

AGENDA

Planning and Zoning Commission

November 1, 2023 – 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 8:00 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 <<MEETING DATE>> 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. ZOOM INFORMATION

I. To join, click the link or copy to your browser:

<https://us02web.zoom.us/j/89718076563?pwd=YUxVQmFLQXpmQnVsWm5zQVNOTGJOdz09>

If the link does not work, join at zoom.com with Webinar ID 897 1807 6563 Password: 83001

2. CALL TO ORDER

3. ROLL CALL

4. MATTERS FROM THE PUBLIC

5. APPROVAL OF MINUTES

I. September 6, 2023 Regular Meeting Minutes

6. OLD BUSINESS

7. NEW BUSINESS

8. BOARD OF ADJUSTMENT

9. PLANNING COMMISSION

I. NH-1 Text Amendment 4th Story/Commercial (Tyler Valentine)

10. MATTERS FROM THE COMMISSION

11. AGENDA FOLLOWUP

12. MATTERS FROM STAFF

13. ADJOURNMENT

**MINUTES
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
September 6, 2023**

The meeting of the Planning and Zoning Commission was called to order at 5:34 p.m. on 9/6/2023, via ZOOM and in Town Hall Chambers.

ROLL CALL:

☒ Anne Schuler ☒ Katie Wilson, ☒ Abby Petri, ☐ Christie Schutt ☐ Thomas Smits ☒ Steph Wise

STAFF: Katelyn Page, Paul Anthony

MATTERS FROM THE PUBLIC: None

APPROVAL OF June 21, 2023 MINUTES: A motion was made by Schuler and seconded by Petri.

Motion approved by a 4 to 0 vote.

OLD BUSINESS: None

PLANNING COMMISSION

ITEM P23-105: 655 and 665 S. Cache St. – Development Plan

STAFF PRESENTATION: Katelyn Page

QUESTIONS FOR STAFF:

APPLICANT PRESENTATION: Brad Hoyt

QUESTIONS FOR APPLICANT: Is there bike parking for commercial businesses? Bulb out utilization questions. Is the setback and stepback per the LDR's not feasible? The gap is awkward space.

PUBLIC COMMENT: Julien Hass: suggestion to explore underground parking.

COMMISSION DISCUSSION: The 3 ½ foot walkway is an issue, including for future projects, and we need to be consistent with applying the LDR standards. To accept a variance application, there needs to be a stronger justification than what exists.

Motion: I move to **recommend approval** to Town Council of a new 3-story mixed use building at the properties addressed at 655 and 665 S. Cache Street, subject to the departmental reviews attached hereto, this staff report and the twelve (12) conditions outlined in the staff report dated September 6, 2023 with the added condition that the project meets the side setbacks as stated in the LDRs.

A motion was made by Anne Schuler and seconded by Steph Wise

Motion approved by a _4_ to _0_ vote.

MATTERS FROM COMMISSION:

MATTERS FROM STAFF: GIS meeting with the County and Dewberry September 5, 2023 regarding missing information, issues, changes needed. Short-term rentals amendment passed 3 Town Council readings, will be working on public information. Northern South Park next steps are rezoning, then masterplan. Housing mitigation deregulation statewide discussion. Staffing changes in Planning Department. Will be understaffed for a bit. 2 for 1 bonus building review. Is it working? LDR cleanup is approved and will go before Town Council for the 3 readings. Bicycle parking and Karns Meadow rezone is going for first readings next week. RFP for Virginian property. Workplan update. Set for the fiscal year. Some SPET housing projects are moving forward.

Adjourn: A motion was made by _Schuler ___ and seconded by _Petri ___.

Motion approved by a _4_ to _0_ vote at 7:07 pm.

STAFF REPORT



Meeting Date:	November 1, 2023	Meeting Title:	Planning Commission
Submitting Department:	Planning	Presenter:	Tyler Valentine
Agenda Item:	Request for a Land Development Regulation (LDR) Text Amendment to Section 2.2.9 & Section 6.1.11 (P23-168)	Public Comment:	Yes

Purpose & Policy Considerations.

All Text Amendments to the Town of Jackson Land Development Regulations (LDRs) require review and recommendation by the Planning Commission according to LDR Section 8.7.2. The Town Council makes the final decision on all LDR Text Amendments.

Requested Action.

The applicant, Jackson Teton County Housing Authority, is requesting approval of an LDR Text Amendment to add a Workforce Housing Incentive to the Neighborhood High Density-1 (NH-1) zoning district by allowing a 4th story and height bonus for sites that meet certain criteria. In addition, the applicant is proposing to introduce Local Convenience Commercial as a new Accessory Use in the NH-1 zoning district for sites that meet certain criteria. The proposed text amendment would modify the following sections of the LDRs:

- Section 2.2.9.A - Intent
- Section 2.2.9.C – Use Standards
- Section 2.2.9.E – Additional Zone-Specific Standards
- Section 6.1.11 – Accessory Uses

Recommendation.

The Planning Director recommends approval of LDR Text Amendment P23-168 to allow a 4th story and height bonus and to add Local Convenience Commercial as an Accessory Use in the NH-1 zone, subject to the proposed changes in this staff report and the department reviews attached hereto.

Background.

In 2018, the NH-1 zone replaced multiple zones in the Town, namely the Urban Residential (UR) zone, Auto-Urban Residential (AR) zone, Neighborhood Conservation (NC) zone, and Business Conservation (BC) zone. When the NH-1 zone went into effect, it was the residential zone with the highest allowed density and the only zone to have a minimum density requirement of 17.4 units per acre which was intended to discourage “underdevelopment” of properties that are optimally located to accommodate higher-density housing compared to typical single-family homes. This approach aligns with the Comprehensive Plan goal of building denser residential projects in Transitional subareas that house our workforce close to services and jobs.

Early in 2023, the Town Council and County Commissioners expressed interest in purchasing the 5.15-acre Virginian Recreational Vehicle (RV) Park at 90 Virginian Lane for the purpose of developing it for workforce housing. The property went under contract in April 2023 and was purchased several months later. During Joint Information Meeting discussions surrounding the purchase, the Town Council and County Commissioners directed staff to bring back an LDR Text Amendment to the NH-1 zone that would maximize the allowed density (i.e., a 4th story workforce housing bonus) and provide flexibility to allow limited accessory commercial uses (i.e., Local Convenience Commercial) which is the purpose of this text amendment request. The idea of

the proposed 4th story height bonus and Local Convenience Commercial in NH-1 comes from two existing zones, Office Residential (OR) and Commercial Residential – 3 (CR-3) zones, which already have very similar allowances. While this text amendment is being processed, the Town Council and County Commissioners are still reviewing the draft Request for Proposals which will likely be released to the public in late November or early December of 2023.

Background on 4th Story Bonus - In 2015, the Town Council approved an amendment to the LDRs to allow additional height (48') and a 4th story in the Urban Residential (UR) zone if the property was at least 2 acres in size, the additional floor area on the 4th story (or an equivalent) was deed restricted for the workforce, and if other criteria were met. This amendment was proposed by the Jackson Hole Mountain Resort (JHMR) as a tool that was intended to apply to their Powderhorn Planned Unit Development (PUD) dormitory development. It is important to note that the UR zone no longer exists in the LDRs but that the same height and 4th story bonus option now exists only in the CR-3 zone using the same criteria. Since its inception, the Powderhorn PUD, Sagebrush Apartments, and The Loop are the only developments to use the 4th Story Bonus

Background on Local Convenience Commercial - In 2016, the OR zone was created in place of existing residential zoning that allowed office uses through an Office Use Permitted overlay. When OR was introduced, the Town included a new use category called Local Convenience Commercial which consisted of limited retail and service uses. The zone limits one retail or service use per lot of record not to exceed 2,000 square feet. Overall, Local Convenience Commercial was intended to provide uses that serve the needs of the immediate neighborhood to avoid drawing vehicular traffic from the community at large. Appropriate uses include coffee shops, small eateries, local markets, banking services, dry cleaning, pharmacies, etc. Local Convenience Commercial is specifically mentioned 18 times in the Comprehensive Plan and is an encouraged use category throughout town supporting "Town as Heart". (Note - the current criteria for Local Convenience Commercial in the OR zone is nearly the same as the applicant's proposal for NH-1). To date, no Local Convenience use has been formally established in the Town but there are pre-existing examples of the use, such as Bud's Liquor.

Proposed Amendment.

The applicant, Jackson Teton County Housing Authority, is requesting approval of two LDR Text Amendments. First, the applicant is proposing to add a Workforce Housing Incentive to the Neighborhood High Density-1 (NH-1) zoning district by allowing a 4th story and height bonus for sites that meet certain criteria. As proposed, if a site meets the specified criteria, one of which being that the site must be at least 2 acres or larger, a 4th story & 48' height would be allowed provided the floor area dedicated to the 4th story is 100% deed restricted. In addition, the floor area of the 4th story would be exempt from the maximum Floor Area Ratio (FAR) and from the review thresholds in the NH-1 zone. The criteria proposed for NH-1 are nearly the same as the criteria for a 4th story in the CR-3 zone, the main difference being that the 4th story bonus can be used for parking serving deed-restricted units of the project. Please refer to the language in red below for a full list of the specified criteria.

Second, the applicant is proposing to introduce Local Convenience Commercial as a new Accessory Use in the NH-1 zoning district for sites that meet certain criteria, some of which are similar to the criteria for the 4th story bonus above (i.e., applicable sites must be 2 acres or larger). Local Convenience Commercial is proposed as small-scale commercial, amusement/recreation, or institutional use that is secondary to the principal residential use of the property intended to serve the daily needs of year-round residents living within close proximity to the project. Uses would include markets, groceries, eateries, pharmacies, daycares, dry cleaning,

and banking services. The criteria proposed for NH-1 are very similar to the criteria for Local Convenience Commercial in the OR zone, the main difference being that OR is limited to Retail and Service commercial while as proposed there would be additional commercial uses allowed. Please refer to the language in red below for a full list of the specified criteria.

Aside from the Town Council and County Commissioner's direction to bring these text amendments forward, the applicant states that the primary objectives for these amendments are to 1) incentivize the production of deed-restricted affordable and workforce homes via access to additional development potential in the form of a 4th story allowance in the NH-1 zone, and 2) enhance vibrant, walkable, complete neighborhoods via clarification of the terms and circumstances in which limited nonresidential uses can be classified as accessory support to a contiguous surrounding neighborhood in the NH-1 zone.

Below are the LDR sections affected by this text amendment with the proposed language in red type:

Section 2.2.9.C – Use Standards

[Use Table]

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density	Individual Use (max)	Parking (min)	Affordable Workforce Housing Units (min)
Accessory Uses					
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	n/a	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
<u>Local Convenience Commercial (6.1.11.I) (E.3)</u>	<u>B</u>	<u>E.3</u>	<u>2000sf</u>	<u>independent calculation</u>	<u>exempt</u>
Temporary Uses					
Temporary Shelter (6.1.11.D.)	B	1 unit per lot (max)	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

LDR Section 2.2.9.E. Additional Zone-specific Standards

[1. Minimum Density]

2. Workforce Housing Incentive for Additional Height. A structure may be 48 feet in height and 4 stories provided the following criteria are met.
 - a. The following standards apply to the amount of additional floor area achieved through the increase in structure height; however, the actual floor area to which the following standards apply may be distributed throughout the structure.
 - i. It shall be deed restricted workforce, affordable, or employee housing with an occupancy restriction;
 - ii. It may have an employment and/or price restriction.
 - iii. It shall be exempt from the calculation of affordable housing required but shall not be used to meet the affordable housing requirement for the project.
 - iv. Fourth story may be used for parking that serves the deed restricted residential units.
 - b. The project shall provide the affordable housing required by Div. 6.3. on site.
 - c. The site shall be at least two contiguous acres to provide opportunity for sufficient setback from, and building height step down to small scale development.
 - d. The site shall be served by transit within 1/4 mile.
 - e. The site shall be within 1/4 mile walking distance from numerous commercial services routinely needed by residents.
 - f. The additional building height shall not increase the floor area allowance or decrease the required open space.

LDR Section 2.2.9.E. Additional Zone-specific Standards

[1. Minimum Density]

[2. Workforce Housing Incentive for Additional Height proposed above]

3. Accessory Local Convenience Commercial. This accessory use is only allowed on sites with development meeting the following criteria.
 - a. The development site shall be at least two contiguous acres to ensure that sufficient demand for local convenience services is supported by the surrounding neighborhood within a walkable distance for customers.
 - b. The Accessory Local Convenience Commercial total floor area shall be 15% or less of the total floor area on the site.
 - c. Customer space for each Local Convenience Commercial shall be located on the ground floor and attached to a Primary use.
 - d. All parking shall be provided on-site and shall be located to the rear of the structure or in another location that is visually unobtrusive, or shall be located off-site in the form of 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.
- e. Loading Requirement. Sufficient off-street loading facilities must be provided. The requirements of 6.2.2.E are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.

LDR Section 6.1.11. – Accessory Uses

[Subsections A, B, C, D, E, F, G, H]

I. Local Convenience Commercial

1. Definition. An Accessory Local Convenience Commercial use is a small-scale Commercial, Amusement/Recreation, or Institutional use that is secondary to a principal residential use of the property. The intent is that the goods sold and services provided serve the daily needs of year-round residents living within close proximity to the project, such as markets or groceries, pharmacies, eateries, day cares and dry cleaning/laundry.

- a. Includes:

- i. Retail (6.1.6.C)
- ii. Service (6.1.6.D)
- iii. Restaurant/Bar (6.1.6.E)
- iv. Amusement (6.1.7.B)
- v. Development Recreation (6.1.7.D)
- vi. Daycare/Education (6.1.8.C)

2. Primary Uses:

- a. Attached Dwelling Unit (6.1.4.C)
- b. Apartment (6.1.4.D)
- c. Dormitory (6.1.4.F)
- d. Group Home (6.1.4.G)

3. Standards:

- a. Zone Specific Standards Also Apply. In addition to the standards of this subsection, applicable standards for this use may also be found in Subsection C and/or E for the Section of the Zone in which this use is located.

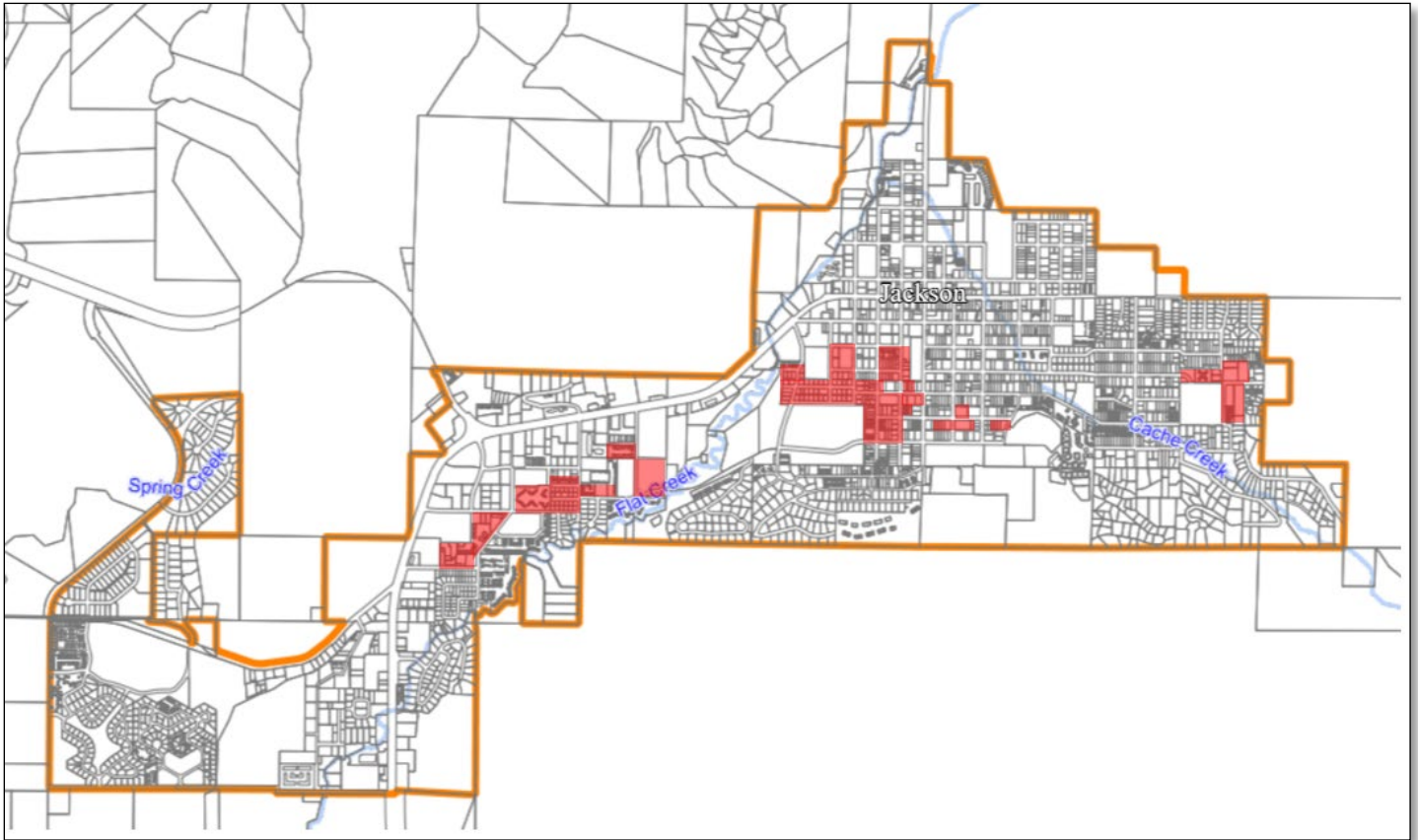
Staff Analysis.

After reviewing the proposed text amendment, staff finds that as conditioned it complies with the general intent of the NH-1 zone and the general purpose and organization of the LDRs. As stated in the findings section below, removing barriers to housing and encouraging denser workforce housing projects is a primary goal of the Comprehensive Plan and the 4th story bonus incentive provides a tool for larger sites to achieve our housing objectives. In addition, the NH-1 zone is also an appropriate zone for the 4th story bonus. The zone already encourages and allows the highest residential densities among all the residential zones through the minimum density rule and the 2:1 Workforce Housing Bonus. Furthermore, since the tool applies to a limited number of properties in town due to the 2-acre minimum site rule, accompanied by the stepping down/setting back standard, staff does not find that the tool will significantly impact the zone or the neighborhood.

Regarding the Local Convenience Commercial, staff also agrees that allowing accessory commercial uses that are limited in size and tied to a primary residential use would benefit not only the development but also the surrounding neighborhood through the convenience of goods and services. Local Convenience Commercial is mentioned numerous times in the Comprehensive Plan and is tied to defining “Community Character”. From the local coffee shop to a small eatery to a salon, these small-scale commercial uses enhance community character, encourage a healthy mixture of uses, and provide convenience to the local neighborhoods. Similar to the 4th story bonus incentive, staff does not find that this provision will significantly impact the zone or the neighborhood due to the 2-acre minimum site rule which limits the number of applicable sites. In fact, Local Convenience Commercial has existed in the OR zone since 2016 and not a single property has taken advantage of the use through either new development or conversions. Staff does point out that the Local Convenience Commercial in the OR zone is slightly different than NH-1 in that only Retail and Service uses are allowed as accessory uses, whereas the NH-1 proposes several allowed accessory commercial uses which include retail, service, restaurant/bar, amusement, developed recreation, etc. In a future LDR Clean Up, it is likely that the Local Convenience Commercial in OR will be addressed to determine if it needs to be changed to allow the full gamut of uses.

In terms of impact, there are over 170 properties zoned NH-1. However, staff estimates the proposed changes would apply to less than 10% of the NH-1 zone, or about 10 sites (i.e., 2 or more contiguous acres of land). However, among those sites, only about 3 of them are under common ownership and the others are under some form of Homeowner’s Association (condos or townhomes), such as Elk Run or Creekside Condominiums. The degree to which this subset of properties could take advantage of the proposed changes is not known but staff does not anticipate much participation since nearly all applicable properties regardless of ownership status are developed and it is unlikely these sites would be scraped for redevelopment or have existing space to expand. In addition to the applicable sites that already have 2 acres or more of contiguous land, this does not preclude the aggregating of multiple properties into a larger site to obtain the two-acre minimum site area. This has most recently occurred as part of The Loop project. It also does not preclude a property owner of a differently zoned property from requesting and being approved for a zone change to NH-1. The map on the following page shows all NH-1 zoned properties in red:

NH-1 zoned properties in red:



One area of concern regarding the 4th story bonus is related to a recent development trend in Jackson, which is the development of larger-than-usual buildings on existing sites or sites created through the aggregation of land and the difficulty the Design Review Committee has had in applying the Design Guidelines. Recent examples of large projects presenting a design challenge include the Pearl/Cache project and The Loop project. In general, the bulk and scale of certain larger developments have brought up community concerns/discussions on the topic of “community character”. In fact, the Town Council is already aware of these concerns and will be discussing them separately in the coming months. As proposed, criteria “c” of the 4th story bonus requires that the building be “setback from, and building height stepped down to small-scale development” which addresses adjacent private property. However, that standard does not address the street. In response, staff proposes a clear 4th story stepback standard for street facades to address how the building interacts with the street. Being that similar language already exists in several other mixed-use zones, staff proposes adding the following language in red type to LDR Section 2.2.9.E.2 under the proposed 4th story bonus incentive:

LDR Section 2.2.9.E.2

[Subsections a, b, c, d, e, f]

g. For all street facades, the 4th story shall be stepped back a minimum of 10’ for at least 40% of the overall façade width. Roofs above the stepped-back portions may encroach a maximum of 3’ into the 10’ stepback.

Staff has confirmed with the applicant that the proposed language above is reasonable.

Regarding the intention of the NH-1 zone, staff finds it appropriate to modify the general intent narrative to mention accessory commercial uses and four-story buildings in certain circumstances. Currently, the general intent narrative does not mention any commercial uses even though the zone already allows Home Occupations and Home Businesses within a primary residential use. The general intent section also does not mention a 4th story. Staff proposes the following changes in red type to LDR Section 2.2.9.A. in order to improve the consistency of the language within the NH-1 zone:

LDR Section 2.2.9.A

A. Intent.

1. **General Intent:** The intent of the Neighborhood High Density 1 (NH-1) zone is to provide for high density residential development and to promote workforce housing types using a broad range of attached residential types in a pedestrian-oriented environment. **In addition, limited neighborhood-serving commercial uses are allowed as an accessory use to residential developments on larger sites that meet specified criteria described below in Section E.** The size of individual buildings will be limited by the application of required dimensional standards, such as FAR, setbacks, and parking, and not by a prescribed standard. Care will be given to ensure that new development respects and enhances the character and cohesiveness of existing residential neighborhoods. This zone is intended for Transitional neighborhoods where increased residential density and workforce housing are intended.
2. **Buildings:** Buildings of three or more attached units can be up to three stories in height. Single or multiple detached buildings, each building with multiple units, on a site is common. Incentives are provided to encourage variety in roof **pitch, design, and on certain sites a 4th story workforce housing bonus.**
3. **Parking:** Parking is provided primarily on-site in surface or underground garages or with surface parking. Parking is typically accessed from a primary street or alley if present.
4. **Land Use:** The full spectrum **of residential** from a detached home to whatever size building can fit the site based on the minimum required density (17.4 units/acre) and the dimensional limitations, such as FAR, setbacks, and parking. Apartments take the place of ARUs because they provide greater flexibility. **In addition, limited neighborhood-serving commercial uses are allowed as an accessory use to residential developments on larger sites that meet specified criteria described below in Section E.**
5. **Comprehensive Plan:** Based primarily on Subarea 3.2 in the Comprehensive Plan.

Factors for Consideration.

Pursuant to Section 8.7.2 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. The primary purpose of the LDRs is to implement the goals expressed in the Comprehensive Plan and promote the health, safety, and general welfare of present and future generations. As conditioned, staff finds that both text amendments meet numerous Comprehensive Plan goals and objectives. Generally speaking, the 4th story bonus allows more opportunity for deed-restricted

housing allowing access to stable housing which protects the welfare of our community. This amendment also allows additional housing to be built in complete neighborhoods near services which reduces single-vehicle trips supporting the goals within two of the major Common Values of Community Character: Ecosystem Stewardship and Growth Management. In addition, the 4th story bonus criteria are consistent with the organization of the LDRs as they provide predictable standards similar to those that are already in place in the LDRs, specifically the CR-3 zoning district.

Staff also finds that the proposed Local Convenience Commercial use as an Accessory Use is consistent with the purposes and organization of the LDRs. The Comprehensive Plan mentions Local Convenience Commercial 18 times and encourages these local uses throughout the Town to foster a cohesive mix of uses that allow local residents to be served close by their homes lessening the need to drive across Town for certain purchases and/or services. The proposed Local Convenience Commercial is not a new use category but is modeled after the OR zone which currently has a similar version and thus incorporating the use and standards into the NH-1 fits would be seamless and provide predictable standards for those sites that meet certain criteria.

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

Complies. As conditioned, the proposed text amendments improve the consistency with other provisions of the LDRs by allowing incentives and accessory uses that are already allowed in other zones such as CR-3 and OR. These incentives and accessory uses are consistent with the various efforts made in the 2018 town-wide rezone that also allowed and encouraged higher densities, housing bonuses, and a mixture of uses. Since the LDRs already allow similar incentives and uses, staff find that the proposed text amendment is consistent with the current tools available to provide flexibility for building workforce housing and a mixture of uses.

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

Complies. As conditioned, staff finds that the proposed text amendments provide flexibility for certain landowners who qualify for the specified criteria to build additional workforce-restricted housing and/or Local Convenience Commercial uses. As with any bonus or use, the proposed amendments would allow owners to develop new projects or develop incrementally within an existing development provided they comply with the NH-1 standards and addition criteria. In addition, since these changes are optional and do not apply to all NH-1 zoned properties, staff does not find that there will be a significant impact on the overall character of the zone. Finally, the criteria applicable to these text amendments are clearly defined and do not conflict with other applicable standards.

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

Complies. Staff finds that as conditioned the proposed text amendments are necessary to address a public necessity. With rising living costs, limited land to develop, and a limited housing supply, the need for stable workforce housing in Jackson is at the forefront of public necessity. The 4th story bonus, which is already active in the CR-3 zone, is just one of many existing incentives in place geared at reducing barriers to housing and encouraging denser workforce housing developments. The 4th story

bonus incentive will help address the housing needs sooner rather than later while being built within criteria that are appropriate for the desired character of the area. Regarding the Local Convenience Commercial use in NH-1, staff finds that it will not impact the primary residential use of the development, but rather enhance it through the provision of smaller-scale businesses that offer needed goods and services close to where people reside.

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

Not applicable per WY state statute.

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

Complies. The proposed amendment does not conflict with any other Town Ordinances.

Staff Impact.

Staff has spent approximately 40 hours to complete research on this topic and prepare this staff report.

Attachments or Links.

Application packet
Departmental reviews

Suggested Motion.

I move to **recommend approval** of the proposed LDR Text Amendment (P23-168), based upon factors 1-6 in Section 8.7.2.C of the Land Development Regulations as presented and modified by staff in this staff report dated November 1, 2023.



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: _____
Physical Address: _____
Lot, Subdivision: _____ PIDN: _____

PROPERTY OWNER.

Name: _____ Phone: _____
Mailing Address: _____ ZIP: _____
E-mail: _____

APPLICANT/AGENT.

Name: _____ Phone: _____
Mailing Address: _____ ZIP: _____
E-mail: _____

DESIGNATED PRIMARY CONTACT.

_____ Property Owner _____ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit

_____ Basic Use
_____ Conditional Use
_____ Special Use

Relief from the LDRs

_____ Administrative Adjustment
_____ Variance
_____ Beneficial Use Determination
_____ Appeal of an Admin. Decision

Physical Development

_____ Sketch Plan
_____ Development Plan
_____ Design Review

Subdivision/Development Option

_____ Subdivision Plat
_____ Boundary Adjustment (replat)
_____ Boundary Adjustment (no plat)
_____ Development Option Plan

Interpretations

_____ Formal Interpretation
_____ Zoning Compliance Verification

Amendments to the LDRs

_____ LDR Text Amendment
_____ Map Amendment

Miscellaneous

_____ Other: _____
_____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____

Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

_____ **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

_____ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

_____ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Kristi Malone
Signature of Property Owner or Authorized Applicant/Agent

Date

Name Printed

Title

EXISTING TEXT TO BE AMENDED

This application requests amendment to the Town of Jackson Land Development Regulations (LDRs) to add the Workforce Housing Incentive for Additional Height option to the NH-1 zone-specific standards for development sites that meet specified criteria. This request also proposes introducing Local Convenience Commercial as a new Accessory use to Primary residential uses with use allowance limited to the NH-1 zone under specified criteria.

Existing LDR sections to be amended:

- Adding 2.2.9.E.2 Workforce Housing Incentive for Additional Height to NH-1 Zone-specific Standards
- Adding Local Convenience Commercial to the use table for NH-1 in Section 2.2.9.C Use Standards
- Adding 2.2.9.E.3 Accessory Local Convenience Commercial to NH-1 Zone-specific Standards
- Adding 6.1.11.I Local Convenience Commercial as a new Accessory use classification
- Updating applicable cross-references to ensure continuity throughout the LDRs

A redline version of the proposed text amendment is included in this application.

NARRATIVE DESCRIPTION OF THE OBJECTIVE

The primary objectives of the proposed text amendment are to:

1. incentivize the production of deed restricted affordable and workforce homes via access to additional development potential in the form of a fourth story allowance in the NH-1 zone; and
2. enhance vibrant, walkable, complete neighborhoods via clarification of the terms and circumstances in which limited nonresidential uses can be classified as accessory support to a contiguous surrounding neighborhood in the NH-1 zone.

FACTORS FOR CONSIDERATION

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

Complies. The **purpose** of the LDRs is “to implement the Jackson/Teton County Comprehensive Plan and promote the health, safety, and general welfare of the present and future inhabitants of the community...” Allowing greater opportunity for deed restricted affordable and workforce housing within an appropriate contextual scale and density setting improves access to safe, stable housing, thereby protecting the welfare of our community. Enhancing the completeness of higher density neighborhoods in the NH-1 zone by allowing secondary support uses like bodegas, coffee shops, and gathering places improves the quality of life of residents and reimagines neighborhoods on a scale of integrated community vibrancy via social connection and physical proximity to common everyday nonresidential services. A complete analysis of how the proposed LDR amendments will implement the Jackson/Teton County Comprehensive Plan is included in section 5, below.

Consistency with the **organization** of the LDRs is supported by both integrating and modeling the proposed text amendment to match the formatting and language of relevant existing sections of the LDRs. The proposed language to add a fourth story restricted housing option to sites meeting specific criteria in the NH-1 zone was replicated from the same language currently in the CR-3 zone for this fourth-floor option. Minor edits from the existing CR-3 text are proposed for inclusion in the NH-1 zone to clarify that, 1) a fourth story may be used for parking; and, 2) that qualifying sites must contiguously be 2 acres in size. The proposed text amendment accounting for conditions in which certain nonresidential uses may be considered accessory to high-density residential neighborhoods in the NH-1 zone contemplates the standard use-dependent components of permitting, density/intensity of use, parking, and housing mitigation. As accessory uses, these standards are designed to be secondary and subordinate to their primary residential uses. Restrictive physical development standards are proposed to ensure that the accessory uses remain collectively and individually minority uses of the site. The concept of the proposed Accessory Local Convenience Commercial use is modeled after local convenience commercial use currently identified in the LDRs in the Office-Residential zone and borrows from the use definition found in the Jackson/Teton County Comprehensive Plan, relevant excerpts of which are included here:

2.2.10. OR: Office Residential

E. Additional Zone-Specific Standards

3. **Local Convenience Commercial.** The intent of allowing retail and service use in the OR zone is that the goods sold and services provided are primarily of convenience nature to provide for the needs of residents and employees in the surrounding area.
 - a. Goods and services sold shall not be of a specialty nature that rely on and attract customer and vehicle traffic from the community as a whole.
 - b. Only one retail or service use may exist on a lot of record.

Jackson/Teton County Comprehensive Plan, 2020

Local Convenience Commercial. Nonresidential use that serves the year-round residents of the area in which it is located, such as markets or groceries, pharmacies, eateries, day cares and dry cleaning/laundry or banking services.

Appendix-A-3

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

Complies. The proposed text amendment builds on the form-based, mixed-use, housing-priority elements of the 2018 Town-wide zoning update. Consistent with other prominent zones in the Midtown district, like CR-3, this text amendment would introduce options for additional housing incentives and nonresidential support uses in the NH-1 zone, but within a limited context defined by a neighborhood-scale site size and with primary residential uses as the foundation of the zone.

If approved, a comprehensive review of cross-references will be conducted by staff prior to first reading by the Town Council to ensure consistency and continuity of the entirety of the LDRs. For example, if use standards in Subsection C of the NH-1 zone are amended, the relevant fields of the use schedule in Section 6.1.1 of the LDRs should also be amended.

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

Complies. With clear physical development and use standards integrated into the proposed text amendment protecting the primary high-residential use of the NH-1 zone, singular or collective landowners of 2+ acre sites can flexibly employ the deed-restricted 4th floor housing option and/or accessory local convenience uses to varying degrees as these elements support the unique design, needs and qualities of individual projects. According to the current Town of Jackson Official Zoning Map, existing sites in which the NH-1 zone is applied to 2 or more contiguous acres of land are and to which option in this text amendment may be applied are:

- Webster Laplant Homestead (approximately 4.5 acres)
- The Clusters (approximately 4+ acres)
- Jackson Hole Meadows (approximately 3.5 acres)
- Scott & Snow King Condo Addition + Jackson Hole Distributing Site (approximately 2 acres)
- 90 Virginian Lane (5.15 acres)
- Trumpeter Swan Condos + Hawks View Townhomes (approximately 2 acres)
- Meadowbrook Village (approximately 3.5 acres)
- Karns 1st, 2nd, 3rd, 4th, 5th, 6th & 7th Additions + West Hansen Townhouses + Kelly Place Condos + Wort 2nd Addition, Ski Hill Townhouses Addition, Indian Summer Townhouses, Alpine Mountain Townhomes, Millward Townhomes, Glenwood Townhomes (approximately 35 acres)

- Meadowland (approximately 3+ acres)
- High Teton Condos, Senior Center, Cedar Creek apartments, Pioneer Homestead Apartments, Buffalo Head Townhomes, Beesley Subdivision, Shadowtree Townhomes (approximately 11 acres)

Of the sites listed, only 90 Virginian Lane, Webster Laplant apartments, and Pioneer Homestead apartments sites contain over 2 contiguous acres of NH-1 land under single entity ownership (per review of the Teton County Clerk's records). If approved, use of the options presented in this text amendment will be evaluated for implementation at 90 Virginian Lane for affordable housing.

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

Complies. The proposed text amendment is necessary to address public necessity. The Town Council is empowered to promote the health, safety, and general welfare of the present and future inhabitants of the community. Access to stable workforce and affordable housing is a public necessity directly linked to the individual and collective health, safety and welfare of people working and residing locally. The recently completed Teton Region Housing Needs Assessment identifies significant gaps in access to affordable workforce housing and even more dire projections for future need. With timeliness paramount, it is important to make diverse housing incentive tools available to all appropriate Town locations so that, as redevelopment occurs, permanently deed restricted housing can be expediently incorporated. Application of the 4th floor housing bonus option to large (2+ acre) NH-1 sites incentivizes the production of units restricted for workforce occupancy. As for the proposed allowance of accessory local convenience commercial uses in the NH-1 zone on large (2+ acre) sites, much academic and practical analysis demonstrates the equitable advantage of mixed-use neighborhoods for residents. This amendment proposal does not assert that the Town of Jackson "needs" more commercial development potential or that there is a lack of available commercial potential within districts where NH-1 zoning is applied. It is designed to maintain a variety of high-density housing as principal use of the NH-1 zone but allows for wholistic evolution of redevelopment and infill sites in transitional neighborhoods that considers livability both inside and outside the home. Allowing a minority of local convenience commercial uses as part of site-wide redevelopment projects can concurrently provide embedded social infrastructure, walkability, placemaking capacity, and direct access to amenities necessary to support new neighborhood residents.

5. Improves implementation of the Comprehensive Plan; and

Complies. Implementation of the following applicable Goals, Principles, and Policies is improved by the proposed LDR text amendment.

Increasing development potential options in the NH-1 zone maintains the community's goal to preserve and protect habitat, habitat connections, scenery, and open space by directing growth into Complete Neighborhoods.

- *Chapter 1. Stewardship of Wildlife, Natural Resources and Scenery Goal: Maintain healthy populations of all native species and preserve the ability of future generations to enjoy the quality natural, scenic, and agricultural resources that largely define our community character.*

Increasing local housing options for local workers and incorporating local convenience uses into new neighborhoods reduces both commuter and local car dependence, decreasing GHG emissions. Adding density to infill/redevelopment sites uses less energy than greenfield development.

- *Chapter 2. Climate Sustainability Goal: Emit less greenhouse gases than we did in 2012.*
 - *Principle 2.1— Reduce consumption of non-renewable energy.*
 - *Policy 2.1.a: Shift community energy consumption behavior*
 - *Principle 2.2— Reduce greenhouse gas emissions through land use.*
 - *Policy 2.2.a: Enhance suitable locations as Complete Neighborhoods*
 - *Policy 2.2.b: Direct growth out of habitat, scenery, and open space*
 - *Policy 2.2.c: Improve air quality*
 - *Principle 2.3— Reduce greenhouse gas emissions through transportation.*
 - *Policy 2.3.a: Meet future transportation demand through the use of alternative modes*
 - *Policy 2.3.b: Create a safe, efficient, interconnected multimodal transportation network*

Within the community-wide growth management context directed by the Comprehensive Plan, offering additional locational application of an existing housing bonus option ensures that the amount of development potential is not increased (bonus units built are pulled from finite resource pool), development is in the most suitable location (Town Complete Neighborhood), and is the best type to support our community (permanently deed restricted housing). By structuring a new local convenience option as accessory to primary residential uses and restricting its use to neighborhood-scale sites in which it is a small minority of the overall floor area, we can maintain the community cap on overall commercial development.

- *Chapter 3. Responsible Growth Management Goal: Direct at least 60% of future growth into Complete Neighborhoods to preserve habitat, scenery and open space and provide workforce housing opportunities.*
 - *Principle 3.1—Direct growth out of habitat, scenery, and open space.*
 - *Policy 3.1.a: Ensure there is no net increase in development potential*
 - *Policy 3.1.b: Direct development toward suitable Complete Neighborhood subareas*
 - *Principle 3.2—Enhance suitable locations as Complete Neighborhoods.*

- *Policy 3.2.a: Enhance the quality, desirability, and integrity of Complete Neighborhoods*
- *Policy 3.2.b: Locate nonresidential development in Complete Neighborhoods*
- *Policy 3.2.d: Emphasize a variety of housing types*
- *Policy 3.2.e: Promote quality public spaces in Complete Neighborhoods*
- *Principle 3.3—Manage growth predictably and locally.*
 - *Policy 3.3.a: Make land use decisions based on Plan framework and policies*
 - *Policy 3.3.d: Strive not to export impacts to other jurisdictions in the region*

Increasing options for development potential in a Town Complete Neighborhood Character Zone supports Town as the Heart of the Region. This proposed development potential is tied to permanent, year-round workforce and quality of life amenities and services. Limiting these options to NH-1 with specific site criteria focuses development potential on Transitional Subareas and adds economic and social vibrancy, walkability that is more convenient than SOVs, and additional deed-restricted homes.

- *Chapter 4. Town as the Heart of the Region-The Central Complete Neighborhood Goal: The Town of Jackson will continue to be the primary location for jobs, housing, shopping, educational and cultural activities.*
 - *Principle 4.1—Maintain Town as the central Complete Neighborhood.*
 - *Policy 4.1.a: Promote a complete Town of Jackson*
 - *Policy 4.1.b: Emphasize a variety of housing types, including deed-restricted housing*
 - *Policy 4.1.c: Promote compatible infill and redevelopment that fits Jackson's neighborhoods*
 - *Principle 4.2—Promote vibrant, walkable mixed use areas.*
 - *Policy 4.2.a: Create mixed use Subareas*
 - *Policy 4.2.b: Promote a balanced mix of nonresidential uses*
 - *Policy 4.2.c: Create vibrant walkable mixed use Subareas*
 - *Principle 4.3—Develop desirable residential neighborhoods.*
 - *Policy 4.3.b: Develop Transitional Subareas*
- *Chapter 5. Local Workforce Housing Goal: Ensure a variety of workforce housing opportunities exist so that at least 65% of those employed locally also live locally.*
 - *Principle 5.1—Maintain a diverse population by providing workforce housing.*
 - *Policy 5.1.a: House at least 65% of the workforce locally*
 - *Principle 5.2—Strategically locate a variety of housing types.*
 - *Policy 5.2.a: Provide a variety of housing options*
 - *Policy 5.2.b: Housing will be consistent with Character Districts*

- *Principle 5.3—Reduce the shortage of housing that is affordable to the workforce.*
 - *Policy 5.3.c: Create workforce housing to address remaining shortages*
- *Principle 5.4—Use a balanced set of tools to meet our housing goal.*
 - *Policy 5.4.d: Provide incentives for the provision of workforce housing*
- *Chapter 6. A Diverse and Balanced Economy Goal: Develop a sustainable, vibrant, stable and diversified local economy.*
 - *Principle 6.2—Promote a stable and diverse economy.*
 - *Policy 6.2.b: Support businesses located in the community because of our lifestyle*
 - *Policy 6.2.c: Encourage local entrepreneurial opportunities*
 - *Principle 6.3—Create a positive atmosphere for economic development.*
 - *Policy 6.3.a: Ensure year-round economic viability*
 - *Policy 6.3.b: Pursue many small efforts*
 - *Policy 6.3.d: Facilitate viable local businesses*
 - *Policy 6.3.e: Balance housing, nonresidential development, and civic uses*
- *Chapter 7. Multimodal Transportation Goal: Travel by walk, bike, carpool, or transit will be more convenient than travel by single- occupancy vehicle.*
 - *Principle 7.1—Meet future transportation demand with walk, bike, carpool, transit, and micromobility infrastructure*
 - *Policy 7.1.a: Increase the capacity for walking, biking, carpooling and riding transit*
 - *Principle 7.2— Reduce greenhouse gases from vehicles to below 2012 levels.*
 - *Policy 7.2.b: Discourage use of single-occupancy vehicles*
 - *Principle 7.3—Coordinate transportation planning regionally.*
 - *Policy 7.3.d: Develop a land use pattern based on transportation connectivity*

Locationally, the NH-1 zone is applied to Transitional Subareas. LDR Section 2.2.9 for the NH1 zone states, “This zone is intended for Transitional neighborhoods where increased residential density and workforce housing are intended.” Implementation of the proposed text amendment in the NH-1 zone is summarized in Comp Plan Policy 4.3.b: Develop Transitional Subareas:

*“Future development should provide a variety of housing types that **create additional workforce housing**, including multiple family owner-occupied and rental housing. These subareas **should include local convenience commercial** generally within ¼ to ½ mile of residences...Character will be defined less by the existing development pattern and more by the future Vision for the subarea. Developers are encouraged to utilize the allowances and incentives because these transitional subareas are the desired location of growth. Impactful investments in public infrastructure and housing will help to bolster these subareas and support efforts to promote quality of life.”*

6. Is consistent with the other adopted Town Ordinances.

Complies. Adopted Town Ordinances support the legislative discretion of the Jackson Town Council to administer and amend the Town of Jackson Land Development Regulations.

DRAFT LDR REDLINE

For ease of review, the proposed text amendment is separated into two topic sections in the attached draft redline 1) Workforce Housing Incentive for Additional Height; and 2) Accessory Local Convenience Commercial use.

WORKFORCE HOUSING INCENTIVE FOR ADDITIONAL HEIGHT

2.2.9.E. Additional Zone-specific Standards

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

[1. Minimum Density]

2. Workforce Housing Incentive for Additional Height. A structure may be 48 feet in height and 4 stories provided the following criteria are met.

a. The following standards apply to the amount of additional floor area achieved through the increase in structure height; however, the actual floor area to which the following standards apply may be distributed throughout the structure.

i. It shall be deed restricted workforce, affordable, or employee housing with an occupancy restriction;

ii. It may have an employment and/or price restriction.

iii. It shall be exempt from the calculation of affordable housing required but shall not be used to meet the affordable housing requirement for the project.

iv. fourth story may be used for parking that serves the deed restricted residential units.

b. The project shall provide the affordable housing required by Div. 6.3. on site.

c. The site shall be at least 2 contiguous acres to provide opportunity for sufficient setback from, and building height step down to small scale development.

d. The site shall be served by transit within 1/4 mile.

e. The site shall be within 1/4 mile walking distance from numerous commercial services routinely needed by residents.

f. The additional building height shall not increase the floor area allowance or decrease the required open space.

"LOCAL CONVENIENCE COMMERCIAL" AS ACCESSORY USE

2.2.9.C Use Standards

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

standards applicable in the NH-1 zone, however, all standards in Article 6. are applicable in the NH-1 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density	Individual Use (max)	Parking (min)	Affordable Workforce Housing Units (min)
Residential					
Detached Single-Family unit	B	(E.1)	8,000 sf Habitable excluding basement	1/DU 0-1 bedrooms 500 sf max; otherwise 1.5/DU	$0.000017(sf) + (Exp(-15.49 + 1.59*Ln(sf)))/2.176$
Attached Single-Family unit (6.1.4.C.) (E.1)	B	(E.1)			$0.000017(sf) + (Exp(-14.17 + 1.59*Ln(sf)))/2.176$
Apartment (6.1.4.D.)	B	(E.1)			
Dormitory (6.1.4.F.)	C	n/a	n/a	1/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Institutional					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	$0.000123 * sf$
Wireless Communications Facilities (6.1.10.D.)	B	n/a	n/a	1/employee + 1 per stored vehicle	$0.000123 * sf$
Accessory Uses					
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	n/a	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
<u>Local Convenience Commercial (6.1.11.I) (E.3)</u>	<u>B</u>	<u>E.3</u>	<u>2000sf</u>	<u>independent calculation</u>	<u>exempt</u>
Temporary Uses					
Temporary Shelter (6.1.11.D.)	B	1 unit per lot (max)	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

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

E. Additional Zone-specific Standards

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

[1. Minimum Density]

[2. Workforce Housing Incentive for Additional Height]

3. Accessory Local Convenience Commercial. This accessory use is only allowed on sites with development meeting the following criteria.

a. The development site shall be at least 2 contiguous acres to ensure that sufficient demand for local convenience services is supported by the surrounding neighborhood within a walkable distance for customers.

b. The Accessory Local Convenience Commercial total floor area shall be 15% or less of the total floor area on the site.

c. Customer space for each Local Convenience Commercial shall be located on the ground floor and attached to a Primary use.

d. All parking shall be provided on-site and shall be located to the rear of the structure or in another location that is visually unobtrusive, or shall be located off-site in the form of 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 noparking 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.

e. Loading Requirement. Sufficient off-street loading facilities must be provided. The requirements of 6.2.2.E are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.

6.1.11. Accessory Uses (7/18/18, Ord. 1196)

A. All Accessory Uses

1. Definition. An accessory use is a use that constitutes a minority of the use or character of the property and is secondary and subordinate to another use of the same property, but which is not an incidental use.

2. Standards

a. An accessory use may only be permitted in association with an active, primary use designated for the accessory use.

b. An accessory use must be abandoned upon abandonment of its primary use.

c. An accessory use shall be subject to all dimensional limitations and other development standards applicable to its primary use unless otherwise provided in this Section.

d. A property with an accessory use shall not be subdivided in any way that results in the accessory use being owned separately from its primary use.

[B, C, D, E, F, G, H]

I. Local Convenience Commercial

1. Definition. An Accessory Local Convenience Commercial use is a small-scale Commercial, Amusement/Recreation, or Institutional use that is secondary to a principal residential use of the property. The intent is that the goods sold and services provided serve the daily needs of year-round residents living within close proximity to the project, such as markets or groceries, pharmacies, eateries, day cares and dry cleaning/laundry.

a. Includes:

i. Retail (6.1.6.C)

ii. Service (6.1.6.D)

iii. Restaurant/bar (6.1.6.E)

iv. Amusement (6.1.7.B)

v. Developed Recreation (6.1.7.D)

vi. Daycare/Education (6.1.8.C)

2. Primary Uses:

a. Attached Dwelling Unit (6.1.4.C)

b. Apartment (6.1.4.D)

c. Dormitory (6.1.4.F)

d. Group Home (6.1.4.G)

3. Standards

a. Zone Specific Standards Also Apply. In addition to the standards of this subsection, applicable standards for an this use may also be found in Subsection C and/or E for the Section of the Zone in which this use is located.

Workflow Notes

Permit Number	Begin Date	Step Type	Text	Created By	End Date
P23-168		ENGINEERING DEPARTMENT COMMENTS	LDR TEXT AMENDMENT - Approved P23-168 ADDRESS: n/a OWNER: n/a APPLICANT: Jackson/Teton County Housing Department 10/18/2023 Matthew Doyle, 733-3079 DATE OF SUBMITTAL: 9/14/2023 DATE OF MATERIALS: 9/11/2023 (Application) REVISION NO.: 00 The engineering division has reviewed your application for an LDR TEXT AMENDMENT submitted on and with application materials as dated above. NO COMMENT NO FEES		
P23-168		PLANNING DEPARTMENT COMMENTS	Staff recommends adding a 4th story stepback requirement similar to other commercial/mixed-use zones and modifying the "Intent" section for the NH-1 zone to include language about potential 4-story buildings and potential accessory commercial uses for certain large sites.		
	09/14/2023	PC PUBLIC NOTICE		ALANGLEY@JACKSONWY.GOV	
	09/14/2023	TOWN COUNCIL 3RD READING		KPAGE@JACKSONWY.GOV	09/14/2023
	10/18/2023	TC PUBLIC NOTICE		MDOYLE@JACKSONWY.GOV	10/18/2023
	10/27/2023	TOWN COUNCIL 1ST READING		TVALENTINE@JACKSONWY.GOV	10/27/2023
		TOWN COUNCIL MEETING			
		FIRE DEPARTMENT COMMENTS			
		COMPLETE REPORT			
		COMPLETENESS REVIEW			
		DETERMINATION OF SUFFICIENCY			

Workflow Notes

Permit Number	Begin Date	Step Type	Text	Created By	End Date
		PATHWAYS DEPARTMENT COMMENTS			
		PC KEY ISSUES			
		FINAL LETTER			
		PARKS AND RECREATION DEPARTMENT COMMENTS			
		POLICE DEPARTMENT COMMENTS			
		PLANNING COMMISSION REVIEW AND RECOMMENDATIO N			
		TOWN COUNCIL 2ND READING			
		PC ROUGH DRAFT			
		BUILDING DEPARTMENT COMMENTS			
		INITIAL REPORT			
		PC FINAL DRAFT			
		LEGAL DEPARTMENT COMMENTS			
		JOINT HOUSING DEPARTMENT COMMENTS			
		FINAL REPORT			
		START DEPARTMENT COMMENTS			