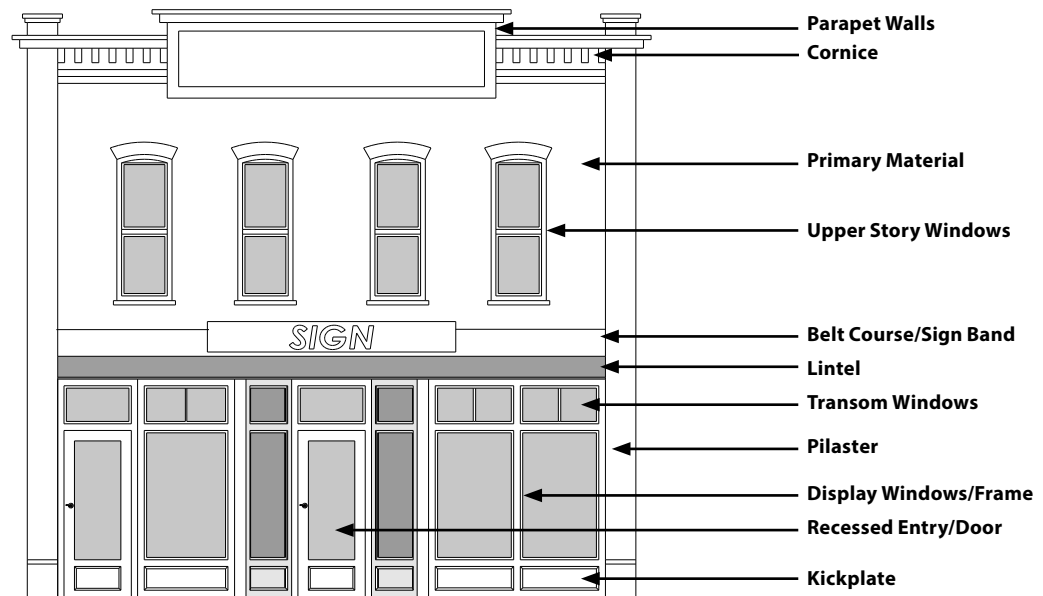


Preserving the integrity of historic and cultural resources is a fundamental objective.



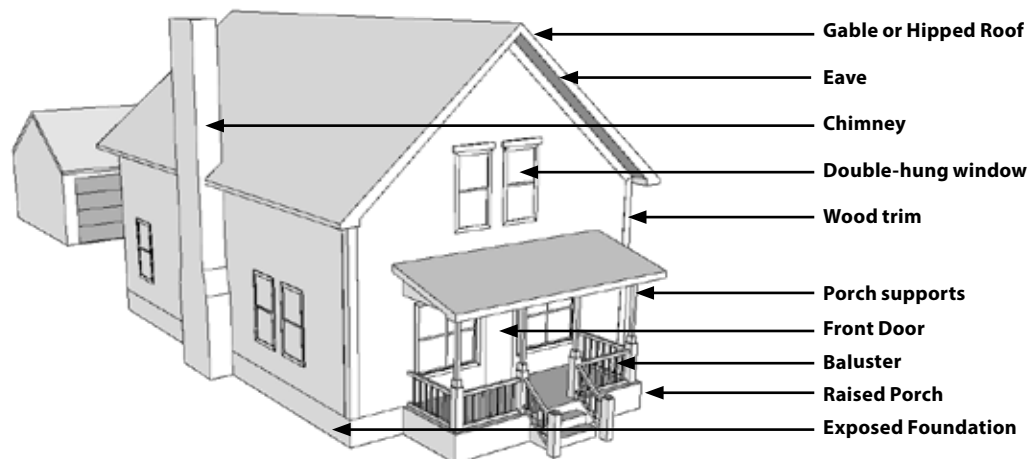
Retain a character-defining feature that is in good condition, such as this entry feature and covered boardwalk.

Character-defining features of a commercial storefront



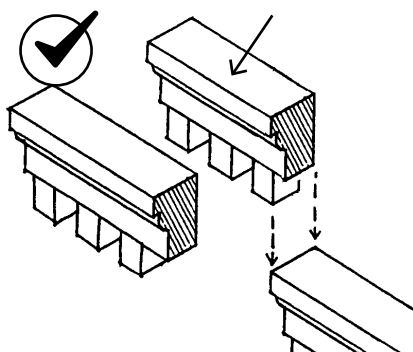
These are typical character-defining features for a historic storefront building. There are a variety of historic commercial building types in Jackson. Reference the Town of Jackson's historic survey when considering a rehabilitation project. The survey will often provide information on a building's history and identify character-defining features.

Character-defining features of a residential building

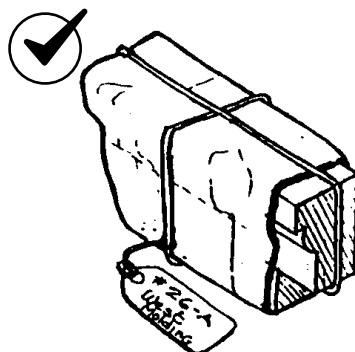


These are typical character-defining features for a historic residential building type in Jackson. Reference the Town of Jackson's historic surveys when considering a rehabilitation project. The survey will often provide information on a building's history and identify character-defining features.

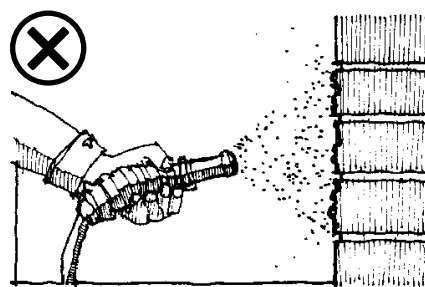
Replacement Piece



Where replacement of a character-defining feature is required, remove only those portions that are deteriorated beyond repair.



When disassembly of a historic feature is required in a rehabilitation procedure, document its location so that it may be repositioned accurately.



Do not use harsh cleaning methods on any masonry or wood surfaces.



Use procedures for cleaning, refinishing and repairing character-defining features that will maintain the original finish. These include paint removal where appropriate. Typically a test patch is completed first to evaluate the original material.

1.34 Use procedures for cleaning, refinishing and repairing character-defining features that will maintain the original finish.

1.35 Employ best practice treatments that will protect materials and details.

- a. These include rust removal, caulking, limited paint removal and application of paint or stain where appropriate.

1.36 Avoid adding a new feature that is not part of the original building fabric.

- a. For example, decorative millwork should not be added to a building if it was not an original feature.

For More Information:

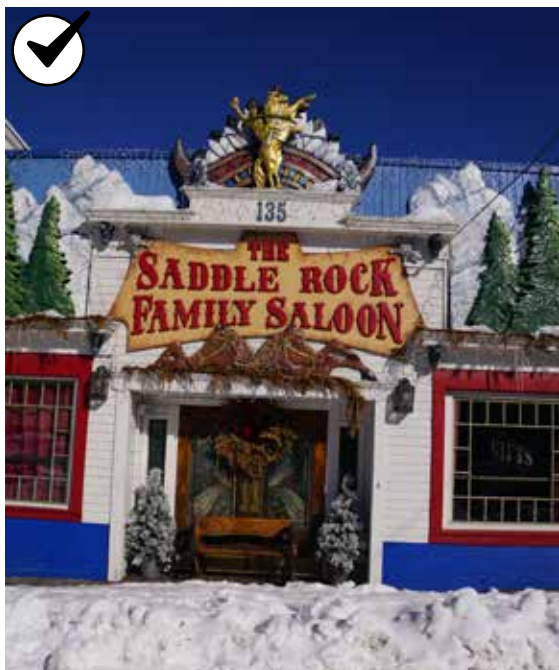
The following National Park Service preservation briefs at www.nps.gov provide additional information on the treatment of character-defining features.:

Preservation Brief 11: Rehabilitating Historic Storefronts

<https://www.nps.gov/tps/how-to-preserve/briefs/11-storefronts.htm>

Preservation Brief 45: Preserving Historic Wood Porches

<https://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm>



Maintain parapet walls and cornices on a flat roofed structure.



Preserve the original eave depth of a sloping roof.

BUILDING AND ROOF FORM

Design Intent:

Maintain the original building and roof form of a historic building. If replacement is needed, utilize a roof material that is in keeping with the original.

Design Guidelines:

- 1.37 Maintain the original building form and that of its roof.
- 1.38 Avoid altering the basic building form or the angle of an original roof.
- 1.39 Preserve the original eave depth of a sloping roof and the original parapet height on a flat roof.
- 1.40 Maintain parapet walls and cornices on a flat roofed structure.
- 1.41 Provide functional coping that is compatible with the existing building façade.
- 1.42 For a sloped roof, use a new roof material that conveys a scale, texture and finish which is similar to the original.
- 1.43 For a sloped roof, using shingles that contain embedded photovoltaic systems is also appropriate.



Maintain the original building and roof form of a historic building.

MATERIALS

Design Intent:

Preserve traditional materials that contribute to the overall character of the building.

Design Guidelines:

1.44 Preserve original building materials and their composition.

- a. Building materials are often combined to define building divisions such as the base (foundation), middle (walls), and cap (roof and/or cornice). This composition should be preserved.

1.45 Avoid removing original materials that are in good condition.

1.46 Remove only those materials which are deteriorated, and must be replaced.

1.47 Repair a deteriorated primary building material by patching, piecing-in, consolidating or otherwise reinforcing it.

1.48 When replacing materials on a primary surface, match the original in composition, scale and finish.

- a. If the original material is wood clapboard, for example, then the replacement material should be wood as well. It should match the original in size, the amount of exposed lap and in finish.
- b. An alternative material may be considered if the size, character and finish conveys the appearance of the original.



Preserve original building materials.



Cap	Wood shingle	Wood lap	Wood lap	Wood lap	Wood lap
Middle	Wood lap/ or log	Wood shingle	Wood lap	Brick	Stone
Base	Foundation	Foundation	Foundation	Foundation	Foundation

Building materials on residential buildings are often combined to define building divisions such as the base (foundation), middle (walls), and cap (roof and/or cornice). The original composition of materials should be preserved.



Consider removing later covering materials that have not achieved historic significance.

- 1.49 Replace only the amount required. For example, if a few boards are damaged beyond repair, then only they should be replaced, not the entire wall.
- 1.50 Do not strip existing painted wood surfaces to bare wood to achieve a "rustic look."
- 1.51 Do not use harsh cleaning methods, which can inhibit the function and appearance of the existing material.
 - a. For example, sandblasting is inappropriate because it can damage the protective coating and change the appearance of the material.
- 1.52 Covering original material with new materials is inappropriate.
 - a. Vinyl siding, aluminum siding and new stucco are inappropriate on historic buildings. Other imitation materials that are designed to look like wood or masonry siding, fabricated from other materials, are also inappropriate.
 - b. If a property already has a non-contributing building material covering the original, it is not appropriate to add another layer of new material, which would further obscure the original.
- 1.53 Consider removing later covering materials that have not achieved historic significance.
 - a. Once the non-contributing siding is removed, repair the original, underlying material.
 - b. If a building has a stucco finish, removing the covering may be difficult, and may not be desirable. Test it first to assure that the original material underneath will not be damaged.

For More Information:

The following National Park Service preservation briefs at www.nps.gov provide additional information on the treatment of historic materials:

Preservation Brief 1: Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings

<http://www.nps.gov/tps/how-to-preserve/briefs/1-cleaning-water-repellent.htm>

Preservation Brief 2: Repointing Mortar Joints in Historic Masonry Buildings

<http://www.nps.gov/tps/how-to-preserve/briefs/2-repoint-mortar-joints.htm>

Preservation Brief 16: The Use of Substitute Materials on Historic Building Exteriors

<http://www.nps.gov/tps/how-to-preserve/briefs/16-substitute-materials.htm>

Preservation Brief 26: The Preservation and Repair of Historic Log Buildings

<https://www.nps.gov/tps/how-to-preserve/briefs/26-log-buildings.htm>

Preservation Brief 47: Maintaining the Exterior of Small and Medium Size Historic Buildings

<https://www.nps.gov/tps/how-to-preserve/briefs/47-maintaining-exterior.htm>

Using Alternative Materials on a Historic Building

The design guidelines sometimes refer to the use of alternative materials when replacing character-defining features and architectural details, such as windows, siding and molding. An alternative material is one which is different from that used originally for a specific application. Alternative materials will be reviewed on a case-by-case basis. Such materials may include:

- Aluminum siding, and some other types of metal materials such as corrugated metal roof materials.
- HardiPlank siding
- Cementitious fiber siding
- Non-wood replacement of wood columns (cast resin)
- Other non-original materials

Some common alternative materials for specific architectural features include wood, plaster, concrete and stucco for porch columns, wood for railings, asphalt shingles for roofs and wood or fiber cement for trim. These examples are not an exhaustive list; other alternative materials may be used for these architectural features and other architectural features may also be replaced with alternative materials.

Alternative materials may also include materials used to replace historic architectural details such as a resin-cast cornice used in place of a stamped metal cornice. In other cases, an alternative material may be traditional when used for other applications, but new for the particular detail being considered.

Using wood to replace an original stamped-metal cornice is an example.

Alternative materials may be considered by the city on a case-by-case basis as replacement materials, or for use on a new addition, or a new building in a historic district. The city will consider factors including:

Potential Impact on Historic Significance

Removing original material diminishes the integrity of a historic property by reducing the percentage of building fabric that remains from the period of historic significance. Retaining the original material is always preferred. If this is not feasible, alternative materials may be considered. When used, an alternative material should convey the character, including detail and finish, of the original to the greatest extent feasible.

Appearance

An alternative material should also have a similar profile, texture and finish as the original material. Some synthetic siding has an exaggerated, rusticated finish that is an inaccurate representation of original clapboard. Vinyl products are also inappropriate alternative materials on contributing historic structures.



An alternative material should convey the character, including detail and finish, of the original to the greatest extent feasible (aluminum clad windows and cement board).



An alternative material should also have a similar profile, texture and finish as the original material. The cement board siding provides an appropriate profile, but the surface should have a matte finish.

WINDOWS

Design Intent:

Maintain the historic alignment, spacing and dimensions of window openings. Preserve traditional windows that have distinct stylistic features, if feasible. When a new window is needed, design it to be in character with the building.

Design Guidelines:

1.54 Preserve the position, number and arrangement of existing windows in a primary building wall.

- On a primary façade, enclosing an existing window opening is inappropriate, as is adding a new window opening.
- If a new window is needed, consider locating it on a side or rear wall.

1.55 Preserve the ratio of window openings to solid wall on a primary façade.

- Significantly increasing the amount of glass on a character-defining façade will negatively affect the integrity of the structure.
- Alteration may be appropriate on side and rear walls that are less visible from the public way.

1.56 Preserve the size and proportion of an existing window opening on a primary wall.

- Reducing an original opening to accommodate a smaller window or increasing it to receive a larger window is inappropriate.
- Altering a window that is not visible from the street may be appropriate.

1.57 Use durable window materials.

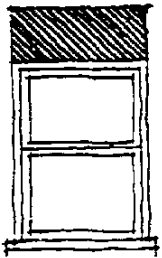
- Use a metal or wood frame, when possible. It should have a dimension and profile similar to those used historically.
- Avoid using a window material that does not have a proven durability.
- Avoid using a thin window frame on a primary façade.

1.58 In a replacement window on a primary wall, use a material that appears similar to the original, when feasible.

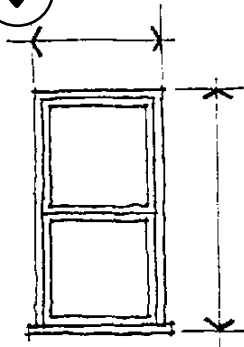
- Using the same material as the original is preferred, especially on street-facing façades. A substitute material should match the original profile.



Preserve the ratio of window openings to solid wall on a primary façade.

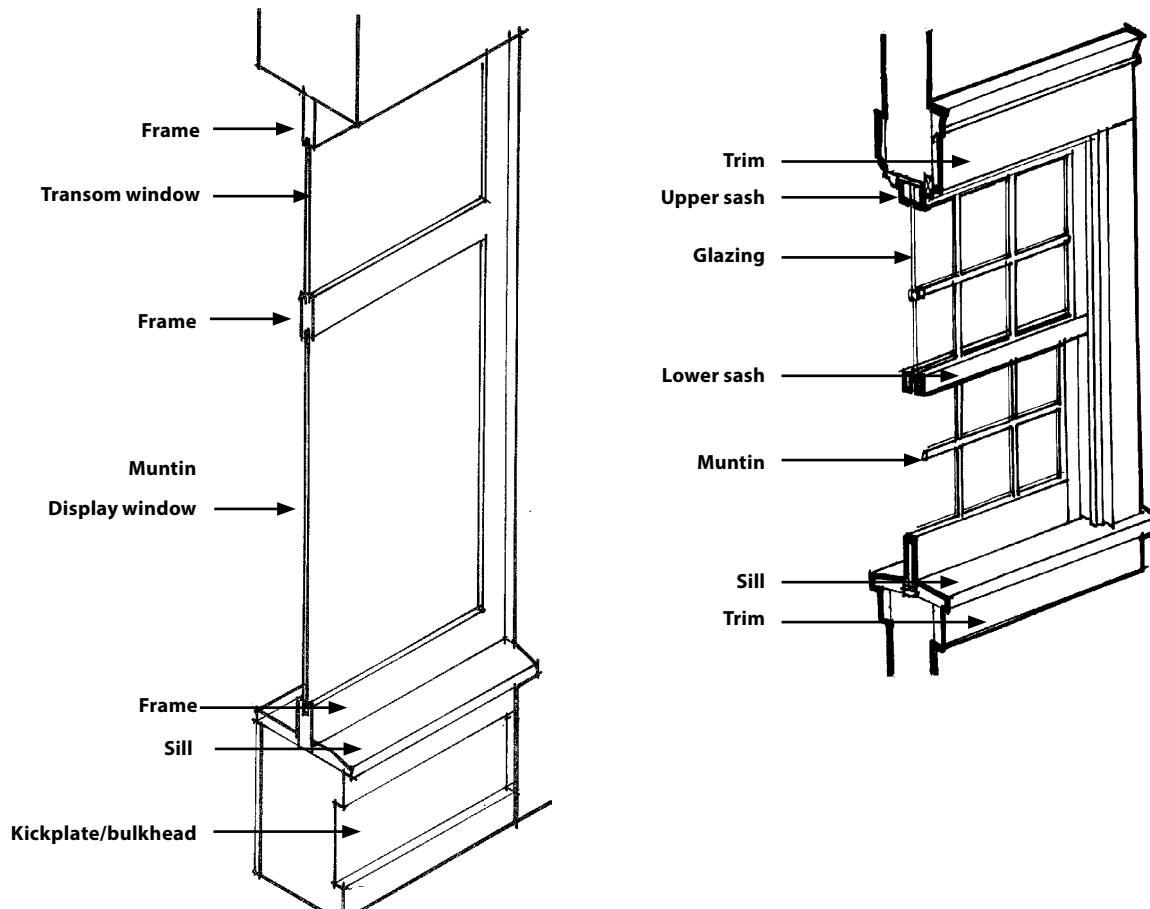


Reducing an original opening to accommodate a smaller window or increasing it to receive a larger window is inappropriate.



Typical Window Types

Common original window types that may be found on historic properties are illustrated below.



For More Information:

The following National Park Service preservation briefs and National Trust for Historic Preservation article provide additional information on the treatment of historic materials:

Preservation Brief 9: The Repair of Historic Wooden Windows

<http://www.nps.gov/tps/how-to-preserve/briefs/9-wooden-windows.htm>

National Park Service Preservation Tech Notes (scroll down page for information on windows)

<http://www.nps.gov/tps/how-to-preserve/tech-notes.htm>

National Trust for Historic Preservation Article on Window Retrofits

<http://www.preservationnation.org/who-we-are/press-center/press-releases/2012/new-windows-study.html#.UdshFXFsikI>

Benefits of Wood Window Retrofits

Sensitive stewardship of the existing building stock significantly reduces environmental impacts. Re-using a building and its original wood windows preserves the energy and resources invested in its construction, reduces demand on landfill space and eliminates the need for producing new construction materials. Manufacturing of many new building materials uses substantial levels of energy. This can be reduced significantly if historic structures and their wood windows are retained rather than demolished.

Many historic building materials, such as a building's wood windows have long life cycles, which contribute to their sustainability. They were built for longevity in a manner that also allows for repairs. Some replacement features for a historic building, such as synthetic window materials, advertise they are: low in maintenance, inexpensive, and durable etc. In fact, they have a significantly shorter life span than historic wood windows, are difficult to repair, and are incompatible with historic building materials, and therefore not as great as advertised.

An older window is often identified as being a major source of heat loss, when other parts of a building are typically the major sources. For example, as much as 50% of the energy lost from a house is from air infiltration through the attic, uninsulated walls, and around the windows and door cavities, not through the glass in a window itself. Repairing, weather-stripping and insulating an original window is typically more efficient and much less expensive than new windows, as well as sound preservation practice. Retrofits also extend the life of existing windows, avoid production of new materials, reduce waste and preserve a home's character. Retrofits have proven to be cost effective over the long-term in national studies.

Substantial amounts of information are available that document the energy saving benefits of retaining and repairing a historic window, rather than replacing it.

For More Information:

The following National Trust for Historic Preservation article at www.preservationnation.org provides additional information on the treatment of historic materials: **Saving Windows, Saving Money** (<https://forum.savingplaces.org/connect/community-home/librarydocuments/viewdocument?DocumentKey=59eab0e4-f0f4-45c5-97c8-147a8def82ae&CommunityKey=00000000-0000-0000-0000-000000000000&tab=librarydocuments>)

DOORS

Design Intent:

Maintain the fundamental alignment, spacing and dimensions of door openings on a primary façade. When a new door is needed, design it to be in character with the building.

Design Guidelines:

- 1.59 Preserve the size, position and proportion of key door openings on the primary façade.
 - a. Altering a door opening on a side or rear elevation may be appropriate.
- 1.60 Avoid changing the position of key door openings on the primary façade.
- 1.61 Preserve traditional doors with distinct stylistic features, if feasible.
- 1.62 When replacing a key door, use one that is compatible with the building style.



Preserve the size, position and proportion of key door openings on the primary façade.



Maintain the fundamental alignment, spacing and dimensions of door openings on a primary façade. When a new door is needed, design it to be in character with the building.

ADDITIONS

Design Intent:

It is important to maintain the general appearance of a historic building, especially from key vantage points in the public way. An addition should be planned to minimize damage to the historic building by preserving character-defining features, building form, etc. Locating a new addition to the rear or the side of the historic building is the best approach, in order to reduce any negative impacts to the building. It also should be compatible with the fundamental characteristics of the historic building while appearing as a new alteration.

Impact Considerations for Additions:

- Consider impacts of the addition to the visual and physical qualities of the property and to one's ability to perceive its historic character.

Some impact-related factors to consider include:

- Is the addition visible? Locating the addition such that the historic building remains prominent is important.
- Does the addition remain visually subordinate to the historic building? Keeping it lower in scale, or separated from the historic building is important.
- Is one's ability to interpret the historic character retained? (Especially in terms of perceiving the original mass, scale and prominence of the property)
- Are alterations to key character-defining features avoided or at least minimized? Attaching the addition should not require destruction of key features on the historic building.
- Is the structural integrity of the property retained, or even improved?

For More Information:

Preservation Brief 14 New Exterior Additions to Historic Buildings:
Preservation Concerns

<https://www.nps.gov/tps/how-to-preserve/briefs/14-exterior-additions.htm>

Design Variables for an Addition

Design variables include basic scale and proportion considerations that relate to the compatibility of the addition with the primary building and surrounding historic context. Design variables to consider include:

The height of the addition.

Keeping floor heights in the range of those on the historic building, or even lower, may help keep an addition visually subordinate to the historic building.

The degree of setback.

Does the original primary façade (front) remain visually prominent? An addition should be set back from the façade and other key walls that contribute to the character of the property. The setback should be a sufficient distance such that the historic building remains prominent.

Simplicity of design.

Is the design of the addition subordinate in character? The design should be relatively simple in architectural character and detailing, such that it does not call undue attention to itself. The historic building should remain the prominent feature.

Design Guidelines:

1.63 Locate an addition to be subordinate to the original structure.

- An addition should relate to the building in mass, scale, character and form.
- An addition to the front of a building is inappropriate.
- Greater flexibility on less visible façades may be appropriate.

1.64 Reflect the height of traditional commercial buildings as perceived at the street edge.

- A significant stepback for a third floor addition is required, to maintain a sense of two stories at the street level.
- The third story should maintain view corridors.



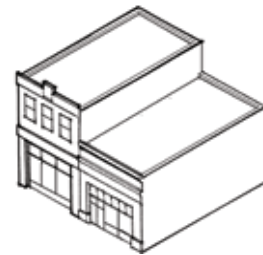
Street view

Set a roof top addition back significantly from the building front on a commercial building.



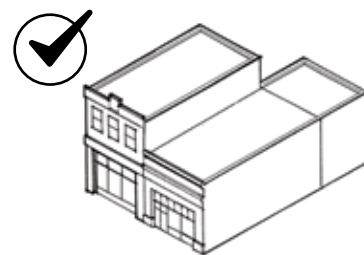
Bird's eye view

Locating an Addition to a Historic Commercial Building



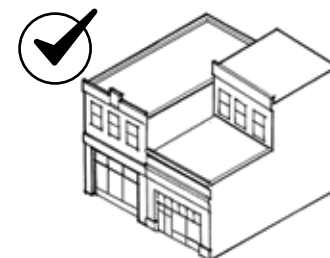
Historic Structure

The one and two-story commercial buildings illustrated above are historic.



Rear Addition

The rear addition illustrated at right is appropriate.



Rooftop Addition

The rooftop addition illustrated at right is appropriate because it is set back from the front façade.



This series of images portrays an appropriate rehabilitation of a 1) historic log cabin, 2) addition to it, and 3) a new accessory dwelling unit on the lot.

① Log cabin - appropriate historic building elements include:

- Preservation of building form and materials (except large picture window)
- New door
- Paint and stain

② Addition - appropriate building elements include:

- Ability to interpret old from new construction
- Mass and scale
- Materials
- Side wall inset to adjacent property

③ New accessory dwelling - appropriate building elements include:

- Ability to interpret old from new construction using contemporary construction techniques
- Mass and scale
- Window and door openings that reflect historic proportions.



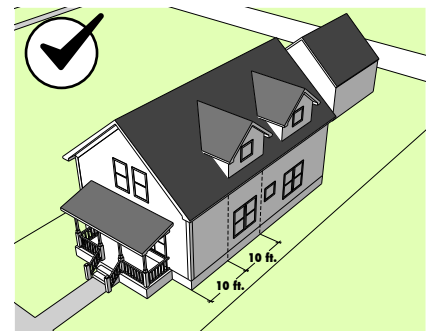
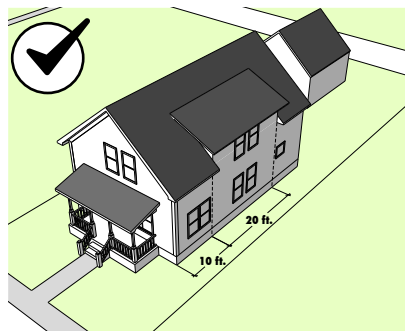
1.65 Locate an addition to retain open space patterns on the site.

1.66 Design an addition to a historic building to respect the character-defining features of the building.

1.67 Design an addition to be recognized as current construction.

1.68 Design a dormer addition(s) to minimize impacts on the building.

1.69 Separate the mass of a larger addition from the historic building and link the two with a smaller connector.



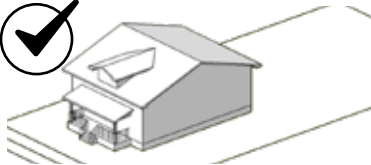
Do not visually overwhelm the historic roof with new dormers. Locate new dormers on side or rear-facing roof slopes, if possible, and below the ridge line.

Locating an Addition to a One-story Historic Residential Building

An addition to a historic residential structure should be subordinate to, and clearly differentiated from, the original historic building as illustrated below.

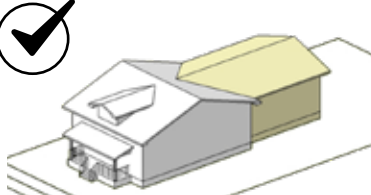
Original Structure

The one-and-a-half story bungalow illustrated at right is historic.



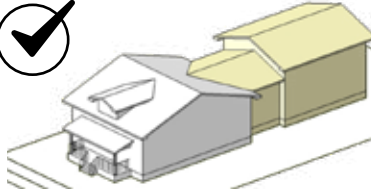
One-Story Addition

The addition illustrated at right is appropriate because it is clearly differentiated from the original structure with a change in roof plane and is nearly invisible from the street.



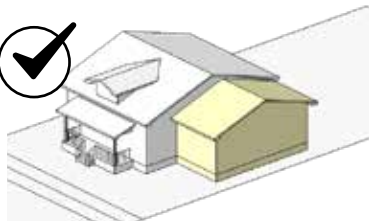
One-and-a-Half Story Addition

The addition illustrated at right is appropriate because it is set back and clearly differentiated from the original structure with a connector.



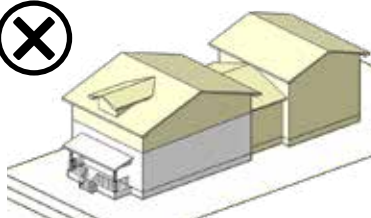
One-Story Addition to the Side

The addition illustrated at right is appropriate because it is set back and is clearly subordinate to the original structure.



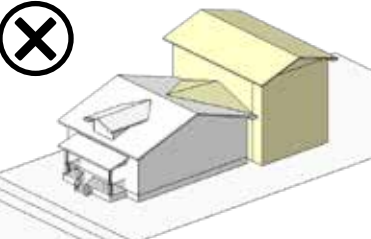
Inappropriate Two-Story Addition

The addition illustrated at right is inappropriate because it substantially alters the primary façade of the historic structure.



Inappropriate Two-Story Addition

The addition illustrated at right is inappropriate because it does not have a connector.





Locate a new building to the side or rear of the historic structure (shown in peach), such that the historic structure remains visible as the original, primary structure.

NEW BUILDINGS ON HISTORIC SITES

Design Intent:

In some cases, a separate new building may be constructed on a site that presently has a historic building. This may occur in areas where zoning permits and where incentives for preservation encourage adding more structures to the site. When this occurs, it is important that the new building(s) be compatible with the historic character of the existing building and site. Considerations for compatibility include the location of the new building, its mass and scale, form and materials, and how it transitions to the historic building.

There may be some cases where some existing residential buildings will be on a site where more density is targeted. The goal is to preserve the historic building in place. If this isn't feasible, then relocate it on site. Finally, it may be moved to a receiving site.

Design Guidelines:

1.70 Locate a new building to be compatible with the historic building.

- Locate a new building to the side or rear of a primary historic building, such that the historic building remains visible from the street.
- Separate the new building from the historic structure a sufficient distance such that the character of the original remains highly visible. The larger the new building is, the greater the separation should be.
- A secondary historic building is often located along the alley and could be the only contributing building on the property. In this case, a new building may be located in front of it and oriented to the street.

1.71 Design a new building to be compatible in mass and scale with the historic structure.

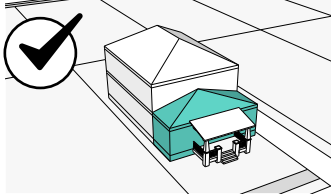
- Keep the size less than the historic structure when feasible.
- For a larger structure, divide it into modules that are in scale with the historic building.

1.72 Use a building form that is compatible with the historic structure.

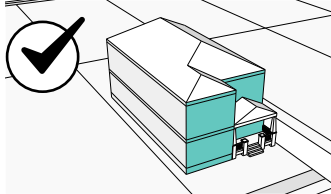
- A simple rectilinear form is preferred.
- Avoid exotic forms that would detract from the historic resource.

The following models illustrate some ways a building mass can be articulated to reduce the perceived mass and to relate to the scale of an adjacent historic residential building and/or the neighborhood context.

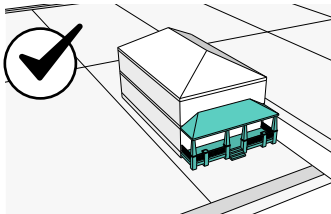
Front wall articulation methods



Front wall stepback



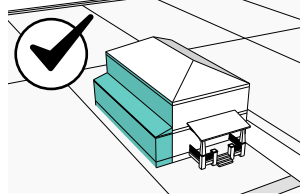
Front wall offset



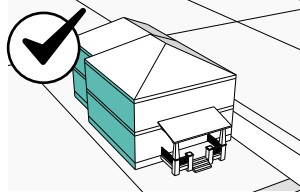
Front wall one-story element



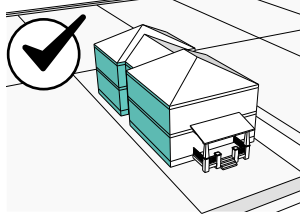
Side wall articulation methods



Side wall stepback



Side wall offset



Side wall plane change



1.73 Use building materials that are compatible with the historic structure.

- a. Natural materials, including wood siding and stone are appropriate.
- b. Alternative materials that have a proven durability also may be considered.
- c. These should have a matte, muted finish.

1.74 Mitigate negative scale-related visual impacts to a historic building.

- a. Effective treatments include:
 - » Scale transitions (front wall or side wall step backs, or overall height reductions)
 - » Increased setbacks (front, rear or side)



Generally, creating an accessibility solution that is independent from the historic building and does not alter its historic characteristics is an appropriate approach to installing a ramp.

ACCESSIBILITY

Design Intent:

Owners of historic properties should comply to the fullest extent possible with the Americans with Disabilities Act and other accessibility laws, while also preserving the integrity of the character-defining features of their buildings and sites. Special provisions for historic buildings exist in the law that allow some alternatives in meeting the ADA standards.

Design Guideline:

1.75 Generally, creating an accessibility solution that is independent from the historic building and does not alter its historic characteristics is encouraged.

- a. Identify the historic building's character-defining spaces, features and finishes so that accessibility code-required work will not result in their damage or loss.
- b. Alterations to historic properties that are designed to improve access for persons with disabilities should create minimal negative effect on the historic character or materials.
- c. Provide barrier-free access that promotes independence for the disabled to the highest degree practicable, while preserving significant historic features.
- d. Minimize impacts to a historic building; a design that is reversible is preferred.

For More Information:

Preservation Brief 32 Making Historic Properties Accessible

<https://www.nps.gov/tps/how-to-preserve/briefs/32-accessibility.htm>

REPOSITIONING A HISTORIC STRUCTURE WITHIN ITS PARCEL

Design Intent:

Preserving a historic building in its original location and on its historic foundation is preferred, because this helps to retain the integrity of the resource. However, in some cases, it may be appropriate to reposition a historic building on its site. (This does not involve removing it entirely from the parcel.) In either case, it is important in an arrangement that the historic building is in keeping with its historic site condition.

Some reasons that justify moving the building within the site include:

- The building is historic, but research shows that it has been relocated and therefore possesses no integrity of location.
- The historic building in question intrudes on public right-of-way.
- Shifting the historic building forward (if it is the main structure on the site) in order to accommodate compatible new construction to the rear of the property.

Design Guideline:

1.76 A historic structure may be repositioned on its site if doing so will help assure its preservation.

- a. If an historic structure must be repositioned, do so in a way that maintains the general character as seen from the street.
 - » The front façade should continue to face the street.
 - » The building should be oriented in a similar direction.
 - » The front setback should remain with a range seen traditionally in the neighborhood.
- b. Assure the building is stabilized from further deterioration.
 - » The historic building and its features are protected. A clear sequence of steps must be described for how the building's materials or elements will be protected, including any appendages or elements that will be removed, labeled and stored for re-assembly at the receiving site.
- c. The town must have a strong assurance that the rehabilitation project will be followed through to completion and meets best historic preservation practices.
 - » Proof of secure project financing may be required.
 - » New replacement materials should be kept to a minimum in the rehabilitation process.
 - » The proposed design for the building and its site will be reviewed using the design guidelines for rehabilitation found in this document.
- d. Assure the historic building will have a viable use in the development of the site that will assure its continued maintenance after the approved rehabilitation work is completed.

RELOCATION OF A HISTORIC BUILDING TO ANOTHER SITE

Design Intent:

In some cases, a historic building may be considered for relocation to a different parcel. The new parcel would be an appropriate setting for the building. In most cases, the building should be moved intact. In some situations, however, moving the entire building intact may not be feasible, and it may become necessary to move portions of the structure separately, and then re-assemble it on the new site. This process is not the same as demolition. The process of disassembly and reconstruction is designed to relocate the building and reinstate it in a condition as close to the original as is feasible. It requires special care to assure that disassembled materials are properly managed during transit and reassembly.

Some reasons that justify moving the building off the site include:

- The building is historic, but research shows that it has been relocated and therefore possesses no integrity of location.
- The building in question intrudes on public right-of-way.
- The building in question impacts the feasibility of the new project.

Design guideline:

1.77 A historic structure may be relocated off site if doing so will help assure its preservation and it meets the following criteria:

- a. The original building and site condition should be accurately recorded before removing the structure from its existing site.
- b. The historic building and its features are protected. A clear sequence of steps must be described for how the building's materials or elements will be protected, including any appendages or elements that will be removed, labeled and stored for re-assembly at the receiving site.
- c. The relocation site provides an appropriate context for the building. The new site should convey a character similar to that of the historic site, in terms of scale of neighboring buildings, materials, site relationships and age. The building should be located on the site in an orientation similar to the original setting.
- d. There is a commitment to complete the relocation and subsequent rehabilitation of the building.
- e. The town must have a strong assurance that the rehabilitation project will be followed through to completion and meets best historic preservation practices.
 - » Proof of secure project financing may be required.
 - » New replacement materials will be kept to a minimum in the rehabilitation process.
 - » The proposed design for the building and its site will be reviewed using the design guidelines for rehabilitation found in this document.
- f. Assure the historic building will have a viable use in the development of the site that will assure its continued maintenance after the approved rehabilitation work is completed.

GLOSSARY OF TERMS

Alignment. The arrangement of objects along a straight line.

Alteration. Any act or process, except repair and light construction that changes one or more of the architectural features of a structure or site, including, but not limited to, the erection, construction, reconstruction, relocation of, or addition to a structure.

Appropriate. Suitable for a particular condition, occasion, or place, compatible, fitting.

Awning. An architectural projection, which provides weather protection, identity, or decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which another cover is attached that may be of fabric or other materials. Awnings are typically sloped.

Bracket. A supporting member for a projecting element or shelf, sometimes in the shape of an inverted L and sometimes as a solid piece or a triangular truss.

Building. A resource created principally to shelter any form of human activity, such as a house.

Canopy. A projecting, rigid structure with a roof generally suspended with tie rods, or cantilevered with some sort of support system.

Certificate of Appropriateness. Certificate issued by the Community Development Director authorizing any proposed repair, restoration, alteration, construction, relocation, or demolition of a historic property pursuant to this ordinance.

Character-defining feature. Architectural elements and stylistic details that contribute to the distinctive nature of a building or structure.

Compatible. Consistent or harmonious with location, design, setting, materials, workmanship, feeling, or association or an individual building, structure, object or site, or of surrounding properties

Cornice. A decorative band at the top of the building.

Covered boardwalk. A projecting, rigid structure with a roof that is supported by columns.

Deconstruction. The process of dismantling a building such that the individual material components and architectural details remain intact. This may be employed when a building is relocated or when the materials are to be reused in other building projects. Deconstruction may be a more environmentally responsible alternative to conventional demolition; however, it is an inappropriate treatment for a building of historic significance.

Design. The combination of elements that create the form, plan, space, structure and style of a property

Deteriorate. To diminish or impair in quality, character, function or value; to also to fall into decay or ruin.

Design guideline. A criterion with which the Design Review Commission and/or Community Development Director will require compliance when it is found applicable to the specific proposal. A guideline is subject to some interpretation when determining compliance.

Display window. The main portion of glass on a building front or within a storefront, where goods and services are displayed.

Door frame. The part of a door opening to which a door is hinged. A door frame consists of two vertical members called jambs and a horizontal top member called a lintel.

Double-hung window. A window with two sashes (the framework in which window panes are set), each movable by a means of cords and weights.

Façade. Front or principal face of a building; any side of a building that faces a street or other significant public open space.

Fascia. A flat board with a vertical face that forms the trim along the edge of a flat roof, or along the horizontal, or “eaves,” sides of a pitched roof. The rain gutter is often mounted on it.

Form. The overall shape of a structure (i.e., most structures are rectangular in form).

Frame. A window component. See window parts.

Head. The top horizontal member over a door or window opening.

Historic property. A district, site, building, structure or object significant in American history, architecture, engineering, archaeology or culture at the national, State or local level.

Historic Resource. A property, structure, feature, object or district that is determined to be of historic significance and is designated to the Town’s Historic Register pursuant to this ordinance.

Integrity: *The ability of a property to convey its historic significance through its physical features.*

Intact historic property. These properties are those that are well preserved, or that have been restored to their historic character. Some retain original cornices, windows and storefronts. Others have had some of these features reconstructed to match or appear similar to original features. They have the highest degree of integrity. In some cases, minor alterations may still exist that slightly detract from the historic character and could be addressed in future rehabilitation work.

Kickplate. Found beneath the display windows on a storefront.

Landmark. A building, property or object that is determined to be of exceptional historic significance and value as part of the development, heritage or cultural characteristics of the city, state or nation, and is designated to the Town's Historic Register pursuant to this ordinance.

Lintel. A horizontal structural member that supports a load over an opening; usually made of wood, stone or steel; may be exposed or obscured by wall covering.

Maintenance. The work of keeping something in proper condition, upkeep. Activities required or undertaken to conserve as nearly, and as long as possible the original condition of an asset or resource while compensating for normal wear and tear. The needed replacement of materials is done in-kind.

Mass/Massing. The physical size and bulk of a structure. A building's massing is derived from the articulation of its façade through the use of dormers, towers, bays, porches, steps and other projections. These projections significantly contribute to the character of the building and, in town, the character of a street.

Masonry. Construction materials, typically bound together by mortar, such as stone, brick, concrete block or tile.

Material. As related to the determination of "integrity" of a property, material refers to the physical elements that were combined or deposited in a particular pattern or configuration to form a historic property.

Module. The appearance of a single façade plane, despite being part of a larger building. One large building can incorporate several building modules.

Molding. A decorative band or strip of material with a constant profile or section. It is generally used in cornices and as trim around window and door openings.

Muntin. A bar member supporting and separating panes of glass in a window or door.

Orientation. Generally, orientation refers to the manner in which a building relates to the street. The entrance to the building plays a large role in the orientation of a building; whereas, it should face the street.

Original. Belonging or pertaining to the origin or beginning of something, or to a thing at its beginning.

Parapet. A low protective wall or railing or wall-like barrier along the edge of a raised structure such as a roof, bridge, terrace or balcony. Where extending above a roof, it may simply be the portion of an exterior wall that continues above the line of the roof surface, or may be a continuation of a vertical feature beneath the roof such as a fire wall or party wall.

Pilasters. A rectangular column or shallow pier attached to a wall; quite frequently decoratively treated so as to repeat a classical column with a base, shaft and capital.

Preservation. The act or process of applying measures necessary to sustain the existing form, integrity and materials of a historic building, site, structure or object. Work may include preliminary measures to protect and stabilize the property, but generally focuses on the ongoing preservation, maintenance and repair of historic materials and character-defining features rather than extensive replacement and new work.

Source: *Secretary of the Interior National Park Service.*

Property. A building, structure, site or object.

Reconstruction. The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location. Source: *Secretary of the Interior National Park Service.*

Rehabilitated historic property. These are properties that have had improvement work in which some key features have been preserved, and also may have some alterations that are distinguishable as new, but are compatible with the historic character. In many of these cases, upper portions of the storefronts retain historic features, including cornices, decorative moldings and upper story windows. Many have new storefronts that do not replicate historic details but are generally

compatible as “contemporary interpretations” of traditional storefronts. A few alterations may still exist that slightly detract from the historic character and could be addressed in future rehabilitation work.

Rehabilitation. The process of returning a property to a state that makes a contemporary use possible while still preserving those portions or features of the property which are significant to its historical, architectural and cultural values. Source: *Secretary of the Interior National Park Service*.

Rehabilitation may include a change in use of the building or additions. This term is the broadest of the appropriate treatments and is often used in the standards with the understanding that it may also involve other appropriate treatments.

Remodeling. The process of changing the historic design of a building. The appearance is altered by removing original details and by adding new features that are out of character with the original design. Remodeling of a historic structure is inappropriate.

Restoration. The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular time period. It may require the removal of features from outside the restoration period. Source: *Secretary of the Interior National Park Service*.

Rhythm. The spacing and repetition of building façade elements, such as windows, doors, belt courses and the like, give an elevation its rhythm. The space between freestanding buildings in towns, as well as the height of roofs, cornices, towers and other roof projections establishes the rhythm of a street.

Scale. (a.) The perceived size of a building relative to the size of its elements and to the size of elements in neighboring buildings. The overall shape and massing of buildings is significant to defining character. In order to retain the character of a community, maintaining a balance between landscaping and building scale in relation to space available is essential. A building built to the legal limits established for height, building scale and setbacks may result in a building which is not compatible with the character of its neighborhood. (b.) An indication of the relationship between the distances or measurements on a map or drawing and the corresponding actual distances or measurements.

Setting. The physical environment of a historic property

Should. “Should” indicates that compliance is expected, except in conditions in which the Design Review Committee and/or city staff finds that the standard is not applicable, or that an alternative means of meeting the intent of the standard is acceptable.

Side light. A usually long fixed sash located beside a door or window; often found in pairs.

Significant. Having architectural characteristics and historical associations that make the building, structure, feature or area worthy of preservation.

Sill. The lowest horizontal member in a frame or opening for a window or door. Also, the lowest horizontal member in a framed wall or partition.

Simulated divided light window. A large piece of insulated glass with interior and exterior grilles attached by tape.

Stile. A vertical piece in a panel or frame, as of a door or window.

Substantially altered historic property. These are properties that retain some original features but are missing a substantial amount of other features. They also have later alterations that detract from the historic character. More recent storefronts that are out of proportion from the original, or that have materials that are out of character are examples. Cornices may be missing and upper story windows may be altered as well. These later alterations detract from the historic character and could be addressed in future rehabilitation work. Reconstruction of missing features, or addition of new, compatible interpretations should be high priorities for these properties.

Transom window. A small window or series of panes above a door, storefront, or above a casement or double hung window.

True divided light window. A window made up of several pieces of glass puttied into frames.

Upper-story windows: Windows located above the street level, often with a vertical orientation.

Visual continuity. A sense of unity or belonging together that elements of the built environment exhibit because of similarities among them.

Workmanship. The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory

Appendix A:

Jackson Town Center Overlay Design Guidelines and Historic Properties

(Note to reader: Appendix A contains two sets of design guidelines. For the purpose of this survey the Historic Preservation Design Guidelines have been separated out and are linked to Part 1 of the survey.)

Draft #1b
10JUNE2020

CONTENTS

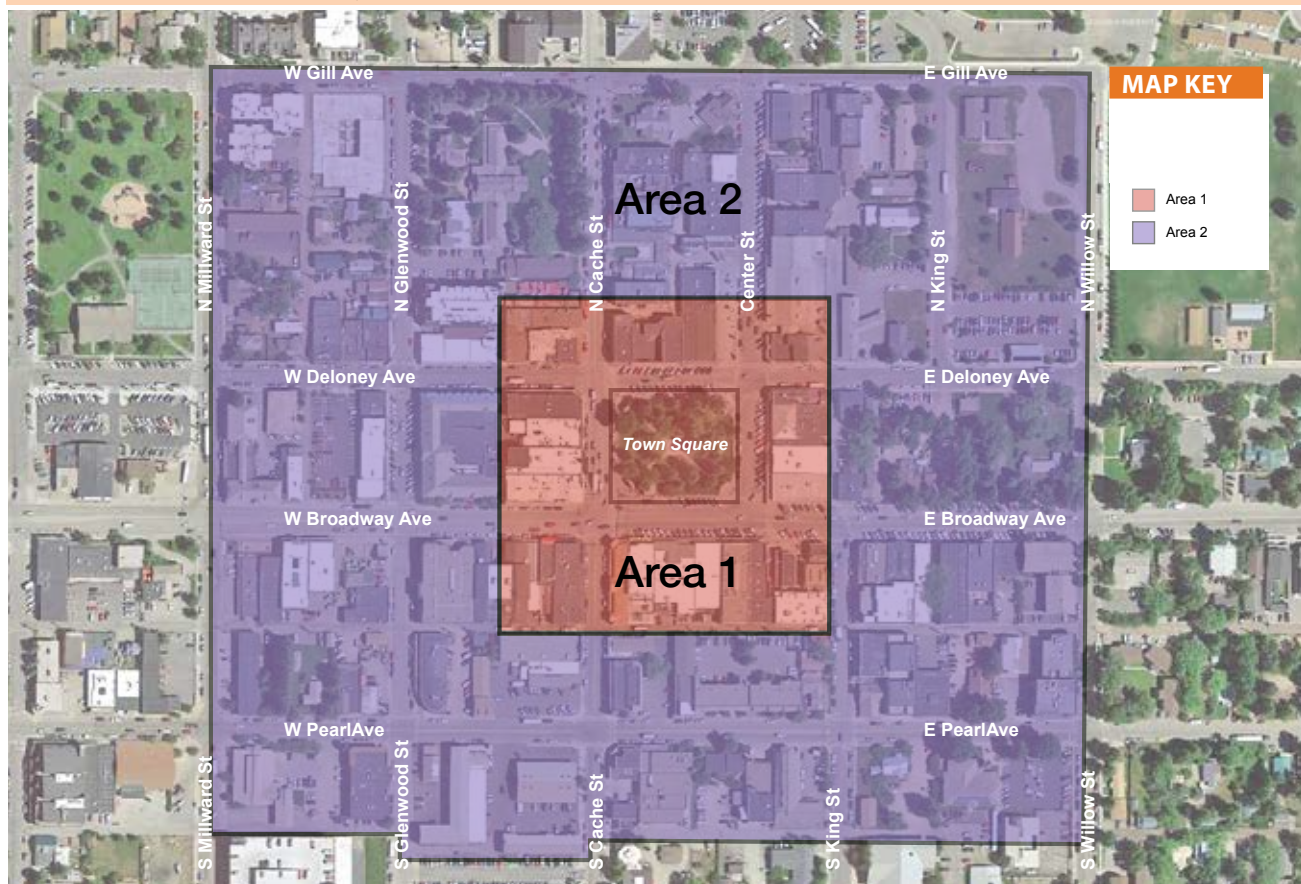
3	INTRODUCTION
4	SECTION 1: TOWN CENTER AREA 1 & TOWN CENTER AREA 2 DESIGN GUIDELINES
6	Additional Understanding of Western Character
8	Applying the Design Guidelines to Area 1 and Area 2
9	Example Design Guidelines Format
10	Pedestrian Access and Connectivity
11	Street and Ground Level Interest & Shelter
13	Architectural Character
14	Building Height/Stories
15	Building and Roof Form
17	Façade Design
18	Building Articulation
20	Building Materials
24	Architectural Detail

INTRODUCTION:

This appendix supplements the design guidelines that appear in the main body of this document and apply specifically to **Town Center Design Overlay Area 1 and Area 2**, and **Historic Properties** town wide. The appendix is organized in two sections:

- Section 1 provides design guidelines for new buildings and additions in Town Center Design Overlay Area 1 (Area 1), and Town Center Design Overlay Area 2 (Area 2), and
- Section 2 provides design guidelines for the rehabilitation of historic properties.

Town Center Design Overlay Map



SECTION 1: AREA 1 & AREA 2 DESIGN GUIDELINES

Background Policy related to Area 1 and Area 2

For Area 1 and Area 2 the appendix focuses on interpreting what Western Character means, since maintaining a sense of Western Character is a policy in the community's Comprehensive Plan. Excerpts from the Jackson/Teton County Comprehensive Plan (06 April 2012) that identify "Western Character" are noted below:

Principle 4.1 - Maintain Town as the central Complete Neighborhood

Policy 4.1.a: Promote a complete Town of Jackson

...All subareas will each have some of the components of a Complete Neighborhood appropriate for that subarea and will collectively contribute to enhancing Town as the community's central Complete Neighborhood. However, not all components of a Complete Neighborhood will be provided in all subareas of Town, as each distinct subarea will have its own defined character and role...

Policy 4.1.c: Promote compatible infill and redevelopment that fits Jackson's neighborhoods

...The Town Character Districts provide specific guidance for infill and redevelopment projects, consistent with the desired character for each Subarea of Town...

Policy 4.2.e: Protect the image and function of Town Square

Town Square is Jackson's major tourism draw and can be described as the "heart of the heart". As such, it is the area that evokes the greatest amount of sentiment and concern regarding architecture, scale and character. This area will be subject to the highest level of design standards, particularly for block faces on the Town Square.

District 1: Town Square (TS1)

Existing and Future Desired Characteristics include:

"The Town Square District is the historic center of Jackson Hole and the central gathering space for residents and visitors alike. The district is home to iconic buildings and public spaces, including the Cowboy Bar, George Washington Memorial Park (the "Town Square"), and the sawtooth building profiles surrounding the Town Square. Preserving the existing western character and heritage found in the buildings and public spaces in this district will be key to maintaining the existing character. The district is the center of the visitor experience in Town and plays an important role in defining our community's western heritage and overall community identity."

1.1: Inner Square (character defining features)

"This STABLE Subarea will focus on maintaining western character by retaining or replicating the existing built environment. Building heights directly fronting the Town Square should not exceed two stories. Buildings should be located near the street to create an attractive street front. A desired western architectural style and approach will be defined. The continuation of covered wooden boardwalks is vital to maintaining the desired western character."

1.2: Outer Square (character defining features)

This STABLE Subarea will focus on maintaining western character consistent with the existing character of the district. Building heights will be allowed up to three stories, in order to provide lodging, residential and other non-residential uses. Buildings should be located near the street to create an attractive street front. A desired western architectural style and approach will be defined. The continuation of covered wooden boardwalks is vital to maintaining the desired western character.

DEFINING WESTERN CHARACTER

This set of design guidelines further defines the term Western Character to add clarity to how it is interpreted for the design of new infill buildings, additions and other types of improvements within Area 1 and Area 2. The language below was derived from a public outreach process tasked with what Western Character meant to the community in regards to the built environment.

Western Character is a broad set of characteristics that are a part of the design traditions of the community and that appear in a variety of earlier building types and styles. It includes building forms, materials and details that may be combined in a variety of ways. As such, Western Character embodies an approach to design, not a specific style.

These guidelines address the key design variables embodied in Western Character. The intent is to convey a sense of authenticity and not require using historical styles. The purpose is to avoid confusing the genuine history of the community with imitations of historic styles.

Historic Precedents of Western Character

Historic photographs document precedents for Western Character in downtown Jackson. They show a range of buildings that vary in form, materials and detail, yet all were part of the town's heritage and contributed to its character. Each early building had a sense of relatedness with others. It exhibited a sense of authenticity, with practical responses to functional needs, the availability of craftsmen and materials, and climatic influences. This resulted in these features:

- Building forms were simple and functional. Some had false fronts with stepped parapets that followed the gable roof line hidden behind. Others had exposed gabled or similar sloping roofs that were key parts of their basic building forms. Details and ornamentation were used sparingly.
- Designs responded to environmental conditions: Awnings and canopies sheltered walkways and sloping roofs directed snow away from entrances.
- Buildings conveyed a sense of community: They were oriented to the street and scaled for walking.
- Natural materials were used: These were muted, with matte finishes, often even rustic. Many were locally sourced.
- Buildings connected to the street: Storefronts and porches signaled links to the public realm.
- Buildings had a sense of human scale: Building forms and design features were of sizes that relate to human scale. The repetition of storefronts, canopies and other openings along the street is an example.



Traditional design precedents in these images include:

- flat roof with decorative cornice
- wood framing with stamped metal panels
- more ground level transparency with divided window panes

Top image

- upper level double-hung window pattern with divided window panes with lintels
- storefront (although difficult to see the first floor is highly transparent)

Bottom image

- flat roof with simple cornice
- wood lap siding
- simple wood trim
- upper level double-hung window pattern with divided window panes with lintels
- decorative use of antlers appears across the street on simple timber fence



Historic photographs document precedents for Western Character in the heart of Jackson. They show a range of buildings that vary in form, materials and detail, yet all were part of the town's heritage and contributed its character.

Traditional design precedents in these images include:

Top left image

- lodging building with sloped roofs, and roof dormers
- clearly defined entries
- stone and brick base with, upper-story material change (stucco with exposed timber)
- upper and lower level double-hung window pattern with shadow lines at windows
- articulation techniques (wall offsets)

Top right image

- cross-gable roof with dormers
- chinked log construction
- overhanging eaves
- exposed rafters
- more ground level transparency with wood trimmed double-hung windows, divided window panes, and shadow lines at windows
- porch entry feature
- vertical timber bell tower with hip roof
- articulation techniques (wall offsets)

Left image

- commercial building with sloped roofs
- wood lap siding with simple trim
- wood trimmed double-hung windows, divided window panes, with shadow lines
- ground level storefront with divided windows
- clearly defined entries
- articulation techniques (covered boardwalk)
- shadow lines at windows

Many commercial buildings have traditional storefronts at the street level with large areas of display windows that are a part of Western Character. A traditional storefront has these features:

- A large area of glass as display windows, often composed of a set of smaller panes in frames
- A short stem wall (a bulkhead or kickplate) at the base, which supports the display windows
- An entrance which is clearly defined, often with double doors that are recessed.

Other buildings have a more residential character at the ground level, with smaller windows and a greater proportion of solid wall. They often have:

- A gabled porch as an entry
- Overhanging eaves, often with exposed rafters.





Top left image

- commercial building with parapet and sloped roofs (false front)
- wood trimmed double-hung windows, with arched trim, and shadow lines
- clearly defined entry
- shadow lines at windows

Top right image

- row of commercial building with stepped parapets and sloped roofs (false front)
- storefront (although somewhat difficult to see, but many of the first floors are highly transparent) with some clearly defined recessed entries
- horizontal alignment of kickplates and transoms
- shadow lines at windows



APPLYING THE DESIGN GUIDELINES TO AREA 1 AND AREA 2

Area 1

Around the Town Square, the interpretation of Western Character should be more rigorous than in Area 2. In Area 1, buildings should maintain a predominately two-story experience on the site, and a more limited palette is appropriate for primary materials. Some height exception may be appropriate as a historic incentive for some historic buildings (see [Historic Preservation Ordinance](#)). Covered walkways sheltering boardwalks should be a key part of the pedestrian experience, and maintaining views to key landmarks and the mountains are particularly important.

Area 2

Buildings in Area 2 should still convey a sense of Western Character, but may do so a bit more broadly. Taller buildings are appropriate when they are designed to maintain a predominantly two-story experience at the street edge. More variety in primary building materials is also appropriate here, but still should be within the range of those seen traditionally. Addressing the street edge and providing shelter at building entrances is important, but covered walkways are not required. Historic preservation incentives are also available.

EXAMPLE DESIGN GUIDELINES FORMAT

The design guidelines in this document use a standard format. This format includes a series of six items, which are noted and described in the diagram below.

A Design Topic Heading

This is shown in bold, is numbered, and is always at the top of the page.

B Intent Statement

The intent statement follows the design topic heading. It explains the goal of the design guidelines that follow. If an application does not specifically meet one of the design guidelines, it can be reviewed using the intent statement. Most of the intent statement for a topic applies to both areas, but in some cases some specific language may apply to Area 1, or Area 2. If this occurs, it will be noted within the intent statement for easy reference.

C Design Guidelines

Design guidelines describe an intent or desired outcome. They are numbered for easy reference. Most design guidelines apply to both areas, but in

some cases may apply only to Area 1, or Area 2. If this occurs, it will be identified by a subhead above the design guideline for easy reference. In some cases, a design guideline may be repeated to make it clear to the user when additional information under the guideline applies to a specific area.

D Additional Information

This information is found in a bullet list that follows a design guideline, where applicable. This provides appropriate and inappropriate strategies for meeting the intent of the design guideline.

E Further Detail

Further sub-bullets are provided for some design guidelines and provide even more detail.

F Images and Illustrations

Visuals are included to clarify the intent of the guideline. Captions provide more detail about how the image is to be interpreted.



A storefront allows views to activities inside the building on a street-facing façade. These display windows are inappropriate since the windows are not set into the wall.

Appropriate and Inappropriate Solutions

In many cases, images and diagrams in the design guidelines are marked to indicate whether they represent appropriate or inappropriate solutions.

✓ A check indicates appropriate solutions.

✗ An "X" mark indicates solutions that are inappropriate,

A STREET AND GROUND LEVEL INTEREST & SHELTER

B Design Intent:

Area 1 and Area 2 are the town's central visitor experience. Therefore, the building design at the street and ground level where there is pedestrian traffic should provide visual interest, and some protection from seasonal change (sun in the summer and snow/ice in the winter.)

C Area 1 & Area 2 Design Guidelines:

1.78 Provide visual interest to pedestrians by incorporating alternative wall treatments at the ground level where there may not be as many windows or storefronts.

D a. Alternative wall treatments include:

- » Window display cases
- » Wall art
- » Architectural detailing
- » Landscape planters (Area 2 only)
- » Outdoor dining space
- » Canopies (Area 2 only)

PEDESTRIAN ACCESS AND CONNECTIVITY

Design Intent:

Area 1 and Area 2 provide the most important experiences for the pedestrian. Therefore, safe, year-round, pedestrian access and connectivity should be provided. It should consider all types/levels of pedestrians, including elderly and ADA accessibility. Pedestrian connectivity refers to the movement of people from the public realm to and through a site. It also encompasses pedestrian connections to adjacent sites. Pedestrian access and connectivity within a site should enhance walkability and provide clear connections to the public realm.

Area 1 and Area 2: Design Guideline:

1.1 Provide a physical pedestrian connection between a site and the public realm. Appropriate options include:

- a. A door that opens directly to a public space.
- b. A walkway that connects a building to a public space through a setback area.
- c. A plaza, outdoor seating area or patio that connects a building to a public space.
- d. When a property is adjacent to a public open space, connect the site to the open space.

1.2 Establish an internal walkway system that connects building entries, parking areas and open spaces.

- a. Consider special paving, distinct lighting, and landscape elements to accentuate a site's circulation system.
- b. Consider directing an internal walkway through a plaza, courtyard or other outdoor feature.
- c. Size an internal walkway of an adequate width to allow safe pedestrian access.
- d. Integrate a site's internal walkway system with the public pedestrian circulation system.

1.3 Where feasible, and when there is a clear public benefit, consider providing public pedestrian access through a block. Methods include:

- a. A path connecting two streets through a block.
- b. A pedestrian walkway integrated with an open space or a retail amenity.
- c. An alley that is shared by pedestrians and automobiles.
- d. A path to break up an unusually large block.



Although unoccupied when this image was taken, a plaza, outdoor seating area or patio that connects a building to a public space, parking area or open space is appropriate..



Pedestrian connectivity is provided by a midblock pass through. The walkway is activated with display windows, lighting and architectural features.



Pedestrian access is appropriately directed through an outdoor dining area in this mixed use development.



STREET AND GROUND LEVEL INTEREST & SHELTER

Design Intent:

Area 1 and Area 2 are the town's central visitor experience. Therefore, the building design at the street and ground level where there is pedestrian traffic should provide visual interest, and some protection from seasonal change (sun in the summer and snow/ice in the winter.)

Area 1 & Area 2 Design Guidelines:

1.4 Provide visual interest to pedestrians by incorporating alternative wall treatments at the ground level where there may not be as many windows or storefronts.

- a. Alternative wall treatments include:
 - » Window display cases
 - » Wall art
 - » Architectural detailing
 - » Landscape planters (Area 2 only)
 - » Outdoor dining space
 - » Canopies (Area 2 only)

Area 1 Design Guidelines:

1.5 Develop the street level to provide visual interest to pedestrians and shelter.

- a. Clearly define a pedestrian entrance.
 - » Recessed entries are often incorporated.
- b. Provide a storefront or display window(s) that allow views to activities into the building.
 - » These windows are often composed of a set of smaller panes in frames.
 - » A short stem wall (a bulkhead or kickplate) at the base of the storefront, provides support to the windows.
- c. A large expanse of blank wall is inappropriate.

A storefront allows views to activities inside the building on a street-facing façade. These display windows are inappropriate since the windows are not set into the wall.

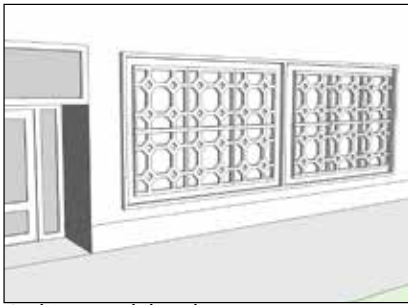


Smaller display window(s) that allow views to activities into the building on a secondary street-facing façade is appropriate in Area 2 for some building types, such as office, or residential.



The intent of a display window is to allow views into the building; however, there may be some cases where another treatment is appropriate to accommodate an interior use and still provide interest at the street level with some transparency. This would be an appropriate approach on a secondary street in Area 2.

Alternative Wall Treatment Options for Providing Street Level Interest



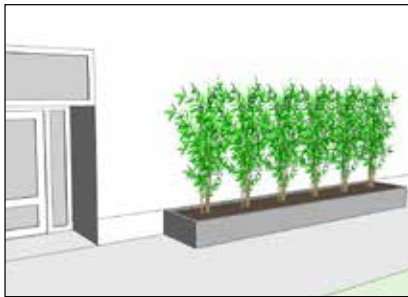
Architectural detail



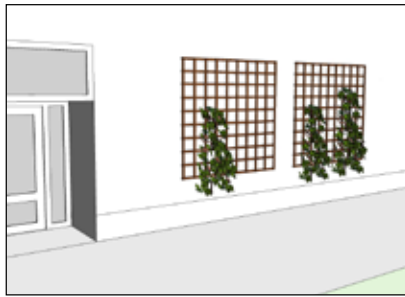
Display windows



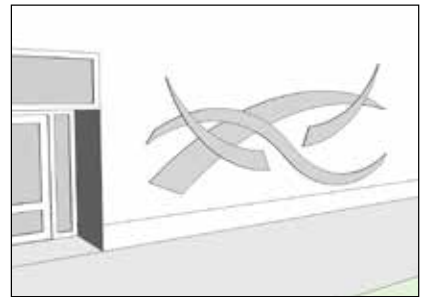
Outdoor dining space



Landscaped planters



Vertical wall landscaping



Wall art



Alternative wall treatments such as wall art are appropriate on blank walls.



Alternative wall treatments such as landscape planters are appropriate.

Area 2 Design Guidelines:

1.6 Develop the street level to provide visual interest to pedestrians and shelter.

- a. For a shopfront building façade, provide:
 - » A covered boardwalk or canopy for a portion of the façade.
 - » A storefront or display window(s) that allow views to activities into the building.
 - » A clearly defined primary entrance(s).
- b. For street-facing residential or lodge buildings provide:
 - » A covered boardwalk, canopy, porches, or similar type shelter for a portion of the façade.
 - » A clearly defined primary entrance(s).
 - » Windows

ARCHITECTURAL CHARACTER

Design Intent:

New construction should appear as a product of its own time while relating to traditional Western Character. In order to assure that historic resources are appreciated as authentic, it is important that new buildings and additions be distinguishable from them, while also being compatible.

Area 1 & Area 2 Design Guidelines:

1.7 Design a new building to reflect its time, while conveying a sense of Western Character.

1.8 Contemporary interpretations of traditional designs and details are encouraged.

- a. A new design for window moldings and door surrounds, for example can provide visual interest while conveying the fact that a building is new.
- b. Contemporary details for new storefronts also can be used to create interest while expressing a new, contemporary Western Character.

1.9 The exact imitation of older historic styles is discouraged.

- a. This blurs the distinction between old and new buildings and makes it more difficult to visually interpret the history of downtown.

Area 1 Design Guideline:

1.10 The exact imitation of older historic styles is discouraged.

- a. In Area 1, where the sense of Western Character should be especially strong, an interpretation of a historic style that is authentic to the area may be considered if it is subtly distinguishable as being new.



In Area 2, contemporary interpretations of traditional designs and details are encouraged, such as this canopy and storefront system.



In Area 1, where the sense of Western Character should be especially strong, an interpretation of a historic style that is authentic to the area may be considered if it is subtly distinguishable as being new.



New buildings should be distinguishable from traditional buildings, while also being compatible. This new building is located near a residential setting and incorporates some traditional residential design characteristics of the area, including sloped roofs, wood lap siding, and similar window and door proportions; however, it is still distinguishable as new. This would be an appropriate design especially along some of the outside edges of Area 2 near residential settings.

BUILDING HEIGHT/STORIES

Design Intent:

Buildings should convey heights that appear similar in scale to those seen traditionally. In Area 1: one & two-story are appropriate; in Area 2: a building should be perceived as being predominantly two stories, especially at the street edge. Some limited portions of a building in these areas may also be taller as allowed by the LDR.

Area 1: Design Guideline:

1.11 Reflect the height of traditional buildings as perceived at the street edge.

- Maintain a one and two-story façade height at the street level. See design standards for exceptions.
- Floor-to-floor heights should appear similar to those of traditional buildings along the block.

Area 2: Design Guideline:

1.12 Reflect the height of existing buildings as perceived at the street edge.

- Maintain a mostly two-story façade height at the street level. See design standards for exceptions.
- Floor-to-floor heights should appear similar to those of traditional buildings within the overlay area.



In Area 2, while building height maximums are set by the LDRs, a building should be perceived as being predominantly two stories, especially at the street edge. Some portions of a building may be taller.



In Area 2, floor-to-floor heights should appear similar to those of traditional buildings within the overlay area.

BUILDING AND ROOF FORM

Design Intent:

Buildings should have simple forms, in keeping with the traditions of Western Character.

The list below identifies some traditional building and roof forms that reflect Western Character:

- Simple rectilinear boxes, especially those of commercial and retail-oriented uses. Other roofs are flat, or have a gabled roof that is concealed with a false front.
- Institutional buildings, including churches, often have distinctive, more varied forms.
- Lodging facilities often have sloping roofs, of gable or hipped forms.

Area 1 & Area 2 Design Guidelines:

1.13 Use a simple building form for a new building or addition.

- a. Basic rectilinear form is preferred with any variation in the form to be subordinate to the overall form. Appropriate ways to vary the form include:
 - » Varying height to reflect different building modules
 - » Increasing the setback for a portion of the front wall
 - » Stepping back an upper floor to maintain a lower scale at the street edge
- b. For a larger building, divide it into smaller modules that reflect the scale of traditional building and lot widths in the area.
- c. Attention to the design of transitions between modules in larger buildings is important; however too much variation, which results in an overly busy design, is inappropriate.
- d. Complement the existing building form when providing an addition.

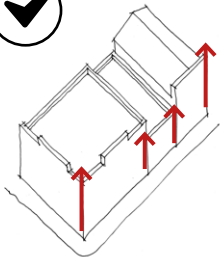


These curvilinear building accents are not subordinate to the rectilinear form and are inappropriate.

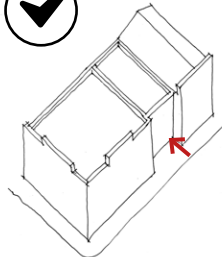


For a larger building, divide it into smaller modules that reflect the scale of traditional building and lot widths in the area. This building would be an appropriate design especially along some of the outside edges of Area 2 near residential settings.

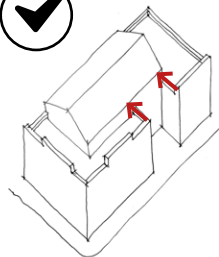
Appropriate building and roof form combinations



Variation in height



Wall plane setback



Upper level setback and wall plan setback

[Insert a side bar referencing the form standards in the LDR]

[Insert a side bar referencing slope standards in the LDR]

Area 1 Design Guidelines:

1.14 A roof form should be similar to those used traditionally.

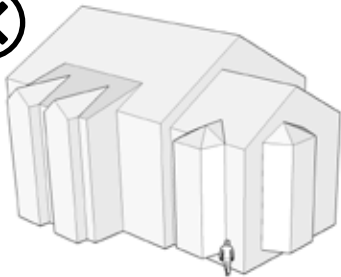
- a. A flat roof is preferred, with a stepped parapet or similar treatment.
- b. A hip roof similar in size and scale to the traditional building on the town square is appropriate.



A flat roof is preferred, with a stepped parapet or similar treatment.



A roof form should be similar to those used traditionally.



Inappropriate complex roof form.

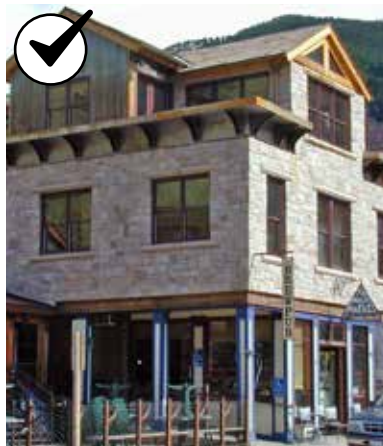
Area 2 Design Guidelines:

1.15 A roof form should be similar to those used traditionally.

- a. A flat roof is appropriate, with some variation in the cornice line on larger buildings.
- b. Sloped roofs are appropriate, and should be within a similar slope/pitch as traditional buildings. It should include a generous eave overhang to facilitate snow shedding and provide shadows that enhance interest and convey a sense of scale.
- c. A combination of a flat and sloped roof is appropriate; however this should not be overly complex in form.



Sloped roofs are appropriate, and should be within a similar slope/pitch as traditional buildings.



A combination of a flat and sloped roof also is appropriate; however this should not be overly complex in form.



A flat roof is appropriate, with some variation in the cornice line on larger buildings.

FAÇADE DESIGN

Design Intent:

The design of a building façade greatly impacts how it is perceived and its relationship to the street and site. The arrangement, rhythm and proportion of elements like windows and doors are all important factors. The overall composition of a wall is also important. Facades should have an orderly rhythm of elements that break down the building into discernible components. A larger building wall should be designed with smaller components to establish a human scale and add visual interest.

Area 1 & Area 2 Design Guidelines:

1.16 Design a building to incorporate a “base, middle, cap” to divide a façade into separate components.

- a. Express a traditional base, middle and cap composition with well-defined ground or lower floors and a distinctive but not overly ornate “cap” element framing middle building floors.

1.17 Arrange elements on a façade to create a generally consistent rhythm and sense of continuity.

- a. Use consistent window and door sizes on a façade.

1.18 Design a building to provide a vertical scale that is similar to nearby traditional buildings.

- a. Use similar floor-to-floor heights.

1.19 Design a building façade to be compatible with its setting.

- a. Generally align façade features, such as canopies, windows and roof cornices on parapets, with those on adjacent traditional buildings. This should not be a ridged alignment, but should provide some variation as is does now.

Area 1 Design Guidelines:

1.20 In Area 1, use a transparency-to-wall ratio similar to that found on traditional buildings in the area.

- a. Provide more transparency at the ground floor, with “punched” window openings provided in the upper floor walls.
- b. Using large areas of glass is inappropriate on an upper floor.

Area 2 Design Guidelines:

1.21 In Area 2, use a transparency-to-wall ratio similar to that found on traditional buildings in the area; however, using an accent feature with more transparency is appropriate.

- a. Glazing should be detailed to convey a sense of human scale.



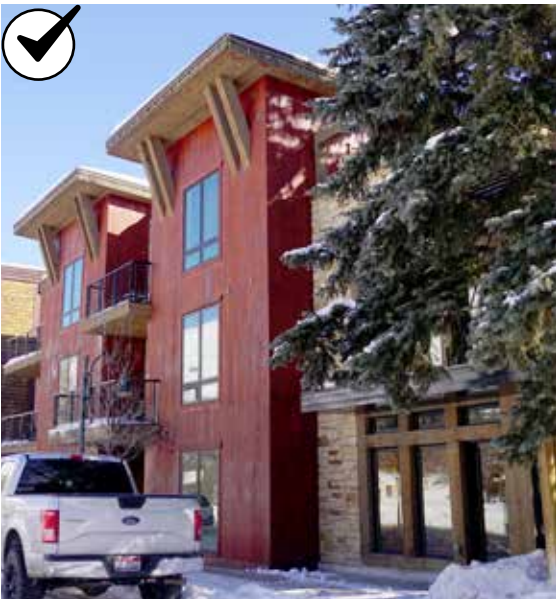
Arrange elements on a façade to create a generally consistent rhythm and sense of continuity.



Express a traditional base, middle and cap composition with well-defined ground or lower floors and a distinctive “cap” element framing middle building floors.



Provide more transparency at the ground floor, with “punched” window openings provided in the upper floor walls.



Use vertical and horizontal articulation techniques to convey a sense of human scale in a building façade.

BUILDING ARTICULATION

Design Intent:

A new building should reflect the scale of traditional buildings. Scale includes not just the overall height and width of a building, but also the sizes and proportions of building features, as they relate to each other and to people. Building features are defined by simple vertical and horizontal articulation techniques that establish a sense of human scale, add visual interest, and prevent monotonous walls.

Area 1 & Area 2 Design Guidelines:

1.22 Use vertical and horizontal articulation techniques to convey a sense of human scale in a building façade.

- a. Articulation methods include:
 - » Using accent lines, fenestration patterns, or similar architectural techniques to create vertical and horizontal expression lines.
 - » Vertical or horizontal variations in materials or color, including transparency-to-wall patterns.
 - » Modest wall plane offsets, such as notches or projections (such as columns, moldings or pilasters)
- b. Providing articulation techniques in buildings is important; however too much variation, which results in an overly busy design, is inappropriate.



Appropriate articulation techniques in this model include:

- building step down (3 to 2-story)
- change in color to define modules
- horizontal banding
- horizontal canopies
- horizontal window patterns
- upper story setback
- wall offsets



Providing articulation techniques in buildings is important; however too much variation, which results in an overly busy design, is inappropriate. There is too much variation in the use of articulation techniques in this building. This includes variations in the application of materials, color, architectural details and features in an attempt to reflect a traditional building size in a larger form.



Providing articulation techniques in buildings is important; however too much variation, which results in an overly busy design, is inappropriate. There is too much variation in the use of articulation techniques in this building. This includes variations in the application of materials, color, architectural details and features in an attempt to reflect a traditional building size in a larger form.



Providing an accent feature with more transparency is appropriate in Area 2.

BUILDING MATERIALS

Design Intent:

Primary building materials should be authentic, durable, and reflect Western Character. Materials should have a muted color and finish, and reflect high quality design and detailing. In Area 1, the palette of materials should be more limited in order promote a sense of visual continuity around the Town Square. In Area 2, more diversity in the materials is appropriate, albeit within the range of those used traditionally.

Area 1 & Area 2 Design Guidelines

1.23 Avoid using materials that are out of scale with those seen traditionally, and have a color, profile, and finish that is out of character.

- Highly polished stone and shiny metals are inappropriate as a building material.
- Huge timber logs, large cut stones, and concrete slabs are inappropriate materials.
- Materials should have a muted color and finish. However, some accent colors are appropriate as long as they have a matte finish and aren't neon or similar.

1.24 Use high quality, durable materials.

- The material should be proven to be durable in the Jackson climate, such as wood when it is properly maintained.
- The material should maintain an intended finish over time or acquire a patina, when it is understood to be a desired outcome.
- Materials at the ground level should withstand on-going contact with the public, sustaining impacts without compromising the appearance.

1.25 New roof materials for sloped surfaces contribute to a sense of visual continuity in keeping with Western Character.

- Appropriate roof materials include:
 - » Standing seam metal roofs (low and narrow seam profile)
 - » Composition shingles
 - » Photo voltaic systems in dark matte, and non-reflective finishes.
 - » Wood shingles??? Fire code
- Inappropriate roof materials include:
 - » Red clay roof tiles, or synthetic simulations
 - » Vinyl shake or similar shingles



Materials should have a muted color and finish, and reflect high quality design and detailing.



Building material should be proven to be durable in the Jackson climate, such as wood when it is properly maintained.

Area 1 Design Guidelines:

1.26 Building materials should contribute to a sense of visual continuity in keeping with Western Character.

- a. The following materials are appropriate (also see the materials chart on the following two pages for images.):
 - » Painted or stained wood siding (horizontal lap or vertical board and batten)
 - » Logs
 - » Stone, as natural rock or cut with a rough, matte finish
 - » Authentic Stucco (scored and textured to provide a sense of scale)
 - » Metal (only as an accent material for a storefront or windows) with a matte finish



Primary building materials should be authentic, durable, and reflect Western Character.

Area 2 Design Guidelines:

1.27 Building materials should contribute to a sense of visual continuity in keeping with Western Character.

- a. In Area 2, the use of the following materials is appropriate (also see the materials chart on the following page for images.):
 - » Wood siding (usually horizontal lap, although sometimes vertical board and batten. These are stained or painted)
 - » Stone, as natural rock or cut with rough/matte finish
 - » Brick
 - » Authentic Stucco (scored and textured to provide a sense of scale)
 - » Logs
 - » Architectural cast concrete (as an accent material that is scored to provide a sense of scale)
 - » Metal with a matte finish (typically no more than 20% of the building front)
 - » Cement-board panels and lap-siding that is scaled similar to traditional materials
- b. If using alternative materials they should also have a similar profile, texture and finish as natural materials. Some synthetic siding has an exaggerated, rusticated finish that is an inaccurate representation of authentic clapboard and should not be used. Other inappropriate materials include:
 - » Vinyl siding
 - » Aluminum siding
 - » Unfinished concrete masonry unit (CMU) as a primary material



Building materials should contribute to a sense of visual continuity in keeping with Western Character. These buildings use an appropriate combination of materials for Area 2.

Materials Chart



Formed concrete (wood-like)



Cast concrete (artistic)



Formed concrete (artistic)



Formed concrete (colored blocks)



Natural stone



Natural stone



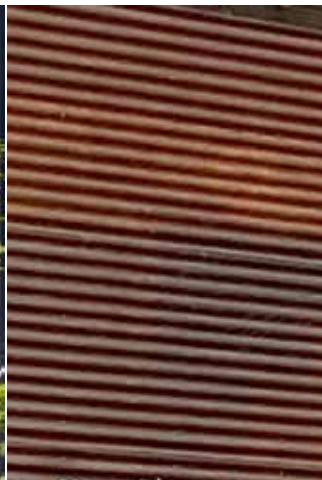
Slate tiles



River rock



Metal panel (crimped battens)



Corrugated metal (rusticated)



Metal lap



Metal panel (rusticated)

Materials Chart



Timber



Wood slat



Vertical boards (stained)



Vertical boards (weathered)



Chinked logs



Stained wood lap



Natural wood lap



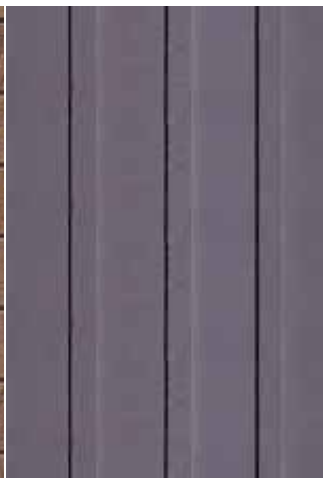
Burl wood



Cement board (lap)



Cement board (grooved)



Cement board (board & batten)



Cement board (timber-like)

ARCHITECTURAL DETAIL

Design Intent:

Buildings should include architectural detailing that is simple in character, provides a sense of scale, provides visual interest, and is authentic in its application of materials. Architectural details that reflect these Western Character attributes include:

- Frames and moldings around windows and doors
- Simple cornices at parapets
- Awnings or sloped canopies to shelter the sidewalk and shade display windows
- Canopy posts
- Entry porticoes
- Authentic application of materials
- Support systems

Area 1 & Area 2 Design Guidelines

1.28 Simple, authentic and unembellished architectural detailing is appropriate.

- Elaborate architectural treatments, such as decorative moldings at cornices, windows and door surrounds, are inappropriate.
- Exposed timber structural elements are appropriate as detailing.
- Simple or stepped parapet walls are appropriate.
- Tacked-on detailing is inappropriate.
- Materials should typically transition at inside corners, belt courses, cornice lines, foundation lines, window and door moldings, and similar.



In Area 1 & 2 simple, authentic, and unembellished architectural detailing is appropriate as shown in the three images above.



Simple or stepped parapet walls are appropriate; however, the mixed cornice treatment is inappropriate since it is too busy.



In Area 2 this building would be appropriate with the exception of the following details since they don't reflect authentic architectural details. These occur on the upper floor and include tacked-on window sills and sloped roof components.

Architectural Detailing: Simple, Authentic and Unembellished for Area 2



Anchor system



Framing connections



Framing connections



Material change



Material change



Material change



Metal frame system



Metal frame system



Material change



Material change



Material change



Material change

From: [Paul Anthony](#)
To: [Tiffany Stolte](#)
Subject: FW: UPDATE: Hist Pres & Town Square
Date: Tuesday, September 01, 2020 3:32:38 PM

Can you put this in the public comment folder for P19-095? Thanks, Paul.

From: John Holland <jholefisher@yahoo.com>
Sent: Monday, August 24, 2020 10:35 PM
To: Paul Anthony <panthony@jacksonwy.gov>
Subject: Fw: UPDATE: Hist Pres & Town Square

Paul

Thanks for the call last week to clarify the attached and discuss some of my initial thoughts on the draft Historic Preservation Program LDRs. This is a very exciting development for the community and I sincerely hope we can make real progress on this initiative.

I wanted to quickly put some of my higher level reactions to the initial draft in writing in hopes that it might be helpful to your next iteration and open discussion with the public in the next phase. As an active community member who considers himself to be living on the bleeding edge of historic preservation -- having just spent two years and considerable capital getting the Coe cabin properly renovated and just recently getting it back online for commercial operation as a restaurant, Coelette -- I am feel as though I am the target audience here. Preservation has proven to be an incredibly expensive undertaking in Jackson -- amongst other things, one needs to factor in the premium cost to renovate over new build construction in general, the existing deteriorated state of our frontier buildings that in many cases have not been well built or maintained over time, modern seismic and snow load engineering code requirements, upgrades for ADA compliance, and other potential headwinds. Absent substantial incentives, I honestly don't foresee others jumping into this game here as we did. Even backing out all our personal time overseeing and managing the Coe project, the project only afforded us a very modest/well below market return in the status quo environment -- best case. Worst case is that you are effectively making a charitable donation to the community by losing money trying to preserve a historic building. These incentives are needed in a big way should the Town want to make a big difference and change the potential risk reward and return profile to something more palatable.

To that end, the first draft incentives represent a *good* first step by the town to create a basket of incentives that give preservation minded developers/owners a chance to consider doing more preservation. I will tell you that ALL of these as written (no paring back) are going to be required to start to make a difference to myself and other developers interested in making the tradeoff on entering the program. I say that keeping in mind that we have two more historic buildings on our block in need of substantial repair that we will need to make the business decision in the next two years on in addition to the project we just got back online. So, it is very much still top of mind what the Town passes on this program and will determine our path on our block. With only the one current incentive in place (workforce housing mitigation credit which we are grateful for nonetheless) we had on the first Coe project, we can't economically entertain doing more as the costs are too prohibitive. If the draft basket of incentives as written (and more) are passed, we might have a different opportunity go forward on our existing project and new ones.

One area I would challenge you to think constructively -- again, as all tools and economic incentives are necessary to induce more preservation -- is to consider the ability for properties who are preserving historic buildings to be able to potentially transfer/sell their unused workforce housing mitigation credits to another willing buyer in the same vein as you are designing the TDR program. Economically this is likely the second largest incentive of value after TDRs and I was a bit surprised that an owner who goes through with a preservation project and has excess workforce housing credits to use (and chooses not to use), is not able to monetize those like the TDRs. I would encourage you to consider that in your next iteration as it's a compelling benefit lost in the current format.

I appreciate why the Town has opted to put the burden of establishing a value for the TDRs transferred to the seller and buyer. I sense the Town does not want to get in the business of "banking" development rights. That said, you should keep in mind that Town's position puts an additional burden on the seller to find a buyer who can meet the vesting requirements and that process may also create as a contingency for buyer's committing to that TDR process. I still think the program could work potentially as drafted, but I'd point out that there is a decent sized burden put on the seller to orchestrate finding and facilitating a buyer which is less ideal to kick start the program.

I would encourage you to look to the Preservation Board to designate and fast track a list of structures that are either a Registered Historical Resource or select Structures of Merit that meet obvious historic designation criteria at the very outset of the program; the point being to help jump start the program, designate an appropriate subset of properties that could automatically opt in to the program based on Preservation Board prior work versus have everyone have to apply one by one to be designated into the Registered Historic Program/Structure of Merit and then be eligible for the incentive program. Through the existing demo permit/90 day stay process and their existing surveys/historical database, it stands to reason they have a good idea of what the eligible structures already are. It could help taking the one step out of the overall process. Can elaborate more, but I think you get the gist.

I would also point out that I think you would benefit significantly by further elaborating on and establishing a clear understanding of which Town office or entity/ties in particular will be overseeing the "Maintenance" portion of deed restricted historic buildings. I think participating parties will want to understand who they will be dealing with on these new programs day in and day out should they be entertaining getting into an 'in perpetuity' arrangement.

I'm sure I'll have more thoughts as we go, but I wanted to get these initial key thoughts out to you while they were fresh. Again, I applaud the direction we are contemplating heading but, as always, the devil is in the details on the final incentives.

My best, John

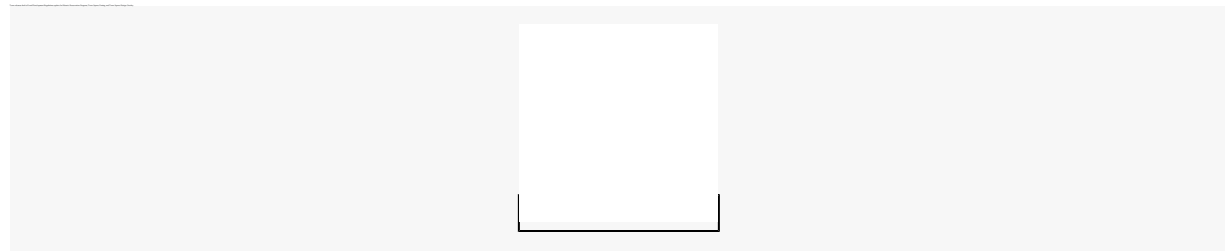
----- Forwarded Message -----

From: Town of Jackson Planning Department <kmalone@tetoncountywy.gov>

To: "jholefisher@yahoo.com" <jholefisher@yahoo.com>

Sent: Wednesday, August 19, 2020, 02:12:12 PM PDT

Subject: UPDATE: Hist Pres & Town Square



*Town releases public draft of Land Development Regulations
(LDRs) update for Historic Preservation Program, Town
Square Zoning, and Town Square Design Overlay*

[Click here to take a survey and
read more...](#)



The Town of Jackson has released for public comment three draft documents that:

- Establish a new Historic Preservation program,
- Update the zoning standards for the Town Square area, and
- Establish a new Town Center Design Overlay that provides architectural standards to protect the western character of the Town Square area.

The public may review all of the proposed materials, including narrated videos that summarize the proposed changes, and take a survey at the link

[HERE](#)

Please refer to this website for all updates to the proposed documents and for the project's review schedule, such as public hearing dates.

The Town Planning Commission will hear this item at 5:30 on September 2, 2020, and the Council hearing is tentatively scheduled for October 12, 2020 at 6pm. Participants are encouraged to attend all public meetings remotely by using the meeting link on the "agendas" page of the Town's website. Public comment, however, will be accepted at any time and may be sent to Tiffany Stolte at tstolte@jacksonwy.gov. The Town's goal is to adopt the updated regulations and design guidelines by the end of 2020.

"We are really excited about these proposed changes because they have the potential to really help the community preserve its heritage and character,

especially around the Town Square, in ways that are innovative for the community.”

-Paul Anthony, Town of Jackson Planning Director



Copyright © 2020 Teton County Planning Department, All rights reserved.

You are receiving this email because you have attended a planning public engagement event in the past or because you opted to receive updates.

Our mailing address is:

Teton County Planning Department
200 S Willow St
Jackson, Wy 83001

[Add us to your address book](#)

Want to change how you receive these emails?

You can update your [preferences](#) or [unsubscribe from this list](#).

